



GARLAND

NOTICE OF MEETING CITY OF GARLAND, TEXAS

PLAN COMMISSION
City Hall, Council Chambers
William E. Dollar Municipal Building
200 N. Fifth Street
Garland, Texas
March 10, 2025 at 6:30 p.m.

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

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

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

Public Comments

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

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

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

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

CONSENT AGENDA

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

1. MINUTES

- a. Consider approval of the Plan Commission Minutes for the February 24, 2025 meeting.

2. PLATS

- a. P 25-03 Kiddie Academy, Brand 190 Addition Fifth Replat - Final Plat

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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

3. ZONING

- a. Hold a public hearing and consider the application of **Tarmandeep Toor**, requesting approval of 1) a Change in Zoning to a Planned Development (PD) District for Neighborhood Services (NS) Uses and Convenience Store Use, 2) A Specific Use Provision (SUP) for a Fuel Pumps, Retail Use, and 3) a Concept Plan for a Convenience Store with Fuel Pumps, Retail and shopping center. The site is located at 4151 North Garland Avenue. (District 7) (File Z 24-18)
- b. Hold a public hearing and consider the application of **David Najafi and Bobtown Enterprises Inc.**, requesting approval of a Change in Zoning from Community Office (CO) to Community Retail (CR). (District 3) (File Z 25-04)
- c. Hold a public hearing to consider amendments to Chapter 2, Article 5 Use Regulations, Chapter 2, Attachment 1 -- Land Use Matrix as it relates to Commercial Drone Delivery Hub, and Chapter 6 Definitions.

4. ADJOURN

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

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



GARLAND

Plan Commission

1. a.

Meeting Date: 03/10/2025

Item Title: Plan Commission Minutes for February 24, 2025

Summary:

Consider approval of the Plan Commission Minutes for the February 24, 2025 meeting.

Attachments

February 24, 2025 Plan Commission Minutes



GARLAND

MINUTES

The Plan Commission of the City of Garland convened in regular session at 6:30 p.m. on Monday, February 24, 2025, in the Council Chambers at the William E. Dollar Municipal Building, 200 N. Fifth Street, Garland, Texas, with the following members present:

Present: Scott Roberts, Chairman
Julius Jenkins, 1st Vice Chair
Wayne Dalton, 2nd Vice Chair
Stephanie Paris, Commissioner
Georgie Cornelius, Commissioner
Jaric Jones, Commissioner
Patrick Abell, Commissioner
Michael Rose, Commissioner
Bob Duckworth, Commissioner

Staff Present: Nabila Nur, Planning Director
Kurt Banowsky, Sr. Assistant City Attorney II
Emma Chetuya, Planning Administrator - Development
Matthew Wolverton, Planner II
Elisa Morales, Recording Secretary

CONSENT AGENDA

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

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

1. MINUTES

- a. Consider approval of the Plan Commission Minutes for the February 10, 2025 meeting.

APPROVED

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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

2. ZONING

- a. Consideration of the application of **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) **APPROVED**

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.

- b. 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) **DENIED**

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.

- c. Consideration of the application of **Hugo Olvera Galindo**, requesting approval of 1) a Specific **APPROVED** 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.

- d. 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. **APPROVED**

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.**

- e. Hold a public hearing to consider amendments to Chapter 2, Article 5 Use Regulations, Chapter 2, Attachment 1 -- Land Use Matrix as it relates to Commercial Drone Delivery Hub, and Chapter 6 Definitions. **POSTPONED**

Planning Director, Nabila Nur, provided an overview of the amendments to Chapter 2, Article 5 Use Regulations, Chapter 2, Attachment 1 -- Land Use Matrix as it relates to Commercial Drone Delivery Hub, and Chapter 6 Definitions and remained available for questions.

The Commission asked several questions regarding the proposed amendment and staff addressed their questions.

Motion was made by Commissioner Paris to **postpone** the amendment as presented until the March 10, 2025 Plan Commission meeting. Seconded by Commissioner Abell. **Motion carried: 9 Ayes, 0 Nays.**

3. MISCELLANEOUS

- a.** Discuss an upcoming city-initiated rezoning case in South Garland.

The Commission received an update on a future city-initiated rezoning case in South Garland. No action was required.

4. ADJOURN

There being no further business to come forward before the Plan Commission meeting, the meeting adjourned at 8:42 p.m.

CITY OF GARLAND, TEXAS

/s/ Scott Roberts, Chairman

/s/ Elisa Morales, Secretary



GARLAND

Plan Commission

2. a.

Meeting Date: 03/10/2025

Item Title: P 25-03 Kiddie Academy, Brand 190 Addition Fifth Replat - Final Plat

Summary:

P 25-03 Kiddie Academy, Brand 190 Addition Fifth Replat - Final Plat

Attachments

P 25-03 Kiddie Academy, Brand 190 Addition Fifth Replat - Final Plat Report & Attachments

Planning Report

File No: P 25-03 / District 1

Agenda Item:

Meeting: Plan Commission

Date: March 10, 2025



GARLAND

TEXAS MADE HERE

FINAL PLAT

Brand/190 Addition Fifth Replat

LOCATION

4812 N George Bush Highway

ZONING

Planned Development District (PD) 24-19 and Specific Use Provision (SUP) for a Day Care, Youth- Licensed Child-Care Center use

NUMBER OF LOTS

One (1) Lot.

ACREAGE

1.5 acres

BACKGROUND

The purpose of this final plat is to create easements and construct a daycare.

STAFF RECOMMENDATION

Approval of the Final Plat. All technical requirements have been addressed and the plat is in order as submitted.

ADDITIONAL INFORMATION

- i. Location Map
- ii. 24 x 36 Plat

PREPARED BY:

Emma Chetuya Ph.D., AICP
Planning Administrator Planner II
Planning & Development
972-205-2453
echetuya@garlandtx.gov

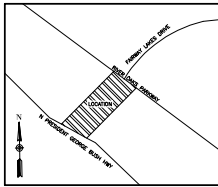


0 75 150 Feet

PLAT MAP P 25-03

 INDICATES AREA OF REQUEST

4812 N George Bush Hwy



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

- Coordinates and bearings based on Texas Coordinate System of 1983, shown hereon are on grid (The projection plane), are not scaled and are tied to Texas Coordinate System of 1983 (NAD83(2011) Epoch 2013), North Central Zone (4202).
- Notices: Selling a portion of this addition by metes and bounds is a violation of the City of Garland Development Code and is subject to withholding of utilities and building permits.
- The purpose of this report is to create easements for development for a recorded lot.

LEGEND	
D.R.A.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
C.L.	CONTROLLING MONUMENT
ROAD	RED CAP
Y&P	YELLOW CAP
INST. NO.	INSTRUMENT NUMBER
VOL. PG.	VOLUME AND PAGE
---	SUBJECT PROPERTY
---	OPPOSITE PROPERTY
---	EXISTING EASEMENT
---	PROPOSED MUTUAL ACCESS EASEMENT
---	PROPOSED CITY UTILITY EASEMENT
---	PROPOSED EASEMENT BY SEPARATE INSTRUMENT
---	CENTERLINE OF RIGHT-OF-WAY

JAMES HOWARD SURVEY
ABSTRACT No. 542

LOT 4R, BLOCK 1
BRAND/190 ADDITION
INST. NO. 2025002487
O.P.R.D.C.T.

LOT 5R, BLOCK 1
65,339 SF
1.500 Acres

PORTION OF CAM VILLAREAL
FAMILY LIMITED PARTNERSHIP
INSTRUMENT NO. 2025002488
O.P.R.D.C.T.

LOT 6, BLOCK 1
CONVEYANCE PLAT
BRAND/190 ADDITION
INST. NO. 2025002487
O.P.R.D.C.T.

46.36 ACRES REMAINING
REMAINDER OF CAM VILLAREAL FAMILY
LIMITED PARTNERSHIP
INSTRUMENT NO. 2025002488
O.P.R.D.C.T.

PRESIDENT GEORGE BUSH TURNPIKE
(STATE HIGHWAY NO. 190)
(VARIABLE WIDTH RIGHT-OF-WAY)

Line Data Table			Line Data Table		
Line #	Distance	Bearing	Line #	Distance	Bearing
L1	1.88'	S81°09'21"E	L21	7.72'	S45°19'55"E
L2	7.32'	S46°09'21"E	L22	15.00'	N44°39'59"E
L3	7.32'	S76°09'21"E	L23	9.20'	N45°19'55"W
L4	20.39'	S46°09'21"E	L24	5.23'	N67°49'55"W
L5	20.39'	S76°09'21"E	L25	5.63'	S89°40'05"W
L6	20.39'	S46°09'21"E	L26	1.26'	N45°19'55"W
L7	16.21'	S76°09'21"E	L27	8.11'	S47°19'55"E
L8	8.40'	S61°09'21"E	L28	36.89'	S44°40'05"W
L9	24.24'	N44°39'59"E	L29	7.21'	S89°40'05"W
L10	15.29'	S44°39'45"W	L30	24.75'	N44°39'59"E
L11	5.56'	N56°35'02"W	L31	23.40'	S53°23'09"E
L12	27.85'	S37°24'56"W	L32	87.63'	S61°14'56"W
L13	42.71'	N33°24'58"E	L33	10.77'	S45°19'55"E
L14	89.54'	N44°40'02"E	L34	22.08'	N46°19'55"W
L15	8.14'	S45°19'55"E	L35	96.44'	N51°41'25"E
L16	15.00'	N44°40'02"E			
L17	8.14'	N45°19'55"W			
L18	82.21'	N44°40'05"E			
L19	7.80'	N89°40'05"E			
L20	32.59'	N44°40'05"E			

Curve Data Table				
Curve #	Arc	Radius	Delta	Chord Bearing
C1	4.97'	19.00'	015°00'00"	S68°39'21"E 4.96'
C2	13.61'	26.00'	030°00'00"	S61°09'21"E 13.46'
C3	7.33'	14.00'	030°00'00"	S61°09'21"E 7.25'
C4	13.61'	26.00'	030°00'00"	S61°09'21"E 13.46'
C5	7.33'	14.00'	030°00'00"	S61°09'21"E 7.25'
C6	13.61'	26.00'	030°00'00"	S61°09'21"E 13.46'
C7	3.67'	14.00'	030°00'00"	S53°39'21"E 3.65'
C8	4.73'	17.00'	015°56'33"	S45°24'32"E 4.71'
C9	1.82'	9.00'	011°54'37"	S43°17'54"E 1.82'
C10	42.78'	25.00'	088°03'19"	N04°21'35"W 37.75'
C11	33.10'	25.00'	075°51'34"	N62°35°51"E 30.73'

CERTIFICATE OF APPROVAL

APPROVED AND ACCEPTED for the City of Garland, this _____ day of _____, 20____, by the City Plan Commission of the City of Garland,

Director of Planning _____

Chairman of Planning Commission _____

The Approval of this plat is contingent upon the plat being filed with the County Clerk of Dallas County within 180 days from the above date.

SPACE RESERVED FOR COUNTY RECORDING LABEL

OWNER/DEVELOPER
CAM Villareal Family Limited Partnership
216 Market Avenue, Suite 115
Boerne, Texas 78006

ENGINEER
Triangle Engineering
1782 W McDermott Drive
Allen, Texas 75013

Notary Public in and for the State of Texas



Surveying | Construction Staking | Platting
Date: 2025.02.14 Project No.: TR-36-24

FINAL PLAT
**BRAND/190 ADDITION
FIFTH REPLAT
LOT 5R, BLOCK 1**
BEING LOT 5R, BLOCK 1
CONVEYANCE PLAT BRAND/190 ADDITION
(INST. NO. 2025002487, O.P.R.D.C.T.)
1.500 ACRES OUT OF THE JAMES HOWARD
SURVEY, ABSTRACT NO. 542
CITY OF GARLAND, DALLAS COUNTY, TEXAS
JANUARY, 2025

CITY CASE NO: 231126-1

OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS CAM Villareal Family Limited Partnership, a Texas limited partnership, is the owner of a 1.500 acre tract of land situated in the James Howard Survey, Abstract Number 542, City of Garland, Dallas County, Texas, some being a portion of CAM Villareal Family Limited Partnership recorded in Special Warranty Deed with Vendor's Lien Instrument Number 202200249682 of the Official Public Records of Dallas County, Texas, also being Lot 5R, Block 1, of Conveyance Plat Brand/190 Addition recorded in Instrument No. 2025002487, Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with red plastic cap stamped "104" found for the most northerly corner of said Lot 5R, some being the most northerly corner of Lot 4R, Block 1 of Brand/190 Addition Replat of Lot 4, Block 1 recorded in Instrument Number 201500333132 of the Official Public Records of Dallas County, Texas, also being a point in the southwest Right-of-Way line of River Oaks Parkway (60' Right-of-Way);

THENCE South 53 degrees 23 minutes 22 seconds East, in a southeasterly direction along said River Oaks Parkway, a distance of 159.70 feet to a 1/2 inch rebar with a yellow plastic cap stamped "WEIR AND ASSOC" found for the most northerly corner of said Lot 5R, some being the most northerly corner of Lot 4R, Block 1 of said Conveyance Plat Brand/190 Addition;

THENCE South 44 degrees 39 minutes 45 seconds West, departing from said River Oaks Parkway with the west line of said Lot 6, a distance of 401.85 feet to a 1/2 inch rebar with a yellow plastic cap stamped "WEIR & ASSOC" found for the most southeasterly corner of said Lot 5R, some being the most southeasterly corner of Lot 6, also being a point in the northeast Right-of-Way line of President George Bush Turnpike service road (variable width Right-of-Way);

THENCE North 61 degrees 13 minutes 16 seconds West, in a northerly direction along said service road a distance of 164.43 feet to a 1/2 inch iron rod with yellow plastic cap stamped "THS" found for the most southeasterly corner of Lot 5R, some being the most southeasterly corner of said Lot 4R;

THENCE North 44 degrees 39 minutes 59 seconds East, departing from said service road in a northerly direction along the common line between said Lot 5R and said Lot 4R a distance of 424.50 feet to the POINT OF BEGINNING and containing 1,000 acres (65,339 square feet) of land, more or less.

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That CAM Villareal Family Limited Partnership, a Texas limited partnership, the owner of the property described in this plat, acting by and through its duly authorized agent, does hereby adopt this plat, designating the property as BRAND/190 ADDITION FIFTH REPLAT, an addition to the City of Garland, Dallas County, Texas, and does hereby dedicate, in fee simple and to the public use forever, any streets and ways shown thereon and does further dedicate to the public use forever the easements shown thereon for the purposes indicated; provided, however, that no public dedication is made or intended as to any private easement, screen wall easement, or wall maintenance easement shown on this plat. All easements dedicated by this plat shall be open to, without limitation, all public and private utilities using or desiring to use the same for the purposes dedicated, no building, fence, tree, shrub, or other structure, improvement or growth shall be constructed, reconstructed or placed upon, over or across any easement dedicated by this plat in such a manner as to restrict the use or scope of, or interfere with the purpose and intent of the easement. Any public or private utility shall have: (1) the right to remove and keep removed all or any part of any building, fence, tree, shrub, or other structure, improvement or growth which in any way may endanger or interfere with the construction, reconstruction, maintenance, operation or efficiency of such utility; and (2) the right of ingress and egress to and from upon such easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding or enlarging, or the repairing or parts of its operation without the necessity of any time of procuring the permission of anyone. The maintenance of piling on utility easements, fire lines, public access easements, and private streets is the responsibility of the property owner. Any and all maintenance of screening walls, screen wall easements, retaining walls, and wall maintenance easements is the responsibility of the property owner, its successors, or assigns.

All utility easements dedicated by this plat shall also include an additional area of working space for construction, reconstruction, additions, improvements, and maintenance including such additional area necessary for installation and maintenance of manholes, cleanouts, fire hydrants, water services and waterlines and for the work or pavement.

The undersigned does covenant and agree that the access easement(s) dedicated on this plat may be utilized by any person, including the general public, for ingress and egress to other real property, for pedestrian use and access, i.e., along, upon and across the premises containing the access easement(s). This plat approved subject to all applicable ordinances, rules, regulations, and resolutions of the City of Garland, Texas.

This plat approved subject to all applicable ordinances, rules, regulations, and resolutions of the City of Garland, Texas.

WITNESS, my hand at Garland, Texas, this _____ day of _____, 20____.

CAM VILLAREAL FAMILY LIMITED PARTNERSHIP, A TEXAS LIMITED PARTNERSHIP

By: Huma Khanone, Owner/CEO

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Huma Khanone, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20____.

Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, David McCullough, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, Texas Local Government Code, Chapter 212, and the City of Garland Development Code. I further affirm that monumentation shown hereon was either found or placed as described hereon and is in substantial compliance with the City of Garland Development Code; and that the drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this _____ day of _____, 2024.

PRELIMINARY, THIS PLAT SHALL NOT BE RECORDED FOR ANY PURPOSE
AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL
SURVEY DOCUMENT

David McCullough
Texas Registered Professional Land Surveyor No. 4023

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared David E. McCullough, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated.

GIVEN under my hand and seal of office this _____ day of _____, 2024.



GARLAND

Plan Commission

3. a.

Meeting Date: 03/10/2025

Item Title: Z 24-18 Tarmandeep Toor (District 7)

Summary:

Hold a public hearing and consider the application of **Tarmandeep Toor**, requesting approval of 1) a Change in Zoning to a Planned Development (PD) District for Neighborhood Services (NS) Uses and Convenience Store Use, 2) A Specific Use Provision (SUP) for a Fuel Pumps, Retail Use, and 3) a Concept Plan for a Convenience Store with Fuel Pumps, Retail and shopping center. The site is located at 4151 North Garland Avenue. (District 7) (File Z 24-18)

Attachments

Z 24-18 Tarmandeep Toor Report & Attachments

Z 24-18 Tarmandeep Toor Responses

Planning Report

File No: Z 24-18/District 7

Agenda Item: 2

Meeting: Plan Commission

Date: March 10, 2025



GARLAND

TEXAS MADE HERE

REQUEST

Hold a public hearing and consider approval of 1) a Change in Zoning to a Planned Development (PD) District for Neighborhood Services (NS) Uses and Convenience Store Use, 2) A Specific Use Provision (SUP) for a Fuel Pumps, Retail Use, and 3) a Concept Plan for a Convenience Store with Fuel Pumps, Retail and shopping center.

LOCATION

4151 North Garland Avenue

APPLICANT

Tarmandeep Toor

OWNER

Michael Holigan

BACKGROUND

The subject property is currently an undeveloped tract of land within Planned Development (PD) District 16-35. The Planned Development District was created with six (6) different tracts allowing for a variety of uses. This site is tract three (3) which only allows Elder Care-Independent Living. The applicant is proposing a rezoning which will allow for Fuel Pumps, Retail and an attached shopping center with multiple suites containing a convenience store. The Convenience Store Use is allowed by SUP within the Neighborhood Services (NS) District and the applicant is requesting it to be allowed by right.

SITE DATA

The subject site is a 2.66-acre undeveloped tract of land and has approximately 460 linear feet of frontage along North Garland Avenue and 223 curvilinear feet along Arapaho Road. The site can be accessed from one point along North Garland Avenue and one point along Arapaho Road.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Planned Development (PD) District 16-35. This site's base zoning is Multi-Family-1 (MF-1). The multifamily district is an attached residential district intended to promote stable, quality, attached-occupancy residential development in livable, sustainable, and compact residential communities at a maximum density of eighteen dwelling units per acre. The principal allowed land uses include low-rise to mid-rise multiple-family dwelling structures that are renter-occupied or owner-occupied (as in condominiums). Recreational, religious, health, and educational uses normally located to serve residential areas are also allowed in this district. This district should be located adjacent to an arterial or collector street and can serve as a buffer between nonresidential development or heavy automobile traffic and medium-density or low-density residential development. This district accommodates a variety of housing types including triplexes, quadplexes, apartments, and condominiums. The MF-1 district, as mentioned in certain sections of the Garland Development Code, is intended to accommodate standard multifamily development.

CONSIDERATIONS

Planned Development:

1. The applicant is requesting the base zoning to be changed to the Neighborhood Services (NS) District.
2. In addition to this, the applicant is requesting the Convenience Store Use to be allowed by right, and the Fuel Pumps, Retail to be allowed by Specific Use Provision (SUP)

Specific Use Provision:

1. The applicant is requesting the SUP to be twenty-five (25) years. The SUP time period guide recommends a period of 20-25 years.

CONDITIONS

The Plan Commission and City Council may attach conditions to the Specific Use Provision to mitigate adverse effects of the proposed use and to carry out the intent of this Section.

Conditions may include any, or a combination, of the following:

- (1) Limitation of building size or height;
- (2) Increased open space;
- (3) Limitations on impervious surfaces;
- (4) Enhanced loading and parking requirements;
- (5) Additional landscaping, sidewalk, screening, vehicular access and parking improvements;
- (6) Placement or orientation of buildings and entryways;
- (7) Buffer yards, landscaping and screening;
- (8) Signage restrictions and design;
- (9) Limitation on operation or function of proposed use (for example, hours of operation);
- (10) Limitation on the effective time period for an SUP; or
- (11) Any other criteria to safeguard and protect public health, safety, and welfare.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Urban Neighborhoods for the subject site. Urban neighborhoods are higher density residential developments that may utilize mixed-use integrated into the surrounding area.

It is envisioned that retail centers such as these promote a mix of uses which promote placemaking and desirable destinations, built around the pedestrian. This location is meant to be integrated into the larger urban Planned Development (PD) District. Although the proposed Convenience Store and Neighborhood Services uses are in general conformance with the comprehensive plan, the Fuel Pumps are not. The site's layout also lacks pedestrian-oriented design elements. These elements include locating the building toward the front of the property with parking in the back along with additional landscaping located along street frontages. Such placemaking principles encourage walkability and increase perceived safety for residents, making the proposed zoning change in line with the comprehensive plan.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The property to the North is zoned Planned Development (PD) District 16-13 for Mixed Uses, lying within tract two (2), containing a Multi-Family development. The property to the East is zoned Planned Development (PD) District 20-37 for Mixed Uses, lying within tract four (4), containing a Multi-Family development. The properties to the West are zoned Agricultural District (AG), Planned Development (PD) District 86-74, and Planned

Development (PD) District 92-33 containing an empty lot, townhomes, and a day care facility. The property to the South is zoned Agricultural (AG) District and contains Winters Park. The surrounding uses are largely restaurant or retail. The Convenience Store and shopping center is generally compatible with the surrounding area's zoning and land use but lacks pedestrian oriented conditions. The Fuel Pumps are not compatible with the surrounding area.

STAFF RECOMMENDATION

While the proposed Convenience Store and shopping center are consistent with the Future Land Use Map, the Fuel Pumps are not. In addition, a lack of pedestrian oriented conditions for the development is inconsistent with the comprehensive plan. Staff recommends denial of 1) a Change in Zoning to a Planned Development (PD) District for Neighborhood Services (NS) Uses, 2) A Specific Use Provision (SUP) for a Fuel Pumps, Retail Use, and 3) a Concept Plan for a Convenience Store with Fuel Pumps, Retail and shopping center.

ADDITIONAL INFORMATION

- i. Location Map
- ii. PD & SUP Conditions
- iii. Concept Plan
- iv. Site Photos

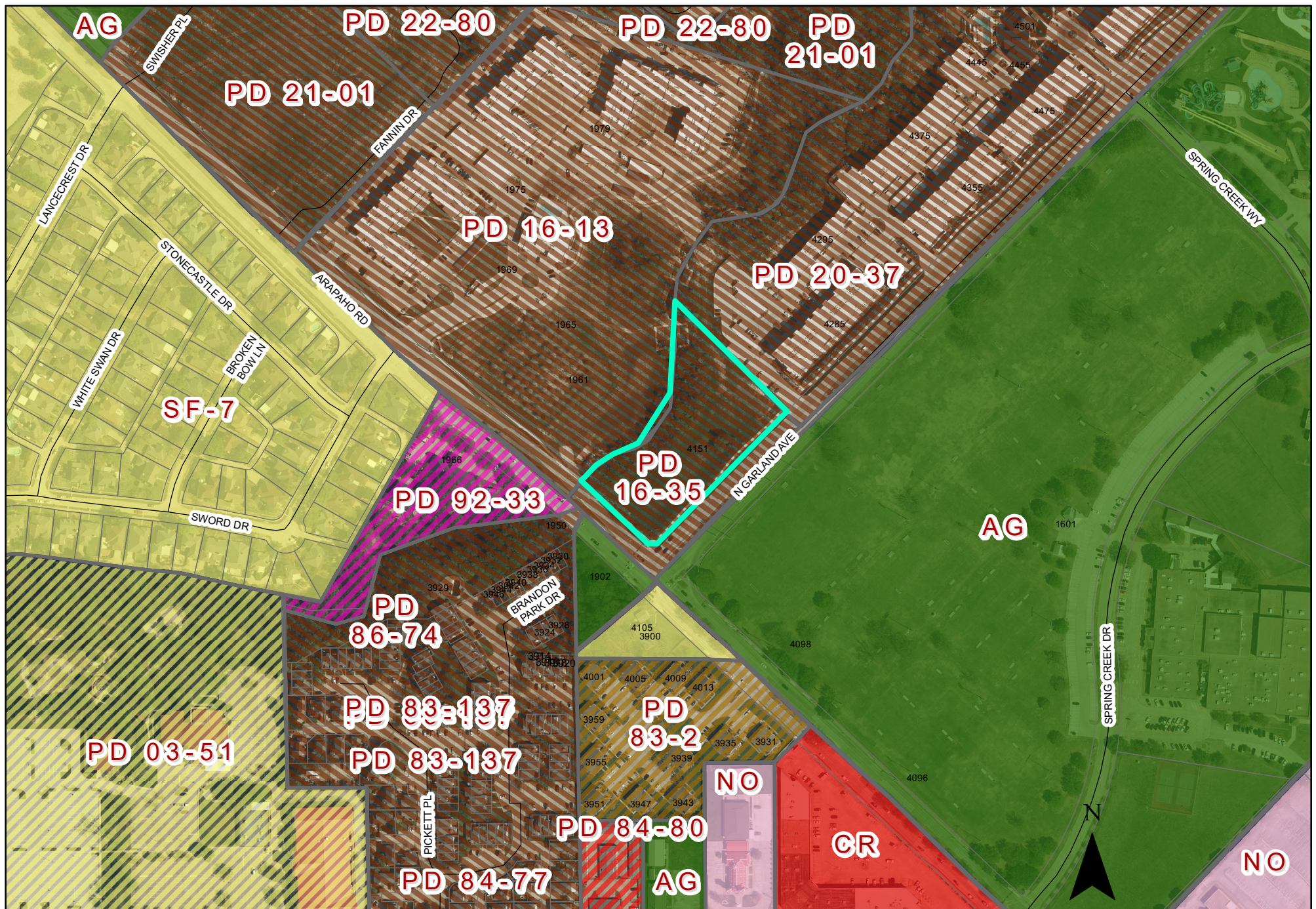
CITY COUNCIL DATE: April 01, 2025

PREPARED BY:

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

REVIEWED BY:

Emma Chetuya Ph.D., AICP
Planning Administrator
Planning and Development
972-205-2453
echetuya@garlandtx.gov



0 175 350 Feet
1 inch = 306 feet

ZONING MAP Z 24-18

 INDICATES AREA OF REQUEST

4151 North Garland Avenue

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 24-18

4151 North Garland Avenue

[Requested by the Applicant]

- I. Statement of Purpose:** The purpose of this Planned Development (PD) is to allow and regulate the development of a Convenience Store with Fuel Pumps, 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 Neighborhood Services (NS) 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. 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 Uses: In addition to the uses permitted within the Neighborhood Services (NS) District, Convenience Store Use shall be allowed by right, and Fuel Pumps, Retail allowed by SUP.
- 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.

SPECIFIC USE PROVISION

ZONING FILE Z 24-18

4151 North Garland Avenue

[Requested by the Applicant]

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Convenience Store with Fuel Pumps, Retail 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 Neighborhood Services (NS) 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 twenty-five (25) year time period.

VICINITY MAP

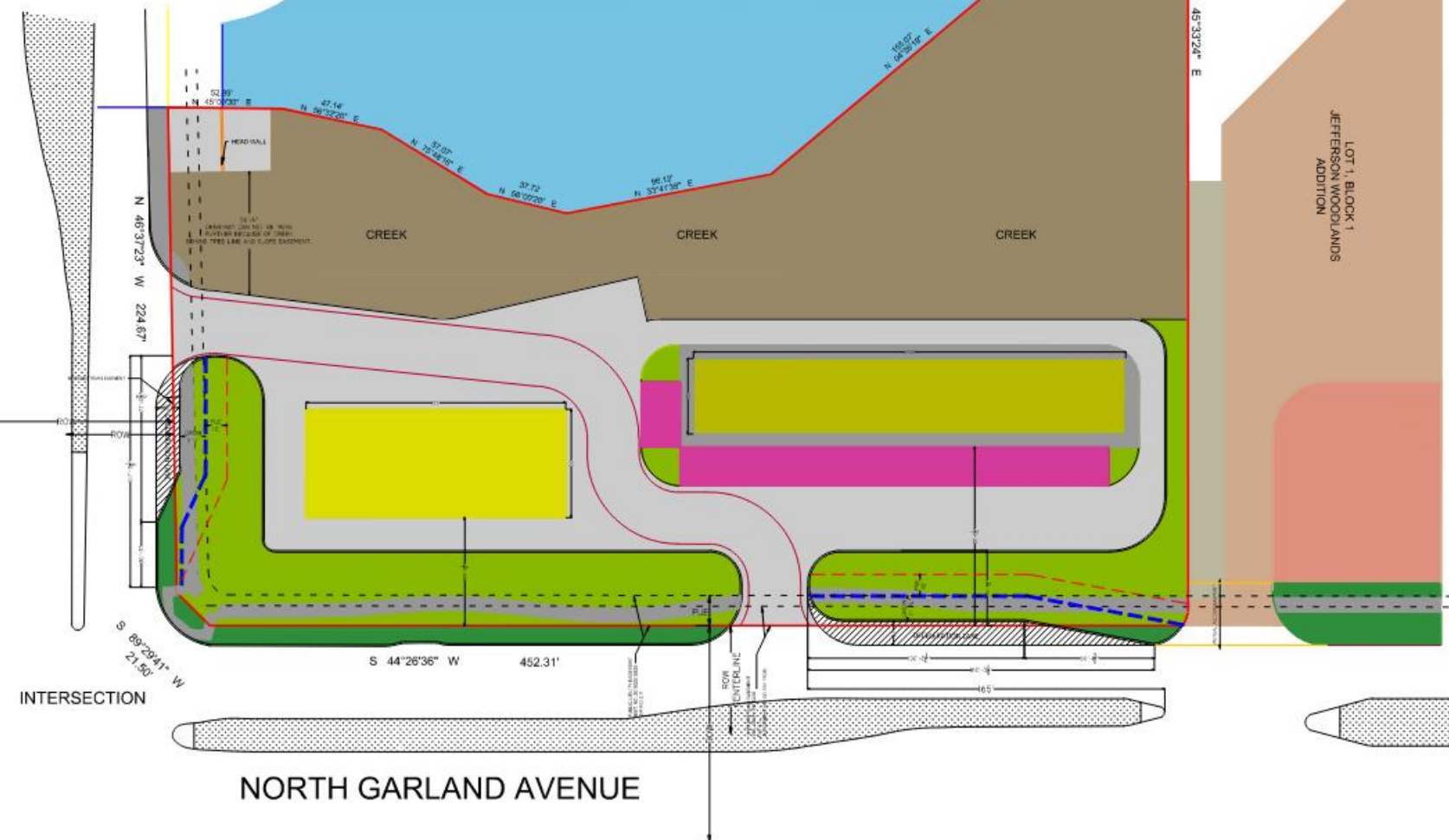


CONVENIENCE STORE & FUEL PUMPS

S.NO	NAME	QTY/AREA	SYMBOL
01	TOTAL PLOT AREA	115,895 SQFT. 2.66 ACRES	
02	CREEK		
03	PROPOSED BUILDING FOOTPRINT		
04	PROPOSED CANOPY FOOTPRINT		
05	PROPOSED GREEN AREA		
06	EXISTING OFFSITE GREENRY		
07	PROPOSED DRIVEWAY		
08	PROPOSED PARKING		
09	FLOOD PLAIN		
10	ADJACENT PROPERTY PARKING		
11	ADJACENT PROPERTY DRAVEWAY		
12	ADJACENT PROPERTY BUILDING		
13	MUTUAL ACCESS EASEMENT		

NOTE: SITE DESIGN AND CONSTRUCTION PLANS SHALL CONFIRM TO ALL REQUIREMENTS OF 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.

ARAPAH0 DRIVE



Project Title:-

GAS STATION &
RETAIL

Address:-

4165 N.GARLAND AVE,
GARLAND, TX 75040,USA

Owner Name:-

AJIT PAL SINGH
7609812244
pal.ajit@yahoo.com

Title:-

CONCEPT PLAN

CASE No:-

230912-2

Date: FEB-02-2025

Scale: 1/32" = 1'-0"

Owner Name:-

BORING LLC
5025 BROADWAY AVENUE,
HALTOM CITY, TX 76117

① CONCEPT PLAN

1

Z 24-18



View of the subject site from Arapaho Road.



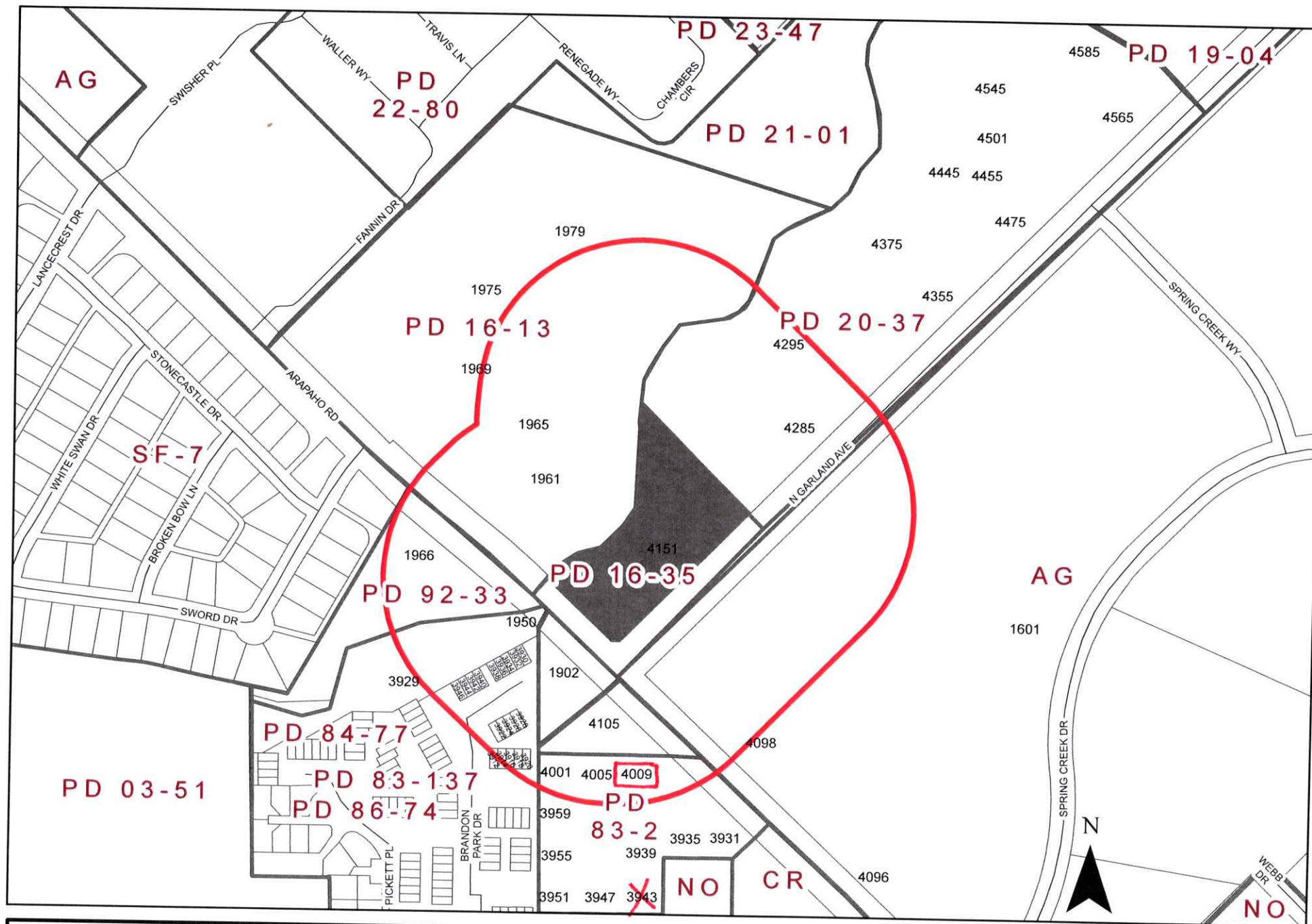
View from the subject site looking Northeast up North Garland Avenue.



View from the subject site looking Southwest down North Garland Avenue.



View from the subject site looking Northwest up Arapaho Road.



ZONING MAP Z 24-18

4151 North Garland Avenue

INDICATES AREA OF REQUEST
INDICATES NOTIFICATION AREA

Morales, Elisa

From: Wolverton, Matthew
Sent: Friday, February 28, 2025 1:42 PM
To: Morales, Elisa
Subject: FW: concern zone Z 24-18

We have received a response to Z 24-18

From: Ken Thai <kencangthai19@gmail.com>
Sent: Friday, February 28, 2025 1:13 PM
To: Wolverton, Matthew <MWolverton@garlandtx.gov>
Subject: concern zone Z 24-18

You don't often get email from kencangthai19@gmail.com. [Learn why this is important](#)

Dear Mr. Wolverton,

My name is Ken Thai.

I live at 3943 N Garland Ave, Garland, TX 75040.

My mailing address is the same as above.

I vote against this planning development.

Because the North Garland St and the Arapoaho St are crossing each other very narrowly

The huge traffic jams happen every day during school hours and working hours.

There are many mini shops nearby, like Sam, Walmart, Target, Exxon Mobile, Chevron, and more.

the land zone is very so small that I think it can not hold car capacities for coming in and out

the traffic is so crowded that walkers are scared to walk there and buy stuff.

Thank you for your listening

Sincerely,

Ken Thai

Comment Form

Case Z 24-18

Z 24-18 Tarmandeep Toor. The applicant proposes a Planned Development (PD) District & Specific Use Provision (SUP) for a Shopping Center and Fuel Pumps, Retail. The site is located at 4151 North Garland Avenue. (District 7).

Z 24-18 Tarmandeep Toor. El solicitante propone un Distrito de Desarrollo Planificado (PD) y una Disposición de Uso Específico (SUP) para un Centro Comercial y Surtidores de Combustible, Comercio Minorista. El sitio está ubicado en 4151 North Garland Avenue. (Distrito 7).

Z 24-24-18 Tarmandeep Toor. Người nộp đơn đề xuất Khu phát triển theo kế hoạch (PD) và Điều khoản sử dụng cụ thể (SUP) cho Trung tâm mua sắm và Máy bơm nhiên liệu, Cửa hàng bán lẻ. Địa điểm tọa lạc tại 4151 Đại lộ North Garland (Quận 7).

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



For / A Favor / Đúng



Against / En Contra / Không

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

Chen-Xiong Zhang

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.)

4009 N Garland Ave #3

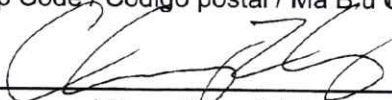
Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã Bưu Chính



3/2/2025

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

Plan Commission

3. b.

Meeting Date: 03/10/2025

Item Title: Z 25-04 David Najafi and Bobtown Enterprises Inc (District 3)

Summary:

Hold a public hearing and consider the application of **David Najafi and Bobtown Enterprises Inc.**, requesting approval of a Change in Zoning from Community Office (CO) to Community Retail (CR). (District 3) (File Z 25-04)

Attachments

Z 25-04 David Najafi and Bobtown Enterprises Inc. Report & Attachments

Z 25-04 David Najafi and Bobtown Enterprises Inc. Responses

Planning Report

File No: Z 25-04/District 3

Agenda Item: 3

Meeting: Plan Commission

Date: March 10, 2025



GARLAND

TEXAS MADE HERE

REQUEST

Approval of a Change in Zoning from Community Office (CO) to Community Retail (CR)

LOCATION

429 & 455 East Interstate Highway 30

APPLICANT

David Najafi and Bobtown Enterprises Inc

OWNER

Bobtown Enterprises Inc

BACKGROUND

The subject property is currently zoned Community Office (CO). The property owner wishes to have the zoning changed to Community Retail to allow a broader range of uses in his unleased units.

The property was previously zoned Freeway District (FW) before being changed to Community Office (CO) in 2015 when the GDC was adopted. CO restricts more intense uses that may have otherwise be permitted in the FW District given the property's proximity to Interstate Highway 30.

The site did not begin construction until 2017 and is a general retail space with vacant units for lease.

SITE DATA

The subject site is 3.792 acres and is accessed from Bobtown Road and Interstate I-30 Service Road. This strip center type development currently has a few businesses in operation, such as a donut shop and a dental office.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Community Office (CO). The Community Office (CO) district is intended to create an appropriate setting for medium and higher intensity office and professional uses. The district may be used as a transition district between low intensity office/retail uses and more intense uses. It is also generally appropriate along major transportation corridors. However, the CO district is generally not appropriate in proximity to low-density residential districts. Examples of allowed uses in a CO district are professional offices, campus-style corporate office, research, and assembly operations that may be large in scale but that are conducted wholly within a building(s) with very limited or no outside storage. The Community Office district is intended to serve the larger community and region with professional office services and job opportunities. Where feasible, provision must be made for pedestrian access and convenience by connecting directly with sidewalks and trails to and from neighborhoods, shopping areas, and other employment centers.

CONSIDERATIONS

Zoning:

1. 1. The request is a traditional rezoning without the formation of a Planned Development (PD) District. These requests do not require Concept Plan approval to commence or direct development. Development is dependent on the standards set forth by the Garland Development Code (GDC) and the goals and policies established within the Envision Garland 2030 Comprehensive Plan. This Change in Zoning is not intended to restrict uses or secure development performances beyond what is permitted within the proposed zoning district and the GDC. Accordingly, the GDC requires careful consideration as to how closely the proposed district follows the policies of the Envision Garland 2030 Comprehensive Plan, and to what degree the rezoning will affect surrounding and future development.
2. In the event the Zoning Change request is approved, uses allowed in Community Retail (CR) will have to obtain a Certificate of Occupancy to operate.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Employment Centers with a Business Center subcategory for the subject site. Employment centers are areas with concentrated options for high-quality, business environments within the city. Employment Centers support major employers and suppliers, along with providing services and amenities for employees.

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

Business centers are generally located at intersections of major and/or secondary arterial streets or significant transit areas (bus/rail). Proximity and access to residential areas are encouraged to reduce travel times to employment. Site design addresses function and visual aesthetics providing appropriate buffering at gateway corridors, between adjacent developments, and for residential neighborhoods.

Business centers range in scale and intensity based on the surrounding vicinity and may consist of one or more buildings. This development type includes a variety of primary and secondary uses, including compatible residential uses, that support the business employment sector.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the North are zoned MF-1 and contain a Multi-Family Development. The properties to the East are zoned PD 97-16 and PD 97-51. PD 97-16 contains a Restaurant with Drive Through and PD 97-51 Contains a Convenience Store with Retail Fuel Pumps. The property to the west is zoned Community Office and is a vacant lot. Finally, the properties to the South are across Interstate Highway 30 and contain vacant land as well as a Convenience Store with Retail Fuel Pumps both zoned Community Office (CO).

The surrounding uses are Multifamily, Retail and Commercial uses. Community Retail allows for more intensive uses which are not compatible with the surrounding area or future land use projections in the Comprehensive Plan. Automobile Leasing/Rental and Laundry-Self Service (Laundromat) are examples of uses allowed in CR that would not be allowed in NS.

STAFF RECOMMENDATION

Staff recommends the Plan Commission consider a zoning change to Neighborhood Services (NS) instead of Community Retail (CR). NS would invite an array of uses that encompasses the vision of the Comprehensive Plan as well as the surrounding zoning and uses. Since NS is a less intensive and more restrictive district than CR, the Plan Commission would be able to make that recommendation without additional notifications.

Additionally, the City Council has recently approved an amendment to the Land Use Chart to allow restaurant uses by right in the NS district. With that change, NS district is the most appropriate for this site per staff's evaluation.

ADDITIONAL INFORMATION

- i. Location Map
- ii. Site Photos

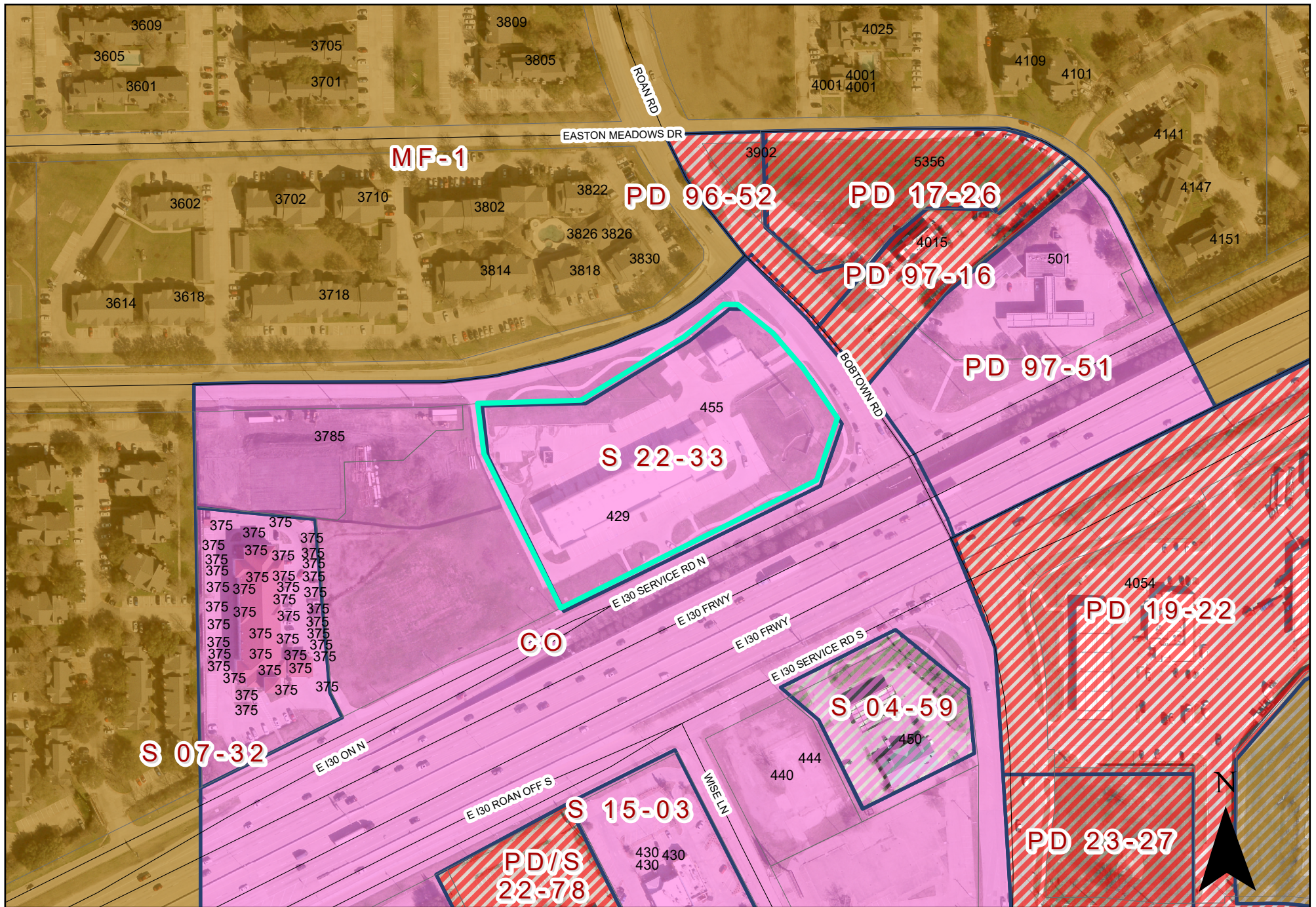
CITY COUNCIL DATE: April 1, 2025

PREPARED BY:

David Jones
Planner I
Planning & Development
972-205-2460
mwolverton@garlandtx.gov

REVIEWED BY:

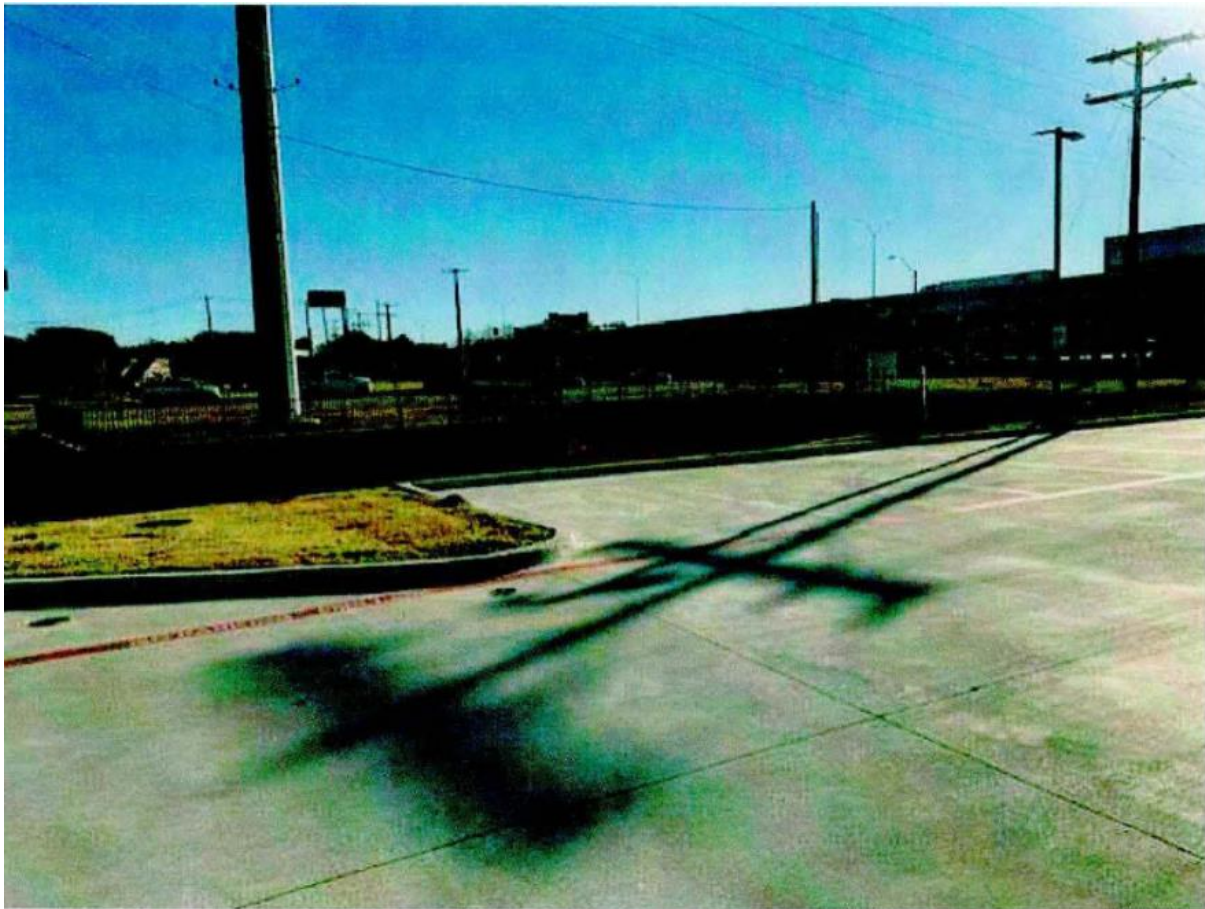
Emma Chetuya Ph.D., AICP
Planning Administrator
Planning and Development
972-205-2453
echetuya@garlandtx.gov



429 & 455 E Interstate Highway 30



Facing North



Facing South



Facing East



Facing West

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



GARLAND

Plan Commission

3. c.

Meeting Date: 03/10/2025

Item Title: GDC Amendment ORD 25-04

Summary:

Hold a public hearing to consider amendments to Chapter 2, Article 5 Use Regulations, Chapter 2, Attachment 1 -- Land Use Matrix as it relates to Commercial Drone Delivery Hub, and Chapter 6 Definitions.

Background/Additional Information:

UPDATE

Since the last Plan Commission meeting, Staff has found out that the proposed ordinance intends to regulate Commercial Drone Delivery Hubs as a primary use only. The intent is not to regulate it as an accessory use. There were also questions about the distance requirements that are being proposed. Staff found out that the distance requirements were discussed by the Development Services Committee, and they were modeled after the only other major city that currently has similar regulations (City of Plano). There were questions about safety and insurance, which may not be regulated with this ordinance as the City has no authority over the drone when it is not on the ground.

BACKGROUND

With the increasing use of commercial drone delivery options by many businesses, the Development Services Committee has recently evaluated the feasibility of incorporating regulations for those facilities and reported out to City Council recommending the following updates:

- Creating definitions for the following new terms:
 - Commercial Drone Delivery Hub (Large) -- takeoff weight of 55 pounds or over
 - Commercial Drone Delivery Hub (small) -- takeoff weight of under 55 pounds Drone Staging Area
- Establishing setbacks and placement requirements for the drone staging area
- Formulating screening requirements for equipment/accessory structure
- Regulating proximity to noise-sensitive uses
- Establishing parking and loading requirements
- Formulating specific hours of operation
- Updating the use chart as shown below (requiring SUP for these uses):

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	UR	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Commercial Drone Delivery Hub (large)															S					2.52 (38)
Commercial Drone Delivery Hub (small)												S	S	S	S					2.52 (38)

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

STAFF RECOMMENDATION

Staff recommends approval of the GDC amendment.

Attachments

GDC Amendment ORD 25-04 Ordinance

ORDINANCE NO. XXXXX

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 2, "ZONING REGULATIONS," THE LAND USE MATRIX OF CHAPTER 2, AND CHAPTER 6, "DEFINITIONS" OF THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE; A SEVERABILITY CLAUSE; AND AN EFFECTIVE DATE.

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

Section 1

That Section 2.52 "Special Standards for Certain Uses," of Chapter 2, Article 5, "Use Regulations," of the Garland Development Code of the City of Garland, Texas, is hereby amended *by addition* to add Section 2.52(A)(38) and to read as follows:

"Section 2.52 Special Standards for Certain Uses

. . .

(38) Commercial Drone Delivery Hubs. A Commercial Drone Delivery Hub must comply with the following standards and conditions, and any property specific standards expressly provided for in the Specific Use Provision:

(a) Commercial Drone Delivery Hubs (large). A commercial drone delivery hub (large) may be allowed, if and where granted a specific use provision, in an Industrial district if the requirements of this section are met.

(b) Commercial Drone Delivery Hubs (small). A commercial drone delivery hub (small) is allowed as a primary use, if and where granted a specific use provision, in the Industrial, Heavy Commercial, Light Commercial, and Community Retail districts when the requirements of this section are met.

(c) Drone Staging Areas.

- i. The drone staging area must be designated on a site plan.

- ii. The drone staging area must not be placed;
 - a. Within any required building setbacks;
 - b. Within any required landscape edge;
 - c. Withing fire lanes, easements, maneuvering aisles, customer pick-up lanes, or required loading zones or parking spaces; or
 - d. So as to obstruct visibility or interfere with pedestrian or vehicle circulation.
- iii. When located at grade, any goods, materials, containers, trailers, or other equipment must be screened according to the requirements for open storage consistent with Division 5, Article 3 of Chapter 4 of this GDC. Landing pads are exempt from this screening requirement. The Plan Commission may waive the requirements with approval of a site plan.
- iv. When a drone staging area is located on top of a building:
 - a. Any roof-mounted mechanical equipment, excluding landing pads, is subject to the mechanical screening requirements in consistent with section 4.46 Screening of Roof- and Ground-Mounted Mechanical Equipment of this GDC, and
 - b. Any additional structure, parapet wall, screening, safety railing, or other appurtenance associated with the commercial drone delivery hub is subject to the maximum height requirement of the district, except a single mast up to 10 feet in height for

a windsock may exceed the maximum height requirement.

v. Antennas and antenna support structures are subject to the requirements consistent with Division 5, Article 5 of Chapter 2 of this GDC.

vi. Proximity to Noise-Sensitive Uses

a. The drone staging area for a commercial drone delivery hub (small) shall not be located within 150 feet of any property upon which a residential dwelling is located.

b. The drone staging area for a commercial drone delivery hub (large) shall not be located within 300 feet of any property upon which a residential dwelling is located.

c. The measurement of the required buffer is to be made in a straight horizontal line from the edge of the drone staging area to the closest property line of a property containing a residential dwelling.

d. Notwithstanding any provision contained herein to the contrary, sound levels may not exceed the limitations on environmental sound levels described in Section 22.69 of the Code of Ordinances.

e. Sound study.

i. The minimum distances contained within this subsection may be lowered if the applicant can present evidence to the Plan Director from a sound study that the proposed drone delivery hub, when drones are immediately taking off, produces less than 70 dba when measured from the

nearest residential property boundary.

ii. For purposes of this section, a sound study must be prepared by a professionally accredited or licensed acoustical consultant or acoustical engineer.

iii. In the event the minimum required distances are lowered due to a sound study, drone delivery hub operations may not continue after 9:00 p.m.

(d) Parking and loading.

i. Parking is not required for an accessory commercial drone delivery hub use.

ii. Loading spaces shall be provided for a commercial drone delivery hub as required by Section 4.22 of this GDC. Loading spaces shall not be required for an accessory commercial drone delivery hub use.

iii. There shall be one parking space per 1,000 square feet of areas designated for storage or warehousing, plus one space per 300 square feet of floor area for office, customer service, or other areas.

..."

Section 2

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 3

That 6.03 "Definitions" of Chapter 6, "Definitions" of the Garland Development Code of the City of Garland, Texas, is hereby amended *by addition* to read as follows:

"Section 6.03 Definitions

...

Commercial Drone Delivery Hub (Large): An area of land, structural surface, building, or structure with one or more designated drone staging areas for use by unmanned aircraft, including but not limited to those defined under Commercial Drone Delivery Hub (Small), to distribute commercial goods by air. This includes any appurtenant areas used or intended for use for unmanned aircraft system buildings, structures, and other facilities.

Commercial Drone Delivery Hub (Small): An area of land, structural surface, building, or structure with one or more designated drone staging areas for use by small, unmanned aircraft systems (sUAS) under 55 pounds total takeoff weight or as defined in Section 44801 of Title 49, United States Code, as amended, whichever is the lesser, to distribute commercial goods by air. This includes any appurtenant areas used or intended for use for unmanned aircraft system buildings, structures, and other facilities.

...

Drone Staging Area: a designated area over which an unmanned aircraft completes the final phase of the approach, to a hover or a landing, and from which an unmanned aircraft initiates take-off. The Drone Staging Area includes both the launch pads and any required safety areas, and may include areas for the outdoor storage of goods, materials, containers, trailers, or other equipment.

..."

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 [] 2024.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED: