

Council Chambers at City Hall  
Tuesday, March 18, 2025  
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](http://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 State Street as well as in the public parking garage behind City Hall. Persons who may need assistive listening devices or interpretation/translation services are asked to contact the City Secretary's Office at 972-205-2404 as soon as possible prior to the meeting so that we may do all we can to provide appropriate arrangements.

Garland City Council meetings are livestreamed and available on-demand at [GarlandTX.tv](http://GarlandTX.tv). They are also broadcast on Spectrum Channel 16, Frontier Channel 44 and AT&T Uverse Channel 99. Closed captioning is available for each in English and Spanish.

**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.

- Proclamation for National Surveyor's Week
- Salvation Army's Special Recognition for the Mayor and City Council for the Red Kettle Challenge

### 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. Approve the minutes of the March 4, 2025 Regular Meeting

2. Approve the following bids:

- a. Generator and Switchgear for Firewheel Pump Station Project Bid No. 0204-25

Cummins Southern Plains, LLC \$3,987,039.00

*This request is for procuring a generator to replace the existing 32-year-old generator at Firewheel Pump Station. The City of Garland is rehabilitating the existing Firewheel Pump Station to improve the reliability of the water distribution system.*

- b. Sensus Water Meters Bid No. 0644-25

Aqua-Metrics Sales Company \$1,000,000.00

*This request is for the purchase of positive displacement water meters of various sizes for stocking the Water Utilities Department, installing new water services, and replacing existing water meters to ensure billing accuracy.*

- c. Term Contract for Service Line Inspections Bid No. 0679-25

Insituform Technologies, LLC \$799,834.00

*This request is for cured in place pipelining of wastewater mains at three locations to reduce inflow and infiltration into the main. The three locations are on Miami Drive, Longbeach Drive, and Centerville Road. An owner's contingency is included for any additional work or materials that may be required.*

- d. Fire Station 7 Construction Bid No. 0277-25

Cerris Builders, Inc. \$11,973,500.00

*This request is to provide construction services for the Relocation of Fire Station No. 7.*

- e. GP&L Plant Staffing Services Contract Change Order No. 1 Bid No. 0497-23

NAES Corporation \$240,000.00

*This request is to obtain change order No. 1 to the final renewal of Blanket Services Contract 10110 for the NAES Staffing Services Contract. A new contract is currently out for bid and this change order will allow for uninterrupted services while a new bid is awarded.*

- f. GP&L Shiloh to Marquis Transmission Line Construction Services Bid No. 0502-25

DD Grid, LLC \$2,250,000.00

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



- g. **GP&L Walnut to Newman 138kV Transmission Line Rebuild Engineering Services** **Bid No. 0744-25**

**Burns & McDonnell Engineering Company, Inc. \$1,354,000.00**

*This request is to obtain engineering services to design the rebuild of the GP&L Walnut to Newman 138kV Transmission Line. Services include transmission and distribution line design, field engineering, survey, easement, and permitting support. This is part of the approved GP&L Line Capacity Increase CIP project.*

- h. **Trickling Filters Distribution Arms** **Bid No. 0311-25**

**WesTech Engineering, Inc. \$781,191.00**

*This request is to procure and install the distribution arms assembly of two trickling filters. The existing distribution arms on two trickling filters are 40 years old and corroded beyond repair. The design and installation of distribution arms shall be performed by WesTech Engineering, Inc. An owner's contingency is included for any additional work or materials that may be required.*

- i. **GP&L Transmission and Substation Technical Consulting Services Change Order No. 1** **Bid No. 0945-24**

**Principle Services, LLC \$2,000,000.00**

*This request is to obtain change order No. 1 to purchase order 36951 issued for technical consulting services for GP&L and TMPA Transmission and Substation operations and CIP projects. GP&L and TMPA project activities have created a substantial increase to the number of field and office personnel needed under this contract. This change order will apply to each of the available renewals for these services.*

- j. **GP&L Brand Road UG Electric Distribution Relocations** **Bid No. 0469-25**

**Tri-Con Services, Inc. \$517,855.00**

*This request is to obtain construction labor for the relocation of GP&L distribution underground services as part of the City of Garland Brand Road Widening project.*

- k. **Demolish and Replace the Golf Greens on the Old Course** **Bid No. 0758-25**

**Greenscapes Six \$1,204,500.00**

*This request is to replace Firewheel Old Course golf greens. The golf greens on the Old Course are overtaken by a variety of other grasses, which not only disrupt the playability and ball roll, but have resulted in a considerable reduction of the putting green area.*

- l. **Greens Mowers for Firewheel Golf Park** **Bid No. 0726-25**

**Professional Turf Products \$279,117.75**

*This request is for the purchase of one new greens mower and the replacement of four greens mowers that have been in use for over 13 years, exceeding their expected life cycle.*

3. **Proposed Development Agreement with Trilogy - BRD Acquisitions, LLC**

*Approve a proposed development agreement with Trilogy -- BRD Acquisitions, LLC, in regard to a 178-acre residential development in the former Eastern Hills Country Club.*

**4. Proposed Development Agreement with Garage of America**

*Approve a proposed development agreement with Garage of America in regard to an 8-acre self-storage condo development on President George Bush Turnpike and Brand Road.*

**5. GDC Amendment ORD 25-01**

*Approve an ordinance amending Section 2.51, Land Use Matrix, of Article 4, Chapter 2, of the Garland Development Code and Section 2.74, Nonconforming Use or Structure Criteria, of Article 6, Chapter 2, of the Garland Development Code of the City of Garland, Texas; providing a Savings Clause, providing a penalty under the provisions of Section 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Severability Clause; and setting an effective date.*

**6. GPS: Garland's Pathway to Success**

*Approval of GPS: Garland's Pathway to Success, the City Manager's work plan for aligning City Council direction with the work of Team Garland. Council was briefed on this item at the November 18, 2024 Work Session (verbal) and the March 17, 2025 Work Session (written).*

**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.

**7. Hold public hearing(s) on:**

- a. **Consider approval of an ordinance for the Levying of Assessments for the School Street Alley Petition project located behind the addresses of 401, 405 and 409 School Street**

*Hold a public hearing and consider approval of an ordinance for the Levying of Assessments for the School Street Alley Petition project located behind the addresses of 401, 405 and 409 School Street. Council considered this item at the March 3, 2025 Work Session and the March 4, 2025 Regular Meeting.*

- b. **Garland Development Code (GDC) Amendment 25-03**

*Hold a public hearing to consider amendments to Chapter 2, Division 5 Telecommunications Towers and Antennas and Chapter 2, Attachment 1 -- Land Use Matrix as it relates to Antenna, Commercial use. This GDC amendment is proposing to require a Specific Use Provision (SUP) for Antenna, Commercial use and eliminate the current distance requirement between Antenna, Commercial uses.*

**8. Hold public hearing(s) on the following Zoning Case(s):**

- a. **Consider a request by Hugo Olvera Galindo proposing a Specific Use Provision (SUP) for a Tattoo/Body Piercing Establishment. The site is located at 977 West Centerville Road, Suite 6, in District 5.**

*Consider and take appropriate action on the application of Hugo Olvera Galindo, requesting approval of 1) a Specific Use Provision for a Tattooing/Body Piercing Establishment Use on a property zoned Planned Development (PD) District 76-15 and 2) a Concept Plan for a Tattooing/Body Piercing Establishment Use. The site is located at 977 West Centerville Road, Suite 6. (District 5) (File Z 23-38)*

- b. **Consider a request by Nayeb Management, LLC, proposing a Specific Use Provision (SUP) for a Tattoo/Body Piercing Establishment. The site is located at 1350 Northwest Highway, Suite 107, in District 5.**

*Consider and take appropriate action on the application of Nayeb Management, LLC, requesting approval of 1) a Specific Use Provision for a Tattooing/Body Piercing Establishment Use on a property zoned Planned Development (PD) District 82-59 and 2) a Concept Plan for a Tattooing/Body Piercing Establishment Use. The site is located at 1350 Northwest Highway, Suite 107. (District 5) (File Z 24-29)*

- c. Consider a request by Development Engineering Consultants, LLC, proposing an amendment to Planned Development (PD) District 00-39 to allow a Landscape Nursery Retail Use. The site is located near 4400 President George Bush Highway, in District 1.

*Consider and take appropriate action on the application of Development Engineering Consultants, LLC, requesting approval of 1) an Amendment to Planned Development (PD) District 00-39 for a Landscape Nursery Retail Use and 2) a Concept Plan for a Landscape Nursery Retail Use. The site is located at 4400 North President George Bush Highway. (District 1) (File Z 24-41)*

## 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

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**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]

## Mission

We serve to grow public trust and a thriving Garland community, today and for the future.

## Vision

Garland will be an engaged and vibrant community that residents proudly call home.

## Strategic Focus Areas



Safe Community



Well-Maintained  
City Infrastructure



Reliable, Cost-Efficient  
Utility Services



Sound Governance  
and Finances



Vibrant Neighborhoods  
and Commercial Centers



Customer-Focused  
City Services



Growing  
Economic Base



Future-Focused  
City Organization



Enhanced Quality of  
Life through Amenities,  
Arts and Events



Commercially Thriving  
Downtown

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**

**City Council Regular Session**

**1.**

**Meeting Date:** 03/18/2025

**Title:** City Council Regular Meeting Minutes- March 4, 2025

**Submitted By:** Jennifer Stubbs, City Secretary

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**Issue/Summary**

Approve the minutes of the March 4, 2025 Regular Meeting.

**Background**

N/A

**Consideration / Recommendation**

Approval of the March 4, 2025 Regular Meeting Minutes.

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**Attachments**

March 4, 2025 Regular Meeting Minutes

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**DRAFT**



# **GARLAND**

## **MINUTES**

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, March 4, 2025, 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 Ed Moore  
Deputy Mayor Pro Tem Margaret Lucht  
Council Member Jeff Bass  
Council Member Kris Beard  
Council Member B.J. Williams  
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 Phil Urrutia  
City Attorney Brian England  
City Secretary Jennifer Stubbs  
Deputy City Secretary Tracy Allmendinger

### **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.

Councilmember Dutton provided the legislative prayer and led those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America.

### **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.

- Pet of the Month

Christine Fuentes announced the pet of the month; Curly Fry.

- North Texas Community Cleanup Challenge Proclamation

Mayor LeMay read the proclamation and presented it to city staff.

- Red Cross Month Proclamation

Mayor LeMay read the proclamation and presented it to Dominica McCarthy, Red Cross Chief Volunteer Services Officer for North Texas.

## 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.

Mayor LeMay announced that Councilmember Dutton requested to pull item 5 from the consent agenda. Councilmember Dutton made a motion to approve the consent agenda without item 5. Mayor Pro Tem Moore seconded the motion. All voted in favor. The motion carried.

1. **APPROVED Approve the minutes of the February 18, 2025 Regular Meeting**
  
2. **Approve the following bids:**
  - a. **APPROVED Police Station Locker Room Renovations** **Bid No. 0559-25**  
  

**CORE Construction Services of Texas, Inc. \$658,059.00**

*This request is to provide construction services to remodel the existing locker rooms at Police Headquarters.*
  
  - b. **2022 Alley Improvements Group B Construction-Change Order** **Bid No. 0060-24**  
  

**La Banda, LLC \$68,944.95**

*This request is to approve Change Order No. 1 for the 2022 Alley Improvements Group B construction project.*
  
  - c. **APPROVED Construction Contract for the 2023 Alley and Wastewater Improvements Project** **Bid No. 0083-25**  
  

**Tri-Con Services, Inc. \$2,922,706.30**

*This request is to award a contract for construction of the 2023 Alley and Wastewater Improvements project.*
  
  - d. **APPROVED Cooper and Southern Gardens Drainage Improvements Construction Award** **Bid No. 1316-24**  
  

**DDM Construction Corporation \$11,800,671.00**

*This request is for construction of the Cooper and Southern Gardens Drainage Improvements project.*
  
  - e. **APPROVED Design Contract for Emberwood Drive and Sugarberry Lane Paving, Drainage, and Utility Improvements** **Bid No. 0631-25**  
  

**Lockwood, Andrews & Newnam, Inc. \$336,861.00**

*This request is for the design of paving, drainage, and utility improvements to Emberwood*

*Drive and Sugarberry Lane.*

**f. APPROVED Fire Station 1 Construction Services**

**Bid No. 0196-25**

**Cerris Builders, Inc.**

**\$16,967,800.00**

*This request is for construction services to rebuild Fire Station 1.*

**g. APPROVED GP&L Wylie to Mallard Transmission Line Steel Structures**

**Bid No. 0497-25**

**KBS Electrical Distributors, Inc.**

**\$3,800,000.00**

*This request is to obtain structures needed for the construction of the GP&L Wylie to Mallard transmission line as part of the approved OPGW Install-OL1-BD 138kV CIP project. An owner's contingency is included for any additional materials that may be required.*

**h. APPROVED GP&L King Mountain 345kV Switch Station Terminal Engineering Services**

**Bid No. 0642-25**

**Burns & McDonnell Engineering Company, Inc.**

**\$1,366,000.00**

*This request is to obtain engineering services to design the addition of a terminal at the GP&L King Mountain 345kV Switch Station. This is part of the approved GP&L King Mountain Terminal to Grandfalls CIP project.*

**i. APPROVED GP&L Newman 138kV Substation Expansion Engineering Services**

**Bid No. 0640-25**

**Burns & McDonnell Engineering Company, Inc.**

**\$2,099,000.00**

*This request is to obtain engineering services to support the expansion of the GP&L Newman 138kV Substation. This is part of the approved Newman Substation Expansion CIP project.*

**j. APPROVED GP&L Naaman to Newman 138kV Transmission Line Rebuild Engineering Services**

**Bid No. 0641-25**

**Burns & McDonnell Engineering Company, Inc.**

**\$1,980,500.00**

*This request is to obtain engineering services to design the rebuild of the GP&L Naaman to Walnut 138kV Transmission Line to become the Naaman to Newman 138kV Transmission Line. This is part of the approved GP&L Line Capacity Increase CIP project.*

**k. APPROVED GP&L Apollo to Naaman 138kV Transmission Line Rebuild Engineering Services**

**Bid No. 0639-25**

**Burns & McDonnell Engineering Company, Inc.**

**\$2,020,500.00**

*This request is to obtain engineering services to design the remaining portion of the rebuild of the GP&L Apollo to Naaman 138kV Transmission Line. This is part of the GP&L Apollo to Naaman 138 kV Transmission Line Rebuild CIP project.*

**l. APPROVED GP&L Olinger 2 Evaporation Pond Flood Mitigation**

**Bid No. 0648-25**

**TAS Environmental**

**\$292,500.00**

*This request is for emergency flood mitigation of the GP&L Olinger 2 Evaporation Pond.*

**3. APPROVED Employment Contracts of City Manager, City Attorney, City Auditor, and Municipal**



## **Judges**

*Approve employment contracts of the City Manager, City Attorney, City Auditor, and Municipal Judges reflecting amendments to benefits and compensation for the 2025 calendar year, as previously determined by City Council.*

### **4. APPROVED Ordinance Adopting 2025 Capital Improvement Program Budget (CIP) Amendment No. 1**

*Approve an ordinance amending the 2025 Capital Improvement Program to adopt CIP Budget Amendment No. 1 for the Holford Youth & Recreation Soccer Facilities new project. Council considered the proposed project at the February 3, 2025 Work Session and the proposed CIP Budget Amendment No. 1 at the February 17, 2025 Work Session.*

### **5. APPROVED School Street Alley Petition Project**

*Approve by minute action a Determination of Necessity for authorizing improvements to the School Street Alley Petition project and order a Public Hearing for the Levying of Assessments for the March 18, 2025 Regular Meeting. Council considered this item at the March 3, 2025 Work Session.*

### **6. APPROVED Neighborhood Vitality Matching Grant Fall 2024 Applications**

*Approve the funding request for the Fall 2024 Neighborhood Vitality Matching Grant cycle. Council considered this item at the February 17, 2025 Work Session.*

### **7. A public hearing was previously conducted for the zoning case(s) below. Council approved the zoning request(s) and instructed staff to bring forth the following ordinances:**

#### **a. APPROVED Z 24-40 Yesenia Morales (District 8)**

*Approve an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving (1) a Change in Zoning from Community Retail (CR) District to Single-Family-5 (SF-5) District on a 0.197-acre tract of land located at 409 School 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.*

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

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### **8. DENIED Agreement for Real Property Contract of Sale Between The Owl Icehouse Garland LLC and the City of Garland Regarding Property Located at 519 State Street in the Downtown Historic Sub-district.**

*Approve a Development Agreement and Real Property Contract of Sale between The Owl Icehouse Garland LLC and the City of Garland regarding property located at 519 State Street in the Downtown Historic Sub-district. Council was previously briefed on this item at the March 3, 2025 Work Session.*

This item was previously removed from the consent agenda. Mr. Rex and Mr. Hesser provided a presentation covering the project timeline, overview, parking concerns, and financial analysis. They also responded to questions from the Council. Additionally, Rae Luther, the developer, gave a presentation and addressed questions from the Council.

Citizens who signed up to speak on the item: Lori Dodson, Chad Jones, Alice Oldenburg, John Johnston, Eric Stuyvesant, Amy Karp, Tammy Hauck-Norwell, Lindsey Fiegelman, and Rich Aubin. Mark McCain donated his time to John Johnston.

Ms. Rae provided additional context. Mr. Rex answered questions of the Council. Councilmember Dutton made a motion to deny item 5. Councilmember Williams asked for clarification on the item. Discussion followed. Councilmember Hedrick seconded the motion. Deputy Mayor Pro Tem Lucht proposed an amendment to table this item for the next Council meeting. Councilmember Dutton accepted the amendment. Mr. Hedrick emphasized the importance of voting on the item as presented. Mr. England noted that Council procedures are guided by ordinance and Council policy, with Robert's Rules of Order generally followed. Mayor LeMay announced that we are going back to the original motion to deny the item. Mr. Hedrick did not second the motion. Mayor LeMay clarified that the intent of the motion was to deny the item and come back with additional or another agreement. Discussion followed. Mayor LeMay clarified that there was a motion on the floor to deny the item with a second.

The vote was: Councilmember Dutton, yes; Councilmember Hedrick, yes; Councilmember Ott, no; Mayor LeMay, yes; Councilmember Bass, yes; Councilmember Beard, no; Mayor Pro Tem Moore, no; Councilmember Williams, yes; and Deputy Mayor Pro Tem Lucht, yes. The motion carried.

**9. Hold public hearing(s) on:**

**a. Garland Development Code (GDC) Amendment (25-01)**

*Hold a public hearing to consider amendments to Attachment 1 -- Land Use Matrix as it relates to the allowable districts for Laundry, Self-Service (Laundromat) use and Restaurant use. The GDC amendment request is proposing to require a Specific Use Provision (SUP) for the Laundry, Self-Service (Laundromat) use in the CR, Community Retail district and to allow the Restaurant use by right in the NS, Neighborhood Services District.*

Ms. Nur provided a presentation on the item. She stated that the Plan Commission recommended approval of the resolution, denial of the laundromat, and provided additional information. Ms. Nur answered questions of the Council. There was no one present who wished to speak under the public hearing.

Deputy Mayor Pro Tem Lucht made a motion to approve laundromats for SUP use in Community Retail (CR) zoning and approve by right for NS Zoning. Mayor Pro Tem Lucht clarified that future laundromats should require an SUP. Discussion followed. Councilmember Ott requested to split the vote out. Mayor LeMay stated the vote would be split by laundry self-service and community retail restaurant.

Deputy Mayor Pro Tem Lucht made a motion to approve the required SUP for laundromats in Community Retail (CR) zoning with an amendment to allow current businesses operating as laundromats to continue, while future ones will require an SUP. Councilmember Dutton seconded the motion. The vote was: Deputy Mayor Pro Tem Lucht, yes; Councilmember Dutton, yes; Councilmember Hedrick, no; Councilmember Ott, no; Mayor LeMay, yes; Councilmember Bass, yes; Councilmember Beard, yes; Mayor Pro Tem Moore, no; and Councilmember Williams, yes. The motion carried.

Deputy Mayor Pro Tem Lucht made a motion to approve restaurant use by right in NS zoning. Councilmember Dutton seconded the motion. All voted in favor. The motion carried.

**b. Garland Development Code (GDC) Amendment (25-02)**

*Hold a public hearing to consider amendments to the plat approval and relevant procedures. The GDC amendment request is proposing to allow the plat approval procedure to become administrative.*

Ms. Nur provided a presentation on the item. She stated that the Plan Commission recommended approval. There was no one who wished to speak on the public hearing. Councilmember Dutton made a motion to approve the proposed amendment to allow the plat approval procedure to become administrative. Councilmember Williams seconded the motion.

All voted in favor. The motion carried.

## **CONSIDER APPOINTMENTS TO BOARDS AND COMMISSIONS**

Terms are usually staggered whereby at least half of the membership has previous experience. Members are appointed based on qualifications.

### **10. Councilmember B.J. Williams**

- Jordan Cotton -TIF #2 South Board

Councilmember Williams made a motion to approve the appointment. Councilmember Hedrick seconded the motion. All voted in favor. The motion carried.

## **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.

Arlandria Houston and Terry Reece.

## **ADJOURN**

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Mayor LeMay adjourned the meeting at 9:48 p.m.

Submitted By:

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Scott LeMay, Mayor

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Jennifer Stubbs, City Secretary



**GARLAND**  
**PURCHASING REPORT**

**City Council Regular Session**

2. a.

**Meeting Date:** 03/18/2025

**Item Title:** Generator and Switchgear for Firewheel Pump Station Project

**Submitted By:** Michael Brinkmann, Managing Director

**Bid Number:** 0204-25

**Purchase Justification:**

This request is for the purpose of procuring a generator to replace the existing 32-year-old generator at Firewheel Pump Station. The City of Garland is rehabilitating the existing Firewheel Pump Station to improve the reliability of the water distribution system. The design of the pump station generator will be performed by Gupta and Associates. Since the backup generator is a long lead item, this equipment is bid out separately and shall be provided by Cummins Southern Plains. An extended warranty and optional contingency is included for any unforeseen items that may arise.

**Evaluation:**

A request for bids was issued in accordance with Purchasing procedures. Five (5) bids were received and evaluated based on the published criteria. Cummins Southern Plains, LLC received the highest evaluated score, offering the Best Value for the City.

**Award Recommendation:**

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Cummins Southern Plains, LLC	All	\$3,816,944.00
Extended Warranty		20,095.00
Owner's Contingency		150,000.00
	<b>TOTAL:</b>	<b>\$3,987,039.00</b>

**Basis for Award:**

Best Value

**Purchase Requisition #:**

53180

**Fiscal Impact**

**Total Project/Account:** \$12,036,000\*

**Expended/Encumbered to Date (Including this Item):** \$11,957,134

**Proposed Balance:** \$78,866

**Account #:** 220-4049-3023700-9007

**Fund/Dept/Project Description and Comments:**

Water CIP / Water Pump Station Emergency Generators Project

This project will continue into 2026 and funding is included in 2026 for the continuation of this project, as projected in the 2025 CIP.

**Attachments**

**Bid Recap**

**Budget Type:**

CIP

**Fiscal Year:**

2025

**Document Location:**

Proposed CIP - Page 209

**Budget Director Approval:**

Matthew Watson

**Approval Date:**

03/06/2025

**Purchasing Director Approval:**

Gary L. Holcomb

**Approval Date:**

02/27/2025

CITY OF GARLAND - BID RECAP SHEET OPENED: 12/10/2024 REQ. NO. 53180 BID NO. 0204-25 PAGE: 1 of 1 BUYER: L. Segura				Cummins Southern Plains, LLC		Live Systems, LLC (Cummins)		Live Systems, LLC (CAT)		Holt Caterpillar		C. F. McDonald Electric, Inc.	
I T E M	QTY	U N I T	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
			Bid Price for Evaluation		\$3,816,944.00		\$3,816,944.00		\$3,550,880.00		\$3,450,880.00		\$4,424,469.00
			Evaluation Criteria:										
			Price	Maximum = 40	36.00		36.00		39.00		40.00		31.00
			Adherence to Specifications	Maximum = 20	20.00		20.00		20.00		18.00		18.00
			Equipment Delivery	Maximum = 20	20.00		20.00		13.85		13.85		15.00
			Shop Drawing Production	Maximum = 15	15.00		15.00		10.00		10.00		11.20
			Manufacturer History	Maximum = 5	5.00		3.50		3.50		3.50		5.00
			Total Score:	Maximum = 100	96.00		94.50		86.35		85.35		80.20
													</



**GARLAND**  
**PURCHASING REPORT**

**City Council Regular Session**

2. b.

**Meeting Date:** 03/18/2025

**Item Title:** Sensus Water Meters

**Submitted By:** Michael Brinkmann, Managing Director

**Bid Number:** 0644-25

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**Purchase Justification:**

This request is for the purchase of positive displacement water meters of various sizes for stocking the Water Utilities Department for the purpose of installing new water services and replacing existing water meters to ensure billing accuracy. This approval is for a term agreement with four (4) optional renewals.

**Evaluation:**

The water meters are available from Aqua-Metrics Sales Company through the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Contract WM09-20. As competitive bids were not received, a Bid Recap is not included.

**Award Recommendation:**

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Aqua-Metrics Sales Company	All	\$1,000,000.00
	<b>TOTAL:</b>	<b>\$1,000,000.00</b>

**Basis for Award:**

Cooperative Purchase

**Purchase Requisition #:**

53251

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**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 Description and Comments:**

These water meters are warehouse inventory items that will be expensed to the Water Service Installation and Water Meter and Endpoint Replacement CIP projects when installed.

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**Budget Type:**

CIP

**Fiscal Year:**

2025

**Document Location:**

Proposed CIP pages 205 & 206

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**Budget Director Approval:**

Matthew Watson

**Approval Date:**

03/04/2025

**Purchasing Director Approval:**

Gary L. Holcomb

**Approval Date:**

02/27/2025



**GARLAND**  
**PURCHASING REPORT**

**City Council Regular Session**

2. c.

**Meeting Date:** 03/18/2025

**Item Title:** Term Contract for Service Line Inspection

**Submitted By:** Michael Brinkmann, Managing Director

**Bid Number:** 0679-25

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**Purchase Justification:**

This proposal is for Cured in Place Pipelining of wastewater mains at three locations to reduce inflow and infiltration into the main. The three locations are on Miami Drive, Longbeach Drive and Centerville Road. An owner contingency is included for any additional work or materials that may be required. This approval is for a term contract with four (4) optional renewals.

**Evaluation:**

The lining of wastewater mains is available from Insituform Technologies, LLC through the BuyBoard Cooperative Purchasing Contract 730-24. As competitive bids were not received, a Bid Recap is not included.

**Award Recommendation:**

<i><b>Vendor</b></i>	<i><b>Item</b></i>	<i><b>Amount</b></i>
Insituform Technologies, LLC	All	\$784,834.00
Owner's Contingency		15,000.00
	<b>TOTAL:</b>	<b>\$799,834.00</b>

**Basis for Award:**

**Purchase Requisition #:**

53299

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**Fiscal Impact**

**Total Project/Account:** \$10,040,192.00

**Expended/Encumbered to Date (Including this Item):** \$10,040,191.52

**Proposed Balance:** \$0.48

**Account #:** 230 0032124

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**Budget Type:**

CIP

**Fiscal Year:**

2025

**Document Location:**

Pg. 236

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**Budget Director Approval:**

Matthew Watson

**Approval Date:**

03/06/2025

**Purchasing Director Approval:**

Gary L. Holcomb

**Approval Date:**

02/27/2025



**GARLAND**  
**PURCHASING REPORT**

**City Council Regular Session**

2. d.

**Meeting Date:** 03/18/2025

**Item Title:** Fire Station 7 - Construction Services

**Submitted By:** Crystal Owens, Assistant City Manager

**Bid Number:** 0277-25

**Purchase Justification:**

This request is to provide construction services for the Relocation of Fire Station No. 7. This new dual company 15,600 sq. ft. (approximately) fire station will be built at 1805 Pleasant Valley Rd. and will feature four bays, nine bedrooms for staff and two officers' suites (11 bedrooms total), kitchen, dining area, day room, watch/report room, and fitness room.

**Evaluation:**

A request for bids was issued in accordance with Purchasing procedures. Eight (8) bids were received and evaluated based on the published criteria. Cerris Builders, Inc. received the highest evaluated score, offering the Best Value for the City.

**Award Recommendation:**

	<i><b>Item</b></i>	<i><b>Amount</b></i>
Cerris Builders, Inc.	All	\$11,973,500.00
	<b>TOTAL:</b>	<b>\$11,973,500.00</b>

**Basis for Award:**

Best Value

**Purchase Requisition #:**

53327

**Fiscal Impact**

**Total Project/Account:** \$9,766,000  
**Expended/Encumbered to Date (Including this Item):** \$13,940,597  
**Proposed Balance:** -\$4,174,597  
**Account #:** Various

**Fund/Dept/Project Description and Comments:**

Public Safety / Relocate Fire Station No. 7	652-1429-12099-19-9002, 692-1429-12099-00-9002	\$11,973,500
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The Relocate Fire Station No. 7 project will continue into 2026. As reflected in the 2025 CIP, Certificates of Obligation funding will be included in the 2026 Capital Improvement Program for the continuation of the project.

**Attachments**

**Bid Recap**

**Budget Type:** CIP  
**Fiscal Year:** 2025  
**Document Location:** Proposed, Page 126

**Budget Director Approval:** Matthew Watson      **Approval Date:** 03/13/2025  
**Purchasing Director Approval:** Gary L. Holcomb      **Approval Date:** 03/12/2025



[illegible]





**GARLAND**  
**PURCHASING REPORT**

**City Council Regular Session**

2. e.

**Meeting Date:** 03/18/2025

**Item Title:** GP&L Plant Staffing Services Contract Change Order No. 1

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

**Bid Number:** 0497-23

---

**Purchase Justification:**

The purpose of this request is to obtain change order No. 1 to the final renewal of Blanket Services Contract 10110 for the NAES Staffing Services. A new contract is currently out for bid and this change order will allow for uninterrupted services while a new bid is awarded.

**Evaluation:**

NAES Corporation was awarded the original BL 9444 in the amount of \$820,000 at the June 6, 2023 City Council Meeting. As competitive bids were not received for the change order, a Bid Recap is not included.

**Award Recommendation:**

<i><b>Vendor</b></i>	<i><b>Item</b></i>	<i><b>Amount</b></i>
NAES Corporation	All	\$240,000.00
	<b>TOTAL:</b>	<b>\$240,000.00</b>

**Basis for Award:**

Change Order

**Purchase Requisition #:**

53336

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**Fiscal Impact**

**Total Project/Account:**

N/A

**Expended/Encumbered to Date (Including this Item):**

N/A

**Proposed Balance:**

N/A

**Account #:**

Various

**Fund/Dept/Project Description and Comments:**

Term Contract sets price but does not commit funds. Expenses will be charged to GP&L Operations account(s) as incurred.

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**Budget Type:**

Operating Budget

**Fiscal Year:**

2024-25

**Document Location:**

Page 251

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**Budget Director Approval:**

Matthew Watson

**Approval Date:**

03/03/2025

**Purchasing Director Approval:**

Gary L. Holcomb

**Approval Date:**

02/27/2025



**GARLAND**  
**PURCHASING REPORT**

**City Council Regular Session**

2. f.

**Meeting Date:** 03/18/2025

**Item Title:** GP&L Shiloh to Marquis Transmission Line Construction Services

**Submitted By:** Charles Chapman, GP&L Transmission  
Director

**Bid Number:** 0502-25

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**Purchase Justification:**

The purpose of this bid is to obtain construction services for the GP&L Shiloh to Marquis 138kV Transmission Line upgrade. This is part of the approved GP&L Shiloh to Marquis Transmission Line Upgrade CIP project. An owner's contingency is included for any additional materials that may be required.

**Evaluation:**

A request for bids was issued in accordance with Purchasing procedures. Three (3) bids were received and evaluated based on the published criteria. Primoris T&D Services, LLC and Power Standard, LLC submitted incomplete bids and were considered non-responsive. DD Grid, LLC received the highest evaluated score, offering the Best Value for the City.

**Award Recommendation:**

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
DD Grid, LLC	All	\$1,769,759.33
Owner's Contingency		480,240.67
	<b>TOTAL:</b>	<b>\$2,250,000.00</b>

**Basis for Award:**

Best Value

**Purchase Requisition #:**

53070

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**Fiscal Impact**

**Total Project/Account:** \$4,143,000

**Expended/Encumbered to Date (Including this Item):** \$3,705,699

**Proposed Balance:** \$437,301

**Account #:** 210-3599-3137801-7111

**Fund/Dept/Project Description and Comments:**

Electric CIP / GP&L Transmission Lines Program

---

**Attachments**

**Bid Recap**

**Budget Type:**

CIP

**Fiscal Year:**

2025

**Document Location:**

Proposed CIP - Page 278

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**Budget Director Approval:**

Matthew Watson

**Approval Date:**

03/04/2025

**Purchasing Director Approval:**

Gary L. Holcomb

**Approval Date:**

02/27/2025

**BUYER:** Teresa Smith

.Power Standard, LLC

<p><b>NEXT LOW:</b> _____</p> <p><b>LOW:</b> _____</p> <p><b>SAVINGS:</b> _____</p>		<p>4 # IonWave Notifications</p> <p>0 # IonWave HUBS</p> <p>0 # Direct Contact HUBS</p> <p>0 # HUBS Responded</p>	<p>All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. <u>The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.</u></p>
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**GARLAND**  
**PURCHASING REPORT**

City Council Regular Session

2. g.

Meeting Date: 03/18/2025

Item Title: GP&L Walnut to Newman 138kV Transmission Line Rebuild Engineering Services

Submitted By: Charles Chapman, GP&L Transmission  
Director

Bid Number: 0744-25

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**Purchase Justification:**

This request is to obtain engineering services to design the rebuild of the GP&L Walnut to Newman 138kV Transmission Line. Services include transmission and distribution line design, field engineering, survey, easement and permitting support. This is part of the approved GP&L Line Capacity Increase CIP project.

**Evaluation:**

Burns & McDonnell Engineering Company, Inc. was selected as the Most Qualified firm for this project from RFQ 0832-24. As competitive bids were not received, a Bid Recap is not included.

**Award Recommendation:**

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Burns & McDonnell Engineering Company, Inc.	All	\$1,354,000.00
	<b>TOTAL:</b>	<b>\$1,354,000.00</b>

**Basis for Award:**

Most Qualified

**Purchase Requisition #:**

53339

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**Fiscal Impact**

**Total Project/Account:** \$10,645,000

**Expended/Encumbered to Date (Including this Item):** \$1,980,500

**Proposed Balance:** \$8,664,500

**Account #:** 210-3599-3136501-7111

**Fund/Dept/Project Description and Comments:**

Electric CIP / GP&L Transmission Lines Program

---

Budget Type:

CIP

Fiscal Year:

2025

Document Location:

Proposed CIP - Page 278

---

Budget Director Approval:

Matthew Watson

Approval Date:

03/04/2025

Purchasing Director Approval:

Gary L. Holcomb

Approval Date:

02/27/2025



**GARLAND**  
**PURCHASING REPORT**

City Council Regular Session

2. h.

Meeting Date: 03/18/2025

Item Title: Trickling Filters Distribution Arms

Submitted By: Michael Brinkmann, Managing Director

Bid Number: 0311-25

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**Purchase Justification:**

This request is to provide for the procuring and installing the distribution arms assembly of two trickling filters. The existing distribution arms on two trickling filters are 40 years old and corroded beyond repair. The design and installation of distribution arms shall be performed by Westech Engineering Inc. An owner contingency is included for any additional work or materials that may be required.

**Evaluation:**

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

**Award Recommendation:**

<i><b>Vendor</b></i>	<i><b>Item</b></i>	<i><b>Amount</b></i>
WesTech Engineering, Inc.	All	\$731,191.00
Owner's Contingency		50,000.00
	<b>TOTAL:</b>	<b>\$781,191.00</b>

**Basis for Award:**

Straight Low Bid

**Purchase Requisition #:**

52800

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**Fiscal Impact**

**Total Project/Account:** \$1,100,000

**Expended/Encumbered to Date (Including this Item):** \$781,191

**Proposed Balance:** \$318,809

**Account #:** 230-4229-3303700-9007

**Fund/Dept/Project Description and Comments:**

Wastewater CIP / Rowlett Creek WWTP Trickling Filter Distribution Arms Project

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**Attachments**

Bid Recap

Budget Type:

CIP

Fiscal Year:

2025

Document Location:

Proposed CIP - Page 255

Budget Director Approval:

Matthew Watson

Approval Date:

03/04/2025

Purchasing Director Approval:

Gary L. Holcomb

Approval Date:

02/27/2025







**GARLAND**  
**PURCHASING REPORT**

**City Council Regular Session**

2. i.

**Meeting Date:** 03/18/2025

**Item Title:** GP&L Transmission and Substation Technical Consulting Services Change Order No. 1

**Submitted By:** Charles Chapman, GP&L Transmission  
Director

**Bid Number:** 0945-24

**Purchase Justification:**

The purpose of this request is to obtain change order No. 1 to Purchase order 36951 issued for technical consulting services for GP&L and TMPA Transmission and Substation operations and CIP projects. GP&L and TMPA project activities have created a substantial increase to the number of field and office personnel needed under this contract. This change order will apply to each of the available renewals for these services.

**Evaluation:**

Principle Services, LLC. was awarded the original PO 36951 in the amount of \$2,000,000 at the September 3, 2024 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>
Principle Services, LLC.	All	\$2,000,000.00
	<b>TOTAL:</b>	<b>\$2,000,000.00</b>

**Basis for Award:**

Change Order

**Purchase Requisition #:**

53365

**Fiscal Impact**

**Total Project/Account:** N/A

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

**Proposed Balance:** N/A

**Account #:** Various

**Fund/Dept/Project Description and Comments:**

Term Contract sets price but does not commit funds. Expenses will be charged to GP&L Operating, CIP Transmission Program, and/or CIP Substations Program account(s) as incurred.

**Budget Type:** Operating Budget  
CIP

**Fiscal Year:** 2024-25

**Document Location:** Op. - Page 251; Proposed CIP - Pages 278 & 284

**Budget Director Approval:** Matthew Watson

**Approval Date:** 03/05/2025

**Purchasing Director Approval:** Gary L. Holcomb

**Approval Date:** 02/27/2025



**GARLAND**  
**PURCHASING REPORT**

**City Council Regular Session**

2. j.

**Meeting Date:** 03/18/2025

**Item Title:** GP&L Brand Road Underground Electric Distribution Relocations

**Submitted By:** Jonas Whitehead, GP&L Distribution  
Director

**Bid Number:** 0469-25

**Purchase Justification:**

The purpose of this bid is to obtain construction labor for the relocation of GP&L distribution underground services as part of the City of Garland Brand Road Widening project.

**Evaluation:**

A request for bids was issued in accordance with Purchasing procedures. Two (2) bids were received and evaluated based on the published criteria. HGR Cement submitted an incomplete bid and was deemed non-responsive. Tri-Con Services, Inc. received the highest evaluated score, offering the Best Value for the City.

**Award Recommendation:**

<i><b>Vendor</b></i>	<i><b>Item</b></i>	<i><b>Amount</b></i>
Tri-Con Services, Inc.	All	\$517,855.00
	<b>TOTAL:</b>	<b>\$517,855.00</b>

**Basis for Award:**

Best Value

**Purchase Requisition #:**

51836

**Fiscal Impact**

**Total Project/Account:** \$1,702,000  
**Expended/Encumbered to Date (Including this Item):** \$1,122,816  
**Proposed Balance:** \$579,184  
**Account #:** 210-3299-3149601-7111

**Fund/Dept/Project Description and Comments:**

Electric CIP / GP&L Transmission Lines Program

**Attachments**

Bid Recap

**Budget Type:** CIP  
**Fiscal Year:** 2025  
**Document Location:** Proposed CIP - Page 278

<b>Budget Director Approval:</b>	Matthew Watson	<b>Approval Date:</b>	03/04/2025
<b>Purchasing Director Approval:</b>	Gary L. Holcomb	<b>Approval Date:</b>	02/27/2025

**BUYER:** Teresa Smith

HGR Cement

<p><b>NEXT LOW:</b></p> <p><b>LOW:</b> _____</p> <p><b>SAVINGS:</b> _____</p>	<p>393 # IonWave Notifications</p> <p>36 # IonWave HUBS</p> <p>2 # Direct Contact HUBS</p> <p>1 # HUBS Responded</p>	<p>All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. <u>The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.</u></p>
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**GARLAND**  
**PURCHASING REPORT**

**City Council Regular Session**

2. k.

**Meeting Date:** 03/18/2025

**Item Title:** Replace Firewheel Old Course Golf Greens

**Submitted By:** Doug Swenson, Operations Financial  
Coordinator

**Bid Number:** 0758-25

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**Purchase Justification:**

The golf greens on the Old Course are being overtaken by a variety of other grasses, which not only disrupt the playability and ball roll, but have also resulted in a considerable reduction of the putting green area. Additionally, there is an excessive build-up of organic matter, to the point where traditional methods like core aeration and sand topdressing are no longer sufficient to address the issue. This project covers the cost to replace all 18 greens on the course.

**Evaluation:**

The demolition and replacement of the Old Course golf greens is available from Greenscapes Six through the BuyBoard Cooperative Purchasing Contracts 705-23 and 706-23. As competitive bids were not received, a Bid Recap is not included.

**Award Recommendation:**

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Greenscapes Six	All	\$1,204,500.00
	<b>TOTAL:</b>	<b>\$1,204,500.00</b>

**Basis for Award:**

Cooperative Purchase

**Purchase Requisition #:**

53420

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**Fiscal Impact**

**Total Project/Account:** \$5,342,000

**Expended/Encumbered to Date (Including this Item):** \$4,902,359

**Proposed Balance:** \$369,141

**Account #:** 256-4419-3653300-9017

**Fund/Dept/Project Description and Comments:**

Firewheel Golf/ Firewheel irrigation

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**Budget Type:**

CIP

**Fiscal Year:**

2025

**Document Location:**

Pg.152

---

**Budget Director Approval:**

Matthew Watson

**Approval Date:**

03/06/2025

**Purchasing Director Approval:**

Gary L. Holcomb

**Approval Date:**

03/04/2025



**GARLAND**  
**PURCHASING REPORT**

City Council Regular Session

2. I.

Meeting Date: 03/18/2025

Item Title: Firewheel Golf Park - Greens Mowers

Submitted By: Doug Swenson, Operations Financial  
Coordinator

Bid Number: 0726-25

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**Purchase Justification:**

Purchasing one new greens mower and replacing four greens mowers that have been in use for over 13 years and have exceeded their expected life cycle.

**Evaluation:**

The greens mowers are available from Professional Turf Products through the BuyBoard Cooperative Purchasing Contract 706-23. As competitive bids were not received, a Bid Recap is not included.

**Award Recommendation:**

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Professional Turf Products	All	\$279,117.75
	<b>TOTAL:</b>	<b>\$279,117.75</b>

Basis for Award:

Cooperative Purchase

Purchase Requisition #:

53377

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**Fiscal Impact**

Total Project/Account: \$849,178

Expended/Encumbered to Date (Including this Item): \$714,053

Proposed Balance: \$135,125

Account #: 256-4419-365218-9007

Fund/Dept/Project Description and Comments:

Firewheel CIP/Firewheel/Equipment

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Budget Type:

CIP

Fiscal Year:

2025

Document Location:

Pg.151

---

Budget Director Approval:

Matthew Watson

Approval Date:

03/06/2025

Purchasing Director Approval:

Gary L. Holcomb

Approval Date:

02/27/2025



**GARLAND**  
**CITY COUNCIL STAFF REPORT**

**City Council Regular Session**

**3.**

**Meeting Date:** 03/18/2025  
**Title:** Request for Development Assistance from Trilogy - BRD Acquisitions, LLC  
**Submitted By:** Ayako Schuster, Economic Development Director  
**Strategic Focus Area:** Growing Economic Base  
Vibrant Neighborhoods and  
Commercial Centers

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**Issue/Summary**

Council is requested to consider a development incentive request from Trilogy - BRD Acquisitions, LLC, in regard to a 178-acre residential development in the former Eastern Hills Country Club.

**Background**

Trilogy Investment Co is partnering with PulteGroup, Inc to develop the former Eastern Hills Country Club with 300 new single-family homes on 178 acres. PulteGroup, founded in 1950, is the nation's third-largest home builder with operations in over 40 major cities in the US. Eastern Hills County Club opened with an 18-hole golf course, tennis facilities, pool and clubhouse in 1954 and filed for bankruptcy in 2013. Trilogy is under contract to purchase the site from My Possibilities, a non-profit organization headquartered in Plano, who acquired the property in 2018. Prior to My Possibilities' acquisition of the Country Club, Henry S. Miller proposed to redevelop the site into a new home community with 550 homes in 2015, due to community response, this plan was deemed to not fit the area. The current new proposed development would align with the PD which was approved in October 2018 after additional community input. The PD allows for up to 300 single-family homes that will range in size from 1,700 square feet to 2,000 square feet. The development also involves a minimum of 35% of the site being open space and/or landscape buffers, such as lawns, lake, trails, and amenities. The development is projected to create approximately \$150 million in new tax value for the city.

**Consideration / Recommendation**

Approval of the incentive agreement with Trilogy - BRD Acquisition, LLC. The agreement includes a rebate of all development fees paid by the developer up to \$3.4 million, with the rebate to be paid out per home constructed.

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**Attachments**

Proposed Economic Development Incentive Agreement

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**ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT**  
**BETWEEN THE CITY OF GARLAND AND**  
**TRILOGY - BRD ACQUISITIONS, LLC**

This **ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT** (“Agreement”) is made by and between the **City of Garland**, a Texas home-rule municipality (“City”), and **Trilogy - BRD Acquisitions, LLC**, a Delaware 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**, the Developer and City agree that the Developer shall acquire title to and develop approximately 178.1836 acres at 3000 S. Country Club Road into a single family housing community, which will include approximately 300 homes, the Amenity Centers (as hereinafter defined), and other amenities identified herein and/or in the PD (as hereinafter defined), as it may be amended (such community and amenities being referred to as the “Development”);

**WHEREAS**, the Developer agrees to make an initial capital investment of approximately one hundred fifty million (\$150,000,000.00) into the Development, including costs for development and construction;

**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 of inducing the Developer to further improve the land 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 one hundred percent (100%) of Development Fees (as hereinafter defined) paid by the Developer during and for the construction of Development up to a maximum reimbursement of Three Million Four Hundred Thousand Dollars and No Cents (\$3,400,000.00); 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 consideration, the receipt and sufficiency of which are hereby acknowledged by both the Developer and the City, and agree as follows:

### **Section 1. Definitions:**

“Amenity Centers” means the two (2) separate buildings and related features identified and described as “Amenity Center #1” and “Amenity Center #2” in the PD.

“Building Final” means the permit issued by the City's Building Inspection Department indicating construction has been completed and approved by the City and the building is ready for occupancy.

“DCAD” means the Dallas Central Appraisal District or its successor.

“Development” has meaning described within the Recitals of this Agreement.

“Development Fees” means the fees paid by Developer pursuant to the Garland Development Code during the term of this Agreement, which fees include, but are not limited to, inspection fees, application fees, tree mitigations fees, water impact fees, building permit fees, and Roadway Impact Fees. “Development Fees” do not include the dedication of property, rights-of-way, easements, or other interests in property for public facilities, the value of such dedications, the construction of, contribution toward, or payment of money for public or private improvements, or other fees of any kind other than those identified in the first sentence of this definition. The exact Development Fees for this Development will be calculated by the City during the zoning and permitting stages of the Development. The Developer shall pay the Development Fees to the City during the appropriate stage of the Development.

“Incentive” means the City's reimbursement, upon certain conditions, up to one hundred percent (100%) of Development Fees paid by the Developer for the Development up to a maximum incentive of Three Million Four Hundred Thousand Dollars and No Cents (\$3,400,000.00).

“Party” means either the City or the Developer, and “Parties” means, collectively, the City and the



Developer.

“PD” means the existing Planned Development (PD 18-27) approved by Ordinance No. 7020 in 2018 under the Garland Development Code

“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 178.1836 acres at 3000 S. Country Club Road, City of Garland, Dallas County, Texas, and more particularly described and referenced in this Agreement as “**Exhibit A**,” and attached to this Agreement.

“Roadway Impact Fees” means the fees related to fund or recoup all or part of the costs of capital improvements or facility expansion necessitated by and attributable to new development according to Chapter 1, Article 3 of the Garland Development Code.

“Settlement Statement” means a document containing the gross sale price for the single family home and summarizing all costs owed by or credits due to the homebuyer and seller at the closing of a contemplated real estate transaction, also referred to as a closing statement.

“Target Assessed Value” is the minimum tax valuation, as established by the Dallas Central Appraisal District, to receive full Incentives under this Agreement as follows:

- Target Assessed Value for each single-family home construction on the Development: Four Hundred and Fifty Thousand Dollars and No Cents (\$450,000.00)

“Target Sale Value” is the minimum purchase price, as established by the Settlement Statement, to receive an initial partial Incentive payment under this Agreement as follows:

- Target Sale Value for each single-family home constructed and sold on the Development: Five Hundred Thousand Dollars and No Cents (\$500,000.00)

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

“Tree Mitigation Fees” means the fees related to the removal of trees from the Property to be developed according to Chapter 4, Article 4 of the Garland Development Code.

**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, 2036, whichever is first. This Agreement shall be effective (“Effective Date”) as of the date of the last Party to execute this Agreement. The “Term” of this Agreement shall mean the period from the Effective Date to the date this Agreement is terminated as provided above.

### Section 3. Developer's Obligations.

(A) Developer shall construct, complete, and sell to third party homebuyers homes within the Development on the Property. Developer must achieve the Target Sale Value and/or the Target Assessed Value in any calendar year during the Term of this Agreement for a home to qualify for any Incentive hereunder with respect to such home.

(B) To qualify for the Incentive described herein, Developer shall obtain all necessary permits throughout construction in accordance with the existing PD and the Development must comply with the following:

- a. The Development shall contain approximately 300 single-family homes:
  - i. At least thirty-five percent (35%) of the total homes ultimately constructed must contain at least one thousand seven hundred square feet (1,700sf) of living space.
  - ii. At least twenty-five percent (25%), over and above the 35% of homes referenced in Section 3(B)(a)(i) above, of the total homes ultimately constructed must contain at least two thousand square feet (2,000sf) of living space,
  - iii. Each home must include at least two (2) parking spaces.
- b. The landscape buffer between the Development, or any lot of the Development, and any existing adjacent residential lot shall be at least seventy-five feet (75').
- c. At least thirty five percent (35%) of the Property shall be developed as open space, which may include uses of landscape buffers, lawns, lakes, and trails. Such designated open spaces must be maintained by a Home Owners Association. The City shall have no obligation to maintain the open space.
- d. Developer shall dedicate an easement to the City in a location and in a form reasonably agreeable to the City, which will allow for the City to construct and maintain a trail connection between future trails of the City on adjacent property to the trail amenity of the Development, generally in the location as shown on "**Exhibit B**".
- e. Developer shall commence and complete construction of the Amenity Centers in accordance with the terms of this Agreement. In this regard, the Developer shall prepare and submit to the City for review and approval plans and specifications for the Amenity Centers within one hundred eighty (180) days after the Developer has received the City's approval of the Developer's civil engineering plans for the first phase of lots to be developed by the Developer on the Property. The City agrees that it shall not unreasonably withhold or delay its approval of the Amenity Plans provided such plans comply in all material respects with the requirements pertaining to the Amenity Centers set forth in the PD. The Developer will (i) commence construction of the Amenity Centers within one hundred eighty (180) days after the City has approved such plans and a Final Plat has been filed of record with Dallas County, and (ii) complete construction of the Amenity Centers by the earlier of (a) within five hundred forty (540) days after it has commenced construction, or (b) December 30, 2029. For purposes hereof, the Amenity Centers shall be deemed complete when the Developer has received a Building Final from

the City for the Amenity Centers. Should the Amenity Centers not be constructed and completed within the deadlines required by this section, no further building permits for any building or structure on the Property shall be issued by the City until such Amenity Center construction is complete.

(C) Developer must have at least one Building Final issued for a single-family home for the Development by December 31, 2030, **or this Agreement shall automatically terminate with no Incentive being owed to Developer by City.**

(D) Developer shall use commercially reasonable efforts in its communications, branding, marketing, and promotions to recognize that the Development and associated business operations are in the City of Garland, Texas.

(E) The Development shall be and remain a customer of the City for all solid waste, water, and wastewater services.

(F) Beginning in 2027 for tax year 2026 (and continuing each calendar year thereafter), Developer may apply annually for a reimbursement portion of the Incentive based on single family homes for which a Building Final has been issued being sold and conveyed during the previous tax year. The portion of reimbursement to be paid to Developer shall be based upon the number of single-family homes to have both received a Building Final within that previous tax year and met the Target Sale Value and/or Target Assessed Value.

(G) Developer shall submit to the Economic Development Director of the City the following documentation no less frequently than annually, as a condition precedent to qualify for the reimbursement Incentive:

(1) For each home/building, a copy of the Building Final issued by the City having a date issued on or prior to December 31, 2035, which is the date the Developer is required to obtain the Building Final, together with a copy of the executed Settlement Statement reflecting the gross sales price for each home sold and for which Developer requests a reimbursement Incentive;

(2) For each Amenity Center building, a copy of the Building Final issued by the City having a date issued on or prior to the date the Developer is required to complete the Amenity Centers, together with paid invoices evidencing the amounts paid by the Developer in connection with the Amenity Centers;

(3) A copy of the receipt for payment or other evidence suitable to the City establishing the amount the Developer Fees paid by Developer during the prior calendar year; and

(4) As a condition to Developer receiving 100% of the eligible Incentive as provided herein, a certified valuation from DCAD establishing that the taxable non-exempt assessed value for the Real Estate meets or exceeds the Target Assessed Value.

(H) If Developer meets or exceeds the Target Sale Value for a single family home on the Development, it shall be entitled to an initial partial rebate of ninety percent (90%) of the Development Fees paid for that specific single family home on the Development (together with a pro-rata portion of any Development Fees that are not specifically related to a specific home, specifically excluding any Development Fees paid by Developer to design and construct the Amenity Centers), up to a maximum reimbursement of Three Million Four Hundred Thousand Dollars and No Cents (\$3,400,000.00) for the Development as a whole.

(I) If the Developer at any time during the Term of this Agreement has completed both Amenity Centers and has previously met or exceeded or meets or exceeds the Target Assessed Value for a single family home on the Development based upon a DCAD valuation, it shall be entitled to a rebate of the remaining ten percent (10%) of the Development Fees for those specific single family homes on the Development for which the Developer has previously received the initial partial rebate, and one hundred percent (100%) of the Development Fees paid for any specific single family home on the Development for which Developer has not previously received any partial rebate (together with a pro-rata portion of any Development Fees that are not specifically related to a specific home and those related to the construction and completion of the Amenity Centers), up to a maximum reimbursement of Three Million Four Hundred Thousand Dollars and No Cents (\$3,400,000.00) for the Development as a whole, inclusive of both the initial partial rebates contemplated by subsection (H) above and the final incentive rebate contemplated by this section (I).

(J) The following table is provided to illustrate the percentage of rebate to which the Developer may be entitled under sections (H) and (I) above based on whether a specific single-family home constructed on the Development meets or exceeds the contemplated Target Sale Value and/or Target Assessed Value, up to an all-inclusive total maximum rebate of Three Million Four Hundred Thousand Dollars and No Cents (\$3,400,000.00):

Settlement Statement & Building Final		Certified Valuation of DCAD		
Target Sale Value	Partial Payment	Target DCAD Value	Remainder Payment	Full Payment
Greater than or equal to \$500,000	90%	Greater than \$450,000	10%	100%
Greater than or equal to \$500,000	90%	Less than \$450,000	0	90%
Less than \$500,000	0	Less than \$450,000	0	0

Less than \$500,000	0	Greater than \$450,000	100%	100%
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**Section 4. City's Obligations.** Contingent upon the completion of the Developer's obligations set forth in Section 3 of this Agreement, by the deadlines listed for therein, the City shall pay as a rebate to Developer annually beginning in 2027 for tax year 2026 (and continuing each calendar year thereafter) the amount of up to one hundred percent (100%) of the actual amount of Development Fees incurred and paid by the Developer for single family homes which received a Building Final during the previous tax year and which met the Target Assessed Value, to a maximum of Three Million Four Hundred Thousand Dollars and No Cents (\$3,400,000.00) for the entire Development during the Term of this Agreement, subject to the provisions of Section 3(H) and 3(I), above. Should Developer not at any time during the Term of this Agreement meet the Target Assessed Value for any specific single family home, it shall not qualify for reimbursement of fees hereunder. However, should Developer otherwise comply with the conditions of Section 3 and meet the Target Sale Value for any respective single-family home, then the City shall pay a percentage of the Development Fees incurred and paid by the Developer for the Development in accordance Section 3(H). Should Developer not complete the Amenity Centers as contemplated by Section 3(B)e, the City will withhold all further building permits sought by the Developer related to the Property until such Amenity Centers are complete. All reimbursement Incentive payments to be made by the City to Developer hereunder shall be made within ninety (90) days after Developer has delivered to the City the information required under Section 3(I) hereof.

**Section 5. Source of Funds.** The monetary portion of the Incentive shall be paid only from the Development Fees actually received in hand by the City from the Developer. 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 up to one hundred percent (100%) of the Development Fees received in hand by the City and paid by the Developer for this Development, up to a maximum reimbursement of Three Million Four Hundred Thousand Dollars and No Cents (\$3,400,000.00). No other source of funds shall be provided for the payment of the Incentive.

**Section 6. Valuation Assessment.** Developer agrees that by submitting to the City a request for the payment of any of the Incentive under this Agreement, the Developer has (i) fully and finally agreed to the DCAD assessed tax values and the City's tax rate and procedures on which the assessed value of the Development is or will be based without protest or challenge; (ii) will not make any claim for a refund, repayment, or reduction of those taxes from any source, including the City; and (iii) will not claim or accept any exemption from ad valorem taxes, prior to the date of termination of this Agreement.

**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. Accommodation of Financing Parties.** To facilitate the Developer's obtaining of financing to construct and operate the Development, City shall make governmentally reasonable efforts to provide such consents to assignments, certifications, representations, information, estoppels, or other documents as may be reasonably requested by the Developer or the Developer's financing parties in connection with the financing of the Development; provided that in responding to any such request, the City shall have no obligation to provide any consent, certification, representation, information, estoppel, or other documents, or enter into any agreement, that materially adversely affects, or could reasonably be expected to have or result in a material adverse effect on, any of City's rights, benefits, risks, or obligations under this Agreement. Developer shall reimburse, or shall cause the financing parties to reimburse, the City for the incremental, direct, and documented out-of-pocket third party expenses (including, without limitation, the reasonable fees and expenses of outside counsel) incurred by the City in the preparation, negotiation, execution, or delivery of any documents requested by Developer or the financing parties.

**Section 11. Entire Agreement.** This Agreement and its Exhibits 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. Developer may assign its rights and obligations hereunder to any party who acquires title to all or substantially all of the Property from Developer. This Agreement, or the right to receive payments, pursuant to this Agreement, may not otherwise be assigned by Developer, in whole or in part, without the express written consent of the City.

**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:

Trilogy - BRD Acquisitions, LLC  
6260 Avalon Blvd  
Alpharetta, GA 30009  
Attn: John Boniface  
Phone: (678) 802-4919  
Phone: (352) 425-3356

With a required copies to:

City Attorney  
200 N. Fifth Street  
P.O. Box 469002  
Garland, Texas 75046-9002  
Phone: (972) 205-2380  
Fax: (972) 205-2389

Trilogy Investment Company, LLC  
6260 Avalon Blvd  
Alpharetta, GA 30009  
Phone: (678) 802-4919  
Attn: legal@trilogyc.com

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.

**[Signatures on following page]**

**[Signature page to Economic Development Incentive Agreement]**

**EXECUTED and EFFECTIVE** as of the \_\_\_\_ day of \_\_\_\_\_, 2025.

**DEVELOPER**

**Trilogy - BRD Acquisitions, LLC**  
**a Delaware limited liability company**

By: 

John Boniface, Authorized Signatory  
Chief Development Officer & Partner

Date Executed: \_\_\_\_\_

**CITY**

**City of Garland, a Texas home-rule municipality**

By: \_\_\_\_\_

Judson Rex  
City Manager

Date Executed: \_\_\_\_\_

**EXHIBIT "A"**  
**Property Legal Descriptions**

**3000 S. Country Club Road**  
[*Insert Property Description*]

## EXHIBIT "B"

### General Location of Easement to be Provided by Developer to City





**GARLAND**  
**CITY COUNCIL STAFF REPORT**

**City Council Regular Session**

**4.**

**Meeting Date:** 03/18/2025  
**Title:** Request for Development Assistance from Garage of America  
**Submitted By:** Ayako Schuster, Economic Development Director  
**Strategic Focus Area:** Growing Economic Base  
Vibrant Neighborhoods and  
Commercial Centers

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**Issue/Summary**

Council is requested to consider a development incentive request from Garage of America in regard to an 8-acre self-storage condo development on President George Bush Turnpike and Brand Road.

**Background**

The Garage of America owns five parcels adjacent to the GRCTC facility on the President George Bush Turnpike equaling 13.4 acres, and is proposing to develop an 8-acre site for luxury garage condo suites, consisting of 3 buildings, approximately 120,000 square feet. The development will contain 72 garage suites (79,040 sq. ft.) and 10 flex warehouse units (38,970 sq. ft.) for sale. The estimated tax valuation of the completed project is \$33 million, which will bring an estimated tax value of \$227,616.00 annually to the City of Garland. Zoning was approved in September 2023 (PD 23-17), which will allow auto repair, general office, contractor's office/warehouse and retail use.

The City of Garland will rebate 50% of tree mitigation fees. The maximum rebate amount is \$190,000.00. A \$33 million DCAD valuation will be required for the incentive payment.

The Council was briefed previously on this item at the March 3, 2025 Work Session.

**Consideration / Recommendation**

Approval of the incentive agreement with Garage of America. The agreement includes a rebate of 50% of Tree Mitigation Fees paid by the developer up to \$190,000, with \$33 million DCAD valuation.

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**Attachments**

Garages of America- 380 Incentive Agreement

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**ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT**  
**BETWEEN THE CITY OF GARLAND AND**  
**GARAGES OF AMERICA @ GARLAND, LLC**

This **ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT** (“Agreement”) is made by and between the **City of Garland**, a Texas home-rule municipality (“City”), and **Garages of America @ Garland, LLC**, a Texas 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**, the Developer owns four adjoining parcels totaling approximately 8.216 acres, located adjacent to the Gilbreath-Reed Career and Technical Center along the President George Bush Turnpike and Naaman School Road. Developer proposes to develop approximately 8.0455 acres of the site into a luxury garage condo community, consisting of three buildings with a total area of approximately 118,010 square feet. The Development will include 72 garage suites totaling 79,040 sq. ft. and 10 flex warehouse units totaling 38,970 sq. ft., available for sale (collectively, the “Development”);

**WHEREAS**, the Developer agrees to make an initial capital investment of approximately \$46 million into the Development;

**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 of inducing the Developer to further improve the land is an agreement by the City to provide an Economic Development rebate 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 fifty percent (50%) of the Tree Mitigation Fees, up to a maximum rebate amount of \$190,000.00.

**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:**

"Approved Building Final" means the permit issued by the City of Garland Building Inspection Department upon the buildings passage of its final City inspection at the conclusion of construction.

"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, up to fifty percent (50%) of the Tree Mitigation Fee assessment for the Development up to a maximum of One Hundred Ninety Thousand Dollars (\$190,000.00).

"Party" means either the City or the 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 five adjoining parcels consisting of approximately 8.216 acres located generally at 3845 N. President George Bush Turnpike, 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 follows:

- Target Assessed Value of the completed Development is thirty-three Million Dollars (\$33,000,000.00).

"Tree Mitigation Fees" means the fees related to the removal of trees from the property to be

developed according to Chapter 4, Article 4 of the Garland Development Code.

**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, 2030, whichever is first.

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 construct the Development on the Property and obtain an Approved Building Final for each building that is part of the Development; and upon completion of the Development, the Developer must achieve the Target Assessed Value, as defined in Section 1 of this Agreement, by December 31<sup>st</sup>, 2029.

(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 completed building:

- (1) a certified valuation from DCAD establishing that the taxable non-exempt assessed value for the Property meets or exceeds the Target Assessed Value.
- (2) An Approved Building Final for each building that was issued prior to December 31, 2029.

If Developer meets or exceeds the Target Assessed Value for the Property, it shall be entitled to a rebate of fifty percent (50%) of the Tree Mitigation Fees, up to a maximum rebate of One Hundred Ninety Thousand Dollars (\$190,000.00).

### **Section 4. City’s Obligations.**

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

- (i) Contingent upon the completion of the Developer’s obligations set forth in Section 3 of this Agreement, the City shall pay as a rebate to Developer the amount of up to fifty percent (50%) of the Tree Mitigation Fees, up to a maximum rebate of One Hundred Ninety Thousand Dollars (\$190,000.00), within ninety (90) days after receipt of the aforementioned documentation.

**Section 5. Source of Funds.** The monetary portion of the Incentive shall be paid only from the Tree Mitigation Fees actually received in hand by the City from the Developer. 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 fifty percent (50%) of the Tree Mitigation Fees, received in hand by the City and paid by the Developer for this Development. No other source of funds shall be provided for the payment of the Incentive.

**Section 6. Valuation Assessment.** Developer agrees that by submitting to the City a request for the payment of the Incentive under this Agreement, the Developer has (i) fully and finally agreed to the DCAD assessed tax values and the City's tax rate and procedures on which the assessed value of the Development is or will be based without protest or challenge; (ii) will not make any claim for a refund, repayment, or reduction of those taxes from any source, including the City; and (iii) will not claim or accept any exemption from ad valorem taxes, prior to the date of termination of this Agreement.

**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. Accommodation of Financing Parties.** To facilitate the Developer's obtaining of financing to construct and operate the Development, City shall make governmentally reasonable efforts to provide such consents to assignments, certifications, representations, information, estoppels, or other documents as may be reasonably requested by the Developer or the Developer's financing parties in connection with the financing of the Development; provided that in responding to any such request, the City shall have no obligation to provide any consent, certification, representation, information, estoppel, or other documents, or enter into any agreement, that materially adversely affects, or could reasonably be expected to have or result in a material adverse effect on, any of City's rights, benefits, risks, or obligations under this Agreement. Developer shall reimburse, or shall cause the financing parties to reimburse, the City for the incremental, direct, and documented out-of-pocket third party expenses (including, without limitation, the reasonable

fees and expenses of outside counsel) incurred by the City in the preparation, negotiation, execution, or delivery of any documents requested by Developer or the financing parties.

**Section 11. Entire Agreement.** This Agreement, its Exhibits, and the PPA 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.

**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:

Garages of America @ Garland, LLC  
2323 Tarpley Rd. Ste. 100  
Carrollton, Texas, 75006  
Attn: Fred A.Gans  
Phone: (214) 341-9620

With a required copies to:

City Attorney

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

**EXECUTED and EFFECTIVE** as of the \_\_\_\_ day of \_\_\_\_\_, 2025.

**DEVELOPER**

**Garages of America @ Garland, LLC  
a Texas Limited Liability Company**

By: Garages of America Partners, LLC  
a Texas Limited Liability Company  
Its Manager

By: Garages of America, LLC  
A Texas Limited Liability Company  
Its Manager

By: \_\_\_\_\_  
Fred A. Gans, Manager

**CITY**

**City of Garland, a Texas home-rule municipality**

By: \_\_\_\_\_  
Judson Rex  
City Manager  
Date Executed: \_\_\_\_\_

**EXHIBIT "A"**  
**Property Legal Descriptions**

[*Insert Property* Description]



**GARLAND**  
**CITY COUNCIL STAFF REPORT**

**City Council Regular Session**

5.

**Meeting Date:** 03/18/2025

**Title:** GDC Amendment ORD 25-01

**Submitted By:** Nabila Nur, Planning and Development Director

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**Issue/Summary**

GDC Amendment Ordinance 25-01

**Background**

GDC Amendment Ordinance 25-01 was approved via public hearing during the March 4, 2025 Regular City Council meeting.

**Consideration / Recommendation**

Consider adoption of the attached ordinance.

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**Attachments**

GDC Amendment ORD 25-01 Ordinance

Exhibit A Ch. 2 Land Use Matrix

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 2.51, "LAND USE MATRIX," OF ARTICLE 4, CHAPTER 2, OF THE GARLAND DEVELOPMENT CODE AND SECTION 2.74, "NONCONFORMING USE OR STRUCTURE CRITERIA," OF ARTICLE 7, CHAPTER 2, OF THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY UNDER THE PROVISIONS OF SECTION 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

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

**Section 1**

That Section 2.51, "The Land Use Matrix," of Article 4, Chapter 2, "Zoning Districts," of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part* to (1) require and SUP for Laundry, Self-serve (Laundromat) uses in Community Retail Districts and (2) allow Restaurant uses in Neighborhood Services Districts as a matter of right, as more particularly described and depicted in Exhibit "A," which is attached hereto and incorporated herein by reference.

**Section 2**

That Section 2.74, "Nonconforming Use or Structure Criteria," of Article 7, "Nonconforming Uses & Structures," of Chapter 2, of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part by addition* to read as follows:

**"Section 2.74 Nonconforming Use or Structure Criteria**

. . .

(D) Prior to the adoption of this subsection (D), the City Council previously established legally conforming land uses that were allowed in certain zoning districts subject to the terms and conditions of this GDC. In some instances, the City Council may determine that amendments and updates to zoning regulations are necessary to remain consistent with the purposes established by Section 1.05 of this GDC, while



determining it is in the best interest of the city, public, and individual property owners to treat the existing operation of certain land uses as legal conforming uses despite that particular use no longer being expressly allowed, or otherwise limited, due to amendments to this GDC. The City Council may in such cases, by expressly referencing this Section 2.74(D) in a zoning ordinance amendment, allow for a particular land use that is lawfully existing (but, excluding lawful nonconforming uses) to be treated as a legal conforming use for all purposes, until such time the use is abandoned for a period greater than 180 days."

### **Section 3**

That Chapter 2 of the Garland Development Code 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 4**

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 5**

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

**Section 6**

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

**PASSED AND APPROVED** this the \_\_\_\_\_ day of March, 2025.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

**PUBLISHED:**

**EXHIBIT "A"**  
**Ch.2 Land Use Matrix**

"...

<b>OFFICE, RETAIL &amp; SERVICE USES</b>
--

...

	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	U B	DT (see Ch. 7)	Parking Requireme nts	Cross- Reference (s)for Special Standards
Laundry, Self-serve (Laundromat)											S	S	P	P	S	S	S	-	1/250 gfa	Sec. 2.74 (D)
. . . .																				
Restaurant										P	P	P	P	P	P	P	P		1/100 gfa	

..."



**GARLAND**  
**CITY COUNCIL STAFF REPORT**

**City Council Regular Session**

**6.**

**Meeting Date:** 03/18/2025

**Title:** GPS Staff Report: Garland's Pathway to Success

**Strategic Focus Area:** Growing Economic Base  
Commercially Thriving Downtown  
Well-Maintained City Infrastructure  
Arts, and Events  
Safe Community  
Vibrant Neighborhoods and  
Commercial Centers  
Reliable, Cost Efficient Utility  
Services  
Customer-Focused City Services  
Sound Governance and Finances  
Future-Focused City Organization

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**Issue/Summary**

The City Council will received a presentation on GPS: Garland's Pathway to Success during the March 17 work session, followed by a request for formal adoption on the March 18 consent agenda. The GPS serves as a strategic framework aligning City operations with Council priorities, ensuring a clear, actionable roadmap for policy implementation, resource allocation, and performance accountability. Developed through collaboration with City leadership and Team Garland, the GPS defines ten strategic focus areas, each supported by specific destinations and actions that guide citywide initiatives. This framework is designed to be a dynamic, evolving document that integrates governance, infrastructure, economic development, public safety, and quality-of-life enhancements into a cohesive strategy. Departmental work plans and the FY2026 budget will be structured around the GPS to maintain alignment between strategic objectives and operational execution.

**Background**

To ensure effective governance and accountability, a structured implementation framework is being developed to clarify roles and responsibilities at all levels of the organization. The City Council provides strategic oversight, while the City Manager and leadership team drive execution through departmental initiatives, data-driven performance tracking, and continuous improvement efforts. Additional initiatives in the works will help leverage automation, analytics, and process enhancements to support GPS objectives. Regular reporting to the Council, including semi-annual updates, will ensure transparency and adaptability to evolving priorities. Council's formal adoption of the GPS will solidify its role as a guiding document for decision-making, operational planning, and long-term community development.

**Consideration / Recommendation**

Formally adopt the strategic framework of the GPS as presented by staff.

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**Attachments**

GPS: Garland's Pathway to Success 2025

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# **G**ARLAND'S **P**ATHWAY TO **S**UCCESS

## Strategic Focus Area: Safe Community

*Enhance quality of life and reduce community risk through initiatives that strengthen public safety adaptability, build resilience, and foster community engagement.*

### **Destinations & Actions:**

1. Enhance proactive initiatives for risk mitigation and prevention.
  - A. Strengthen public safety programs by fostering collaboration across the organization, and by focusing on proactive efforts to recognize and respond to emergent and evolving threats.
  - B. Provide community stakeholders with insights into potential environmental risks, promoting a coordinated response and proactive strategies to reduce vulnerabilities to natural and human-made hazards.
  - C. Enhance outreach, collaboration, and education initiatives with the public and stakeholders to build stronger partnerships, increase transparency, and promote community safety and awareness.
2. Strengthen response and recovery actions.
  - A. Optimize emergency response times across all service areas to ensure swift, effective assistance whenever needed.
  - B. Provide emergency responders and recovery teams with the latest technology and resources to enhance readiness and efficiency in response and recovery efforts.
  - C. Modernize emergency response and management processes to align with industry best practices, ensuring agile and adaptable operations across all hazard types and incident scenarios.
3. Enhance preparedness through strategic and proactive measures.
  - A. Enhance emergency management planning, training, and processes to foster seamless interdepartmental collaboration and preparedness.
  - B. Strengthen support systems for emergency responders to ensure mental readiness and resilience thereby enhancing overall effectiveness.

## **Strategic Focus Area: Well-Maintained City Infrastructure**

*Ensure a well-managed network of infrastructure that supports efficient operations, cost, and energy efficiency, and enhances residents' quality of life.*

### **Destinations & Actions:**

1. Strengthen interdepartmental alignment in Capital Project delivery.
  - A. Align and standardize ordinances and policies across departments.
  - B. Establish guidelines for effective interdepartmental communication during project delivery.
  - C. Identify opportunities to enhance efficiency in the project delivery process.
2. Embrace technological advancement and innovation.
  - A. Identify technological opportunities to improve operational efficiencies and effectiveness.
  - B. Develop a framework for creating an accurate inventory of City infrastructure.
  - C. Determine opportunities for operational automation to minimize point system failures and enhance reliability.

## **Strategic Focus Area: Reliable, Cost-Efficient Utility Services**

*Offer efficient and effective utility-infrastructure services while maintaining competitive rates.*

### **Destinations & Actions:**

1. Promote safe, cost-effective asset and resource management.
  - A. Create an overall plan for managing assets throughout their life cycle.
  - B. Develop educational programs for the community and schools to promote utility efficiency and sustainability.
  - C. Enhance safety protocols to ensure quality work environments and service delivery.
2. Strengthen utility system resilience and capabilities.
  - A. Develop a plan to ensure that utility systems can meet both current and future service needs.
  - B. Develop a strategy to mitigate utility system vulnerability.
  - C. Develop a plan for implementation of system redundancies.
3. Expand industry and legislative partnerships and presence.
  - A. Identify opportunities to leverage partnerships through active participation in industry trade associations.
  - B. Actively monitor and participate in the regulatory policy and rulemaking process.
  - C. Develop a strategy to monitor, influence, and comment on proposed legislation that aligns with Garland's goals.



## **Strategic Focus Area: Sound Governance and Finances**

*Build and maintain strong governance structures and financial resilience through long-term planning and investment in opportunities that grow available resources.*

### **Destinations & Actions:**

1. Optimize financial stewardship.
  - A. Leverage technology to automate routine financial tasks and streamline reporting.
  - B. Expand financial transparency by developing real-time dashboards for Management, Council, and Citizens.
  - C. Connect the Strategic Plan and other departmental objectives with the financial plan by incorporating program utilization data into budget allocations.
2. Foster accountability, continuous improvement, and risk mitigation.
  - A. Enhance risk management initiatives.
  - B. Expand audit follow-up through prioritized implementation.
3. Develop and implement long-term growth strategies.
  - A. Implement a Tax Optimization Strategy to balance revenue generation with community impact.
  - B. Conduct a comprehensive review of current processes and budgets, including revenue enhancements and cost reductions without compromising service quality.
  - C. Enhance the long-term financial planning models to connect to the Strategic Plan and Operational Plans to allow for plans to be benchmarked and changed based on market/circumstances.
  - D. Continue pursuing innovative measures that reduce long-term expenses and liabilities.
  - E. Enhance legislative and public affairs initiatives.

## **Strategic Focus Area: Vibrant Neighborhoods and Commercial Centers**

*Drive the revitalization of neighborhoods and commercial centers through programs that both enhance physical appearance and grow prosperity.*

### **Destinations & Actions:**

1. Revitalize neighborhoods and commercial centers.
  - A. Develop targeted strategies to attract new residents.
  - B. Expand and diversify quality housing options to meet community needs.
  - C. Improve walkability and connectivity between residential and commercial areas.
  - D. Foster vibrant neighborhoods through investment in placemaking.
2. Enhance the physical appearance of Garland's built environment.
  - A. Implement industrial district improvements that enhance long-term economic viability.
  - B. Enhance Garland's regional image through branding and beautification efforts.
  - C. Revitalize key corridors and gateways to create a welcoming and visually appealing environment.
3. Foster the creation of the Garland Vibe.
  - A. Incorporate placemaking principles into city development policies, projects, and processes.
  - B. Support the creation of unique and engaging public spaces.
  - C. Cultivate an environment that attracts and sustains a creative culture.

## **Strategic Focus Area: Customer-Focused City Services**

*Ensure community satisfaction by delivering exceptional services through collaboration.*

### **Destinations & Actions:**

1. Simplify and streamline the process of working with the City.
  - A. Provide multiple channels for service access and interactions.
  - B. Review and streamline processes to reduce hurdles when accessing city services.
  - C. Prioritize awareness of various communication styles and languages to ensure exceptional customer service.
  - D. Develop clear guides to help citizens navigate city processes easily, reducing confusion.
2. Maintain high standards for service quality and consistency.
  - A. Define key performance indicators (KPIs) specific to each service area (e.g., response times, completion rates, citizen satisfaction) to measure and track service quality consistently.
  - B. Implement citywide customer service best practices.
3. Implement community feedback mechanisms to continuously improve service delivery.
  - A. Provide easy-to-use, accessible feedback opportunities allowing stakeholders to share their experiences.
  - B. Use feedback to identify patterns and trends in service delivery and incorporate this data into regular service improvement strategies.

## **Strategic Focus Area: Growing Garland's Economic Base**

*Grow Garland's economy by increasing the commercial tax base, enhancing sales tax capture, improving access to employment opportunities, and creating local and regional experience destinations.*

### **Destinations & Actions:**

1. Become regionally competitive in attracting quality residential and commercial development.
  - A. Identify and recruit key businesses that align with Garland's economic vision.
  - B. Develop incentive programs to attract high-wage and high-quality employers.
  - C. Develop and enhance business retention and expansion programs.
2. Create local and regional visitor destinations.
  - A. Expand lodging options to accommodate visitors and support tourism growth.
  - B. Implement targeted recruitment efforts for retail and hospitality businesses.
  - C. Leverage Garland's natural assets to create distinctive recreational and entertainment experiences.
  - D. Develop a diverse inventory of experience destinations.
3. Maximize return on public and private investments.
  - A. Strengthen development and redevelopment efforts to boost revenue sources.
  - B. Align economic incentives with the needs of key districts and industry sectors.
4. Improve access to quality employment opportunities.
  - A. Expand workforce upskilling and education programs to support economic mobility.
  - B. Implement best practices in site selection to attract and retain skilled talent.

## **Strategic Focus Area: Future-Focused City Organization**

*Anticipate the needs of the community and be adaptable to change.*

### **Destinations & Actions:**

1. Utilize technologies and processes to enhance service delivery and internal operations.
  - A. Deploy analytics tools to track performance metrics in real-time.
  - B. Review current technology used by departments to ensure it meets department and customer needs.
  - C. Automate department functions with tools such as AI where applicable.
2. Pursue quality public and private development to enhance the community.
  - A. Identify and promote areas within Master Plans where both public and private investment can spur economic growth and revitalization.
  - B. Collaborate with regional partners and developers on mixed-use projects that integrate diverse housing options, commercial/retail spaces, and public services.
  - C. Implement more efficient review and approval processes for developers to encourage investment and reduce delays.
3. Implement strategic initiatives that further enhance service delivery.
  - A. Define expectation for meeting on-going service standards.
  - B. Create initiatives that encourage cooperation between departments for comprehensive solutions.
  - C. Use process improvement methodologies to reduce inefficiencies in service delivery.
4. Establish the City as an employer of choice, focused on sustaining a skilled and agile workforce, equipped to meet the ever-evolving needs of the Garland community.
  - A. Design and maintain fiscally sustainable pay and benefit strategies, in support of the needs of the current and future workforce.
  - B. Develop and implement strategic initiatives and benchmarks that support a workforce that is responsive to and reflective of Garland's customers and community.
  - C. Align workforce-focused processes and guidelines with governing regulations, operations, and industry best practices.
  - D. Build a high-performing workforce through deliberate efforts in support of skills, career, and leadership development.

## **Strategic Focus Area: Enhanced Quality of Life through Amenities, Arts and Events**

*Propel residents' experiences in their community with cultural events, concerts, and other programming that highlights the City's amenities and facilities.*

### **Destinations & Actions:**

1. Provide places, spaces, and facilities that foster a strong sense of community while enriching the lives of residents and visitors.
  - A. Invest in renewing and modernizing amenities.
  - B. Maintain amenities to ensure they are safe, welcoming, and accessible to all.
  - C. Engage the community to increase participation.
2. Create dynamic experiences for all ages through diverse programming, events, and services.
  - A. Support and expand the opportunities for health and wellness, learning, creativity, arts, culture, heritage, and fun.
  - B. Increase awareness and participation through innovative and consistent marketing and communications.
  - C. Foster collaborative partnerships to amplify impact.
3. Maintain a standard of excellence through continuous improvement and community engagement.
  - A. Pursue certifications, accreditations, awards, and recognitions.
  - B. Evaluate practices regularly, providing opportunities for internal and external feedback.
  - C. Invest in innovation and staff development to protect and promote stewardship of resources.

## **Strategic Focus Area: Commercially Thriving Downtown**

*Cultivate and promote Downtown Garland as a thriving historic and commercial destination for residents and visitors alike.*

### **Destinations & Actions:**

1. Drive economic growth through recruitment of new businesses while facilitating a network of resources to help existing entrepreneurs thrive.
  - A. Increase awareness of current and future opportunities.
  - B. Invest in revitalization efforts.
  - C. Establish networks and partnerships that attract and retain developers, business owners, and more.
2. Create pedestrian friendly destinations that attract visitors and inspire residents to shop, dine, and play.
  - A. Continue to develop places, spaces and facilities that encourage walkability.
  - B. Maintain infrastructure and aesthetics, promoting a safe, welcoming, and accessible environment.
  - C. Promote Downtown Garland as a recognized entertainment district.



**GARLAND**  
**CITY COUNCIL STAFF REPORT**

**City Council Regular Session**

**7. a.**

**Meeting Date:** 03/18/2025  
**Title:** School Street Alley Petition Public Hearing for Levying of Assessments  
**Submitted By:** Michael Polocek, Engineering Director  
**Strategic Focus Area:** Well-Maintained City Infrastructure  
Vibrant Neighborhoods and  
Commercial Centers  
Customer-Focused City Services

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**Issue/Summary**

Council is requested to hold a Public Hearing and consider whether to levy assessments for the School Street Alley Petition Project.

**Background**

At the March 4, 2025 Regular Session, the Council approved a Determination of Necessity for the School Street Alley Improvements and ordered a Public Hearing for the Levying of Assessments for the project in accordance with the City Charter. As part of the March 4, 2025 Council Meeting, a Public Hearing was ordered for March 18, 2025 to consider the levying of assessments for the alley improvements. The Property owners were notified of the Public Hearing through certified U.S. mail. The notice of the Public Hearing was also advertised in the Daily Commercial Record/Dallas Morning News, three (3) times on February 21, February 28 and March 7.

According to the City Charter, an assessment may not exceed the enhanced value of the property. The City hired BBG Real Estate Services (BBG), an independent appraiser, to determine the enhanced value of the School Street properties. BBG's study, concludes the enhanced values of the three (3) residential properties exceed the assessed values based on design and construction of the alley. Therefore, the original assessed values remain applicable.

A CIP Budget Amendment will be brought forward to City Council for consideration at a later date to formally appropriate \$200,000 for the Petition Alley Program anticipated to be expended in 2025. Interest Earnings will be used to fund the project in 2025 if approved.

**Consideration / Recommendation**

Hold and close a Public Hearing for and adopt an Ordinance for the Levying of Assessments for the School Street Alley Petition project behind the addresses located at 401, 405 and 409 School Street.

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**Attachments**

School Street Alley Ordinance  
Alley Petition  
School Street Location Map

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE FINDING AND DETERMINING THAT PROPERTY ABUTTING A CERTAIN ALLEY IN THE CITY OF GARLAND, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, WILL BE SPECIFICALLY BENEFITTED AND ENHANCED IN VALUE IN AN AMOUNT AT LEAST EQUAL TO THE AMOUNT OF THE COST OF THE IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID ALLEY WITHIN THE LIMITS DEFINED; FIXING A CHARGE AND LIEN AGAINST ALL SUCH ABUTTING PROPERTIES, AND THE RESPECTIVE OWNER(S) THEREOF, PROVIDING A METHOD OF COLLECTION OF ASSESSMENTS AND THE RECEIPT FOR PAYMENT OF A RELEASE OF LIEN ON THE SAME; AND PROVIDING AN EFFECTIVE DATE.

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

**Section 1**

The City Council of the City of Garland, Texas, hereby finds:

- (A) That, by reason of its receipt of a petition signed by the three abutting owners, the City Council, pursuant to the City Charter and policy established by Section 31.75 and 31.76 of the Code of Ordinances has previously determined the necessity for and ordered the improvement of School Street Alley behind 401, 405, and 409 School Street, in the manner and according to certain plans and specifications which have been approved and adopted by City Council.
- (B) That the City Council directed the Director of Engineering to prepare and file estimates of the costs of such improvements and a preliminary assessment roll showing estimates of the amount per front foot proposed to be assessed against each property abutting the improvements, and against the respective owner(s) thereof.
- (C) That the City has a currently effective Term Concrete Contract which the proposed improvements could be completed under.
- (D) That upon the filing of the estimates, the City Council did provide for and order a hearing to be held

at 7:00 o'clock p.m. on the 18<sup>th</sup> day of March, 2025, in the Council Chambers of City Hall, at which time and place all persons, firms, corporations, and estates owning or claiming an interest in any such abutting property, and their agents and attorneys, and all other persons interested therein, were to appear and be heard in person by council.

(E) That notice of such hearing was duly, timely, and properly given in accordance with Chapter 313, Texas Transportation Code, as amended.

(F) That on the 18<sup>th</sup> day of March, 2025 at 7:00 o'clock p.m., after due notice as required by law, hearings were open and held in accordance with Chapter 313, Texas Transportation Code, as amended, at which time and place an opportunity was given to all of the above-mentioned parties, agents, and attorneys to be heard and to offer evidence as to any relevant matter, at which time the following appeared and testified as follows:

a. The Director of Engineering of the City of Garland, Texas briefly described the improvements proposed to be constructed and explained the method of apportionment of cost. He then stated that a Notice of Hearing was published in a newspaper published in the City, on three (3) days prior to the public hearing, and that written notice has been given by depositing in the U.S. Mail at least fourteen (14) days prior to the date of the hearing, postage prepaid, in envelopes addressed to the owners of the respective properties abutting the improved alley as the names of such owners are shown on the current tax rolls of the City and at the addresses there shown, all containing descriptions and information specified in Chapter 313, Texas Transportation Code, as amended.

b. Mark Sadler, a duly qualified appraiser retained by the City, was present to present the results of the appraiser's evaluation of all properties subject to the assessment and answer questions of Council. The appraiser's written report of enhanced findings was placed in the hearing record.

- c. The Mayor then asked if there were any other parties present who desired to be hearing on any matters in connection with the improvements under consideration and an opportunity was given to all such persons to be heard by the City Council.
- (G) That at the hearings, all protests, objections, or testimony offered as to the improvements, the contracts, or assessments therefore, or as to any of the related proceedings were heard in due order; tha the City Council has heard all parties who appeared and desired to be heard as to the special benefits, as to enhanced value to accure to abutting property, and the respective owner(s) thereof as compared to the portion of the cost of constructing the improvements proposed to be assessed against the abutting property, and has heard all statements relative to any errors, invalidities, or irregularities in any of the proceedings and contract for the improvements, correcting all those that required correction, and has given a full and fair hearing to all parties, fully examining and considering all of the evidence, matters, testimony, and objections offered.
- (H) That based upon the appraisals, enhanced reports, and other evidence, matters, testimony, and objections considered at such hearing, the City Council has determined that the properties, and each and every parcel of such property abutting the proposed alley improvement, will be enhanced in value and specially benefitted in an amount at least equal to the amount of the cost of such improvements proposed to be, and as herein, assessed against each of those abutting properties and the respective owner(s) thereof.
- (I) That the City Council has adopted the rule of apportionment and division of the costs of the improvements between the abutting properties and the respective owner(s) thereof as set forth herein and has found the same to be just and equitable to produce substantial equality considering the benefits to be received and the burdens imposed thereby; and the City Council has further found upon the evidence considered that the assessments herein made and the charges hereby declared against the abutting properties and the respective owner(s) thereof are just and equitable

and that all objections and protests inconsistent with such rule of apportionment and division of costs should be overruled and denied.

- (J) That the total amounts assessed against the respective properties abutting upon the alley provided herein, and the respective owner(s) thereof, are the same or less than the estimates of the assessments prepared by the recommendations of the Director of Engineering, and are approved and adopted by the City Council, and are in accordance with the proceedings of the City relative to such improvements and assessments therefor, and within the terms, powers, and provisions of Chapter 313, Texas Transportation Code, as amended.
- (K) That there being no further evidence or protests for or against or in reference to the improvements, benefits, or proceedings, the hearing was closed.

## **Section 2**

That all protests and objections are hereby overruled and denied.

## **Section 3**

That there is hereby levied and assessed against the properties described in Exhibit "A," attached hereto and incorporated herein by reference, and against the respective owner(s) thereof, whether such owners are correctly named in this Ordinance or not, the sum or sums of money for each property and the respective owner(s) as shown on Exhibit "A."

## **Section 4**

That the assessments levied in Section 3 above are for a portion of the costs of the improvements in said alley, and the assessments for the improvements in said alley are not related to, or connected with, the improvements or assessments in any other street or alley. In levying the assessments, the amount so assessed for the improvements have not been affected by any fact or thing in any way connected with the improvements or the assessments in any other street or alley.

## **Section 5**

That the several sums levied in Section 3 and assessed against the parcels of abutting property and the respective owner(s) thereof, together with interest, reasonable attorneys' fees, and all other costs and expenses of collection, if incurred, are hereby declared to be made a first and prior lien upon the respective properties against which they are assessed from and after the date the improvements were ordered by the City Council, as required by Chapter 313, Texas Transportation Code, as amended, to be adjusted however, to such changes in such sums and accrued interest as necessitated by the assessments finally levied herein and to become operative as of formal acceptance of the improvements by the City, and shall be a personal liability and charges against the respective owner(s) thereof, whether or not such owner(s) be named or correctly named herein, paramount and superior to all other liens, claims, or titles, except for lawful ad valorem taxes. The sums so assessed shall become due and payable to the City of Garland, or its assigns, pursuant to Sections 31.77 and 31.78 of the Code of Ordinances of the City of Garland. If a property against which an assessment has been levied by this Ordinance is owned by more than one owner, then each owner of that property shall be personally liable only for that portion of the assessment to which that ownership bears to the total ownership of the property.

#### **Section 6**

That if default shall be made in the payment of any installment of principal or interest when due, then the entire amount of the assessment upon which default is made, at the option of the City of Garland, or its assigns, shall be and become immediately due and payable and shall be collectible, other with reasonable attorneys' fees and all costs and expenses of collection, if incurred. If default shall be made in the payment of any of the sums herein assessed, collection shall be enforced, at the option of the City of Garland, or its assigns, either by suit in any court of competent jurisdiction, or by the sale of the property assessed as nearly as possible in the manner as may be provided by law in force in the City for the same as property for the collection of ad valorem taxes.

#### **Section 7**

That all such assessments levied are, and shall be, a personal liability and charge against the respective owner(s) of abutting properties, notwithstanding that such owner or

owners may not be named or correctly named herein, and any irregularity in the name of the property owner, or the description of any property, or the amount of any assessment, or in any other matter related thereto, shall not in any manner invalidate or impair any assessed levied hereby, and any such mistake or error, invalidity, or irregularity in such assessment may be, but is not required to be in order to be enforceable, corrected at any time by the City Council of the City of Garland, Texas.

#### **Section 8**

That the City Manager, or an authorized representative, is empowered to release any lien created by this Ordinance and its underlying assessment on an assessed lot or parcel upon payment of the assessment in full, together with all interest, attorneys' fees, and costs of collection, if any, or whenever such assessment or lien is specifically cancelled by action of the City Council or a court of law.

#### **Section 9**

That the City Manager, or an authorized representative, is hereby authorized and directed to issue to the City of Garland special assessment certificates evidencing the assessments against property abutting upon the improved streets within the limits provided, and against the respective owner(s) thereof upon completion and acceptance of the improvements. Such assessment certificates shall be executed in the name of the City of Garland by the City Manager, or an authorized representative, and such officers are hereby authorized and directed to execute such certificates in their official capacities on behalf of the City, and to deliver them to the City of Garland.

#### **Section 10**

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

**PASSED AND APPROVED** this the \_\_\_\_\_ day of March, 2025.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

**EXHIBIT "A"**

**CITY OF GARLAND PAVING ASSESSMENTS**

**SCHOOL STREET ALLEY – W. WALNUT STREET TO COLLEGE AVENUE**

Total estimated costs.....\$78,600.00

Project Length.....205 LF

Calculation of Assessments

$$\frac{\$78,600.00}{3} = \$26,200 \text{ divided by } 205 \text{ LF} = \$127.80 \text{ per LF}$$



PROPERTY ADDRESS / LEGAL DESCRIPTION	OWNER AND ADDRESS	DCCAD ID	FRONT L.F.	FSR	ASSESS. COST/LF	TOTAL ASSESS.
401 SCHOOL STREET GARLAND, TX WESTWOOD NO. 2 BLOCK B, LOT 10	MONALISA DERIGAY MATTA SAME	26673500020100000	80.00	R	\$127.80	<del>\$10,224.27</del> \$8,000.00*
405 SCHOOL STREET GARLAND, TX WESTWOOD NO. 2 BLOCK B, LOT 11	JULIO C. QUIROZ SAME	26673500020110000	62.50	R	\$127.80	\$7,987.71
409 SCHOOL STREET GARLAND, TX WESTWOOD NO. 2 BLOCK B, LOT 12	YESENIA MORALES SAME	26673500020120000	62.50	R	\$127.80	<del>7987.71</del> \$7,500.00*

<b>ASSESSMENTS TOTAL</b>	<b>\$23,487.71</b>
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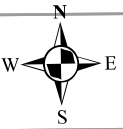
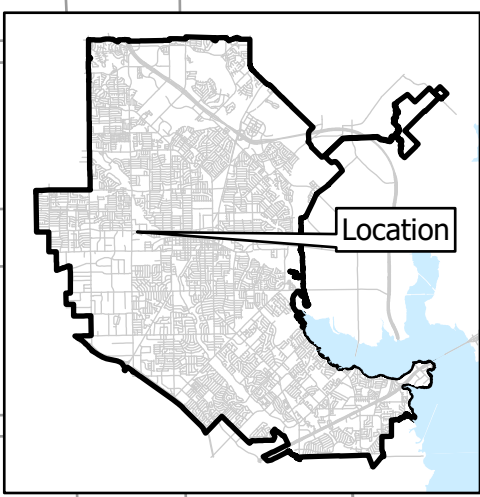
\* Limited by Enhancement

## SCHOOL STREET ALLEY PETITION

Signature of property owners only:

<u>Monalisa A. Matta</u> Signature	<u>Monalisa Matta</u> Name (Type or Print)	<u>401 School St.</u> Address	<u>80</u> Frontage	<u>\$10,224.00</u> *Prelim. Assessment
<u>Julio Quiroz</u> Signature	<u>Julio Quiroz</u> Name (Type or Print)	<u>405 School St.</u> Address	<u>62.5</u> Frontage	<u>\$7,987.00</u> *Prelim. Assessment
<u>Yesenia Morales</u> Signature	<u>Yesenia Morales</u> Name (Type or Print)	<u>409 School St.</u> Address	<u>62.5</u> Frontage	<u>\$7,987.00</u> *Prelim. Assessment
<b>Total Assessments:</b>			<b>\$26,198.00</b>	

\* Final assessment may vary based on actual design and construction costs. Assessment may be paid in full at the end construction OR Property owners opting to pay the assessments described in this Article V in installments shall make said payments in accordance with the following schedule (property owner's share/monthly payments): (1) \$2,000.00-\$2,999.99: 36 equal monthly payments; (2) \$3,000.00-\$3,999.99: 48 equal monthly payments; (3) \$4,000.00 or more: 60 equal monthly payments. (Ordinance 7052, sec. 16, adopted



CLARA BARTON BLVD

WALNUT ST

SHILOH RD

409 SCHOOL ST

405 SCHOOL ST

401 SCHOOL ST

SCHOOL ST

COLLEGE AVE

JARRELL CIR

Parcels  
Project Location

### SCHOOL STREET ALLEY LOCATION MAP

Scale: NTS  
Date: 02/04/2025  
Drawn: OS  
File: School Street Alley  
Location Map





GARLAND

## PLANNING REPORT

City Council Regular Session

7. b.

Meeting Date: 03/18/2025

Item Title: GDC Amendment ORD 25-03

Submitted By: Nabila Nur, Planning and Development Director

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### REQUEST

A public hearing to consider amendments to Chapter 2, Division 5 Telecommunications Towers and Antennas and Chapter 2, Attachment 1 -- Land Use Matrix as it relates to Antenna, Commercial use.

### PLAN COMMISSION RECOMMENDATION

On February 24, 2025, the Plan Commission recommended approval of the proposed amendment.

### STAFF RECOMMENDATION

Approval of amendments to Chapter 2, Division 5 Telecommunications Towers and Antennas and Chapter 2, Attachment 1 -- Land Use Matrix as it relates to Antenna, Commercial use.

### BACKGROUND

The Development Services Committee has recently evaluated the regulations related to Telecommunications Towers and Antennas and reported out to City Council recommending the following updates:

- Specific Use Provision should be required for all commercial antennas (but not private antennas)
- The following distance requirement should be removed:
  - *freestanding commercial antenna support structures must be a minimum distance of five thousand feet from another wireless telecommunications antenna.*

The City Council members unanimously conveyed that they were in favor of considering these changes, which is why, staff is bringing forward the ordinance amendment.

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### Attachments

GDC Amendment ORD 25-03 Ordinance

GDC Amendment ORD 25-03 R&M

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## ORDINANCE NO. XXXXX

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 2, "ZONING REGULATIONS," OF THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, TO REQUIRE AN SUP FOR COMMERCIAL ANTENNAS; 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 2.64 "Districts Allowed," of Chapter 2, Article 5, Division 5, "Telecommunications Towers & Antennas," of the Garland Development Code of the City of Garland, Texas, is hereby amended *in its entirety* to read as follows:

#### "Section 2.64 Districts Allowed

(A) Residential Zoning Districts. In all residential zoning districts, commercial antennae and their support structures are allowed only by Specific Use Provision and must meet the following minimum standards:

- (1) Utility Structures. A commercial antenna within a residential zoning district may be attached to a utility structure (such as an electrical transmission or distribution tower, or an elevated water storage tank) provided that the utility structure exceeds fifty feet in height, and provided that the antenna does not extend more than ten feet above the height of the utility structure;
- (2) Stealth. A commercial antenna may be located within a residential zoning district if it is placed wholly within any building allowed in the residential zoning district. A commercial antenna may also be mounted flush to the exterior of a building or structure if it is painted or disguised to integrate into the overall architectural design, if it does not have any type of exterior non-vertical array, and if it

is not readily identifiable as an antenna from public roadways or from neighboring residential properties; and

- (3) SUP. All other regulations and conditions required by the SUP.

- (B) Nonresidential and Mixed-Use Districts. In non-residential and mixed-use zoning districts, commercial antennae and antenna support structures are allowed only by Specific Use Provision and must meet the following minimum standards:

- (1) Support Structures. Commercial antenna support structures are allowed if they do not exceed eighty-five (85) feet in height and conform in all other aspects to local, state, and federal law. Support structures in excess of the eighty-five (85) [feet] in height may only be allowed by an express condition of the Specific Use Provision (SUP) provided the structure conforms in all other aspects to local, state, and federal law. In all nonresidential zoning districts, antenna support structures must meet all setback requirements. A site with a previously issued SUP and currently active commercial antenna shall not require a new SUP unless the height or footprint of the antenna support structure has changed;
- (2) Utility Structures. A commercial antenna may be attached to a utility structure (such as an electrical transmission or distribution tower, elevated water storage tank, or highway light fixtures) provided that the utility structure exceeds fifty feet in height, and provided that the antenna does not extend more than ten feet above the height of the utility structure;
- (3) Stealth. A commercial antenna may be placed wholly within any building allowed in the zoning district. A commercial antenna may also be mounted on an accessory utility structure, light standard or flagpole, or flush to the exterior of a building or structure if it is painted or disguised to integrate into the overall architectural design of the supporting structure, if it does not have any type of exterior non-

vertical array, and if it is not readily identifiable as an antenna from public roadways or from neighboring residential properties; and

- (4) SUP. All other regulations and conditions required by the SUP."

## **Section 2**

That Section 2.65 "General Requirements," of Chapter 2, Article 5, Division 5, "Telecommunications Towers & Antennas," of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part by subtraction* to delete subsection (D) and renumber the remaining provisions accordingly.

## **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 "Commercial Uses," as more particularly depicted and described in Exhibit "A", which is attached hereto and incorporated herein by reference.

## **Section 4**

That Chapter 2 of the Garland Development Code shall be and remain in full force and effect save and except as amended by this Ordinance.

## **Section 5**

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 6**

That the terms and provisions of this Ordinance are severable and are governed by Sec. 1.07 of the Garland Development Code 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 [    ] 2025.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

**PUBLISHED:**



## REPORT & MINUTES

### P.C. Meeting, February 24, 2025

**2d. APPROVED** Hold a public hearing to consider amendments to Chapter 2, Division 5 Telecommunications Towers and Antennas and Chapter 2, Attachment 1 -- Land Use Matrix as it relates to Antenna, Commercial use.

Planning Director, Nabila Nur, provided an overview of the amendments to Chapter 2, Division 5 Telecommunications Towers and Antennas and Chapter 2, Attachment 1 -- Land Use Matrix as it relates to Antenna, Commercial use and remained available for questions.

**Motion** was made by Commissioner Rose to **approve** the amendment as presented. Seconded by Commissioner Dalton. **Motion carried: 9 Ayes, 0 Nays.**



GARLAND

## PLANNING REPORT

### City Council Regular Session

8. a.

Meeting Date: 03/18/2025

Item Title: Z 23-38 Hugo Olvera Galindo (District 5)

Submitted By: Nabila Nur, Planning and Development Director

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### REQUEST

Hold a public hearing and consider approval of 1) a Specific Use Provision for a Tattooing/Body Piercing Establishment Use on a property zoned Planned Development (PD) District 76-15 and 2) a Concept Plan for a Tattooing/Body Piercing Establishment Use.

### LOCATION

977 West Centerville Road, Suite 6

### OWNER

Trien Nguyen

### PLAN COMMISSION RECOMMENDATION

On February 24, 2025, the Plan Commission, by a vote of seven (7) to two (2), recommended approval of a Specific Use Provision (SUP) and the associated concept plan for a Tattoo/Body Piercing Establishment Use. In addition, the Plan Commission recommended a three (3) year time frame and hours of operation limited to 10:00 a.m. to 6:00 p.m., Monday through Saturday.

### STAFF RECOMMENDATION

During the February 24th Plan Commission meeting, staff recommended denial of 1) a Specific Use Provision for a Tattooing/Body Piercing Establishment Use on a property zoned Planned Development (PD) District 76-15 and 2) a Concept Plan for a Tattooing/Body Piercing Establishment Use. The proposed Tattooing/Body Piercing Establishment Use is not consistent with the Future Land Use Map and not compatible with the surrounding areas. However, staff acknowledges that the potential impact of the use may be minimal with the restricted hours of operation as recommended by the Plan Commission. Additionally, the three-year time frame per that recommendation would allow the City to reevaluate the use and its impact within a short period of time.

### BACKGROUND

The subject property is developed within a shopping center. The applicant proposes to open a Tattooing/Body Piercing Establishment Use in one of the suites (Suite #6). Per the GDC, the Tattooing/Body Piercing Establishment Use is only allowed by Specific Use Provision (SUP).

### SITE DATA

The subject site is an approximately 256 square feet studio, within a 5,325 square feet suite, within a 90,459 square feet shopping center and has approximately 690 linear feet of frontage along West Centerville Road and 337 linear feet along Marketplace Drive. The site can be accessed from three points along West Centerville Road and one point along Marketplace Drive. The site is also accessible from mutual access drives to the East as there is a neighboring shopping center there.

## **USE OF PROPERTY UNDER CURRENT ZONING**

The site is zoned Planned Development (PD) District 76-15. This is a mixed use Planned Development where there is an apartment area to the North and a retail area on the Southern half of the site. The subject site is located within the retail area and follows the Community Retail (CR) District as the base zoning. 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 Community Retail (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. An example of allowed use in a CR district is a retail shopping area that may be large in scale with very limited or no outside storage. Traffic generated by uses in a Community Retail (CR) District must be focused onto the major thoroughfare network. Development in a Community Retail (CR) District may not be designed in a manner that increases traffic through residential areas.

## **CONSIDERATIONS**

### **Specific Use Provision:**

1. The applicant is requesting the SUP to be ten (10) years. The SUP time period guide recommends a period of 5-10 years. However, during the Plan Commission meeting, the applicant was amenable to a reduced timeframe.

## **COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, which serves nearby neighborhoods with a mix of uses that include retail, office, multi-family, and entertainment.

It is envisioned that retail centers such as these promote high quality retail and service uses which promote placemaking and desirable destinations. The proposed use is not compatible with the vision of the Comprehensive Plan.

## **COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES**

Section 2.52 (A) (6) of the Garland Development Code requires a 500 feet distance separation between tattoo shops and daycares, residences, places of worship, public or private schools, public parks or hospitals, senior living facility, or other tattooing/body piercing establishment. Although the proposed use will not be within 500 feet of the named uses, residences are located directly North of this site. The properties to the North are zoned Planned Development (PD) District 82-5 and contains multi-family. The properties to the East are also zoned Planned Development (PD) District 76-15, containing a shopping center with a mix of uses like restaurant, medical clinic, retail, office, personal services, and more. The properties to the South are zoned Planned Development (PD) District 91-20, Planned Development (PD) District 88-40, and Planned Development (PD) District 74-35. These properties contain multi-family, medical office/clinic, grocery store, personal services, retail, and restaurants. Finally, the properties to the West are zoned Planned Development (PD) District 82-20 and 80-43. These contain a restaurant with a drive-through, personal services, and office space.

There are a variety of residential areas located near this site, and the proposed use is not compatible with those areas.

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### **Attachments**

Z 23-38 Location Map  
Z 23-38 SUP Conditions  
Z 23-38 Concept Plan  
Z 23-38 R&M  
Z 23-38 Responses  
Z 23-38 Staff Presentation

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0 150 300 Feet  
1 inch = 231 feet

## ZONING MAP Z 23-38

 INDICATES AREA OF REQUEST

977 West Centerville Road



**SPECIFIC USE PROVISION CONDITIONS  
RECOMMENDED BY THE PLAN COMMISSION**

**ZONING FILE Z 23-38**

**977 West Centerville Road, Suite #6**

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Tattooing/Body Piercing Establishment 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 Planned Development (PD) District 76-15 and Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Abandonment:** In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the PD, GDC, federal, and state law.

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

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

**EXHIBIT B**

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

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

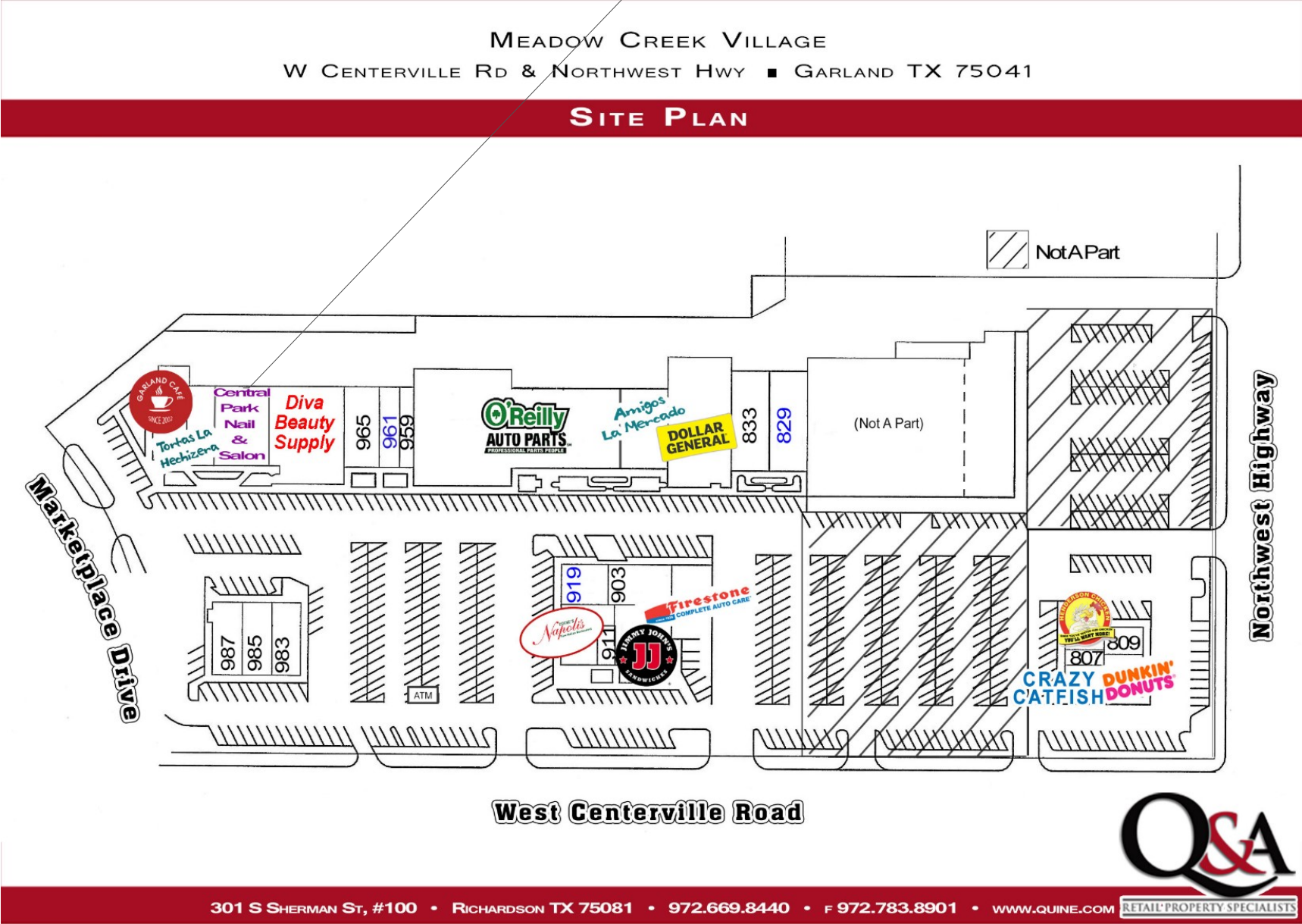
**V. Specific Regulations:**

Use area: The maximum area dedicated for this use shall not exceed 256 square feet, as shown on the approved Concept Plan.

Time Period: The Specific Use Provision shall have a three (3) year time period.

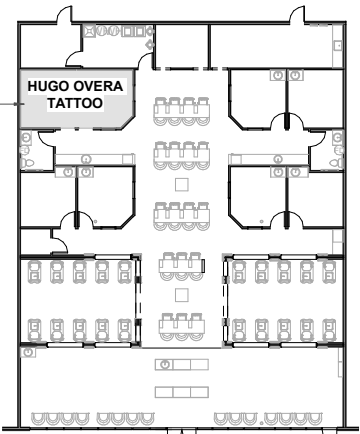
Hours of Operation: The hours of operation shall be limited to 10:00 a.m. to 6:00 p.m., Monday through Saturday.

Site design and construction plans shall conform to all requirements of the Garland Development Code (GDC), Technical Standard Manual (TSM), and City codes unless an approved PD narrative condition expressly provides otherwise. The concept plan shall be used to represent the general idea of the proposed land use and site elements. The concept plan shall not supersede, and shall be subordinate to, the standards, requirements, and conditions of the GDC, TSM, City code, or the approved PD.



The information contained herein was obtained from sources believed reliable; however, Quine & Associates, Inc. makes no guarantees, warranties or representation as to the completeness or accuracy thereof. The presentation of the property is submitted subject to errors, omissions, change of price or conditions prior to sale or lease or withdrawal without notice.

**SITE PLAN**



**CENTRAL PARK NAILBAR | SALON  
OVERALL FLOOR PLAN**

**CASE NUMBER :230516-3**

TOTAL BUILDINGS SQUARE FOOTAGE :  
90,459

CENTRAL PARK NAILBAR | SALON:  
5,325 SQ.FT

HUGO OVERA TATTOO: 256 SQ.FT

TOTAL PARKING REQUIRE:  
362 SPACES PER 1/250 gfa

TOTAL PARKING PROVIDE FOR THE SITE:  
576 SPACES

APPROX PARKING AVAILABLE :  
214 SPACES

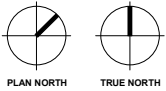


**VICINITY MAP**

Issue	Issue Name	Date

HUGO OVERA  
TATTOO @  
CENTRAL PARK  
NAILBAR | SALON  
977 W  
CENTERVILLE RD  
GARLAND TEXAS  
75041

Sheet Name <b>Site plan</b>	
Original Issue	
Sheet Number	
<b>A01</b>	
Project #	Drawing Date
Project Number	12/16/24



## REPORT & MINUTES

### P.C. Meeting, February 24, 2025

**2c. APPROVED** Consideration of the application of **Hugo Olvera Galindo**, requesting approval of 1) a Specific Use Provision for a Tattooing/Body Piercing Establishment Use on a property zoned Planned Development (PD) District 76-15 and 2) a Concept Plan for a Tattooing/Body Piercing Establishment Use. The site is located at 977 West Centerville Road. (District 5) (File Z 23-38)

Planner II, Matthew Wolverton, presented the request to the Commission and remained available for questions.

The applicants, Hugo Olvera Galindo and Perla Olvera Galindo, 977 W. Centerville Road, Garland, TX, provided an overview of the request and remained available for questions.

The Commission asked several questions regarding the hours of operation and if the applicant was subletting the designated space.

The applicant confirmed they are subletting the designated space and are flexible with their hours of operation pending approval of their request.

**Motion** was made by Commissioner Abell to close the public hearing. Seconded by Commissioner Cornelius. **Motion carried: 9 Ayes, 0 Nays.**

There was discussion by the Commission on whether the proposed SUP would apply to the entire suite or to just the proposed space within the suite.

Staff clarified that the Concept Plan would be attached to the ordinance which would be specific on the proposed use and location within the suite.

**Motion** was made by Commissioner Abell to **approve** the application as presented with a 3-year SUP and hours of operation of 10 a.m. to 6 p.m. Monday - Saturday. Seconded by Commissioner Cornelius. **Motion carried: 7 Ayes, 2 Nays** with Commissioners Jenkins and Rose in opposition.





**977 West Centerville Road**

# Comment Form

## Case Z 23-38

Z 23-38 Hugo Olvera Galindo. The applicant proposes a Specific Use Provision (SUP) for a Tattoo/Body Piercing Establishment. The site is located at 977 West Centerville Road. (District 5).

Z 23-38 Hugo Olvera Galindo. El solicitante propone una Disposición de uso específico (SUP) para un establecimiento de tatuajes/perforaciones corporales. El sitio está ubicado en 977 West Centerville Road (Distrito 5).

Z 23-38 Hugo Olvera Galindo. Người nộp đơn đề xuất Điều khoản sử dụng cụ thể (SUP) cho Cơ sở xăm hình/xỏ khuyên trên cơ thể. Địa điểm tọa lạc tại 977 West Centerville Road. (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](mailto: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](mailto: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](mailto: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.)

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

City, State / Estado de la Ciudad / Thành bang

Zip Code / Código postal / Mã Bưu Chính

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

## Case Z 23-38

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Hugo Olvera Galindo

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.)

977 W Centerville Rd

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

Hugo Olvera Galindo

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.)

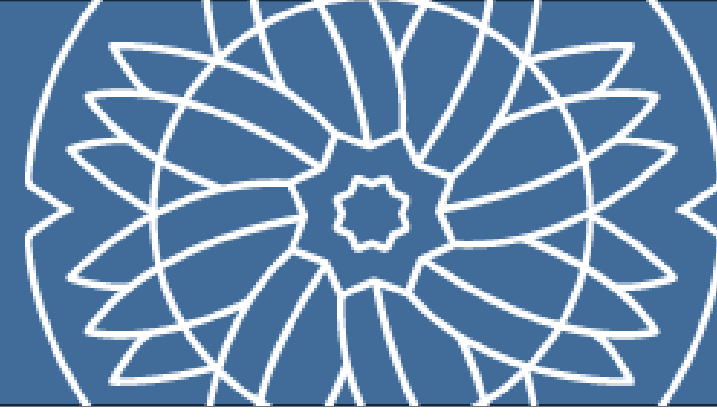


GARLAND

# City Council Meeting

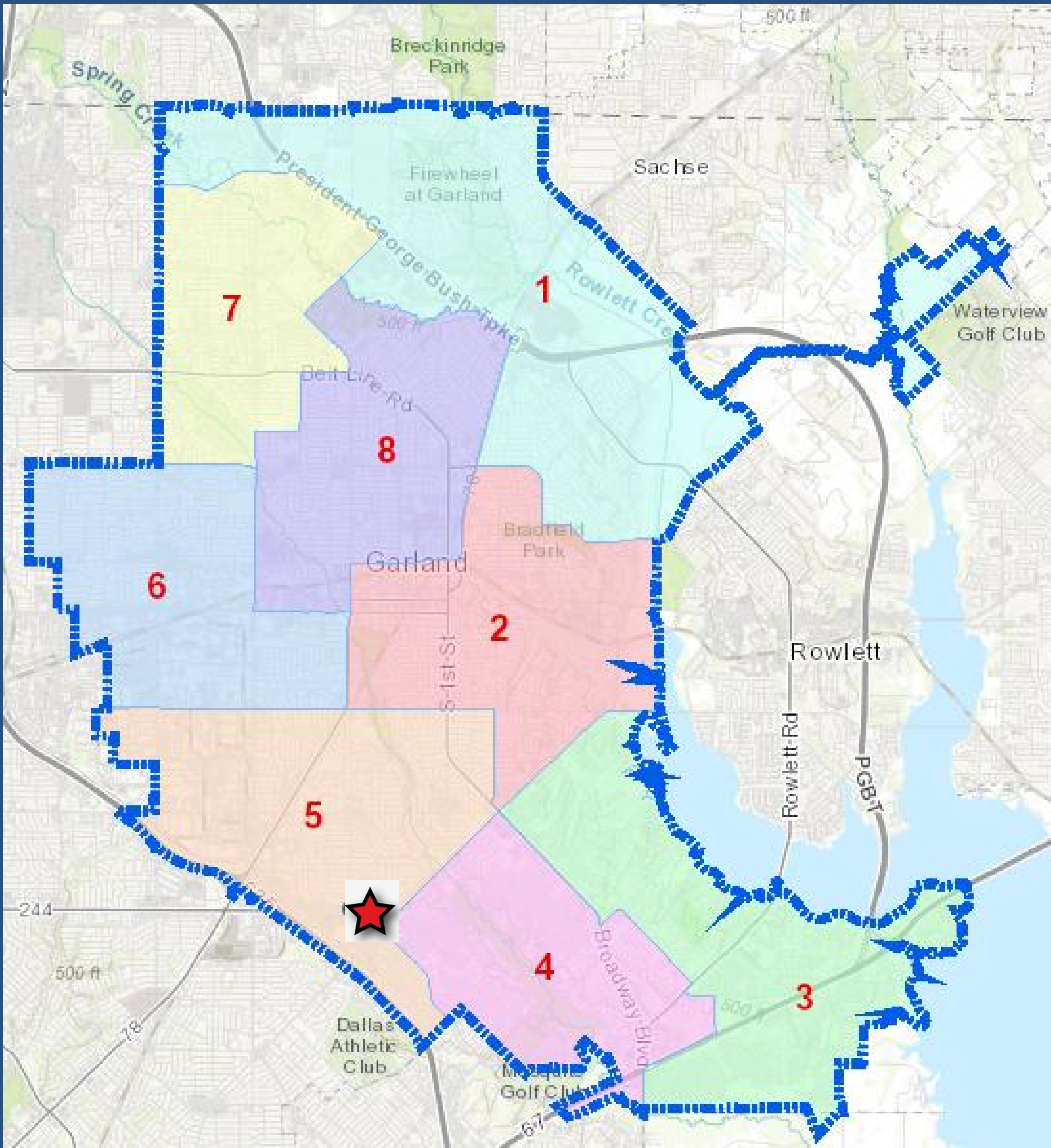
March 18, 2025





## Request

The applicant requests a Specific Use Provision for a **Tattoo/Body Piercing Establishment** Use on a property zoned Planned Development District 76-15 (PD 76-15) with a base zoning district of Community Retail District.



# Case Information

**Location:** 977 West Centerville Road

**Applicant:** Hugo Olvera Galindo

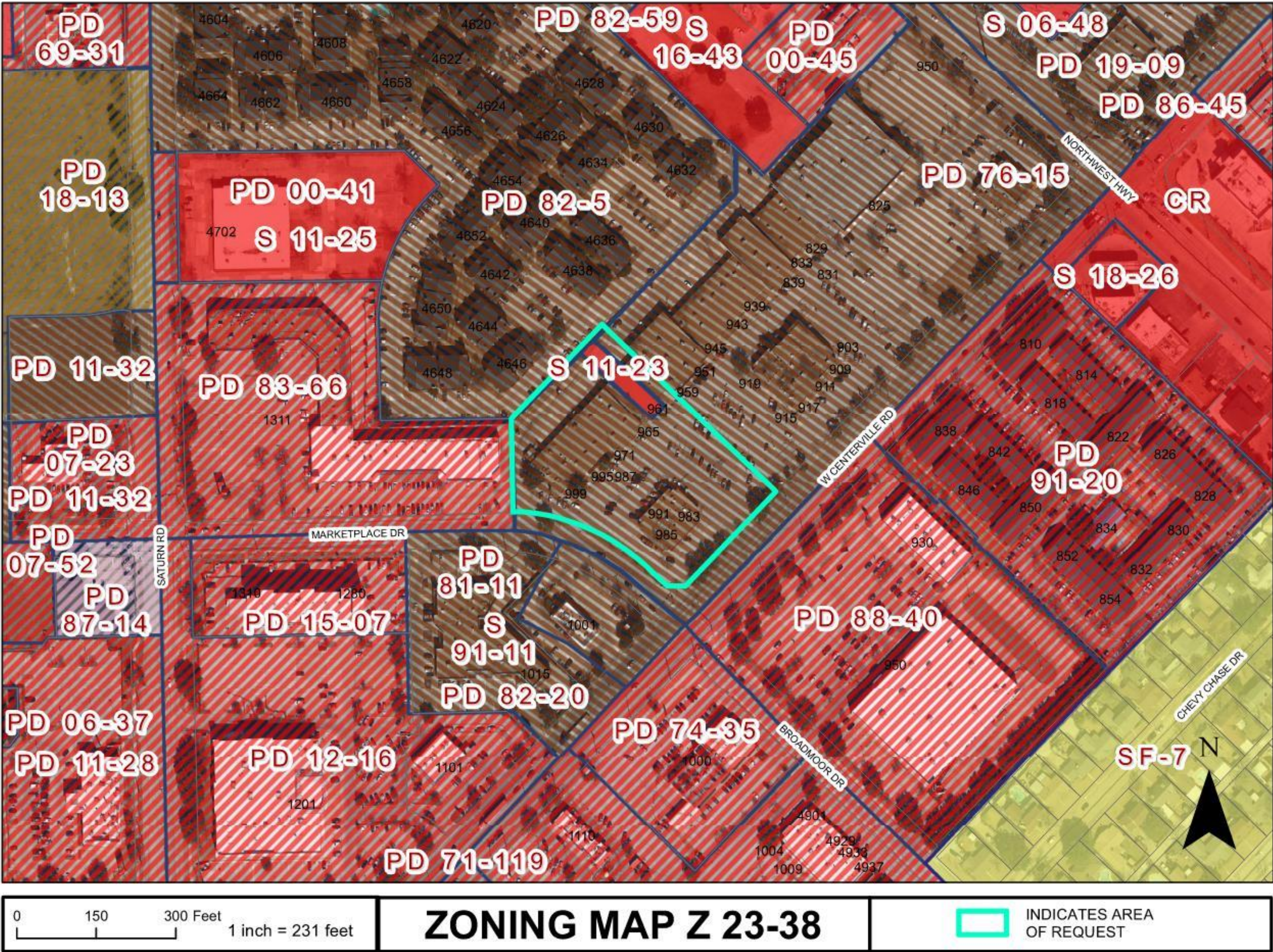
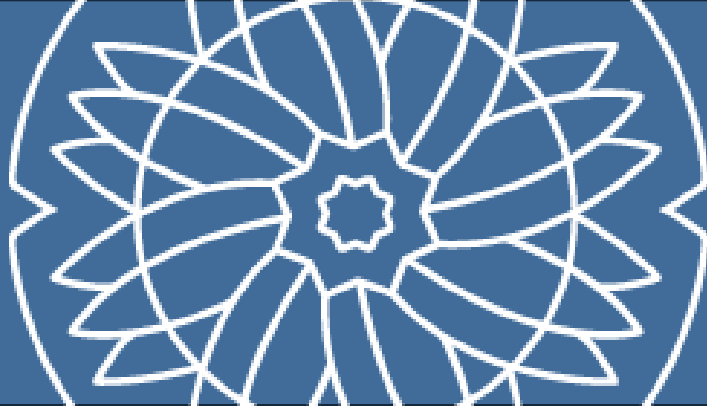
**Owner:** Trien Nguyen

**Square Footage:** 256 square feet (within the suite)  
and 5,325 square feet (leasing area)

**Zoning:** PD 76-15 Community Retail (CR) District (base zoning)



# Location Map



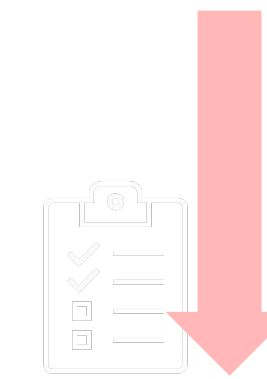
977 West Centerville Road



# Comprehensive Plan



*Community Centers*



Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment.



# Site Photos

977 West Centerville Road



View of the subject site from the parking lot of the shopping center



View from the subject site looking West across Marketplace Drive

# Site Photos

977 West Centerville Road



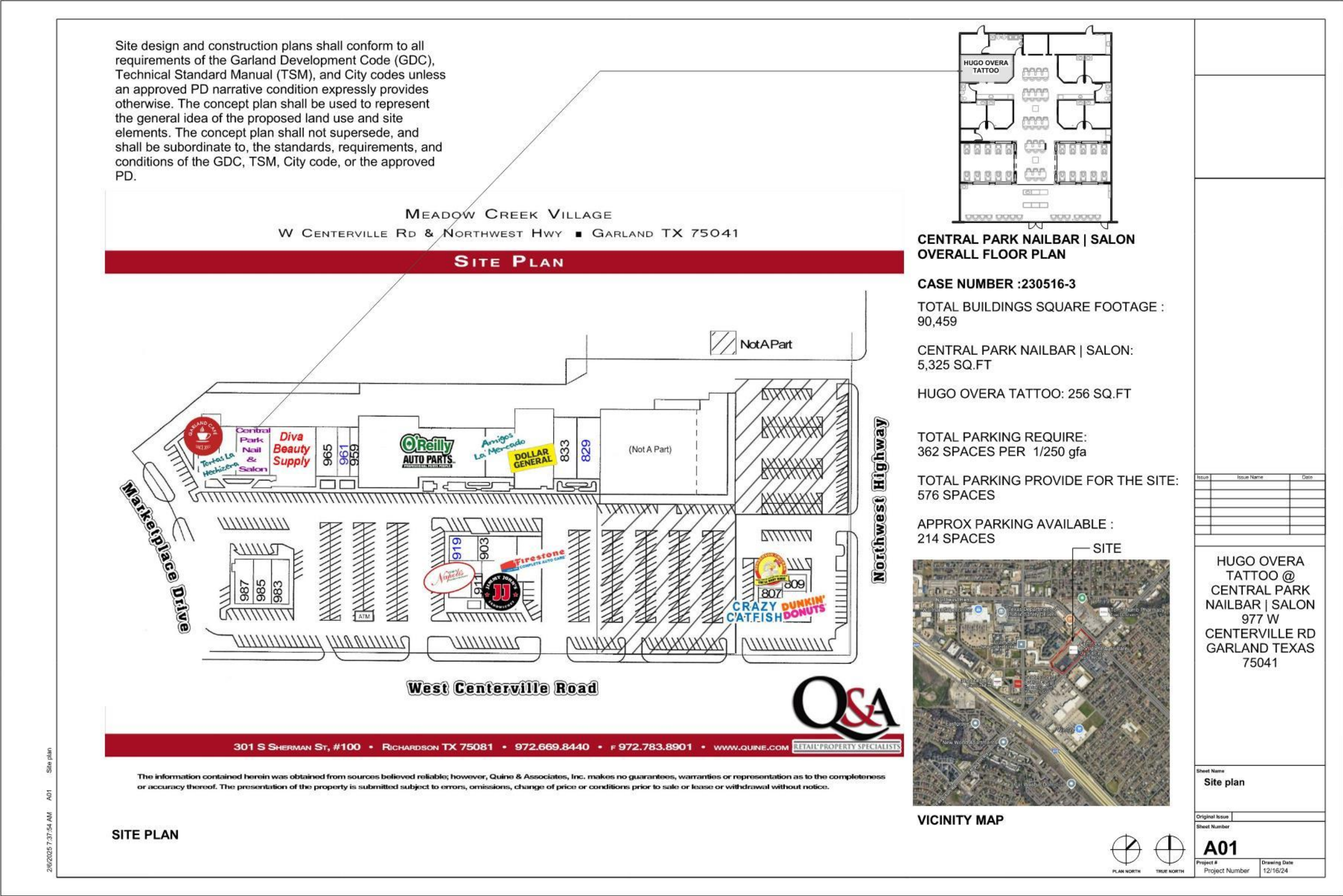
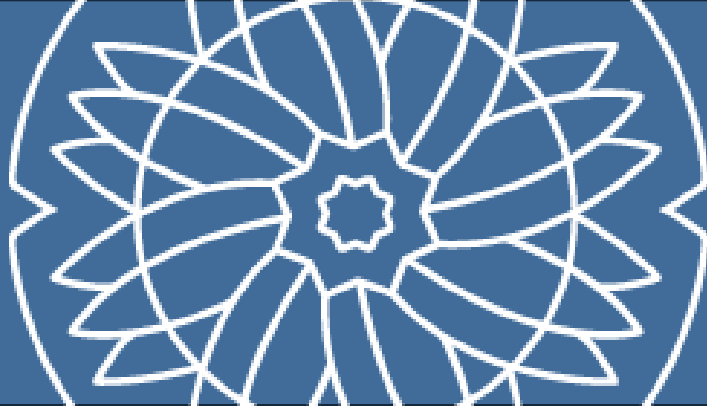
View from the subject site looking East toward the rest of the shopping center



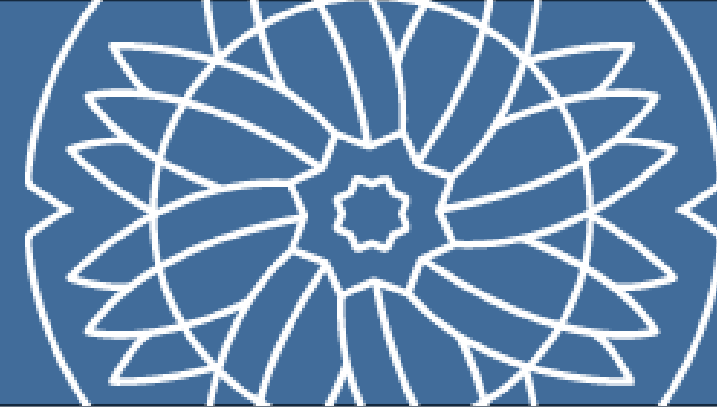
View of West Centerville Road looking South from the shopping center



# Concept Plan



# Recommendations



**Staff Recommendation:** Denial

**Plan Commission Recommendation:** Approval for 3 years with restricted hours of operation from 10am to 6pm, Monday through Saturday





# Response Letters



# Thank You

Questions?





GARLAND

## PLANNING REPORT

### City Council Regular Session

8. b.

Meeting Date: 03/18/2025

Item Title: Z 24-29 Nayeb Management, LLC (District 5)

Submitted By: Nabila Nur, Planning and Development Director

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### REQUEST

Hold a public hearing and consider approval of 1) a Specific Use Provision for a Tattooing/Body Piercing Establishment Use on a property zoned Planned Development (PD) District 82-59 and 2) a Concept Plan for a Tattooing/Body Piercing Establishment Use.

### LOCATION

1350 Northwest Highway, Suite #107

### OWNER

1350 NW, LLC

### PLAN COMMISSION RECOMMENDATION

On February 24, 2025, the Plan Commission, by a vote of eight (8) to one (1), recommended approval a Specific Use Provision (SUP) for a Tattoo/Body Piercing Establishment Use and the associated concept plan. In addition, the Plan Commission recommended a five (5) year time frame, and hours of operation limited to 8:00 a.m. to 5:00 p.m., Monday through Friday. Finally, screening must be provided, up to staff's discretion, in order to conceal the work area of the Tattooing/Body Piercing Establishment from the outside.

### STAFF RECOMMENDATION

During the February 24th Plan Commission meeting, staff recommended denial of 1) a Specific Use Provision for a Tattooing/Body Piercing Establishment Use on a property zoned Planned Development (PD) District 82-59 and 2) a Concept Plan for a Tattooing/Body Piercing Establishment Use. The proposed Tattooing/Body Piercing Establishment Use is not consistent with the Future Land Use Map, not compatible with the surrounding areas, and the city cannot regulate the percent of medical purpose uses in the proposed suite. However, staff acknowledges that the potential impact of the use may be minimal with the restricted hours of operation as recommended by Plan Commission. Additionally, the five year time frame per that recommendation would allow the City to reevaluate the use and its impact within a short period of time.

### BACKGROUND

The subject property is developed within a shopping center. The applicant proposes to open a Tattooing/Body Piercing Establishment Use in one of the suites. Per the GDC, the Tattooing/Body Piercing Establishment Use is only allowed by Specific Use Provision (SUP). During the February 10th Planning Commission meeting, it was agreed that the case be postponed as the applicant proposes to use most of their business for medical appointments. The Tattoo/Body Piercing Establishment definition does not include tattooing for medical purposes (such as for reconstructive or plastic surgery) or the application of permanent cosmetics (as defined in Chapter 6 of this GDC), which is allowed as an accessory use in any personal service establishment that is related to personal appearance (such as, hair salons, nail salons, waxing or tanning salons, or spas), subject to the establishment, employees, or persons providing a regulated service therein, having a valid state license at all times, where a license is required by state law." This type of business would fall under the Personal Services Use which does not require a Specific Use Provision (SUP).

After consulting the Building Inspections Department, it was discovered that there would be no way to regulate that most of the business would be dedicated toward medical tattoo appointments. Upon receiving this information, it was decided that they would need to continue with their SUP process as they would still be classified as a Tattooing/Body Piercing Establishment.

## **SITE DATA**

The subject site is an approximately 1,048 square feet suite within a 1.787-acre property and has approximately 450 linear feet of frontage along Northwest Highway and 170 linear feet along Saturn Road. The site can be accessed from two points along Northwest Highway and one point along Saturn Road. The site is also accessible from two mutual access drives that continue East to other commercial developments.

## **USE OF PROPERTY UNDER CURRENT ZONING**

The site is zoned Planned Development (PD) District 82-59. This is a mixed use Planned Development where there is an apartment area to the South and a retail area on the Northern half of the site. The subject site is located within the retail area and follows the Community Retail (CR) District as the base zoning. 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 Community Retail (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. An example of allowed use in a CR district is a retail shopping area that may be large in scale with very limited or no outside storage. Traffic generated by uses in a Community Retail (CR) District must be focused onto the major thoroughfare network. Development in a Community Retail (CR) District may not be designed in a manner that increases traffic through residential areas.

## **CONSIDERATIONS**

### **Specific Use Provision:**

1. The applicant is requesting the SUP to be ten (10) years. The SUP time period guide recommends a period of 5-10 years. However, during the Plan Commission meeting, the applicant was amenable to a reduced timeframe.

## **COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, which serves nearby neighborhoods with a mix of uses that include retail, office, multi-family, and entertainment.

It is envisioned that retail centers such as these promote high quality retail and service uses which promote placemaking and desirable destinations. The proposed use is not compatible with the vision of the Comprehensive Plan.

## **COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES**

Section 2.52 (A) (6) of the Garland Development Code requires a 500 feet distance separation between tattoo shops and daycare facilities, residences, places of worship, public or private schools, public parks or hospitals, senior living facility, or other tattooing/body piercing establishment. Although the proposed use will not be within 500 feet of the named uses, a daycare is located directly north, and residences are located directly south of this site. The properties to the North are zoned Community Retail (CR) District and contain retail, office, restaurant, a daycare center, and a veterinary clinic. The properties to the East are also zoned Planned Development (PD) District 82-59, containing a shopping center with a mix of uses like restaurant, medical clinic, retail, office, personal services, and more. The properties to the South are zoned Planned Development (PD) District 82-59 and contains multi-family. Finally, the properties to the east are zoned Planned Development (PD) District 83-38 and Planned Development (PD) District 69-31 which contain the Texas Department of Public Safety, indoor recreation, personal services, restaurant, retail, and more.

There are a variety of residential areas located near this site, and the proposed use is not compatible with those areas.

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### **Attachments**

Z 24-29 Location Map  
Z 24-29 SUP Conditions  
Z 24-29 Concept Plan  
Z 24-29 R&M  
Z 24-29 Responses  
Z 24-29 Staff Presentation

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**SPECIFIC USE PROVISION CONDITIONS  
REQUESTED BY THE APPLICANT**

**ZONING FILE Z 24-29**

**1350 Northwest Highway, Suite 107**

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Tattooing/Body Piercing Establishment 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 Planned Development (PD) District 82-59 and Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Abandonment:** In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the PD, GDC, federal, and state law.

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

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

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

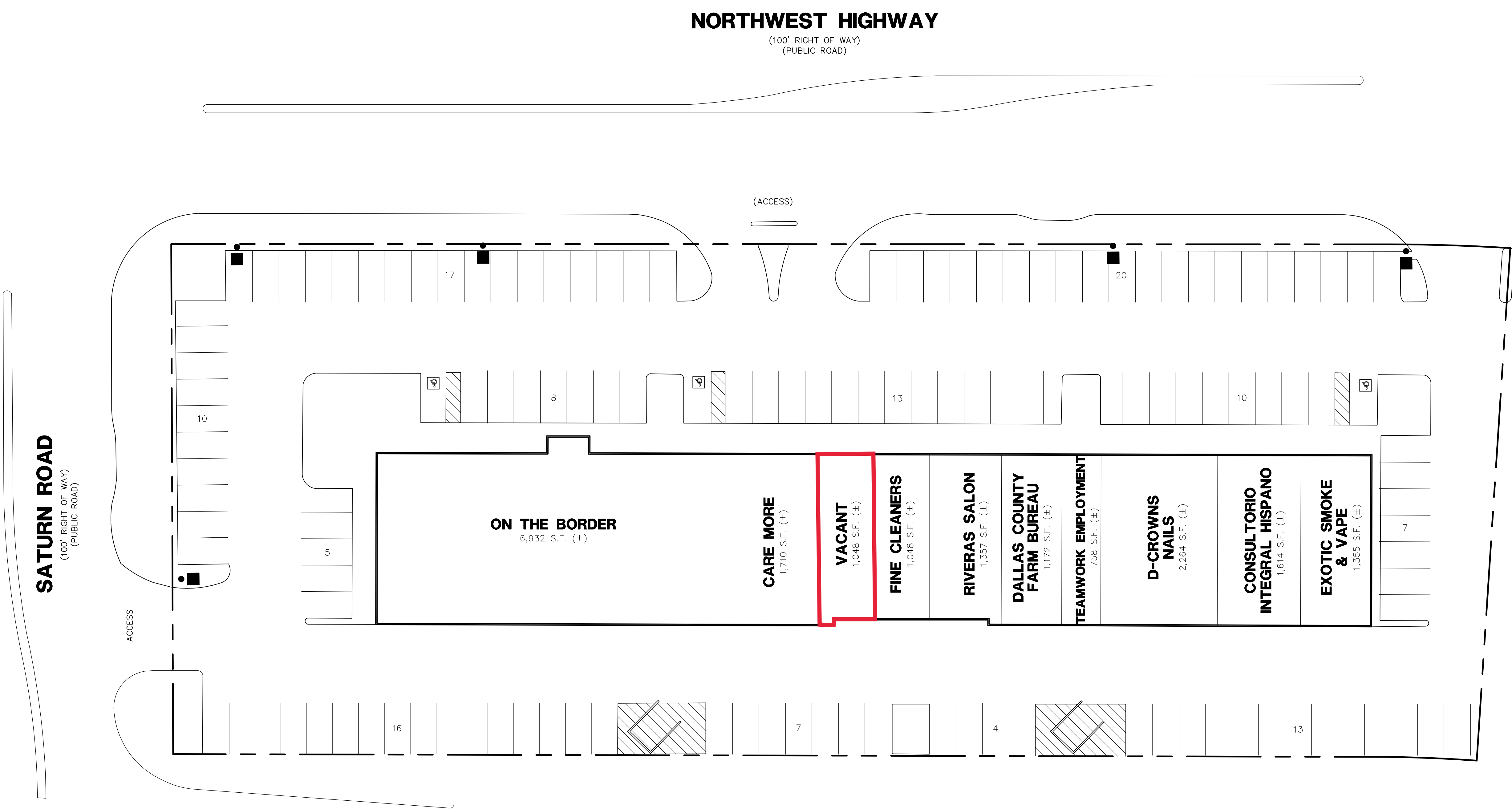
The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

**V. Specific Regulations:**

Time Period: The Specific Use Provision shall have a five (5) year time period.

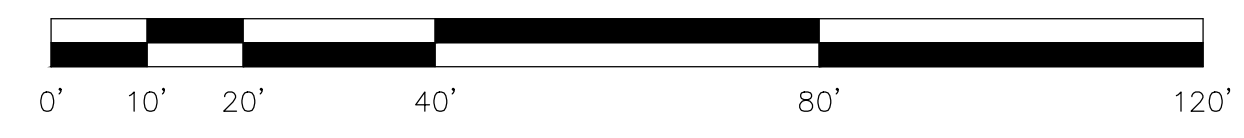
Hours of Operation: The hours of operation shall be 8:00 a.m. to 5:00 p.m., Monday through Friday.

Screening: Opaque screening between the tattooing/body piercing work area and window shall be provided.



## SITE PLAN

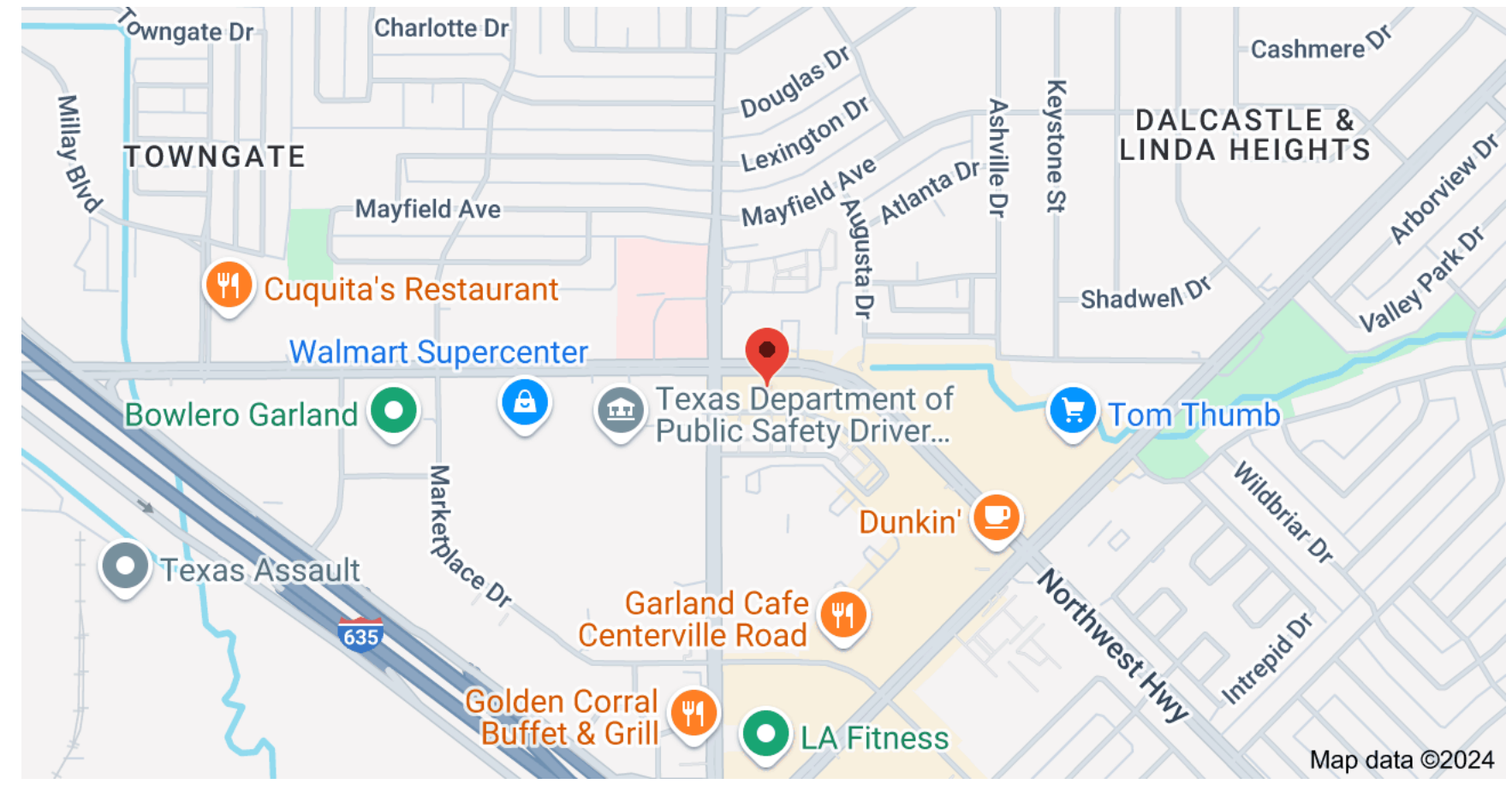
NOTE: EXISTING TENANTS & PARKING,  
AS SHOWN, MAY CHANGE.



**RETAIL CENTER**  
**13500 Northwest Highway**  
**Garland, Texas 75041**

AREA SIZE IN SQ Feet  
Building 19,258 sq ft  
Suite 107. 1,048 sqft  
Case # 201507-3  
Zone PD 02-59

Site design and construction plans shall conform to all requirements of the Garland Development Code (GDC), Technical Standard Manual (TSM), and City codes unless an approved PD narrative condition expressly provides otherwise. The concept plan shall be used to represent the general idea of the proposed land use and site elements. The concept plan shall not supersede, and shall be subordinate to, the standards, requirements, and conditions of the GDC, TSM, City code, or the approved PD.



## REPORT & MINUTES

### P.C. Meeting, February 24, 2025

**2a. APPROVED** Consideration of the application of **Nayeb Management, LLC.**, requesting approval of 1) a Specific Use Provision for a Tattooing/Body Piercing Establishment Use on a property zoned Planned Development (PD) District 82-59 and 2) a Concept Plan for a Tattooing/Body Piercing Establishment Use. The site is located at 1350 Northwest Highway, Suite #107. (District 5) (File Z 24-29)

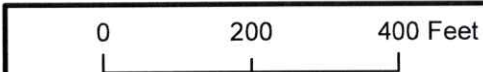
Planner II, Matthew Wolverton, presented the request to the Commission and remained available for questions.

The applicant's, Cynthia Olalde, 2741 Stoneridge Dr., Garland, TX 75044 and Olver Reyes, 1300 Rockcliff, Plano, TX 75093, provided an overview of the request and remained available for questions.

The Commission asked several questions regarding enforcement of the proposed use, hours of operation and reason for staff's denial recommendation.

**Motion** was made by Commissioner Rose to **deny** the application as presented. Seconded by Commissioner Duckworth. **Motion failed: 6 Ayes, 3 Nays** with Commissioners Roberts, Rose and Duckworth in opposition.

**Motion** was made by Commissioner Abell to **approve** the application as presented with a 5-year SUP, hours of operation of 8 a.m. to 5 p.m. Monday-Friday and with additional screening requirements. Seconded by Commissioner Cornelius. **Motion carried: 8 Ayes, 1 Nay** with Commissioner Rose in opposition.



INDICATES AREA OF REQUEST      INDICATES NOTIFICATION AREA

**1350 Northwest Hwy, Suite 107**



# Comment Form

## Case Z 24-29

Z 24-29 Nayeb Management, LLC. The applicant proposes a Specific Use Provision (SUP) for a Tattoo/Body Piercing Establishment. The site is located at 1350 Northwest Highway, Suite 107. (District 5).

Z 24-29 Nayeb Management, LLC. El solicitante propone una Disposición de uso específico (SUP) para un establecimiento de tatuajes/perforaciones corporales. El sitio está ubicado en 1350 Northwest Highway, Suite 107. (Distrito 5).

Z 24-29 Nayeb Management, LLC. Người nộp đơn đề xuất Điều khoản sử dụng cụ thể (SUP) cho Cơ sở xăm hình/xò khuyên trên cơ thể. Địa điểm tọa lạc tại 1350 Northwest Highway, Suite 107. (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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NW DENTAL GROUP

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.)

1309 NORTHWEST HWY, GARLAND TX

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

2/3/2025  
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 24-29

Z 24-29 Nayeb Management, LLC. The applicant proposes a Specific Use Provision (SUP) for a Tattoo/Body Piercing Establishment. The site is located at 1350 Northwest Highway, Suite 107. (District 5).

Z 24-29 Nayeb Management, LLC. El solicitante propone una Disposición de uso específico (SUP) para un establecimiento de tatuajes/perforaciones corporales. El sitio está ubicado en 1350 Northwest Highway, Suite 107. (Distrito 5).

Z 24-29 Nayeb Management, LLC. Người nộp đơn đề xuất Điều khoản sử dụng cụ thể (SUP) cho Cơ sở xăm hình/xò khuyên trên cơ thể. Địa điểm tọa lạc tại 1350 Northwest Highway, Suite 107. (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](mailto: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](mailto: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](mailto: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.

FORTUNO INVESTMENTS 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.)

1309 NORTHWEST HWY

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

2/3/2025

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.)



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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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KIRK MEZA

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.)

1401 NORTHWEST HWY SUITE 101

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

01/31/2025

(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 24-29

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 WOULD BE A FURTHER SOCIAL +  
ECONOMIC DECLINE OF THE AREA  
ALREADY SUFFERING FROM A PLAGUE  
OF HOMELESS.

# Comment Form

## Case Z 24-29

Outside the Notification Area

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For / A Favor / Đúng

☐

Against / En Contra / Không

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Lester Rios Cabrera / Consultorio Integral Hispano

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.)

1350 Northwest Hwy, Suite 117

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

02/04/25

Signature / Firma / Ch ữ ký

Date / Fecha / Ngày

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



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RONALD R. YEN, D.D.S., 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.)

1301 NORTHWEST HWY SUITE 201

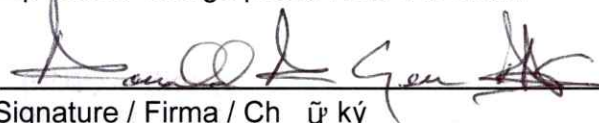
Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND, TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Chữ ký

2/5/2025

Date / Fecha / Ngày

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

WHEN IS ON THE BORDER RESTAURANT LEAVING?

IT IS A LANDMARK FOR THE AREA, LONG TERM  
TENANT.

WHERE IS SUITE 107 LOCATED?

(NOT INDICATED ON MAP)

# Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
<b>Z 24-29</b>	February 10, 2025	March 4, 2025	Matthew Wolverton

Z 24-29 Naye Management, LLC. The applicant proposes a Specific Use Provision (SUP) for a Tattoo/Body Piercing Establishment. The site is located at 1350 Northwest Highway, Suite 107. (District 5)

**Sam  
Pierre-Auguste**

2/13/2025  
6:23:54 PM

**Against**

518 Shadwell Dr.  
Garland, Tx. 75041  
Garland  
Texas  
United States  
75041

spierreauguste@qnetis.com

**Outside the Notification Area**

The last type of business South Garland needs is another tattoo shop. We need to attract larger businesses not another Tattoo or Tire Shop business.

**Jan Miller**

2/10/2025  
7:20:06 PM

**Against**

506 Valencia Drive  
Garland  
Texas  
United States  
75041

jahn56@verizon.net

**Outside the Notification Area**

**Donna Nichols**

2/7/2025  
5:47:58 PM

**Against**

517 Shadwell Dr  
Garland  
Texas  
United States  
75041

7749donna@gmail.com

9728968996

**Outside the Notification Area**

We need quality businesses in our area - not needed here, daycare right across the street???

**Kathy Johnson**

**Against**

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
<b>Z 24-29</b>	February 10, 2025	March 4, 2025	Matthew Wolverton

2/7/2025  
5:18:31 PM

514 Candlewood Lane,  
Garland, TX, USA75041  
Garland  
Texas  
United States  
75041

kmjohnson110@hotmail.com  
2146214711

**Outside the Notification Area**

We need better businesses in our area. Not Tattoo Parlors

**Gayle Owens**

**Against**

2/7/2025  
2:56:57 PM

4018 Keele Drive  
Garland  
Texas, 75041  
United States  
<null>

gayle.owens@icloud.com  
214-729-1861

**Outside the Notification Area**

No.  
The proposed location is too close to a daycare and apartments.

**Gayle Owens**

**Against**

2/7/2025  
2:56:55 PM

4018 Keele Drive  
Garland  
Texas, 75041  
United States  
<null>

gayle.owens@icloud.com  
214-729-1861

**Outside the Notification Area**

No.  
The proposed location is too close to a daycare and apartments.

**Jessie Greer**

**Against**

2/4/2025  
6:39:43 PM

506 Valencia Dr  
Garland  
Texas  
United States  
75041

**Outside the Notification Area**

We have enough of these business in Garland, It would draw a lot of traffic to an already busy area. There is a children's learning center across the street and a tattoo body piercing business does not fit in the neighborhood.

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
<b>Z 24-29</b>	February 10, 2025	March 4, 2025	Matthew Wolverton



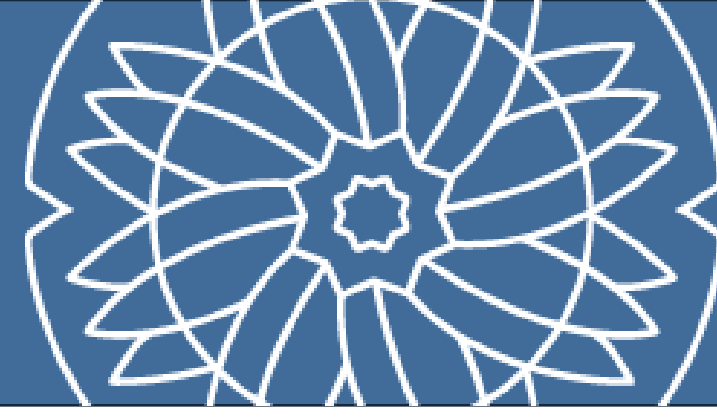


GARLAND

# City Council Meeting

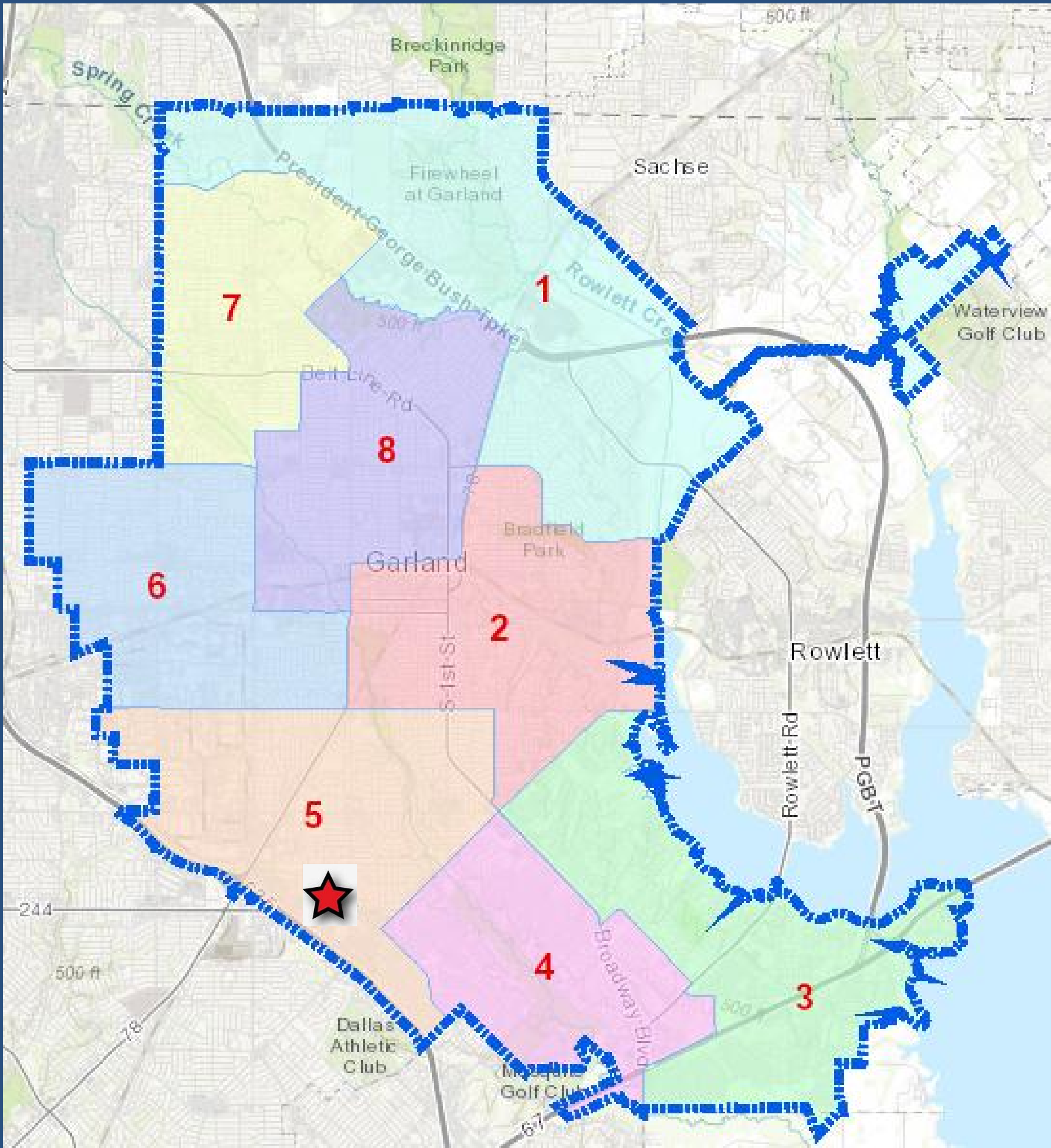
March 18, 2025





## Request

The applicant requests a Specific Use Provision for a **Tattoo/Body Piercing Establishment** Use on a property zoned Planned Development District 82-59 (PD 82-59) with a base zoning district of Community Retail District.



# Case Information

**Location:** 1350 Northwest Highway, Suite #107

**Applicant:** Nayeb Management, LLC

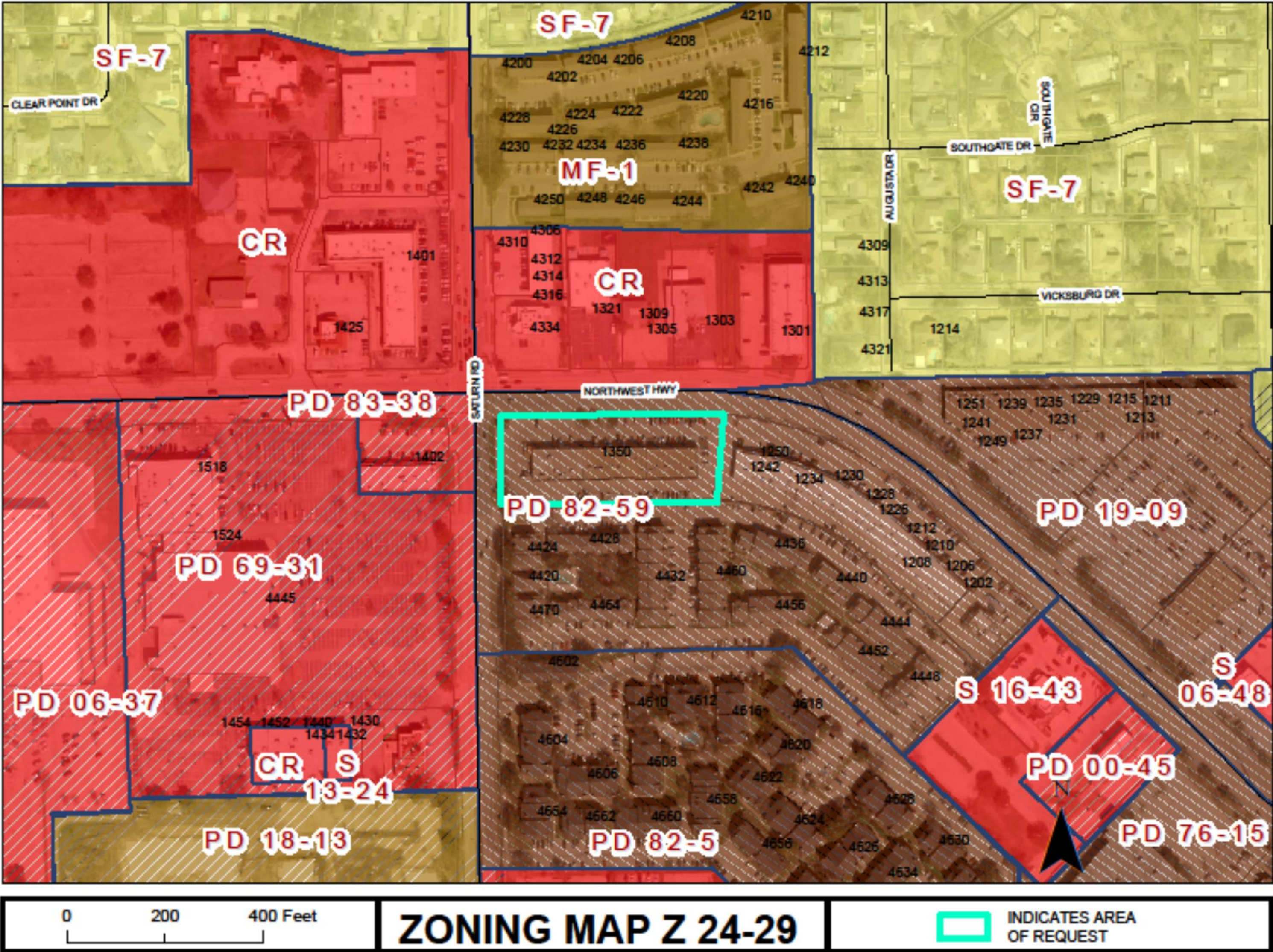
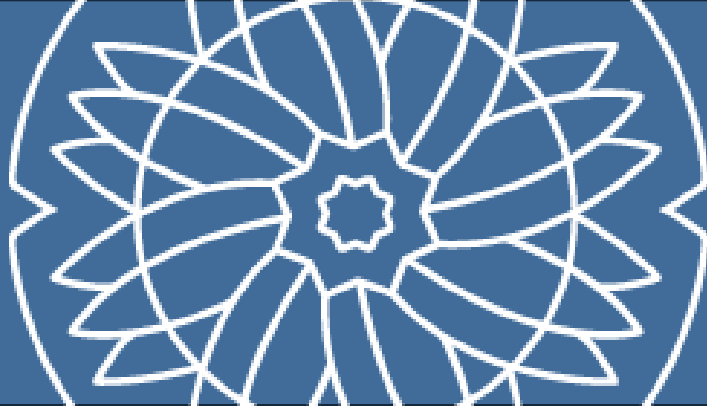
**Owner:** 1350 NW, LLC

**Square Footage:** 1,048 square feet (leasing area)

**Zoning:** PD 82-59 Community Retail (CR) District (base zoning)

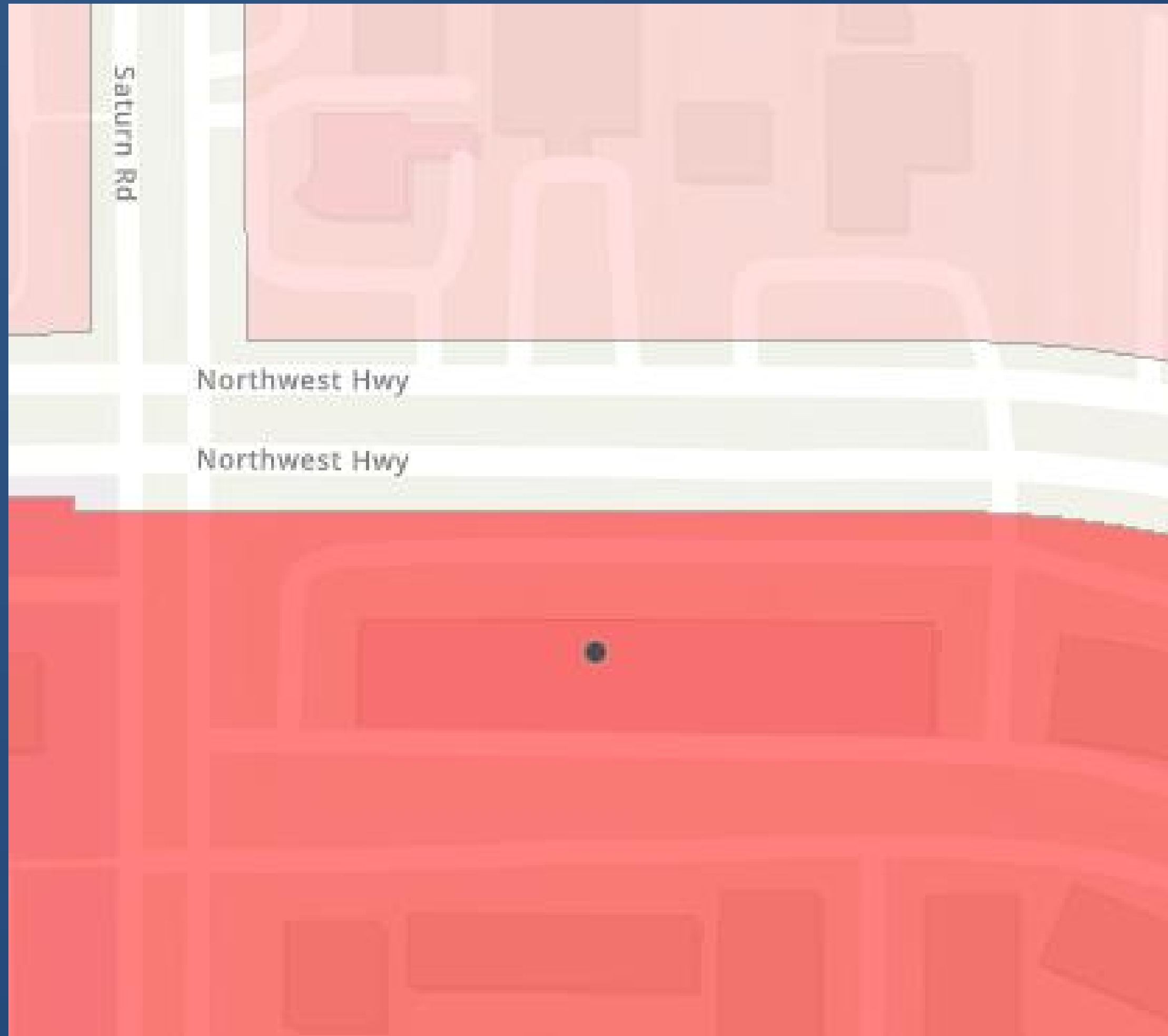


# Location Map

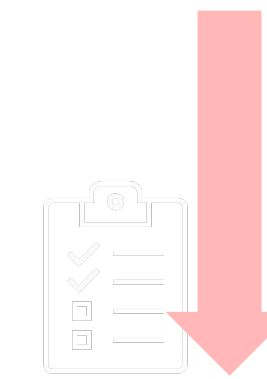




# Comprehensive Plan



*Community Centers*



Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment.



# Site Photos

1350 Northwest Hwy Suite 107



View of the subject site from the parking lot of the shopping center



View from the subject site looking east from Broadway Boulevard



# Site Photos

1350 Northwest Hwy Suite 107



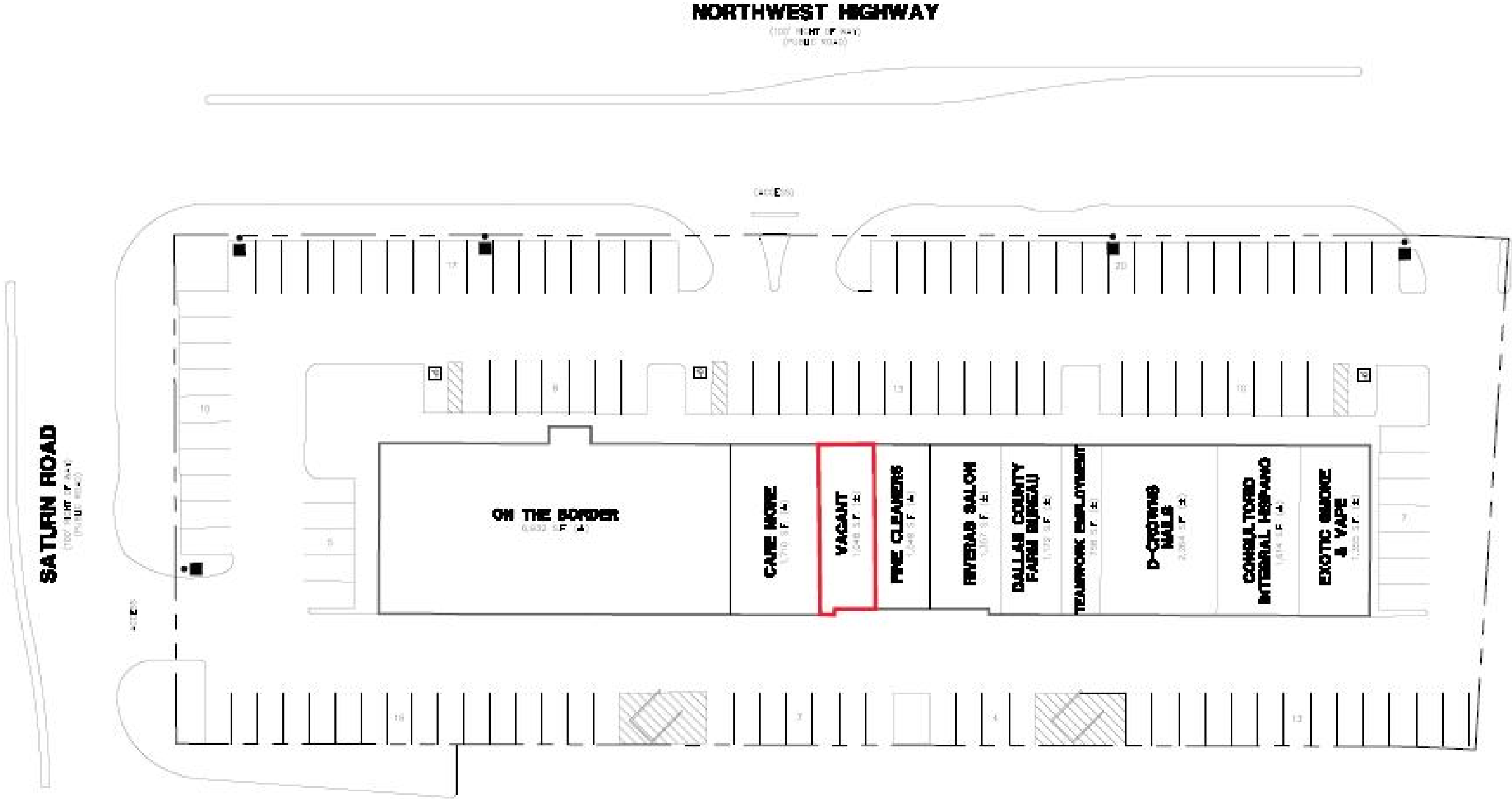
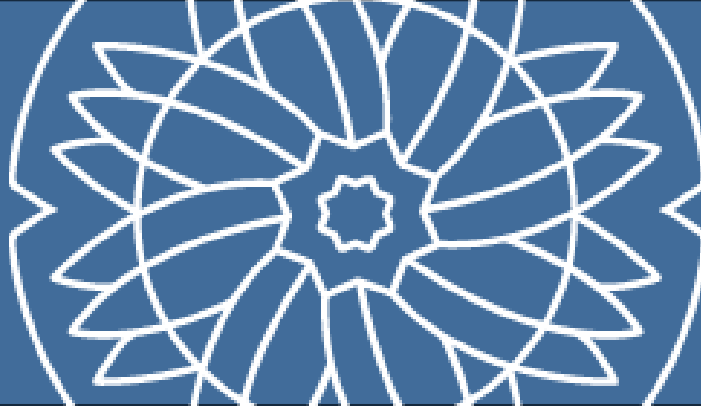
View from the subject site looking West down Northwest Highway.



View of the shopping Center to the North from the subject site.



# Concept Plan



**SITE PLAN**  
13500 Northwest Highway  
Garland, Texas 75041

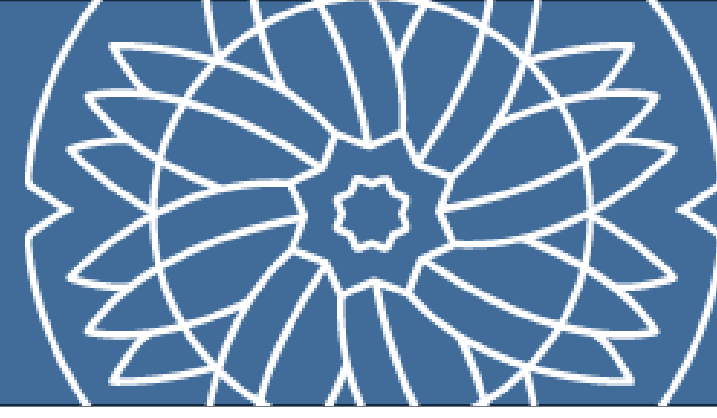
AREA SIZE IN SQ Feet  
Building 19,258 sq ft  
Suite 107 - 1,048 sq ft  
Case # 201507-3  
Zone PD 02-59

Site design and construction plans shall conform to all requirements of the Garland Development Code (GDC), Technical Standard Manual (TSM), and City codes unless an approved PD narrative condition expressly provides otherwise. The concept plan shall be used to represent the general idea of the proposed land use and site elements. The concept plan shall not supersede, and shall be subordinate to, the standards, requirements, and conditions of the GDC, TSM, City code, or the approved PD.





# Recommendations



**Staff Recommendation:** Denial

**PC Recommendation:** Approval for 5 years with restricted hours of operation from 8am to 5pm, Monday through Friday, with additional screening requirement for the work area





# Response Letters



# Thank You

Questions?





## **GARLAND**

### **PLANNING REPORT**

#### **City Council Regular Session**

8. c.

**Meeting Date:** 03/18/2025

**Item Title:** Z 24-41 Development Engineering Consultants, LLC (District 1)

**Submitted By:** Nabila Nur, Planning and Development Director

---

#### **REQUEST**

Hold a public hearing and consider approval of 1) an Amendment to Planned Development (PD) District 00-39 for a Landscape Nursery (retail) Use and 2) a Concept Plan for a Landscape Nursery (retail) Use.

#### **LOCATION**

4400 President George Bush Highway

#### **OWNER**

BOKF, National Association, d/b/a Bank of Texas, Trustee Oliver, Dewey Mayor Foundation

#### **PLAN COMMISSION RECOMMENDATION**

On February 24, 2025, the Plan Commission, by a vote of five (5) to four (4), recommended denial of a Planned Development (PD) Amendment and Concept Plan for a Landscape Nursery (retail) Use on a property zoned Planned Development (PD) District 00-39.

#### **STAFF RECOMMENDATION**

Staff does not have a recommendation on this item. The use may be compatible with the general vision of the comprehensive plan and surrounding areas, but it does not contribute positively toward achieving the City's goal of creating a destination for this area.

#### **BACKGROUND**

The subject property is currently an undeveloped tract of land within Planned Development (PD) District 00-39. The Planned Development allows for a variety of other uses that are permitted in the Community Retail (CR) District. It does not currently allow a Landscape Nursery (retail) Use.

#### **SITE DATA**

The subject site is a four (4.00) acres undeveloped tract of land and has approximately 440 linear feet of frontage along North President George Bush Highway and 525 curvilinear feet along River Oaks Parkway. The site can be accessed from one point along North President George Bush Highway and one point along River Oaks Parkway.

#### **USE OF PROPERTY UNDER CURRENT ZONING**

The site is zoned Planned Development (PD) District 00-39. This site's base zoning is Community Retail (CR). 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 Community Retail (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. An example of allowed use in a CR district is a retail shopping area that may be large in scale with very limited or no outside storage. Traffic generated by uses in a Community Retail (CR) District must be focused onto the major thoroughfare network. Development in a Community Retail (CR) District may not be designed in a manner that increases traffic through residential areas.



## **CONSIDERATIONS**

### **Planned Development:**

1. The applicant is requesting the Landscape Nursery (retail) Use to be permitted by right as the use is not currently allowed in Planned Development (PD) District 00-39.
2. Under Planned Development (PD) District 00-39, three access points onto River Oaks Parkway are allowed. If approved and developed, this site would have the second access point on River Oaks.

## **COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, which serves nearby neighborhoods with a mix of uses that include retail, office, multi-family, and entertainment.

It is envisioned that retail centers such as these promote high quality retail and service uses which promote placemaking and desirable destinations. This is a prime location for Garland with access and visibility from President George Bush Highway, which is why, it is important to enable highly desirable uses on this property to meet the city's vision. While the proposed use may not be inconsistent with the general vision of the comprehensive plan, it does not have the potential to create the activity center that this critical corridor is envisioned to have.

## **COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES**

The properties to the North are zoned Planned Development (PD) District 86-83/87-43 and contain a Single-Family-7 subdivision. The properties to the East and West will remain Planned Development (PD) District 00-39 and vacant. Finally, the properties to the South are across President George Bush Highway and contain vacant land zoned Planned Development (PD) District 23-17 and 95-2. The surrounding uses are largely restaurant or retail. The Landscape Nursery (retail) is generally compatible with the surrounding areas.

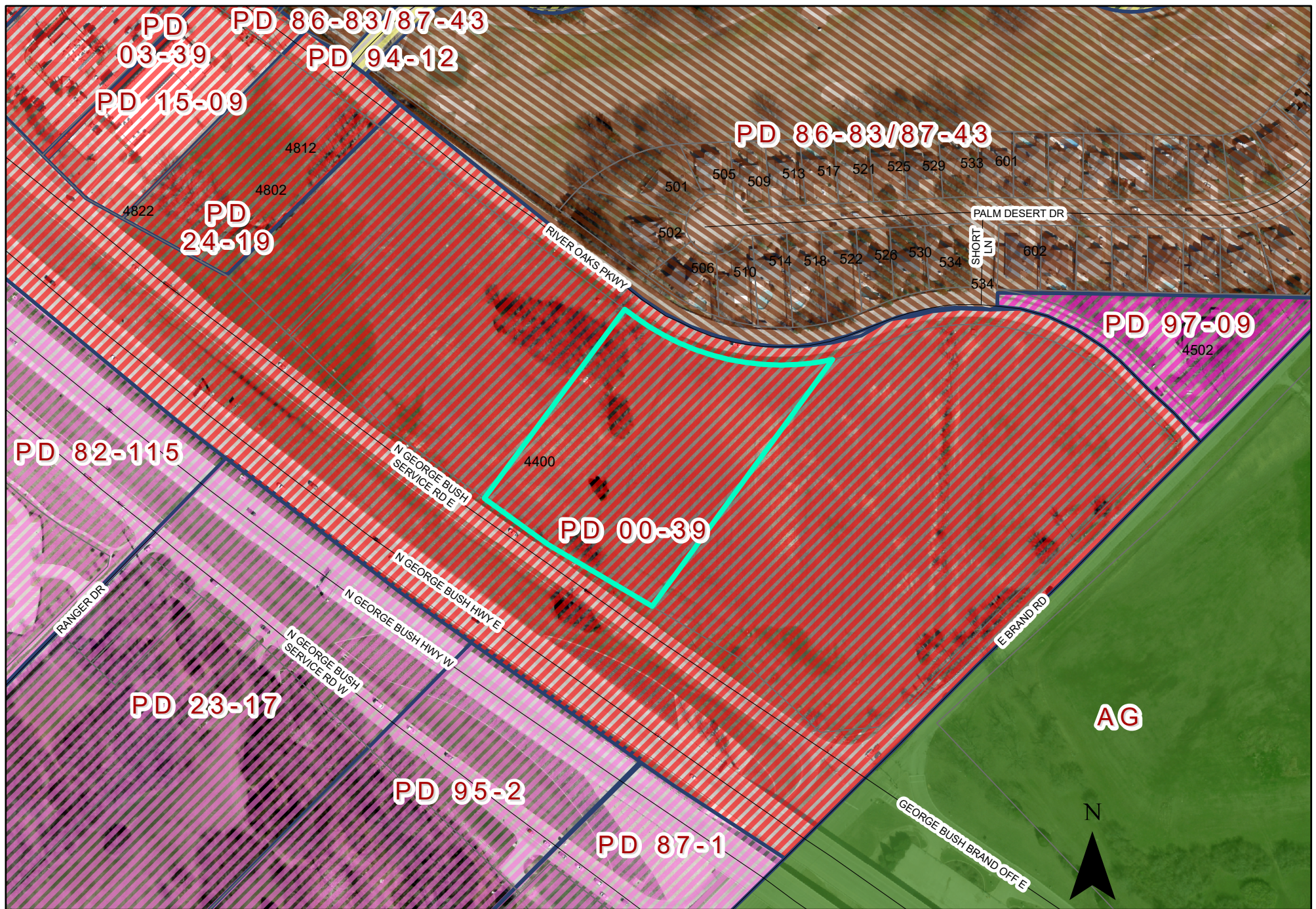
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### **Attachments**

Z 24-41 Location Map  
Z 24-41 PD Conditions  
Z 24-41 Concept Plan  
Z 24-41 R&M  
Z 24-41 Staff Presentation

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0 250 500 ft

## ZONING MAP Z 24-41

 INDICATES AREA OF REQUEST

4400 N PRESIDENT GEORGE BUSH HWY

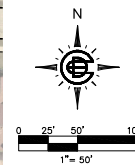


**PLANNED DEVELOPMENT CONDITIONS  
REQUESTED BY THE APPLICANT**

**ZONING FILE Z 24-41**

**4400 North President George Bush Turnpike**

- I. Statement of Purpose:** The purpose of this Planned Development (PD) is to allow and regulate the development of a Landscape Nursery (retail) Use.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Retail (CR) District and Planned Development (PD) District 00-39 as set forth in Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**
- Concept Plan: Development shall be in general conformance with the Concept Plan labeled Exhibit C. In the event there is conflict between the approved Concept Plan and the Specific Regulations below, the Specific Regulations shall apply.
- V. Specific Conditions:**
- A. Permitted Use: In addition to the uses permitted within Planned Development (PD) District 00-39, Landscape Nursery (retail) Use shall be permitted by right.
- B. Concept Plan: The site layout, building placement, parking, walking paths, and other development proposed shall be in general conformance with the approved Concept Plan labeled Exhibit C.



VICINITY MAP  
N.T.S.

- LEGEND**
- PROP BUILDING FOOTPRINT
  - PROP LANDSCAPE DISPLAY AREA
  - PROP DRIVE AISLES
  - PROP PARKING/LOADING
  - PROP SIDEWALK
  - PROP PERMANENT LANDSCAPE AREA

Moon Valley Nursery - Concept Plan Data Table	
FIT Consultation Number - City Case #240827	
Part of 13.3908 ac. - Lot 5 Block 1 - Brand/190 Addition	
Lot Area	5.00 ac. 217,800 ft <sup>2</sup>
Zoning	
Existing Zoning	PD00-39
Proposed Zoning	PD00-39
*Proposed PD amendment to add Landscape Nursery (Retail) as an allowable use.	
Land Use	
Existing Land Use	Undeveloped
Proposed Land Use	Landscape Nursery
Proposed Building Area	1,680 ft <sup>2</sup>
Proposed Outdoor Area	37,313 ft <sup>2</sup>
Parking	
Required Parking - Landscape Nursery (Retail)	
1 space per 250 sf of ground floor area plus	7 spaces
1 space per 2,000 sf of outdoor display area	69 spaces
Total Required Spaces	75 spaces


**NOTE:**  
SITE DESIGN AND CONSTRUCTION PLANS SHALL CONFORM TO ALL REQUIREMENTS OF THE GARLAND DEVELOPMENT CODE (GDC), TECHNICAL STANDARD MANUAL (TSM), AND CITY CODES UNLESS AN APPROVED PD NARRATIVE CONDITION EXPRESSLY PROVIDES OTHERWISE. THE CONCEPTUAL PLAN SHALL BE USED TO REPRESENT THE GENERAL IDEA OF THE PROPOSED LAND USE AND SITE ELEMENTS. THE CONCEPT PLAN SHALL NOT SUPERSEDE, AND SHALL BE SUBORDINATE TO, THE STANDARDS, REQUIREMENTS, AND CONDITIONS OF THE GDC, TSM, CITY CODE, OR THE APPROVED PD.

**OWNER**  
OLIVER DEWEY MAYOR FDN  
777 MAIN STREET, SUITE 3500  
FORT WORTH, TEXAS 76102  
PHONE: (817) 348-5760  
CONTACT: ALYSON GOODHARTZ  
EMAIL: alyson@thearchitectcompany.com

**APPLICANT - CIVIL ENGINEER**  
DEVELOPMENT ENGINEERING CONSULTANTS, LLC  
5300 TOWN & COUNTRY BOULEVARD, SUITE 150  
FRIEDRICH, TEXAS 77604  
(409) 850-0060  
CONTACT: RHONDA HURST, CFM  
EMAIL: rhonda@dec-engineers.com

**DEVELOPER**  
FALCON REALTY ADVISORS  
7859 WALNUT HILL LANE  
SUITE 375  
DALLAS, TX 75230  
(214) 384-4057  
CONTACT: TIM HUGHES  
EMAIL: thughes@falconcompanies.com

**CONCEPT PLAN**

MOON VALLEY NURSERY	
PART OF LOT 5, BLOCK 1 REPLAT OF LOT 3 BLOCK 1 BRAND/190 ADDITION	
4900 N PRESIDENT GEORGE BUSH HWY	
CITY OF GARLAND, TEXAS	
PRELIMINARY FOR REVIEW ONLY THESE DOCUMENTS ARE FOR REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION. BEFORE OR PERMITTING, THEY HAVE BEEN PREPARED BY OR UNDER THE SUPERVISION OF DANIEL B. STEWART, P.E. P.E. NO.: 107167 DATE: 12/16/24	 1000 TOWN & COUNTRY BOULEVARD, SUITE 150 FRIEDRICH, TEXAS 77604 (409) 850-0060 CONTACT: RHONDA HURST, CFM EMAIL: rhonda@dec-engineers.com ISSUE DATE: 12/16/24 CITY CASE NO.: 240827-1 DEC FILE NO.: 11071 SHEET NO.: 1



## REPORT & MINUTES

### P.C. Meeting, February 24, 2025

**2b. DENIED** Consideration of the application of **Development Engineering Consultants, LLC.**, requesting approval of 1) an Amendment to Planned Development (PD) District 00-39 for a Landscape Nursery (retail) Use and 2) a Concept Plan for a Landscape Nursery (retail) Use. The site is located at 4400 North President George Bush Highway. (District 3) (File Z 24-41)

Planner II, Matthew Wolverton, presented the request to the Commission and remained available for questions.

The Civil Engineer, Daniel Stewart, 5300 Town & Country Blvd., Ste. 150, Frisco, TX 75034, provided an overview of the request and remained available for questions.

The Commission asked several questions regarding other potential uses of the land and the hours of operation.

**Motion** was made by Commissioner Jenkins to close the public hearing. Seconded by Commissioner Paris. **Motion carried:** 9 Ayes, 0 Nays.

There was discussion by the Commission whether the proposed development would be the best use of the land.

**Motion** was made by Commissioner Jenkins to **deny** the application as presented. Seconded by Commissioner Dalton. **Motion carried:** 5 Ayes, 4 Nays with Commissioners Duckworth, Rose, Abell and Jones in opposition.

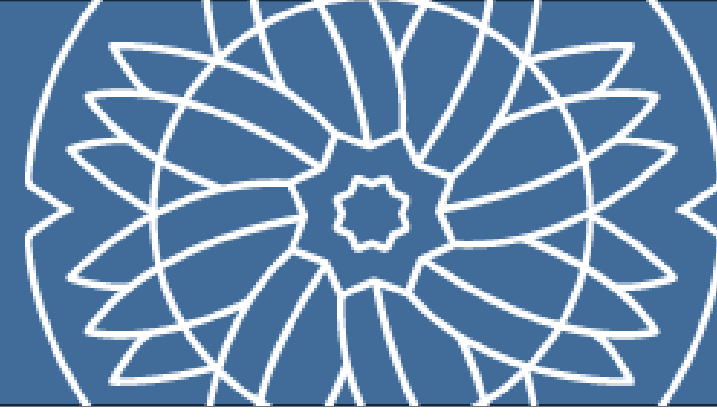


GARLAND

# City Council Meeting

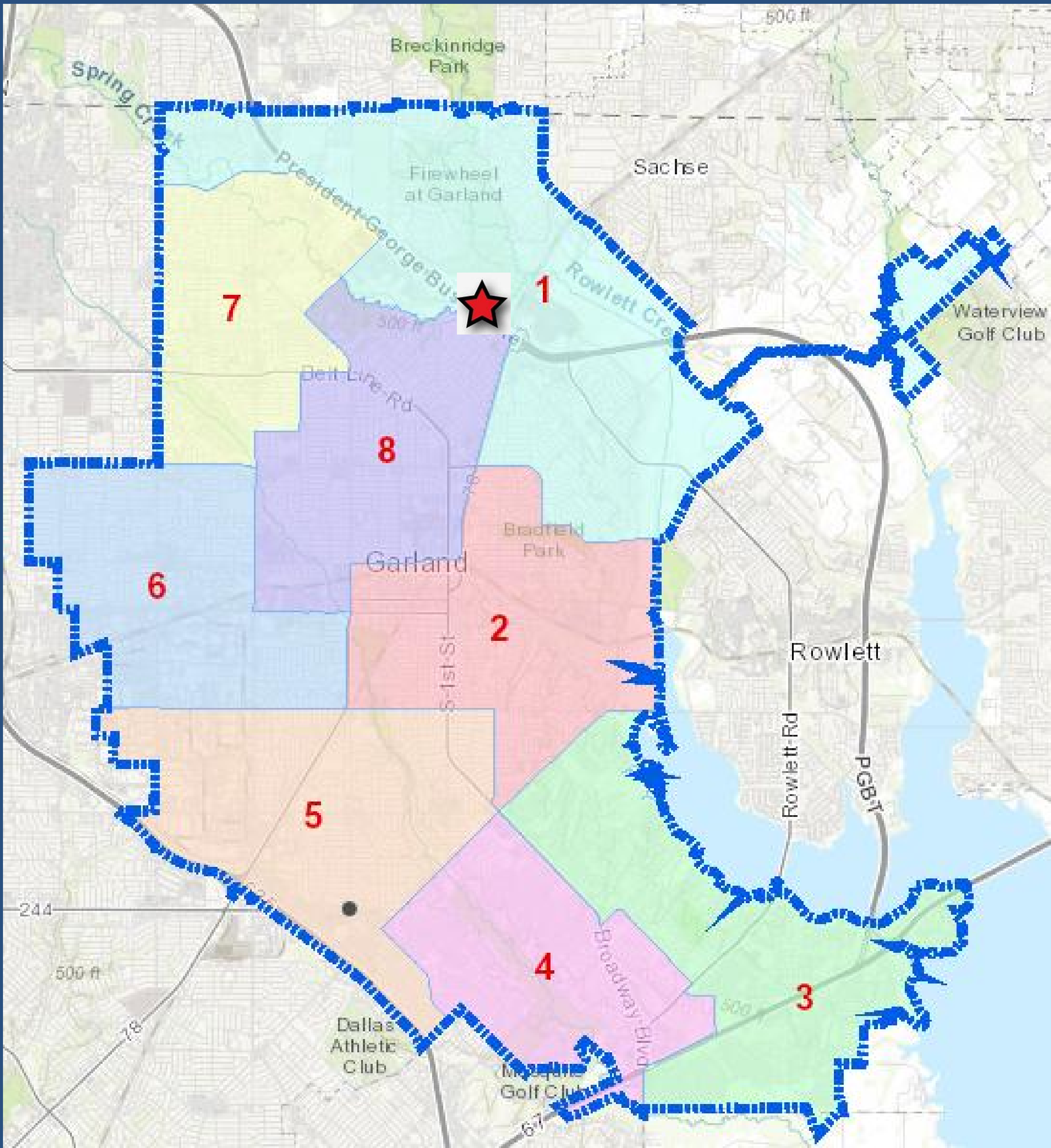
March 18, 2025





## Request

The applicant requests a Planned Development Amendment for a **Landscape Nursery (retail) Use** on a property zoned Planned Development District 00-39 (PD 00-39) with a base zoning district of Community Retail District.



# Case Information

**Location:** near 4400 President George Bush Highway

**Applicant:** Development Engineering Consultants, LLC.

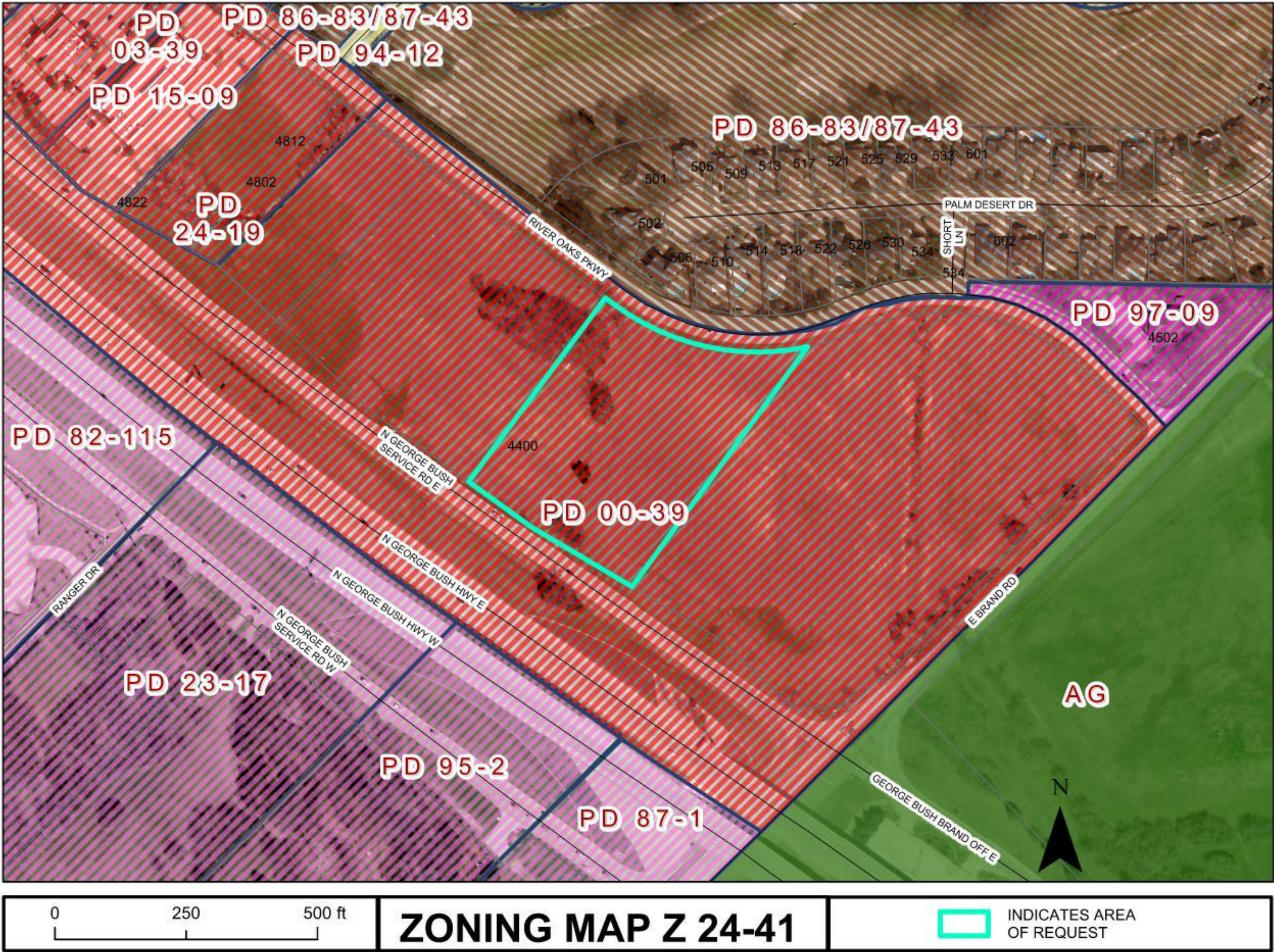
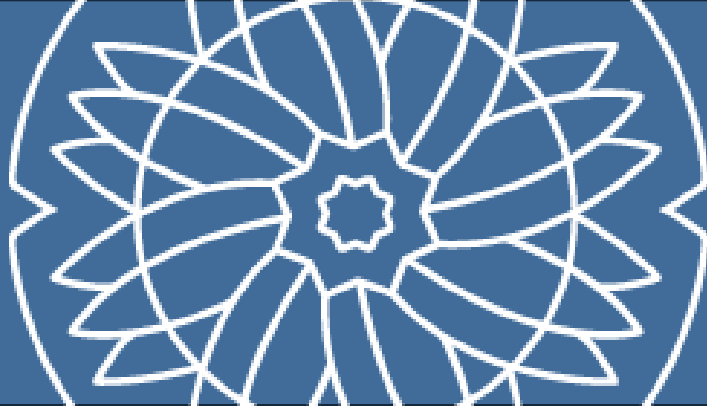
**Owner:** BOKF, National Association, d/b/a Bank of Texas, Trustee Oliver, Dewey Mayor Foundation

**Acreage:** 4 Acres

**Zoning:** PD 00-39 Community Retail (CR) District (base zoning)



# Location Map



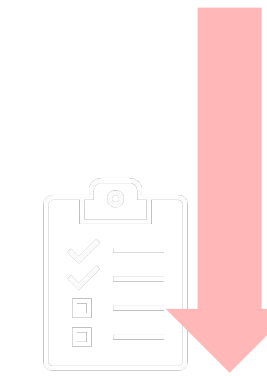
4400 N PRESIDENT GEORGE BUSH HWY



# Comprehensive Plan



*Community Centers*



Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment.

# Site Photos

Near 4400 George Bush Highway



View of the subject site from the parking lot of the shopping center.



View from the subject site looking West down N President George Bush Hwy

View of the subject site from N President George Bush Hwy

# Site Photos

Near 4400 George Bush Highway



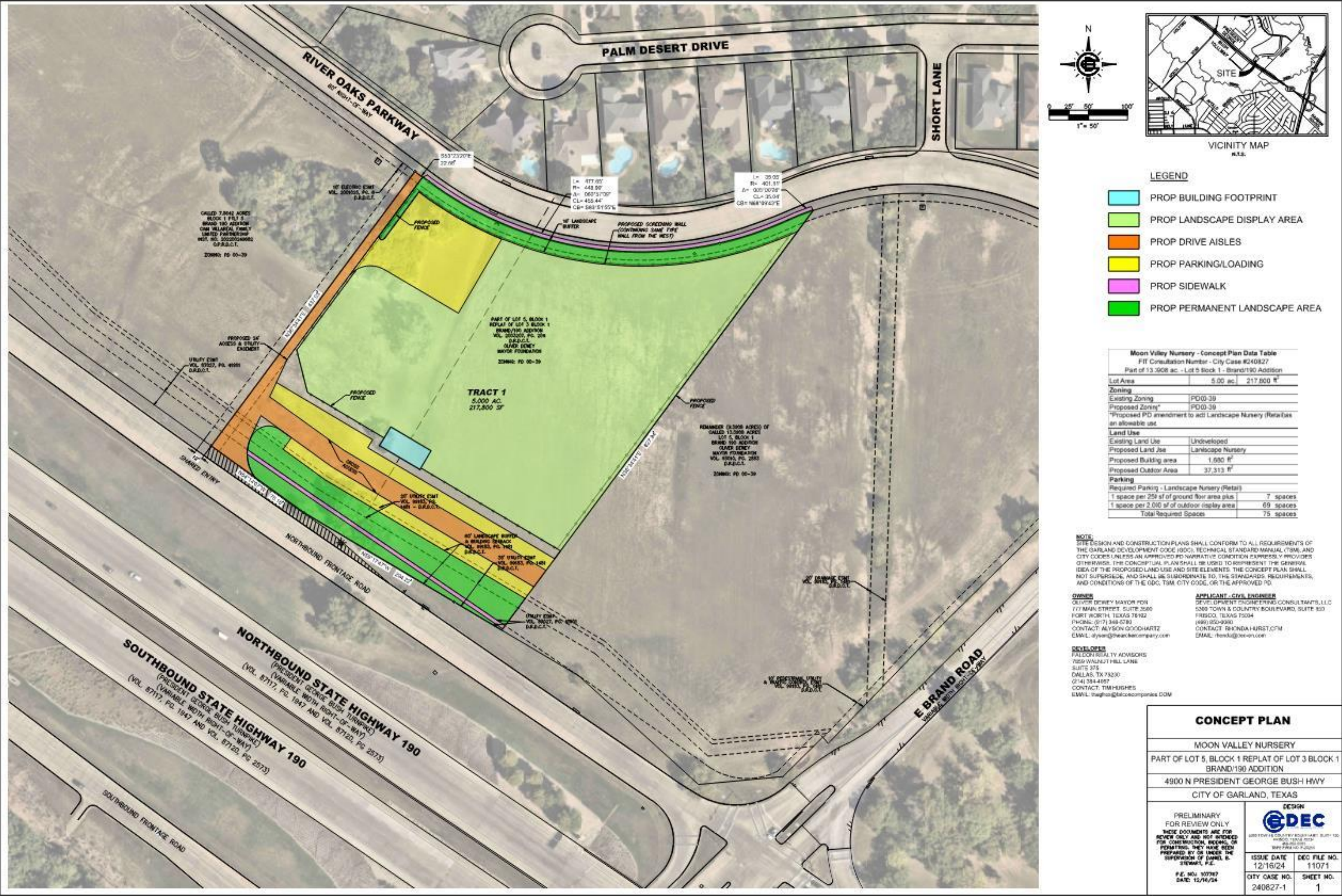
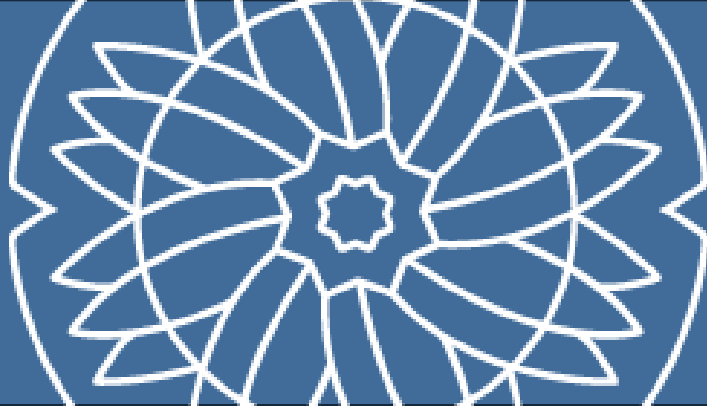
View from the subject site looking East down N  
President George Bush Hwy



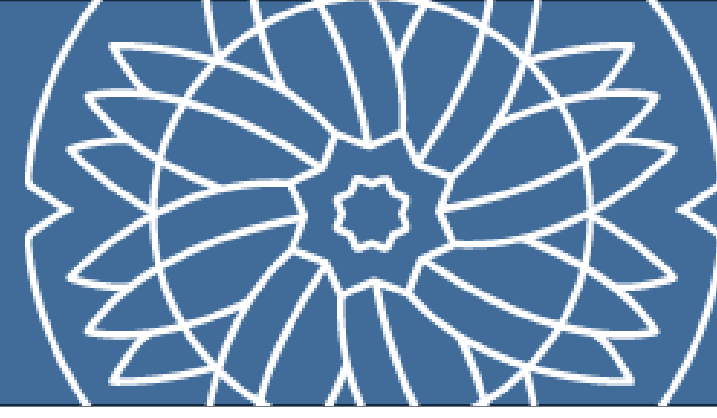
View of the subject site from River Oaks Parkway



# Concept Plan

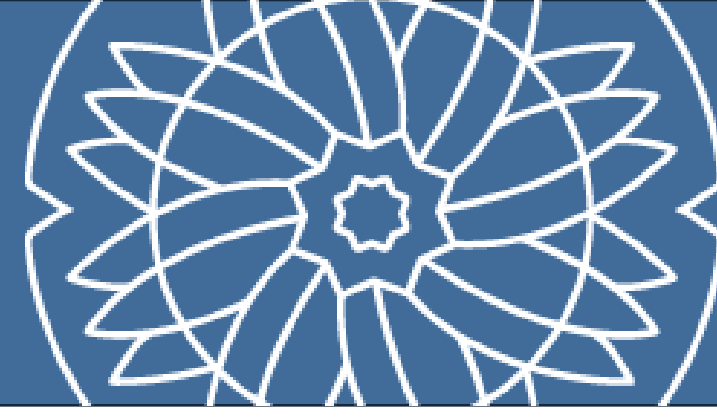






**Applicant Request: Planned Development (PD) District Amendment to allow a Landscape Nursery (retail) Use.**

# Recommendations



**Staff Recommendation: Analysis**

**PC Recommendation: Denial**





# Response Letters



# Thank You

Questions?

