

# **AGENDA**

## **REGULAR MEETING OF THE CITY COUNCIL**

**City of Garland**

**Council Chambers, City Hall**

**200 North Fifth Street, Garland, Texas**

**May 15, 2012**

**7:00 p.m.**

The City Council extends to each visitor a sincere welcome. We value your interest in your community and your participation in the meetings of this governing body. Regular meetings of the City Council are held the 1st and 3rd Tuesdays of each month, beginning at 7:00 p.m.; the City Council meets regularly in work sessions at 6:00 p.m. the Monday preceding each regular meeting.

The Garland City Hall and Council Chambers are wheelchair accessible. Special parking is available on the north side of City Hall and the building may be accessed by a sloped ramp from the parking area to the door facing Fifth Street. 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) 205-2403 at least two working days prior to the meeting so that appropriate arrangements can be made. BRAILLE IS NOT AVAILABLE.

### **CITY COUNCIL GOALS 2020**

**(Adopted by Resolution No. 9402 on December 20, 2005)**

- **Sustainable quality development and redevelopment**
- **Financially stable government with tax base that supports community needs**
- **Defends rightful powers of municipalities**
- **Fully informed and engaged citizenry**
- **Consistent delivery of reliable City services**
- **Safe, family-friendly neighborhoods**
- **Embrace diversity**

## **CONSENT AGENDA**

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has been briefed on these items at a previous work session and approval of the consent agenda authorizes the City Manager to implement each item. The Mayor will announce the agenda and provide an opportunity for members of the audience and the City Council to request that an item be removed and considered separately.

1. Consider approval of the minutes of the May 1, 2012 Regular Meeting.

2. Consider approval of the following bid:

**City Center Project**

**Bid No. 2846-12**

**VAI Architects, Inc.**

**\$1,025,200.00**

*This request is for professional architectural services for the design and coordination of the City Center Project including the new parking structure and City Hall façade.*

3. Public hearings were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.

- a. Zoning File No. 12-11, Martin Eagle Oil Co.

*Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for Retail Sales with Gasoline Pumps on property zoned Commercial 1 (C-1) District and PD (Planned Development) District 85-27 for Shopping Center Uses on a .48-acre tract located at 2902 Lavon Drive.*

- b. Zoning File No. 12-14, Responsive Education Solutions

*Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for a Charter School on property zoned PD (Planned Development) District 05-08 for Church and Industrial Uses on a 37.72-acre tract located at 1600 West Campbell Road.*

**c. Zoning File No. 12-15, Chicken Express**

*Consider an ordinance amending the zoning laws of the City of Garland by approving a change in zoning from Office 1 (O-1) District to Office 2 (O-2) District, and a Specific Use Permit for Restaurant, Drive-Through on a 1.09-acre tract of land located at 3300 Broadway Boulevard.*

- 4. Consider a resolution authorizing the City Manager to execute a Drainage Improvement District agreement with the SpringPark Homeowners Association, Inc. for the construction of erosion protection improvements adjacent to the 6700 block of Lakeshore Drive.**

*The SpringPark Homeowners Association and City staff have been working to develop an agreement to design and construct erosion protection improvements along Spring Creek within SpringPark. The City routinely participates with homeowners, property owners, and associations to share in the cost of mitigating impacts from erosion in accordance with the provisions contained in the Drainage Improvement District Ordinance. The drainage category of the Capital Improvement Program includes funding for these types of projects. This item was scheduled for Council consideration at the May 14, 2012 Work Session.*

- 5. Consider a resolution accepting a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) – Click It or Ticket grant in the amount of \$9,000.**

*At the May 14, 2012 Work Session, Council was scheduled to consider authorizing the City Manager to accept a fully funded TxDOT STEP – “Click It or Ticket” grant in the amount of \$9,000 for conducting intense vehicle occupant protection enforcement. The required enforcement period will be May 21 – June 3, 2012.*

- 6. Consider an ordinance denying Atmos Energy Corp., Mid-Tex Division’s requested rate change; requiring the company to reimburse the City’s reasonable ratemaking expenses; requiring notice of this resolution to the Company and ACSC’s legal counsel.**

*Atmos Energy Corp. Mid-Tex Division filed an application with the City to increase natural gas rates pursuant to the Rate Review Mechanism. At the May 14, 2012 Work Session, Council was scheduled to consider an*

*ordinance denying Atmos Energy Corp., Mid-Tex Division's requested rate change.*

- 7. Consider by minute action authorizing the City Manager to execute a consulting agreement with Ray Schwertner.**

*At the January 3, 2012 Executive Session, Council discussed the reassignment of Ray Schwertner, the Managing Director of Electric Utility, to a consulting basis. At the March 20, 2012 Regular Meeting, Council reviewed a draft agreement and authorized the City Manager to execute the draft agreement with Mr. Schwertner in substantially the form and substance of that presented to Council. At the request of Ray Schwertner, substantial revisions have been made to the draft agreement that require Council's approval.*

### **ITEMS FOR INDIVIDUAL CONSIDERATION**

#### **Speaker Regulations:**

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

- 8. Hold a public hearing and consider a resolution finding and determining the necessity and feasibility of using a parcel of property within Woodland Basin Nature Area for the improvement of Miller Road.**

*The Dallas County project for the construction of a new Miller Road roadway and bridge at Rowlett Creek requires the use of a very small portion of the Woodland Basin Nature Area adjacent to the existing right-of-way for roadway and bridge improvements. This will require a public hearing and a finding by Council to meet the requirements of Chapter 26 of the Texas Parks and Wildlife Code. At their May 2, 2012 meeting, the Park and Recreation Board concurred with the finding that there is no feasible and prudent alternative to the use of a small portion of the parkland for the proposed roadway and bridge replacement project and that all reasonable planning has been done to minimize harm to the park. This item was also considered by Council at the May 1, 2012 Work Session.*

**9. Hold public hearings on the following zoning cases:**

- a. Consider the application of Winkelmann & Associates requesting approval of 1) a change of zoning from PD (Planned Development) District 81-61 to a Planned Development District for General Business Uses, 2) a Detail Plan for Athletic Club/Instruction, 3) a Specific Use Permit for Restaurant, Drive-Through, 4) a Detail Plan for Restaurant, Drive-Through and Medical Office/Clinic, 5) a variance to Section 10-200 of Comprehensive Zoning Ordinance No. 4647 regarding number of required parking spaces, and 6) a variance to Section 25-600 of Comprehensive Zoning Ordinance No. 4647 regarding maximum building height. This property is located south of Marketplace Dr., east of Saturn Rd. and northwest of Centerville Rd. (File 12-16)**

*The proposal is for approval of a change of zoning, Detail Plans, Specific Use Permit and variances to develop a fitness center, drive-through restaurant and medical office. At the April 23, 2012 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request as recommended by staff.*

- b. Consider the application of Columbus Realty Partners Ltd, requesting approval of 1) a Detail Plan for Multi-Family Uses; 2) amendments to the Planned Development (PD) District conditions; and 3) a variance to the Zoning Ordinance Section 10-200 regarding minimum parking requirements for multifamily uses. The property is located at the northeastern corner of River Fern Avenue and Horseshoe Drive. (File 12-19)**

*The proposal is for approval of a Detail Plan, amendments to the Planned Development conditions and variances to develop a second phase of multifamily units at Firewheel Town Center. At the April 23, 2012 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request as recommended by staff.*

- c. Consider the application of Barclay Construction requesting approval of 1) a Detail Plan for Medical Office/Clinic and 2) amendments to the conditions in PD (Planned Development) District 03-22. The property is located at 3475 Collins Boulevard. (File 12-20)**

*The proposal is for approval of a Detail Plan for Medical Office/Clinic and amendments to the conditions in PD 03-22. At the April 23, 2012 meeting,*

*the Plan Commission (by a 9 to 0 vote) recommended approval of the request as recommended by staff.*

- d. Consider the application of Joe Pokawa requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is located at 3420 Broadway Boulevard, Suite 125. (File 12-21)**

*The proposal is for approval of a Specific Use Permit for a Reception Facility in a Shopping Center. At the April 23, 2012 meeting, the Plan Commission (by a 9 to 0 vote) recommended denial of the request as recommended by staff. The applicant is appealing the Plan Commission's recommendation.*

**10. Citizen comments.**

*Persons wishing to address issues not on the agenda may have three minutes to address Council at this time. Council is prohibited from discussing any item not posted according to the Texas Open Meetings Act.*

**11. Adjourn.**

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

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, May 1, 2012, in the Council Chambers at City Hall with the following members present:

Mayor	Ronald E. Jones
Mayor Pro Tem	Preston Edwards
Councilmember	Laura Perkins Cox
Councilmember	Larry Jeffus
Councilmember	John Willis
Councilmember	Lori Barnett Dodson
Councilmember	Rick Williams
Councilmember	Jim Cahill
Councilmember	Douglas Athas

STAFF PRESENT:	City Manager	William E. Dollar
	City Attorney	Brad Neighbor
	Interim City Secretary	Elaine Simpson
	Recording Secretary	Yvonne Naser

CALL TO ORDER: The meeting was called to order by Mayor Ronald E. Jones. Councilmember Lori Dodson led the invocation and the pledge.

CEREMONIALS: Mayor Jones and City Manager Bill Dollar presented Special Recognitions to the following city employees:  
Felisa Conner, Neighborhood Vitality, Manager  
Cheryl Reno, Major Thoroughfare Specialist/Inspector,  
Code Compliance

Then to Garland Police Officer John Capers the "2011 Excellence in Neighborhood Service Award"

CONSENT AGENDA: All items marked with asterisks (\*\*) on the Consent Agenda were voted on at the beginning of the meeting. Motion was made by Councilmember Dodson and second by Councilmember Williams to approve Consent Agenda Items #1 - #6, as presented. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

1. Approved\*\* Consider approval of the minutes of the April 17, 2012 Regular Meeting.
- 2.a. Approved\*\* Bid No. 2789-12 - Mini Digger Derrick, to Nesco Sales for \$159,442.00 for purchase of a replacement Mini Digger Derrick for Garland Power & Light for use in daily operations.
- 2.b. Approved\*\* Bid No. 2877-12 -Energy Management Software and Licensing Upgrade to Open Systems International, Inc. (OSI) for \$164,736.07 for all labor and material necessary to install the latest upgrades to the City's Operation Energy Management System platform, which is the Electric Reliability Council of Texas (ERCOT) designated interface between the GP&L Energy Management System, ERCOT, and the MV-90 multivendor-90 data collection system.
- 2.c. Approved\*\* Bid No. 2853-12 - Underground Cable Replacement to Infratech Corporation for \$756,460.57 to provide labor and equipment necessary to remove and to replace aging underground distribution facilities.
- 3.a. Approved\*\* Ordinance # 6538 approving application of Deleshia Taylor (Zoning File No. 12-12) approving a Specific Use Permit for a Child Care Center on property zoned Single Family 7 (SF/7/G/3) District on a .90-acre lot located at 716 Chandler Drive.
- 3.b. Approved\*\* Ordinance # 6539 approving the application of Realty Capital Management LLC, (Zoning File 12-13) amending the zoning laws of the City of Garland by approving a change in zoning from Agriculture (AG) District to a Planned Development (PD) District for Multifamily Uses on a 50-acre tract of land located south and west of Bunker Hill Road and west of Miles Road.
4. Approved\*\* Resolution #10049 adopting and approving the Consolidated Plan – One Year Plan of Action including a Revised Statement of Uses of Funds for the 2012 – 2013 Community

Development Block Grant, Home Investment Partnership, and Emergency Solutions Grant Programs. At the April 3, 2010 Regular Meeting, a public hearing was held to provide an opportunity for comments by any interested individuals regarding the proposed budget allocation for the 2012 – 2013 CDBG, HOME, and ESG Programs. This item was also considered by Council at the April 16, 2012 Work Session.

5. Approved\*\*

Approve by minute action the appointment of Jack L. May to the North Texas Municipal Water District Board of Directors. The North Texas Municipal Water District (NTMWD) notified the City that Jack L. May's term of office as a NTMWD Board Member expires on May 31, 2012. NTMWD has requested that Council consider reappointing Mr. May or appoint another Director to serve a two-year term from June 1, 2012 to May 31, 2014. In accordance with Council policy, information was posted on the City's website for 14 days regarding the qualifications of the NTMWD Board Member to provide an opportunity for citizens to apply for the position. Mr. May was the only citizen to respond.

6. Approved\*\*

Resolution # 10050 authorizing the submission and acceptance of an application to the Bureau of Justice Assistance for a grant under the 2012 Edward Byrne Memorial Justice Assistance Grant Program. The Police Department is requesting Council's approval to apply for the 2012 Edward Byrne Memorial Justice Assistance Grant which will result in a net award of \$31,050.75 to the City of Garland. The Director of the Bureau of Justice Assistance has made funds available to units of local government under the 2012 Edward Byrne Memorial Justice Assistance Grant program for the purpose of reducing crime and improving public safety.

Individual Consideration

7.a. Held and Approved

Public Hearing and application of Martin Eagle Oil Company requesting approval of a Specific Use Permit for Retail Sales with Gasoline Pumps on property zoned Commercial 1 (C-1) District and PD (Planned Development) District 85-27 for Shopping Center Uses in the SH 190 Overlay. The property is located at 2902 Lavon Drive. (File Z 12-11, Council Member

Doug Athas, District #1) Proposal is for approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Commercial 1 (C-1). At the April 9, 2012 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request for a period of 25 years tied to Martin Eagle Oil Company as recommended by staff.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report and explained that this is an existing gas station which was formerly part of the Albertsons store on Lavon Drive. This request is due to a change in ownership only. No changes in canopies or the pay kiosk are planned. The Planning Commission unanimously recommended approval of this request.

Mayor Jones opened the public hearing at 7:15 pm.

No one spoke on this item.

Councilmember Athas made a motion, second by Councilmember Cox to close the public hearing at 7:16 p.m. and approve the application of Martin Eagle Oil Company for a Specific Use Permit for Retail Sales with Gasoline Pumps on property zoned Commercial 1 (C-1) District and PD (Planned Development) District 85-27 for Shopping Center Uses in the SH 190 Overlay for property located at 2902 Lavon Drive and as recommended by the Planning Commission. Motion carried unanimously 9 Ayes, 0 Nays and 0 Abstentions.

7.b. Held and Approved

Public Hearing and application of Responsive Education Solutions, requesting approval of a Specific Use Permit for a Charter School on property zoned PD (Planned Development) District 05-08 for Church Use in the SH 190 Overlay. The property is located at 1600 West Campbell Road. (Councilmember Doug Athas, District #1, File Z 12-14). At the April 9, 2012 meeting, the Plan Commission (by a 9 to 0 vote) recommended approval of the request as recommended by staff.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report, explaining that an SUP is required for a charter school in any zone where the school is an approved use.

Mayor Jones opened the public hearing at 7:18 pm.

William Chandler was present representing the applicant and was available for questions.

Motion by Councilmember Athas, second by Councilmember Cox, to close the Public Hearing at 7:19 p.m. and to approve application of Responsive Education Solutions, requesting approval of a Specific Use Permit for a Charter School on property zoned PD (Planned Development) District 05-08 for Church Use in the SH 190 Overlay as recommended by the Planning Commission. Motion carried unanimously: 9 Ayes, 0 Nays and 0 Abstentions.

7.c. Held and Approved

Public Hearing and application of Wes Parnell requesting approval of 1) a change of zoning from Office 1 (O-1) District to General Business (GB) District and 2) a Specific Use Permit for a Restaurant with Drive-Through for property located at 3300 Broadway Boulevard. (Council District #3, File Z 12-15) At the April 9, 2012 meeting, the Plan Commission (by a 5 to 4 vote) recommended denial of the request.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report explaining that this is a request to put a Chicken Express restaurant with a drive through at corner of Broadway and Stonewall at the site of the old Chase Bank. The Planning Commission recommended denial of the request.

Mayor Jones opened the public hearing at 7:21 pm.

The following citizens spoke during the public hearing:

- Wes Parnell – applicant – in favor.
- Lonnie Holliday – property appraiser working with applicant – in favor.
- Philipp Dunn, DDS – against
- Eddie Liebman – in favor
- Dr. Lisa Garner – against
- Jeffrey English – against
- Jason Curtis – in favor

Council members questioned Mr. Parnell, the applicant, regarding the Stonewall turn-around area and the concerns regarding the traffic congestion on Stonewall. Mr. Parnell also explained that he has high standards for cleanliness of his restaurants and the parking lots around it.

Council clarified with Mr. Montgomery that if the motion was made to change the underlying zoning to Office 2, instead of General Business, this would eliminate some concerns regarding allowable uses. The SUP would still be tied to the applicant, Mr. Parnell, so other restaurants with drive-through lanes could not come in without also securing an SUP.

The Council clarified with Mr. Parnell that the empty restaurant building across the street (formerly Schlotzsky's Deli) was not a workable location for the Chicken Express, because it did not have room around the building for the drive through lanes.

Mayor Pro Tem Edwards made a motion to close the public hearing at 8:14 p.m., second by Councilmember Dodson, and to approve 1) a change of zoning from Office 1 (O-1) District to Office 2 (O-2) District and 2) a Specific Use Permit for a Restaurant with Drive-Through tied to applicant Wes Parnell for 25 years, for property at 3300 Broadway Boulevard. Motion carried by a vote of 5 Ayes, 4 Nays and 0 Abstentions.  
Ayes: Athas, Cox, Edwards, Dodson and Jones  
Nays: Jeffus, Willis, Cahill and Williams

8. Appointed

Consider appointments to Boards and Commissions.

Motion by John Willis to nominate Monica Reyes to the Community Multicultural Commission. Motion carries unanimously; 9 Ayes, 0 Nays, and 0 Abstentions.

9. Held

Citizen comments.

Don Howard III, 1109 Bardville, Garland: Thanked and commended outgoing City Council members Laura Cox, Douglas Athas and Larry Jeffus. Also commended Councilmember John Willis, who ran for re-election unopposed. Mr. Howard then congratulated Bill Dollar

regarding the appointment of the new Fire Chief Raymond Knight.

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 8:40 pm.

CITY OF GARLAND

Signed:

---

Mayor Ronald E. Jones

Attest:

---

Elaine Simpson, Interim City Secretary



**GARLAND**  
PURCHASING

Bid No.: 2846-12  
Agenda Item: 2  
Meeting: Council  
Date: 05/15/12

## Purchasing Report

### CITY CENTER PROJECT – ARCHITECTURAL SERVICES OPEN MARKET

#### PURCHASE JUSTIFICATION:

The purpose of this project is for Professional Architectural Services for the design and coordination of the City Center Project including new parking structure and City Hall façade. Request for Qualifications responses were reviewed and scored by a selection panel. VAI Architects, Inc., received the highest score based on the ranking criteria. This is funded as a Capital Improvement project. Expenses will not exceed allocated funds.

#### AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
VAI Architects, Incorporated	ALL	\$1,025,200.00
<b>TOTAL:</b>		<b>\$1,025,200.00</b>

#### BASIS FOR AWARD:

##### Most Qualified

Submitted by:

Gary L. Holcomb, CPPO, C.P.M.  
Director of Purchasing

Reviewed by:

William E. Dollar  
City Manager

Date: 05/07/12

Date: 05/08/12

#### FINANCIAL SUMMARY:

Total Project/Account: \$ 8,700,000

Expended/Encumbered to Date: --

Balance: \$ 8,700,000

This Item: 1,025,200

Proposed Balance: \$ 7,674,800

Operating Budget: ☐ CIP: ☒ Year: 2012

Document Location: Page ED10

Account #: 692-1509-1013612-7101

Fund/Agency/Project – Description:  
Downtown Development

Comments:

Budget Analyst

Date

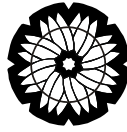
Ron Young

05/07/12

Budget Director

Date





# **GARLAND**

---

## **PURCHASING**

### **Executive Summary** **Contract Award RFQ 2846-12** **City Center Project - Architectural Services**

**Recommended Vendor:**

VAI Architects Incorporated

**Total Recommended Award:**

\$1,025,200.00

**Basis for Award:**

Most Qualified

**Purpose:**

Architectural services for the design and coordination of the City Center Project including the new parking structure and City Hall Façade.

**Evaluation:**

The City solicited Request for Qualifications (RFQ) from interested firms for architectural services for the City Center Project.

Ten (10) architectural firms responded to the RFQ. One response was returned to the architectural firm unopened because the packet was not received by the RFQ closing deadline. The remaining nine (9) responses were reviewed and ranked based on the published criteria. References for the top three (3) architectural firms were contacted and the rankings were adjusted accordingly. Based on the ranking criteria, VAI Architects Incorporated was selected as most qualified for the project.

**Recommendation:**

Award architectural services contract to VAI Architects Incorporated.

**Funding Information:**

CIP Account 692-150910136-12-7101

**Department Director:**

Bryan Bradford, Assistant City Manager, 972-205-2735



# City Council Item Summary Sheet

☐ Work Session

☒ Agenda Item

Date: May 15, 2012

## Zoning Ordinance

### Summary of Request/Problem

Zoning Ordinance 12-11 – Martin Eagle Oil Co.

### Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

**Submitted By:**

**Neil Montgomery**  
Senior Managing Director of Development  
Services

**Approved By:**

**William E. Dollar**  
City Manager

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PERMIT FOR RETAIL SALES WITH GASOLINE PUMPS ON PROPERTY ZONED COMMERCIAL 1 (C-1) DISTRICT AND PD (PLANNED DEVELOPMENT) DISTRICT 85-27 FOR SHOPPING CENTER USES ON A .48-ACRE TRACT LOCATED AT 2902 LAVON DRIVE; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.**

**WHEREAS**, at its regular meeting held on the 9<sup>th</sup> day of April, 2012, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Martin Eagle Oil Co.**, and

**WHEREAS**, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

**Now, therefore, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, that:**

**Section 1.**

Ordinance No. 4647 is hereby amended by approving a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Commercial 1 (C-1) and PD (Planned Development) District 85-27 on a .4822-acre lot located at 2902 Lavon Drive, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

**Section 2.**

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

**Section 3.**

Ordinance No. 4647, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

**Section 4.**

Violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

**Section 5.**

This Ordinance shall become and be effective on and after its adoption and publication as required by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**THE CITY OF GARLAND, TEXAS**

By:

\_\_\_\_\_  
Mayor

**ATTEST:**

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

Published:

**EXHIBIT A**

**LEGAL DESCRIPTION**

**Zoning File 12-11**

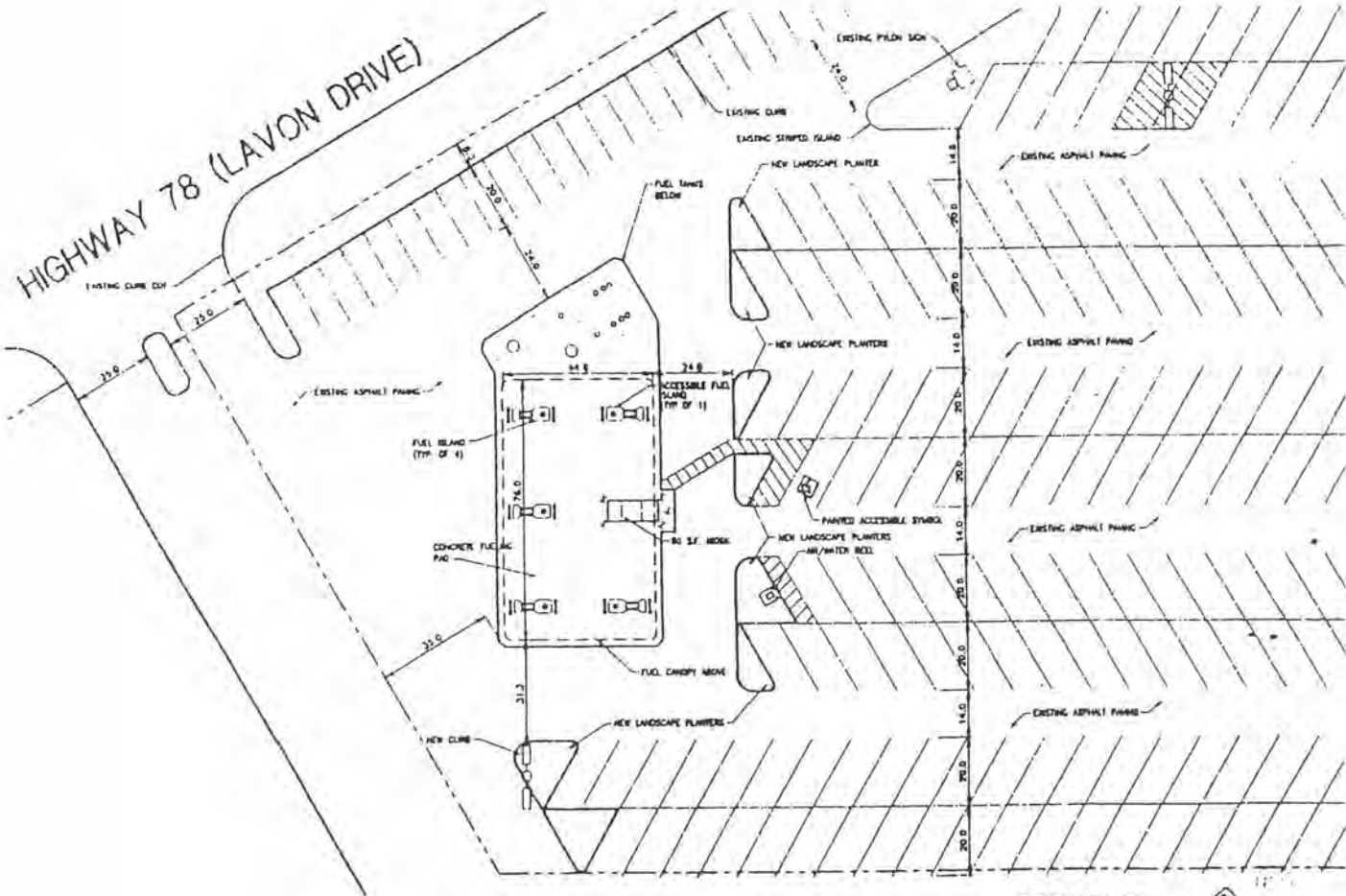
Being a .4822-acre tract of land identified as Lot 6, Block I, of Crist 78 Addition Replat as recorded in Instrument No. 20070330594, Map Record of Dallas County, Texas. The property is located at 2902 Lavon Drive.

## **SPECIFIC USE PERMIT CONDITIONS**

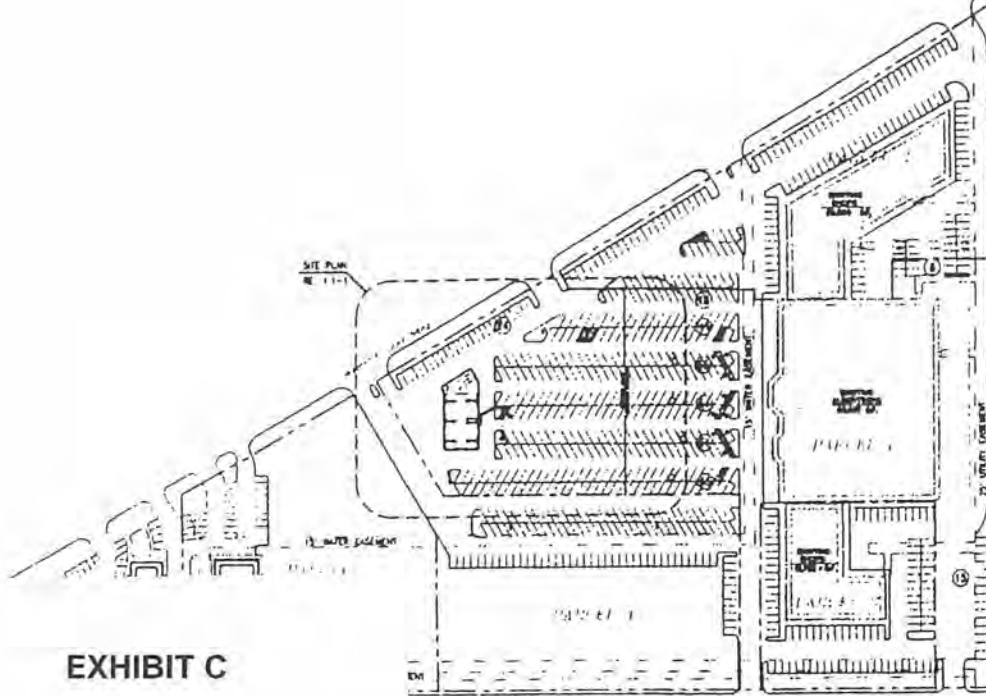
### **ZONING FILE 12-11**

#### **2902 Lavon Drive**

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow Retail Sales with Gas Pumps subject to conditions.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, as amended, except as specifically provided herein.
- III. **General Regulations:** All regulations of the PD (Planned Development) District #85-27 for Shopping Center Uses, SH 190 Overlay and C-1 (Commercial 1) District set forth in Section 10, 26, 33 and 46 of the Comprehensive Zoning Ordinance, Ordinance No. 4647 are included by reference and shall apply, except as otherwise specified in this ordinance.
- IV. **Specific Regulations:**
  - A. Time Period: The Specific Use Permit shall be in effect for a 25 year time period and tied to **Martin Eagle Oil Co.**
  - B. Site Plan: Subject property shall remain in conformance with site plan labeled Exhibit C.
  - C. Exterior Elevations: The facades of the existing kiosk shall remain 100 percent face brick, excluding doors and windows. The canopy columns shall remain with face brick matching the kiosk.
  - D. Signage: No additional freestanding pole signs shall be permitted. Attached signage shall remain as indicated on Exhibit D.
  - E. Surety Bond: The owner/operator shall provide a \$40,000 surety bond or similar security to the City to ensure the removal of all buildings, equipment, above-ground and underground storage tanks and/or other improvements in the event the business operations (retail sales with gas pumps) ceases operation for a period of two or more years, Section 10-309(c) of the Comprehensive Zoning Ordinance.



**1 SITE PLAN**  
SCALE: 1" = 30'-0"



**2 OVERALL DEVELOPMENT PI**  
SCALE: 1" = 100'-0"



**EXHIBIT C**



North Elevation



South Elevation



West Elevation

EXHIBIT D



# City Council Item Summary Sheet

☐ Work Session

☒ Agenda Item

Date: May 15, 2012

## Zoning Ordinance

### Summary of Request/Problem

Zoning Ordinance 12-14 – Responsive Education Solutions

### Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

**Submitted By:**

**Neil Montgomery**  
Senior Managing Director of Development  
Services

**Approved By:**

**William E. Dollar**  
City Manager

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PERMIT FOR A CHARTER SCHOOL ON PROPERTY ZONED PD (PLANNED DEVELOPMENT) DISTRICT 05-08 FOR CHURCH AND INDUSTRIAL USES ON A 37.72-ACRE TRACT LOCATED AT 1600 WEST CAMPBELL ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.**

**WHEREAS**, at its regular meeting held on the 9<sup>th</sup> day of April, 2012, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Responsive Education Solutions**, and

**WHEREAS**, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

**Now, therefore, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, that:**

**Section 1.**

Ordinance No. 4647 is hereby amended by approving a Specific Use Permit for a Charter School on property zoned PD (Planned Development) District 05-08 on a 37.72-acre lot located at 1600 West Campbell Road, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

**Section 2.**

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

**Section 3.**

Ordinance No. 4647, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

**Section 4.**

Violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

**Section 5.**

This Ordinance shall become and be effective on and after its adoption and publication as required by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**THE CITY OF GARLAND, TEXAS**

By:

\_\_\_\_\_  
Mayor

**ATTEST:**

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

Published:

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

#### **Zoning File 12-14**

Being a 37.722-acre tract of land identified as Lot 1, Block I of Firewheel Church Addition as recorded in Volume 2005114, Page 00024, Deed Records of Dallas County, Texas. The property is located at 1600 West Campbell Road.

## **SPECIFIC USE PERMIT CONDITIONS**

### **ZONING FILE 12-14**

#### **1600 W. Campbell Road**

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow Charter School subject to conditions.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, as amended, except as specifically provided herein.
- III. **General Regulations:** All regulations of the PD (Planned Development) District 05-08, Industrial 1 (I-1) District, and SH 190 Overlay set forth in Section 29, 33 and 46 of the Comprehensive Zoning Ordinance, Ordinance No. 4647 are included by reference and shall apply, except as otherwise specified in this ordinance.
- IV. **Specific Regulations:**
  - A. Time Period: The Specific Use Permit shall be in effect for a 20 year time period and tied to **Responsive Education Solutions**.
  - B. Site Plan: Subject property shall remain in conformance with site plan labeled Exhibit C.



Exhibit C



# City Council Item Summary Sheet

☐ Work Session

☒ Agenda Item

Date: May 15, 2012

## Zoning Ordinance

### Summary of Request/Problem

Zoning Ordinance 12-15 – Chicken Express

### Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

**Submitted By:**

**Neil Montgomery**  
Senior Managing Director of Development  
Services

**Approved By:**

**William E. Dollar**  
City Manager

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A CHANGE IN ZONING FROM OFFICE 1 (O-1) DISTRICT TO OFFICE 2 (O-2) DISTRICT, AND A SPECIFIC USE PERMIT FOR RESTAURANT, DRIVE-THROUGH ON A 1.09-ACRE TRACT OF LAND LOCATED AT 3300 BROADWAY BOULEVARD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.**

**WHEREAS**, at its regular meeting held on the 9th day of April, 2012, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Wes Parnell** and

**WHEREAS**, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

**Now, therefore, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, that:**

**Section 1.**

Ordinance No. 4647 is hereby amended by approving a change in zoning from Office 1 (O-1) District to Office 2 (O-2) District, and a Specific Use Permit for Restaurant, Drive-Through on a 1.09 acre tract of land located at 3300 Broadway Boulevard, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

**Section 2.**

Ordinance No. 4647, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

**Section 3.**

Violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

**Section 4.**

This Ordinance shall become and be effective on and after its adoption and publication as required by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**THE CITY OF GARLAND, TEXAS**

By:

\_\_\_\_\_  
Mayor

**ATTEST:**

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

Published:

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

#### **Zoning File 12-15**

Being a 1.0893-acre tract of land identified as Lot 3, Block A, South Garland Professional Development No. 3 Addition as recorded in Volume 73028, Page 1931 of the Deed Records of Dallas County, Texas. The property is located at 3300 Broadway Boulevard.

## **SPECIFIC USE PERMIT CONDITIONS**

### **ZONING FILE 12-15**

#### **3300 Broadway Boulevard**

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow for Restaurant, Drive-Through subject to conditions.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, as amended, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Office 2 (O-2) District set forth in Section 21, 33 and 34 of the Comprehensive Zoning Ordinance, Ordinance No. 4647 are included by reference and shall apply, except as otherwise specified in this ordinance.
- IV. **Specific Regulations:**
  - A. Time Period: The Specific Use Permit shall be in effect for a 25 year time period and tied to **Chicken Express**.
  - B. Site Plan: Subject property shall remain in conformance with site plan labeled Exhibit C.
  - C. Signage: LED sign(s) shall not flash, change its illumination or copy, rotate, move or create an illusion of movement. LED sign(s) shall be in full compliance with Section 30.104 of Chapter 30, "Building Inspection", of the Code of Ordinances.

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

1 SITE PLAN  
SCALE: 1"=50'

BROADWAY BLVD.

STONEWALL STREET

Chicken  
2,634 S.F.

2

EXHIBIT C



PROJECT: CC201204  
DATE: 03/04/12  
DRAWN BY: SS  
CHECKED BY: JH  
FILE: CC2012-461  
REVISIONS

SHEET TITLE  
SITE PLAN  
SITE DETAILS  
SHEET

AO.1



# City Council Item Summary Sheet

☐ Work Session

Date: May 15, 2012

☒ Agenda Item

## Drainage Improvement Agreement with SpringPark Homeowners Association

### Summary of Request/Problem

The SpringPark Homeowners Association (SPHOA) and the City staff have been working for quite some time to develop an agreement to design and construct erosion protection improvements along Spring Creek within Spring Park. The City routinely participates with homeowners, property owners and associations to share in the cost of mitigating impacts from erosion in accordance with the provisions contained in the Drainage Improvement District ordinance. The Drainage Category of the Capital Improvement Program includes funding for these types of projects.

### Recommendation/Action Requested and Justification

Staff recommends that the City Manager be authorized to enter into the agreement to design, construct and place erosion protection improvements along Spring Creek to reestablish the eroded creek bank and mitigate further erosion.

**Submitted By:**

**Robert C. Wunderlich, P.E.,  
Senior Managing Director**

**Approved By:**

**William E. Dollar  
City Manager**

**RESOLUTION NO.**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A DRAINAGE IMPROVEMENT DISTRICT AGREEMENT WITH THE SPRINGPARK HOMEOWNERS ASSOCIATION, INC., FOR THE CONSTRUCTION OF EROSION PROTECTION IMPROVEMENTS ADJACENT TO THE 6700 BLOCK OF LAKESHORE DRIVE; AND PROVIDING AN EFFECTIVE DATE.**

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

**Section 1**

That the City Manager is hereby authorized to execute a Drainage Improvement Agreement, in the form and substance attached hereto as Exhibit "A" and incorporated herein by reference, for the construction of erosion protection improvements adjacent to the 6700 block of Lakeshore Drive.

**Section 2**

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

**PASSED AND APPROVED** this the \_\_\_\_\_ of \_\_\_\_\_, 2012.

**CITY OF GARLAND, TEXAS**

---

Mayor

**ATTEST:**

---

City Secretary



# City Council Item Summary Sheet

☐ Work Session

Date: May 15, 2012

☒ Agenda Item

## TxDOT Selective Traffic Enforcement “Click It or Ticket”

### Summary of Request/Problem

Council is requested to adopt a resolution authorizing the City Manager to accept a State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Grant – “Click it or Ticket” consisting of conducting intense vehicle occupant protection enforcement in the amount of \$9,000.00. The required enforcement period will be May 21, 2012 – June 3, 2012. The Grant will be utilized to provide an even greater level of traffic safety for the citizenry of the City of Garland by potentially changing the driving habits of those who violate the laws related to vehicle occupant protection enforcement by reducing the number of injuries and fatalities related to motor vehicle accidents.

This item was considered by Council at the May 14, 2012 Work Session

### Recommendation/Action Requested and Justification

Approve a resolution authorizing the City Manager to accept the State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Grant “Click it or Ticket” for May 21, 2012 – June 3, 2012 in the amount of \$9,000.00.

**Submitted By:**

**Mitchel L. Bates**  
**Chief of Police**

**Approved By:**

**William E. Dollar**  
**City Manager**

**RESOLUTION NO.**

**A RESOLUTION ACCEPTING A TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) - CLICK IT OR TICKET (CIOT) GRANT IN THE AMOUNT OF \$9,000.00; AND PROVIDING AN EFFECTIVE DATE.**

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

**Section 1**

That the Garland City Council hereby accepts a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program - Click It Or Ticket (CIOT) Grant in the amount of \$9,000.00, for the purpose of vehicle occupant restraint enforcement during the period from May 21, 2012 through June 3, 2012.

**Section 2**

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

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

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



# City Council Item Summary Sheet

☐ Work Session

☒ Agenda Item

Date: May 15, 2012

## Deny Atmos Rate Change Request

### Summary of Request/Problem

Atmos Energy Corp. Mid-Tex Division filed with the City an application to increase natural gas rates pursuant to the Rate Review Mechanism. At the May 14, 2012 Work Session, Council was requested to consider an ordinance denying Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex") requested rate change.

### Recommendation/Action Requested and Justification

It is recommended that Council approve an Ordinance denying the Atmos Mid-Tex requested rate change.

Submitted By:

David Schuler  
Managing Director

Approved By:

William E. Dollar  
City Manager

## **ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF THE CITY OF GARLAND, TEXAS DENYING ATMOS ENERGY CORP., MID-TEX DIVISION'S ("ATMOS MID-TEX") REQUESTED RATE CHANGE; REQUIRING THE COMPANY TO REIMBURSE THE CITY'S REASONABLE RATEMAKING EXPENSES; REQUIRING NOTICE OF THIS ORDINANCE TO THE COMPANY AND ACSC'S LEGAL COUNSEL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Garland, Texas ("City") is a gas utility customer of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), and is a regulatory authority under the Gas Utility Regulatory Act ("GURA") and under Chapter 104, §104.001 et seq. of GURA, has exclusive original jurisdiction over Atmos Mid-Tex's rates, operations, and services within the City; and

**WHEREAS**, the City is a member of the Atmos Cities Steering Committee ("ACSC"), a coalition of over 150 similarly situated cities served by the Company that have joined together to facilitate the review and response to natural gas issues affecting rates charged in Atmos Energy Corporation's Mid-Tex Division; and

**WHEREAS**, pursuant to the terms of the agreement settling the Company's 2007 Statement of Intent to increase rates, ACSC and the Company worked collectively to develop a Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process controlled in a three-year experiment by ACSC as a substitute to the current GRIP process instituted by the Legislature; and

**WHEREAS**, ACSC and the Company agreed to extend the RRM process in reaching a settlement in 2010 on the third RRM filing; and

**WHEREAS**, in 2011, ACSC and the Company engaged in good faith negotiations regarding the continuation of the RRM process, but were unable to come to ultimate agreement; and

**WHEREAS**, on or about January 31, 2012, the Company filed a Statement of Intent with the cities retaining original jurisdiction within its Mid-Tex service division to increase rates by approximately \$49 million; and

**WHEREAS**, Atmos Mid-Tex proposed March 6, 2012, as the effective date for its requested increase in rates; and

**WHEREAS**, the City suspended the effective date of Mid-Tex's proposed rate increase for the maximum period allowed by law and thus extended the City's jurisdiction until June 4, 2012;

**WHEREAS**, on April 23, 2012, the Company extended the effective date for its proposed rates, which similarly extended the City's jurisdiction until June 11, 2012;

**WHEREAS**, ACSC Executive Committee hired and directed legal counsel and consultants to prepare a common response to the Company's requested rate increase and to negotiate with the Company and direct any necessary litigation; and

**WHEREAS**, ACSC's consultants conducted a review of the Company's requested rate increase and found justification that the Company's rates should be decreased; and

**WHEREAS**, ACSC and the Company have engaged in settlement discussions; and

**WHEREAS**, ACSC hopes to achieve settlement with the Company that perpetuates the RRM process prior to the expiration of City jurisdiction; and

**WHEREAS**, if ACSC and the Company are unable to reach agreement prior to June 11, 2012, the Company's proposed rates will automatically take effect; and

**WHEREAS**, the ACSC Settlement Committee recommends denial of the Company's proposed rate increase in order to continue settlement discussions pending the Company's appeal of cities' denials to the Railroad Commission of Texas; and

**WHEREAS**, the Gas Utility Regulatory Act § 103.022 provides that costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility.

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

### **Section 1**

That the rates proposed by Atmos Mid-Tex in its Statement of Intent filed on or about January 31, 2012, to be recovered through its gas rates charged to customers located within the City limits, are hereby found to be unreasonable and are therefore denied.

### **Section 2**

That the Company shall continue to charge its existing rates to customers within the City and that said existing rates are reasonable.

### **Section 3**

That the City's reasonable rate case expenses shall be promptly reimbursed by the Company.

### **Section 4**

That this Ordinance shall become effective immediately from and after its passage and approval, as the law and charter in such cases provide.

## **Section 5**

A copy of this Ordinance shall be sent to Atmos Mid-Tex, care of David Park, Vice President Rates & Regulatory Affairs, at Atmos Energy Corporation, Mid-Tex Division, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

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



# City Council Item Summary Sheet

☐ Work Session

Date: May 15, 2012

☒ Agenda Item

## Consulting Agreement with Ray Schwertner

### Summary of Request/Problem

At the January 3, 2012 Executive Session, Council discussed the reassignment of Ray Schwertner, the Managing Director of Electric Utility, to a consulting basis.

At the March 20, 2012 Regular Meeting, Council reviewed a draft agreement and authorized the City Manager to execute the draft agreement with Mr. Schwertner in substantially the form and substance of that presented to Council. At the request of Ray Schwertner, substantial revisions have been made to the draft agreement that require Council's approval.

### Recommendation/Action Requested and Justification

Approve by minute action the revised proposed consulting agreement with Ray Schwertner.

Submitted By:

Approved By:

William E. Dollar  
City Manager



# City Council Item Summary Sheet

☐ Work Session

Date: May 15, 2012

☒ Agenda Item

## Miller Road Bridge Project and Woodland Basin Nature Area/ Rowlett Creek Greenbelt

### Summary of Request/Problem

The Dallas County project for the construction of a new Miller Road roadway and bridge at Rowlett Creek needs the use of a very small portion of the Woodland Basin Nature Area adjacent to the existing right-of-way for roadway and bridge improvements. This will require a public hearing and a finding by the Council to meet the requirements of Chapter 26 of the Texas Parks and Wildlife Code.

At their May 2, 2012 meeting, the Park and Recreation Board concurred with the finding that there is no feasible and prudent alternative to the use of a small portion of the parkland for the proposed roadway and bridge replacement project and that all reasonable planning has been done to minimize harm to the park.

This item was considered by Council at the May 1, 2012 Work Session.

### Recommendation/Action Requested and Justification

Hold a public hearing and consider a resolution finding and determining the necessity and feasibility of using a parcel of property within Woodland Basin Nature Area for the improvement of Miller Road.

#### Submitted By:

**Jim Stone**  
**Managing Director**  
**Parks, Recreation & Cultural Services**

#### Approved By:

**William E. Dollar**  
**City Manager**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION FINDING AND DETERMINING THE NECESSITY AND FEASIBILITY OF USING A PARCEL OF PROPERTY WITHIN WOODLAND BASIN NATURE AREA FOR THE IMPROVEMENT OF MILLER ROAD; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Dallas County Public Works Department proposes to improve a section of Miller Road from a 25-foot wide asphalt pavement to four 12-foot wide concrete travel lanes with a new 1,200-foot long bridge spanning both Rowlett Creek and Old Rowlett Creek; and

**WHEREAS**, in order to accommodate the proposed project, based upon clearly enunciated local preferences, a portion of the Woodland Basin Nature Area will be used for the roadway improvements; and

**WHEREAS**, the existing Woodland Basin Nature Area parking lot and drive will be relocated and replaced with a new concrete parking lot and drive, a new park sign installed, a new concrete trail installed to the reconstructed canoe/kayak launch on Rowlett Creek, and a new 10-foot wide concrete trail constructed on the south side of the roadway and bridge that will connect Garland and Rowlett park areas; and

**WHEREAS**, the Texas Parks & Wildlife Department reviewed and approved, in April 2011, the proposed alteration of Woodland Basin Nature Area, and the U.S. Army Corps of Engineers, in March 2012, authorized the construction associated with the project under Section 404 of the Clean Water Act;

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

**Section 1**

That the City Council of the City of Garland, Texas, makes the following findings with respect to that portion of the Woodland Basin Nature Area used for roadway improvements:

1. There is no feasible and prudent alternative to the use of such portion;

2. The Miller Road project includes all reasonable planning to minimize harm to the open space area resulting from use of such portion;
3. The foregoing findings were made after notice and a public hearing as providing by law.

## **Section 2**

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

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2012.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

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



**File 12-16/District 5**

**Agenda Item:**

**Meeting: City Council**

**Date: May 15, 2012**

# Planning Report

---

## **WINKELMANN & ASSOCIATES**

**South of Marketplace Drive, East of Saturn Road and Northwest of Centerville Road**

### **REQUEST**

Approval of 1) a change of zoning from PD (Planned Development) District 81-61 to a Planned Development District for General Business Uses, 2) a Detail Plan for Athletic Club/Instruction, 3) a Specific Use Permit for Restaurant, Drive-Through, 4) a Detail Plan for Restaurant, Drive-Through and Medical Office/Clinic, 5) a variance to Section 10-200 of Comprehensive Zoning Ordinance No. 4647 regarding number of required parking spaces and 6) a variance to Section 25-600 of Comprehensive Zoning Ordinance No. 4647 regarding maximum building height.

### **OWNER**

Garland Eastgate II, LP (DCAD Records)

### **PLAN COMMISSION RECOMMENDATION**

On April 23, 2012 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of 1) a change of zoning from PD (Planned Development) District 81-61 to a Planned Development District for General Business Uses, 2) a Detail Plan for Athletic Club/Instruction, 3) a Specific Use Permit for Restaurant, Drive-Through, 4) a Detail Plan for Restaurant, Drive-Through and Medical Office/Clinic, 5) a variance to Section 10-200 of Comprehensive Zoning Ordinance No. 4647 regarding number of required parking spaces and 6) a variance to Section 25-600 of Comprehensive Zoning Ordinance No. 4647 regarding maximum building height.

The Plan Commission also approved variances to the IH 635 Development Standards regarding allowable area of attached signs, number of freestanding signs on one site, percentage of non-masonry materials, number of allowed building materials, parking in front of the building, building setbacks from property lines, landscape buffer depth and landscape buffer plantings.

### **STAFF RECOMMENDATION**

Approval of: 1) a change of zoning from PD (Planned Development) District 81-61 to a Planned Development District for General Business Uses, 2) a Detail Plan for Athletic Club/Instruction, 3) a Specific Use Permit for Restaurant, Drive-Through, 4) a Detail Plan for Restaurant, Drive-Through and Medical Office/Clinic, 5) a variance to Section 10-200 of Comprehensive Zoning Ordinance No. 4647 regarding number of required parking spaces for the LA Fitness site and 6) a variance to Section 25-600 of Comprehensive Zoning Ordinance No. 4647 regarding maximum building height for LA Fitness.

## **BACKGROUND**

The subject property is within the IH 635 Overlay and is zoned in a Planned Development District (PD 81-61) for Multi-Uses with a Detail Plan approved in 1981 for development of a Mervyn's store. Mervyn's operated for many years on the site, but closed several years ago and remains vacant. The applicant is proposing to demolish the vacant building and redevelop the site with an LA Fitness (Lot 3) and a building containing a Starbucks and Monarch Dental office (Lot 4). Lots 1 and 2 are proposed for future development. The request includes a Planned Development (PD) District for General Business Uses encompassing the entire 7-acre tract, a Detail Plan for the LA Fitness site, a Specific Use Permit (SUP) for Restaurant with Drive-Through to allow Starbucks, a Detail Plan for the Starbucks/Monarch Dental site, and variances to the Zoning Ordinance regarding parking and building height. The future development sites shown as Lots 1 and 2 are included within the proposed PD, but are not part of the Detail Plans. Future development of those tracts would require approval of Detail Plans through the public hearing process.

## **SITE DATA**

The entire subject property contains approximately 7.09 acres. The LA Fitness site (proposed Lot 3) contains 4.74 acres, the Starbucks/Monarch Dental site (proposed Lot 4) contains .84 acres, with the remaining 1.51 acres (shown as proposed Lots 1 and 2) reserved for future development. The overall site has approximately 660 feet of frontage along Saturn Road, 410 feet of frontage along Marketplace Drive and 475 feet of frontage along Centerville Road.

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

The Planned Development District currently in place on the property was initially part of a larger PD established in the 1970's to allow a mixture of uses, showing garden office and motel for the subject property. The PD was later revised and a Detail Plan approved for the Mervyn's store in 1981. Use of the property other than as shown on the Detail Plan for retail would require a change of zoning. Given the age of the existing PD and its obsolescence with regard to current zoning requirements and development standards, a new PD is required along with the proposed Detail Plans and Specific Use Permit.

## **SURROUNDING ZONING AND LAND USES**

North: Property to the north across Marketplace Drive is zoned in a Planned Development District (PD 83-66) and is developed with a shopping center.

East: Property to the east is zoned in a Planned Development District (PD 82-20) and is developed with various retail, office and personal services. Property to the southeast across Centerville Road is zoned in a Planned Development Districts (PD 02-48 and PD 71-119) and developed with various retail, office and personal services.

South: Property to the south is zoned in a Planned Development District (PD 79-28) and is developed with an IHOP restaurant.

West: Property to the west across Saturn Road is zoned in Planned Development Districts (PD 11-28 and PD 87-14). PD 11-28 is developing with a Golden Corral restaurant, and PD 87-14 is developed with medical offices.

## **COMPREHENSIVE PLAN**

The Envision Garland Future Land Use Map depicts the subject property as a Community Center within the Activity Center Building Block. Community Centers are described as 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. In addition, the Envision Garland Plan identifies this property as part of the Centerville Marketplace Catalyst Area and states that the City's overall strategy for this Area is to redevelop underutilized properties to increase density and quality. Redevelopment of the vacant, obsolete Mervyn's site with the proposed fitness center, restaurant and medical office uses is consistent with the vision and recommendations set forth by the Envision Garland Plan.

## **CONSIDERATIONS**

**1. PD and SUP:** The PD District would be tied to the General Business District as regulated by the IH 635 Overlay. A list of allowed uses is attached. The LA Fitness (Athletic Club/Instruction, Indoor) and the Monarch Dental clinic (Medical Office/Clinic) would be permitted by right. The Starbuck's (Restaurant, Drive-Through) would require approval of a Specific Use Permit. The drive-through restaurant is a compatible use at this location and would complement and support the surrounding retail and restaurant uses, including those on the subject property. Specific characteristics of the Starbuck's/Monarch site and building design are addressed by the Detail Plan, described in the subsequent considerations. In addition to the Detail Plans for the LA Fitness and Starbuck's/Monarch sites, the proposed PD also sets forth the requirement of a Detail Plan, approved through the public hearing process, for future development of the lots identified as 1 and 2.

**2. Detail Plan and Variances for LA Fitness Site:** The LA Fitness is located toward the southern end of the overall Planned Development District. The building would contain 45,000 square feet, facing east toward Centerville Road. The rear of the building would face Saturn Road. Direct access to the site would be provided from two drives off of Saturn Road, and two drives off of Centerville Road. The main entrance to the site would be from Centerville Road. Specific elements of the Detail Plan are described following.

**a. Building Design.** Proposed building elevations are attached. The building has been designed with emphasis on its appearance from all four directions, given its high visibility from the three adjacent thoroughfares as well as from other points within the PD and adjacent properties. At Staff's request, the applicant has added articulation and architectural elements to the west (rear) and south elevations to achieve a more four-sided appearance. Variances to the IH 635 Development Standards allowing more than two building façade materials and allowing an increase in the percentage (from 20% to 32%) of non-masonry material (textured tilt panel) were approved by the Plan Commission. Information was provided by the applicant to demonstrate that the textured tilt wall product proposed to be used on this project is similar in appearance to, and greater in durability than, EIFS. The proposed use and arrangement of building materials

is consistent with the intent of the Standards to create a harmonious and pleasing facade.

Section 25-600 of the Comprehensive Zoning Ordinance limits the maximum height of buildings in the General Business District to 30 feet. The proposed maximum height of the LA Fitness building is 36 feet, 6 inches to the top of the highest parapet and 44 feet, 4 inches to the top of the crown above the front entrance. The proposed building height is appropriate for the use, and is compatible with surrounding development.

**b. Building Placement.** A variance was granted by the Plan Commission to allow the dumpster enclosure for the LA Fitness to be placed closer than 20 feet to the right-of-way of Saturn Road. The dumpster enclosure is located at the rear of the building adjacent to the right-of-way, at the southwestern corner of the site. There is no alternative location on the site that is accessible to the building and can be appropriately accessed by the collection truck without placing it in a location that is highly visible from the building entrance and frontage along Centerville Road. In addition to providing the required dumpster screening device, the applicant has added landscaping around the enclosure to obscure its visibility from Saturn Road.

**c. Attached Signage.** The IH 635 Development Standards limit the allowed sign area of attached signs on the LA Fitness building to 325 square feet (1.5 times the width of the main entrance (front) wall). The Plan Commission approved a total attached sign area of 700 square feet to more clearly identify the building elevations from adjacent thoroughfares and properties.

**d. Parking.** Section 10-200 of the Comprehensive Zoning Ordinance sets forth the requirement for the number parking spaces. The proposed LA Fitness is classified as Athletic Club/Instruction, Indoor Facilities. The parking requirement for this use is 1 space for each 100 square feet of gross floor area. With 45,000 square feet of floor area proposed this development is required to provide 450 parking spaces. The applicant is requesting a variance to reduce the required parking to 334 spaces, yielding a parking ratio of 1 space for each 135 square feet of floor area. The applicant has submitted a parking analysis (attached to this report) justifying the parking reduction based on proposed activities and usage, and on parking counts at comparable LA Fitness facilities. A parking variance was granted in 2003 for development of the Lifetime Fitness at 5602 Naaman Forest Boulevard. That variance established a parking ratio of 1 space for each 200 square feet of gross floor area. If that ratio is applied to the proposed LA Fitness, 225 spaces would be required.

The Plan Commission approved a variance to increase the amount of parking allowed in front of the building from 15% as limited by the IH 635 Development Standards. This variance allows 159 spaces (48%) in front of the building. The intent of the requirement is to avoid large expanses of parking lot in front of the building along the street frontage. In this case, because of the way the building is situated at an angle on the lot with respect to Centerville Road and behind the Starbuck's/Monarch building and the existing retail building on the adjacent lot to the east, only 41 spaces (12%) are located directly between the LA Fitness building and Centerville Road.

**e. Landscaping.** The IH 635 Development Standards requires a landscape buffer 30 feet in depth adjacent to Saturn and Centerville Roads, as they are type C and B thoroughfares, respectively. Furthermore, 1 Shumard Oak,

minimum 4 inch caliper must be provided for each 30 linear feet of frontage. Along Saturn Road, the applicant has provided the required 30 foot landscape buffer behind the building, between the south property line and the entrance drive north of the building. North of the entrance drive to the north property line (a distance of approximately 105 feet), the buffer depth is 10 feet, as approved by the Plan Commission. This portion of the site is adjacent to existing parking which the applicant is proposing to utilize. The applicant has, however, met the buffer tree planting requirement. Along Centerville Road, the required buffer depth is provided only adjacent to the southmost driveway. Five Shumard Oaks are proposed to augment 3 existing canopy trees. A variance was approved by the Plan Commission for both the buffer depth as well as for the required tree plantings. All other landscaping and screening elements as depicted on the Landscape Plan are in compliance with, or exceed, the IH 635 Development Standards.

**3. Detail Plan and Variances for Starbuck's/Monarch Site:** The Starbuck's/Monarch site is located on the eastern side of the overall Planned Development District, fronting Centerville Road. The building would contain 5,000 square feet and house both the Starbuck's drive-through restaurant and the Monarch Dental clinic. The rear of the building would face the LA Fitness parking area. Direct access to the site would be provided from two drives off of Centerville Road, with additional access provided off of Saturn Road along the north side of the LA Fitness building. Specific elements of the Detail Plan are described following.

**a. Building Design.** Proposed building elevations are attached. As with the LA Fitness building, this building has been designed with emphasis on its appearance from all four directions, given its high visibility from the LA Fitness site, from Centerville Road and from adjacent properties. At Staff's request, the applicant has added articulation and architectural elements to the northwest (rear) elevation to achieve a more four-sided appearance.

A variance to the IH 635 Development Standards was granted allowing three primary materials (brick, stone and EIFS) on this building. Each of the four elevations complies with the Standards' masonry requirement, exceeding the minimum 50% primary masonry requirement through the use of brick or stone. The proposed use of EIFS complies with the secondary masonry limitation of no greater than 50%. The proposed maximum height of the Starbuck's/Monarch building is less than the allowed maximum of 30 feet.

**b. Building Placement.** The dumpster enclosure for the Starbuck's/Monarch building is located behind the building, 5 feet from the rear property line (also the front property line of the LA Fitness building) and adjacent to a small portion of the side property line. The Plan Commission approved a variance to the 15 foot setback requirement as there is no alternative location on the site that is more appropriately situated with respect to access and visibility. In addition to providing the required dumpster screening device, the applicant has added landscaping around the screen to obscure its visibility from the LA Fitness site.

**c. Attached Signage.** Based on the width of the front wall, a total of 120 square feet of attached signage is permitted on the Starbuck's/Monarch building. The applicant has not provided the proposed attached signage, but has indicated it will comply with the Standards.

**d. Parking.** Section 10-200 of the Comprehensive Zoning Ordinance sets forth the requirement for the number parking spaces. The proposed Starbuck's is required to provide 8 parking spaces plus 1 per 50 square feet of seating area, for a total requirement of 20 spaces. The Monarch Dental clinic is required to provide 1 parking space per 200 square feet of gross floor area, or 16 spaces. The total parking required for the building is 36 spaces, and 36 are provided.

**e. Landscaping.** The IH 635 Development Standards requires a landscape buffer 30 feet in depth adjacent to Centerville Road, a type B thoroughfare, with 1 Shumard Oak, minimum 4 inch caliper, provided for each 30 linear feet of frontage. As approved by the Plan Commission, a landscape buffer is not provided along Centerville Road except on either side of the drive entrances. Seven trees (4 Shumard Oak and 3 existing canopy trees) are located in these areas in conjunction with parking lot screening and landscaping. The applicant is proposing to utilize existing parking which extends to the street right-of-way. All other landscaping and screening elements as depicted on the Landscape Plan are in compliance with, or exceed, the IH 635 Development Standards.

**4. Freestanding Signage for Overall Site.** Because LA Fitness and Starbuck's/Monarch Dental will share common access from Saturn and Centerville Roads they are defined as one site by the IH 635 Development Standards for the purpose of freestanding sign regulation. As such, the overall site is allowed one freestanding sign or two monument signs. The Plan Commission approved a variance allowing one monument sign to be located on the LA Fitness site at the entrance drive off Saturn Road, and an existing pole sign situated on the Starbucks/Monarch site at the main entrance to the overall site on Centerville Road to remain.

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

The subject property is located within a large area of established and developing retail, restaurant and personal and professional service uses, and has proximity to existing and proposed multi-family residential development. It has frontage on two major arterials (Centerville Road and Saturn Road) which provide direct access to IH 635 and a major collector (Marketplace Drive) linking the site to surrounding development. The property is well-situated for the proposed uses, and is compatible with the surrounding zoning and land uses. Additionally, the development will provide needed support services to nearby single- and multi-family residential neighborhoods.

Prepared By:

Anita Russelmann  
Assistant Director of Planning

Date: May 2, 2012

Reviewed By:

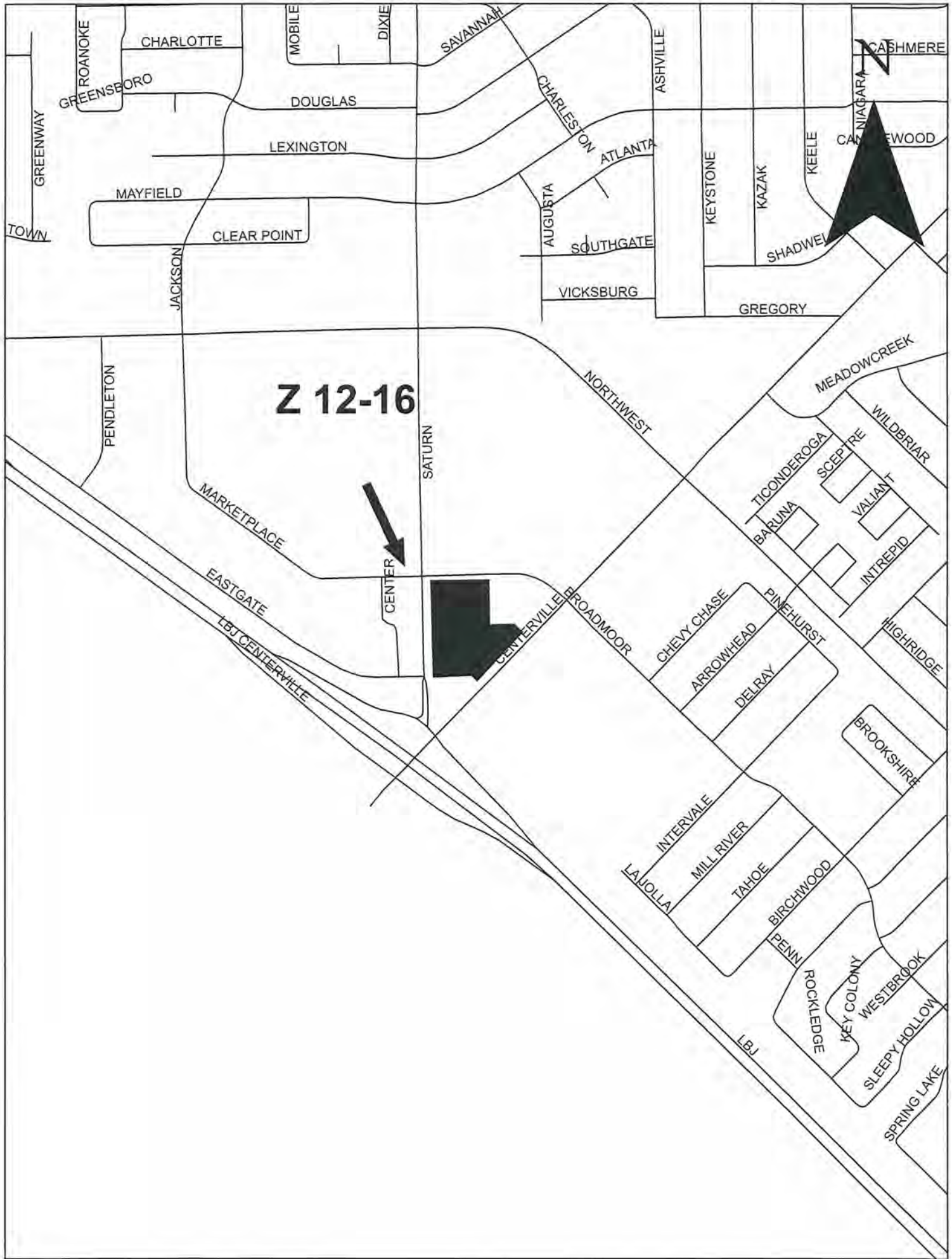
Neil Montgomery  
Director of Planning

Date: May 3, 2012

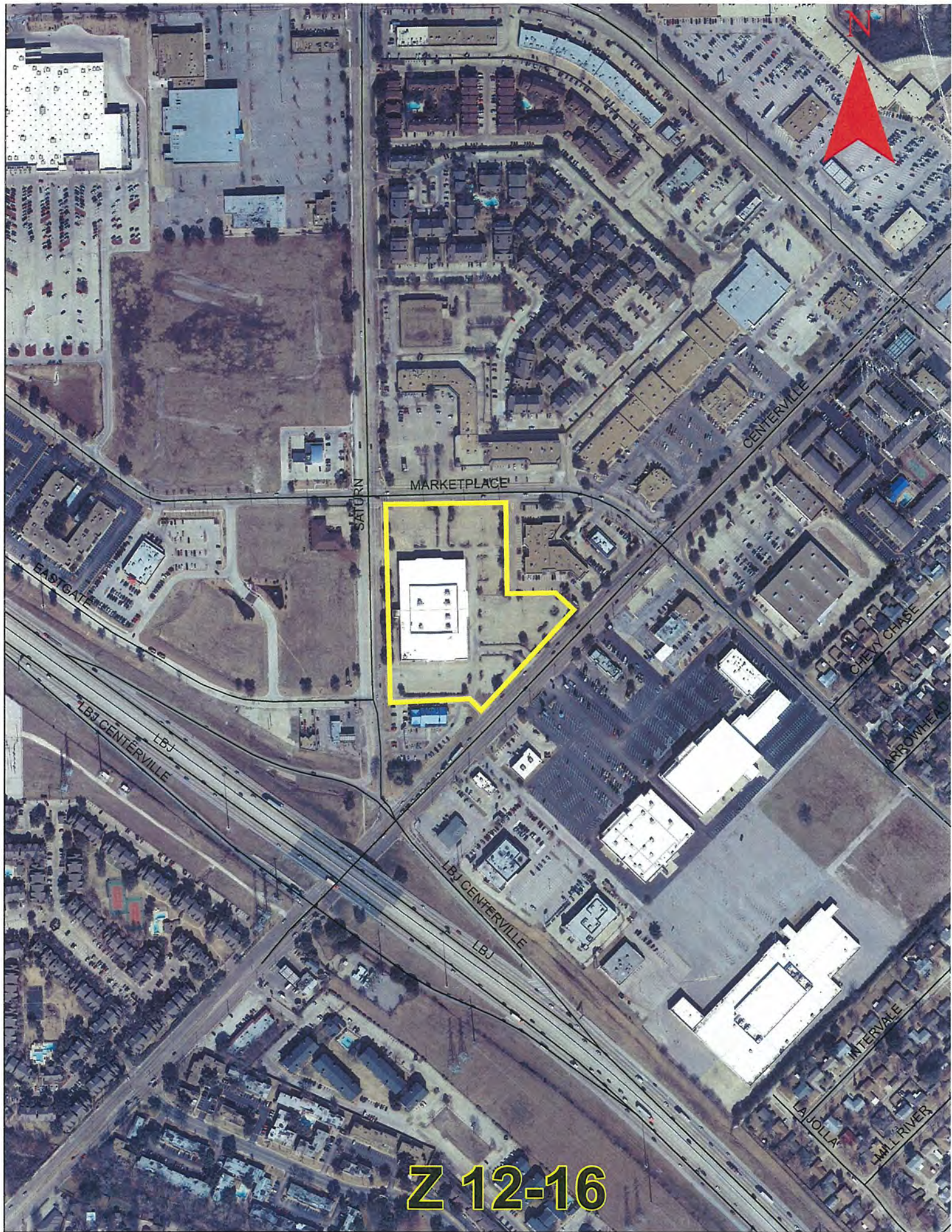
Reviewed By:

William E. Dollar  
City Manager

Date: May 7, 2012







Z 12-16

## ZONING FILE 12-16

### South of Marketplace Drive, East of Saturn Road and Northwest of Centerville Road

#### Planned Development Conditions

- I. **Statement of Purpose:** The purpose of this Planned Development District is to permit the development of General Business Uses subject to conditions.
- II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the General Business (GB) District set forth in Section 25, 32 and 47 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.

#### IV. Development Plans:

- A. Detail Plan: Development of Lots 3 and 4 shall be in general conformance with the Detail Plan identified as Exhibit C. Should there be any conflict between the Detail Plan and the written conditions below, the conditions shall prevail.

Approval of a Detail Plan is required for development of Lots 1 and 2, prior to issuance of a permit for construction.

#### V. Specific Regulations:

- A. Permitted Uses: Permitted uses are allowed as provided by the General Business District of the IH 635 Overlay.

Specific Use Permit: A Specific Use Permit for a Restaurant with Drive-Through is granted for Starbuck's (Lot 4) as depicted on the Detail Plan.

- B. Parking: The off-street parking requirement for the Athletic Club/Instruction (Lot 3) shall be 334 spaces. A total of 159 spaces may be provided in front of the building as depicted on the Detail Plan. Parking for development on Lots 1, 2 and 4 shall be provided as required in Zoning Ordinance 4647 and as depicted on the Detail Plan (Lot 4).
- C. Building Elevations: Building design and materials shall be in conformance with the elevations for LA Fitness (Exhibit D) and Starbuck's/Monarch (Exhibit E).

1. The LA Fitness building elevations shall be permitted up to 32% non-masonry material (textured tilt panel) as shown on Exhibit D.

#### EXHIBIT B

2. The number of permitted primary building facade materials shall be allowed to exceed two, and shall be as shown on Exhibits D and E.
- D. Location of Dumpster Enclosures: Dumpster enclosures shall be placed on Lots 3 and 4 as shown on the Detail Plan.
- E. Attached Signage: A total of 700 square feet of attached signage shall be permitted on the LA Fitness building, as depicted on the elevations (Exhibit D). Attached signage for the Starbuck's/Monarch building shall be in conformance with the IH 635 Development Standards.
- F. Freestanding Signage: One monument sign shall be allowed on the LA Fitness site (Lot 3) in the location along Saturn Road depicted on the Detail Plan, and of a size and height that conforms with the IH 635 Development Standards. The existing pole sign on the Starbuck's/Monarch site (Lot 4) shall be allowed to remain and be refaced.
- G. Landscape Buffer: The landscape buffer and buffer plantings required along both Saturn Road and Centerville Road shall be as shown on the Landscape Plan (Exhibit F).
- H. Building Height: Maximum building height of the LA Fitness building shall be 45 feet. Building height for all buildings shall be in conformance with the building elevations (Exhibits D and E).
- I. IH 635 Development Standards: The site shall comply with all regulations found in the IH 635 Development Standards Ordinance 5565 unless otherwise noted in these PD conditions.

FOR REVIEW ONLY

- VARIANCES REQUIRED**
1. REDUCE REQUIRED LANDSCAPE BUFFERS FROM 30' TO DIMENSIONS SHOWN ON ALL STREETS
  2. REDUCE REQUIRED DRIVEWAY THROAT DEPTH AS SHOWN
  3. REDUCE MINIMUM ISLAND END CAP WIDTH FROM 8' TO THOSE SHOWN
  4. INCREASE REQUIRED DRIVEWAY SPACING ON SATURN AS SHOWN
  5. MODIFY REQUIRED DRIVEWAY SPACING ON CENTVILLE AS SHOWN.
  6. ALLOW MARKETPLACE DRIVE ROW TO REMAIN 60'
  7. MAX BUILDING HEIGHT ON LOT 3 TO BE 45'
  8. APPROVE PARKING PROVIDED AS SHOWN

**BENCHMARKS**  
CITY OF GARLAND GPS MONUMENT #38  
NORTH 70072959.02 EAST 2534690.61 ELEVATION 1000.00  
CITY OF GARLAND GPS MONUMENT #39  
NORTH 7003762.01 EAST 2538207.25 ELEVATION 1000.00

TBM #1

SQUARE CUT IN CURB INLET EAST SIDE OF SATURN ROAD  
APPROXIMATELY 50'± SOUTH OF PLAZA DRIVE, ELEVATION = 563.95

ZONING	ALL LOTS (PD BULK)	SITE DATA TABLE			LOT 4
		LOT 3			
	SITE AREA	205,576	SF	36,683	SF
	AREA (AC.)	4.71	AC	0.842	0
	EXISTING BUILDING AREA	7,500	SF	0	SF
	PROPOSED BUILDING AREA	45,000	SF	1,809.5F	3,700 SF
	LOT COVERAGE PROVIDED	22%			16%
	REQUIRED PARKING RATIOS	RETAIL 1:100			REST/EDUC/MEDICAL
	REQUIRED PARKING	450		20	16
	PROVIDED PARKING	332			36
	LOADING AREAS REQUIRED	0		0	0
	LOADING AREAS PROVIDED	0		0	0
	HAZARDOUS WASTE STORAGE REQUIRED	8		2	2
	HANDICAP PARKING PROVIDED	8		2	2

Medical is 1/700, and Restaurant with Drive through is 1/50 seated area

•FOR DUMPSTER DETAILS SEE SHEET A202

\*FOR SIGN DETAILS SEE SIGNAGE PLAN ATTACHED



VICINITY MAP

### LEGEND

- |    |                    |     |                          |        |
|----|--------------------|-----|--------------------------|--------|
| PP | Power Pole         | IRF | Iron Rod                 | Found  |
| GW | Ground Wire        | SS  | Sanitary Seer            |        |
| MH | Manhole            | SW  | Storm Seer               |        |
| WV | Water Valve        | TF  | Transformer              |        |
| TP | Telephone Pedestal | OM  | Gas Meter                |        |
| WM | Water Meter        | LC  | Lock                     |        |
| LP | Light Pole         | UT  | Underground Traffic Sign | Marker |
| IV | Irrigation Valve   | UCC | Underground Cable Marker |        |
| CC | Clean Out          | IA  | Inspection Area          |        |
| AC | Air Conditioner    | IN  | Barrier Free Ramp        |        |
| TV | Cable Box          | BFR |                          |        |
| SB | Signal Box         |     |                          |        |

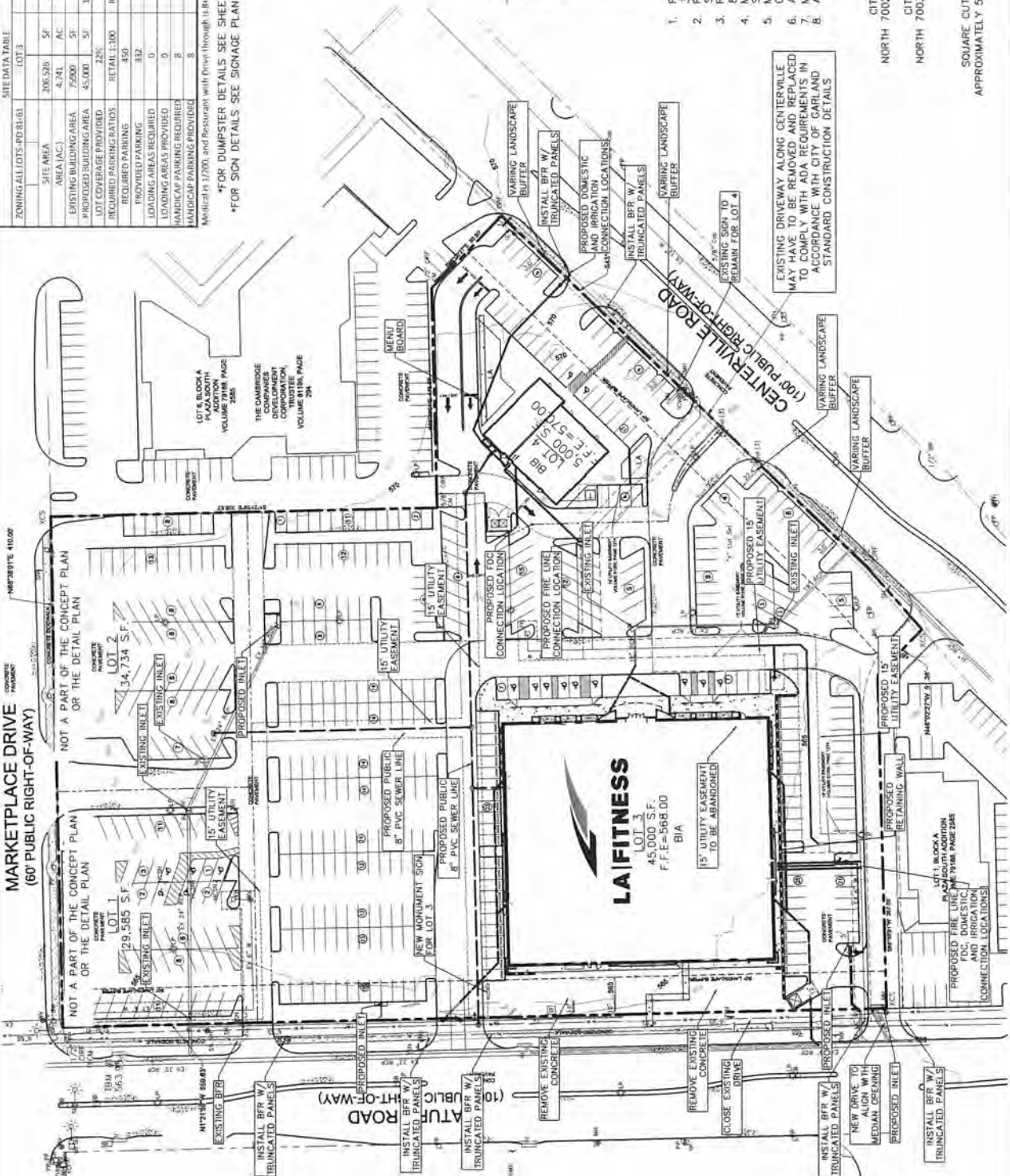
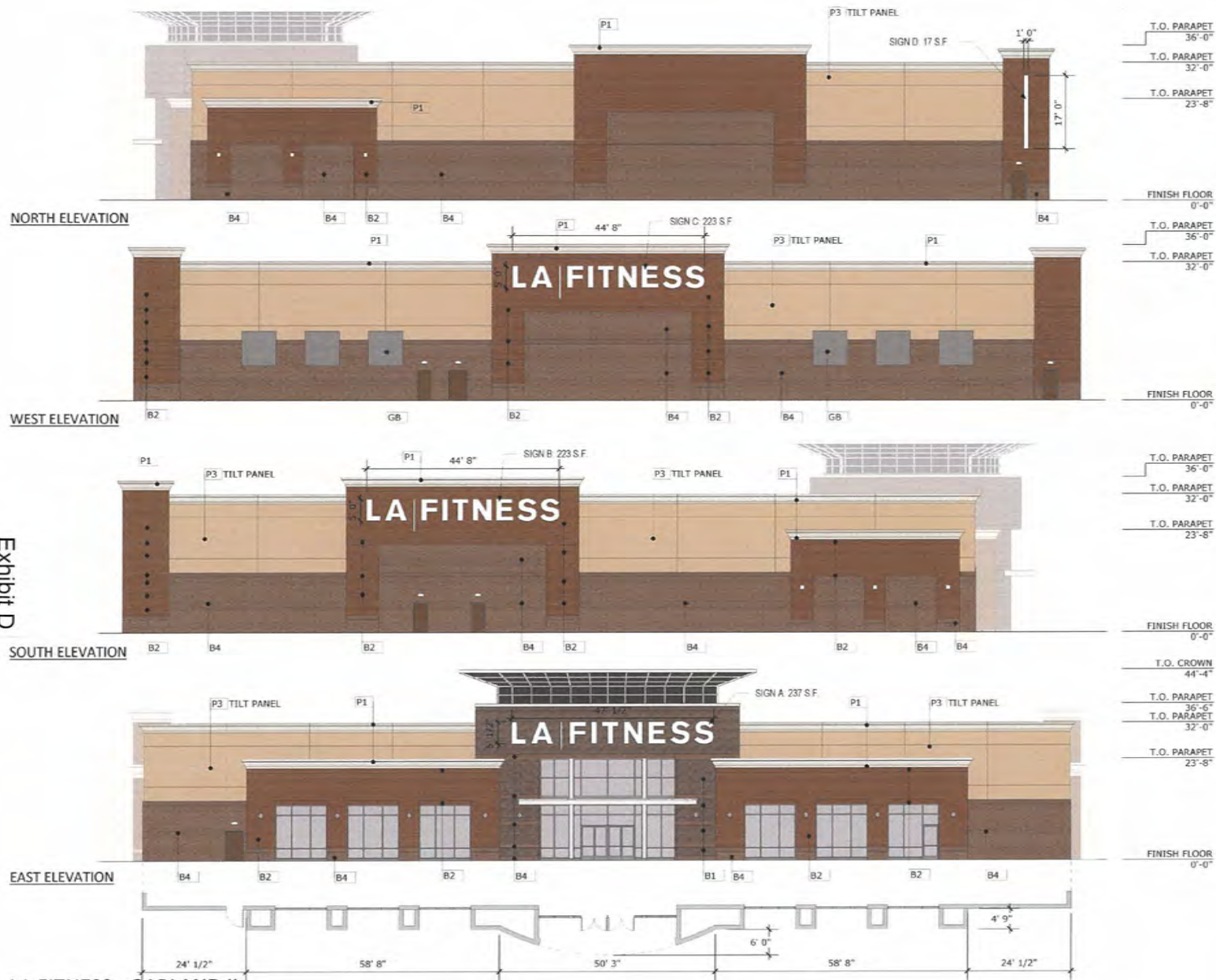


Exhibit C

T.O. PARAPET  
36'-0"T.O. PARAPET  
32'-0"T.O. PARAPET  
23'-8"FINISH FLOOR  
0'-0"T.O. PARAPET  
36'-0"T.O. PARAPET  
32'-0"FINISH FLOOR  
0'-0"T.O. PARAPET  
36'-0"T.O. PARAPET  
32'-0"T.O. PARAPET  
23'-8"FINISH FLOOR  
0'-0"T.O. CROWN  
44'-4"T.O. PARAPET  
36'-6"T.O. PARAPET  
32'-0"T.O. PARAPET  
23'-8"FINISH FLOOR  
0'-0"P1  
PAINT  
ICI  
WHITE SWANP2  
PAINT  
ICI  
SNOWFIELDP3  
PAINT  
ICI  
HIGHLAND PLAINSP4  
PAINT  
ICI  
CREME BRULEEP5  
PAINT  
ICI  
BROWN STRIPEB1  
BRICK  
WATSONTOWN  
"SCARSDALE"B2  
BRICK  
WATSONTOWN  
"TIMES SQUARE"B4  
BRICK  
WATSONTOWN  
"BELVIDERE"GB  
GLASS BLOCK

**NORTH ELEVATION**

TOTAL FACADE: 6635 SF  
DOORS AND GLAZING: 23 SF  
CALCULATED FACADE: 6612 SF

BRICK: 4337 SF (4337/6612 = 65.6%)  
TILT PANEL: 1745 SF (1745/6612 = 26.4%)  
EIFS: 527 SF (527/6612 = 7.9%)  
METAL: 0 SF

**WEST ELEVATION**

TOTAL FACADE: 7333 SF  
DOORS AND GLAZING: 461 SF  
CALCULATED FACADE: 6872 SF

BRICK: 4106 SF (4106/6872 = 61.1%)  
TILT PANEL: 2191 SF (2191/6872 = 31.9%)  
EIFS: 405 SF (405/6872 = 7.1%)  
METAL: 0

**SOUTH ELEVATION**

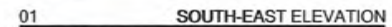
TOTAL FACADE: 6594 SF  
DOORS AND GLAZING: 47 SF  
CALCULATED FACADE: 6547 SF

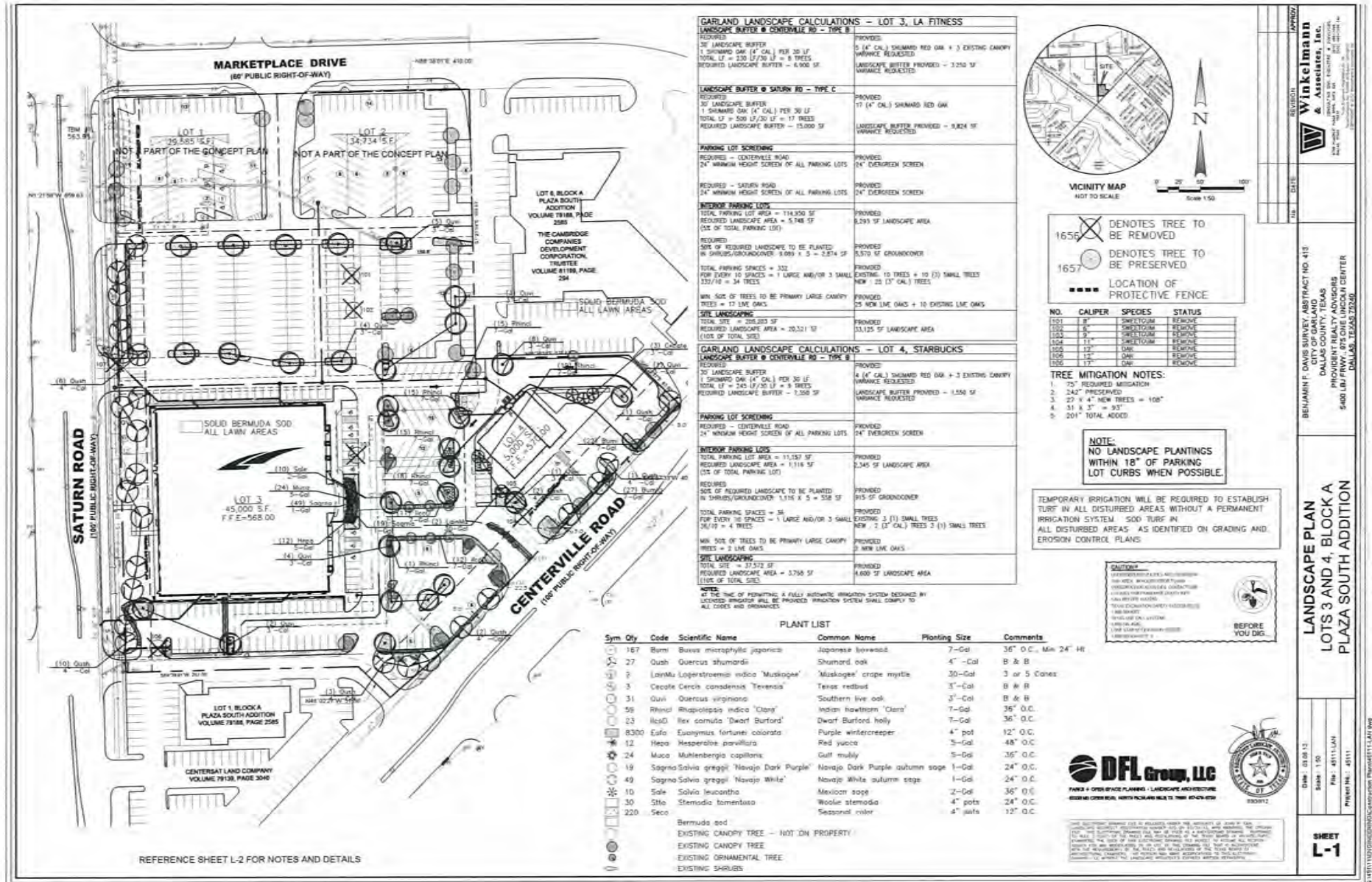
BRICK: 4299 SF (4299/6547 = 65.7%)  
TILT PANEL: 1725 SF (1725/6547 = 26.3%)  
EIFS: 524 SF (524/6547 = 8.0%)  
METAL: 0 SF

**EAST ELEVATION**

TOTAL FACADE: 7616 SF  
DOORS AND GLAZING: 1616 SF  
CALCULATED FACADE: 6000 SF

BRICK: 3409 SF (3409/6000 = 56.8%)  
TILT PANEL: 1404 SF (1404/6000 = 23.4%)  
EIFS: 595 SF (595/6000 = 9.9%)  
METAL: 500 SF (500/6000 = 8.3%)





## IH 635 OVERLAY DISTRICT

### **GB (General Business) District**

Ambulance Service  
Animal Clinic  
Antenna, Commercial Type 1  
Antenna, Commercial Type 2\*  
Antenna, Private  
Athletic Club/Instruction, Indoor Facilities  
Athletic Club/Instruction, Outdoor Facilities  
Automobile Repair, Minor\* (not within 500 feet of residential district)  
Batching Plant, Temporary  
Car Wash (attended only)  
Church  
College or University  
Commercial Amusement, Indoor\*  
Commercial Amusement, Outdoor\*  
Commercial School\*  
Convenience Store\* (5-17-05, Ord. 5899)  
Convention Facility  
Custodial Quarters\*  
Drug Store/Pharmacy  
Dry Cleaner  
Electric Substation\*  
Financial Institution  
Furniture and Appliance Sales  
Grocery/Supermarket  
Home Improvement Center  
Kindergarten, Preschool or Child Care Center\*  
Laundromat  
Library  
Massage Therapy/Physical Therapy  
Medical and Surgical Appliances  
Medical Laboratory  
Medical Office/Clinic  
Movie Theater/Theater\*  
Museum or Art Gallery  
Office Equipment Sales, Repair and Maintenance\*  
Office, General  
Optical Dispensary  
Pet Sales and Grooming  
Printer, Small Scale  
Radio, TV, Recording Studio  
Repair and Service Shop  
Restaurant (10-19-04, Ord. 5856)  
Restaurant, Drive-Through\* (10-19-04, Ord. 5856)  
Retail Sales with Gas Pumps\* (5-1-01, Ord. 5560)  
Retail Sales/Personal Service  
Schools, Public and Private  
Tire Dealer, No Outside Storage\*  
Transit Station  
Wrecker Service (one)





April 10, 2012

**City of Garland**

Anita Russelman

Assistant Director of Planning

Re: 1201 West Centerville Road, Plaza South Addition, Lot 2A, Block A  
Parking Variance to current zoning PD-8161

Ms. Russelman,

We appreciate your consideration reviewing our parking reduction request. We believe the current requirement @ 1 space / 100 sf to be highly conservative for a fitness center. We are confident that the information recapped below will illustrate that we can adequately self-park during our peak periods with 334 parking spaces in our area of control and 370 spaces overall. In addition to the actual parking numbers recapped below, there are a number of general concepts that are important to understand as follows:

- The 1 space/100 sf ratio far exceeds actual demand for our pool/locker/rest rooms, basketball, and racquetball activity areas that encompass over 16,000 sf and are occupied by a relatively few number of members at any time.
- We don't have provisions for spectator viewing/seating.
- The dressing/shower areas are support areas to the activity and sport court areas. In other words, the same members are either working out or showering/dressing in sequential fashion.
- At early morning and evening peak periods, we have the ability to utilize shared parking.

As justification for our request, we analyzed the existing LA Fitness clubs nationwide that are co-tenants in a shopping center. This was accomplished by tallying actual member check-ins. Generally, it takes a few years to build membership. If we benchmarked with TX only clubs, the check in numbers would most likely be reduced. Per the table below, our peak usage is in the evening between 5 – 7 pm. As noted in the daily tallies that are attached, as the week

City of Garland

April 10, 2012

progresses, our usage drops off and is lightest during the weekend, the times that the overall center is probably the busiest.

The Club Average numbers indicate that if every member drove in their own car during the 5 – 7 pm peak period and stayed for 1.5 hours, we would require 182 (121 x 1.5 hrs) member spaces + approximately 12 employee spaces for a total of 194 spaces (vs 334 spaces in our parking field alone). We are confident that our proposed parking count will serve the facility and members as well.

LA Fitness Member Daily Visits: Selected Clubs Cotenant w/ Large Retail Users

Club	Overall	AM Peak	Mid-Day	PM Peak	Evening
	(member check-in counts are hourly, averaged across noted time span )				
	Daily	5 AM - 9 AM	10 AM - 4 PM	5 PM - 7 PM	8 PM - 10 PM
La Habra, CA (various cotenants*)	1,145	27	71	111	50
South Lake, GA (Barnes & Noble,)	932	30	59	96	73
South Miami, FL (various cotenants**)	1,307	34	89	152	65
West Oaks, TX (Kroegers)	996	15	60	130	103
Cypress, TX (Randalls)	703	21	49	92	28
Cerritos, CA (Home Depot)	1,486	52	82	142	87
Club Averages	1,095	30	68	121	68

\* Office Max, Denny's, Drug Emporium, Oshman's, Regal Cinemas, Wells Fargo

\*\* AMC Theatre, Niketown, Virgin Megastore, Barnes & Noble

In addition to the Garland site plan, we included site plans for the centers that are incorporated in our study, as well as the number hourly count members that are summarized above.

We understand time is of the essence; please let us know if we can provide you with any additional information that will help. We look forward to your input and hopeful approval. If you should need any additional information, please feel free to contact me via my direct line at 972-236-6821 or [robertl@lafitness.com](mailto:robertl@lafitness.com).

City of Garland

April 10, 2012

Thank you in advance for your consideration and assistance.

Sincerely,

Robert E. Lee,  
Vice President of Development  
LA Fitness International, LLC

Attachments: Garland LA Fitness Site Plan  
Member Daily Counts: Clubs Cotenant w/ Large Retail Users  
Site Plans for Clubs Cotenant w/ Large Retail Use

## REPORT & MINUTES

P.C. Meeting, April 23, 2012 (9 Members Present)

Consideration of the application of Winkelmann & Associates, requesting approval of 1) a change of zoning from PD (Planned Development) District 81-61 to a Planned Development District for General Business Uses, 2) a Detail Plan for Athletic Club/Instruction, 3) a Specific Use Permit for Restaurant, Drive-Through, 4) a Detail Plan for Restaurant, Drive-Through and Medical Office/Clinic, 5) variances to the following sections of the IH 635 Development Standards (Ordinance No. 5565): 5.1) Section 34.21(C)(4)(b)(i) regarding the maximum allowable area of attached signs; 5.2) Section 34.21(C)(3)(a)(i) regarding the maximum number of allowed freestanding signs on one site; 5.3) Section 34.18(B)(2) regarding the maximum percentage of non-masonry materials; 5.4) Section 34.18(B)(1) regarding the maximum number of allowed building materials; 5.5) Section 34.19 (C)(2) regarding parking in front of the building; 5.6) Section 34.19(A)(2)(a)(i) regarding minimum setbacks from property lines not adjacent to a street; 5.7) Section 34.19(A)(1)(a)(ii) regarding minimum setbacks from property lines adjacent to a street; 5.8) Section 34.20(B)(1) regarding landscape buffer depth; 5.9) Section 34.20(B)(1)(a)(i) regarding landscape buffer plantings, 6) a variance to Section 10-200 of Comprehensive Zoning Ordinance No. 4647 regarding number of required parking spaces and 7) a variance to Section 25-600 of Comprehensive Zoning Ordinance No. 4647 regarding maximum building height. The property is located east of Saturn Road, south of Marketplace Drive, and northwest of Centerville Road. (File 12-16)

Making the presentation for the applicant was, Maria C Bonilla, 6750 Hillcrest Plaza Drive, Ste 325, Dallas.

Also available for questions was Steven Grissen of L A Fitness, 1701 Northwest Hwy, Dallas.

The questions and discussion centered on the variances regarding attached signage and free-standing signs, the feasibility of increasing the landscape buffer along Centerville Road by removing additional parking spaces and on the amount of parking needed.

**Motion** was made by Commissioner Welborn, seconded by Commissioner Moore to **approve** 1) the Planned Development for General Business uses, 2) a Detail Plan for Athletic Club/Instruction, 3) a Specific Use Permit for a Restaurant with Drive-Through, 4) a Detail Plan for Restaurant, Drive-Through and Medical Office/Clinic, 5) variances regarding the maximum percentage of non-masonry material, the maximum number of allowed building materials, parking in front of the building, minimum setbacks from property lines not adjacent to a street & adjacent to a street, landscape buffer depth, landscape buffer plantings, number of required parking spaces, and maximum building height as outlined by the applicant. In addition, a variance was approved to allow 700 square feet of attached signage on the L A Fitness and, a variance was approved to allow an existing pole sign off Centerville Road to remain and one new monument sign at the entrance off Saturn Road. **Motion carried: 9 Ayes, 0 Nays.**





# GARLAND

April 12, 2012

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

**HEARING DATE/TIME:** Plan Commission: April 23, 2012 – 7:00 PM

**APPLICANT:** Winkelmann & Associates, File 12-16

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 23, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Winkelmann & Associates** requesting approval of 1) a change of zoning from PD (Planned Development) District 81-61 to a Planned Development District for General Business Uses, 2) approval of a Concept Plan, 3) approval of a Detail Plan for Athletic Club/Instruction, 4) approval of a Specific Use Permit for Restaurant, Drive-Through, 5) approval of a Detail Plan for Restaurant, Drive-Through and Medical Office/Clinic, 6) approval of variances to Sections 34.18, 34.19, 34.20 and 34.21 of the IH 635 Development Standards (Ord. #5565) regarding the allowable area of attached signs, the number of freestanding signs on one site, the percentage of non-masonry materials, the number of allowed building materials, the required building façade offset, parking in front of the building, setbacks from property lines, landscape buffer depth and landscape buffer plantings, and 7) approval of variances to Sections 25-600 and Section 10-200 of Comprehensive Zoning Ordinance #4647 regarding building height and number of required parking spaces. The property is shown on the enclosed sketch and is described as follows:

BEING a 7.088-acre parcel identified as Lot 2-A, Block A of the Plaza South Addition, an addition to the City of Garland, Dallas County, Texas as recorded in Volume 811252, Page 1274 of the Deed Records of Dallas County. This property is located south of Marketplace Dr., east of Saturn Rd. and northwest of Centerville Rd. (District 5)

**Note: The applicant requests approval of the change of zoning, Concept Plan, Detail Plans, Specific Use Permit and variances to develop a fitness center, drive-through restaurant and medical office.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. Should you have any questions, please contact Anita Russelmann at 972-205-2445.

(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

---

---

---

(Please complete the following information)

Your Property Address

AMERICAN CARRIERS, INC.

Printed Name

1411 EASTWATE DR GARLAND TX 75041

Address

City, State

Zip

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

Signature

Date:

Billy Lewis  
4/18/12

Title

OWNER



# Planning Report

---

## **COLUMBUS REALTY PARTNERS, LTD**

**Northeastern corner of River Fern Avenue and Horseshoe Drive**

### **REQUEST**

Approval of 1) a Detail Plan for Multi-Family Uses; 2) amendments to the Planned Development (PD) District conditions; and 3) a variance to the Zoning Ordinance Section 10-200 regarding minimum parking requirements for multi-family uses.

### **OWNER**

Columbus Realty Partners, Ltd.

### **PLAN COMMISSION RECOMMENDATION**

On April 23, 2012, the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of the above request, as well as variances to the SH190 Development Standards to accommodate this style of urban, compact multi-family development that was clearly not anticipated by many of the specific requirements of the SH190 Development Standards.

### **STAFF RECOMMENDATION**

Staff recommends approval of 1) a Detail Plan and conditions for Multi-Family Uses for property zoned Planned Development (PD) District for Freeway Uses (02-25), with changes as described within the attachments; 2) amendments to the Planned Development (PD) conditions in order to provide for the proposed development and to modify or remove language that is not applicable to this tract or this development proposal, as described in Exhibit B; and 3) a variance to the Zoning Ordinance No. 4647 regarding parking requirements.

The proposed multi-family development is a second phase to the existing Parkside at Firewheel development and grows the residential component of Firewheel Town Center. The addition of another phase of residential units enhances the mixed-use environment and the proposed design responds well to the design intent and character of the existing town center development, including Parkside at Firewheel.

### **BACKGROUND**

The subject property along with other surrounding properties was rezoned in 2002 to a Planned Development (PD) District for Freeway Uses, File 02-25, from a Planned Development (PD) District for Shopping Center Uses, File 94-06. This City Council action occurred in order to amend the allowed uses and to reflect the revised open air, town center concept for the mall development on the 291-acre site. The revised Concept Plan consisted of eight tracts (the subject property is located within Tract F). In 2003 the Detail Plan was approved for the property to the south to allow for the construction of the revised town center design on a 103-acre tract of land, File 03-53.

In 2005, the City Council approved the development of a 312-unit multi-family development, with ground-floor retail, on the adjacent tract to the east of the subject property. The development was completed and currently operates as Parkside at Firewheel apartments.

The applicant is requesting approval of a Planned Development (PD) District (File 12-19) and Detail Plan to allow for a multifamily development on the subject property. Amendments to the existing Planned Development (PD) District conditions are recommended in order to provide for the proposed building setbacks, façade articulation and design, and miscellaneous changes to modify or remove language that is not applicable to this development proposal.

## **SITE DATA**

The subject property is 3.998 acres, fronting approximately 572 feet along River Fern Drive. The subject property is bounded by Firewheel Parkway to the north, River Fern Drive to the south, and Town Square Boulevard and Horseshoe Drive to the east and west, respectively. The Firewheel Town Center is located immediately to the south.

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

Development is restricted to the development standards and permitted uses of the Planned Development (PD) District for Freeway Uses, File 02-25. The Planned Development permits the development of a town center-styled regional shopping mall and complementary peripheral development.

## **SURROUNDING ZONING AND LAND USES**

North: Property to the north is zoned Planned Development (PD) District for Freeway Uses, File 02-25, and is undeveloped to the northeast with a GP&L substation located to the northwest.

East: Property to the immediate east is zoned Planned Development (PD) District for Multi-family Uses, File 05-60, and contains the 312-unit Parkside at Firewheel development.

South: Property to the immediate south is zoned Planned Development (PD) District for Freeway Uses, File 03-53/12-08, and contains the Firewheel Town Center development.

West: Property to the immediate west is zoned Planned Development (PD) District for Freeway Uses, File 02-25, and is undeveloped. Property further west is zoned Planned Development (PD) District File 03-61 and developed with the retail complex known as Firewheel Market.

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

The surrounding Firewheel Town Center development contains predominately retail and commercial uses, although an existing multi-family development is

located immediately adjacent to the east. The intent of the Planned Development is to provide for retail, office, and residential components which complement each other and assist in producing the vibrant environment needed for a regional destination. The proposed residential development is compatible with and complements the town center concept with a focus on urban design and pedestrian scale. The design and architecture of the proposed structures are compatible with that of the existing Town Center development as well as the adjacent multi-family development.

## **COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland 2030 Comprehensive Plan indicates the subject property is within a Regional Center designation. The Firewheel Town Center development is a prime example of this designation, which provides a higher concentration of activity and contains a mix of uses, including residential components. Regional Centers are compact developments that incorporate walkable site design and an enhanced public realm. The proposed multi-family development contributes to these Regional Center aspects of the Firewheel Town Center and therefore meets the recommendations of the Comprehensive Plan.

## **CONSIDERATIONS**

**1. Unit Mix.** The residential portion of the development consists of 281 dwelling units, or 70.3 units per acre. The project will include a maximum of 32 efficiency units, 166 one-bedroom units, and 83 two-bedroom units. Efficiency units will be no less than 495 square feet, one-bedroom units no less than 600 square feet, and two-bedroom units no less than 1,050 square feet. The attached Detail Plan provides a detailed matrix on apartment sizes and mix.

The Plan Commission approved the following variance:

Section 34.18(D)(1) of the SH190 Development Standards prohibits efficiency units. The applicant requested a variance from this requirement to provide a mix of unit types to residents. No more than 32 efficiency units will be included in the development. (Parkside at Firewheel, Phase I, was permitted no more than 28 efficiency units.)

**2. Parking.** Section 10-200 of Zoning Ordinance 4647 requires a minimum of two (2) parking spaces per multi-family unit. The applicant has requested that City Council grant a variance to this requirement, to provide one (1) parking space per bedroom, or a minimum of 364 parking spaces. The site plan, as proposed, meets this requirement and contains 369 parking spaces within the attached parking structure and immediate on-street parking, combined. (Parkside at Firewheel, Phase I, was granted this same variance to the same parking ratio of one space per bedroom.)

**3. Site Plan and Architecture.** Architecture is another important component to this type of urban style and pedestrian oriented mixed-use development. It is crucial that the architecture of the proposed development is compatible and consistent with the Town Center. The proposed elevation drawings are attached. The structures, including parking garage, contain many of the design elements and techniques that are called for in the Planned Development (PD) District (File

02-25) design intent section and are prevalent throughout the existing Town Center development. The structures appear to be compatible with the overall architectural theme of the Town Center.

The Plan Commission approved the following variances:

Section 34.19(D)(1) of the SH190 Development Standards requires a portion of multi-family buildings to be set at an angle from the right-of-way. The applicant requested a variance from this requirement, to position the buildings parallel to existing streets to conform to the more urban and compact development style of Firewheel Town Center. (Parkside at Firewheel, Phase I, was granted this variance.)

Section 34.19(A)(1)(a)(ii) of the SH190 Development Standards requires a thirty foot (30') minimum setback from all rights-of-way. The applicant requested a variance from this requirement to 20 feet along the north edge of the property and 10 feet on the east and west edges of the property, in order to conform to the more urban and compact development style of Firewheel Town Center. (Parkside at Firewheel, Phase I, was granted variances to 10 feet on the east and west sides. No variances to the north or south side were requested or approved for Phase I.)

Section 34.18(D)(3)(b) of the SH190 Development Standards requires a minimum roof pitch of 5:12 for all multi-family buildings. The applicant requested a variance from this requirement and has proposed a minimum roof pitch of 4:12, as illustrated in Exhibit E, Elevations. (Parkside at Firewheel, Phase I, was granted this variance.)

Section 34.18(D)(2) of the SH190 Development Standards provides for a maximum height of 31 feet for multi-family buildings. The applicant requested a variance from this requirement and has proposed a maximum height of 65 feet, in order to accommodate the 4-story building as proposed. (Parkside at Firewheel, Phase I, was granted a variance to a maximum height of 53 feet.)

Section 34.18(B)(5) of the SH190 Development Standards limits opening in each side of the parking structure façade to no more than 52 percent of the total façade area. The applicant requested a variance to this requirement, and proposes a maximum of 57 percent, as illustrated in Exhibit E, Elevations. Parkside at Firewheel, Phase I, did not request this variance.

Section 34.18(B)(4) of the SH190 Development Standards requires buildings with a linear frontage greater than 80 feet to have no less than 30 percent of the total area of their facades set back or forward a minimum of 4 feet. The applicant requested a variance of this requirement for the eastern building only. Approximately 8 percent of the building's façade is offset the required 4 feet, along the River Fern Drive façade, as shown in the Detail Plan. The western building meets the façade offset requirement. (Parkside at Firewheel, Phase I, was granted a variance to allow for those urban-style buildings to be built as proposed, in a similar design to this proposal.)

**4. Building Materials.** The applicant proposes a mixture of masonry, including brick and cast stone, as well as stucco and cementitious panels or boards, for the exterior of the structures, as indicated on the attached Detail Plan. As proposed,

the overall building envelope is 45 percent masonry, 41 percent stucco, and 4 percent cementitious panels or boards. The remaining 10 percent of the perimeter is the parking garage structure. Individual façade materials are indicated on the attached color elevations. Brick and cast stone make up the remainder of the exterior. The existing Town Center development is a combination of masonry, primarily brick and cast stone, and an Exterior Insulation and Finish System (EIFS), while the Firewheel Market development to the west is primarily brick.

**5. Landscaping.** The Planned Development conditions stipulate that street trees be included to define the streets and provide for a comfortable pedestrian environment by providing height and shade in these areas. Furthermore, site landscaping shall be provided in order to enhance the pedestrian and resident environment. The proposed Detail Plan indicates street trees along the perimeter of the entire site, including a staggered row of trees along Firewheel Parkway, as well as ample landscaping within the three (3) enclosed courtyard areas, as illustrated in the attachments.

The Plan Commission approved the following variances:

Section 34.20(B)(1) of the SH190 Development Standards prohibits parking to be placed within any landscape buffer and prohibits the width of sidewalks within the calculation of ten (10) foot landscape buffers. The applicant requested a variance from these requirements to allow for on-street parking and sidewalks, as shown on the Detail Plan, within the landscape buffers along the property's perimeter. Street trees and landscaping will be provided according to the attached Landscape Plan, including trees within islands within the on-street parking areas. On-street parking and sidewalks are common throughout Firewheel Town Center and are consistent with the design intent of the overall development. (Parkside at Firewheel, Phase I, was granted a similar variance to allow of on-street parking and the placement of sidewalks within the landscape buffers.)

Section 34.20(B)(3)(a)(iii) of the SH190 Development Standards requires a minimum of 40 percent of the site to be devoted to landscaping, open spaces, pools, and other similar outdoor activity areas. The applicant requested a variance from this requirement, to provide 38 percent of the site to be devoted to landscaping, open space, and resident amenities, as illustrated on the Detail Plan.

**6. Resident Services and Amenities.** The proposed development will be operated and managed in tandem with the existing Parkside at Firewheel (Phase I) located immediately to the east. Residents of both developments will have access to amenities and services at both properties. Leasing operations will be done from one office, located in Phase I.

The Plan Commission approved the following variance:

Section 34.18(D)(5) and (6) of the SH190 Development Standards require a clubhouse of no less than 3,500 square feet and two (2) swimming pools for a multi-family development of this unit count. The Detail Plan indicates one pool and less than 3,500 square feet of clubhouse space within the proposed development. The applicant requested variances from these requirements, as residents of the proposed development will also have access to the existing

clubhouse and pool amenities at Phase I of Parkside at Firewheel. Additionally, due to the mixed-use nature of the adjacent Firewheel Town Center, residents will have a variety of amenities in proximity to the project. (Parkside at Firewheel, Phase I, was granted a variance to provide less than the required 3,500 square feet of clubhouse amenity space, however Phase I does contain clubhouse space, including a fitness center.)

**7. Additional Variances.** Additional variances from the SH190 Development Standards were requested by the applicant and approved by the Plan Commission, as follows:

Section 34.18(D)(3)(c) prohibits roof-mounted air conditioning equipment. The applicant requested a variance from this requirement and has proposed that roof-mounted equipment be permitted on the internal side of the pitched roof, so that the equipment is not visible from the surrounding rights-of-way. The adjacent multi-family development was granted this variance and has placed its roof-mounted equipment on the internal side of its pitched roof.

Section 34.18(D)(3)(d) requires a portion of top-floor units to have vaulted ceilings. The applicant requested a variance from this requirement. The applicant stated that this design feature is not appropriate for its urban or infill projects and that there is no market-driven need for the feature. Typical ceiling heights are planned to be 9 feet or higher.

Section 34.18(D)(4) requires that each unit have direct access to an enclosed storage facility. The applicant requested a variance from this requirement, and has provided 2,300 square feet of easily-accessible enclosed storage areas throughout the development for shared use by residents. The locations of these storage areas are indicated on the Detail Plan.

Section 34.20(B)(2)(b) requires that each dwelling unit have a security system. The applicant requested a variance from this requirement, as the buildings will have controlled-access security for residents and guests only.

Parkside at Firewheel, Phase I, was granted all of the above variances for a development product that is very similar to what is being proposed under this request.

Prepared By:

Daniel Krzyzanowski  
Senior Comprehensive Planner

Date: May 2, 2012

Reviewed By:

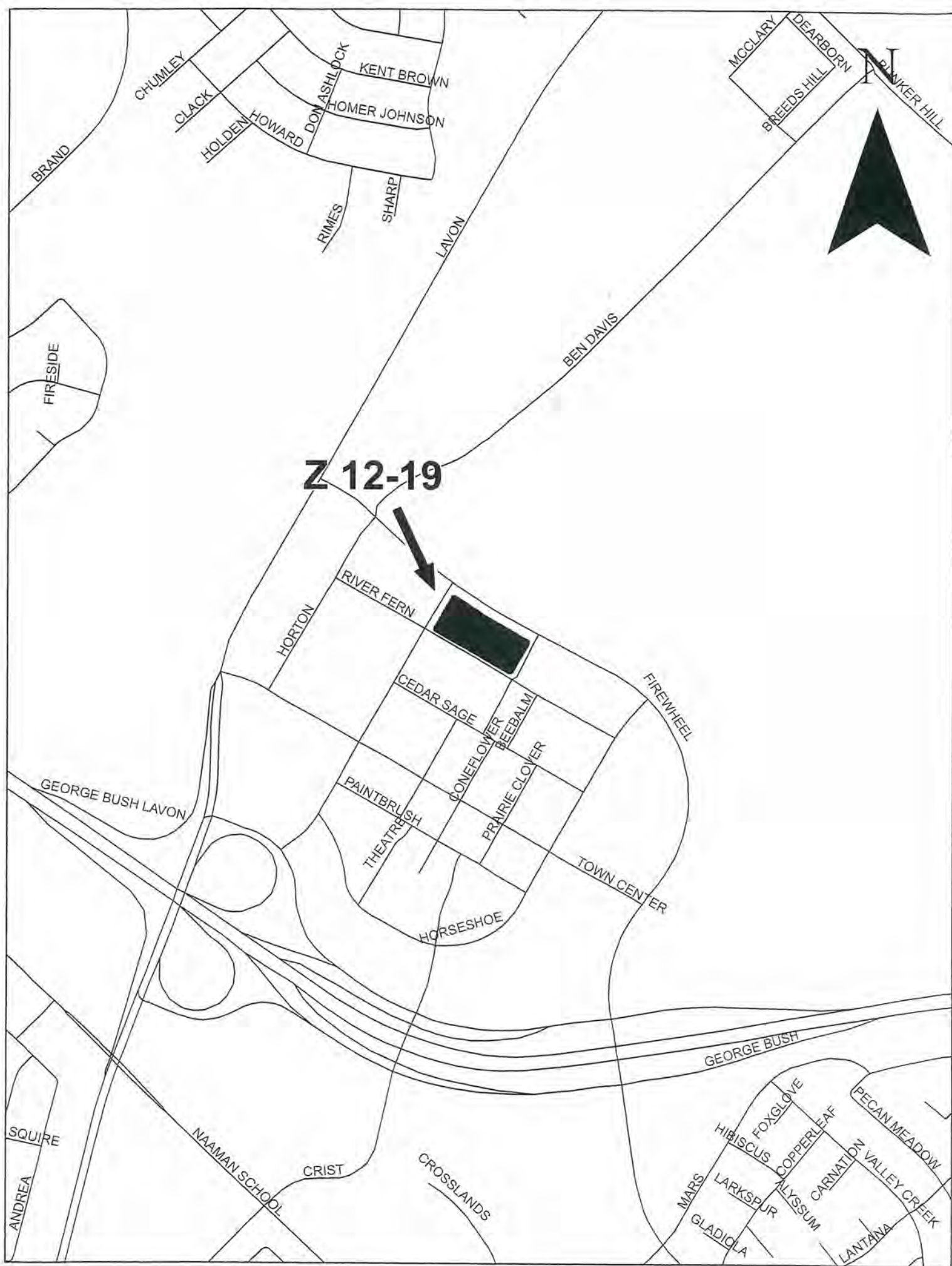
Neil Montgomery  
Director of Planning

Date: May 3, 2012

Reviewed By:

William E. Dollar  
City Manager

Date: May 7, 2012





SCALE IN FEET

0 200 400 Feet

1" = 400'

INDICATES  
AREA OF REQUEST

**ZONING**  
**Z 12-19**



Z 12-19

## PLANNED DEVELOPMENT REQUIREMENTS

### File 12-19

- I. **Statement of Purpose:** The purpose of this Planned Development District is to permit a multifamily development in conjunction with the Firewheel Town Center regional shopping mall and complementary peripheral development, subject to approval of a Detail Plan with conditions consistent with this ordinance.
- II. **Development Design Intent:** The intent in the design is to create a mixed use development containing multifamily uses in conjunction with the existing regional destination shopping, dining, and entertainment center. The design intent of the mixed use development and town center as a whole is as follows.
  - A. An open-air, town center atmosphere at the core of the development will create a unique, pedestrian-oriented, mixed-use style of development that will set it apart from other shopping centers in the area.
  - B. The core of the development will feature pedestrian-friendly sidewalks, convenient parking, and carefully placed public areas such as courtyards and plazas that are capable of serving as gathering spots and display areas.
  - C. The core of the development will be linked through clearly legible vehicular and landscaped pedestrian pathways that connect to peripheral development within the district and are carefully integrated into the existing transportation systems and the surrounding environment.
  - D. The relationships between the pedestrian-oriented core, town-center and peripheral buildings, interconnected street and pathway systems, and surrounding community will be carefully planned and easily legible.
  - E. There will be a unifying architectural theme with respect to massing, façade details, materials and roof details, as well as language of design elements that will apply to all development within the District.
  - F. Convenient parking at the front of stores along the pedestrian-oriented, main-street area and elsewhere throughout the development will be landscaped and designed so as not to dominate the development, with comfortable and continuous pedestrian pathways connecting to all buildings and community gathering places within the development.
  - G. Landscaping within the development shall create and shape comfortable public spaces and traffic circulation patterns, but never to act as a barrier to pedestrian connections.
- III. **Statement of Effect:** This Planned Development District shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to the adoption of this ordinance, except as specifically provided herein.

**IV. General Regulations:** All regulations of the FW (Freeway) District as set forth in Sections 31 and 46 of the Comprehensive Zoning Ordinance, Ordinance No. 4647, are included by reference and shall apply except as otherwise specified in this ordinance.

**V. Development Plans:**

- A. Detail Plan: Development shall be in conformance with the Detail Plan (Exhibit C) set forth by these requirements (File 12-19), including all attachments referenced herein.
- B. The Director of Planning shall have authority to review models, mockups, paint and finish colors, and materials selection for the entire development prior to, during construction, and after completion, and require changes as necessary and appropriate.

**VI. Development Design Principles and Guidelines:**

**A. Design Principles**

- 1. **Mixed-Use:** The town center district shall provide a mixed-use development containing multifamily, retail, and restaurant uses to accompany the variety of shopping, dining, entertainment, and other commercial functions of the town center development. Uses within the town center development should be compatible and complementary with one another in scale and relationship to the street. Uses that serve both community and regional demand may be established. Uses may change within a building both horizontally and vertically.
- 2. **Public Space:** The streets are the most important public space within the development and the building massing and orientation shall reinforce and enhance the streetscape by creating quality public spaces and pedestrian corridors.
- 3. **Street Walls/Facades:** To achieve a quality public space, the buildings along a street shall compose a suitable street wall. Building facades shall be articulated to create a human scale and provide visual interest. A distinction between ground floors and upper floors shall be established. The street façade shall be permeable, with accessible pedestrian paths into and through buildings, providing access from the Main Street Area and any other parking areas.
- 4. **Street Aesthetics:** The Main Street Area of the town center development should be recognized as the primary public space. Its design and appearance shall reflect the importance of this space through the use of materials, street trees, lighting, signs and information systems, landscaping, furnishings, furniture and parking.
- 5. **Street Pattern:** The street pattern shall be highly connected within the development and to the surrounding street pattern. Continuous, clearly legible, vehicular and pedestrian pathways shall

be established from the perimeter to the core of the district. Buildings, plazas, squares, traffic calming devices and other landmarks shall be used to provide legibility and character to the street pattern within the District.

6. **Parking Areas:** Parking areas shall be designed to mitigate conflicts with adjacent streets, to manage traffic circulation into and throughout the parking area, to avoid large expanses of pavement, and to provide safe and comfortable pedestrian pathways through and around parking areas. Internal circulation shall be well defined. Large parking areas shall provide adequate pedestrian circulation within the site.

## **B. Design Guidelines**

### **1. Building Design:**

- There shall be a unified architectural theme used for all buildings within the Core Building Area of the town center development.
- Buildings in the peripheral development area of the town center shall be architecturally compatible with the theme of the Core Building Area.
- Buildings shall incorporate "four sided" architectural designs.
- Blank walls shall be avoided within the District.

### **2. Building Orientation:**

- Buildings shall create coherent and well shaped public space next to it.
- Buildings shall also be placed to shield large parking areas from interior streets.
- Entries of buildings shall be directly connected to the street and large parking areas.

### **3. Building Materials:**

- Exterior building materials and colors must be aesthetically pleasing and in keeping with a unified architectural theme within the District.
- Buildings shall be constructed of durable and long lasting materials.

### **4. Building Height and Roof Line:**

- Building height and roof lines shall be in keeping with a unified architectural theme within the District.

- Roof lines shall be variable in terms of shape, pitch, materials, and height in order to avoid long expanses of flat, similar roof lines.
5. Building Lines and Set Backs:
- Buildings shall be placed to create well-shaped pedestrian spaces and a sense of continuity and unity along a street.
6. Public Spaces:
- Public spaces shall be well designed and prominently located in close proximity to buildings within the District.
  - Public spaces shall be designed for the comfort of pedestrians.
  - Public spaces may be designed as terminal views for streets and pedestrian pathways.
7. View Corridors:
- Buildings and streets shall be designed so that views are maintained of landmarks and distinctive buildings in the District from adjoining perimeter roads.
8. Parking Areas:
- Parking areas shall be subdivided so as to avoid large expanses of pavement.
  - Parking areas shall be provided with direct pedestrian connections to buildings and streets.
  - Parking areas shall be attractively landscaped.
9. Paving Materials:
- Paved surfaces shall be constructed of durable and long lasting materials.
  - Paving materials shall be in keeping with a unified architectural theme within the District.
  - Paving shall be articulated through changes in surface materials.
10. Street Trees:
- Street trees shall be placed to provide comfortable pedestrian pathways and to help define streets and other vehicular pathways.
  - Street trees shall be a type that provides height and shade.

11. Pedestrian Pathways:

- Sidewalks, pedestrian and other pathways shall be comfortable, continuous, connected and wide enough to allow pedestrian passage between street amenities and building face.

12. Screening:

- Screening of loading and docking facilities, trash receptacles, outdoor storage areas and other accessory uses shall be done in keeping with a unified architectural theme within the District.

13. Landscaping:

- Landscaping within the District is an important element in the unified design theme of the district.
- Landscaping shall be used to manage and guide vehicles and pedestrians and to create aesthetically pleasing public spaces.

14. Lighting:

- Parking lot lighting shall be designed and placed to provide safety and comfort while preventing the upward diffusion of light.
- The specifications of light fixture shall be uniform in streets and parking areas and compatible with the architectural theme of the District.
- The use of accent lighting is encouraged on all buildings and amenities

15. Signs:

- Signs within the District are an important element in the unified design theme of the District.
- Signs shall be designed so as to safely and effectively direct the movement of vehicles and pedestrians within the District.
- Signs shall be designed and placed within the District to provide a minimum disruption of views into and within the District.

**VII. Specific Regulations:**

A. Permitted Uses: Only the following uses shall be permitted:

Multi-Family Dwelling

Ancillary uses to the multi-family dwelling, including but not limited to: parking structures, leasing office, amenity spaces, swimming pools, and related outdoor areas.

B. Multi-Family Component

1. The proposed multi-family development shall be permitted no more than 282 residential units at a maximum density of 71 units per acre. No more than 32 of the units shall be efficiency units.

The one-bedroom apartments shall be a minimum of 600 square feet. The two-bedroom apartments shall be a minimum of 1,050 square feet. The efficiency units shall be a minimum of 495 square feet. All units shall be apartments for rent.

2. The minimum roof pitch ratio shall be 4:12.
3. The maximum height of the multi-family buildings shall be 65 feet from finish floor elevation.
4. The minimum required parking for the multi-family component shall be at a ratio of one (1) space per bedroom.
5. Roof mounted air conditioning equipment shall be permitted and screened accordingly with these Planned Development Conditions and SH 190 Development Standards. Roof mounted air conditioning equipment shall be on the interior slope of the courtyards, not visible from any public right-of-way or area.
6. The multifamily complex shall not be required to provide an enclosed storage facility for each dwelling unit which has direct access provided from the unit. The storage facilities that are provided shall be no less than 2,300 square feet, total, as shown on the Detail Plan. These units shall be conveniently accessible to residents.
7. Each dwelling unit shall not be required to have individual security systems; however, all entry and exit points shall be controlled access.
8. The multi-family building shall be placed at an angle of 90 degrees to all four property lines. The multi-family building shall have elevation enhancements to minimize the appearance of a long monotonous building alignment. The exterior building elevations shall be as illustrated in Exhibit E, Elevations.

C. Building Materials

1. A mixture of masonry, including brick and cast stone, as well as stucco and cementitious panels or boards, for the exterior of the structures. In total, the buildings' perimeter façade shall be no less than 45 percent masonry. Stucco, cast stone, and cementitious panels or boards will make up the remainder of the exterior. Exterior building elevations and materials are illustrated in Exhibit E, Elevations.
2. There shall be no less than two and no more than four basic materials in addition to glass used on any single building, one of which shall be masonry. The requirement regarding the maximum

number of building materials shall not apply to the store front of a building. The store front is generally defined as the primary public entrance, but can include expanses of adjacent walls that are similarly treated.

3. The use of painted block (standard or split face) is prohibited on exterior building walls and on screening walls. These provisions shall apply to any wall surface which is not screened from ground level public view.
4. If the wall of a building is screened from ground level public view, requirements regarding building materials shall not apply. If the building wall is partially screened, tilt wall construction may be permitted subject to approval of the Planning Director. The use of landscaping as a screen will be considered subject to approval of the Planning Director.

C. Building Design

1. All buildings shall have the working drawings required for a building permit prepared by an architect registered in the State of Texas.
2. All building improvements constructed within the property shall employ "four-sided architecture"; comparable materials shall be used on all exposed sides of a building and no lesser quality materials shall be used for the rear or any side of a building unless such side is screened from ground level view from a street or parking lot by another building or building wing or a screening wall of sufficient height to screen nonconforming materials.
3. All rooftop equipment shall be screened from ground level public view by locating the equipment on the interior slope of the roof, facing the internal courtyards, with screening. The equipment and screening shall not project above the roof ridge.
4. Architectural designs should incorporate the use of pilasters, quoins, projected awnings (plastic, high gloss or backlit awnings are prohibited), solid canopies, bay windows, towers or other architectural features which encourage diversity and articulation of wall surfaces; roof lines should be in keeping with the coordinated architectural theme and variable in terms of shape, pitch, materials and height, in order to avoid long expanses of flat similar roof lines.
5. No outdoor trash containers or freestanding trash container enclosures shall be permitted on the tract. All trash containers shall be contained within the parking garage structure.
6. Buildings shall incorporate lighting and changes in mass, surface, or finish to give emphasis to entrances.
7. Balconies may project over pedestrian walkways and setbacks.
8. The top floor of any building shall contain a distinctive finish, consisting of a cornice or other architectural termination, as illustrated in Exhibit E, Elevations.

**EXHIBIT B**

9. The back of a building may not face Firewheel Parkway unless said building is designed with four-sided architecture.

D. Building Setbacks

1. All buildings shall be setback a minimum of 30 feet from the south property line, a minimum of 20 feet from the north property line, and a minimum of 10 feet from the east and west property lines, as illustrated in the Detail Plan. The applicant requests a variance from Section 34.19 to allow for the placement of the structure within the above setbacks and as shown on the Detail Plan.
2. All other setbacks shall be as set forth in the Comprehensive Zoning Ordinance and the S.H. 190 Development Standards.

E. Signage

1. Detached signage, including but not limited to monument and pylon signs, shall not be permitted on the site. Awning and blade (projecting) signs are permitted.
2. No temporary (other than for lease/tenant announcement) or painted sign, paper sign, flag, banner or streamer shall be permitted at any time.
3. Attached signage shall be allowed on no more than three sides of a building and shall be limited to one per street frontage for the purpose of property identification.
4. Attached signage is limited to the first story only. Supplemental decorative second story (or above) signage shall not be permitted.
5. An attached sign shall have a maximum sign area of one-half times the width of the building width with a maximum area of thirty-five (35) square feet.

F. Glare and Illumination

1. The color and style of all poles and fixtures shall be uniform and compatible with the architecture of the buildings on-site and within the Town Center as a whole.
2. Lighting levels shall be a minimum maintained value of 1.5 foot-candles anywhere within paved surface areas of parking lots. The maximum maintained value anywhere within paved surface areas of parking lots shall not exceed 15 foot-candles. There shall be no minimum for areas which are not paved surfaces of parking lots. Illumination shall be uniformly distributed throughout the lighted area at a maximum-to-minimum uniformity of 5:1. Illumination from building mounted luminaires and façade floodlighting luminaires shall not be included in determining foot-candle values. Requirements only apply during hours of operation.

G. Parking and Loading Areas

1. Section 34.23 (B)(a) of the Development Standards for S.H. 190 shall not apply. Driveway design shall be as shown on the Detail Plan.
2. The required parking spaces for the multi-family use shall be regulated by the ratio of one (1) parking space per bedroom. Parking shall be provided as set forth in the Detail Plan. No less than 341 spaces shall be provided within a structured parking garage and 28 angled street spaces shall be provided.
3. Wheel stops shall not be used within this Planned Development except within handicapped parking stalls or other incidental uses.
4. The loading areas indicated on the south portion of the property shall consist of a surface loading area of concrete or other appropriate paving material, delineated by unique color, pattern, material, or design. The applicant requests a variance from the screening requirements contained in Section 34.20 of the S.H. 190 Development Standards to eliminate the requirement for screening of these loading areas.

H. Height Restrictions

1. The maximum height of shall be 65 feet from finish floor elevation.
2. Private yards located along Firewheel Parkway may be enclosed with decorative metal fencing not to exceed five feet (5') in height.

I. Paving Materials

1. The parking areas may be constructed with asphalt pavement.
2. Sidewalks and pedestrian crossings shall be provided as illustrated on the Detail Plan. All paving shall meet applicable city codes with regard to construction.
3. All sidewalks and pedestrian scale amenities shall be treated in a uniform manner consistent with the theme of the core of the town center throughout the property and the Town Center as a whole.

K. Lot Coverage

The maximum coverage by buildings for any lot within this development shall be 65 percent.

L. Screening and Landscaping

1. Screening and landscaping shall conform to that illustrated on the Landscaping Plan, Exhibit D. The landscape buffer along Firewheel Parkway shall be a minimum of 20 feet in width from back of curb. A public pedestrian sidewalk and private fenced yard may extend into the landscaping buffer.

2. Street tree plantings are required along the perimeter of the tract, with a staggered row of trees along Firewheel Parkway. The trees shall be placed at a maximum of fifty (50) feet on center. Street trees shall not be placed within the public right-of-way without a License Agreement. Street trees shall meet the standards for Street Trees found within the SH 190 Overlay Standards.
3. All landscape plans shall be prepared by a landscape architect licensed to practice in the State of Texas.
4. The required screening for all on-site parking areas shall be a minimum of two (2) feet in height at the time of installation and shall be maintained in a manner to ensure that the maximum height of this screening shall be no more than four (4) feet.

M. Alternative Compliance

Where unique natural features such as soil characteristics, topography, geological characteristics, water features, and significant vegetation; or peculiarly-shaped building sites; or location of existing structures and other built features on the site inhibit creative site design or pose unnecessary constraints to appropriate development as a result of strict compliance with the requirements set forth herein, the Director of Planning may approve alternative plans upon determining that such plan meets the intent of these standards and meets or exceeds a plan in strict compliance. If the Director of Planning determines that alternative compliance is not applicable, a request for an exception or variance will be handled as an amendment to the Planned Development, subject to the procedures outlined in Section 34 of the Comprehensive Zoning Ordinance.

**PARKSIDE AT  
FIREWHEEL PHASE II**  
CITY OF GARLAND, TEXAS  
LOT 1R, BLOCK 8 & LOT 2R, BLOCK 1

**Kimley-Horn  
and Associates, Inc.**

**DEVELOPER**  
COLUMBUS REALTY PARTNERS, LTD  
8343 DOUGLAS AVENUE, SUITE 300  
DALLAS, TEXAS 75275  
PH (214) 635-4723  
FAX (214) 635-4718  
CONTACT: ROBERT SHAW

[illegible]

LOT 1, BLOCK 1  
G. P. & L. BEN DAVIS  
ADDITION  
VOL. 2003244, PG. 211

BENCH MARK LIST	DATE	BY	REMARKS
BM 1 CITY OF GARLAND MARK RIS1 STAMPS 115' LOCAL FIVE FEET PARKWAY AT EAST CENTERLINE AND 81+ CENTERLINE	11/1/2004	W. J. BROWN	
BM 2 CITY OF GARLAND MARK RIS2 STAMPS 115' LOCAL NOSSE ON LATCH DRIVE 77+ INTERSECTION OF LATCH DRIVE PUBLISHED ELEVATION ACTUAL ELEVATION	11/1/2004	W. J. BROWN	
BM 3 157+ 56.1 ON SOUTHWEST INLET AT NORTHWEST CORNER ON SOUTHWEST SIDE OF FIVE ELEVATION	11/1/2004	W. J. BROWN	
BM 4 157+ 56.1 SET ON NORTH CORNER OF SOUTHWEST CORNER OF SUBJECT PROPERTY, ELEVATION	11/1/2004	W. J. BROWN	

**TYPICAL ON-STREET  
PARKING**  
29 ON-SITE PARKING SPACES

DIVIDED INTEREST  
TER W. BALDWIN  
VIDED INTEREST TO  
ID COMPANY, LTD.  
99053, PG. 1338  
D.R.D.C.T.

### VICINITY MAP

25% UNDIVIDED INTEREST  
TO PETER W. BALDWIN  
5% UNDIVIDED INTEREST TO  
L & S LAND COMPANY, LTD.  
VOL. 98239, PG. 5508  
D.R.D.C.T.

## LEGEND

EXISTING ASPHALT PAVEMENT	EXISTING BRICK PAVEMENT	2.5" THICK CONCRETE PAVEMENT	4" THICK 4000 PSI CONCRETE PAVEMENT	TRAFFIC FLOW	(C.M.) HISC HISC HISC XS XS XF
------------------------------	----------------------------	---------------------------------	--	--------------	--

[illegible]REWHEEL PARKWAY  
(PUBLIC STREET)

HORSESHOE DRIVE  
PRIVATE STREET / PUBLIC ACCESS

JOHNSON

© 2006 The Authors  
Journal compilation © 2006 Blackwell Publishing Ltd

— — — — —

154

BOOK 7  
PAGE 10

BLO  
EL. CE  
47, R  
DC. 1

D R C

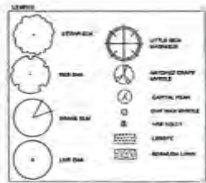
LOT  
REVEN  
IN 20

ST  
V

Substrate: 100 mg; Time: 10 min; Temp: 37°C

© 2000 Blackwell Science Ltd *Journal of Internal Medicine* 247: 361–368

Exhibit C



PLANT LIST	RECOMMENDED PLANT	NOT RECOMMENDED
1. TREES	1. TREES	1. TREES
2. TREES	2. TREES	2. TREES
3. TREES	3. TREES	3. TREES
4. TREES	4. TREES	4. TREES
5. TREES	5. TREES	5. TREES
6. TREES	6. TREES	6. TREES
7. TREES	7. TREES	7. TREES
8. TREES	8. TREES	8. TREES
9. TREES	9. TREES	9. TREES
10. TREES	10. TREES	10. TREES
11. TREES	11. TREES	11. TREES
12. TREES	12. TREES	12. TREES
13. TREES	13. TREES	13. TREES
14. TREES	14. TREES	14. TREES
15. TREES	15. TREES	15. TREES
16. TREES	16. TREES	16. TREES
17. TREES	17. TREES	17. TREES
18. TREES	18. TREES	18. TREES
19. TREES	19. TREES	19. TREES
20. TREES	20. TREES	20. TREES
21. TREES	21. TREES	21. TREES
22. TREES	22. TREES	22. TREES
23. TREES	23. TREES	23. TREES
24. TREES	24. TREES	24. TREES
25. TREES	25. TREES	25. TREES
26. TREES	26. TREES	26. TREES
27. TREES	27. TREES	27. TREES
28. TREES	28. TREES	28. TREES
29. TREES	29. TREES	29. TREES
30. TREES	30. TREES	30. TREES
31. TREES	31. TREES	31. TREES
32. TREES	32. TREES	32. TREES
33. TREES	33. TREES	33. TREES
34. TREES	34. TREES	34. TREES
35. TREES	35. TREES	35. TREES
36. TREES	36. TREES	36. TREES
37. TREES	37. TREES	37. TREES
38. TREES	38. TREES	38. TREES
39. TREES	39. TREES	39. TREES
40. TREES	40. TREES	40. TREES
41. TREES	41. TREES	41. TREES
42. TREES	42. TREES	42. TREES
43. TREES	43. TREES	43. TREES
44. TREES	44. TREES	44. TREES
45. TREES	45. TREES	45. TREES
46. TREES	46. TREES	46. TREES
47. TREES	47. TREES	47. TREES
48. TREES	48. TREES	48. TREES
49. TREES	49. TREES	49. TREES
50. TREES	50. TREES	50. TREES
51. TREES	51. TREES	51. TREES
52. TREES	52. TREES	52. TREES
53. TREES	53. TREES	53. TREES
54. TREES	54. TREES	54. TREES
55. TREES	55. TREES	55. TREES
56. TREES	56. TREES	56. TREES
57. TREES	57. TREES	57. TREES
58. TREES	58. TREES	58. TREES
59. TREES	59. TREES	59. TREES
60. TREES	60. TREES	60. TREES
61. TREES	61. TREES	61. TREES
62. TREES	62. TREES	62. TREES
63. TREES	63. TREES	63. TREES
64. TREES	64. TREES	64. TREES
65. TREES	65. TREES	65. TREES
66. TREES	66. TREES	66. TREES
67. TREES	67. TREES	67. TREES
68. TREES	68. TREES	68. TREES
69. TREES	69. TREES	69. TREES
70. TREES	70. TREES	70. TREES
71. TREES	71. TREES	71. TREES
72. TREES	72. TREES	72. TREES
73. TREES	73. TREES	73. TREES
74. TREES	74. TREES	74. TREES
75. TREES	75. TREES	75. TREES
76. TREES	76. TREES	76. TREES
77. TREES	77. TREES	77. TREES
78. TREES	78. TREES	78. TREES
79. TREES	79. TREES	79. TREES
80. TREES	80. TREES	80. TREES
81. TREES	81. TREES	81. TREES
82. TREES	82. TREES	82. TREES
83. TREES	83. TREES	83. TREES
84. TREES	84. TREES	84. TREES
85. TREES	85. TREES	85. TREES
86. TREES	86. TREES	86. TREES
87. TREES	87. TREES	87. TREES
88. TREES	88. TREES	88. TREES
89. TREES	89. TREES	89. TREES
90. TREES	90. TREES	90. TREES
91. TREES	91. TREES	91. TREES
92. TREES	92. TREES	92. TREES
93. TREES	93. TREES	93. TREES
94. TREES	94. TREES	94. TREES
95. TREES	95. TREES	95. TREES
96. TREES	96. TREES	96. TREES
97. TREES	97. TREES	97. TREES
98. TREES	98. TREES	98. TREES
99. TREES	99. TREES	99. TREES
100. TREES	100. TREES	100. TREES

NOTES:  
1. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF GARLAND LANDSCAPE ZONING ORDINANCE.  
2. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF GARLAND LANDSCAPE ZONING ORDINANCE.  
3. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF GARLAND LANDSCAPE ZONING ORDINANCE.  
4. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF GARLAND LANDSCAPE ZONING ORDINANCE.  
5. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF GARLAND LANDSCAPE ZONING ORDINANCE.  
6. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF GARLAND LANDSCAPE ZONING ORDINANCE.  
7. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF GARLAND LANDSCAPE ZONING ORDINANCE.  
8. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF GARLAND LANDSCAPE ZONING ORDINANCE.  
9. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF GARLAND LANDSCAPE ZONING ORDINANCE.  
10. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF GARLAND LANDSCAPE ZONING ORDINANCE.



2916 Wardside Dr.  
Dallas, Texas 75228  
P: 817-247-8226



# Firewheel Phase II Garland, Texas Zoning Landscape Set

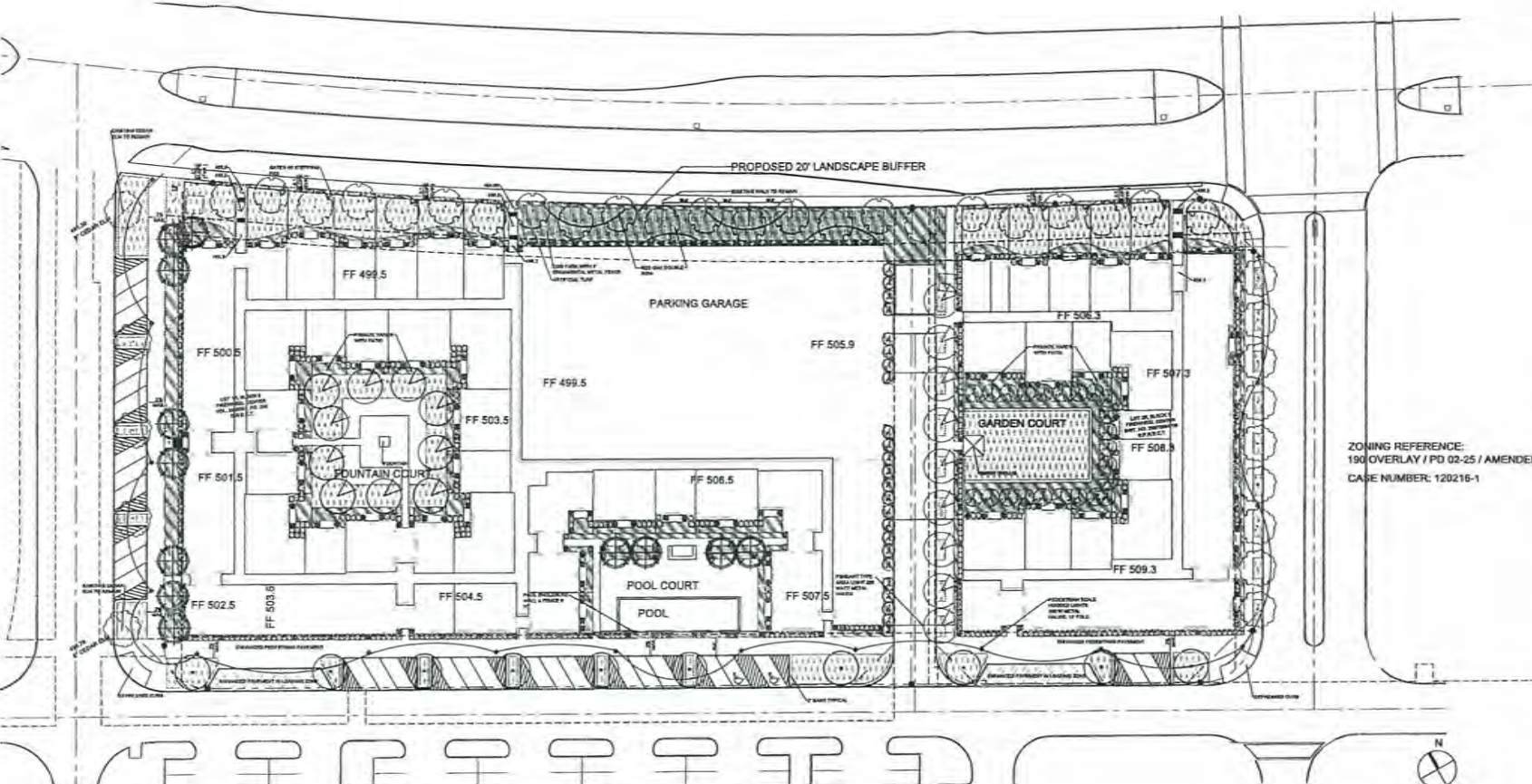


Project Number: 10-010.0  
Drawn By: FC  
Issued for Zoning: 03.28.2012

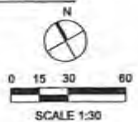
Revision Date  
△  
△  
△  
△

## LANDSCAPE PLAN

LP 10.00



ZONING REFERENCE:  
190 OVERLAY / PD 02-25 / AMENDED  
CASE NUMBER: 120216-1





01 Elevation - River Fern Drive (West)  
Scale: 1/16" = 1'-0"

MATERIAL PERCENTAGES:  
MASONRY - 30%  
STUCCO - 65%  
CEMENTITIOUS PANEL - 5%



06 Elevation - River Fern Drive (East)  
Scale: 1/16" = 1'-0"



08 Elevation - Town Blvd Lane  
Scale: 1/16" = 1'-0"

MATERIAL PERCENTAGES:  
MASONRY - 35%  
STUCCO - 55%  
CEMENTITIOUS PANEL - 6%



11 Elevation - Firewheel Parkway (East)  
Scale: 1/16" = 1'-0"

MATERIAL PERCENTAGES:  
MASONRY - 17%  
STUCCO - 81%  
CEMENTITIOUS PANEL - 2%



16 Elevation - Firewheel Parkway (West)  
Scale: 1/16" = 1'-0"

MATERIAL PERCENTAGES:  
MASONRY - 25%  
STUCCO - 73%  
CEMENTITIOUS PANEL - 2%



18 Elevation - Horseshoe Drive  
Scale: 1/16" = 1'-0"

MATERIAL PERCENTAGES:  
MASONRY - 92%  
CEMENTITIOUS PANEL - 8%

**JHP**

JHP Architecture / Urban Design  
8340 Meadow Road Suite 150  
Dallas, Texas 75231  
Telephone: 214-969-5687  
Fax: 214-969-9563

NOT FOR PERMIT, OR  
CONSTRUCTION.

J. Mark Wolf

Engineered Architect of the State of Texas  
Registration Number: 9529

Parkside at Firewheel  
Phase 2  
Garland, Texas

**COLUMBUS**  
REALTY PARTNERS, LTD.

Project Number: 2013067-00  
Drawn By: JB / RD  
Issued: 04.12.2012

© 2012 JHP  
All Rights Reserved.  
All materials, including but not limited to, are  
original work by the architect. The architect  
owns all copyright, title, and interest in the work  
and any derivative works. No part of this work  
may be reproduced, stored in a retrieval system,  
or transmitted in any form or by any means  
without the express written consent of  
the copyright owner.

NOTES:

1. Material area percentage is  
exclusive of door, window and  
entry openings.
2. Masonry includes Face Brick &  
Cast Stone.

Sheet:

ARCHITECTURAL ELEVATIONS

A101



**FIREWHEEL PHASE II**

COLUMBUS REALTY PARTNERS

**RIVER FERN DRIVE - BUILDING & POOL SCREEN ELEVATION**

GARLAND, TX



APRIL 12, 2012



01

Bridge Height Graphic



Parkside at Firewheel Phase 2  
Garland, Texas



04.12.2012	2011067.00	JB
Copyright © JHP 2012 Not for Regulatory Approval, Permit or Construction: J. Mark Wolf Registered Architect of State of Texas, Registration No. 9129		

214-363-5687

## REPORT & MINUTES

P.C. Meeting, April 23, 2012 (9 Members Present)

Consideration of the application of Columbus Realty Partners Ltd, requesting approval of 1) a Detail Plan for Multi-Family Uses; 2) amendments to the Planned Development (PD) District conditions; 3) variances to the Zoning Ordinance #4647 for Section 10-200 regarding minimum parking requirements for multi-family uses; and 4) variances to the SH190 Development Standards (Ord. #5565), including: Section 34.18(B)(5) parking structure openings, Section 34.18(D)(1) dwelling unit mix, Section 34.18(D)(2) maximum building height, Section 34.18(D)(3)(b) roof pitch, Section 34.18(D)(3)(c) roof-mounted equipment, Section 34.18(D)(3)(d) vaulted ceilings, Section 34.18(D)(4) storage facilities, Section 34.18(D)(5) regarding clubhouses, Section 34.18(D)(6) regarding swimming pools, Section 34.18(D)(8) security systems requirements, Section 34.19(A)(1)(a)(ii) setbacks adjacent to streets, Section 34.19(D)(1) building placement, Section 34.20(B)(1) reduction of landscape buffers, Section 34.20 (B) (2) (b) interior parking lot landscaping, Section 34.20 (B) (3)(a) (iii) minimum landscape or open space area. The property is located at the northeastern corner of River Fern Ave and Horseshoe Drive. (File 12-19)

Representing the applicant was David Meyers, 12700 Park Central Dr, Dallas, 75251

Also assisting with the presentation was the architect, Mark Wolf, 8340 Meadow Road, Ste 150, Dallas, 75231

The presentation included elevations depicting this new phase and how it relates to the first phase, the Parkside at Firewheel. The new phase includes a pool and club house and pedestrian bridges connecting the new elements to the existing ones.

**Motion** was made by Commissioner Luckie, seconded by Commissioner Moore to **approve** the request as outlined and as recommended by staff.  
**Motion carried:** 9 Ayes, 0 Nays.



SCALE IN FEET  
0 200 400 Feet  
1" = 400'

INDICATES  
AREA OF REQUEST

**ZONING**  
**Z 12-19**

No replies were received for this case.



# Planning Report

File No. 12-20/District 7

Agenda Item: n/a

Meeting: City Council

Date: May 15, 2012

## Barclay Construction

North Corner of Jupiter Road and Collins Boulevard.

### REQUEST

Approval of 1) a Detail Plan for Medical Office/Clinic and 2) amendments to the conditions in PD (Planned Development) District 03-22.

### OWNER

Han Korn Scales JV

### PLAN COMMISSION RECOMMENDATION

On April 23, 2012 the Plan Commission, by a vote of 9 to 0, recommended approval of a 1) a Detail Plan for Medical Office/Clinic and 2) amendments to the conditions in PD (Planned Development) District 03-22 as recommended by staff.

### STAFF RECOMMENDATION

Approval of 1) a Detail Plan for Medical Office/Clinic and 2) amendments to the conditions in PD (Planned Development) District 03-22. The proposed Detail Plan meets all the applicable development regulations. The proposed Medical Office/Clinic will be compatible with the established non-residential and residential uses in the immediate area and will provide an important service to the surrounding neighborhoods. The scale, architectural design, and materials of the medical office building respect and maintain the pattern of development found in the surrounding area.

### BACKGROUND

In 2003, City Council approved an amendment to a PD (Planned Development) District for Office Uses to include Animal Clinic as a permitted use along with a Detail Plan that included Lot 1 and Lot 2 of Block 1 Heritage Square Animal Center. Lot 1 was subsequently developed with the animal clinic. The applicant is proposing to develop the southern part of Lot 2 with a medical office building, leaving the northern part of Lot 2, which sits between the existing animal clinic and the subject site, undeveloped.

### SITE DATA

The subject property encompasses 0.8161-acres on a corner fronting approximately 140 feet along Jupiter Road and 206 feet along Collins Boulevard. The property will be accessed from Collins Boulevard, although it will front Jupiter Road.

### USE OF PROPERTY UNDER CURRENT ZONING

The subject property, which is zoned PD (Planned Development) Districts 03-22, is limited to the uses listed under the Office-1 (O-1) District. The Office 1 (O-1) District provides for low-rise office and professional service development. This District is appropriately located adjacent to residential districts and may be used as a transition or buffer between residential uses and more intensive nonresidential activity. Medical Office/Clinic Use is permitted by right in the Office-1 (O-1) District.

## **SURROUNDING ZONING AND LAND USES**

North: Properties to the north up to Sugarberry Lane are zoned PD (Planned Development) District 03-22 for Office Uses and Single Family-7 (SF/7/F/3) District. The properties are developed with an animal clinic, a child care center (S 09-32), and single family residences.

East: Properties to the east are zoned PD (Planned Development) District 86-16 for Child Care Center and Private School and Single Family-7 (SF/7/F/3) District. The properties are developed with a child care center and single family residences.

South: Properties to the south are zoned Single Family-7 (SF/7/F/3) District. The properties are developed with a church, a child care center (S 94-33), and single family residences.

West: Properties to the west, across Jupiter Road and within the City of Richardson, are developed with a single family subdivision.

## **COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for the subject property. Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas also accommodate uses such as convenience retail (goods and services), office space and public services. The architectural character and scale of these areas are compatible with adjacent residential development. The proposed medical office is situated and designed in a manner which is compatible with the residential character of the existing neighborhood, and with the existing non-residential uses in the immediate vicinity.

## **CONSIDERATIONS**

1. **Detail Plan:** The applicant proposes a 4,072-square foot medical office within a 0.8161-acre site. The building would be oriented facing Jupiter Road with the parking on the west and south sides. The proposed medical office building location exceeds the minimum required yard setbacks of 25 feet adjacent to Jupiter Road, 20 feet adjacent to Collins Boulevard. The proposed Detail Plan is consistent with the overall development pattern and is in keeping with the community scale.

2. **Parking:** The parking requirement for Medical Office/Clinic is 1 parking space per 200 square feet of gross floor area. With 4,072-square feet building, 21 parking spaces are required. The Detail Plan reflects 27 parking spaces.

3. **Screening and Landscape:** The proposed Detail Plan is in full compliance with the Screening and Landscape Standards with the exception of the 7-foot landscape buffer along Jupiter Road which was established by the PD (Planned Development) District 03-22 and is consistent with the developed tract to the north.

4. **Exterior Elevations:** The applicant is proposing facades composed of brick veneer and stone veneer. The facades will be 100 percent masonry with the exception of doors and windows.

5. **Signage:** The applicant is proposing to install one monument sign 6 feet 4 inches in height and 29 square feet in area. The proposed sign will be located at the corner of Jupiter Road and Collins Boulevard at an approximate distance of 10 feet from the property lines.

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

The proposed medical office is consistent with the type and character of non-residential uses appropriate within a Compact Neighborhood as indicated by the Future Land Use Map of the Envision Garland Plan. The surrounding area is developed mainly with single family residences and neighborhood support uses. The proposed medical office building will be located within a well delineated rectangular area that is developed with a church, child care centers and an animal clinic, located at the edge of the residential neighborhoods and adjacent to a major thoroughfare. The proposed medical office will be compatible with these immediate existing non-residential uses while providing a service to the residential neighborhoods. Furthermore, the design and scale of the medical office building is compatible with the character of both the non-residential and residential buildings.

Prepared By:

Josue De La Vega  
Development Planner

Date: May 4, 2012

Reviewed By:

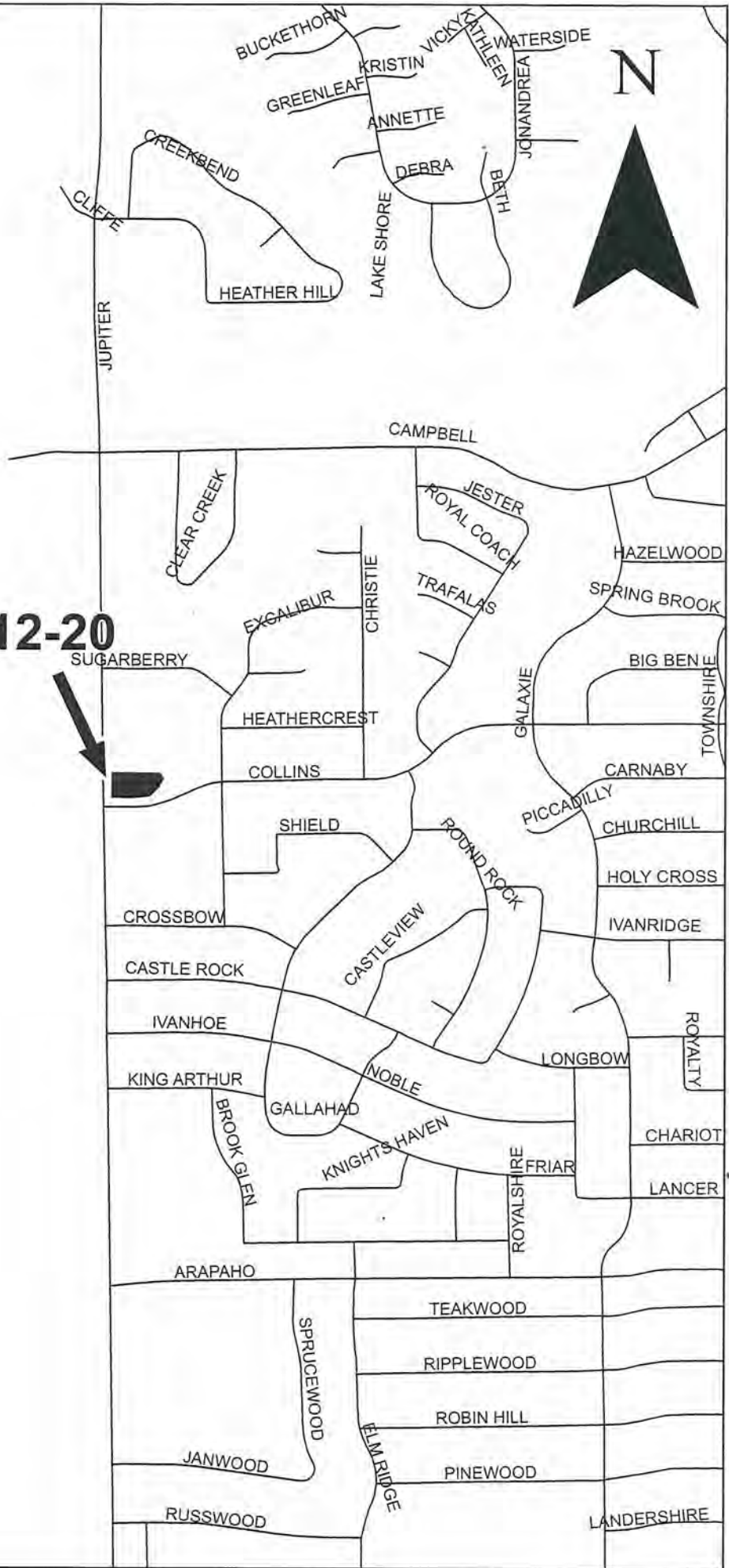
Neil Montgomery  
Director of Planning

Date: May 4, 2012

Reviewed By:

William E. Dollar  
City Manager

Date: May 7, 2012



**Z 12-20**



CAMPBELL

SC

AG

PD 83-165

JUPITER

PD 92-40

HIDDEN SPRINGS

CLEAR CREEK

ROYAL COACH

TRAFALGAR

EXCALIBUR

CHRISTIE

ABBET

SF/7/I/E/3

SUGARBERRY

S 09-32  
5902

3402

5705  
5701

HEATHERCREST

5858  
PD-03-22

3429

5613  
5609  
5605  
5601

2233  
3321

COLLINS

S 94-33

5702

5537  
5533  
5529  
5525  
5521  
5517

3322

5534

SF/7/I/E/3

SHIELD

JESTER

GROSSBOW

CASTLE ROCK

CASTLE

IVANHOE

KING ARTHUR

GALLARD  
NOBLE

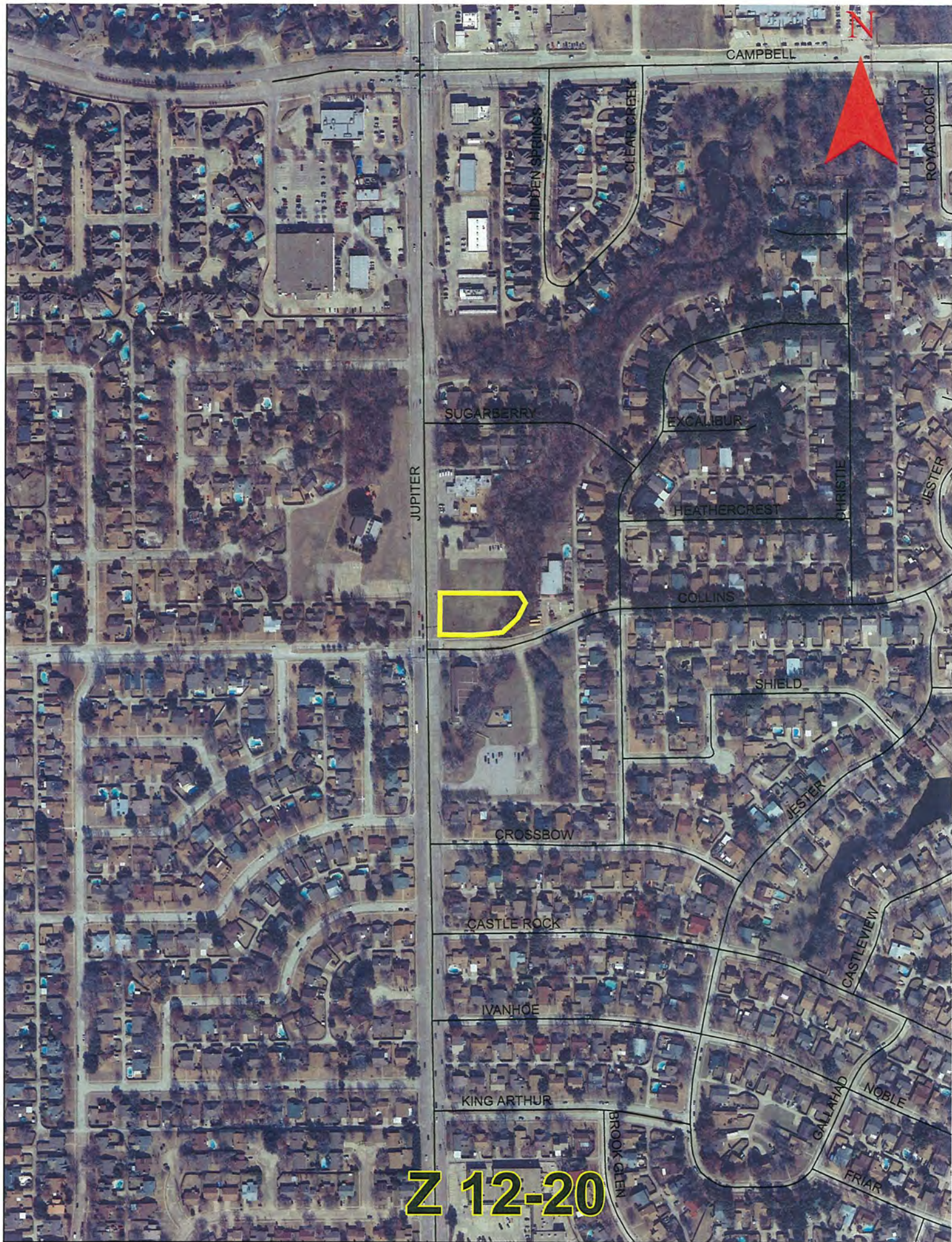
ROUND ROCK

SCALE IN FEET

0 200 400 Feet  
1" = 400'

INDICATES  
AREA OF REQUEST

**ZONING**  
**Z 12-20**



CAMPBELL

N

ROYAL COACH

JESTER

CHRISTIE

EXCALIBUR

HEATHERCREST

COLLINS

SHIELD

JESTER

CASTLEVIEW

NOBLE

FRIAR

GALAHAD

BROOK GLEN

KING ARTHUR

IVANHOE

CASTLE ROCK

CROSSBOW

SUGARBERRY

CLEAR CREEK

HIDDEN SPRINGS

JUPITER

Z 12-20

## PLANNED DEVELOPMENT CONDITIONS

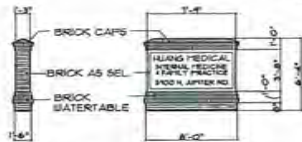
### ZONING FILE 12-20

#### North Corner of Jupiter Road and Collins Boulevard

- I. **Statement of Purpose:** The purpose of this Planned Development District is to permit a Medical Office/Clinic subject to conditions.
- II. **Statement of Effect:** This Planned Development District shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Office-1 (O-1) District as set forth in Section 20 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Development Plans:**
  - A. Detail Plan: Development shall be in general conformance with the Detail Plan. (Exhibit C)
- V. **Specific Regulations:**
  - A. Permitted Uses: No uses shall be permitted except for the uses listed under the Office-1 (O-1) District in Section 20 of the Comprehensive Zoning Ordinance.
  - B. Screening and Landscaping: Screening and landscaping shall be in general conformance with the approved landscape plan labeled Exhibit D. The landscaping shall comply with the Screening and Landscape Standards, with the exception of the landscape buffer along Jupiter Road which shall have a minimum depth of seven feet.
  - C. Exterior Elevations: The exterior elevations of the building shall be provided as generally shown on the exterior elevations plan. (Exhibit E).
  - D. Signage: The monument sign shall be provided as generally shown on the landscape plan labeled Exhibit D.
  - E. Screening: No screening shall be required along the east property line due to the natural vegetation along the creek accomplishing the intent of Section 6.1.1 of the Screening and Landscape Standards.
  - F. Pedestrian and Utility Easement: The ten-foot pedestrian and utility easement required by Section 1.3.1.1 of the Traffic Management Standards along Jupiter Road shall not be required.
  - G. Utilities: All utilities on site shall be underground.

#### EXHIBIT B



[illegible]

COLLINS BOULEVARD

LOT 2, BLOCK 1, OF HERITAGE  
SQUARE ANIMAL CENTER  
VOLUME 2003220, PAGE 149,  
GARLAND, DALLAS CO, TEXAS



COMMON NAME	BOTANICAL NAME	NEED	EXISTING	TO BE PLANTED	QWAL	SIZE	SPACING	HYDRO
LIVE OAK	QUERCUS VERMICULARIS	4	0	4	3'	1" CAL.	SEE PLAN	
SHADLOW RED OAK	QUERCUS Coccinea	4	0	4	3'	1" CAL.	SEE PLAN	
CRISTE MYRTLE	LASIODROMEDUS SAKA	3	0	3	3'	10 GAL.	SEE PLAN	
OLIVE BAY AND OAK	LEU. BAIFFORDII KONA	23	0	23	3'	3" OC	SEE PLAN	
OLIVE BAY AND OAK	LEU. VICTORIA KONA	0	0	1	3'	3" GAL.	SEE PLAN	
CONTRACT NARCISSA	N. DOMESTICA CONTRACTA	0	0	6	3'	3" OC	SEE PLAN	
BARBERI RED CUCUR	JUNIPERUS VERGINIANA	0	0	0	3'	1" CAL.	SEE PLAN	
EXOTICUS TREES		0	0	0	0	0	SEE PLAN	
GRASS BERMUDA	CYNODON DACTYLON	0	0	0	0	0	SEE PLAN	
GRASS BERMUDA	CYNODON DACTYLON	0	0	0	0	0	SEE PLAN	

SITE AREA: 35550.6029 SQ / 0.861 ACRES)	
SITE COVERAGE:	
BUILDING AREA ( FOOTPRINT )	4072 SQ. FT.
WALKWAYS	193 SQ. FT.
VEHICLE USE AREA	10794 SQ. FT.
TOTAL IMPERVIOUS AREA	16189 SQ. FT. (45.6%)
LANDSCAPE WITHIN PARKING AREAS	4444 SQ. FT.
LANDSCAPE AREA	1418 SQ. FT.
TOTAL LANDSCAPE AREA	13627 SQ. FT. (34.4%)
TOTAL	35551 SQ. FT.
PARKING:	
REQUIRED (4072 SF. / 200)	21 SPACES
PROVIDED - REGULAR	25 SPACES
PROVIDED - HANDICAP ( 1 PER 25 )	2 SPACES
TOTAL	27 SPACES

PROJECT NAME: DR HUANG MEDICAL OFFICE  
LOCATION: 5900 JUPITER ROAD  
GARLAND, DALLAS CO,  
TEXAS  
OWNER: DR WENTIAN HUANG, MD,  
2875 BELT LINE RD, SUITE 103,  
GARLAND, DALLAS CO, TEXAS 75044  
CIVIL  
ENGINEER: KADLECK & ASSOCIATES  
ENGINEERING PLANNING SURVEYING  
555 REPUBLIC DR, SUITE 115

A map showing the proposed site location. The site is marked with a black dot and labeled "SITE" with an arrow. Major roads shown include E. CAMPBELL RD. at the top, COLLINS BLVD. running horizontally across the middle, and N. PLUM RD. running vertically on the left. Other roads shown are N. JURTER RD. running vertically below N. PLUM RD., N. SHILOH RD. running vertically on the right, and ARAPAHO RD. at the bottom. A north arrow is located in the lower-left quadrant, pointing upwards and labeled "NORTH".

h a r o l d b e e k a r c h i t e c t s  
3355 alpha road suite 200  
dallas, texas 75240  
phone: 972 681-8778  
fax: 972 681-8700



reflexions	date
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	

1. HANDICAP SIGNAGE  
ON POST & STRIPING  
TO BE INCLUDED  
IN PROJECT.

project no. \_\_\_\_\_  
 scale: 1" = 20'-0"  
 date: MARCH 27, 2012  
 file no. : \_\_\_\_\_  
 issue date: \_\_\_\_\_

L1-0  
sheet no. 10 of 16 sheets

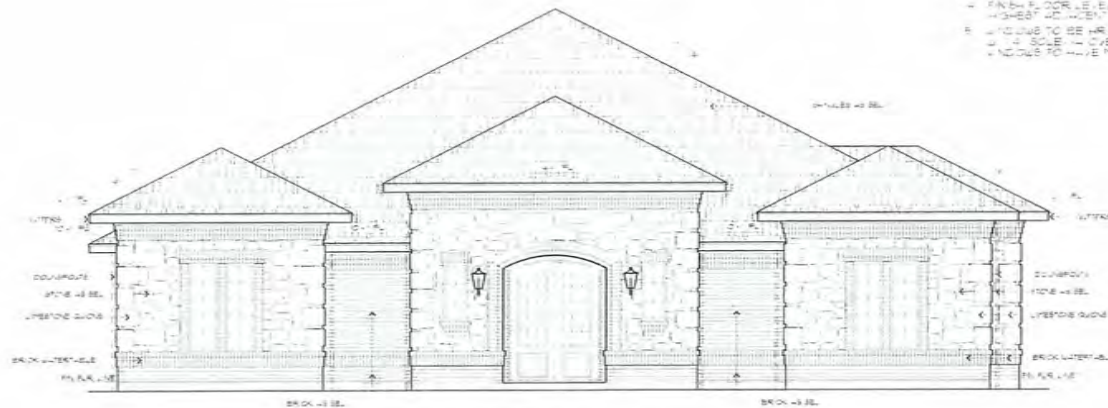
sheet description :

PROPOSED OFFICE BUILDING  
project:  
DR. HUANG MEDICAL OFFICE  
PART OF LOT 2, BLOCK 1, OF HERITAGE  
SQUARE ANIMAL CENTER  
D. CRUMP/PAKER SURVEY, ABSTRACT NO. 250  
VOLUME 2003220, PAGE 148,  
GARLAND, DALLAS CO., TEXAS



② SOUTH ELEVATION  
SCALE = 1/4" = 1'-0"

- NOTES:
1. WHEN PERMITTED, EXPOSED WOOD, EDGES AND CORNERS SHALL BE PAINTED TO MATCH THE BUILDING.
  2. ALL SIGNAGE AREAS AND LOCATIONS ARE SUBJECT TO APPROVAL BY THE BUILDING INSPECTION DEPARTMENT.
  3. ROOF ACCESS SHALL BE PROVIDED INTERNALLY UNLESS OTHERWISE PERMITTED BY THE BUILDING OFFICIAL.
  4. FINISH FLOOR LEVEL TO BE AT LEAST 6" BELOW HIGHEST ADJACENT OUTDOOR LEVEL.
  5. WINDOWS TO BE HORIZONTAL SLIT TYPE WITH 1/4" SQUARE OVER GLASS UNGLAZED GLASS. WINDOWS TO BE 1/4" SQUARE OVER GLASS UNGLAZED GLASS.



① WEST ELEVATION  
SCALE = 1/4" = 1'-0"

hba  
harold boeck architects  
5353 alpha road suite 200  
dallas, texas 75240  
phone: 972 661-8778  
fax: 972 661-5780

revisions	date
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	

NOTES:  
ALL WORK TO COMPLY  
WITH ADA CODE  
REQUIREMENTS.

project no. \_\_\_\_\_  
scale: 1/4" = 1'-0"  
date: MARCH, 20, 2012  
file no. \_\_\_\_\_  
issue date: \_\_\_\_\_

A5-0  
sheet no. 7 of 27 sheets

sheet description :  
\_\_\_\_\_  
\_\_\_\_\_

PROPOSED OFFICE BUILDING  
project:  
DR. HUANG MEDICAL OFFICE  
PART OF LOT 2, BLOCK 1, OF HERITAGE  
SQUARE ANNUAL CENTER  
D. ORSHAKER SURVEY, ABSTRACT NO. 258  
VOLUME 2003200, PAGE 148  
GARLAND, DALLAS CO., TEXAS



② NORTH ELEVATION  
SCALE = 1/4" = 1'-0"

ELEVATION NOTES

- UNLESS PERMITTED BY CODES AND ORDINANCES, ALL MATERIALS AND FINISHES SHALL BE PLANNED TO MATCH THE BUILDING EXISTING MATERIALS AND FINISHES.
- ALL FINISHES SHALL BE PROVIDED INTERNALLY, UNLESS OTHERWISE PERMITTED BY THE BUILDING DEPARTMENT.
- FINISH FLOOR LEVEL TO BE AT LEAST 1'-0" ABOVE ADJACENT GROUND LEVEL.
- GLASS TO BE AN ENERGY EFFICIENT GLASS, ACCORDING TO THE BUILDING DEPARTMENT.



① EAST ELEVATION  
SCALE = 1/4" = 1'-0"

harold boeck architects  
5353 alpha road suite 200  
dallas, texas 75240  
phone: 972 661-8778  
fax: 972 661-8780

revisions	date
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	

NOTES:  
ALL WORK TO COMPLY WITH ADA CODE REQUIREMENTS.

project no. \_\_\_\_\_  
scale: 1/4" = 1'-0"  
date: MARCH, 20, 2012  
file no. \_\_\_\_\_  
issue date: \_\_\_\_\_

A5-1  
sheet no. 7 of 27 sheets

sheet description :  
\_\_\_\_\_

PROPOSED OFFICE BUILDING  
project:  
DR. HUANG MEDICAL OFFICE  
PART OF LOT 2, BLOCK 1, OF HERITAGE SQUARE ANNUAL CENTER  
O. CRUMPAKER SURVEY, ABSTRACT NO. 258  
VOLUME 2003220, PAGE 149,  
GARLAND, DALLAS CO., TEXAS

## **REPORT & MINUTES**

**P.C. Meeting, April 23, 2012 (9 Members Present)**

**Consideration of the application of Barclay Construction, requesting approval of 1) a Detail Plan for Medical Office/Clinic and 2) amendments to the conditions in PD (Planned Development) District 03-22. The property is located at 3475 Collins Boulevard. (File 12-20)**

Representing Barclay Construction was Randy Gaubert, 2408 Scenic Court, Garland.

Questions were asked regarding access to the property and if any change in the median on Collins is proposed.

**Motion** was made by Commissioner LeMay, seconded by Commissioner Vera to **approve** 1) the Detail Plan for Medical Office/Clinic and 2) amendments to the conditions in PD 03-22 as recommended by staff.

**Motion carried: 9 Ayes, 0 Nays.**



CAMPBELL

SC

AG

PD 83-165

JUPITER

PD 92-40

HIDDEN SPRINGS

CLEAR CREEK

ROYAL COACH

TRAFALGAR

ABBEY

SE 7/7 E 1/3

SU BARBERRY

S 09-32

5902

3402

5705

5701

HEATHERCREST

PD 03-22

5858

3429

5613

5609

5605

5601

PD 86-16

S 94-33

5702

5537

5533

5529

5525

5521

5517

COLLINS

3322

5534

SE 7/7 E 1/3

SHIELD

JESTER

GROSSBOW

CASTLE ROCK

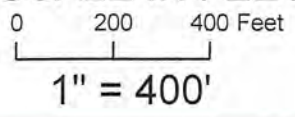
IVANHOE

KING ARTHUR

SC

O = IN FAVOR  
X = AGAINST

SCALE IN FEET



INDICATES  
AREA OF REQUEST

**ZONING**  
**Z 12-20**



# GARLAND

April 12, 2012

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

**HEARING DATE/TIME:** Plan Commission: April 23, 2012 – 7:00 PM

**APPLICANT:** Barclay Construction

**File Z 12-20**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 23, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Barclay Construction** requesting approval of 1) a Detail Plan for Medical Office/Clinic and 2) amendments to the conditions in Planned Development (PD) 03-22. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.8161-acre parcel shown as being part of Lot 2, Block 1 of Heritage Square Animal Center, an addition to the City of Garland. The property is located at 3475 Collins Boulevard. (District 7)

**Note: The applicant requests approval of a Detail Plan and amendments to allow for construction of a 4,072-square foot medical office.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

THIS WILL BE AN ASSET TO THE NEIGHBORHOOD  
THAT IS SICK OF LOOKING AT VACANT LAND  
& THE CITY COULD USE THE EXTRA TAX DOLLARS

(Please complete the following information)

Your Property Address

Rod Scales

Printed Name

5900 N JUPITER RD GARLAND

Address

City, State

Zip

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

Signature

Title

Date:

4/13/12



# GARLAND

April 12, 2012

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

**HEARING DATE/TIME:** Plan Commission: April 23, 2012 – 7:00 PM

**APPLICANT:** Barclay Construction

**File Z 12-20**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 23, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Barclay Construction** requesting approval of 1) a Detail Plan for Medical Office/Clinic and 2) amendments to the conditions in Planned Development (PD) 03-22. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.8161-acre parcel shown as being part of Lot 2, Block 1 of Heritage Square Animal Center, an addition to the City of Garland. The property is located at 3475 Collins Boulevard. (District 7)

**Note: The applicant requests approval of a Detail Plan and amendments to allow for construction of a 4,072-square foot medical office.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

PREFER SINGLE STORY -

WOULD LIKE NICE LANDSCAPING

(Please complete the following information)

Your Property Address

JOHN HAUPT

Printed Name

5521 EXCALIBUR GARLAND TX

Address

City, State

75021

Zip

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

Signature

OWNER

Title

Date: 4-15-12



# GARLAND

April 12, 2012

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission: April 23, 2012 – 7:00 PM

APPLICANT: Barclay Construction

**File Z 12-20**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 23, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Barclay Construction** requesting approval of 1) a Detail Plan for Medical Office/Clinic and 2) amendments to the conditions in Planned Development (PD) 03-22. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.8161-acre parcel shown as being part of Lot 2, Block 1 of Heritage Square Animal Center, an addition to the City of Garland. The property is located at 3475 Collins Boulevard. (District 7)

**Note: The applicant requests approval of a Detail Plan and amendments to allow for construction of a 4,072-square foot medical office.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

---

---

---

(Please complete the following information)

Your Property Address

Printed Name HAE Kyun Yi

Address 3322 E COLLINS BLVD City, State GARLAND, TX Zip 76044

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

Signature *HAE Kyun Yi* Title \_\_\_\_\_

Date: 4-30-12



# Planning Report

**File No. 12-21/District 3**

**Agenda Item:**

**Meeting: City Council**

**Date: May 15, 2012**

**Joe Pokawa**

**3420 Broadway Boulevard, Suite 125**

## **REQUEST**

Approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District.

## **OWNER**

A & H Real Properties

## **PLAN COMMISSION RECOMMENDATION**

On April 23, 2012 the Plan Commission, by a vote of 9 to 0, recommended denial of the Specific Use Permit.

## **STAFF RECOMMENDATION**

Denial of the Specific Use Permit for a Reception Facility at 3420 Broadway Boulevard, Suite 125. A Reception Facility, defined by the Comprehensive Zoning Ordinance as a facility used to accommodate a number of activities that may include, but are not limited to parties, dances, receptions, banquets or similar social events, is incompatible with the future and existing residential development which is adjacent to and in close proximity to the subject property.

## **BACKGROUND**

At the January 18, 2005 meeting, the City Council adopted Ordinance 5873, which created a new land use identified as Reception Facility. The use is described by the ordinance as a facility that is open to the general public or made available for private uses, designed and used for social events, which may include but are not limited to parties, dances, receptions, banquets or similar social events. The Reception Facility use is only allowed by Specific Use Permit in a range of non-residential zoning districts including the Shopping Center (SC) District. The subject property was developed in 1984 as a multi-tenant shopping center. Today, the multi-tenant center houses a beauty salon, a restaurant, a martial arts school, offices, retail stores, a dry cleaner and an auto repair shop. The site also has a pad site building which is currently occupied by a restaurant. The applicant is proposing to open a Reception Facility in Suite 125, which is a vacant 4,430-square foot tenant space in the southeast corner of the center.

## **SITE DATA**

The subject property on which the tenant space is located contains a total of approximately 3.50 acres. The site has about 285 feet of frontage along Broadway Boulevard and 200 feet of frontage along Colonel Drive with access from both public streets.

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

The Shopping Center (SC) District provides for the establishment of convenient retail and personal service activities by grouping compatible uses in a single center which is designed in an integrated manner according to an overall site plan. The Shopping Center District accommodates shopping center development having a neighborhood or community service area.

## **SURROUNDING ZONING AND LAND USES**

- Northwest: Properties to the northwest across Colonel Drive are zoned Shopping Center (SC) District and are developed with three multi-tenant commercial buildings.
- West: Properties to the west across Broadway Boulevard are zoned PD (Planned Development) District 84-12 for General Business Uses, General Business (GB) District, and Single Family-7 (SF/7/E/3) District. The properties are developed with a multi-tenant commercial building, an animal clinic, and a high school.
- Northeast: The property immediately to the northeast is zoned PD (Planned Development) District 11-27 for Multi-Family Uses (Assisted Living). The assisted living development is currently going through the permit process.
- Southeast: Properties immediately to the southeast are zoned Single Family-10 (SF/10/D/2) District and are developed with single family residences.
- Southwest: Properties to the southwest across Broadway Boulevard are zoned Shopping Center (SC) District, PD (Planned Development) District 82-24, PD (Planned Development) District 06-38, PD (Planned Development) District 06-35, PD (Planned Development) District 95-42 for General Business Uses, and Single Family-7 (SF/7/F/3) District. These properties are developed with office buildings, a gas station, a multi-tenant commercial building, a bank, and single family residences.

## **COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland Plan recommends Neighborhood Centers for the subject property. Neighborhood centers provide a mix of retail, services and community gathering places appropriately scaled to adjacent residential areas. This type of center is predominately, but not exclusively non-residential. Neighborhood centers are served by local roads and transit routes.

## **CONSIDERATIONS**

1. The applicant proposes to operate a reception facility within Suite 125, a 4,430 square foot tenant space within the existing multi-tenant commercial building. The applicant has indicated that the reception facility would

generally operate from 12:00 p.m. to 3:30 a.m. on Friday, Saturday, and Sunday.

2. The applicant has stated that there will not be sales of alcoholic beverages. However, in the case that alcoholic beverages are served or consumed during the events, security will be provided at the premise. The City Attorney's Office has indicated that State law identifies who can provide private security under Chapter 1702 of the State Occupations Code. The Attorney's Office recommends that security be provided as allowed under the State law as shown in the conditions. This security provision has been required with recently approved reception facilities.
3. Section 2.4 of the Reception Facility Ordinance (Ordinance 5873) states that required parking for a Reception Facility Use is 1 parking space for each 100 square feet of gross floor area. Based upon the information supplied by the applicant, the proposed Reception Facility Use would occupy approximately 4,430 square feet of lease space. The existing parking area would need to provide the minimum parking spaces required for each occupied tenant space in addition to the minimum parking requirement for the proposed Reception Facility. The parking requirement for the proposed Reception Facility is 45 parking spaces and the minimum parking requirement for the entire site is 160 parking spaces. The site, based on the plans provided by the applicant, has 188 parking spaces.
4. The proposed Reception Facility Use would be located in Suite 125, which is approximately 35 feet from the single family residential properties located southeast from the subject property. There is a masonry screen wall and a residential alley within the 35 foot distance between the proposed location for the Reception Facility Use and the single family properties. Suite 125 is also located approximately 30 feet from the property line of the site where the assisted living development will occur. There is a masonry screen wall between Suite 125 and the property line of the future assisted living development.
5. On November 18, 2008, City Council denied a request for a Specific Use Permit for Reception Facility at 3342 Broadway Boulevard, Suite 118, which is across Colonel Drive from the location of the proposed reception facility. There is an existing reception facility at 3338 Broadway Boulevard, Suite 302 that was approved in 2005 (File 05-50). A request to expand that facility is scheduled to be heard by the Plan Commission on May 14<sup>th</sup>.
6. The applicant is requesting approval of the Specific Use Permit for a 20 year period tied to **Joe Pokawa**.

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

The proposed Reception Facility would be located in an existing multi-tenant commercial building with adequate parking. However, the traffic generation and level of noise potentially created by the Reception Facility Use is a high concern particularly because of the proximity of the future assisted living development and the existing residential development located southeast from the subject

property. As a result, the proposed Reception Facility would not be compatible with the adjacent surrounding area.

Prepared By:

Josue De La Vega  
Development Planner

Date: May 3, 2012

Reviewed By:

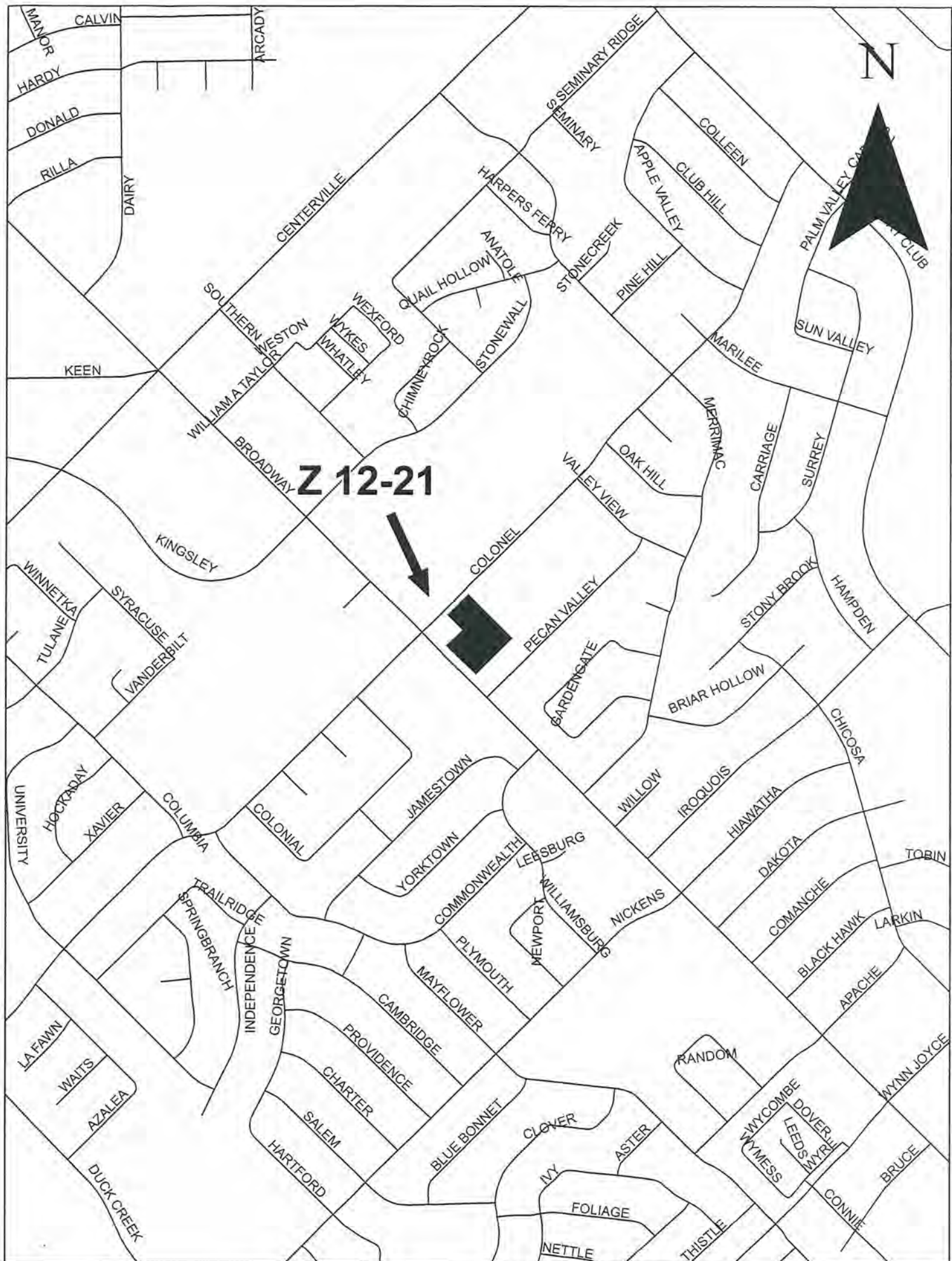
Neil Montgomery  
Director of Planning

Date: May 4, 2012

Reviewed By:

William E. Dollar  
City Manager

Date: May 7, 2012







Z 12-21

## **SPECIFIC USE PERMIT CONDITIONS**

### **ZONING FILE 12-21**

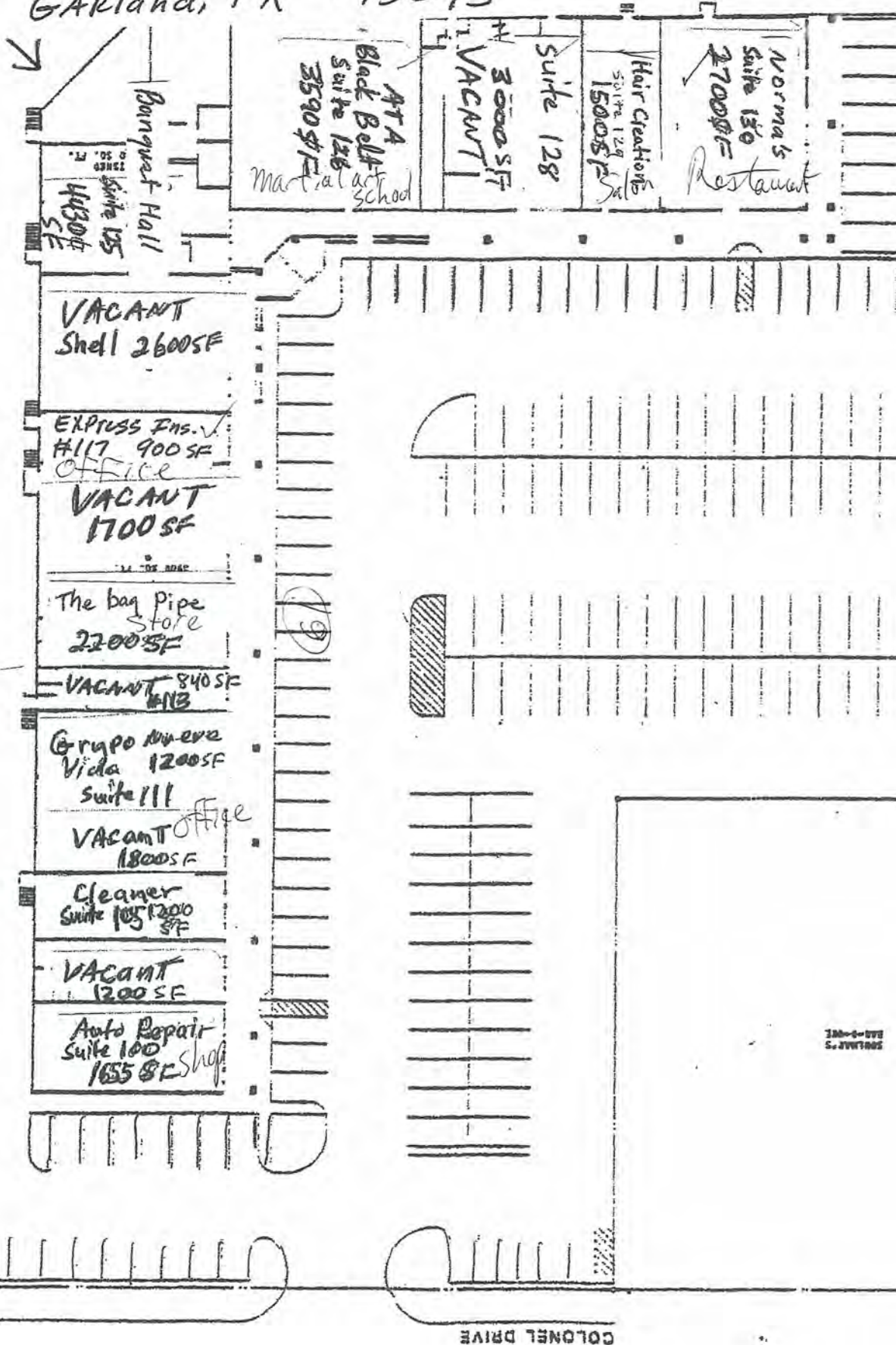
**3420 Broadway Boulevard, Suite 125**

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow a Reception Facility subject to conditions.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the SC (Shopping Center) District set forth in Section 24 and Section 33 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Specific Regulations:**
  - A. Time Period: The Specific Use Permit shall be in effect for a 20 year time period and shall be tied to **Joe Pokawa**.
  - B. Parking: There shall be a minimum of 45 parking spaces available for Reception Facility patrons and staff.
  - C. Security: Security shall be provided at every event where alcohol is provided. Security will be provided by a person authorized to provide private security under Chapter 1702 of the Texas Occupations Code.
  - D. Loitering: No congregation or loitering will be allowed to occur outside the facility.

# Country Club Shopping Center

188 parking space

3420 Broadway Blvd  
Garland, TX 75043



## 3420 Broadway “United Banquet Hall” / PSA Design Development

### **“Letter of Appeal” :**

Thursday, April 26, 2012

Attention : City of Garland Planning & Zoning Staff; & all City of Garland Residents, which, to ... “*whom it may concern*”

**We are pleased, to have this opportunity... to de-nounce**, in its entirety, the “*previous denial issues*”, (as it was decided in that favor, due too, mainly, a south east Residential Adjacency, ...which the attached digital photo’s ...these neighbors, and anyone, can see that; with the existing, 10’ high concrete walls in place, and, the existing 25’ thick tree/landscaping buffer screen, (*continuous along the east side*), that, it provides: an **“already perfect screening effect”**, and, *due to the fact: that* there are no exterior spaces in that particular south east, “the alley way service area”, which, has only “fire exit doors”, (*in the event, only, as an emergency fire exit*, to be fully code compliant operation).

And see “how well-suited”, this location is a perfect Site for this business!

Also contained your previous statements...included, were some recent rejections of similar requests of the same type of use,... Which only serves as **“full evidence” for the current public demand’s**, for a space of this type of use in that area, *which your report currently describes as Multi-Use presently at that whole intersection!! (which, by the way there is a present banquet hall in use currently there on the north east quadrant next to Auto Parts)*. Clearly there is a need... for a space like this here, in our home town, local community, *why send these businesses elsewhere???* Let us keep these business & tax dollars to promote our own infrastructures as needed...

**Please re-consider** these current conditions, public desires and demands, *making the highest use of this currently vacant space*, which will have no impact whatsoever... with traffic or sounds into that residential agency whatsoever. There is a high demand to provide a space like this for our local community to celebrate memorable events at such as Wedding

Receptions, Quincenara's, Reunions, Family Events, etc... **let us consider Re-zoning this multi-use area better for future use, or simply approving our SUP submitted herein.**

To help us to better utilize this presently, vacant, space... *into its highest capacity!*

*Which is clearly, & indeed a "Win / Win situation.....perfect fit, for all parties involved"*

*Respectfully,*

Joe Pokowo, Co, United Banquet Hall (*Owner/Operator*), / Patrick Saucedo, of PSA Design, (*Consultant*)

## REPORT & MINUTES

P.C. Meeting, April 23, 2012 (9 Members Present)

**Consideration of the application of Joe Pokawa, requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is located at 3420 Broadway Boulevard, Ste. 125. (File 12-21)**

The applicant, Joe Pokawa, 1563 Cedarcrest Circle, Mesquite, outlined his plan for the reception facility. Questions from the Commissioners regarding the hours of operation, noise and the types of events to be held were the focus of the discussion.

Resident, Jackie Brown, 1313 Iroquois, Garland registered her opposition to the proposed reception facility.

**Motion** was made by Commissioner Dalton, seconded by Commissioner O'Hara to **deny** the request as recommended by staff. **Motion carried: 9** Ayes, 0 Nays.



## De la Vega, Josue

---

**From:** Joe Pokawa <joepokawa@yahoo.com>  
**Sent:** Wednesday, April 25, 2012 11:36 AM  
**To:** De la Vega, Josue  
**Cc:** classict24@yahoo.com  
**Subject:** Re: Action letter for case Z 12-21 Reception Facility SUP request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

It's rather disappointing that the plan commission came to the decision to denial my application to use that facility as a banquet hall.

Yet, I am going to appeal this case to go to the next level. I still believe that this building is well appropriate to be use as a banquet and multi-events activities. It is well secure in the inside and outside.

I will do my level best to make sure that the surrounding neighborhoods are not disturb and exercise every safety precautions to make it safe.

I am once more asking your committee to work with me and grant me the permission to process my business.

Thanks and be bless.

Joe Pokawa

**From:** "De la Vega, Josue" <JDelavega@ci.garland.tx.us>  
**To:** "joepokawa@yahoo.com" <joepokawa@yahoo.com>  
**Sent:** Wednesday, April 25, 2012 11:07 AM  
**Subject:** Action letter for case Z 12-21 Reception Facility SUP request

Mr. Pokawa,

This is the action letter regarding your Reception Facility SUP request. If you wish to appeal, reply to this e-mail with a statement indicating that you would like to appeal the Plan Commission recommendation. Send the statement to me as soon as possible. Thank you.

Best,

Josue De La Vega  
Development Planner  
Planning and Community development  
P: 972-205-2454  
F: 972-205-2474  
[jdelavega@garlandtx.gov](mailto:jdelavega@garlandtx.gov)



# GARLAND

April 12, 2012

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

**HEARING DATE/TIME:** Plan Commission: April 23, 2012 – 7:00 PM

**APPLICANT:** Joe Pokawa

**File Z 12-21**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 23, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Joe Pokawa** requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 3.50-acre parcel shown as Lot 1 Block 1 of Club Hill Square, an addition to the City of Garland. The property is located at 3420 Broadway Blvd. (District 3).

**Note: The applicant requests approval of a Specific Use Permit to operate a reception facility within an existing tenant space.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

---

---

---

(Please complete the following information)

Your Property Address

1209 Gardengate Cr. Betty Whaley-Vandiver  
Printed Name  
Address City, State Zip 75043

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

Betty Whaley-Vandiver Owner  
Signature Title

Date: 4-16-12



# GARLAND

April 12, 2012

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

**HEARING DATE/TIME:** Plan Commission: April 23, 2012 – 7:00 PM

**APPLICANT:** Joe Pokawa

**File Z 12-21**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 23, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Joe Pokawa** requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 3.50-acre parcel shown as Lot 1 Block 1 of Club Hill Square, an addition to the City of Garland. The property is located at 3420 Broadway Blvd. (District 3).

**Note: The applicant requests approval of a Specific Use Permit to operate a reception facility within an existing tenant space.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

Please see notations on map on reverse

Please see attached comments

(Please complete the following information)

Your Property Address

1209 Pecan Valley Dr

Printed Name

Linda Dowdy

Address

1209 Pecan Valley Dr.

City, State

Garland, TX

Zip

75043

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

Signature

Linda Dowdy

Owner

Title

Date:

4/18/12

I am extremely opposed to the addition of a "Reception Facility" going into a space in Club Hill Square. Our homes are directly behind the back doors of this strip center and the noise (especially until late into the night) just does not fit into our community. I have lived in my home directly behind this center since 1975 (before the center was built). Our homes are in a well established neighborhood with a great quality of life. Most of us are original owners or second generation of the original owners. Our master bedrooms are on the rear of our homes and we would like to keep our community as wholesome and livable as possible. Also, there is another "Reception Facility" just across Colonel in the strip center and I would question the necessity of another facility so close. How many reception facilities are really needed in such a close proximity? It is just not needed!!! I believe that the vacant property at the side of Club Hill Square is in transition for an assisted living center to be built and I don't believe that a Reception Facility would fit well into their plan either. It just doesn't work for so many reasons. Chambrel and Hearthstone Senior living centers are very close by this strip center. I really do want to see the center become more functional, but with businesses that blend better within the footprint of the existing neighborhood.

Linda Dowdy



# GARLAND

April 12, 2012

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

**HEARING DATE/TIME:** Plan Commission: April 23, 2012 – 7:00 PM

**APPLICANT:** Joe Pokawa

**File Z 12-21**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 23, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Joe Pokawa** requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 3.50-acre parcel shown as Lot 1 Block 1 of Club Hill Square, an addition to the City of Garland. The property is located at 3420 Broadway Blvd. (District 3).

**Note: The applicant requests approval of a Specific Use Permit to operate a reception facility within an existing tenant space.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

There is already one across the street. Noise concerns with loud music. *↓ Zoning file 12-25*

(Please complete the following information)

Your Property Address

James T. Hancock

Printed Name

1213 Pecan Valley Dr. Garland, TX 75043

Address

City, State

Zip

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

*James T. Hancock*  
Signature

*Property Owner*  
Title

Date: *4-16-12*



# GARLAND

April 12, 2012

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission: April 23, 2012 – 7:00 PM

APPLICANT: Joe Pokawa

**File Z 12-21**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 23, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Joe Pokawa** requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 3.50-acre parcel shown as Lot 1 Block 1 of Club Hill Square, an addition to the City of Garland. The property is located at 3420 Broadway Blvd. (District 3).

**Note: The applicant requests approval of a Specific Use Permit to operate a reception facility within an existing tenant space.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

OUR PROP. IS IN RESIDENTIAL AREA  
ITS DAD ENOUGH WERE BEHIND COM'K  
PROP & TO ADD ANOTHER PLACE (RECEPTION  
FOR PURPOSE IS A  
BAD IDEA  
GARLAND TX  
75043

(Please complete the following information)

Your Property Address

Printed Name

Address

City, State

Zip

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

Signature

Title

Date:

4-19-2012



# GARLAND

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

April 12, 2012

HEARING DATE/TIME: Plan Commission: April 23, 2012 – 7:00 PM

APPLICANT: Joe Pokawa

**File Z 12-21**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 23, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Joe Pokawa** requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 3.50-acre parcel shown as Lot 1 Block 1 of Club Hill Square, an addition to the City of Garland. The property is located at 3420 Broadway Blvd. (District 3).

**Note: The applicant requests approval of a Specific Use Permit to operate a reception facility within an existing tenant space.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

There is currently a Reception Cntr  
1/2 Block away - on opposite side of  
"Colonel"

(Please complete the following information)

Your Property Address

Printed Name **DAVE ALLEN**  
**1214 PECAN VALLEY DR.**  
**GARLAND, TX 75043**  
Address **972-840-3082** City, State Zip

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

Signature **Dave Allen** Title

Date: **4-19-12**