

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

**City of Garland
Council Chambers, City Hall
200 North Fifth Street
Garland, Texas
May 7, 2013
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) 205-2404 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 April 16, 2013 Regular Meeting.

2. Consider approval of the following bids:

a. Architectural Services for Rowlett Creek Operations Center **Bid No. 3233-13**

MPI Architects **\$186,800.00**

This request is for a professional services contract with MPI Architects for the design of renovations and expansion to the Rowlett Creek Wastewater Treatment Plant Operations Center.

b. City Center Project – Heritage Park Relocation **Bid No. 3537-13**

Hill & Wilkinson General Contractors **\$1,528,308.80**

This request is for a Guaranteed Maximum Price contract for Construction Manager at Risk services for the Heritage Park relocation and the southwest quadrant of Walnut pedestrian corridor as part of the Downtown redevelopment project.

c. Single Stream Recycling Program, Phase II **Bid No. 2715-12**

Cascade Engineering **\$625,946.60**

This request is for the purchase of 12,500 automated recycling containers for

Phase II of the Environmental Waste Services Residential Automated Collection Single Stream Recycling Program.

d. Construction of Cell #6, Hinton Landfill

Bid No. 3342-13

L. D. Kemp Excavation, Inc.	\$2,378,667.58
Contingency	<u>356,800.14</u>
TOTAL	<u>\$2,735,467.72</u>

This request is for the excavation and construction of the 17-acre Cell #6 for waste disposal at the Hinton Landfill.

e. HVAC Services

Bid No. 3351-13

United Mechanical (Primary)	\$250,000.00
Berger Engineering (Secondary)	<u>150,000.00</u>
TOTAL	<u>\$400,000.00</u>

This request is to provide HVAC maintenance, repair, and replacement services throughout the City on an as-needed basis.

f. Plumbing Services

Bid No. 3429-13

Concord Commercial Services, Inc.	\$250,000.00
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This request is to provide plumbing maintenance, repair, and replacement services throughout the City on an as-needed basis.

g. Sanitary Sewer Improvements for Club Creek and Lyons II

Bid No. 3465-13

John Burns Construction Co., Inc.	\$897,019.00
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This request is for the removal of the Club Creek Lift Station and construction of approximately 4,211 linear feet of sanitary sewer to connect to the Windridge Lift Station. Lyons II improvements consist of upgrading approximately 2,940 linear feet of existing sanitary sewer mains.

h. Galvanized Steel Transmission Monopoles - Nevada Substation **Bid No. 3474-13**

Techline, Inc.	\$214,612.23
Contingency	<u>25,000.00</u>
TOTAL	<u>\$239,612.23</u>

This request is for the purchase of three galvanized steel transmission monopoles and associated apparatus required for the 138kV transmission line connection to the Nevada Substation.

i. Modular Office System **Bid No. 3534-13**

Williams Scotsman, Inc.	\$112,000.00
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This request is for the purchase of a modular office system for the GIS and Workforce Management groups of Garland Power & Light.

j. Microsoft Enterprise Agreement Renewal **Bid No. 3546-13**

Dell Marketing, LP	\$393,117.02
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This request is for the renewal of the ongoing Microsoft Enterprise Agreement as required for the City's use of Microsoft products.

k. GP&L Mobile Workforce Computer Replacement **Bid No. 3553-13**

Dell Marketing	\$135,502.20
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This request is for the replacement of aged computers that are used by Garland Power & Light's mobile workforce.

l. Nevada 138kV Switchyard Construction **Bid No. 3483-13**

System 3, Inc.	\$1,453,757.83
Contingency	<u>220,000.00</u>
TOTAL	<u>\$1,673,757.83</u>

This request is to provide the necessary labor, equipment, and materials for the construction of the Nevada 138kV Switchyard Upgrade.

- 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. 13-01, Douglas Properties, Inc.

Consider an ordinance amending the zoning laws of the City of Garland by approving a change in zoning from Planned Development (PD) District 70-52 for Apartments, Retail and Townhouses to a Planned Development (PD) District for Single Family Uses and a Concept Plan on a 38.34-acre tract of land located north of East Miller Road and east of East Centerville Road.

b. Zoning File No. 13-11, Vincent de Jesus

Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for Contractor Equipment and Storage on a 0.278-acre tract of land zoned Commercial 2 (C-2) District located at 3120 Denton Drive.

c. Zoning File No. 13-12, CBRE Healthcare Services

Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for Medical Office/Clinic on a 2.40-acre of land zoned Industrial 1 (I-1) district located at 900 North Shiloh Road.

d. Zoning File No. 13-14, Firewheel Welcome, Ltd.

Consider an ordinance amending the zoning laws of the City of Garland by approving a Change in zoning from Planned Development (PD) District 06-79 for Freeway Uses to a Planned Development for Multi-family Uses (Independent Living Facility) and a Concept Plan on a 4.00-acre tract of land located within the 5100 block of North George Bush Highway, west of 5101 North George Bush Highway.

- 4. Consider a resolution adopting the Forest Jupiter Transit-Oriented Redevelopment Plan.**

At the April 15, 2013 Work Session, the Forest Jupiter Transit-Oriented Redevelopment Plan was presented to Council for consideration.

5. **Consider a resolution authorizing the Mayor to execute deeds without warranty, bills of sale, assignments of easements and other documents necessary to the conveyance of certain electric transmission facilities to the City of Bryan, Texas and Brazos Electric Power Cooperative.**

In 1991 and 1992, the Texas Municipal Power Agency (TMPA) entered into contracts for the administration of a contract for the sale of power between the Member Cities (Cities of Bryan, Denton, Garland, and Greenville) and the Cities of Bowie, Bridgeport, and College Station. As part of these contracts, TMPA constructed certain transmission facilities ("Off-System Sales Facilities") and acquired certain transmission rights-of-way ("Off-System Sales Transmission Rights-of-Way") in order to support the sales under these contracts. Due to operational conditions and compliance provisions associated with the Off System Sales Facilities, the Member Cities (through TMPA) maintain a potential regulatory liability with continued ownership of these facilities. Because of the current operations processes, as well as their geographical position, the assets are best conveyed to the City of Bryan and the Brazos Electric Power Cooperative. This item was scheduled for Council consideration at the May 6, 2013 Work Session.

6. **Consider the following:**
 - a. **Consider an ordinance authorizing the issuance of "City of Garland, Texas, Water and Sewer System Revenue Refunding and Improvement Bonds, Series 2013", pledging net revenues of the City's Water and Sewer System to the security of and the payment of the principal of and interest on said bonds; specifying the terms and conditions of such bonds; resolving other matters incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and a Special Escrow Agreement; and the approval and distribution of a Preliminary Official Statement and an Official Statement.**
 - b. **Consider an ordinance authorizing the issuance of "City of Garland, Texas, General Obligation Refunding Bonds, Series 2013"; specifying the terms and features of said bonds; levying a continuing direct annual ad valorem tax for the payment of said bonds; providing for the redemption of certain outstanding obligations of the City; and resolving other matters incident and related to the issuance, sale, payment and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and an Escrow Agreement and the approval and distribution of a Preliminary Official Statement and an Official Statement.**

- c. **Consider an ordinance authorizing the issuance of “City of Garland, Texas, Electric Utility System Revenue Refunding Bonds, Series 2013”, pledging the net revenues of the City’s electric utility system to the payment of the principal of and interest on said bonds; specifying the terms and conditions of such bonds; resolving other matters incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and a Special Escrow Agreement; and the approval and distribution of a Preliminary Official Statement and an Official Statement.**

At the April 15, 2013 Work Session, Council considered authorizing the refund of approximately \$14.4 million General Obligation Bonds, \$11.2 million Electric Utility System Revenue Bonds, and \$22.1 million Water and Sewer System Revenue Bonds.

7. **Consider an ordinance authorizing the issuance of “City of Garland, Texas Combination Tax and Revenue Certificates of Obligation, Series 2013”; providing for the payment of said certificates of obligation by the levy of an ad valorem tax upon all taxable property within the City and a limited pledge of the net revenues derived from the operation of the City’s Water and Sewer System; providing the terms and conditions of such payment, security, sale and delivery of said certificates of obligation, including the approval and execution of a Payment Agent/Registrar Agreement and the approval and distribution of a Preliminary Official Statement and an Official Statement pertaining thereto.**

At the April 15, 2013 Work Session, Council considered authorizing a Certificates of Obligation bond sale in the approximate amount of \$13 million and a Water and Sewer Utility System Revenue Bond sale in the approximate amount of \$7.3 million to fund a portion of the Capital Improvement Program.

8. **Consider by minute action authorizing the City Manager to execute an earnest money contract.**

Funding for a new water storage tower was included in the approved 2013 Capital Improvement Program as part of the West Pressure Plane project. Acquisition of the property at 2200 McCree Road is required before the design can be started for the tank construction. After preliminary negotiations, the City and property owner agreed to a land value of \$4.94 per square foot of property. The exact size of parcel is yet to be determined, but is expected to be approximately 54,000 square feet for a total of \$266,700.

9. **Consider an ordinance amending Chapter 33, “Transportation,” and Chapter 24, “Municipal Court and Administrative Adjudication” of the Code of Ordinances of the City of Garland providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland.**

At the April 15, 2013 Work Session, Council considered a request from the downtown merchants for parking restrictions along Main Street to ensure adequate nearby parking for their customers. Additionally, the City Center Project will significantly limit parking surrounding City Hall necessitating parking restrictions in this vicinity.

10. **Consider by minute action authorizing the City Manager to execute a change order to VAI Architects, Inc.**

At the April 15, 2013 Work Session, Council considered authorizing a change order in the amount of \$261,800 for additional services with VAI Architects, Inc. for the design of additional site improvements for the City Center Project.

11. **Consider a resolution adopting and approving the Consolidated Plan – One Year Plan of Action including a revised Statement of Uses of Funds for the 2013-14 Community Development Block Grant, HOME Investment Partnership and Emergency Solutions Grant Programs.**

A public hearing was held at the April 2, 2013 Regular Meeting regarding the budget allocation for the 2013-14 CDBG, HOME & ESG Programs. Council also discussed this item at the April 15, 2013 Work Session.

12. **Consider a resolution authorizing the acceptance of a Texas Department of Transportation Selective Traffic Enforcement Program – Click It or Ticket It Grant in the amount of \$8,999.92.**

The acceptance of a State of Texas Department of Transportation Selective Traffic Enforcement Program Grant – “Click It or Ticket It” in the amount of \$8,999.92 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. The required enforcement period will be May 20, 2013 – June 2, 2013. This item was scheduled for Council consideration at the May 6, 2013 Work Session.

- 13. Consider by minute action authorizing the City Manager to enter into a Consultation Services Retainer Agreement with Dean International, Inc. for transportation consulting services.**

At the April 15, 2013 Work Session, Council considered Dean International Inc.'s response to the Request for Qualifications to provide public policy consulting related to transportation issues. Council directed that staff prepare a Consultation Services Retainer Agreement with Dean International, Inc. This item was scheduled for Council consideration at May 6, 2013 Work Session.

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.

- 14. Consider by minute action the appointment of an individual to represent Garland on the North Texas Municipal Water District Board of Directors for a two-year term from June 1, 2013 to May 31, 2015.**

The term of office for one of the City of Garland's two appointments to the North Texas Municipal Water District's (NTMWD) Board of Directors will expire on May 31, 2013. Council is requested to make a reappointment or new appointment to the NTMWD Board for the term June 1, 2013 to May 31, 2015. Council was scheduled to interview applicants at the May 6, 2013 Work Session.

- 15. Hold a public hearing on the following zoning case:**

Consider the application of Atlantic Hotels Ltd., requesting approval of 1) amendments to Planned Development (PD) District 08-26, 2) an amended Detail Plan, and 3) a shared offsite parking agreement. The property is located at 4412 Bass Pro Drive. (File 13-16)

The proposal is for the approval of amendments to the Planned Development District Conditions, Detail Plan and Elevations, and an agreement with the City of

Garland to share offsite parking for the proposed Holiday Inn Express. At the April 8, 2013 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval.

16. 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.

17. 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. 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, April 16, 2013, in the Council Chambers at City Hall with the following members present:

Mayor	Ronald Jones
Mayor Pro Tem	John Willis
Deputy Mayor Pro Tem	Preston Edwards
Councilmember	Marvin 'Tim' Campbell
Councilmember	Anita Goebel
Councilmember	B.J. Williams
Councilmember	Lori Dodson
Councilmember	Rick Williams
Councilmember	Jim Cahill

STAFF PRESENT:	City Manager	William E. Dollar
	City Attorney	Brad Neighbor
	City Secretary	Lisa Palomba

CALL TO ORDER: The meeting was called to order by Mayor Ronald Jones. Councilman B.J. Williams led the Invocation and the Pledge of Allegiance.

CEREMONIALS: Mayor Jones provided special recognition to Sweet Home Missionary Baptist Church celebrating their 25th Anniversary. A proclamation was read recognizing May 2013 as Motorcycle Safety Awareness Month in the City of Garland; Garland Power & Light staff received special recognition for 90 years of service in Garland. Mayor Jones provided special recognition to Victoria Yeatts, MSN, RN for receiving the Texas Public Health Association (TPHA) James E. Peavy Memorial Award at the TPHA annual education conference in San Antonio on March 21, 2013 and for continuity of service to the City of Garland.

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on in a single motion at the beginning of the meeting. A motion was made by Councilman B.J. Williams, seconded by Councilman Campbell, to approve Items: 1; 2; 3a; 3b; 3c; 4; and 5 as presented. A vote was cast and the motion carried with 9 Ayes; 0 Nays.

1. Approved** City Council Meeting minutes of the April 2, 2013 Regular Meeting.

2a. Approved** Award of Bid No. 3482-13 to GT Distributors in the amount of \$149,299.95 for ammunition for the training of Garland Police Officers use of firearms to perform their duties.

- 3a. Approved** Approve Ordinance No. 6600 amending the zoning laws of the City of Garland approving a Specific Use Permit for a Kindergarten, Preschool or Child Care Center on a 4.65-acre tract of land zoned Planned Development District (PD 78-87) for Retail Uses located at 2121 Northwest Highway, Suite 116. (Zoning File No. 13-08, Restoration Fellowship Church).
- 3b. Approved** Approve Ordinance No. 6601 amending the zoning laws of the City of Garland by approving a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Shopping Center (SC) District on a 0.336-acre tract of land located at 101 West Buckingham Road. (Zoning File No. 13-09, Wal-Mart Real Estate Business Trust).
- 3c. Approved** Approve Ordinance No. 6602 amending the zoning laws of the City of Garland by approving a Specific Use Permit for a High Risk Use on a 5.61-acre tract of land zoned Industrial-1(I-1) District located at 3414 Hermann Drive. (Zoning File No. 13-10, C1S Group).
4. Approved** Approve by minute action authorizing the City Manager to execute Change Orders 1, 2, and 3 to PO #18484 in the amount of \$192,753.00 needed to increase the general construction contract with Hill & Wilkinson for labor, equipment, and materials to repair and replace damaged structures uncovered during the reconstruction of the Police Shooting Range roof collapse.
5. Approved** Approve by minute action authorizing the City Manager to execute a Change Order to PO #20506 in the amount of \$687,946.25 needed for the Storm Water Spill Prevention Plan implementation required for the Olinger to Greenville Transmission Line Upgrade Project.

ITEMS FOR INDIVIDUAL CONSIDERATION:

6. Held Mayor Jones opened the public hearing to consider items 6a; and 6b regarding a tax abatement for APEX Tool Group. Managing Director of Development Services Neil Montgomery provided background information. Paul Mayer CEO of Garland Chamber of Commerce also provided information. The public hearing was closed. Mayor Pro Tem Willis made a motion, seconded by Deputy Mayor Pro Tem Edwards, to approve both items 6a and 6b as follows:

6a. Approved

Approve Ordinance No. 6603 designating an area as a reinvestment zone for commercial/industrial tax abatement; making certain findings thereon; authorizing the City Manager to execute an agreement with the applicant regarding the reinvestment zone.

6b. Approved

Approve Resolution No. 10100 authorizing the City Manager to execute a tax abatement agreement. The APEX tool group is planning to invest \$8 million in its existing facility. This project is estimated to add \$5 million to the business personal property value and \$3 million for property improvement. At the April 1, 2013 Work Session, the Garland Economic Development Partnership Steering Committee recommended that Council provide: 1) a general support for the project and 2) support of a 100% City tax abatement on business personal property value on this new investment for 10 years totaling \$352,300.

A vote was cast and the motion to approve items 6a and 6b carried with 9 ayes, 0 nays.

7a. Held and Approved

Managing Director of Development Services Neil Montgomery provided background information regarding the request. Mayor Jones opened the public hearing to receive input regarding the application of Vincent De Jesus requesting approval of a Specific Use Permit for Contractor Equipment and Storage on property zoned Commercial 2 (C-2) District. The property is located at 3120 Denton Dive (Zoning File No. 13-11). The public hearing was closed.

Mayor Pro Tem Willis made a motion, seconded by Councilman B.J. Williams, to close the public hearing and to approve the application of Vincent De Jesus requesting approval of a Specific Use Permit for Contractor Equipment and Storage on property zoned Commercial 2 (C-2) District and directed staff to bring forth an ordinance for formal consideration. A vote was cast and the motion carried with 9 ayes, 0 nays.

7b. Held & Approved

Managing Director of Development Services Neil Montgomery provided background information. Mayor Jones opened the public hearing to receive input regarding the application of CBRE Healthcare Services requesting approval of a Specific Use Permit Medical Office/Clinic on property zoned Industrial 1 (I-1) District. The property is located at 900 North Shiloh Road. Councilman Cahill made a motion, seconded by

Councilwoman Dodson, to close the public hearing and to approve the request for a Specific Use Permit Medical Office/Clinic on property zoned Industrial 1 (I-1) District. The property is located at 900 North Shiloh Road; and directed staff to bring forth an ordinance for formal consideration. A vote as cast and the motion carried with 9 ayes, 0 nays.

7c.Held & Approved

Senior Managing Director of Administrative Services Neil Montgomery provided background information. Mayor Jones opened the public hearing to receive input regarding the application of Firewheel Welcome Ltd. Requesting approval of 1) a change in zoning from Planned Development (PD) District 06-79 for Freeway Uses to a Planned Development (PD) District for Multi-Family Uses (Independent Senior Living) and 2) a Concept. The property is located in the 5101 N. George Bush Highway (Hyatt Place Hotel, Zoning File13-14).

Ted Pittman, Applicant provided oral testimony during the public hearing. The public hearing was closed. Councilman Campbell made a motion, seconded by Councilwoman Dodson, to approve the application of Firewheel Welcome Ltd. Requesting approval of 1) a change in zoning from Planned Development (PD) District 06-79 for Freeway Uses to a Planned Development (PD) District for Multi-Family Uses (Independent Senior Living) and 2) a Concept as recommended by the Plan Commission at the March 25, 2013 Meeting. A vote was cast and the motion carried with 7 ayes, 0 nays (Edwards, B.J. Williams).

7d. Held & Denied

Senior Managing Director of Development Services Neil Montgomery provided background information. Mayor Jones opened the public hearing and the following persons provided oral testimony during the public hearing: Alfonso Vasquez, Applicant; Kathleen Walshe; Alejandrina Gamboa; Belen Alverado; Rosa Elia Valdez; Rolando Arellano; and Rene Estrada. The following persons registered a position: Joe Walshe; and Jose Valazquez.

The public hearing was closed and discussion was held among Councilmembers. Councilwoman Goebel made a motion, seconded by Councilwoman Dodson, to deny the request of Alfonso Vasquez requesting approval of a Specific Use Permit for Recycling Center of property zoned Industrial 1 (I-1) District located at 704 Walnut Circle East (Zoning File No. 13-15).

Councilman Campbell offered an amendment to approve the request on the condition that the Special Use Permit will expire at the end of the current Special Use Permit term. The motion died on the floor due to lack of a second.

A vote was cast on the original motion to deny. The motion carried with 5 ayes, 4 nays. (Edwards, Willis, R. Williams, Cahill)

8. CITIZEN COMMENTS None.

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 9:20p.m.

CITY OF GARLAND

Signed:

Mayor Ronald Jones

Attest:

Lisa Palomba, City Secretary



Purchasing Report

ARCHITECTURAL SERVICES FOR ROWLETT CREEK OPERATIONS CENTER OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this purchase is to award a Professional Services Contract to MPI Architects for the design of renovations and expansion to the Rowlett Creek Wastewater Treatment Plant Operations Center. MPI Architects was selected as most qualified for this project based on their demonstrated extensive experience with architectural design of similar facilities. This is an approved Capital Improvement Project.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
MPI Architects	1	\$186,800.00
TOTAL:		<u>\$186,800.00</u>

BASIS FOR AWARD:

Most Qualified

Submitted by:

Reviewed by:

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

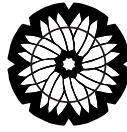
William E. Dollar
City Manager

Date: 04/22/13

Date: 4/25/13

FINANCIAL SUMMARY:

Total Project/Account: \$ 700,000		Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2013
Expended/Encumbered to Date: 209,763		Document Location: Page WW16
Balance: \$ 490,237		Account #: 237-4229-3302900-7101
This Item: 186,800		
Proposed Balance: \$ 303,437		
Matt Watson	04/23/13	Fund/Agency/Project – Description: Wastewater Revenue Bonds / Rowlett Creek WWTP Replacements/Modifications
Budget Analyst	Date	
Ron Young	04/23/13	
Budget Director	Date	
		Comments:



GARLAND

PURCHASING

Executive Summary **RFQ #3233-13** **Architectural Services for Rowlett Creek** **Operations Center**

Recommended Vendor:

MPI Architects

Total Recommended Award:

\$186,800.00

Basis for Award:

Most Qualified

Purpose:

The purpose of this purchase is to award a Professional Services contract to MPI Architects for the design of renovations and expansion to the Rowlett Creek Waste Water Treatment Plant Operations Center located at 2500 East Centerville Rd, Garland, Texas.

Evaluation:

A Request for Qualifications was issued in accordance with Purchasing procedure. A list of three (3) qualified architectural firms was selected based on evaluation and ranking of qualifications.

MPI Architects was selected as most qualified for this project based on their demonstrated extensive experience with architectural design of similar facilities.

Recommendation:

Staff recommends awarding a Professional Services contract for architectural design services to MPI Architects.

Funding Information:

CIP Account 237-4229-33029-00-7101

Department Director:

Ginny Holliday, Director of Facilities Management, 972-205-3225



GARLAND
PURCHASING

Bid No.: 3537-13
Agenda Item: 2b
Meeting: Council
Date: 05/07/13

Purchasing Report

CITY CENTER PROJECT - HERITAGE PARK RELOCATION OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this purchase is to award Guaranteed Maximum Price Contract for Construction Manager at Risk services for the Heritage Park Relocation and the Southwest Quadrant of Walnut Pedestrian Corridor as part of the Downtown Redevelopment project. This is an approved Capital Improvement Project. Expenditures will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Hill & Wilkinson General Contractors	All	\$1,528,308.80

TOTAL: \$1,528,308.80

BASIS FOR AWARD:

Most Qualified

Submitted by:

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

Reviewed by:

W
City Manager

Date: 04/24/13

Date:

FINANCIAL SUMMARY:

Total Project/Account: \$	1,626,864
Expended/Encumbered to Date:	45,513
Balance: \$	1,581,351
This Item:	1,528,309
Proposed Balance: \$	53,042

Matt Watson	04/24/13
Budget Analyst	Date

Ron Young	04/24/13
Budget Director	Date

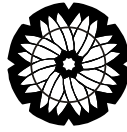
Operating Budget: ☐ CIP: ☒ Year: 2013

Document Location: Pages ED09 - ED10

Account #: 692-1509-1050100-9002
692-1509-1050101-9002
692-1509-1012700-9002

Fund/Agency/Project – Description:
CIP / Economic Development – Walnut Street
Pedestrian Corridor and Heritage Park

Comments:



GARLAND

PURCHASING

Executive Summary **RFQ 3537-13**

Downtown Redevelopment - Heritage Park and Walnut Pedestrian Corridor

Recommended Vendor:

Hill & Wilkinson General Contractors

Total Recommended Award:

\$1,528,308.00

Basis for Award:

Most Qualified

Purpose:

The purpose of this purchase is to award a Guaranteed Maximum Price (GMP) contract to Hill & Wilkinson General Contractors for Construction Manager at Risk (CMAR) services for the Heritage Park Relocation and the Southwest Quadrant of Walnut Pedestrian Corridor as part of the Downtown redevelopment project.

Evaluation:

On July 27, 2012 prequalified construction managers at risk were interviewed by a team composed of representatives from Staff and the private developer. Each construction firm presented the personnel that would be specifically working on the project along with their overall qualifications for related projects.

The firms were evaluated and ranked based upon stated criteria, resulting in the selection of Hill & Wilkinson General Contractors as the most qualified vendor.

Recommendation:

Staff recommends award of contract for Construction Manager at Risk services to Hill & Wilkinson General Contractors.

Funding Information:

CIP 692-1509-10501-00-9002; 692-1509-10501-01-9002; 692-1509-10127-00-9002

Department Director:

Ginny Holliday, Director of Facilities Management, 972-205-3225



GARLAND
PURCHASING

Bid No.: 2715-12
Agenda Item: 2c
Meeting: Council
Date: 05/07/13

Purchasing Report

SINGLE STREAM RECYCLING PROGRAM, PHASE II **OPEN MARKET**

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide 12,500 automated recycling containers for Phase II of the Environmental Waste Services Residential Automated Collection Single Stream Recycling Program. Requests for Proposal were solicited per Purchasing procedures. Six (6) proposals were received and evaluated on the criteria of cost proposal, delivery plan and schedule, conformance to cart specifications, and bidder's qualifications and experience. Cascade Engineering received the highest evaluated score offering the best value to the City.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Cascade Engineering	All	\$625,946.60
TOTAL:		\$625,946.60

BASIS FOR AWARD:

Best Value

Submitted by:

Reviewed by:

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

William E. Dollar
City Manager

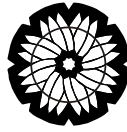
Date: 04/24/13

Date: 4/30/13

FINANCIAL SUMMARY:

Total Project/Account:	\$ 694,000	Operating Budget:	<input type="checkbox"/>	CIP:	<input checked="" type="checkbox"/>	Year:	2013
Expended/Encumbered to Date:	-0-	Document Location:	Page M02				
Balance:	\$ 694,000	Account #:	246-4319-2105513-9009				
This Item:	625,947	Fund/Agency/Project – Description:	EWS Group - Delivery – Recycling Containers				
Proposed Balance:	\$ 68,053	Comments:					
Matt Watson	04/25/13						
Budget Analyst	Date						
Ron Young	04/25/13						
Budget Director	Date						

CITY OF GARLAND - BID RECAP SHEET	Duval Sons, Inc.	Muehlisen & Co.	DELIVERED	DELIVERED	DELIVERED	DELIVERED
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GARLAND

PURCHASING

Executive Summary **Bid 2715-12** **Single Stream Recycling Program Phase II**

Recommended Vendor:

Cascade Engineering

Total Recommended Award:

\$625,946.60

Basis for Award:

Best Value

Purpose:

The purpose of this project is to provide 12,500 95-gallon recycling containers for Phase II of the Environmental Waste Services' Residential Automated Collection Single Stream Recycling Program.

Evaluation:

Request for Proposals were solicited per Purchasing procedures. Six (6) proposals were received and evaluated based on the criteria of: cost proposal; delivery plan; specifications; bidder's qualifications. Cascade Engineering received the highest evaluated score and was awarded Phase I of the Recycling Program.

Cascade Engineering is extending the pricing and terms of the original RFP for Phase II of the Recycling Program. Staff has been pleased with their performance.

Recommendation:

Staff recommends awarding Phase II of the Recycling Program to Cascade Engineering based on the evaluation criteria and their previous performance.

Funding Information:

CIP Project 246-4319-2104811-9009

Department Director:

Lonnie R. Banks, Managing Director, Environmental Waste Services, 972-205-3424



Purchasing Report

CONSTRUCTION OF CELL #6, HINTON REGIONAL LANDFILL OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this project is to provide excavation and construction of the 17-acre Cell #6 for waste disposal at the Hinton Landfill. Due to the size and complexity of the project, an optional contingency is included for unforeseen additional work that may be required. This is an approved Capital Improvement project, and expenditures will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
L. D. Kemp Excavation, Inc.	All	\$2,378,667.58
Contingency		356,800.14
TOTAL:		\$2,735,467.72

BASIS FOR AWARD:

Lowest Responsible Bidder

Submitted by:

Reviewed by:

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

William E. Dollar
City Manager

Date: 04/26/13

Date: 4/30/13

FINANCIAL SUMMARY:

Total Project/Account: \$ 2,890,000
Expended/Encumbered to Date: -0-
Balance: \$ 2,890,000
This Item: 2,735,468
Proposed Balance: \$ 154,532

Matt Watson 04/29/13
Budget Analyst Date

Ron Young 04/29/13
Budget Director Date

Operating Budget: ☐ CIP: ☒ Year: 2013

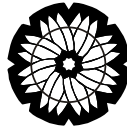
Document Location: Page EW02

Account #: 635-1609-1714613-7111

Fund/Agency/Project – Description:
Landfill / Construction of Waste Cell #6

Comments:

[illegible]



GARLAND

PURCHASING

Executive Summary **Bid 3342-13** **Hinton Regional Landfill Cell 6 Construction**

Recommended Vendor:

L. D. Kemp Excavation, Inc.

Total Recommended Award:

\$2,735,467.72

Basis for Award:

Lowest Responsible Bidder

Purpose:

The purpose of this project is to provide excavation and construction of the 17 acre Cell 6 for waste disposal at the Hinton Landfill. The project includes stormwater channel, access road, litter control fence, landfill gas probe and gas collection.

Evaluation:

Request for proposals were issued in accordance with Purchasing procedures. Twelve (12) proposals were received, and evaluated. Del Hur was the apparent overall lowest bidder, but they did not meet the minimum qualifications of completing five (5) similar projects in Texas. L.D Kemp Excavation, Inc. was the overall lowest bidder meeting all specification and qualification requirements.

Due to budget constraints, some of the line item quantities were reduced, but the unit pricing did not change.

Recommendation:

Staff recommends awarding the contract to L.D. Kemp Excavation, Inc.

Funding Information:

Landfill Sinking Fund Distribution Account 635-1609-1714613-7111

Department Director:

Lonnie R. Banks Managing Director, Environmental Waste Services, 972-205-3424



GARLAND
PURCHASING

Bid No.: 3351-13
Agenda Item: 2e
Meeting: Council
Date: 05/07/13

Purchasing Report

HVAC REPAIR AND REPLACEMENT SERVICES TERM CONTRACT

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide HVAC maintenance, repair, and replacement services throughout the City on an as-needed basis. This is a Term Contract with four (4) optional renewals. The bid is awarded by unit price. The total amount of the award is estimated, and expenditures may be more or less depending on actual need. Funds will be committed at time of invoice payment, and expenditures will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
United Mechanical (Primary)	All	\$250,000.00
Berger Engineering (Secondary)	All	150,000.00
TOTAL:		\$400,000.00

BASIS FOR AWARD:

Best Value

Submitted by:

Reviewed by:

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

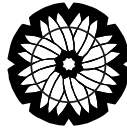
William E. Dollar
City Manager

Date: 04/26/13

Date: 4/30/13

FINANCIAL SUMMARY:

Total Project/Account: \$ N/A		Operating Budget: <input checked="" type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2012-13	
Expended/Encumbered to Date: N/A		Document Location: p. 126 (Oper.Bgt.) / MF01 (CIP)	
Balance: \$ N/A		Account #: 451-6999 (Blanket)	
This Item: 400,000		Fund/Agency/Project – Description: Term Contract – HVAC Repair & Replacement Services	
Proposed Balance: \$ N/A		Comments: Term Contract sets price but does not commit funds. Expenses will be charged to accounts as incurred.	
Ron Tiffany	04/29/13		
Budget Analyst	Date		
Ron Young	04/29/13		
Budget Director	Date		



GARLAND

PURCHASING

Executive Summary **Bid 3351-13**

Term Contract for HVAC Maintenance, Repair and Replacement

Recommended Vendors:

United Mechanical (Primary)	\$250,000.00
Berger Engineering (Secondary)	<u>\$150,000.00</u>

Total Recommended Award: \$400,000.00

Basis for Award:

Best Value

Purpose:

The purpose of this Contract is to provide maintenance, repair and replacement HVAC equipment throughout all City facilities as needed. The contract will be for one (1) term with four (4) optional renewals. The term will be either annually or the expenditure of funds, whichever occurs first.

Evaluation:

Eight (8) bids were received and evaluated based on the stated best value criteria. Two (2) vendors rejected as non-responsive. The remaining six (6) vendors went through a preliminary pricing evaluation to create a short-list of the top three (3) candidates. United Mechanical and Berger Engineering were recommended as primary and secondary vendors based on the best value criteria.

Recommendation:

Staff recommends awarding the term contract to United Mechanical as the primary vendor and Berger Engineering as the secondary vendor.

Funding Information:

This Contract is funded from the Term Contract Account 451-6999. Proper departmental expenditure account numbers will be applied as work is done.

Department Director:

Ginny Holliday, Facilities Management Director, 972-205-3225



GARLAND
PURCHASING

Bid No.: 3429-13
Agenda Item: 2f
Meeting: Council
Date: 05/07/13

Purchasing Report

PLUMBING REPAIR AND REPLACEMENT SERVICES TERM CONTRACT

PURCHASE JUSTIFICATION:

The purpose of this Contract is to provide plumbing maintenance, repair, and replacement services throughout the City on an as-needed basis. This is a Term Contract with four (4) optional renewals. This bid is awarded by unit price. The total amount of the award is estimated and may be more or less depending on actual need. Funds will be committed at time of invoice payment, and expenditures will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Concord Commercial Services, Inc.	All	\$250,000.00
TOTAL:		\$250,000.00

BASIS FOR AWARD:

Best Value

Submitted by:

Reviewed by:

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

William E. Dollar
City Manager

Date: 04/25/13

Date: 4/30/13

FINANCIAL SUMMARY:

Total Project/Account:	\$	N/A
Expended/Encumbered to Date:		N/A
Balance:	\$	N/A
This Item:		250,000
Proposed Balance:	\$	N/A

Ron Tiffany	04/26/13
Budget Analyst	Date

Ron Young	04/26/13
Budget Director	Date

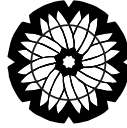
Operating Budget: ☒ CIP: ☐ Year: 2012-13

Document Location: Page 126

Account #: 451-6999
(Blanket)

Fund/Agency/Project – Description:
Term Contract – Plumbing Repair and Replacement Services

Comments:
Term Contract sets price but does not commit funds. Expenses will be charged to accounts as incurred.



GARLAND

PURCHASING

Executive Summary **Bid 3429-13**

Term Contract for Plumbing Maintenance, Repair and Replacement

Recommended Vendor:

Concord Commercial Services, Inc.

Total Recommended Award:

\$250,000.00

Basis for Award:

Best value

Purpose:

The purpose of this Contract is to provide plumbing maintenance, repair and replacement services throughout the City on an as needed basis. The contract will be for one (1) term with four (4) optional renewals. The term will be either annually or the expenditure of funds, whichever occurs first. The Contract will be used by various City departments including but not limited to Facilities Management, Water Department and Street Department.

Evaluation:

Three (3) bids were received and evaluated. Concord Commercial Services was recommended after applying the published best value criteria of: price; references; response time; work order process; proposed personnel.

Funding Information:

This Contract is funded from the Term Contract Account 451-6999. Proper departmental expenditure account numbers will be applied as releases are made from the Term Contract.

Department Director:

Ginny Holliday, Facilities Management Director, 972-205-3225



GARLAND
PURCHASING

Bid No.: 3465-13
Agenda Item: 2g
Meeting: Council
Date: 05/07/13

Purchasing Report

SANITARY SEWER IMPROVEMENTS FOR CLUB CREEK AND LYONS II OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to remove the Club Creek Lift Station and construct approximately 4,211 linear feet of sanitary sewer to connect to the Windridge Lift Station. Lyons II improvements consist of upgrading approximately 2,940 linear feet of existing sanitary sewer mains. The total amount of the award is estimated and may be more or less depending on actual needs. Funding for this project was approved in the 2013 CIP. Funds will be committed at time of invoicing, and expenditures will not exceed funds appropriated.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
John Burns Construction Co., Inc.	ALL	\$897,019.00
	TOTAL:	\$897,019.00

BASIS FOR AWARD:

Straight Low Bid

Submitted by:

Reviewed by:

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

William E. Dollar
City Manager

Date: 04/26/13

Date: 4/30/13

FINANCIAL SUMMARY:

Total Project/Account: \$	3,831,071
Expended/Encumbered to Date:	1,874,844
Balance: \$	1,956,227
This Item:	897,019
Proposed Balance: \$	1,059,208

Matt Watson	04/29/13
Budget Analyst	Date

Ron Young	04/29/13
Budget Director	Date

Operating Budget: ☐ CIP: ☒ Year: 2013

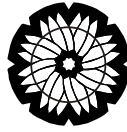
Document Location: Pages WW10 and WW11

Account #:	237-4149-3217400-9305	\$470,771
	237-4149-3217000-9305	426,248

Fund/Agency/Project – Description:
Wastewater / Lyons II and Lift Station
Abandonment

Comments:

[illegible]



GARLAND

PURCHASING

Executive Summary **Bid 3465-13** **Club Creek Lift Station and** **Lyons II Sanitary Sewer Improvements**

Recommended Vendor:

John Burns Construction Company, Inc.

Total Recommended Award:

\$897,019.00

Basis for Award:

Straight Low Bid

Purpose:

The purpose of this Contract is to provide for removal of the Club Creek Lift Station on Bluffview Drive and construction of approximately 4,211 linear feet of 12" gravity sanitary sewer to connect the removed station to the existing Windridge Lift Station on Oates Road.

Lyons II consists of upgrading approximately 2,940 LF of existing 6", 8" and 10" sanitary sewer to 10" and 18" mains to include all paving and incidentals.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures. Six (6) bids were received and evaluated with John Burns Construction Company, Inc. submitting the lowest bid.

Recommendation:

Staff recommends awarding the contract to John Burns Construction Company, Inc.

Funding Information:

Club Creek – 237-4149-3217407-9305 / CS2174-RB-1-9305	\$470,771.00
Lyons II – 237-4149-3217000-9305 / CS-32170-RB-3-9305	\$426,248.00

Department Director:

Michael C. Polocek, P.E., 972-205-2178



GARLAND
PURCHASING

Bid No.: 3474-13
Agenda Item: 2h
Meeting: Council
Date: 05/07/13

Purchasing Report

GALVANIZED STEEL TRANSMISSION MONOPOLES - NEVADA SUBSTATION OPEN MARKET

PURCHASE JUSTIFICATION:

This bid is for the purchase of three (3) galvanized steel transmission monopoles and associated apparatus required for the 138 kV transmission line connection to the Nevada Substation. Due to the size and complexity of the project, an optional contingency is included for any unforeseen changes in the requirements. This is an approved Capital Improvement Project. Expenses will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Techline, Inc.	1-52	\$214,612.23
Contingency		25,000.00
TOTAL:		\$239,612.23

BASIS FOR AWARD:

Lowest Responsible Bidder

Submitted by:

Reviewed by:

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

William E. Dollar
City Manager

Date: 04/18/13

Date: 4/30/13

FINANCIAL SUMMARY:

Total Project/Account: \$ 400,000		Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2013
Expended/Encumbered to Date: 118,837		Document Location: Page E01
Balance: \$ 281,163		Account #: 217-3591-3141301-6051 (EC-T0413-003-1-6051)
This Item: 239,612		Fund/Agency/Project – Description: Electric CIP / Transmission Lines
Proposed Balance: \$ 41,551		Comments:
Trent Schulze	04/25/13	
Budget Analyst	Date	
Ron Young	04/25/13	
Budget Director	Date	



GARLAND

PURCHASING

Executive Summary **Bid 3474-13** **Galvanized Steel Transmission Monopoles**

Recommended Vendor:

Techline, Inc.

Total Recommended Award:

\$239,612.23

Basis for Award:

Lowest Responsible Bidder

Purpose:

The purpose of this bid is to purchase three (3) galvanized steel transmission monopoles and associated apparatus required for the 138kV Transmission Line connection to the Nevada Substation.

Evaluation:

Notification of a pending Request for Bids was issued per Purchasing procedure. Two (2) bids were received and evaluated.

Although Border States Electric was lower on some of the associated apparatus, they were not low on the galvanized steel monopoles and only quoted twenty-one of the fifty-two required line items. Techline, Inc. had the overall lowest bid.

Recommendation:

Staff recommends awarding to Techline, Inc. as the Lowest Responsible Bidder quoting all items and meeting all requirements of the specifications.

Funding Information:

Capital Improvement Projects 217-3591-3141301-6051 (EC-T7413-003-1-6051) and 210-3591-3141301-6051 (EC-T0413-003-1-6051)

Department Director:

Tommy Weathersbee, Transmission and Distribution Director, 972-205-3532



GARLAND
PURCHASING

Bid No.: 3534-13
Agenda Item: 2i
Meeting: Council
Date: 05/07/13

Purchasing Report

MODULAR OFFICE SYSTEM OPEN MARKET

PURCHASE JUSTIFICATION:

Due to overcrowding at their Transmission and Distribution facility, GP&L entered into a lease for a modular office system for the GIS and Workforce Management groups. Because of the ongoing need for the additional space, it is more cost-effective to purchase the units rather than to continue leasing long-term. The modular office system is made available through The Cooperative Purchasing Network (TCPN) Contract Number R5071.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Williams Scotsman, Inc.	All	\$112,000.00
	TOTAL:	\$112,000.00

BASIS FOR AWARD:

Cooperative Purchase

Submitted by:

Reviewed by:

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

William E. Dollar
City Manager

Date: 04/18/13

Date: 4/30/13

FINANCIAL SUMMARY:

Total Project/Account:	\$ 115,000
Expended/Encumbered to Date:	323
Balance:	\$ 114,677
This Item:	112,000
Proposed Balance:	\$ 2,677

Trent Schulze	04/25/13
Budget Analyst	Date

Ron Young	04/25/13
Budget Director	Date

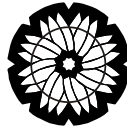
Operating Budget: ☐ CIP: ☒ Year: 2013

Document Location: Page E12

Account #: 210-3299-3189701-9002
(EC-D08971-1-9002)

Fund/Agency/Project – Description:
Electric CIP – Distribution

Comments:



GARLAND

PURCHASING

Executive Summary
Bid 3534-13
Modular Office System

Recommended Vendor:

Williams Scotsman, Inc.

Total Recommended Award:

\$112,000.00

Basis for Award:

Cooperative Purchase

Purpose:

Due to overcrowding at their Transmission and Distribution facility, GP&L entered into a lease for a modular office system for the GIS and Workforce Management groups. It was anticipated that the lease would be short-term while plans were developed for a new facility. However, due to budget constraints and the cost associated with paying off the TMPA debt, plans for a new facility have been postponed. Because of the on-going need for additional space, it is more cost effective to purchase the units rather than to continue leasing long-term.

Evaluation:

The modular office system is made available through The Cooperative Purchasing Network (TCPN) Contract Number R5071.

Recommendation:

Staff recommends converting the current lease agreement with Williams Scotsman, Inc. to a purchase agreement.

Funding Information:

Capital Improvement Project 210-3299-3189701-9002

Department Director:

Darrell Cline, Director of Finance and Accounting, 972-205-2655



GARLAND
PURCHASING

Bid No.: 3546-13
Agenda Item: 2j
Meeting: Council
Date: 05/07/13

Purchasing Report

MICROSOFT ENTERPRISE AGREEMENT RENEWAL OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to renew the ongoing Microsoft Enterprise Agreement as required for the City's use of Microsoft products. Staff recommends renewing the Microsoft Enterprise Agreement annually as long as the City has a need for said Agreement. Annual renewals will be with either Dell Marketing, LP, or the current Department of Information Resources (DIR) contract holder at time of renewal.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Dell Marketing, LP	All	\$393,117.02
TOTAL:		\$393,117.02

BASIS FOR AWARD:

Cooperative Purchase

Submitted by:

Reviewed by:

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

William E. Dollar
City Manager

Date: 04/25/13

Date: 4/30/13

FINANCIAL SUMMARY:

Total Project/Account: \$	4,294,260
Expended/Encumbered to Date:	1,223,882
Balance: \$	3,070,378
This Item:	393,117
Proposed Balance: \$	2,677,261

Matt Monedero	04/26/13
Budget Analyst	Date

Ron Young	04/26/13
Budget Director	Date

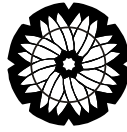
Operating Budget: ☒ CIP: ☐ Year: 2012-13

Document Location: Pages 130 and 132

Account #:	411-4516-7121	\$361,900.44
	415-4599-2324709- 9029	31,216.58

Fund/Agency/Project – Description:
Renew the Microsoft Enterprise Agreement

Comments:



GARLAND

PURCHASING

Executive Summary **Bid 3546-13** **Microsoft Enterprise Agreement Renewal**

Recommended Vendor:

Dell Marketing, LP

Total Recommended Award:

\$393,117.02

Basis for Award:

Cooperative Purchase

Purpose:

The purpose of this contract is to renew the on-going Microsoft Enterprise Agreement as required for the City's use of Microsoft products.

Evaluation:

Dell Marketing, LP is the current contract holder through the Department of Information Resources (DIR) State contract DIR-SDD-1014.

Recommendation:

Staff recommends renewing the Microsoft Enterprise Agreement annually as long as the City has a need for said Agreement. Annual renewals will be with either Dell Marketing, LP or the current DIR contract holder at time of renewal.

Funding Information:

The funding for the renewal of the Microsoft Enterprise Agreement is a line item in Information Technology's operating budget.

Department Director:

Steve Niekamp, Chief Information Officer, 972-781-7205



GARLAND
PURCHASING

Bid No.: 3553-13
Agenda Item: 2k
Meeting: Council
Date: 05/07/13

Purchasing Report

GP&L MOBILE WORKFORCE COMPUTER REPLACEMENT OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this purchase is to replace aged computers that are used by Garland Power & Light's mobile workforce. The IT Replacement Fund recommends replacing these assets every three (3) years to coincide with the warranty expiration.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Dell Marketing, LP	ALL	\$135,502.20
TOTAL:		\$135,502.20

BASIS FOR AWARD:

COOPERATIVE PURCHASE

Submitted by:

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

Reviewed by:

William E. Dollar
City Manager

Date: 04/26/13

Date: 4/30/13

FINANCIAL SUMMARY:

Total Project/Account: \$	368,444
Expended/Encumbered to Date:	143,581
Balance: \$	224,863
This Item:	135,502
Proposed Balance: \$	89,361

Matt Monedero 04/29/13
Budget Analyst Date

Ron Young 04/29/13
Budget Director Date

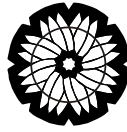
Operating Budget: ☒ CIP: ☐ Year: 2012-13

Document Location: Page 133

Account #: 413-3197-6012

Fund/Agency/Project – Description:
Replace Aged Computers Used by Garland
Power & Light

Comments:



GARLAND

PURCHASING

Executive Summary **Bid 3553-13** **GP&L Mobile Workforce Computer Replacement**

Recommended Vendor:

Dell Marketing, LP

Total Recommended Award:

\$135,502.20

Basis for Award:

Cooperative Purchase

Purpose:

The purpose of this purchase is to replace aged computers that are used by Garland Power & Light's mobile workforce.

Evaluation:

Dell Marketing, LP is the current contract holder through the Department of Information Resources (DIR) State contract DIR-SDD-1014.

Recommendation:

The IT Replacement fund recommends replacing these assets every three (3) years to coincide with the warranty expiration.

Funding Information:

The funding for the replacement of these assets will come from the established IT Replacement fund.

Department Director:

Ananth Palani, GP&L IT Director, 972-205-2669



GARLAND
PURCHASING

Bid No.: 3483-13
Agenda Item: 2I
Meeting: Council
Date: 05/07/13

Purchasing Report

NEVADA 138 kV SWITCHYARD CONSTRUCTION OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide the necessary labor, equipment, and materials for the construction of the Nevada 138 kV Switchyard Upgrade. System 3, Inc., received the highest evaluated score and was the lowest overall bidder. Due to the size and scope of the project, an optional \$220,000 Contingency is included for unforeseen changes. This is an approved GP&L Capital Improvement project. Expenditures will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
System 3, Inc.	All	\$1,453,757.83
Contingency		220,000.00
TOTAL:		\$1,673,757.83

BASIS FOR AWARD:

Best Value

Submitted by:

Reviewed by:

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

William E. Dollar
City Manager

Date: 04/25/13

Date: 4/30/13

FINANCIAL SUMMARY:

Total Project/Account: \$	3,137,000	Operating Budget: <input type="checkbox"/>	CIP: <input checked="" type="checkbox"/>	Year: 2013
Expended/Encumbered to Date:	871,707	Document Location:	Page E11	
Balance: \$	2,265,293	Account #:	210-3799-3175101-7111	\$1,596,247
This Item:	1,673,758		217-3799-3175101-7111	77,511
Proposed Balance: \$	591,535	Fund/Agency/Project – Description:	Electric Utility CIP / Substations Upgrades	
Trent Schulze	04/30/13	Comments:	Contract provides necessary labor, equipment, and materials for construction of the Nevada 138 kV Switchyard upgrade. An optional \$220,000 Contingency is included for unforeseen changes. Expenditures will not exceed appropriated funds.	
Budget Analyst	Date			
Ron Young	04/30/13			
Budget Director	Date			



GARLAND

PURCHASING

Executive Summary **Bid 3483-13** **Nevada 138 kV Switchyard Construction**

Recommended Vendor:

System 3, Inc.

Total Recommended Award:

\$1,673,757.83

Basis for Award:

Best Value

Purpose:

This purpose of this contract is to provide the necessary labor, equipment and materials for the construction of the Nevada 138 kV Switchyard Upgrade.

Evaluation:

Notification of Request for Bids was issued per purchasing procedures. Three (3) bids were received and evaluated based on the criteria of: price; compliance with specifications; availability of services; full range capabilities; reputation and experience.

System 3, Inc. received the highest evaluated score and was the lowest overall bidder.

Recommendation:

System 3, Inc. is the recommended best value provider meeting all requirements of the specifications.

Funding Information:

CIP Account 217-3799-3175101-7111 (\$77,511.00)

CIP Account 210-3799-3175101-7111 (\$1,596,246.83)

Department Director:

Tommy Weathersbee, Transmission and Distribution Director, 972-205-3532



City Council Item Summary Sheet

☐ Work Session

Date: May 7, 2013

☒ Agenda Item

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 13-01 – Douglas Properties, Inc.

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 PLANNED DEVELOPMENT (PD) DISTRICT 70-52 FOR APARTMENTS, RETAIL AND TOWNHOUSES TO A PLANNED DEVELOPMENT (PD) DISTRICT FOR SINGLE FAMILY USES AND A CONCEPT PLAN ON A 38.34-ACRE TRACT OF LAND LOCATED NORTH OF EAST MILLER ROAD AND EAST OF EAST CENTERVILLE ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 11th day of March, 2013, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Douglas Properties, Inc.**, 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 Planned Development (PD) District 70-52 for Apartments, Retail, and Townhouses to a Planned Development (PD) District for Single Family Uses and a Concept Plan, on a 38.34-acre tract of land located north of East Miller Road and east of East Centerville 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 _____, 2013.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 13-01

BEING a tract of land situated in the Edward Mills Survey, Abstract No. 952, and the William Turner Survey, Abstract No. 1481, Dallas County, Texas and being the same two tracts of land conveyed to Lorrin A Buckard by deed filed November 26, 1968 in the Deed Records of Dallas County, Texas and being more particularly described as follows;

BEGINNING at the intersection of the west line of a tract of land conveyed to the City of Dallas in Cause No. 44932-B, Dallas County Court No. 2, and the north right-of-way line of Miller Road(a 100' R.O.W.);

THENCE, along said north right-of-way line of Miller Road a non-tangent curve to the left having a central angle of 02°04'50", a radius of 5780.00 feet, and an arc distance of 209.90 feet, with a chord bearing of S 8832'30" W-209.89 feet to a point for corner;

THENCE, S 87°30'10" W, a distance of 833.26 feet to a point for corner;

THENCE, N 00°48'55" W, leaving said north right-of-way line of Miller Road a distance of 721.29 feet to a point for corner;

THENCE, S 89°24'40" W, a distance of 487.18 feet to the east right-of-way line of Centerville Road(a 100.00' R.O.W.) a point for corner;

THENCE, N 01°30'47" E, along said east right-of-way line of Centerville Road a distance of 615.54 feet to a point for corner;

THENCE, N 89°35'47" E, leaving said east right-of-way line of Centerville Road a distance of 96.19 feet to a point for corner;

THENCE, N 69°30'50" W, a distance of 45.77 feet to a point for corner;

THENCE, N 84°11'15" W, a distance of 168.97 feet to a point for corner;

THENCE, N 51°00'44" W, a distance of 447.37 feet to a point for corner;

THENCE, N 79°09'00" W, a distance of 290.89 feet to a point for corner;

THENCE, S 19°26'04" E, a distance of 264.01 feet to a point for corner;

EXHIBIT A

THENCE, S 18°51'20" E, a distance of 548.04 feet to a point for corner;

THENCE, S 48°37'20" E, a distance of 428.08 feet to a point for corner;

THENCE, S 09°01'26" E, a distance of 430.41 feet to a point for corner;

THENCE, S 21°39'55" W, a distance of 191.40 feet to the Place of Beginning and containing 38.34 acres of land.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE 13-01

North of East Miller Road and east of East Centerville Road

- I. **Statement of Purpose:** The purpose of this Planned Development District is to permit the development of a single-family subdivision 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 Single Family Dwelling (SF/7/E/3) District set forth in Section 17-510, Section 18, 18-300 and 32 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as specified in this ordinance
- IV. **Development Plans:**

Concept Plan: Development shall be in general conformance with the amended Concept Plan set forth in Exhibit C.

Detail Plan: Prior to development on the subject property or portion thereof, a Detail Plan and conditions shall be approved through the public hearing process.

V. **Specific Regulations:**

- A. Permitted uses: Only a single-family residential development shall be permitted.
- B. Minimum lot size: The minimum lot size is 6,000 square feet.
- C. Minimum dwelling unit size: A minimum dwelling unit area of 1,650 square feet shall be required and the square footage of dwelling units shall be as follows:
 - At least 25% at no less than 1,800 square feet in floor area
 - At least 25% at no less than 2,000 square feet in floor area
 - At least 25% at no less than 2,200 square feet in floor area
 - At least 25% at no less than 2,400 square feet in floor area
- D. Minimum lot width: Fifty-five (55) feet at the building line.
- E. Minimum lot depth: One hundred (100) feet.
- F. Maximum lot coverage: 55%
- G. Building setbacks:

Minimum front yard setback: Twenty (20) feet.

Minimum side yard setback (interior): Five (5) feet on each side.

Minimum side yard setback adjacent to street: Twenty (20) feet.

Minimum rear yard setback: Ten (10) feet.

H. Minimum number of design elements: A minimum of three (3) of the following elements must be incorporated into the design of each dwelling unit:

- a) Multiple pane (divided light and simulated divided light) windows;
- b) Decorative columns (min. 6" diameter) and 30" minimum height railings enclosing the front porch area;
- c) Gable with window;
- d) Dormer;
- e) Bay windows with a minimum projection of twenty-four inches (24");
- f) Minimum 8:12 roof pitch;
- g) Split garage doors (i.e., a separate door for each vehicle bay).
- h) Coach lights
- i) At least 100 square feet of natural stone on front elevations
- j) Front or rear covered porch of at least 100 square feet

I. Minimum number of elevations: Repetition of elevation shall be described as 5 lots skipped on the same side of the street before repeating the same elevation; 2 lots skipped on the opposite side of the street before repeating the same elevation.

J. Garages: A minimum two-car garage shall be required for each dwelling unit.

K. Building materials: The minimum masonry requirement for houses within the subdivision shall consist of 80% masonry for each elevation. Masonry shall be defined as brick, stucco, cast stone or stone.

L. Screening: A 6-foot high masonry wall shall be installed along the perimeter of the property where all side or rear yards of residential lots

abut Centerville Road and Miller Road. Masonry shall be defined as stone or brick and shall meet the City's construction standards. At least one (1) tree shall be planted along the screening wall for every fifty (50) linear feet of frontage along both East Centerville and East Miller Road.

- M. Landscaping: Each yard shall be fully irrigated and sodded. Each yard shall have at least ten (10) shrubs and at least two, 3-inch caliper trees or large in the front yard.
- N. Alleys: Alleys shall not be required with this development.
- O. Homeowners Association: A Homeowners Association shall be incorporated and each lot/homeowner shall be a mandatory member. The bylaws of this association shall establish a system of payment of dues; a system of enforcement of its rules and regulations; shall provide a clear and distinct definition of the responsibility of each member; and other provisions as deemed appropriate to secure a sound and stable association. The Bylaws for this association shall be submitted to the Director of Planning for review and approval prior to commencement of construction of any infrastructure improvements within the subdivision.
- P. Maintenance of Open Space, Landscaped Areas, Entry Features and Other Amenities: Maintenance of all open space, common areas, landscaped areas and all entry features including any allowed within the street medians, irrigation, perimeter fencing and other amenities shall be the responsibility of the Homeowner's Association.
- Q. Open Space Access and Amenities: There will be at least 1 single loaded street for access to open space. A hike/bike trail shall be provided in the open space at least six (6) feet wide and at least three (3) benches shall be installed.
- R. Entry Features: Entry features will be faced with two tones of stone.
- S. Fencing: All side/rear fencing on the residential lots will be an eight (8) foot maximum, wood with metal post and rails inside. There will be a six (6) foot tubular steel fence adjacent to all open space.
- T. Retaining Walls: All retaining walls, wing wall, or other similar structures will be faced with rock/stone.
- U. Closed Municipal Solid Waste Landfill. The proposed subdivision appears to include areas that constitute a closed municipal solid waste landfill within the meaning of Rule 330.951, Texas Administrative Code. The applicant shall provide all necessary documentation with the Detail Plan submittal to demonstrate compliance with the requirements of Subchapter T, Chapter 330, Texas Administrative Code.



City Council Item Summary Sheet

☐ Work Session

☒ Agenda Item

Date: May 7, 2013

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 13-11 – Vincent de Jesus

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 CONTRACTOR EQUIPMENT AND STORAGE ON A 0.278-ACRE TRACT OF LAND ZONED COMMERCIAL 2 (C-2) DISTRICT LOCATED AT 3120 DENTON DRIVE; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 25th day of March, 2013, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Vicente de Jesus**, 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 Contractor Equipment and Storage on a 0.278-acre tract of land zoned Commercial 2 (C-2) District located at 3120 Denton 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 _____, 2013.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 13-11

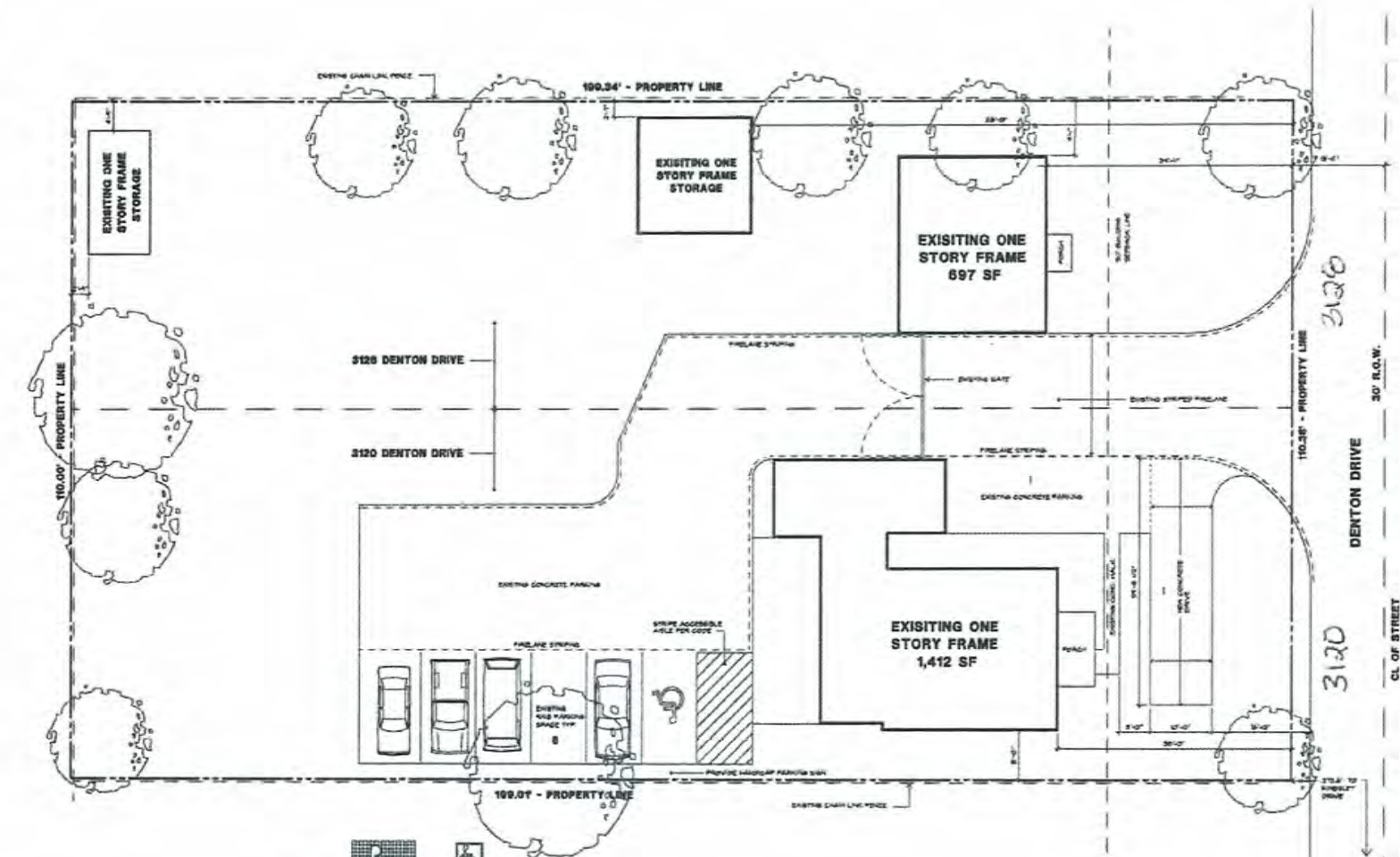
Being an approximately 0.278 acre portion of Lot 1, Kingsley Road Pecan Acres Addition, an addition as recorded in Volume 6, Page 94 of the D.R.D.C.T., City of Garland, Dallas County, Texas. The subject property is located at 3120 Denton Drive, south of Kingsley Road and east of Denton Drive.

SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 13-11

3120 Denton Drive

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to permit the use of Contractor Equipment and Storage.
- II. **Statement of Effect:** The Specific Use 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 Commercial-2 (C-2) District set forth in Section 26 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 period of 20 years and shall apply to **Vicente de Jesus**.
 - B. Site Plan: Development shall be in general conformance with the approved site plan labeled Exhibit C.
 - C. Storage: All contractor equipment and material shall be stored within a building. Vehicles shall be stored within a building or the paved fenced area behind the building. No storage of vehicles shall be allowed to occur outside of the paved fenced area.



SITE AND BUILDING DATA				
OCCUPANCY GROUP	COMMERCIAL			
ZONING	C-2			
PROPOSED USE	CONCRETE BUSINESS			
CONSTRUCTION TYPE	-			
BUILDING / PARKING	BUILDING AREA	TOTAL PARKING REQUIRED	TOTAL PARKING PROVIDED	
OFFICE # 1: 300	2,028 SF	8 SPACES	8 SPACES	
-	-	-	-	
	HC INCLUDED IN TOTAL	HC SPACES REQUIRED	HC SPACES PROVIDED	
	-	-	-	
BUILDING HEIGHT AND MATERIALS	WOOD FRAME - HEIGHT Varies WITH ROOF PITCH CONCRETE			
ENTRANCE / PARKING	-			



1 ACCESSIBLE SIGNAGE

1 ACCESSIBLE SIGNAGE

SITE NOTES

THIS SITE PLAN IS NOT A SURVEY. IT IS PROVIDED FOR BUILDING AND SITE WORK LAYOUT ONLY. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL VERIFY WITH THE CITY AND/OR THE APPROPRIATE UTILITIES ALL GAS, WATER, SEWER, AND TELEPHONE LINES, AND ANY OTHER EXISTING SITE CONDITIONS THAT COULD PRESENT A HAZARD OR INTERFERE WITH CONSTRUCTION. ANY DISCREPANCIES BETWEEN THIS SITE PLAN AND ACTUAL ON-SITE CONDITIONS SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO RESOLVE. THE ARCHITECT OF THIS DOCUMENT, AND THEN ONLY AS INFORMATION IS PROVIDED BY THE CONTRACTOR. THESE REQUIREMENTS APPLY FROM THE TIME THESE DOCUMENTS ARE ISSUED, AND CONTINUE THROUGHOUT THE COURSE OF CONSTRUCTION.

FIRST GRADE SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES ON THIS SITE AND SHALL BE SUBMITTIVE TO ADJACENT SITES, AND SHALL MEET ALL LOCAL REQUIREMENTS.

01 ARCHITECTURAL SITE PLAN

SCALE 1/8" = 1'-0"



D. JESUS CONCRETE
137 COVE DRIVE
GARLAND, TX 75040
972.684.1023

ALLIANT DESIGN LLC
10000 HILLMAN AVE
GARLAND, TX 75040

NOTHING IS REPRESENTED OR GUARANTEED BY THESE AND THE VENDOR OF THE ARCHITECT SHALL BE RESPONSIBLE TO THE CITY OF GARLAND FOR THE DESIGN OF ANY CONSTRUCTION PROJECTS UNDER THE CONTRACT OF ARCHITECT & ALLIANT A/C - TO THE BEST OF OUR KNOWLEDGE.

D. JESUS CONCRETE
3120 & 3125 DENTON DRIVE
GARLAND, TEXAS

REV	DATE	DESCRIPTION
1	08/15/2023	ISSUED FOR PERMIT
2	08/15/2023	ISSUED FOR PERMIT
3	08/15/2023	ISSUED FOR PERMIT
4	08/15/2023	ISSUED FOR PERMIT
5	08/15/2023	ISSUED FOR PERMIT
6	08/15/2023	ISSUED FOR PERMIT
7	08/15/2023	ISSUED FOR PERMIT
8	08/15/2023	ISSUED FOR PERMIT
9	08/15/2023	ISSUED FOR PERMIT
10	08/15/2023	ISSUED FOR PERMIT

D. JESUS CONCRETE
3120 & 3125 DENTON DRIVE
GARLAND, TX
75040-1023
972.684.1023

SITE PLAN

SP.01

EXHIBIT C

FOR SPECIAL USE



City Council Item Summary Sheet

☐ Work Session

☒ Agenda Item

Date: May 7, 2013

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 13-12 – CBRE Healthcare Services

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 MEDICAL OFFICE/CLINIC ON A 2.40-ACRE TRACT OF LAND ZONED INDUSTRIAL 1 (I-1) DISTRICT LOCATED AT 900 NORTH SHILOH ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 25th day of March, 2013, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **CBRE Healthcare Services**, 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 Medical Office/Clinic on a 2.40-acre tract of land zoned Industrial 1 (I-1) District located at 900 North Shiloh 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 _____, 2013.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 13-12

Being an approximately 2.40-acre parcel shown as Lot 2B, Block 1, Replat of Pinner Addition, an addition as recorded in Volume 97180, Page 1557 of the D.R.D.C.T., City of Garland, Dallas County, Texas. The subject property is located at 900 North Shiloh Road.

SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 13-12

900 North Shiloh Road

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to permit Medical Office/Clinic on the subject property.
- 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 Industrial 1 (I-1) District set forth in Section 29 and 33 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 **Baylor Regional Medical Center of Garland.**



City Council Item Summary Sheet

☐ Work Session

☒ Agenda Item

Date: May 7, 2013

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 13-14 – Firewheel Welcome, Ltd.

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 PLANNED DEVELOPMENT (PD) DISTRICT 06-79 FOR FREEWAY USES TO A PLANNED DEVELOPMENT FOR MULTI-FAMILY USES (INDEPENDENT LIVING FACILITY) AND A CONCEPT PLAN, ON A 4.00-ACRE TRACT OF LAND LOCATED WITHIN THE 5100 BLOCK OF NORTH GEORGE BUSH HIGHWAY, WEST OF 5101 NORTH GEORGE BUSH HIGHWAY; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 25th day of February, 2013, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Firewheel Welcome, Ltd.**; 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 Planned Development (PD) District 06-79 for Freeway Uses to a Planned Development for Multi-Family Uses (Independent Living Facility) and a Concept Plan, on a 4.00-acre tract of land located within the 5100 Block of North George Bush Highway, west of 5101 N. George Bush Highway, 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.

FILE NO. 13-14

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 _____, 2013.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 13-14

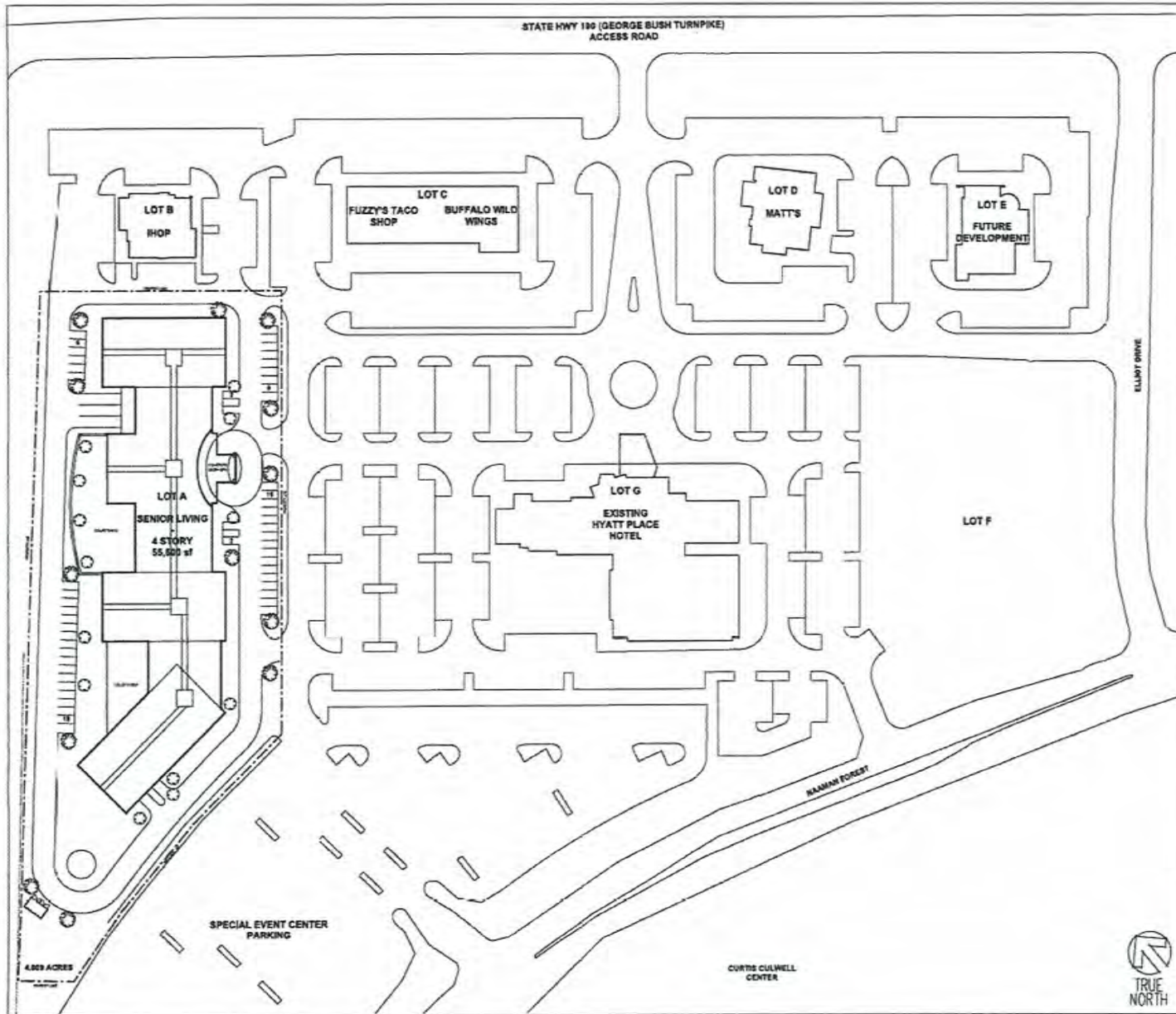
Being a 4.00-acre lot identified as Lot 1, Block 1, Firewheel Hotel Addition, an addition to the City of Garland, as recorded in Instrument No. 20070204435, M.R.D.C.T., City of Garland, Dallas County, Texas. The property is located in the 5100 Block of North George Bush Highway, west of 5101 N. George Bush Highway.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE 13-14

5100 Block of North George Bush Highway, west of 5101. N. George Bush Highway (Hyatt Place Hotel)

- I. **Statement of Purpose:** The purpose of this Planned Development District is to allow an Independent Living Facility subject to approval of a Detail Plan with 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, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Multi-Family (MF-18) District set forth in Section 19 and 32 of the Comprehensive Zoning Ordinance, Ordinance No. 4647, as well as the SH-190 Development Standards are included by reference and shall apply, except as otherwise specified in this ordinance.
- IV. **Development Plans:**
 - A. Concept Plan: Development shall be in conformance with the approved Concept Plan set forth in Exhibit C.
 - B. Detail Plan: Prior to development of the subject property or a portion thereof, a Detail Plan must be approved through the public hearing process.
- V. **Specific Regulations:**
 - A. Permitted Uses: Only an Independent Living Facility shall be permitted on the subject property.
 - B. Density: The number of units is limited to 140 units; yielding a density of approximately 35 units per acre.
 - C. Senior Living Standards: Development on the subject property shall comply with the Senior Living Standards.



PITTMAN COMMERCIAL PROPERTIES



FIREWHEEL II DEVELOPMENT
GARLAND, TEXAS

PROPOSED SITE PLAN: 03 APRIL 2013
ZONED: PD-6085

SCALE: 1"=100'





City Council Item Summary Sheet

☐ Work Session

Date: May 7, 2013

☒ Agenda Item

Forest Jupiter Transit-Oriented Redevelopment Plan

Summary of Request/Problem

The Forest Jupiter Transit-Oriented Redevelopment Plan was presented to City Council at the April 15, 2013 Work Session. The completed document, and a resolution approving it, is attached for Council's consideration.

Recommendation/Action Requested and Justification

Approve a resolution adopting the Forest Jupiter Transit-Oriented Redevelopment Plan.

Submitted By:

Neil Montgomery
Senior Managing Director
of Development Services

Approved By:

William E. Dollar
City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS
ADOPTING THE FOREST JUPITER TRANSIT-ORIENTED REDEVELOPMENT
PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Garland, Texas has engaged in the process of preparing the Forest Jupiter Transit-Oriented Redevelopment Plan for the purpose of identifying potential redevelopment projects and implementation strategies based on analysis of physical and economic conditions within the planning area; and

WHEREAS, preparation of the Forest Jupiter Transit-Oriented Redevelopment Plan was identified as an implementation item by the Envision Garland 2030 Comprehensive Plan; and

WHEREAS, the Forest Jupiter Transit-Oriented Redevelopment Plan was initiated in 2011 as a result of a grant awarded to the City by the North Central Texas Council of Governments and was a collaborative effort involving the City, NCTCOG and the consultant team; and

WHEREAS, the planning process involved numerous interviews with area stakeholders including property owners and tenants, Baylor Medical Center, the Chamber of Commerce, DART and others; and in addition to the stakeholder meetings three public meetings were held, in March, June and September of 2012, to inform area residents, business and property owners throughout the planning process and to gain their insight and preferences; and

WHEREAS, an overview of the planning process and proposed planning concepts was presented to the Plan Commission during its October 8, 2012 pre-meeting; and

WHEREAS, the Forest Jupiter Transit-Oriented Redevelopment Plan was presented to the City Council during its April 15, 2013 work session;

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

Section 1

That it is found in the public interest to adopt the Forest Jupiter Transit-Oriented Redevelopment Plan as proposed, said document being attached hereto and incorporated herein as Exhibit A.

Section 2

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

PASSED AND APPROVED this day of , 2013.

THE CITY OF GARLAND,

TEXAS

Mayor

ATTEST:

City Secretary



GARLAND

Forest-Jupiter Transit-Oriented Redevelopment Plan



May 7, 2013

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Executive Summary

Over the last two decades, community-initiated revitalization efforts have been producing tangible results in the form of diminishing blight, increasing sales receipts, and stabilizing property values. In virtually every story of success, redevelopment and new development has been the result of a holistic approach involving nurturing and growing select segments of the economy, eliminating barriers to investment and marketing positive change. Through a process which involved educating stakeholders, soliciting their input, identifying obstacles and designing a program of actions to move the Forest / Jupiter Study Area towards a vision of revitalization, the City of Garland (City) has sought to achieve the same end.

It was with this understanding, as well as a thorough analysis of local conditions in the Study Area, that the *Forest / Jupiter Transit-Oriented Redevelopment Plan (Redevelopment Plan)* has been prepared. Its intent is to assist the City of Garland, property owners and other project partners with a technical framework for discussions regarding market opportunities, development programming alternatives, and partnership strategies. Whereas experience knows that revitalization themes must be a reflection of the local market's historical character, its resources, amenities, and people, the vision and directives referenced herein were developed with input from property and business owners, and guidance from City Staff and the Consultant Team. As such, they are unique to the City of Garland.

In March 2012, Garland City Council adopted the *Envision Garland Comprehensive Plan* (hereafter, *Envision Garland*) that thoroughly describes the community's vision for the next 20 years. *Envision Garland* calls for targeting public and private investment in strategic geographic areas of the community to instigate a positive economic "ripple effect" in surrounding neighborhoods and commercial districts. The *Redevelopment Plan* Study Area is one of seven key geographic areas, called Catalyst Areas, to target redevelopment and reinvestment activities. It is within these catalyst areas that the City targets its scarce public resources in a way that leverages private investment that accords with advancing the community's vision.

This *Redevelopment Plan* provides a detailed road map to revitalizing a critical portion of Garland highlighted in its 20-year growth and development framework. The main approach taken is defining policies and programs that positively impact the Study Area as a whole while at the same time partnering with the private sector to bring about significant real estate projects that become a positive catalytic force for encouraging future private investment. These "catalyst projects" occur within the three distinct development districts found in the Study Area: a transit-oriented community centered on the Dallas Area Rapid Transit (DART) Forest / Jupiter Light Rail Station, a community retail center anchored by new infill development around the Walnut Street and Jupiter Road intersection, and a medical sciences district anchored by BMC-Garland around the Shiloh Road and Walnut Street intersection. Broader Study Area-wide policy objectives and more targeted investment strategies are all based on an assessment of the current physical conditions and near-term market demand and supply of different types of land uses.

Study Area Strategies

Experience has shown that programs to maintain, promote and develop the concepts shown in this *Redevelopment Plan* cannot succeed in a fragmented structure and the relationship proposed between the City and the Garland Chamber of Commerce (Chamber) will be critical towards advancing the concepts. As such, these strategies have been prepared for use by



the City and the Chamber towards the implementation of the economic development initiatives recommended in this *Redevelopment Plan* through a variety of improvements and services.

- ◆ Operate with the Garland Chamber of Commerce under a unified marketing incentive and business development platform to project a “no wrong door” image.
- ◆ Re-align roles and responsibilities within and between the City and Chamber to better focus skill sets and resources to enhance economic development efforts.
- ◆ In association with the Chamber, offer a comprehensive incentive program to facilitate redevelopment, business expansion, retention and attraction.
- ◆ Revise development regulations to better encourage quality new investment and reuse of infill properties.
- ◆ Direct public investment into the TIA’s to leverage private investment that advances the *Redevelopment Plan* vision.

Targeted Investment Area (TIA) Strategies

Whereas the overall Study Area strategies described previously were broad, the strategies associated with the implementation of the specific catalyst projects recommended for the TIA’s in this *Redevelopment Plan* are very specific. Implementing these activities will require strong and seamless collaboration based on staff skill sets, resources, regulatory control, and the willingness and interest of property owners and outside developer/investors. The following table summarizes the key actions in order of sequence for each of the catalyst projects in their respective targeted investment area. The actions generally fall within the following categories:

- ◆ **Land Control:** Securing control of the site for the project.
- ◆ **Marketing:** Winning developer, tenant or business owner/operator interest in getting site control and subsequently entering into a partnership to do a catalyst project .
- ◆ **Developer Interest:** Marketing partnership opportunities with developers that will ideally lead to land control and partnership formation and project financing.
- ◆ **Entitlement:** Obtaining the appropriate regulatory permissions, such as zoning, easements, etc.
- ◆ **Gap/Partnership Concept:** Refining the overall development program and financing strategy for the project based on negotiations with specific property owners and investors.
- ◆ **Project Underwriting:** Securing project financing for a specific project that is under land control from specific sources of private debt and equity and public participation in the form of economic development incentives.
- ◆ **Partnership/Contracts:** Finalizing the “gap/partnership concept” through the appropriate legal documents, including contracts and City incentive agreements.

Redevelopment is never easy, but always exciting. It is challenging, and as such requires higher levels of analysis, planning and assistance. It is widely accepted that early projects in any revitalization effort should be assisted at least until market conditions reach levels where new construction can more than support itself. The Study Area is but one subset of a larger market, and as such, has strengths which can be capitalized on and limitations which need to be overcome. These limitations, commonly referred to in this *Redevelopment Plan* as barriers, pose unique obstacles which require unique solutions. Given the importance of key anchors including major employers within the Study Area (including existing industry clusters and the Baylor Medical Center-Garland campus) have a tremendous influence on the economic well-being of the entire region. These valued assets must be protected and the environment within which they operate improved and maintained.

Forest-Jupiter Transit-Oriented Redevelopment Plan

Table 1A. Executive Summary Table

	Near Term (0-2 Years)	Median Term (2-5 Years)	Longer Term (5-10 Years)	Ongoing
--	--------------------------	----------------------------	-----------------------------	---------

Forest - Jupiter TIA

Action	South Mixed Use	North Mixed Use	Office /R&D	Overall
1	Land Control	Gap/Partnership Concept		Conceptualize the industrial area to the southwest as an "industrial park"
2	Entitlement	Marketing	Land Control	Provide amenities to the "park" in the surrounding area
3	Gap/Partnership Concept	Land Control	Entitlement	Work with property owners to establish enhanced security.
4	Marketing	Entitlement	Gap/ Partnership Concept	
5	Partnership/ Contracts	Partnership/Contracts	Marketing	
6			Partnership/ Contracts	

Jupiter Walnut

Action	Northwest Quadrant	Northeast Quadrant	Southeast Quadrant	Overall
1	Developer Interest	Developer Interest	Developer Interest	Form a business association to advance marketing and other efforts
2	Project Underwriting	Gap/ Partnership	Project Underwriting	Develop a branding identity and marketing strategy
3	Land Control	Marketing	Land Control	Provide small business expansion support
4	Entitlement	Land Control	Entitlement	Recruit businesses that fill a specific void
5	Partnership/ Contracts	Entitlement	Partnership/ Contracts	Undertake a drainage study for the area
6		Partnership/ Contracts		

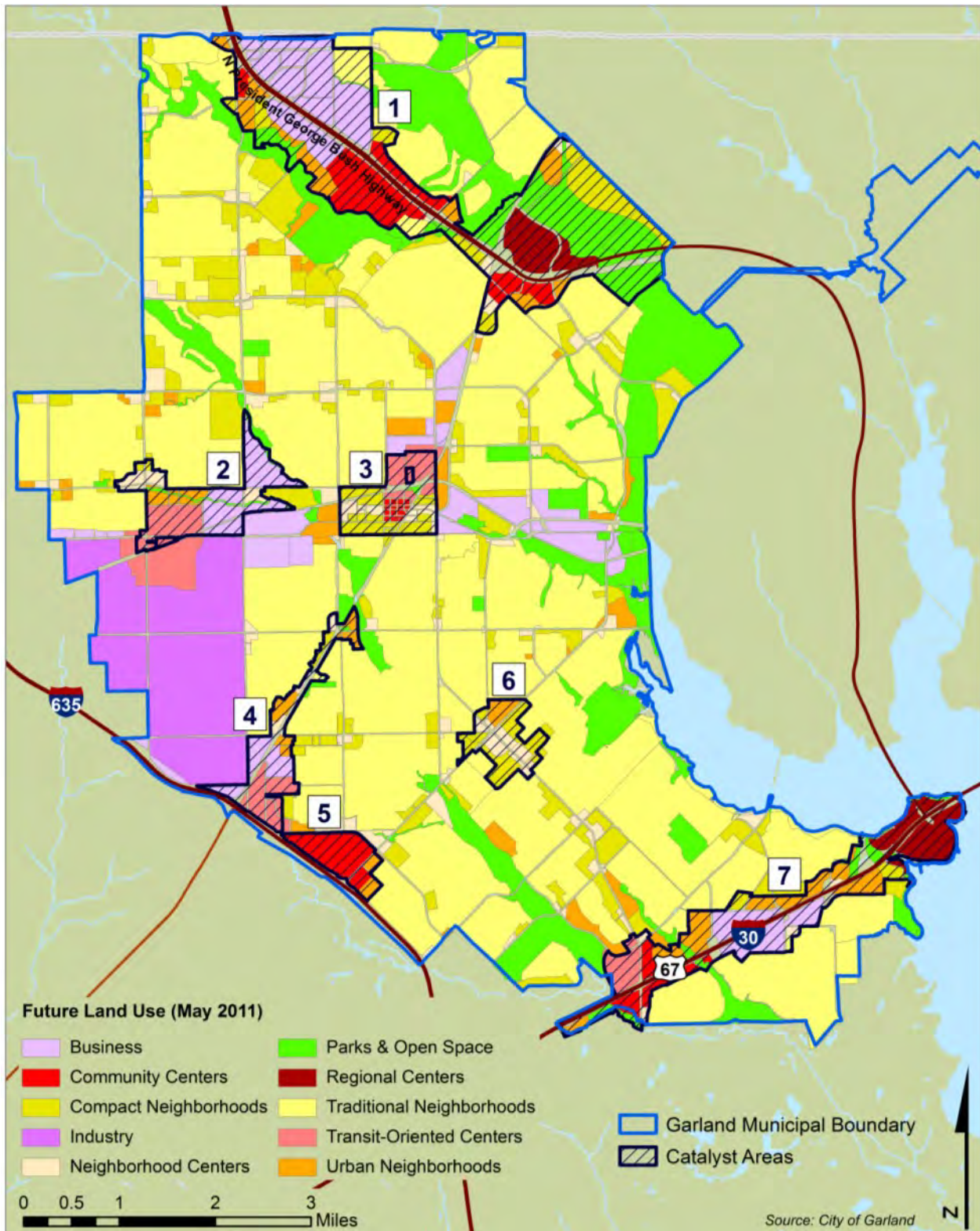
Shiloh/ Walnut TIA

Action	Senior Living	Mixed-use	Overall
1	Land Control	Gap/ Partnership	Partner with Baylor Medical Center to tailor the strategies to support their needs
2	Gap/ Partnership Concept	Developer Interest	Create a street grid network to better define blocks
3	Marketing	Land Control	Work with area real estate brokers to invest in appropriate uses within those blocks
4	Partnership / Contracts	Entitlement	Expand the area to include Vista Hospital
4		Partnership/ Contracts	

In summary, successful implementation of this *Redevelopment Plan* will be dependent on committed leadership from the public and private sectors. So as to ensure that the *Redevelopment Plan* will not be vulnerable to the failure of one project -- many projects should be underway at any given time, and a wide variety of stakeholders will be involved. Experience has shown that success is dependent on capitalizing on opportunities while also removing barriers to investment. This said, regulations should allow for and encourage the vision for the Study Area and prohibit anything inconsistent with that vision. Victories, even minor ones, will be continually broadcast through an on-going communications strategy, and all policy and regulatory documents will be aligned towards a common goal – to advance the vision expressed herein.



Figure 1A. Seven *Envision Garland* City-Wide Catalyst Areas.



Section 1: Introduction

North Central Texas is in the midst of a population and employment boom. Projections for the Dallas/Fort Worth Metroplex call for an additional 3 million new residents by 2030. Garland's ability to capture a fair share of new regional market growth hinges upon its ability to create places where new residents, business and real estate investors will want to invest. People have many choices where to live, open a business or invest in real estate ventures. Therefore, Garland must cultivate and communicate an investment climate attractive to those making the choices but do so in a manner that supports the community's vision for its future. City of Garland (City) policy makers and civic leaders use City Council adopted revitalization plans, including the *Economic Development Strategy* and this *Forest-Jupiter Transit-Oriented Redevelopment Plan* (hereafter, the *Redevelopment Plan*), to guide their decisions leading to socially responsible development.

Study Area

The *Redevelopment Plan* provides a detailed road map to revitalizing a critical portion of Garland highlighted in its 20-year growth and development framework. In March 2012, Garland City Council adopted the *Envision Garland Comprehensive Plan* (hereafter, *Envision Garland*) that thoroughly describes the community's vision for the next 20 years. *Envision Garland* calls for targeting public and private investment in strategic geographic areas of the community so to instigate a positive economic "ripple effect" in surrounding neighborhoods and commercial districts. The *Redevelopment Plan* Study Area as one of seven key geographic areas, called Catalyst Areas, to target redevelopment and reinvestment activities. As shown in Figure 1A, these Catalyst Areas include the following districts:

- 1) 190 Catalyst Area
- 2) Forest/ Jupiter/ Walnut Catalyst Area
- 3) Downtown Catalyst Area
- 4) South Garland Catalyst Area
- 5) Broadway / Centerville Catalyst Area
- 6) Centerville / Marketplace Catalyst Area
- 7) I-30 Catalyst Area

This specific Study Area encompasses the Forest/ Jupiter/ Walnut Catalyst Area: a large district that generally spans from the intersections of Forest Lane / Jupiter Road, Jupiter Road / Walnut Street, Shiloh Road / Walnut Street, and Shiloh Road / Forest Lane. This Catalyst Area encompasses residential and commercial districts that share similar characteristics, opportunities and challenges. The residential neighborhoods within and adjacent to the Study Area have witnessed demographic change over the last decade, becoming increasingly multi-ethnic. The residential and commercial building stock is aging, having been built primarily in the 1960s and 1970s to support the major manufacturing center to the southeast and west. The grid thoroughfare network is augmented with the presence of the Dallas Area Rapid Transit (DART) Light Rail Station at Forest and Jupiter. The Study Area, therefore, offers a diversity of business, residential and civic assets to build a comprehensive revitalization strategy.

Real estate and business investment decision; however, are made at the site level. Therefore, the *Redevelopment Plan* must further refine the most likely places to invest in this Study Area. The Forest/ Jupiter/ Walnut Catalyst Area has three major assets that can serve as anchors for more refined geographic targeting: the Forest/ Jupiter DART Light Rail Station, Baylor Medical Center–Garland (BMC–Garland), and the Jupiter/ Walnut ethnic retail center. The opportunities afforded by these anchors are the reason that *Envision Garland* identifies the immediate area



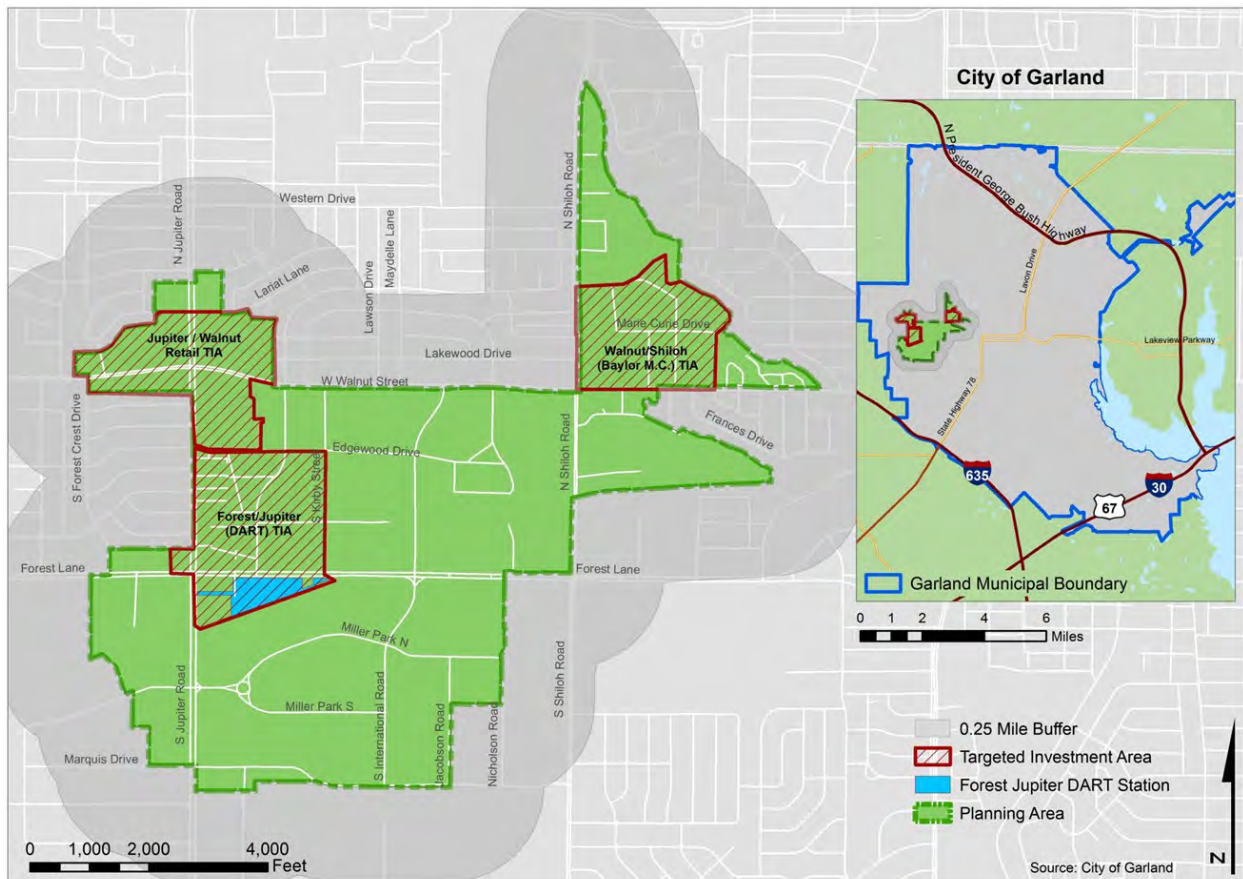
around the anchors as Targeted Investment Areas (TIAs). The TIAs that anchor the Study Area include the areas immediately around the three intersections, as depicted in Figure 1B :

- ◆ Forest/Jupiter (a transit oriented development area)
- ◆ Jupiter/Walnut (a neighborhood retail center area),
- ◆ Shiloh/Walnut (a BMC-Garland medical district area)

These TIAs are considered to represent the most likely locations within the Catalyst Area to leverage public and private investment through quality infill development and redevelopment efforts.

Whereas *Envision Garland* lays the foundation for identifying these areas as where to leverage private investment, the *Economic Development Strategy* details how the City and its partners should carry this out. As government has the longest-term investment in the community, it was deemed appropriate for the City to pave the way for investment and reinvestment by the private sector in this way. The City (as a public partner) could then effectively leverage private investment efforts to bring about sustainable economic revitalization. The *Economic Development Strategy* lays out a number of broad actions for revitalization, including the creation of this *Redevelopment Plan*. This *Redevelopment Plan* encapsulates a clear vision for each TIA and detailed road map to make that vision a reality through the public leverage of private investment; it raises awareness of development opportunities and highlights the combined roles that private investment and supportive public policy can play in redevelopment.

Figure 1B. Study Area Boundaries



Community Direction

The Redevelopment Plan is predicated on removing the existing barriers to investment and capitalizing on market opportunities over the near and long term. How this is done is guided by the vision and direction provided by the community through broad community input in the creation of the *Redevelopment Plan*. Key residents, business and property owners articulated their vision for the Study Area in general and their particular TIA. Additionally, this input helped to establish priorities in terms of what issues warranted immediate attention and the types of intervention. Finally, the conversations resulting from the planning process revealed a number of projects that, if implemented, would significantly advance the growth and redevelopment of the Study Area in general and specific TIAs.

Input from the public was solicited through a variety of venues including community meetings, and stakeholder and developer discussions. The Consultant Team hosted three public meetings for residential and business owners where they were asked to review assembled data, identify issues and impacts, articulate criteria by which planning concepts would be evaluated, refine potential catalyst investment projects and discuss alternative strategies required to move the *Redevelopment Plan* towards adoption and implementation. In addition to the community meetings, members of the Consultant Team also conducted a series of one-on-one interviews with key property owners and stakeholders, as well as potential developer / investors. In total, over 100 property owners, stakeholders, residents, and business owners participated throughout the process. Summaries of public meetings, responses to questionnaires, and survey results are included in Appendix 1.

Nearly all of the participants reported opinions consistent with those of the meeting attendees. Table 1A below summarizes the important elements of the Study Area which the *Redevelopment Plan* would address: removal of limiting conditions, capitalizing on positive elements and achieving future redevelopment goals. The City would seek out and support redevelopment projects that achieve all three in each of the TIAs.

Table 1A. Public Input Summary

Existing Conditions	Positive Elements	Limiting Conditions	
	<ul style="list-style-type: none"> ▪ Presence of hospital campus ▪ Easy access for light industry to I-635 ▪ DART Light Rail and Station 	<ul style="list-style-type: none"> ▪ Deteriorating physical environment ▪ Lack of diversity in shopping choices ▪ Concentration of older apartments 	<ul style="list-style-type: none"> ▪ Lack of (perceived) security ▪ Deferred property maintenance ▪ Lack of pedestrian improvements
Future Goals	<ul style="list-style-type: none"> ▪ An improved physical realm ▪ More and different housing types ▪ Greater protection of private property 	<ul style="list-style-type: none"> ▪ Stronger mix of businesses and other land uses ▪ Future investment sensitive to existing residents and employers 	

In addition to identifying general elements the redevelopment framework should address, the public input process provided insight into specific implementation opportunities through the results of a business and resident survey, the results of which can be found in Appendix 1. The survey indicates near-term opportunities for existing business expansion and provides guidance on the types of effective revitalization strategies, which are summarized above in Table 1A.

Most importantly, community input helped to establish a set of criteria that would provide a framework for deciding the types of projects that merited consideration as catalyst projects.



Catalyst projects, as the name implies, significantly advance the community's goals for revitalizing the Study Area. The purpose of the criteria was to provide a framework for decision-making that reflected goals and desired outcomes. These criteria include the following eight considerations: How well does the project ...

- ... strengthen the Area's identify?
- ... create potential to expand business revenue?
- ... provide stronger connections between activity centers?
- ... improve the Area's pedestrian and vehicular infrastructure?
- ... provide more defined and usable open space?
- ... enhance the Area's sense of safety and cleanliness?
- ... expand the area's retail and restaurant options?
- ... initiate / incentivize redevelopment and reinvestment?

The Approach

In March 2011, the City of Garland (the City) and the North Central Texas Council of Governments (NCTCOG) issued a request for proposals for a consultant team to assist NCTCOG, DART, the Garland Chamber of Commerce and City of Garland in developing a *Redevelopment Plan* for the Study Area. The *Redevelopment Plan* that follows synthesizes the scope of work entailed in this effort:

- ◆ Assessing the existing physical conditions within the area that may impact investment and reinvestment decisions (Section 2);
- ◆ Specifying the market opportunities in terms of appropriate land use types based on the most recent available data and expert reconnaissance (Section 3);
- ◆ Identifying actions and specific catalytic real estate projects that advance the overall vision and objectives of the Study Area in general and the three TIAs (Section 4) ; and,
- ◆ Outlining a specific road map to implement the recommendations (Section 5).
- ◆ An appendix that provides the reader more specific detail.

What follows is the culmination of the above activities based on the community's guidance through the public input process.

Section 2: Existing Conditions

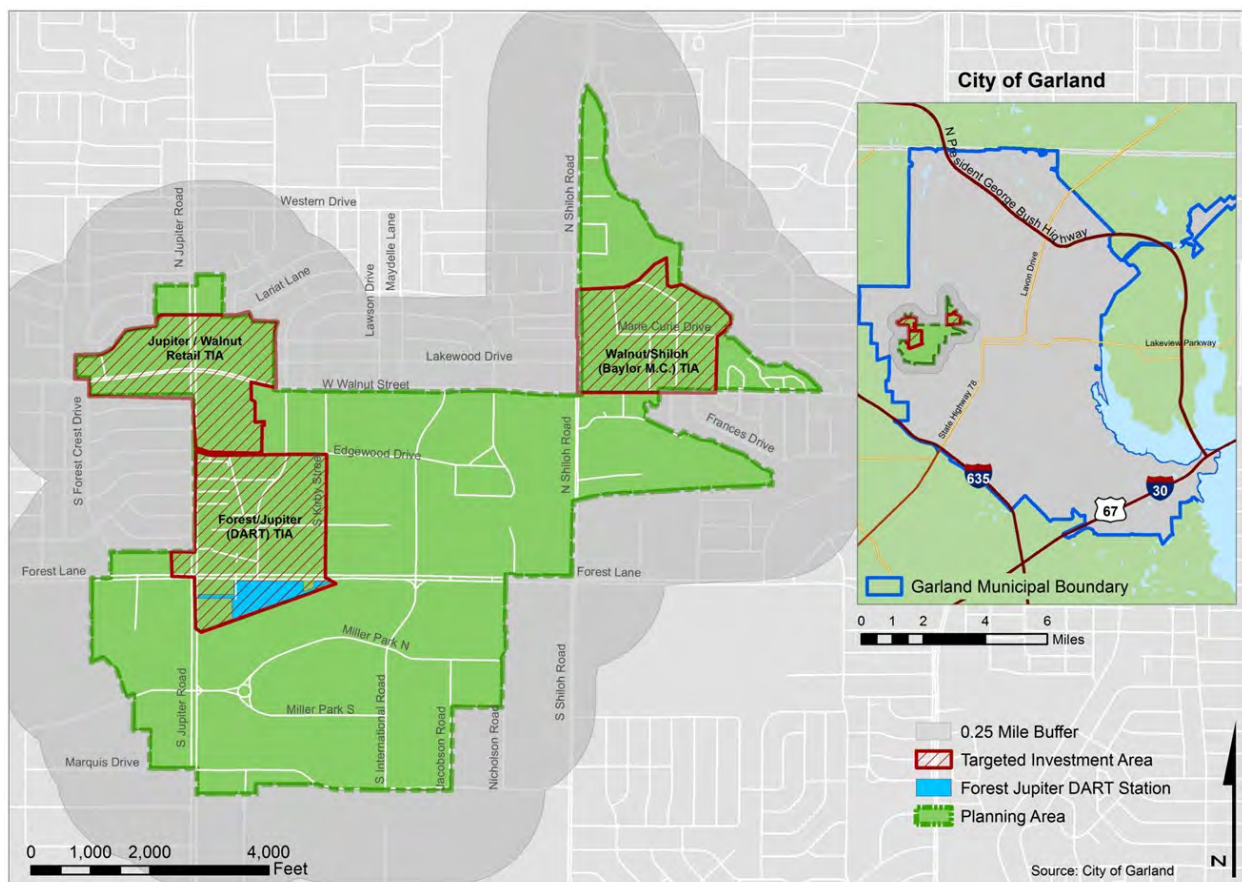
Garland is located in the northeastern part of the Dallas-Fort Worth-Arlington, Texas Metropolitan Statistical Area (DFW Metroplex) and is an inner-ring suburb of Dallas. The Study Area is on the far west side of Garland, adjacent to one of the more established employment centers in the DFW Metroplex.

The Study Area, illustrated in Figure 2A, is host to a diverse mix of development. Uses include a mix of commercial, industrial and multifamily residential uses, all bordered by established single family neighborhoods. Although an older sector of the city, a number of assets were identified as amenities that can be capitalized in future redevelopment initiatives. Identified previously as TIAs, these assets include:

- ◆ An industrial and manufacturing district and the DART Forest / Jupiter Station near the intersection of Forest Lane and Jupiter Road;
- ◆ Older commercial structures with newer ethnic establishments around the intersection of Jupiter Road and Walnut Street; and
- ◆ The BMC-Garland campus at Shiloh Road and Walnut Street.

The following discussion describes existing conditions that could affect investment and reinvestment decisions first, in the Study Area, and second in the individual TIAs.

Figure 2A. Study Area Boundaries

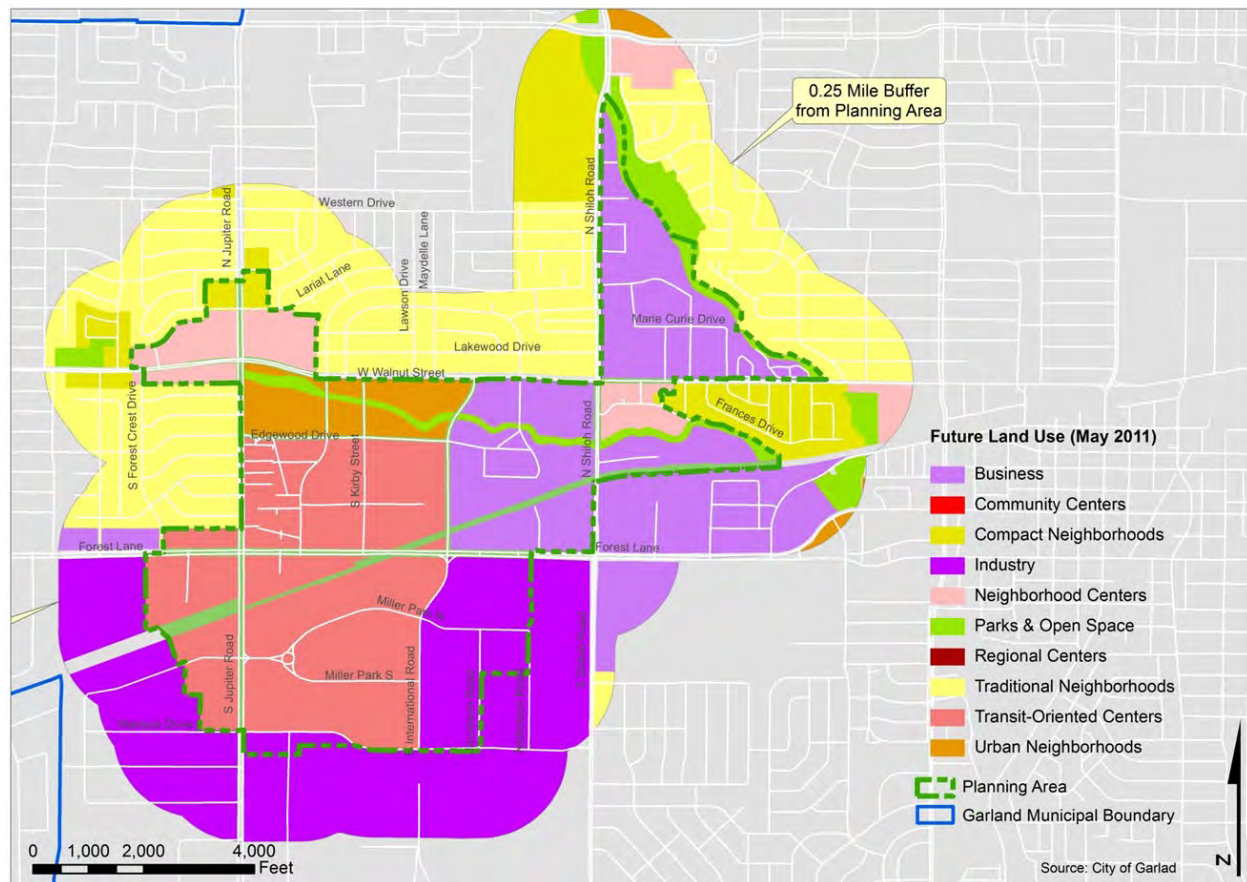




Study Area Land Use Pattern

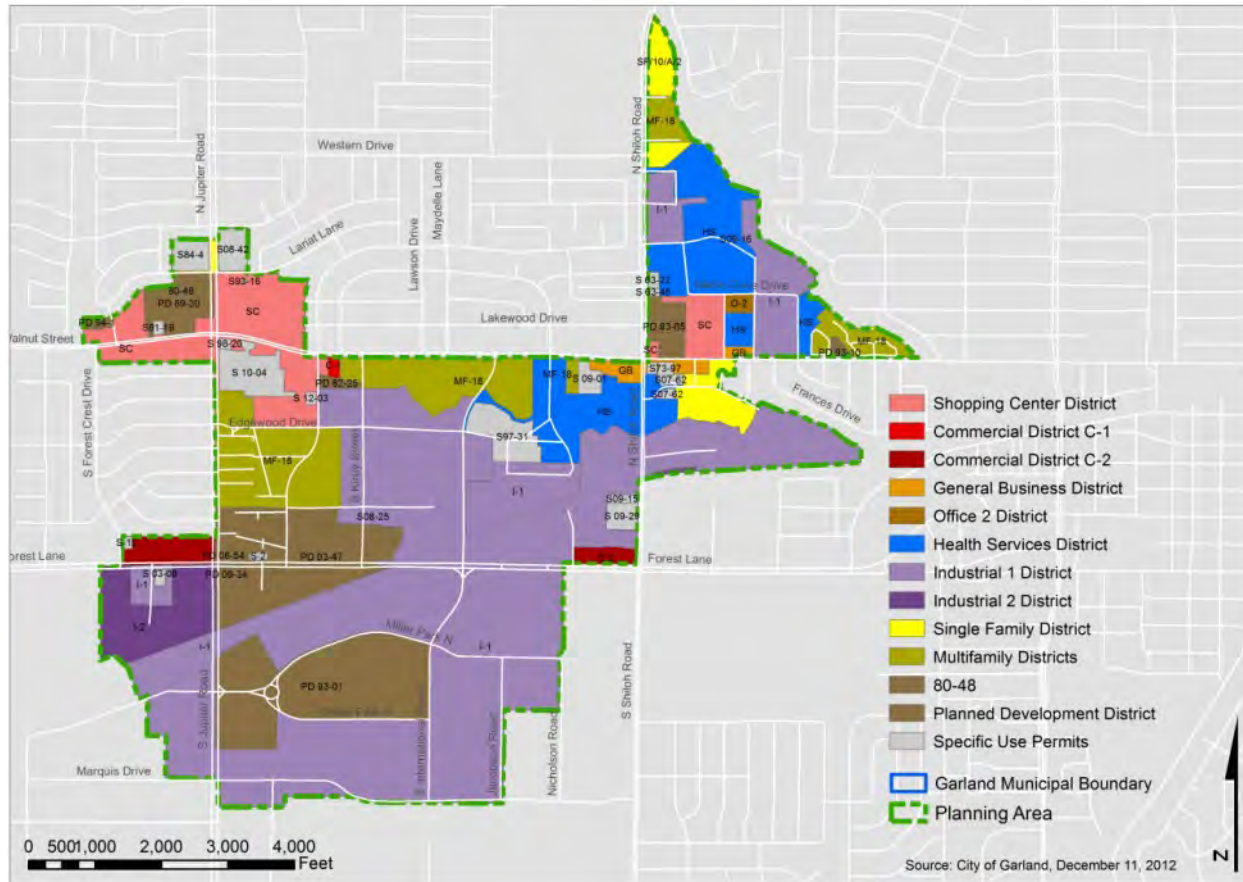
The diverse mix of development types within the Study Area has occurred over the past 40 to 50 years. Existing land use patterns are dominated by industrial concentrations and bordered by low-density residential to the north, east, and west. Commercial, office and retail uses are integrated throughout, primarily along major arterials. While this land use pattern might otherwise be considered positive given the combination of jobs, housing, and commercial services all within a walkable distance of each other, much of the infrastructure in the Study Area is aged and some of it is dilapidated or missing, leaving voids, especially for pedestrians and bicyclists attempting to connect between activity centers.

Figure 2B. Future Land Use Map (*Envision Garland* excerpt)



An early opportunity for redevelopment exists due to the Study Area's reputation as the Southwestern Industrial District. An enhanced public realm serves to complement the existing inventory of uses and could grow awareness of the area as a regional business park address, potentially expanding its appeal to a greater variety of complementary uses. The large blocks of similar industrial land uses in the southern portion of the Study Area operate adjacent to, yet independent of each other. Throughout the Study Area properties are disconnected by a lack of walkable routes, despite the presence of recreational amenities including sidewalks and trails, Duck Creek, and Keen Branch, which could provide the needed connections. This vision is consistent with the City's future land use map presented in *Envision Garland* (Figure 2B). The intent of the map is to provide a more specific guide for land use and zoning changes as properties elect to redevelop in a manner consistent with the long-term vision for the Study Area.

Figure 2C. Existing Zoning Map



Existing Zoning

The existing zoning pattern in the Study Area reflects a combination of traditional zoning categories and planned development (PD) districts. It is anticipated that with redevelopment of key parcels, existing zoning may need to change in order to accommodate the range and density of uses envisioned. In these instances, it is feasible that new zoning descriptions may be required that do not currently exist.

As Figure 2C shows, the zoning currently in place encourages a land use pattern with limited opportunities for integration of supporting, synergistic uses and activity. In spite of PD districts where different uses may occur side-by-side on the same property, there are few designations for vertical integration (or mixed-use) development.

One exception is PD 03-47, which was approved in 2003 to coincide with the new DART Forest / Jupiter Station, and is zoned for Transit Oriented Development (TOD). The intent of this zoning designation is to enable a development pattern based on principles that have been successfully utilized in other TOD places such as Addison Circle (Addison, TX), Downtown Plano (Plano, TX), and 5th Street Crossing (Garland, TX). These principles include the use of compact development form to create distinct urban identity near transit, a mixture of complementary land uses (residential, retail, recreation, education, employment); and pedestrian-oriented site design and streetscape to facilitate comfort and use of transit and other public improvements.



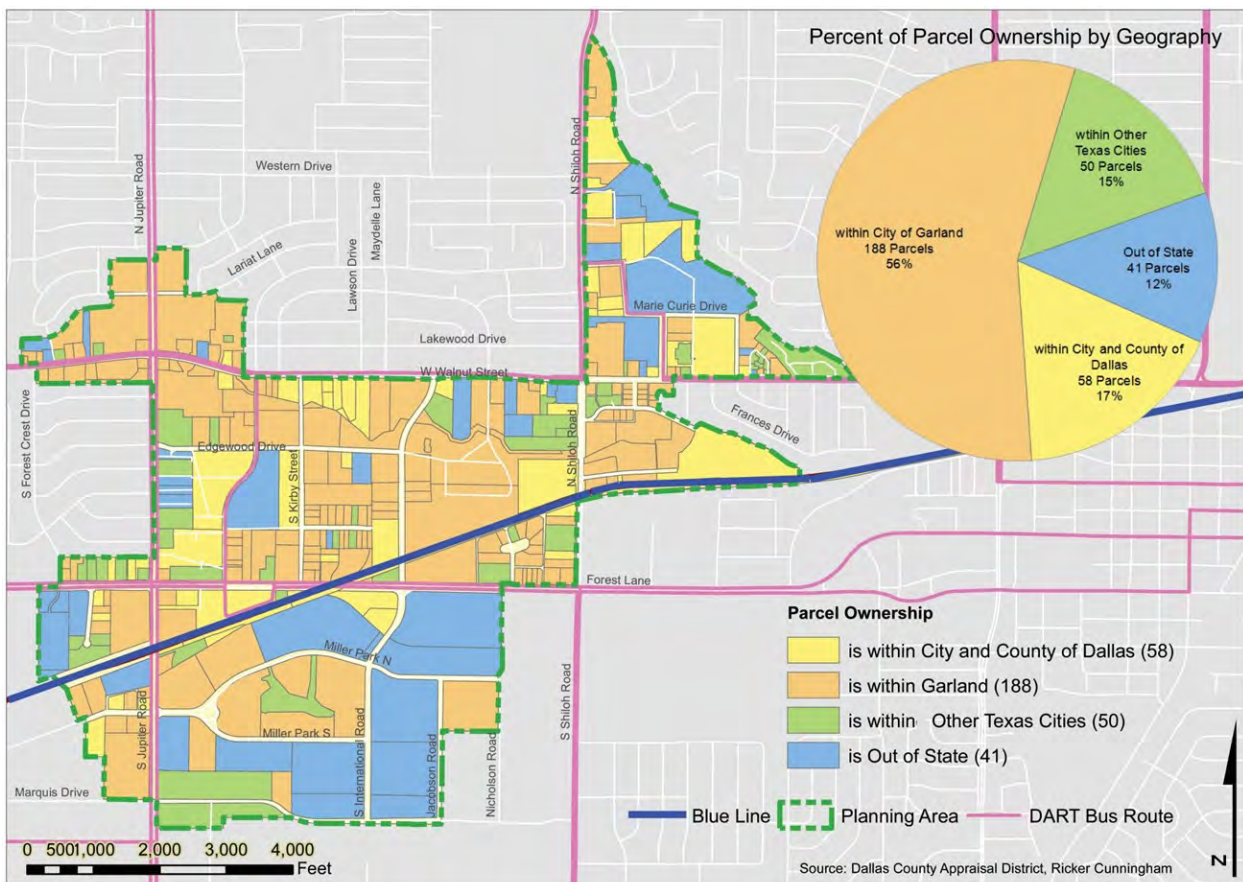
Land Ownership Pattern

Ownership information for parcels in the Study Area suggests a strong local and regional presence. As reflected in Figure 2D, properties in the Study Area are primarily locally-owned, with 56 percent (%) of owners (of 337 total parcels) residing in Garland. This is followed by 17% of owners residing in the City and/or County of Dallas, 15% in other Texas cities, and 12% residing out-of-state. The nature of a redevelopment district's ownership pattern can be a key determinant of whether investment will occur over a short or long timeframe. The more fragmented the ownership, the more expensive it becomes for investors. That is, as costs and time to assemble properties increase, the longer it can take for redevelopment to occur. Additionally, when a significant amount of land is owned by out-of-state interests, assemblage efforts can be further complicated, as these properties often reflect assets within portfolios or regional facilities with substantial investment on the ground. Although the Study Area suffers from some of these challenges, there are instances of properties with favorable ownership conditions which may present near-term opportunities for redevelopment.

Value

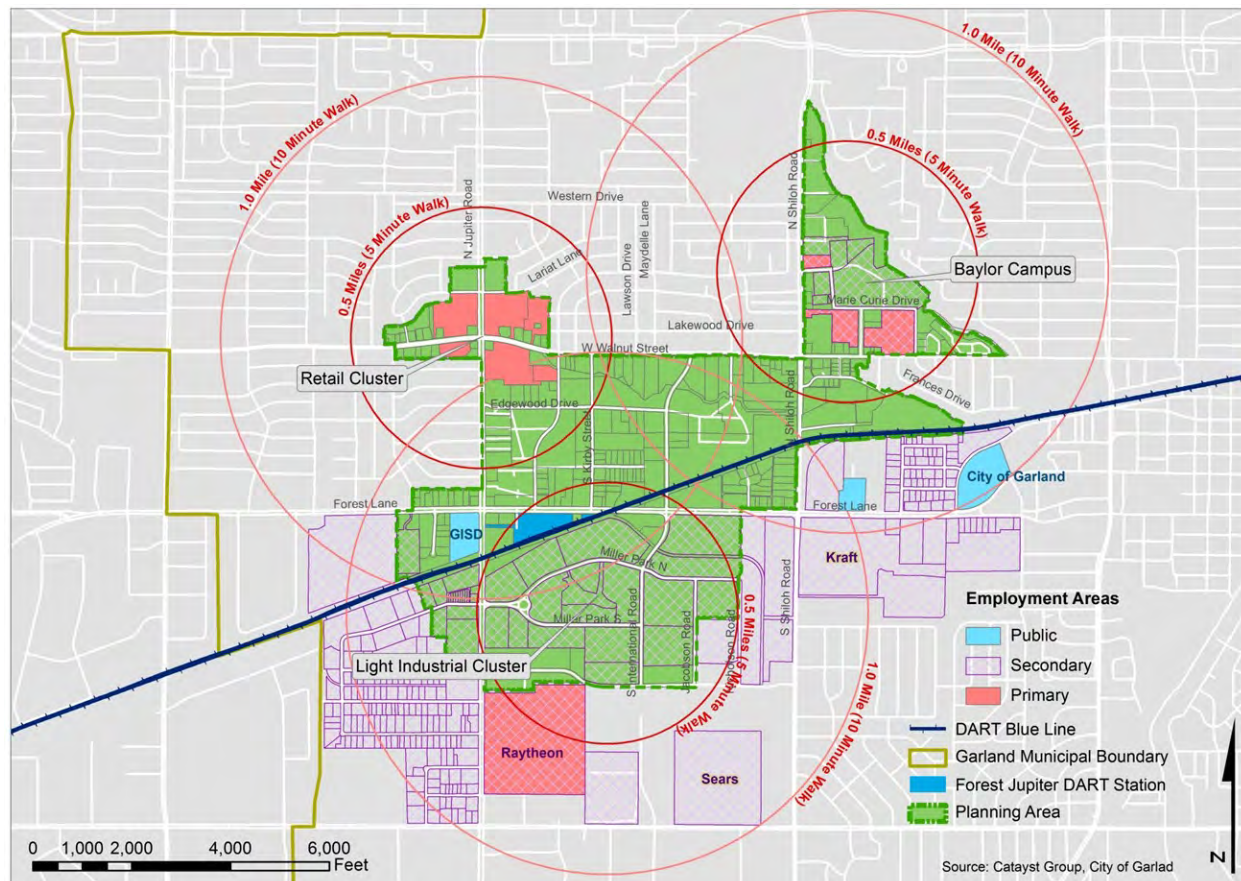
Values in the Study Area were measured two ways: change in total assessed value; and, improvement value as a percent of total value. With regard to assessed values, 98 of 337 parcels (29%) declined in value during the period between 2005 and 2011, the majority of which (63 parcels) declined between 0 and 20%. Of the remaining 239 parcels, 28 showed no increase in value and 178 (74%) increased in value, the majority of which (78 parcels) increased between 0.01 and 20%.

Figure 2D. Parcel Ownership



With regard to improvement value as a percent of total value, the majority of properties in the Study Area (190 parcels) have an improvement value that exceeds 60 percent of total value, while 26 percent (87 parcels) have an improvement value below 60 percent of total value, suggesting a significant number of under-utilized parcels in the Study Area and ample opportunity for reinvestment.

Figure 2E. Employment Generators



Primary Employment Generators

A host of existing employment centered in and around the Study Area offer potential for redevelopment (Figure 2E). BMC-Garland, located in the northern portion of the Study Area, is home to a range of health science uses with a daytime employment population of approximately 3,000 people and serving approximately 300,000 patients / visitors per year. The southern edge of the Study Area is bordered by a large industrial district anchored by companies such as Raytheon, Sears, and Kraft Foods Global. These existing retail and flex / industrial clusters also provide employment and activity, but they are disconnected from the larger Study Area.

Employers in the Study Area have expressed concerns regarding their ability to retain and attract employees in part due to the existing physical realm and limited number of connections to the DART Forest / Jupiter Station. Redevelopment of properties in the Study Area presents an opportunity to advance strategies that alleviate these challenges and elevate the public-private dialogue with regard to community development-based job retention, expansion, and attraction efforts.



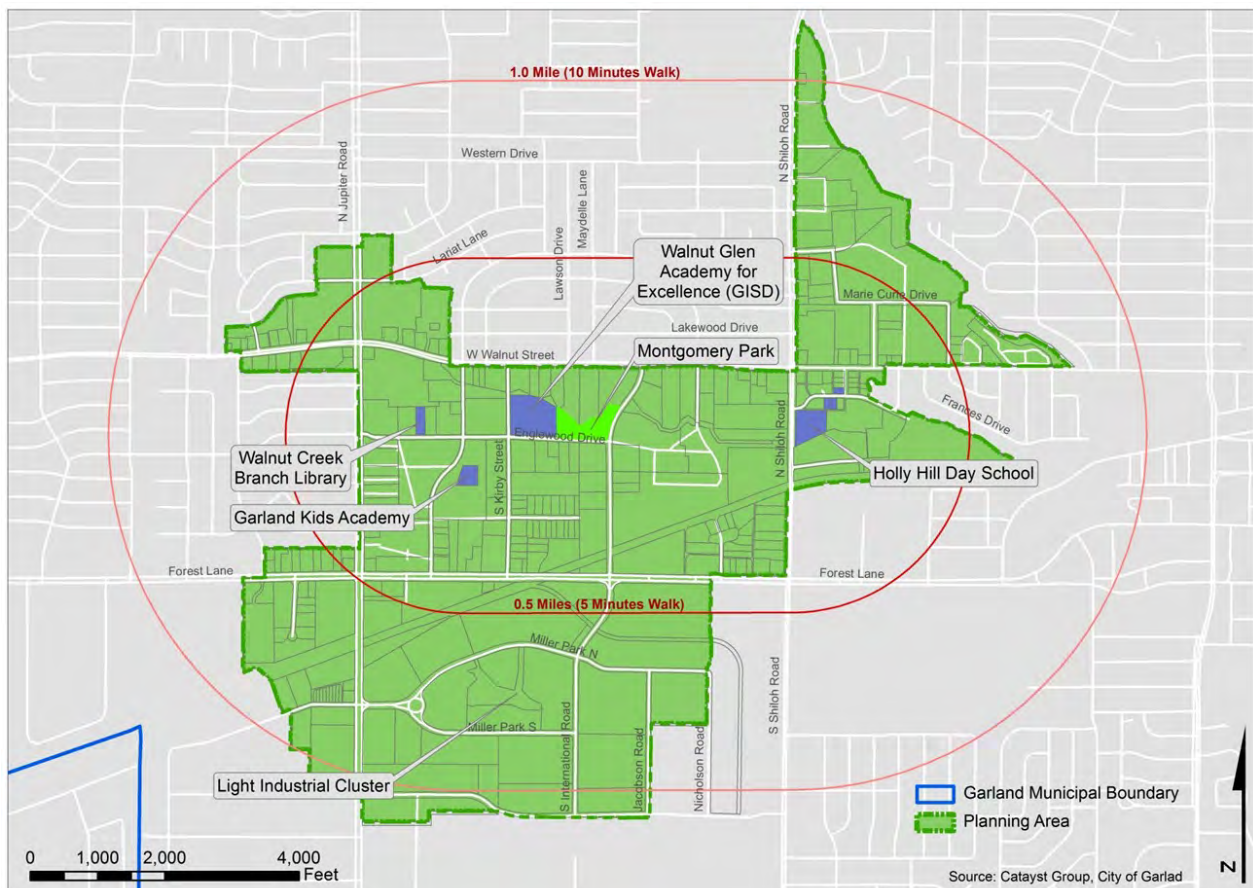
Safety and Protection

During the public meetings, concern over the perception and stated reality of crime in the Study Area was keenly noted. Due to these concerns raised over safety and protection of personal property in the Study Area, the Garland Police Department was asked to define the type and frequency of recorded incidents occurring in the Study Area. Their analysis has identified an occurrence rate similar to other areas of the City (on average). Between June 2012 and December 2012 (first week), there were an average of 34 occurrences over a six month period of time. During this same timeframe, there were an average of 38 occurrences in other areas of the city (with some experiencing both higher and lower averages). The Study Area is part of three separate police districts (#22, #23, and #25). Appendix Exhibit 2-1 illustrates the location of the City of Garland Police Districts.

Community Assets and Institutions

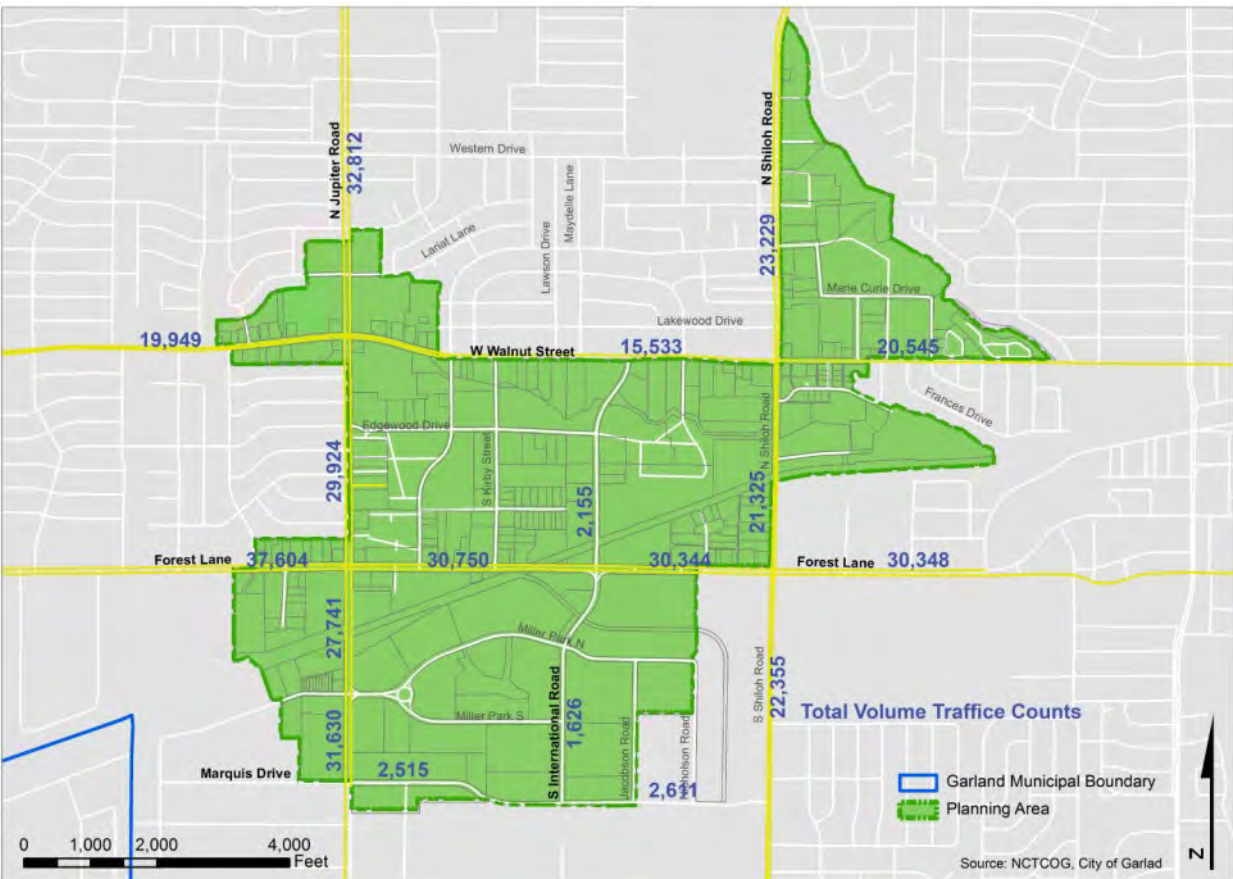
Several civic and neighborhood uses provide anchors of community activity within or adjacent to the Study Area, including Walnut Creek Branch Library, Montgomery Park, Hollabaugh Park and Recreation Center, along with nearby school, day care, and worship facilities. While these services and amenities are not highlighted by the existing community design, their presence is well known and valued by the immediate and surrounding community. Facility directors report heavy usage by the community they serve. As reflected in Figure 2F, these facilities are within walking distance of each of the three TIAs, thus providing opportunity for programming and infill redevelopment strategy.

Figure 2F. Community Assets



In particular, usage of the Walnut Creek Branch Library goes beyond that of a conventional library, providing a valuable resource for new immigrants as they acclimate to local practices, convene for discussion, and gather for group events. This combined with a lack of outdoor recreational and sporting facilities identify this area to be under-positioned to meet the community's need for multi-use community and information center.

Figure 2G. Primary Roadways and Trip Counts



Traffic Volume and Trip Counts

Levels of traffic are an important factor when considering various development and redevelopment programs. To some businesses, such as large industrial and warehousing enterprises, streets designed to accommodate higher traffic volume and speed reflects an area's ability to move goods and materials efficiently. To others, such as retail stores and restaurants, congestion and high speeds reflect a condition that may detract from a pedestrian-friendly environment and ability for patrons to easily access these businesses. Further, from a commercial investment perspective, efficient vehicular traffic management is essential for access and visibility (a key determinant of land value). Commercial investment practice also values the benefit of foot traffic and access via non-vehicular means. As a result of these various perspectives, the ideal scenario for a healthy traffic framework is a balanced design that allows all traffic to arrive and pass through the area utilizing a variety of transit modes.

Figure 2G shows the major arterials and streets that exist within the Study Area. Traffic volumes on these are considered healthy for retail and commercial uses (20,000+ vehicles per



day) and within an expected range for an established area such as this. Currently, substantially more traffic travels from the south than the north, in part to access the industrial / manufacturing area, but this trend could change. Additional and greater diversity of uses and activities could also lead to an increased need for transportation options.

Transit

The Study Area is served by DART light rail trains and buses as depicted in Figure 2H. Forest-Jupiter Station is located on the Blue Line and is served by four bus routes (372, 410, 486, and 987). Additionally, bus route 463 provides transit service to the BMC-Garland campus.

A ridership usage study was undertaken by DART in 2011 to determine where riders travelled within the overall DART system (all modes of DART transit). Figure 2I illustrates transaction points in which riders utilizing the DART Forest / Jupiter Station accessed other transit stops during the October 24 – 28, 2011 timeframe; specifically identified are locations where riders boarded, disembarked or transferred to/from a DART vehicle. As measured, the total number of transactions over this five day period was approximately 11,000 transactions (roughly 2,200 transactions per day).

While this analysis did not track final destinations specifically, it did identify the DART Forest / Jupiter Station as a gateway to the entire DART system. The heaviest groupings of transaction points occurred in the following areas and specific locations:

Figure 2H. DART Service (Local)

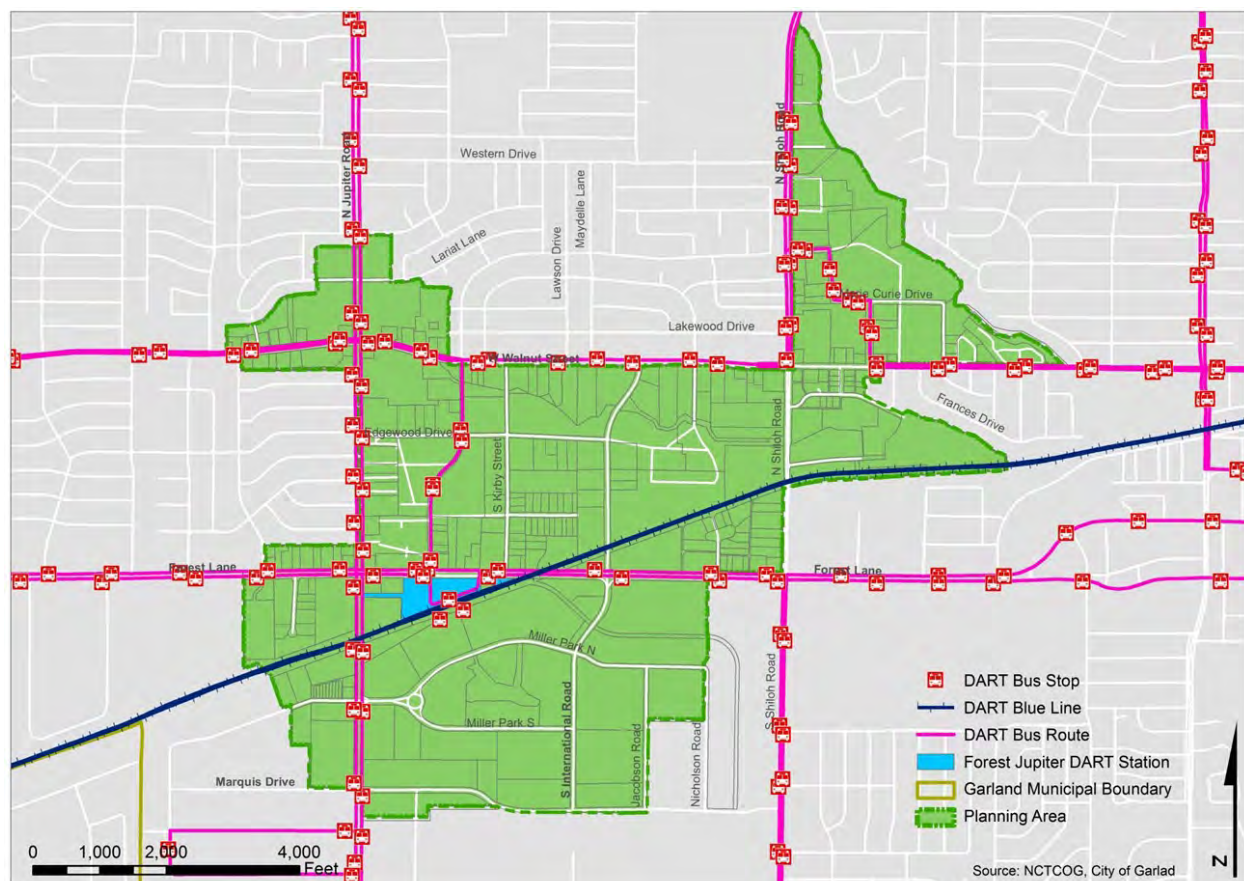
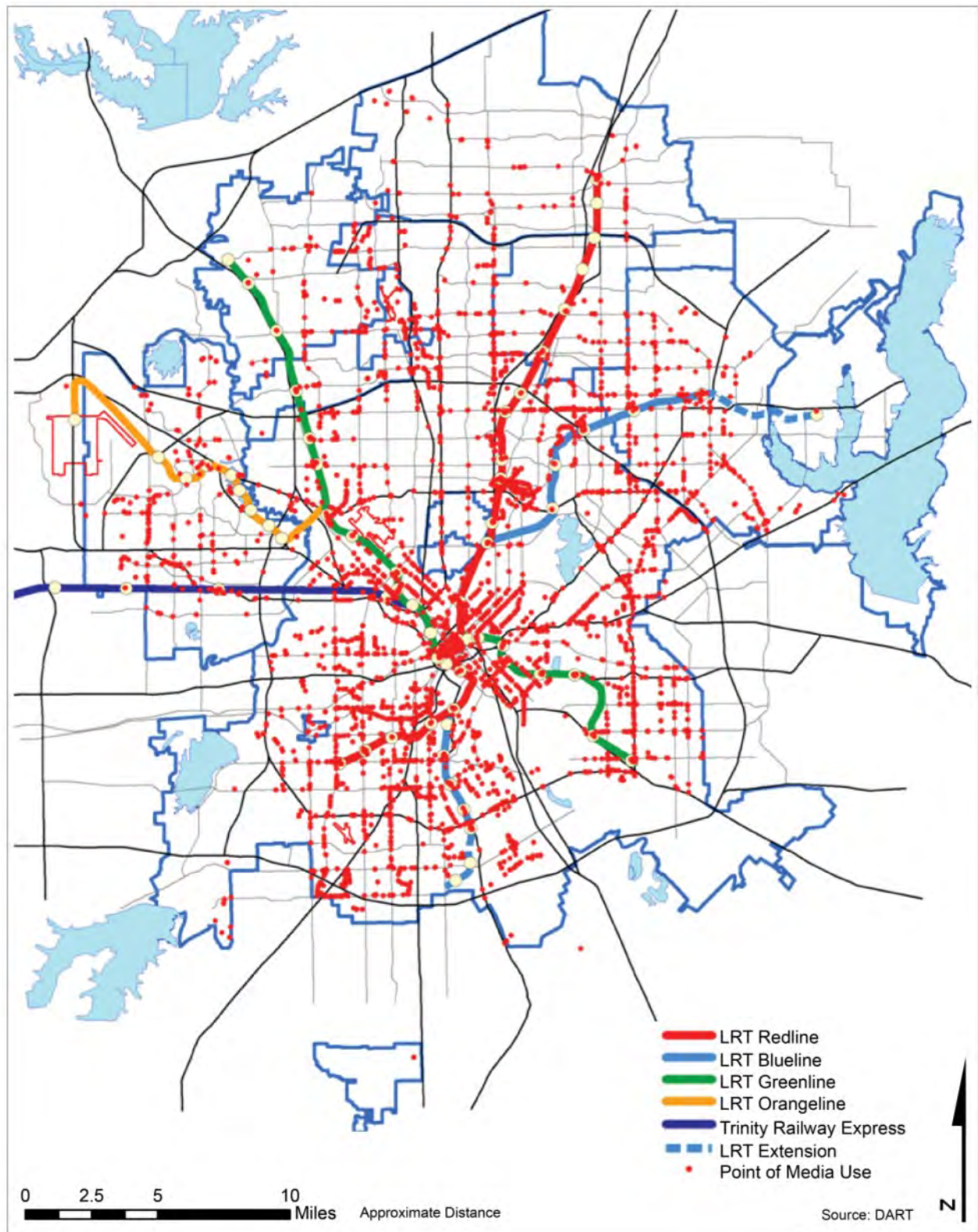


Figure 2I. DART Forest/Jupiter Station Ridership Transaction Points (Oct 24-28, 2011)





Areas:

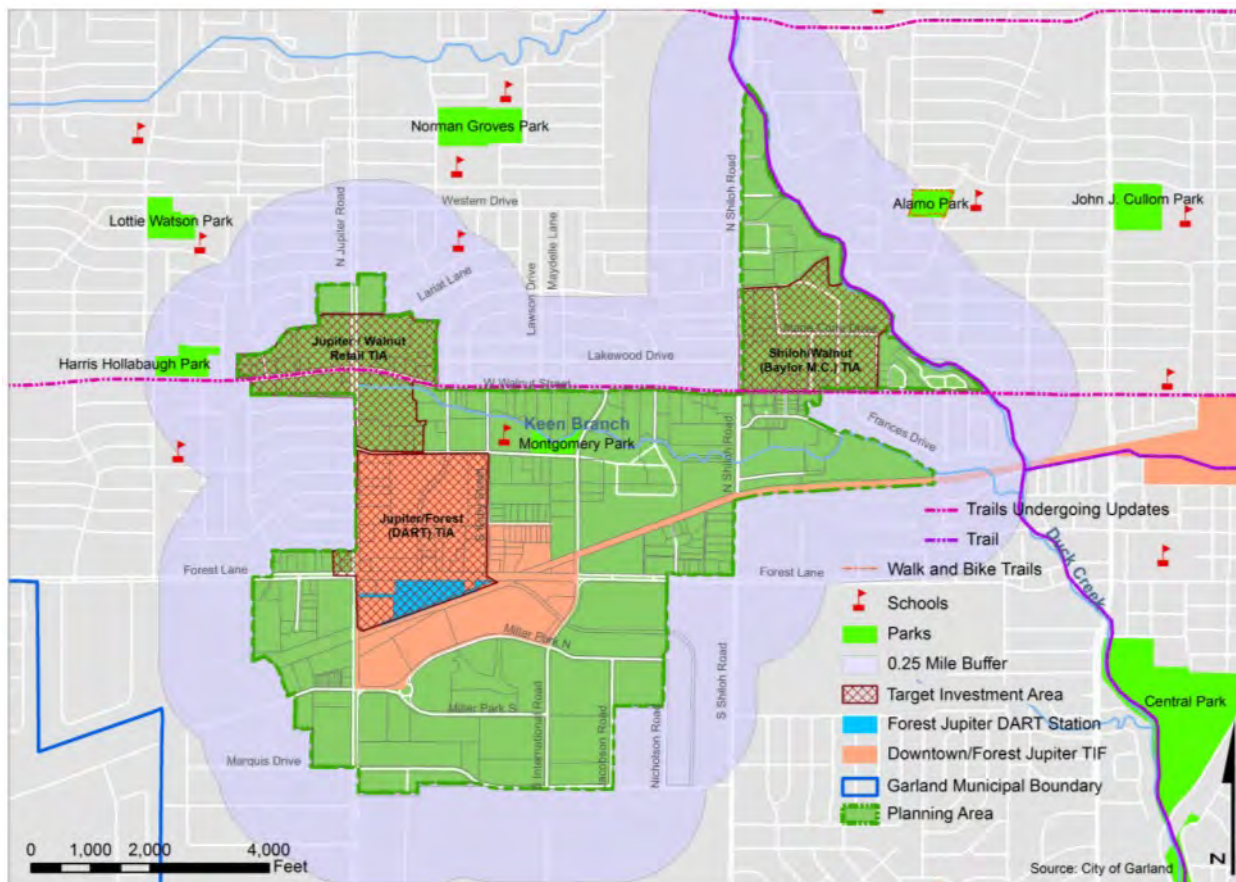
- ◆ Garland Neighborhoods
- ◆ Oak Cliff and Southern Dallas Neighborhoods
- ◆ Downtown Dallas and adjacent Neighborhoods (e.g. Oak Lawn, lower Northeast Dallas)

Specific Locations:

- ◆ Downtown Dallas
- ◆ Medical District (Parkland Hospital, UT Southwestern Medical District, etc.)
- ◆ Baylor Medical Center Dallas
- ◆ Methodist Hospital Dallas
- ◆ Fair Oaks Community (northeast of Northwest Highway / US Highway 75)

These graphics and analysis illustrate the accessibility of the Study Area, and that an employer who locates in the DART Forest/ Jupiter Station vicinity can successfully recruit employees from a very wide area with the expectation that the transit system can reliably get them to and from work. Similarly, it indicates that residents and visitors within the DART Forest / Jupiter Station area can successfully travel to virtually any part of the DART service area by transit using the station as their point of beginning. This significant and unique access to the regional transit system has only heightened with the recently completed extension of the DART Blue Line to Rowlett.

Figure 2J. Non-Vehicular Features



Bicycle and Pedestrian Infrastructure

Existing transit alternatives, a large daytime employment population, and high number of residents located adjacent to the Study Area make it an ideal setting for enhanced pedestrian and bicycle connections; however, existing infrastructure is limited and inconsistent throughout the Study Area. Community groups such as Bike Friendly Garland have shown the need for a more improved and connected bicycle network, and *Envision Garland* has identified this potential for adapting the current transportation network to incorporate the pedestrian, bicycle, and transit priorities identified in the planning that can occur for the Study Area. Existing improvements are illustrated in Figure 2J and categorized as on-street bikeways, off-street trails, and sidewalks.

On-Street Bikeways

Three municipal bikeway plans identify bike-related improvements in the general vicinity of the Study Area. The City recently completed a portion of the North-South Bikeway located approximately 2-3 miles east and north of the Study Area. This bikeway will act as a primary bikeway route, which is designed to link Garland with Richardson (north) and Mesquite (south). In the future additional routes will connect to other destinations within Garland. The City of Richardson bike plan indicates a small route segment approximately 1-mile north of the Jupiter-Walnut TIA, on Yale Drive, north of Buckingham Road. A terminal segment of the *2011 Dallas Bike Plan* is proposed south of Forest Lane along Plano Road. While the Richardson and Dallas plans identify proposed improvements, they do not reflect a built condition nor do they identify such connections through the Study Area.

There are several key bike-friendly corridors that could be created through careful renovation of existing streets. The streetscapes shown on the TIA development concepts anticipate bike connections as built into the proposed renovated streetscapes along Walnut Street, Barnes Drive, Forest Lane, Jupiter Road and Shiloh Road.



Figure 2K. Walking Distances



Off-Street Trails

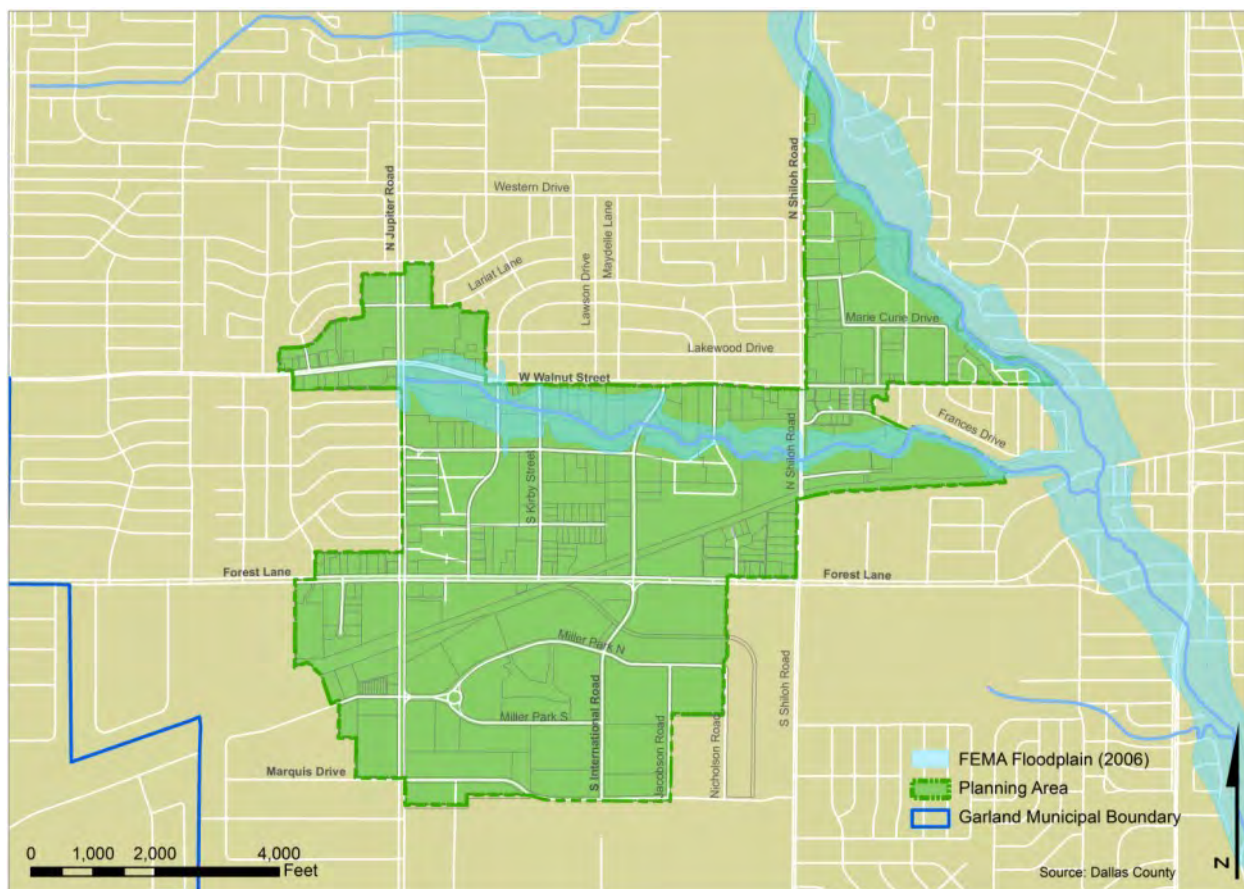
In addition to on-street bikeway plans, there are several regional off-street trails that have been planned near the Study Area. These alignments include portions of the *Dallas County Trail Plan* and the NCTCOG Regional Veloweb, although they are only identified as conceptual connections to-date. Alignments along Duck Creek and Keen Branch represent these planned potential routes, as well as others along the railroad corridor. Non-vehicular access to and from these corridors could raise security concerns and will need to be addressed in order to achieve successful future connections.

Sidewalks and Pedestrian Connectivity

In general, the Study Area lacks continuous sidewalks and trails to accommodate pedestrian routes within or between activity centers. Figure 2K indicates what could be comfortable walking distances of between 5 and 10 minutes, or 1/4- and 1/2-mile from and between the TIAs.

Sidewalk conditions and connections within the Study Area appear to be lacking or in poor condition in numerous locations. Based on visual assessments, only a single pedestrian-width sidewalk connects to the DART Forest / Jupiter Station platform – a narrow strand of pavement leading southward from the Barnes Drive entrance off of Forest Lane. This is the only pedestrian access provided for entering the DART Forest / Jupiter Station property, suggesting a missed opportunity. Access from the west entrance of the Station is limited to a narrow roadway lined by trees but lacking sidewalks. Other roadway entries and exits accommodate only vehicular traffic and potentially bicycles. No pedestrian or Americans with Disabilities Act (ADA) access is otherwise provided, although a well-worn volunteer path along Jupiter Road leads southward from the west side of the station entrance. Future non-motorized connections to the DART platform and other anchors within the Study Area will need to be planned in the context of the larger redevelopment program.

Figure 2L. Major Drainage and Floodplain Features



Major Drainage and Floodplain Features

Two primary drainage features are found within the Study Area. Duck Creek, a tributary to the East Fork of the Trinity, runs along the northeastern edge, while Keen Branch, a tributary to Duck Creek, flows generally parallel to Walnut Street, from Jupiter Road toward the southeast. Both traverse developed areas; Keen Branch incorporates the Study Area's only municipal park, Montgomery Park. Figure 2L illustrates the location of both water features and the extent of their impact.



The presence of these water features presents both opportunities and challenges for development. As an opportunity, they offer an amenity that softens the hardscape by incorporating natural features, mature trees and running water. As a challenge, Keen Branch and related floodplain create a gap in the development pattern along the Walnut Street corridor. Going forward, these natural amenities should be better capitalized on for their potential to offer positive views, pedestrian and bike path routes, and focal points for development.

Figure 2M. Building Coverage Diagram



Source: Catalyst Group

Building Coverage Analysis

Building Coverage Analysis is an urban analysis diagram that compares building footprints to the surrounding area in order to understand the size and configuration of spaces and places created by the buildings. The value of understanding these relationships is in defining the urban form and development identity created by the relationship between buildings and their surroundings, thus strengthening a sense of gateway to both the Study Area's neighborhoods and commercial district. While this concept is somewhat subjective, a hallmark of successful mixed-use and urban districts that have evolved from older commercial and industrial settings (such as Uptown Dallas, Fort Worth's West 7th Street, Addison Circle, North Dallas Furniture District, and Dallas' Design District, among others) is the use of a more consistent relationship in the collective form the district's buildings create.

The Building Coverage diagram (Figure 2M) suggests that, in general, existing buildings do not present a regimented urban form, unlike those within the surrounding single family communities where the urban form is more predictable. Further, it appears that conditions might detract from the user experience along the Study Area's primary thoroughfares, and that key interventions and additions in the TIA's can improve the respective visual identity and overall neighborhood cohesiveness.

Figure 2N. Pavement Coverage Diagram



Source: Catalyst Group

Pavement Coverage Analysis

As a compliment to the Building Coverage Analysis, the Pavement Coverage Diagram (Figure 2N) depicts areas that are dedicated to use by the automobile. Such areas include parking lots, streets, and other locations where pavement dominates the surface and separates built structures. As identified by the Urban Land Institute in their national study, Reinventing the Commercial Strip, an excess of auto-related pavement in a district places emphasis on movement of vehicles rather than pedestrian activity, or the buildings themselves. While this may be appropriate in the larger industrial zones within the Study Area where such movement is warranted, it may be a challenge to the redevelopment of the TIAs through more pedestrian-oriented mixed-use development.



As such, the Study Area has been analyzed to display those sectors where paving dominates, as well as those that provide potential as development amenities or infill sites (refer to Figure 2N). This analysis identifies the opportunity to reduce the amount of pavement and improve the relationship between structures through targeted infill of new buildings and landscaped areas. While focused on areas within the TIA's such improvements can serve to create identifiable spaces and places and begin to alter the Study Area's perception as an older suburban environment. This type of evolution is now taking place in Garland's downtown in a manner that has experienced success in such other local transit-oriented environments as Downtown Plano, Uptown Dallas, Addison Circle, the 7th Street Corridor in Fort Worth, DeSoto Town Center, and Mockingbird Station in Dallas. In each instance, a positive visual change has helped ready a new environment for investment by providing a more pleasant and predictable development pattern.

Study Area Opportunities

The Study Area can be described as having many of the essential elements for a successful redevelopment program – transit access, stable neighborhoods, community assets and favorable ownership patterns, and natural features. Despite a significant amount of aged and absent infrastructure (sidewalks, streetscape, trail connections), once improved, the Study Area would have the foundation for revitalization to occur within the Study Area itself. The implementation strategy presented later in this report includes several key items intended to improve both physical conditions and the Study Area's overall investment climate.

Figure 20. Forest/ Jupiter TIA Boundaries



Targeted Investment Areas (TIAs)

The purpose of analyzing existing conditions in a redevelopment area is to understand deficiencies, needs, and amenities. By understanding the presence, capacity and condition of area infrastructure, investors can begin to quantify the economic feasibility of development or redevelopment and potential necessity for public sector participation in readying the environment for investment. Each of the three TIA's possess specific conditions which will inform public priorities and private investment.

Forest Lane / Jupiter Road TIA (A Transit-Oriented Development District)

The Forest Lane and Jupiter Road (Forest/ Jupiter) TIA, generally located at the intersection of Forest Lane and Jupiter Road, contains a mix of older multi-family, industrial, retail, and motel uses together with the DART Forest / Jupiter Station. This TIA can be categorized as an integral part of the surrounding employment district. Figure 2O illustrates the boundaries of the Forest Lane and Jupiter Road TIA. Defining factors associated with this TIA include both positive and negative considerations:

Positive:

- ◆ In general, the TIA presents a downgraded external presence and identity caused by aging buildings and a lack of positive pedestrian-oriented streetscape improvements.
- ◆ DART parking lots and adjacent undeveloped property is well-positioned for potential Transit-Oriented Development (TOD) so long as such future investment accommodates required DART parking and bus circulation.
- ◆ Existing civic uses (library, school and park) are successful assets and well positioned to compliment new investment.

Negative:

- ◆ The DART Forest / Jupiter Station platform is somewhat disconnected from the community it serves as the related pedestrian infrastructure is not properly connected to ridership-generating uses (such as manufacturing to the south and multi-family to the north).
- ◆ Existing apartments along Barnes Drive are an older garden apartment format. These developments appear dated and contain interior courtyards or other hidden areas in which crime can occur.



Figure 2P. Forest/ Jupiter TIA 2011 Assessed Property Values



Retail Inventory Analysis

While serviced by a variety of commercial operations, the area lacks the necessary business and work place amenities, lunch time opportunities, cohesive pedestrian connections between uses, and overall area identity successful districts leverage to attract and retain businesses and their skilled workers. The profile of existing retailers tends to reflect visitors passing through the area and a narrow segment of the existing residential base. While the high number of ethnic retailers (compared to other infill locations within the city) offers an opportunity for a destination dining and shopping node, the diversity of offerings is fairly limited. If the City were able to recruit additional stores and restaurants and provide the necessary infrastructure, this TIA could rather easily become an identifiable place for visitors, residents and employees. Figure 2P illustrates concentrations of investment as measured by 2011 property assessed values.

Jupiter Road / Walnut Street TIA (A Neighborhood Center)

The Jupiter Road / Walnut Street (Jupiter/ Walnut) TIA is generally located at the intersection of Jupiter Road and Walnut Street; its boundaries are shown in Figure 2Q. This TIA serves as a community commercial center with retail, office and service uses; defining factors include:

Positive:

- ◆ Existing retail properties have healthy occupancies with a vibrant mix of ethnic-oriented retail tenants.
- ◆ Keen Branch flows through the TIA and offers the opportunity to highlight this natural feature in the context of a fully developed area.

Negative:

- ◆ Though some newer buildings have been completed in the northeast and southeast quadrants of the intersection, the overall area has a downgraded external presence and identity caused by aging buildings and a lack of positive pedestrian-oriented streetscape improvements.
- ◆ Uses within the TIA are not well connected or integrated to adjacent properties and neighborhoods. This results in a disjointed and undistinguishable community experience.
- ◆ Properties within the southeast quadrant of the intersection are impacted by Keen Branch resulting in limited frontage along property lines.

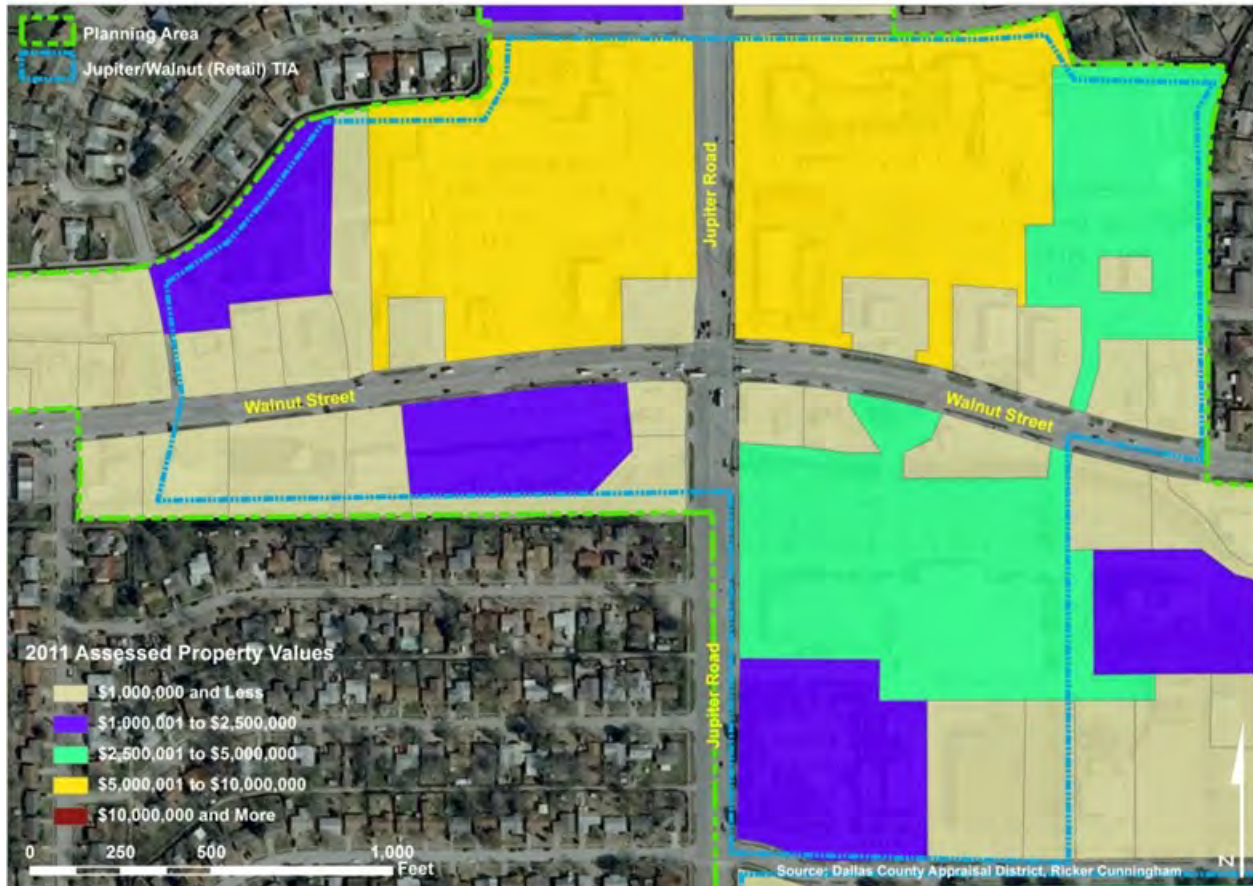
Figure 2Q. Jupiter / Walnut TIA Boundaries





Figure 2R shows concentrations of investment within the Jupiter/ Walnut TIA, as measured by 2012 property assessed values reported by the Dallas County Appraisal District. Understanding the magnitude of these values begins to inform the financial feasibility of acquiring and redeveloping property in the Study Area.

Figure 2R. Jupiter/ Walnut TIA 2011 Assessed Property Values



Retail Inventory Analysis

A vibrant ethnic retailing destination is found within the Jupiter/ Walnut TIA with few vacancies and a well-performing economy; albeit, in older suburban buildings that were not originally constructed to accommodate retail demands by today's day- and night-time populations. Existing structures suffer from an inferior visual quality when compared to other retail and mixed-use destinations in the region, making them less competitive for new investment. There are a wealth of opportunities to better leverage potential activity with strategic additions to the program and stronger design elements, however few have been forthcoming.

A retail inventory analysis performed for the Jupiter Road/ Walnut Street intersection quadrants identifies the specific tenants occupying each quadrant as of April 25, 2012, measures vacancy rates, and types of retail use as a percentage of each quadrant. This analysis shows the potential to add grocery, legal services, health care, and restaurants, all aimed at the growing local Hispanic, Chinese, and Vietnamese ethnic marketplace. As noted

in the implementation section of this document, the Garland Chamber offers the local Small Business Development Center to support such businesses. Appendix Exhibit 2-2 through Exhibit 2-9 identify the mix of retail establishments in the Jupiter Road and Walnut Street TIA as compared to other ethnic retailing nodes within the DFW Metroplex.

Shiloh Road / Walnut Street TIA (A Mixed-Use Medical District)

The Shiloh Road and Walnut Street (Shiloh/ Walnut) TIA is located in and around the BMC-Garland campus. Figure 2S illustrates the boundary of the Shiloh/ Walnut TIA. Supporting uses include a series of medical and health-care related facilities concentrated at the Shiloh Road and Walnut Street intersection.

Outside of the TIA, yet within the influence area, the former Vista Hospital provides a unique opportunity for redevelopment, new development, or adaptive reuse. The entire hospital campus offers a combination of existing buildings and vacant development parcels, all located adjacent to the well-traveled Walnut Street. As such, it may provide an anchor of reinvestment that acts in concert with future improvements to the BMC-Garland campus itself. Figure 2T illustrates concentrations of investment as measured by 2011 property assessed values.

Defining factors associated with this TIA include:

Positive:

- ◆ BMC-Garland and related uses serve as critical anchors in the west Garland community as they offer major employment and regional identity.

Figure 2S. Shiloh/ Walnut TIA Boundaries





- ◆ On-campus facilities at BMC-Garland are well kept and present a strong sense of place from which to build upon.
- ◆ Duck Creek provides a major natural amenity adjacent to the TIA with an impressive grouping of mature trees and beautiful water course.
- ◆ BMC-Garland owns several key properties that have clear potential for synergistic development. This ownership may provide simpler land assembly.
- ◆ Nearby, the former Vista Hospital campus consists of vacant property and significant built facilities that may lend itself well to new and infill investment.

Negative:

- ◆ Off-campus edge conditions west and south of the BMC-Garland facility present a negative visual appearance that undermines campus entry and shields the positive on-campus improvements from direct public view.
- ◆ There is no critical mass of uses and activities to define / position the area as a mixed-use health sciences employment district.
- ◆ The retail center at the northeast quadrant of Shiloh Road / Walnut Street is in particular poor visual condition but has multiple tenants which may make its acquisition for redevelopment difficult.
- ◆ The retail center at the northeast quadrant of Shiloh Road / Walnut Street is in particular poor visual condition but has multiple tenants which may make its acquisition for redevelopment difficult.
- ◆ The nearby former Vista Hospital campus is vacant and provides a negative comparable in this TIA's immediate marketplace.

Figure 2T. Shiloh / Walnut TIA 2011 Assessed Property Values

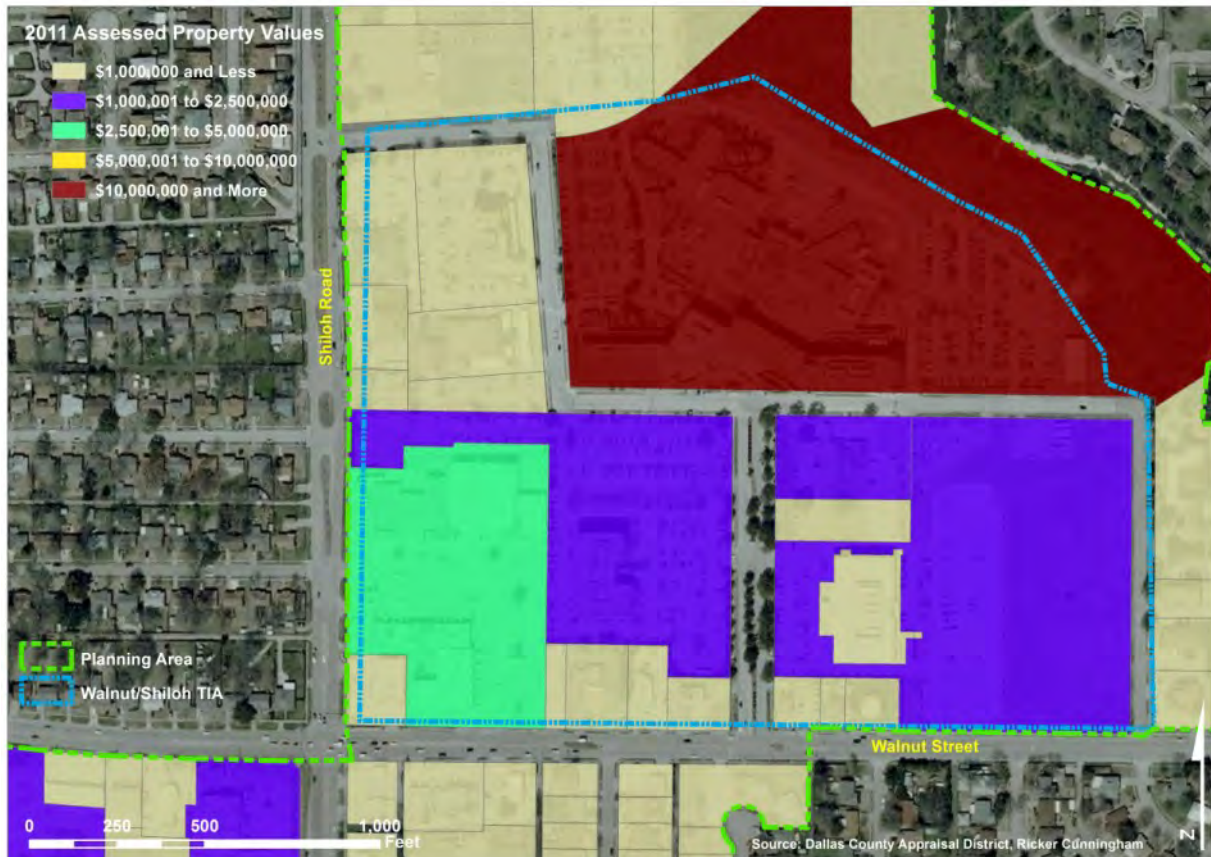
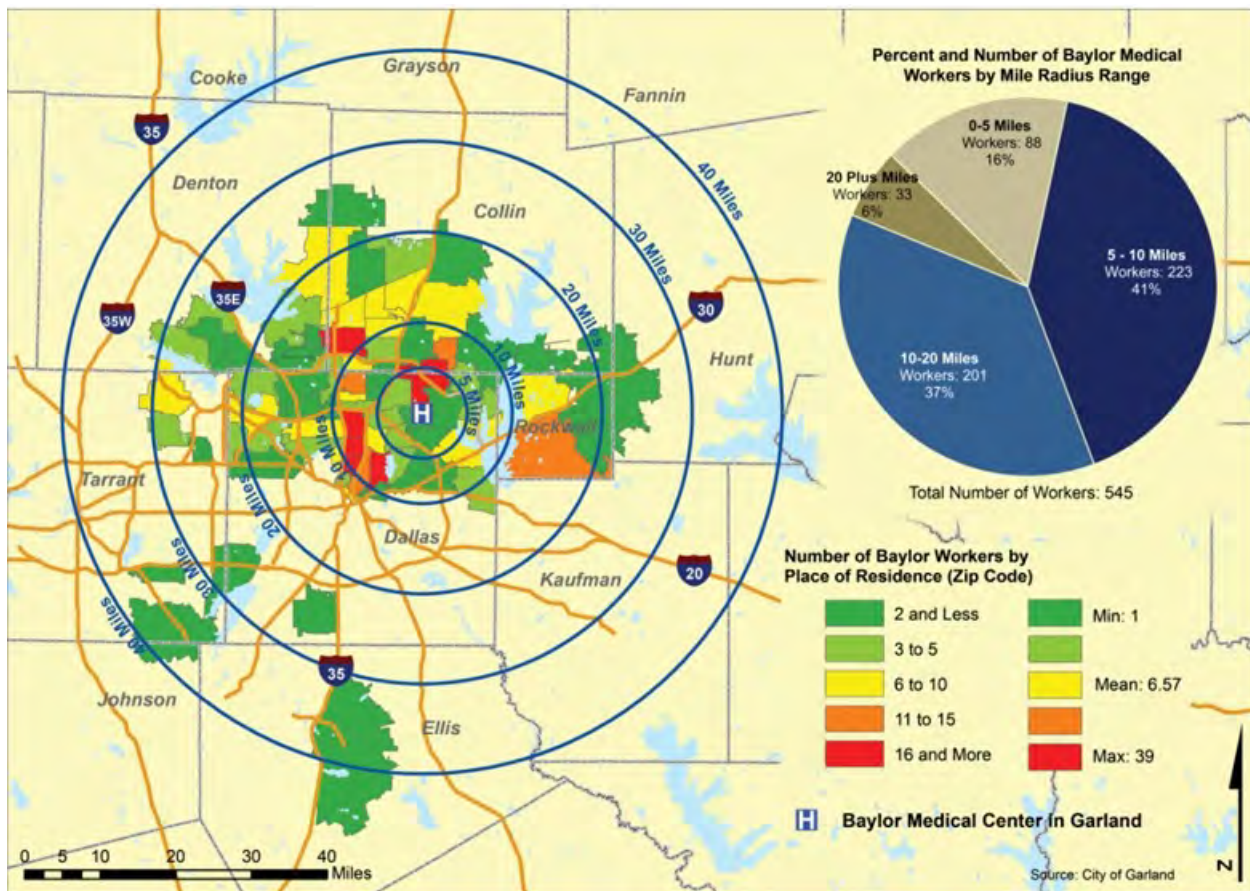


Figure 2U. BMC-Garland Labor Shed



Labor Shed Analysis

BMC-Garland, a major employer in the Study Area, is the primary employer in the Shiloh/ Walnut TIA. To better understand the daily commute patterns for BMC-Garland employees, a zip code analysis (labor shed) was performed by the Hospital. This labor shed analysis (Figure 2U) locates where each employee lives within the DFW Metroplex. The figure identifies the vast majority of employees commuting from the northern portion of the DFW Metroplex, and the least number from communities located immediately adjacent to the BMC-Garland campus. Communities where the greatest percentage of BMC-Garland employees live include:

- ◆ north Dallas (south of I-635; west of the Dallas North Tollway),
- ◆ far north Dallas (east of Addison),
- ◆ north Plano,
- ◆ Wylie,
- ◆ north Garland,
- ◆ southeast Garland,
- ◆ Rockwall / Heath (north and south of I-30),
- ◆ lower East Dallas,
- ◆ Park Cities area,
- ◆ Lake Highlands area of Dallas,
- ◆ Grapevine, and
- ◆ Southlake.



This labor shed analysis indicates potential to improve employee commute time in a manner that improves BMC-Garland's workplace experience. Having access to the DART Forest/Jupiter Station through the regional transit system, promotion of rail transit to BMC-Garland employees could increase rail ridership and lessen commute times. Additionally, given that the area immediately adjacent to the BMC-Garland campus is shown as having nearly the least number of employee-residents, promoting the development of new housing and services on and near the hospital campus presents opportunities for BMC-Garland employees to live near work.

Section 3: Market Composition

Introduction

Planning for the strategic redevelopment of a community requires an understanding of physical conditions, policies and regulations, financial challenges and market opportunities. The market context portion of the *Redevelopment Plan* focuses on identifying market opportunities within the Study Area and a representative trade area. The purpose of the market analysis in the context of a revitalization effort such as this is fourfold:

- ◆ Provide a reality check for the conceptual planning effort;
- ◆ Ensure that recommendations are grounded in market and economic reality;
- ◆ Set the stage for implementation; and,
- ◆ Provide an accurate and independent story to tell potential development and investor audiences.

As explained in the *ED Strategy*, Garland, like many DFW Metroplex inner-ring communities, is at a critical point in its evolution. While Garland has long benefited from its geographic location near central Dallas, historically maintaining a steady rate of growth within a strong regional economy, it is seeing that growth decline, as the Metroplex expands into ex-urban communities. With comparatively few remaining undeveloped and under-developed areas, the growth of Garland over the near- and long-term will be largely in the arena of redevelopment. The *ED Strategy* identifies the Study Area as having potential for redevelopment with emphasis on the three TIA's described previously. The market analysis that follows shows that there is market demand in the Trade Area, Study Area and all three TIAs, and that with strategic public and private reinvestment and supportive policies, several parcels individually and as an assemblage could be successfully positioned to capitalize on select opportunities.

Methodology

Market analyses, in the context of infill and redevelopment, examine the following questions:

- ◆ What conditions encourage or challenge investment and reinvestment?
 - Physical, market, financial, regulatory, organizational and political conditions that will influence the development envelope and inform the implementation strategy
- ◆ What is the Study Area's range of influence?
 - Trade area size and shape (should include most likely customers, residents and competitors)
- ◆ What are potential target markets?
 - Customer base demographics, economics, and psychographics (lifestyle segments)
- ◆ What is the competition?
- ◆ Types of competition (current and potential inventory).
- ◆ Size and performance of competitive projects.
- ◆ How much demand is in the trade area?
 - Annual absorption (in units or square feet) projected forward
- ◆ How much total market demand can properties in the areas capture and / or accommodate?
 - Given magnitude of demand, level of competition, physical or regulatory capacity, financial feasibility, and consistency of potential projects with area vision



Real Estate Trends

During the latter part of 2008, new real estate development throughout the United States nearly ceased to exist. In the years that followed, among those markets that have seen modest levels of activity, the indices which determined feasibility evolved from what they were in earlier decades. Today, real estate developments considered feasible are not just those for which there is sufficient demand and subject to limited competition, but those that can secure financing. Real estate projects are being influenced by multiple factors including: limited development capital, technology, changing demographics and psychographics (lifestyle segmentation data), and more informed municipal policies. What follows is a discussion of prevailing conditions that will influence real estate development over the near- (1 to 3 years) and mid- (3 to 7 years) terms and the expected market response.

People

While demand for commercial space going forward will likely be at a lower space per capita ratio, the growth of the U.S. population will increase overall demand for commercial and non-commercial real estate. Other demographic and psychographic trends affecting real estate development include:

- ◆ The U.S. population will increase by 100 million over the next 30 years (3 million annually), with Texas forecasted to receive a large proportional share of this growth.
- ◆ The DFW Metroplex led the nation in 2012 in population growth. This expanding population will continue to absorb housing inventory and sustain growth in apartments.
- ◆ The Generation Y segment (individuals aged 15 to mid-30s) is a larger population group than Baby Boomers and are comparably more frugal, more comfortable in smaller spaces, and desiring of living units convenient to work, shopping and recreation / entertainment districts. This demographic is a key supporter of the continued growth in mixed-use environments across the DFW Metroplex as a result.
- ◆ The Generation X segment (individuals between 31 and 46 years of age) are redefining the cultural assumptions associated with past decades. In general, they have been shown to desire equal parts traditionalism, work and leisure while gravitating around smaller, higher quality homes. This 49 million-strong cohort is challenging the Baby Boom precedent that “to spend is good, and to spend more is better.” This shift translates into a lower level of demand for commercial space per capita as this demographic group enters its peak earning years.
- ◆ Two age segments prefer low maintenance housing options (urban apartments and condos, townhomes and row houses, flats and co-ops). These include individuals and couples 18 to 32 years of age, and empty nesters 55 and older. Both segments are expected to grow in the Trade Area by 5 percent and 32 percent, respectively, over the next ten years.
- ◆ The growth in ethnic populations in Texas is creating new demand for goods and services, as well as changes in workplace dynamics. The integration and assimilation of these ethnic groups into communities represents both a future challenge and on-going opportunity for the Study Area.

Place

Over the last several years, there has been an increasing demand among consumers for walkable, mixed-use, high-density community spaces that support the integration of dynamic live / work / play activities. In light of higher energy costs, reductions in free time, and a desire for community interaction, real estate consumers are looking inward to urban infill locations to

address these concerns. Another significant influence on the size and character of commercial and non-commercial real estate has been the use of the internet for both commerce and industry. Specifically, technical advances and e-commerce have affected not only retail, but also industrial and office sectors, and to a lesser extent residential product types. “Connectedness” is now a given in both the workplace and at home. These trends may have a direct impact on the potential for new investment in the Study Area as follows:

- ◆ High-risk speculative development without established pre-leasing or ample market demand will be filtered out through conservative lender underwriting. This process will act to steer new development towards more proven and stable markets rather than newer ex-urban communities. While this is a positive trend for the Study Area, there are other more competitive urban marketplaces in the DFW Metroplex that will be seen more favorably until market momentum returns to the Study Area.
- ◆ Psychographic and demographic preferences of Generations X and Y lean toward urban infill locations offering the chance to live and work in a walkable, short commute, or transit-served environment. With a large existing workforce, excellent access to a range of public transit options, the presence of non-traditional retailers and ethnic restaurants, and having a primary quality health care facility, the Study Area is well positioned to appeal to such preferences.
- ◆ The development community is discovering that place-making elements provide pricing premiums that more than offset additional costs. Seeing this trend emerge in the Metroplex, the City has proactively revised its development growth policies to promote infill redevelopment and initiated this *Redevelopment Plan* to plan for such growth.

Employment

As noted in the *ED Strategy*, the City has long maintained a sizable industrial / manufacturing base that is primarily located along the I-635 corridor, and that includes the Study Area. As also noted in the *ED Strategy*, 40 percent of Garland’s industrial base was constructed prior to 1980. With this aging inventory and manufacturing and distribution companies trending away from traditional industrial space, the Study Area has an opportunity to re-tool existing space to accommodate expansion and / or conversion of existing industries, and enhance the existing industrial environment with the addition of ancillary housing (workforce) and commercial uses. Other manufacturing and distribution traits emerging in the next 10 years include the following trends.

- ◆ Consolidation of operations (meaning fewer locations and larger facilities)
- ◆ Speed-to-market demands and the logistics of just-in-time shipping
- ◆ Strategic importance of proximity to intermodal transportation and suppliers
- ◆ Flexibility to accommodate growth and change
- ◆ Sophisticated materials handling systems that support increasing market demands for efficiency, customization and high-tech
- ◆ Individualized requirements that demand an inside-out approach to infrastructure, i.e., first addressing inside equipment needs, then developing the building around those needs
- ◆ Access to a competitive labor market
- ◆ A return to the urban core and adaptive reuse opportunities
- ◆ An increased awareness of energy and environmental issues
- ◆ Higher profits off smaller inventories



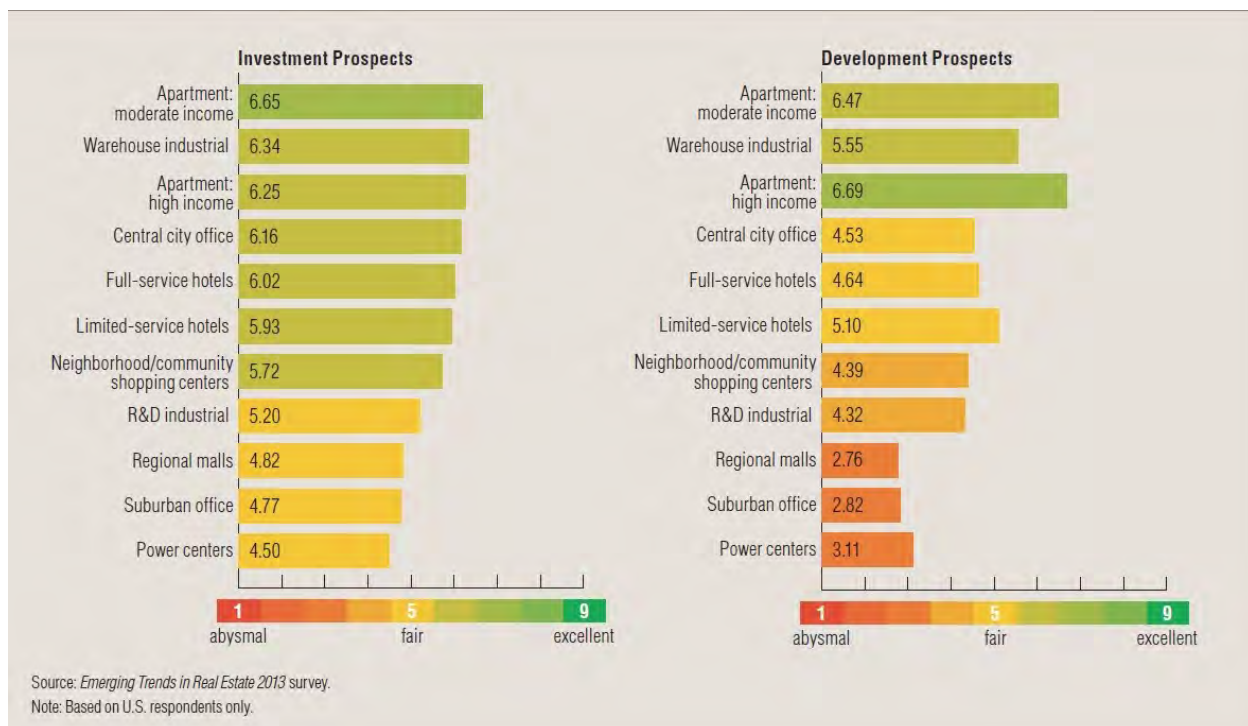
Development and Investment Opportunities

Development and investment trends could have a profound impact on the real estate products delivered over the next several years. To monitor the impact of these trends, Price Waterhouse Coopers (PWC) and the Urban Land Institute (ULI), the lead membership organization representing real estate professionals throughout the world, issues a report on real estate prospects for investment and development each year. The following summarizes near-term expectations, based on PWC's most recent survey of practitioners throughout the United States. Figure 3A through Figure 3F provide graphic illustrations of the results.

General

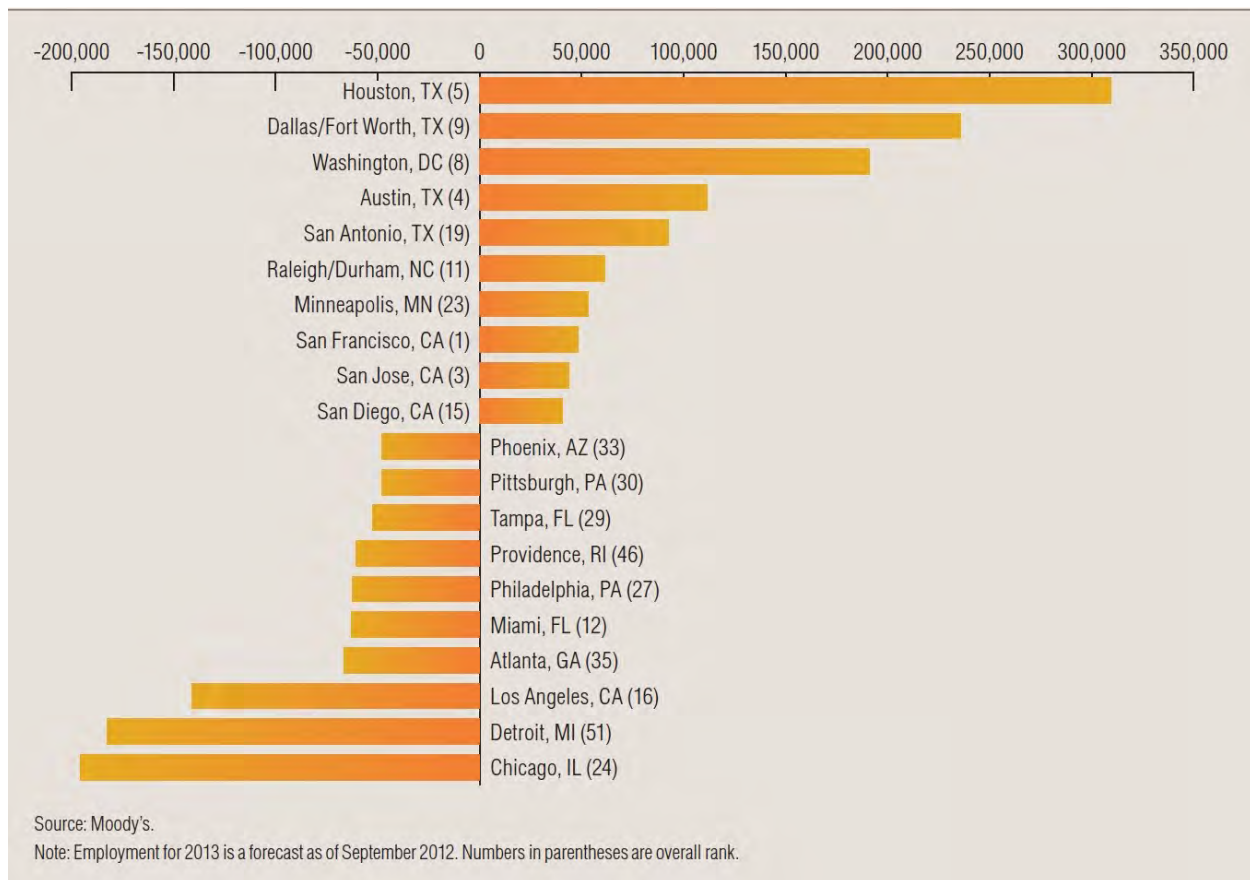
General investment opportunities for non-central city locations such as the Study Area include moderate income apartments (moderate and higher income), warehouse industrial, and community retail. Top development prospects include apartments (high income and moderate

Figure 3A. General Investment and Development Prospects



income), and warehouse industrial. Niche opportunities that will continue to thrive for psychographic reasons include senior housing and medical office (discussed later). Apartments and industrial are considered the only property types that will reliably cash-flow in the near term, while profitable mixed-use opportunities will involve mid-rise residential products around established shopping, employment and transit. Urbanity in the suburbs will continue to be in demand as many consumers continue to be priced-out of inner-city locations. Such development is not limited to walkable “New Urbanist” design, but the active programming of space to encourage active lifestyles. Heightened shared amenities including parks, trails and open space is becoming an increasingly palatable alternative to large yards. Further, sustainable building concepts will become industry standard in next-generation projects. Existing buildings will need to increase efficiencies and retrofit new systems in order to compete.

Figure 3B. Employment Change (2007-2013)



The DFW marketplace will continue to enjoy these changes as it is second in the nation in job creation over the past 5 years (Figure 3B). This increase in employment is projected to continue and offers a continuation in the expansion of the regional marketplace.

Residential

PWC and ULI have identified this period of development through 2015 as being known as the “Era of Less”, driving demand for apartments (Figure 3D).

- ◆ Constrained apartment development, pent-up demand, former homeowners and an expanding population base 32 years and younger will continue to drive down vacancies and increase rents. This will be fed by couples marrying and/or starting families later and seniors who choose a simplified and more efficient lifestyle.
- ◆ Investors and owners express more interest in reducing and managing energy costs than renters. As such, access to reduced/bulk energy pricing, and availability of energy-efficient fixtures and equipment will help steer location of supply.
- ◆ Senior housing will continue to grow as certain Baby Boomers will settle for comfortable rental as an empty-nest move-out option over for-sale condominiums.
- ◆ 24-hour metro areas will continue to be the best environments for successful apartment development, with the exception being markets where condo overbuilding presents competition for conversions.
- ◆ Affordable housing will continue to be necessary in growing markets with higher employment such as the context for the Study Area.



Figure 3C. Specific Prospects

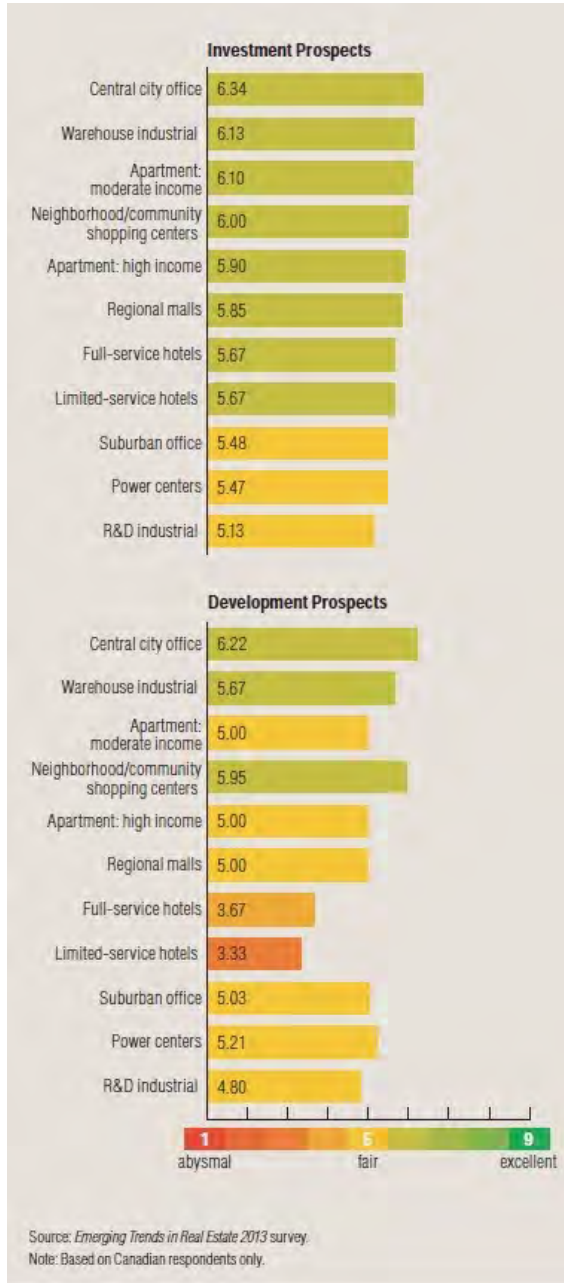
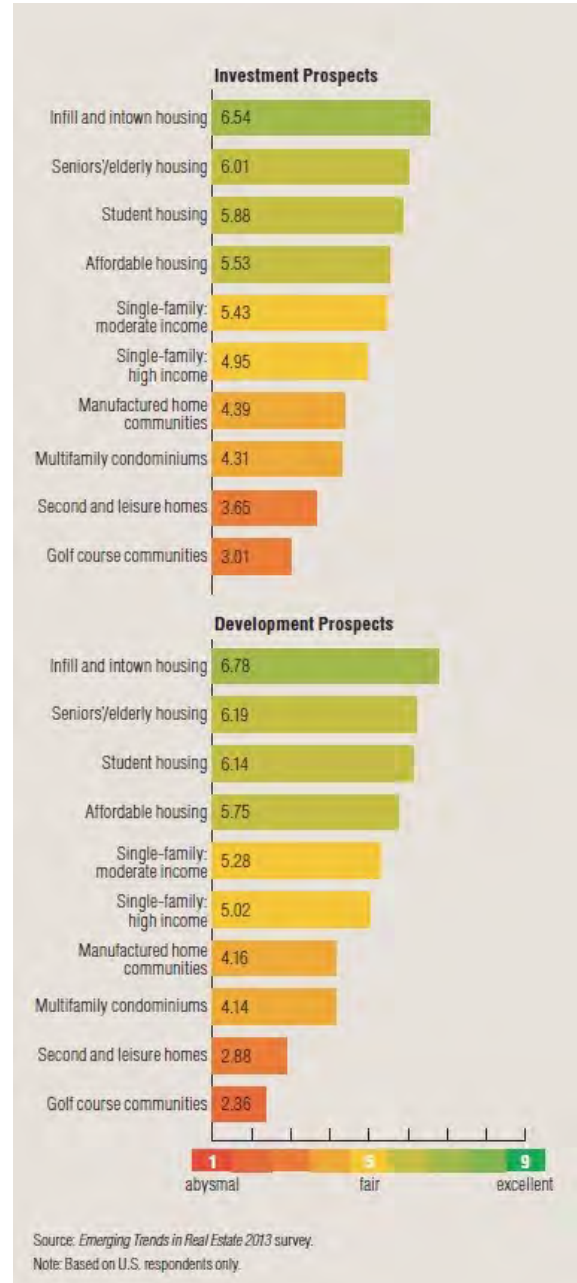


Figure 3D. Residential Prospects



Retail

Retail opportunities in the near term will be classified as nearly non-existent in most markets, though that trend may reverse in the mid-term for markets defined through the following characteristics (Figure 3E).

- ♦ Ethnic retailing, internet retailing, and experience show rooms will dominate the near-to-mid term retail field, as consumers place more emphasis on the experience of shopping.

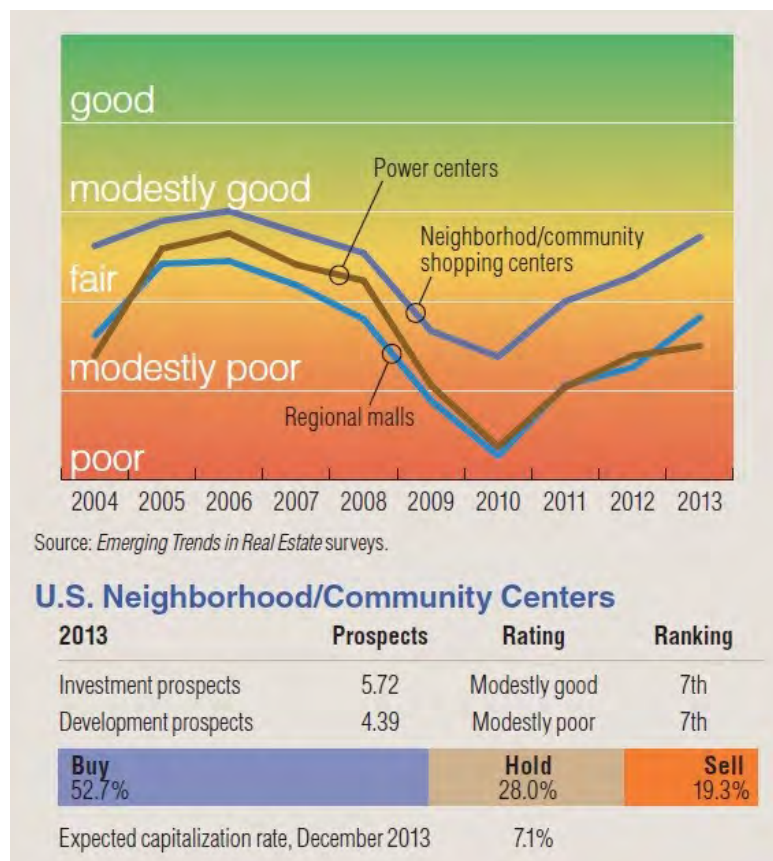
- ◆ Multi-branding and cross-branding will be essential, and health and wellness connections will be emphasized. This provides commercial centers with hospital affiliations to have particular viability.
- ◆ Higher profits off smaller inventories will continue to be the trend in retail development.
- ◆ Big box retailers will continue to deliver new boutique stores, particularly in inner-city locations.
- ◆ Outlet malls will continue to be well-positioned to capitalize on the new value-proposition.
- ◆ More on-line stores will likely reduce the number of bricks-and-mortar stores, modifying distribution models and reducing warehouse needs; to-date, the impact has been smaller stores, with less inventory on-site.

Office / Industrial

Office development opportunities (Figure 3F) will be largely limited to gateway communities with a healthy shipping trade. Non-gateway communities having infill locations with products offering green attributes might see some investment including the following opportunities and characteristics.

- ◆ Telecom and computer innovations that make going to an office superfluous for more workers, and that have enabled domestic and offshore outsourcing to people operating from homes or at cheaper overseas locations will continue. This will temper new demand for office space.

Figure 3E. Retail Prospects





- ◆ Shipping and trade activity will show signs of improvement as business inventories rebuild and the market demands industrial space that doesn't exist because of subdued development.
- ◆ Whereas “green buildings” (those designed and built with sensitivity to the environment) are considered a right of entry into the market since many corporations and governments have established policies and regulations making it mandatory, markets will see more of this product type.
- ◆ With more than a decade of green building, it has been determined that the investment can be recouped in five to ten years – thus only appealing to specific investor groups.
- ◆ Greener speculative buildings and proximity to transport options will command higher rents.
- ◆ Employment in proximity to areas having a mix of uses including housing and lunchtime opportunities will be better positioned generally, than those that do not have such amenity-rich contexts.

Figure 3F. Office Prospects



Hospitality

Hotels, while an acquisition (but not development) opportunity, will be highly speculative though all key metrics (occupancies, room rates, and revenues) should improve over the next 5 years.

Study Area Trade Area

The Study Area for this market analysis, and ultimately the *Redevelopment Plan*, is illustrated in Figure 3G. The purpose of the work presented herein is to: understand key indicators that collectively define the Study Area's competitive position for investment and reinvestment, as well as those of the TIAs; and to quantify growth and corresponding demand for specific real estate product types which might develop. Knowing that new investment, regardless of type and location, will compete with sites and areas outside their boundaries, comparative demographic information is provided for three geographies: (1) City of Garland, (2) Study Area Trade Area, and (3) DFW Metroplex.

Forest / Jupiter Transit-Oriented Redevelopment Plan Trade Area

The market analyses summarized herein, provide an overview of supply conditions and demand estimates by major land use for the Study Area Trade Area (later referred to as the Macro Trade Area) and individual TIA Trade Areas.

A trade area is defined as an area from which a project or locale will draw the majority of its residents (housing), patrons (retail), employees (office, industrial, institutional), and visitors (lodging), and those areas that will likely be a source of competition and demand. It is intended to encompass the majority of sources of demand (especially in the case of retail), as well as the primary competitive set for potential land uses contemplated for future projects. The boundaries of a trade area are often irregular as they are influenced by the following conditions:

Physical Barriers

The presence of certain physical barriers including highways, arterials and significant structures that influence driving and shopping patterns;

Location of Possible Competition

inventory of potentially competitive projects that could diminish the market share available to projects in the Study Area (e.g., supply concentrations for residential, retail and employment uses);

Proximity to Population and / or Employment Concentrations

Centers of both that could translate into more population and households to support projects in the Area (density and housing units);

Zoning

Restrictive or favorable regulatory environment that will influence a developer's interest in delivering projects in one location vs. another (e.g., availability of transit and / or mixed-use zoning; form-based codes, design standards, policies and other regulations);

Market Factors

Conditions that will set sale and lease prices, influence a developer's interest or impact a project's revenue potential (value) (e.g., market perceptions based on interviews with brokerage and development communities); and

Drive Times, Spending, and Commuting Patterns

Established habits and patterns that could impact a project's or area's ability to capture market share (or require re-education) (e.g., propensities to drive in rather than out).

It should be noted that when preparing a market analysis in the context of a sub-area planning initiative that will be refined over-time, it is sufficient to analyze conditions for multiple land uses within a single trade area. Once select sites or locations are identified and development programs proposed, it will be prudent to prepare customized trade areas reflective of the various development program components.



Macro Trade Area

The factors identified previously have helped shape a specific macro Trade Area for this project that reflects the sub-regional trends affecting the Study Area marketplace. This Trade Area boundary includes all of Garland, plus portions of Richardson, Plano, Murphy, Sachse, Wylie, Rowlett, Sunnyvale, Mesquite and northeast Dallas. It represents an approximate 7- to 9-mile area surrounding the Study Area and is somewhat similar to the Garland Trade Area identified in the *ED Strategy*. Figure 3G shows the Trade Area used in the context of this *Redevelopment Plan*. The western boundary of the updated Trade Area has been extended from what was used in the *ED Strategy* westward to Preston Road from Coit Road. This expanded Area includes additional development concentrations north of President George Bush Turnpike (PGBT) and west of US 75. This larger area is justifiable as it is within a day-to-day transportation zone that accounts for travel by both residents and employees to and from the Study Area, reflects an urban marketplace in which land assembly is more difficult, and measures the growth within this urban context that will be competitively available. In calculating the specific land use programming for each TIA however, the larger land use programming potential that is derived by the overall Trade Area will require a process of discounting based on the physical and market characteristics of each TIA. Such a process has been undertaken to arrive at the specific programming identified in this *Redevelopment Plan*.

Figure 3G. Macro Trade Area



Measuring Programming Potential for Each TIA

The *ED Strategy* provided preliminary estimates of market demand for the three TIAs utilizing such discounting to measure local demand. These estimates were based on a citywide prioritization of *Envision Garland's* seven Catalyst Areas and related TIAs, which showed the Forest / Jupiter Transit-Oriented Redevelopment Plan Study Area as a lower priority area relative to other Catalyst Areas in the city. The market demand estimates for the Study Area, then, reflected slower absorption over a ten-year period for all land uses analyzed. After the *ED Strategy* was completed, the Forest / Jupiter Transit-Oriented Redevelopment Plan Study Area became a higher priority investment area, as evidenced by this current planning effort.

Experience has shown that, when a city casts a light on a specific area, activity can happen faster, particularly if public expenditures become a priority. To account for this new City focus on the Forest/Jupiter Transit-Oriented Redevelopment Plan Study Area, the estimates of market demand were updated in three ways:

- 1) To account for an expanded trade area to more accurately reflect the Forest / Jupiter Transit-Oriented Redevelopment Plan Study Area's potential market influence;
- 2) To reflect the impact of heightened public attention to the redevelopment Study Area; and
- 3) A smaller Influence Zone was determined for the specific Study Area in which a greater capture rate was factored for the specific land use programming recommendations for planning purposes. (See Figure 3H)

Figure 3H. Study Area Influence Zone within Trade Area



Demographic Characteristics

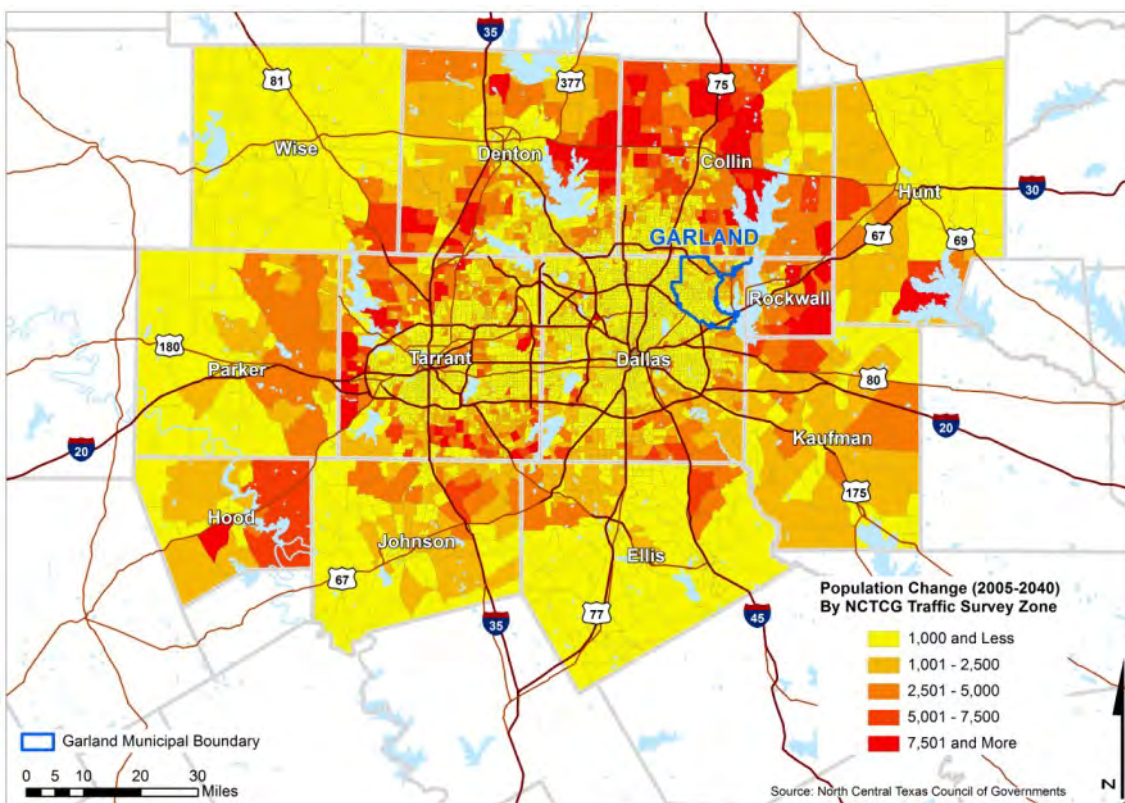
Demographic characteristics in the market are indicators of overall trends and economic health which may affect private and public sector development and redevelopment activity. The following summarizes trends which will affect (re)development demand within the Study Area over the near- and long-term.

Population

Garland's population represents 26 percent of the total Trade Area population. The Trade Area population, in turn, represents 13 percent of the DFW Metroplex population. As reflected in Appendix Exhibit 3-1 between 2000 and 2011, the Trade Area grew at an annual rate of 1.2 percent, while the DFW Metroplex grew at a rate of 2.3 percent. Lower growth rates in Garland and the Trade Area in the midst of healthy regional growth are highly reflective of the capacity of these areas to accommodate new development. Inner ring communities such as Garland are often assigned modest rates of growth by regional entities like NCTCOG as their models are based on land utilization and zoning designations. The extraordinary efforts of infill communities to encourage property re-use and densification through supportive policies and financial incentives are rarely accounted for in estimates of growth.

As the primary source for regional forecasting, NCTCOG's forecasts are generated with county-level control totals. The forecasts at the district (or county) level were then disaggregated to

Figure 3l. Population Trends



Traffic Survey Zones (TSZs). The TSZs that are within the Garland municipal boundaries are projected to experience low to moderate population growth between 2005 and 2040 as shown in Figure 3I.

As noted, regional forecasting models weigh heavily on land availability and therefore, typically understate the potential for infill redevelopment. With this as context, NCTCOG's long-term population projection for the Trade Area (from 2005 to 2040) is 0.9 percent, slightly lower than the 1.2 percent rate projected by Claritas (a national on-line data source) over the next five years. For the purposes of this analysis, a blended household growth rate of 1.0 percent annually was used for the Trade Area through 2021.

Age Demographics

Figure 3J and Figure 3K illustrate the Baby Boomer Population and Gen Y Population, respectively. The overall age profile for the Trade Area is similar to Garland and DFW Metroplex, with a slightly higher average age. The overall Trade Area is home to concentrations of 20-something adults, particularly in the neighborhoods nearest to the US 75 and PGBT Highway 190 corridors. Conversely, Garland has a somewhat smaller percentage of 20-something adults, compared to both the Trade Area and Metroplex overall. The concentration of 30-something adults is similar across all three geographies, with Garland having a slightly lower concentration. The Garland community's emphasis on infill development and redevelopment initiatives over the near- and long-term will likely target the two age segments discussed here as the product types that typically succeed in these markets are frequently attached ownership and rental product types conducive to smaller household sizes.

Figure 3J. Age Demographics: Baby Boomer Population

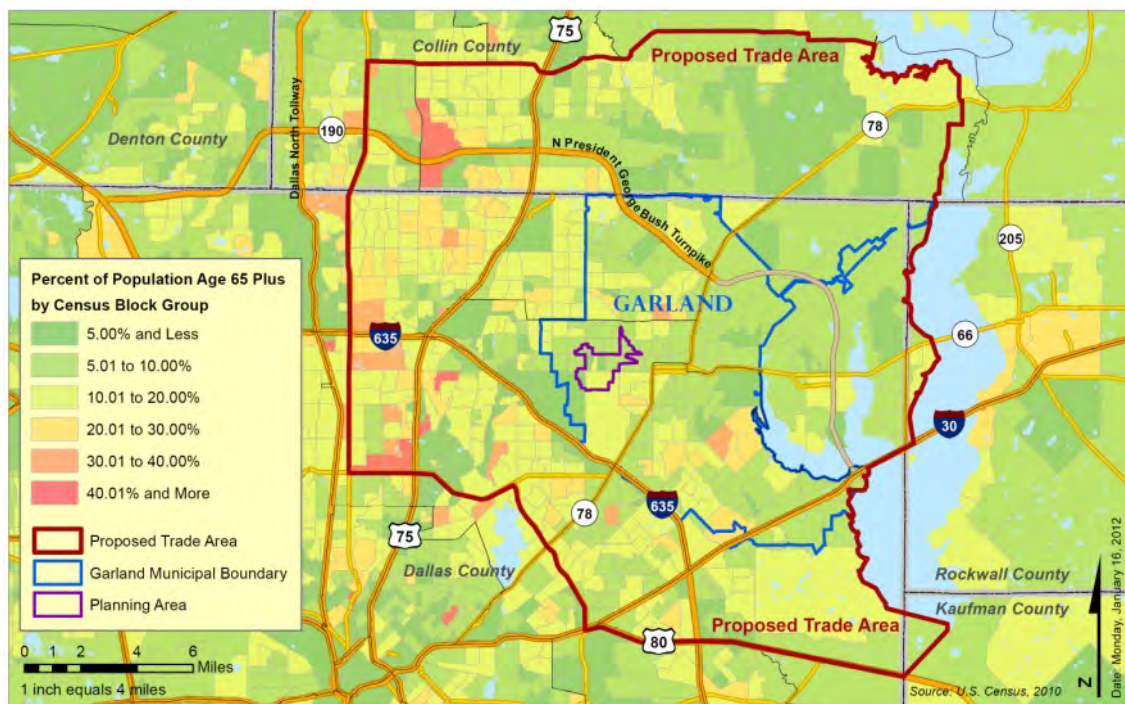




Figure 3K. Age Demographics: Generation Y Population

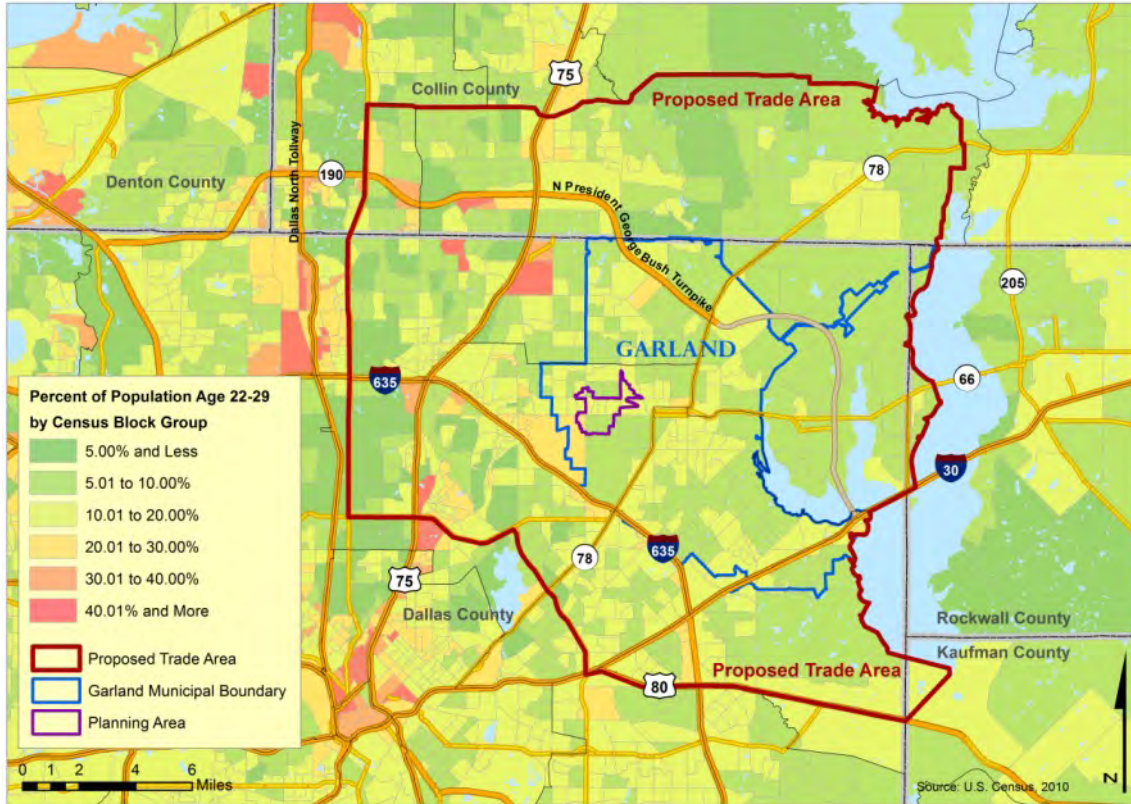


Table 3A. Population and Household Growth

	City of Garland	Trade Area	DFW Metro
Population			
2000 Census	215,768	765,510	5,161,544
2010 Census	226,876	859,206	6,371,773
2011 estimate	227,730	869,185	6,627,743
2016 projected	239,347	920,632	7,257,611
2000-2011 CAAGR*	0.5%	1.2%	2.3%
2011-2016 CAAGR*	1.0%	1.2%	1.8%
Households			
2000 Census	73,241	287,153	1,881,056
2010 Census	75,696	316,304	2,298,498
2011 estimate	75,946	319,377	2,367,002
2016 projected	79,426	335,668	2,582,386
2021 projected	79,949	352,790	2,829,283
2000-2011 CAAGR*	0.3%	1.0%	1.8%
2011-2021 CAAGR*	0.9%	1.0%	1.8%

* Compound Average Annual Growth Rate

Source: U.S. Census; NCTCOG; Claritas, Inc.; and Ricker|Cunningham.

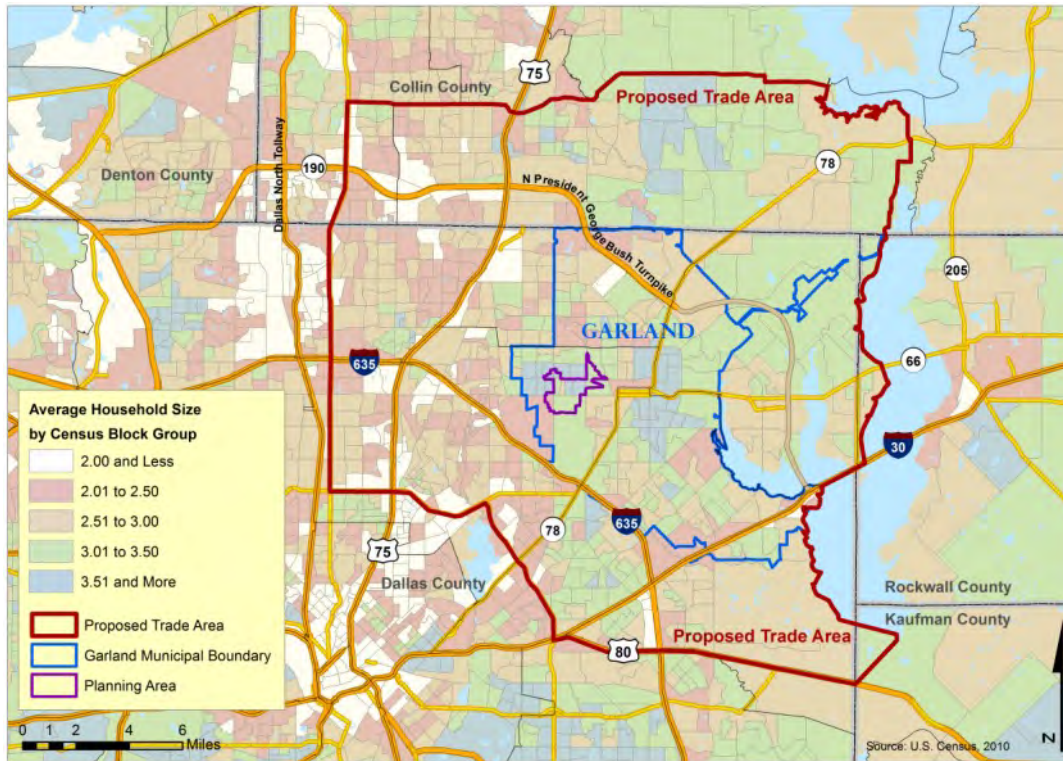
Table 3B. Age Distribution (2010)

	City of Garland	Trade Area	DFW Metro
0-17	29%	27%	28%
18-24	9%	9%	9%
25-34	15%	15%	15%
35-44	14%	15%	15%
45-54	14%	14%	14%
55-64	10%	10%	10%
65 and up	9%	10%	9%
Total	100%	100%	100%
Age 20 to 29	10%	12%	14%
Age 30 to 39	14%	15%	15%
Average Age	34.0	35.4	34.4

Source: U.S. Census; Claritas, Inc.; and Ricker|Cunningham.



Figure 3L. Average Household Size



Household Characteristics

While household sizes (also an indicator of family life stage) tend to be larger in newer suburban development locations and smaller in established urban areas, they can also skew higher among select ethnic groups regardless of location. Note: Larger households tend to be concentrated in established neighborhoods on the edge, with a few pockets located in the central urban areas of Garland. (See Figure 3L) As presented in Table 3C, across the three geographies presented here, the Metroplex has the largest percentage of households living in non-family arrangements. Because non-family households are more likely to be renters, it is not surprising that Garland has somewhat fewer renters and an overall larger household size.

As shown in Figure 3M, higher concentrations of renter households exist along the US 75, PG&T Highway 190, and the I-635 and I-30 corridors, closest to existing employment centers.

Table 3C. Household Characteristics (2010)

	City of Garland	Trade Area	DFW Metro
Average Household Size	3.04	2.87	2.75
1- and 2-Person	49.1%	51.5%	54.4%
Non-Family	27.4%	29.0%	30.8%
Renter-Occupied	34.8%	36.5%	38.4%

Source: U.S. Census; Claritas, Inc.; and Ricker|Cunningham.

Figure 3M Rental House Distribution

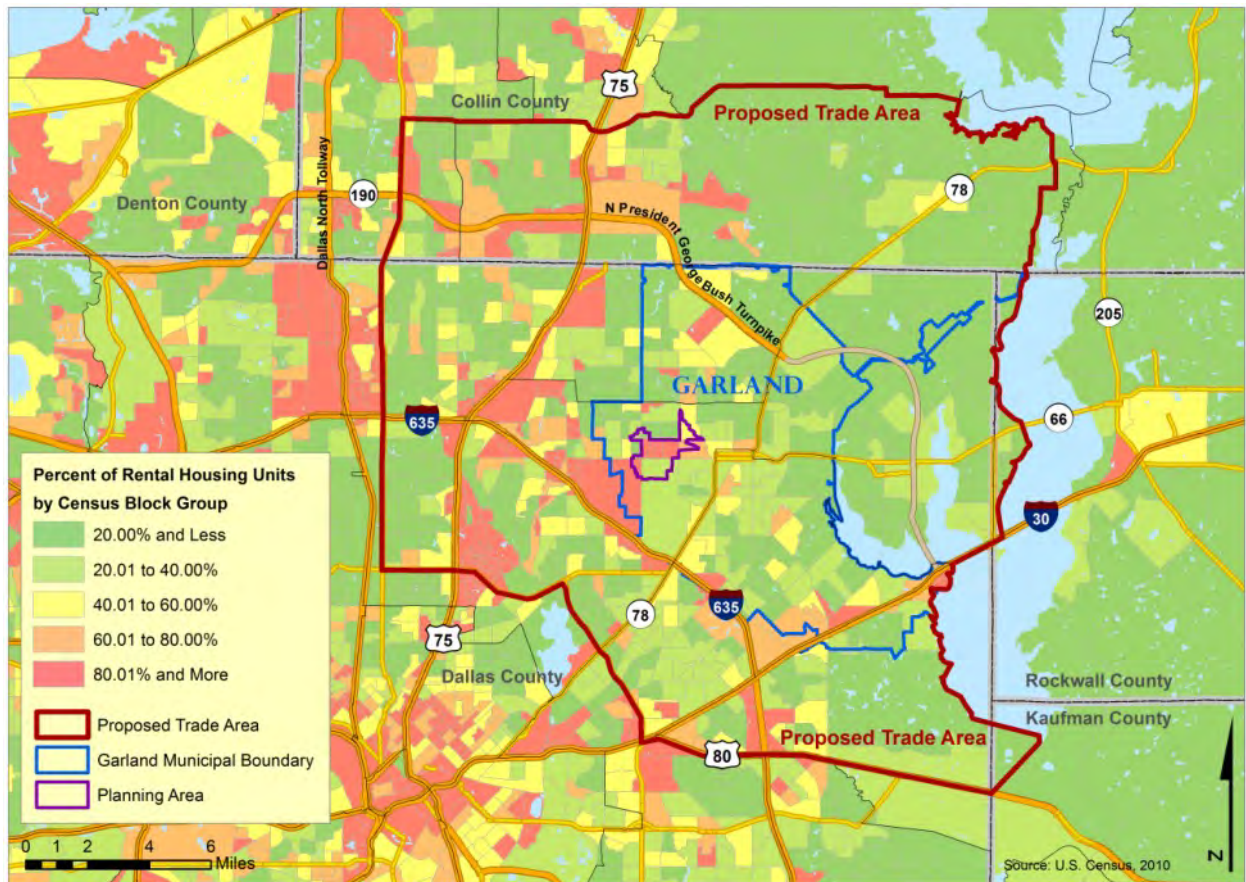


Table 3D. Household Characteristics (2010)

	City of Garland	Trade Area	DFW Metro
White	57%	60%	65%
Hispanic/ Latino	38%	35%	27%
Black/ African-American	15%	15%	15%
Asian	9%	8%	5%
Other or Multi-Race	19%	18%	14%

Source: U.S. Census; Claritas, Inc.; and Ricker | Cunningham.



Figure 3N. Hispanic Population

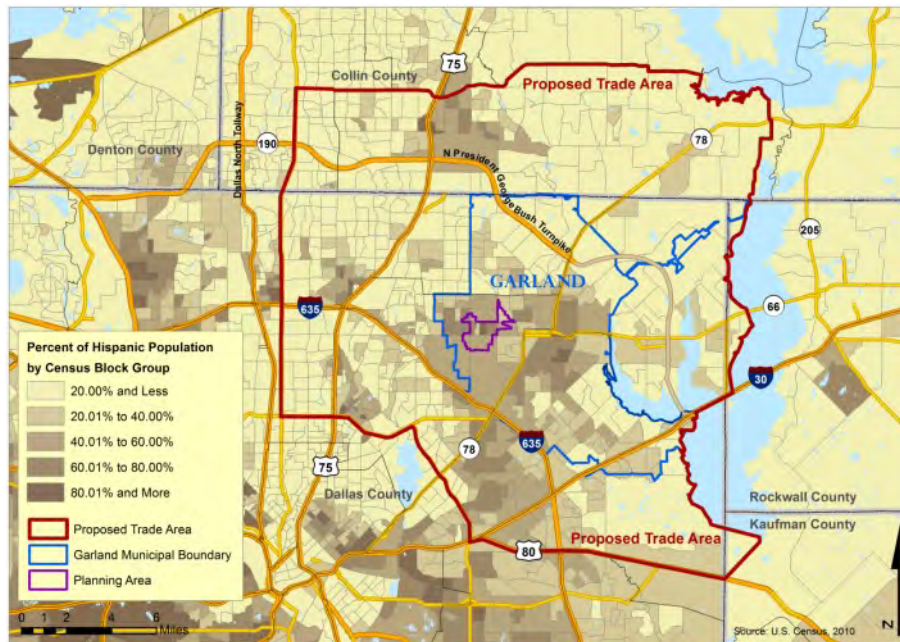
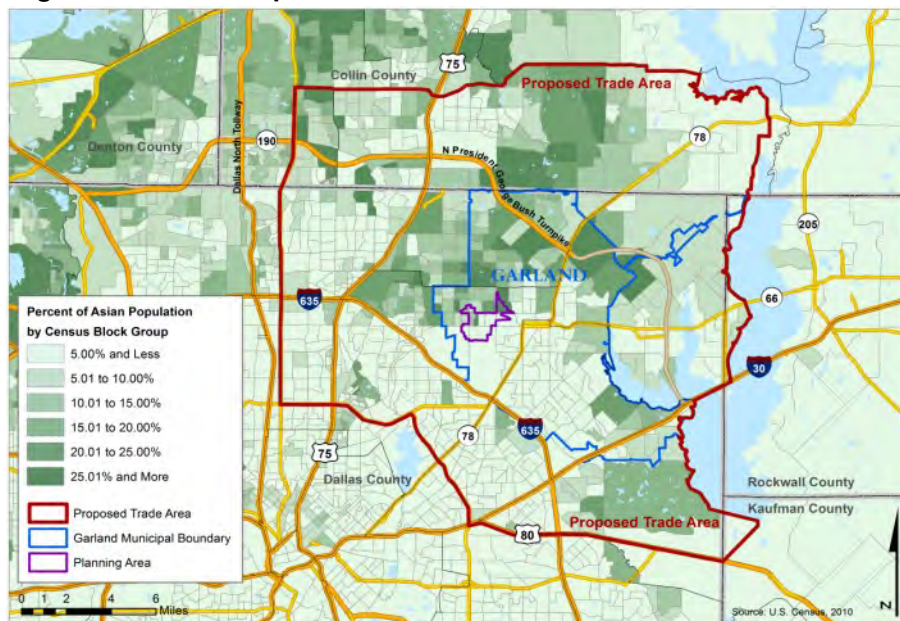


Figure 3O. Asian Population



Ethnicity

The 2010 Census revealed what many communities in the DFW Metroplex anticipated – the rising influence of the Hispanic and Asian populations, as historically White and African American populations shifted to accommodate these growing populations. As shown in Table 3D, Garland has the greatest ethnic diversity of the three geographies, with higher Hispanic and Asian populations than either the Trade Area or Metroplex. Understanding a community's ethnic profile, particularly by geography, can be beneficial when attempting to position key Catalyst Areas for targeted investment. This is especially true among retailers. Other groups that can use this information are institutional groups including education, training, and social services. (See Figures 3N and 3O).

Income Demographics

Pockets of affluence can be found throughout the Trade Area, especially to the north (Plano, Sachse, Wylie) and west (Richardson), with newly forming affluent areas to the east (Rowlett) – see Figure 3P. This is reflected in higher per capita and household incomes in the Trade Area, as well as higher concentrations of \$100,000+ households. As Table 3F demonstrates, Garland's household income profile is slightly lower than both the Trade Area and Metroplex, likely due to the age of the community and its significant blue collar employment base.

Employment Growth

While Garland is home to many firms employing over 100 workers, especially in the southwest portion of the city, the highest concentrations of large employers within the Trade Area are located along US 75, particularly in Richardson and Plano (See Figure 3Q). While job growth over the last few years and through the recent recession was considered comparatively healthy, long-term job growth is projected to be somewhat slower (per NCTCOG). Rates are forecasted to remain below 2 percent at 1.6 percent in the Trade Area and 1.8 percent in the Metroplex through 2035.

NCTCOG employment growth projections suggest strong growth along the US 75 and PGBT Hwy 190 corridors. Interstate highway corridors such as I-30 and I-635 will be more likely targets for incremental job growth through redevelopment. The immediate Garland market area is expected to experience modest growth, somewhat higher in its northeast quadrant along the PGBT Hwy 190.

Figure 3P. Median Household Income

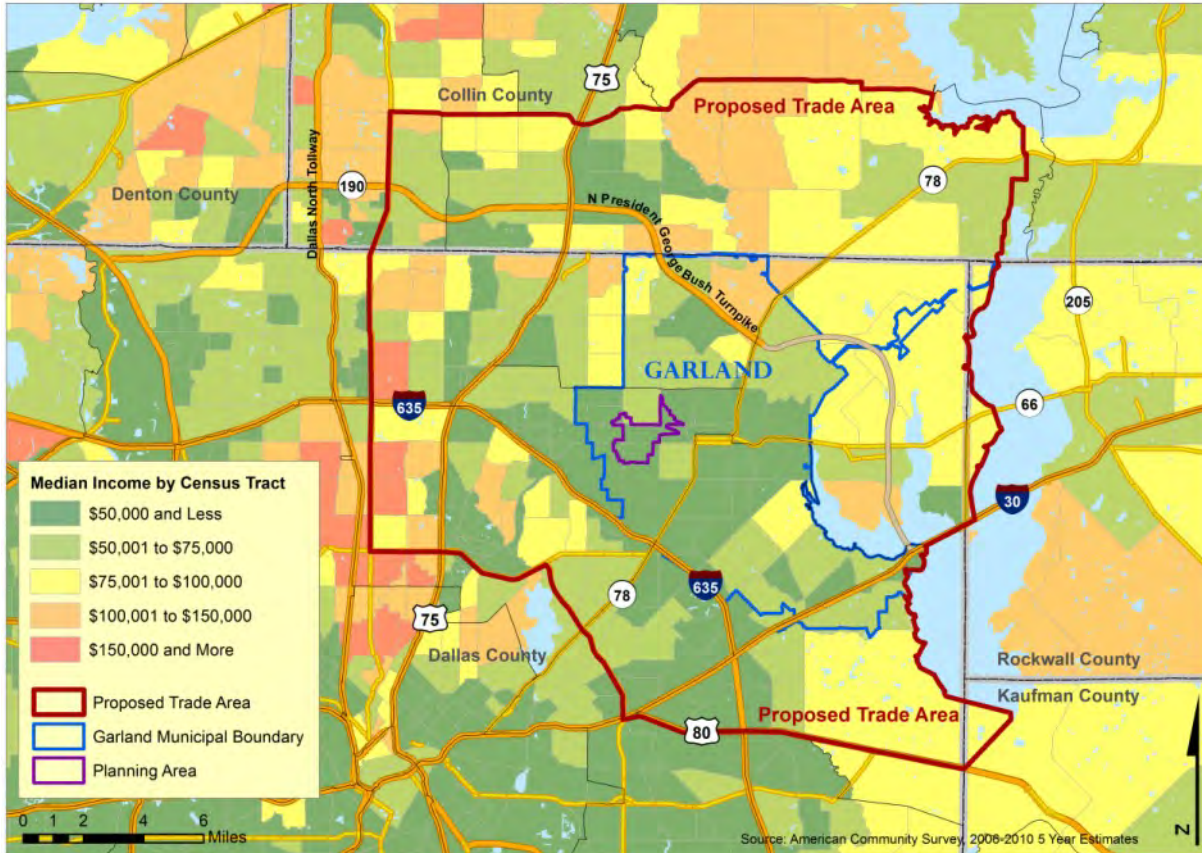


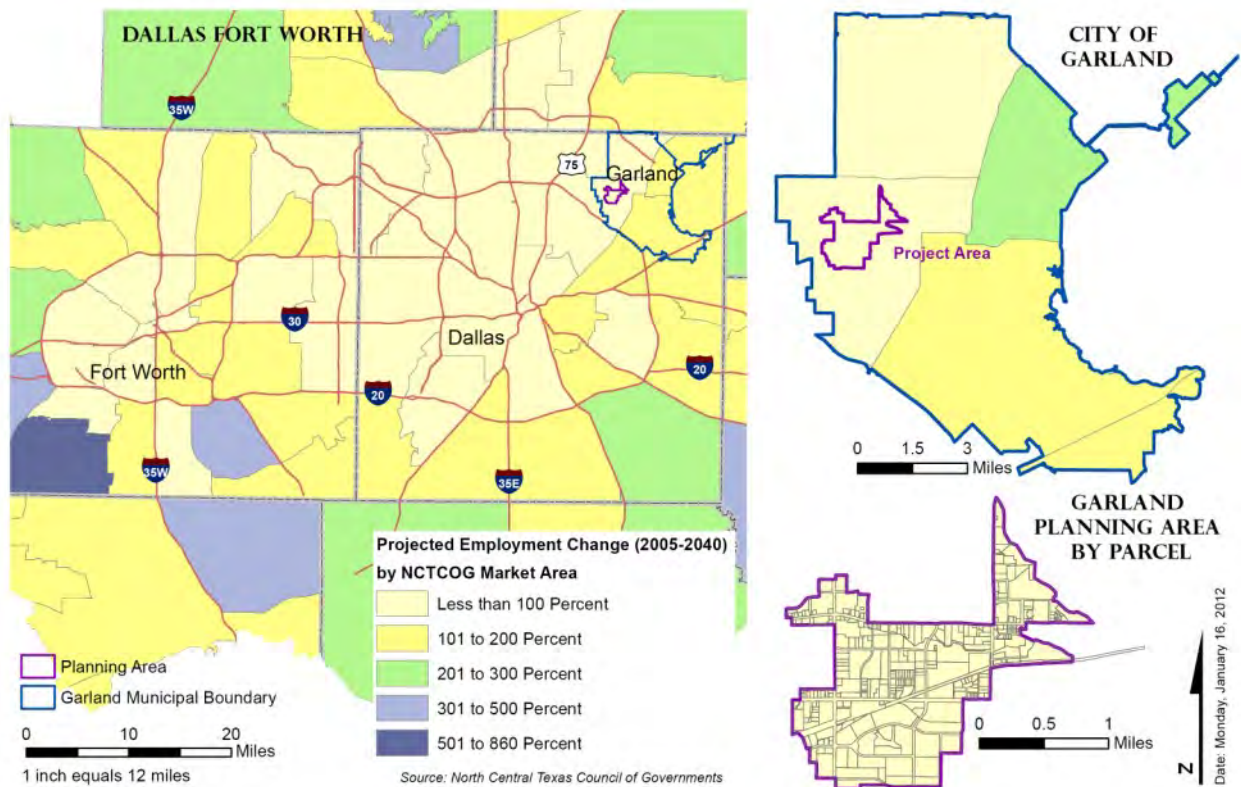


Table 3F. Household Income (2011 Estimate)

	City of Garland	Trade Area	DFW Metro
Median Household Income	\$52,450	\$57,110	\$55,943
Average Household Income	\$64,071	\$75,638	\$74,845
Per Capita Income	\$21,548	\$27,957	\$26,929
% Earning < \$35,000	30%	28%	30%
% Earning \$100,000+	15%	22%	22%

Source: U.S. Census; Claritas, Inc.; and Ricker | Cunningham.

Figure 3Q. Regional Employment Growth



Psychographic Characteristics

Psychographics is a term used to describe characteristics of people and neighborhoods which, instead of being purely demographic, speak more to attitudes, interests, opinions and lifestyles. PRIZM NE (Claritas, Inc.) is a leading system for characterizing neighborhoods and the local workforce into one of 65 distinct market segments. Psychographic analysis uses geographic and demographic information as part of its methodology, but the resulting segment profiles include a richer set of information on wants, needs, and consumer behavior tendencies based on a variety of survey and other data sources.

Commercial retail developers are particularly interested in understanding a community's psychographic profile, as this is an indication of its resident's propensity to spend across select retail categories and in specific retail formats (e.g., lifestyle centers, regional malls, downtowns, etc.). Both commercial and residential developers are interested in understanding this profile as it tends to suggest preferences for certain real estate products. When these preferences are compared to existing inventories, it can quickly become obvious where there are disconnects between the delivery system's perception of the market and the market itself. (Note: The delivery system includes developers, lenders, City officials, merchants, and others who affect the delivery of projects to the market.) Psychographics, in combination with demographic analyses and community survey information is often used in lending requests for development types that are still unproven in their respective markets.

Top Resident Psychographic Segments

Appendix Exhibit 3-2 presents the top (in terms of numbers) 20 psychographic segments for Garland and the Trade Area. City segments represent 87 percent of all households, whereas the Trade Area segments represent 73 percent of all households. It is not unusual for either a municipality or custom geography to maintain a significant percent of households in less than one-third of all market segments (65 total) whereas individuals tend to select communities where their neighbors may share similar values and lifestyle choices. Garland and Trade Area segments are further organized by life stage – Younger Years, Family Life and Mature Years.

As Appendix Exhibit 3-2 also shows, 20.6 percent of Garland's households fall within the Younger Years life stage, compared to 26.1 percent of Trade Area households. Conversely, 53.3 percent of Garland's households fall within the Family Life stage compared to 32.0 percent of Trade Area households. Finally, 12.6 percent of city households are concentrated in the Mature Years life stage, while 14.7 percent of Trade Area households are. In summary, Garland maintains more family households while the Trade Area is home to more singles, as well as younger and older households.

Of particular interest are those households within each stage that suggest a preference for both commercial and housing product types that do not exist within their respective geographies. Of the households in Garland that are classified as Younger Years, more than 40 percent clearly desire either a market-rate rental or attached ownership housing product type. Family Life and Mature Year households that prefer these products total 36 and 60 percent, respectively. In aggregate, these households represent more than 40 percent of Garland's top segment groups. Interestingly, fewer than 35 percent of all residential permits in Garland, over the last seven years, were for these products. Comparatively, 24 percent of households in the Trade Area prefer either a rental or attached ownership housing product, while fewer than 20 percent of all residential permits in the Trade Area over this same timeframe were for these products.



Households in Garland are generally living in a diverse mix of affluent white collar and more modest, blue-collar neighborhoods, with concentrations of retirees, singles and families. There is a high level of ethnic diversity across every income segment.

Demographic and Psychographic Implications

The Trade Area's demographic composition is similar to many inner ring suburbs throughout the U.S. Population and household growth rates in these communities tend to lag behind the fringe, or ex-urban communities that often abut them. Despite this apparent competitive disadvantage, the portion of the Trade Area that the Study Area has the potential to serve exhibits the characteristics of both inner ring and fringe communities; it has both established stable neighborhoods and growing development areas. In addition, recent trends show that people and households are moving back in to communities like those in the Trade Area, rather than out to communities on the fringe. The following outlines further trends.

The Trade Area's population tends to skew slightly older than that of Garland or the Metroplex. This indicates a smaller family population and a growing senior resident base. A key demographic for economic development is the young adult age cohort (20s and 30s), who tend to be the drivers of new business growth within a community. The Trade Area has a larger percentage of these young adults than Garland, but a smaller percentage than the Metroplex (above the youngest bracket). This might suggest that high school graduates in Garland may tend to leave Garland to pursue job opportunities in other parts of the Metroplex or beyond. While this difference in the concentration of young adults is not substantial, it still points to an area of focus for future economic development efforts. The larger household size and lower share of renter and non-family households indicate an even larger gap in the young adult population.

The Trade Area's ethnic profile reflects a trend throughout the Southwestern U.S. – growing Asian and Hispanic populations. In particular, the Trade Area has significantly higher Hispanic and Asian populations than the Metroplex as a whole. The economic development challenge posed by these ethnic groups is the effective assimilation of their populations into the business community. At the TIA level, the identification of ethnic neighborhood dynamics will be critical in developing opportunities for local ethnic entrepreneurs.

The Trade Area's income profile is slightly more attractive than either Garland or the Metroplex. Trade Area wealth is concentrated in the communities of Plano and Richardson. For economic development purposes, the Trade Area can be described as a solid, stable upper-middle income community.

In terms of future employment opportunities in the Metroplex, the Trade Area is uniquely positioned, with US 75 and the newly developing PGBT corridor. While projected Trade Area job growth rates are actually lower than the Metroplex, there are still ample opportunities for new economic development, building on established employment centers and infill / redevelopment areas.

For economic development purposes, then, the Study Area can sell the more attractive demographics of the Trade Area for new development and the more stable demographics of Garland for redevelopment. This two-pronged marketing approach will allow the Area to accommodate a broader diversity of development opportunities.

As noted, Garland's psychographic profile reflects a diverse mix of relatively affluent white collar and more modest blue collar neighborhoods, with growing ethnic populations. As is the case with inner ring suburbs, Garland shows more diversity than the Trade Area.

Garland's resident psychographic profile reflects the family environment that was evident in Garland's demographics. Heavily represented groups such as American Dreams, Kids and Cul-de-Sacs, Blue-Chip Blues, Beltway Boomers, Winner's Circle and Blue Blood Estates reflect this primarily suburban lifestyle. These suburban style family categories are also represented in the Trade Area.

Market segments which suggest a preference for a more urban lifestyle in both Garland and the Trade Area include New Beginnings, Young Influentials, Bohemian Mix, The Cosmopolitans, Money and Brains and Executive Suites. A comparison of existing inventories to lifestyle preferences in both Garland's and the Trade Area's housing stocks suggests an opportunity for more diversity, including products that could easily be accommodated within the select areas of the Study Area, particularly those served by transit.

Psychographic segments that support the development (and redevelopment) of higher-density, lower-maintenance housing products also tend to support unique types of retail and employment environments. The more suburban lifestyle categories will continue to support the range of housing, retail and office products, primarily those in a lower-density environment that already exist in the market.

Market Opportunity – Study Area

An accurate interpretation of the Study Area's competitive position requires an understanding of the supply characteristics of competitive developments. In order to identify potential redevelopment opportunities given prevailing market conditions, demand estimates were also prepared. The following discussion presents an overview of existing supply conditions by land use, as well as estimates of future demand and potential levels of supportable units and square feet by product type.

Residential Supply, Demand, and Implications

The City issued, on average, 345 residential building permits annually over the last 7 years. Of these average permits issued, 32 percent of those issued over the last 7 years constituted multi-family permits. (See Appendix Exhibit 3-3.) For the jurisdictions included (at least in part) in the Trade Area, the total average number of permits was 2,029 per year, only 19 percent of which were for multi-family units. Considering just the communities which permitted multi-family construction (Garland, Mesquite, Richardson, and Wylie) total permits issued averaged 1,436, with multi-family permits representing 27 percent of construction. Although Garland makes up nearly 23 percent of the Trade Area's existing households (in other words, its total historical absorption), it has accounted for approximately 17 percent of recent Trade Area home-building. These percentages suggest that while Garland had historically captured a greater share of Trade Area growth, time and a declining supply of competitively positioned and available parcels have caused a reduction in their share. This is not unusual for an inner ring community competing for new development with fringe areas. As an illustration of this trend, building permits for the last 7 years in Trade Area fringe communities represented a substantial portion of their current housing bases, e.g., Sachse (18 percent), Wylie (32 percent) and Murphy (37 percent).

Sales of single family detached units represented 92 percent of Trade Area new home sales in 2011 (through October). With 133 units sold (as tracked by Hanley Woods), Garland trailed only Plano and Wylie in the Trade Area in terms of number of single family units sold in 2011. Approximately 53 percent of single family detached sales were for units priced between \$200,000 and \$350,000. (See Appendix Exhibit 3-4.)



Single family attached units accounted for just 2 percent of Trade Area new home sales in 2011. Garland and Richardson accounted for all of these sales. Sale prices for single family attached units ranged between \$193,000 and \$220,000.

These figures suggest the following:

- ◆ The Trade Area appears to be falling behind other competitive infill communities (and regional / national trends) in terms of diversifying housing product types, particularly those that effectively respond to a range of lifestyle needs and preferences.
- ◆ Older communities in the Trade Area, particularly Garland and Richardson, are attempting to address the need for denser housing. These efforts could be significantly accelerated considering approaching demographic shifts.

Demand

The Trade Area is expected to experience demand for approximately 33,748 new housing units by 2021. (See Appendix Exhibit 3-5.) Assuming the ratio of rental to owner-occupied units remains at 38 percent, this would translate into demand for 12,672 new rental units and 21,076 new ownership units.

Ownership

Of the 20,806 total units of for-sale housing demand by households earning over \$15,000, approximately 30 percent or 6,242 units could be attached (condo, townhome, row house, loft, etc.). Assuming a 2 percent capture rate (market share) of attached units, the Study Area could absorb approximately 125 new condo / townhome units by 2021. (See Appendix Exhibit 3-6.)

Rental

The Trade Area is expected to support 10,243 total units of rental housing demand by households earning over \$15,000. At a 3 percent capture rate similar to attached units, the Study Area could absorb approximately 307 new rental units by 2021. (See Appendix Exhibit 3-7).

Residential Implications

Over the past five years, there has been a slight shift in the Trade Area to more higher-density housing products, e.g., townhomes, condominiums and apartments. Garland and Richardson, in particular, have moved toward higher shares of multi-family construction. Despite a growing townhome / condominium market, it is still not as active as other interior Metroplex communities, particularly East Dallas. While East Dallas is distinctly more urban than the remainder of the Trade Area, the movement toward a higher-density housing market is significant. As the next ring of communities moving outward from Dallas, Garland and Richardson have unique opportunities to be logical targets for urban housing. The recent completion of transit improvements in the Study Area only enhances these opportunities, representing a competitive advantage within the Trade Area.

Retail Supply

The Trade Area currently maintains an inventory of 57.9 million square feet of retail space. Vacancy rates are somewhat high at 11.2 percent (assuming equilibrium is approximately 7 percent vacant). Asking rents have fluctuated in recent years and remain near 2004 to 2005 levels at approximately \$13 per square foot. (See Appendix Exhibit 3-8.) Recent absorption in the Trade Area (over 600,000 square feet in the last 12 months) and the stabilization of

vacancy rates may be an indication that the retail market is approaching some level of equilibrium.

The average age of buildings in the Trade Area is over 28 years. A fairly reliable retail adage suggests that “retail changes its face every 7 years”. This said, the Trade Area retail market is likely underserved by new formats and product mixes. This condition should present a replacement / redevelopment opportunity for the Study Area, even if projected demand for new space in the Trade Area is lost to newer areas.

Retail Demand

Demand for new retail space is a product of future retail spending by new households, as well as by the recapturing of retail spending that is currently being lost to nearby communities or areas. This measurement, herein referred to as leakage, has resulted in a retail void in the Study Area. (See Appendix Exhibit 3-9.) The combination of future household growth and recapture of retail leakage in the Trade Area is expected to support an additional 9.2 million square feet of new retail space over the next 10 years. At a modest 2% capture rate, the Study Area could absorb approx. 183,750 square feet of new retail space by 2021.

The nature of the Study Area, as a series of newly revitalizing neighborhoods and commercial nodes, provides an immediate opportunity to recapture retail spending lost to the remainder of the Trade Area (e.g., Richardson, Plano, Rowlett) and beyond.

Retail Implications

While there is a healthy degree of retail leakage occurring in the Trade Area (enough to support a sizable amount of new space), the recent closure of major national retailers, as well as the significant amount of underutilized or obsolete space which remains in the inventory, could characterize the Trade Area as a failing retail market. This is a market perception that will have to be overcome when attracting new retailers and new formats to the Study Area.

Despite prevailing vacancies and stagnancy in rent levels, the Trade Area appears to be underserved by newer retail formats and product mixes, a concept that is not uncommon in inner ring communities. Within the Metroplex, the preponderance of commercially-zoned land has contributed to the development of a relatively homogenous retail market. In association with the increased diversity of housing products and targeted demographic groups, the Trade Area could accommodate a wider variety of retail product types and formats.

Office Supply

The Trade Area contains approximately 4.5 million square feet of Class A office space and 3.3 million square feet of Class B office space. (See Appendix Exhibit 3-10 and Exhibit 3-11.) Vacancy rates in the Trade Area for both Class A and Class B space have increased significantly over the past three years, from 27 percent to 48 percent for Class A space, and from 45 percent to 62 percent for Class B space. Over that same three-year period, however, asking rents have remained relatively stable – between \$20.00 and \$20.60 per square foot for Class A space and between \$18.68 and \$19.22 per square foot for Class B space.

Garland is comparatively underdeveloped as an office market, with most Trade Area space concentrated outside the City’s municipal boundaries. These office submarkets are currently along US 75 through northeast Dallas, Richardson and south Plano, as well as along the I-635 corridor between Coit Road and Abrams Road.



Office Demand

Demand for new employment space is derived from two primary sources: expansion of existing industry; and the relocation of new companies into the market. Employment projections by industry classification for the Trade Area were used to estimate demand over the next ten years. (See Appendix Exhibit 3-12.) Assuming an overall 1.5 percent sustained annual employment growth, the Trade Area should add approximately 127,299 new jobs between 2012 and 2022. Assuming differing levels of office space needed across various industry categories, the analysis revealed demand for nearly 9.2 million square feet of new office space over this period. At a modest 3 percent capture rate, the Study Area could absorb approximately 276,339 square feet of new office space by 2022.

Office Implications

While Garland is a relatively underdeveloped office market, the Trade Area has significant concentrations of Class A office space along the US 75 and I-635 corridors, with remaining office concentrations in the Trade Area offering primarily Class B and C locations. Garland's niche opportunity, then, may be as a secondary office location providing less expensive space in a close-in market. With the Trade Area office market focused on the US 75 and I-635 corridors, Garland represents an opportunity for easy access to those areas at a more reasonable price. Instead of the "400% location", Garland could become the "80% location." The Study Area in particular could represent one such opportunity, especially for niche development in education and health care.

Health Care Opportunity

The presence of the BMC-Garland medical center in the Study Area offers a unique market opportunity for enhancement / expansion of health care services. BMC-Garland has long been a tremendous asset for Garland and the surrounding communities. In addition to serving the healthcare needs of the community, BMC-Garland is a significant direct employer and produces a positive residual effect for healthcare businesses and investments. In addition to properties adjacent to BMC-Garland, Vista Hospital, now vacant and located near the Shiloh Road and Walnut Street TIA, offers an additional redevelopment opportunity.

Currently, properties that are situated in front of the BMC-Garland do little to define the area as a medical district. In addition to a limited commercial inventory, the quality and character of uses are aged and in disrepair. A strategy to acquire these parcels and position them for private investment in a coordinated manner, such as through this planning effort, could provide both the city and hospital with a sustainable long-term asset. Based on conversations with BMC-Garland administrators, potential uses for these parcels could include the following:

Outsourced Urgent Care / Emergency Care

Due to changing demographics surrounding the hospital, the payer mix has turned suboptimal. The current no-pay / self-pay percentage of care is reported to be 15 percent. By encouraging or subsidizing private investment, this charity care can be converted to other ventures in a free standing Emergency Room or high acuity Urgent Care facility.

The Hope Clinic

This charity clinic is currently located on the BMC-Garland campus and is an affiliate of the greater Dallas County organization, Project Access Dallas. The clinic could also be expanded and relocated to an out-parcel, thereby freeing up resources for BMC-Garland's expansion.

Staff Daycare

With almost 2,000 direct employees and hundreds of others working for ancillary physician practices and medical providers, a close-in daycare could serve as an amenity for both retaining and recruiting new staff. The daycare could be staffed for extended hours to address the different work shifts common in a hospital.

Senior Housing

Commonly referred to as the senior tsunami, 10,000 United States citizens are turning 65 years old every day and correspondingly joining Medicare. The Baby Boomer generation is starting to age and therefore is beginning to need specialty housing at an accelerated rate. This housing can take the form of assisted living, age-restricted apartments, nursing homes, or specialty rehab or dementia care.

Education

Demand for healthcare professionals continues to increase. By creating an opportunity for technical or medical education, the area around the hospital could not only be enhanced, but serve as an attractive lure for professionals who will feed into job openings nearby.

Industrial Supply

The Trade Area contains approximately 92.5 million square feet of industrial space. (See Appendix Exhibit 3-13.) This includes flex space, which is a hybrid office / industrial product. Vacancy rates in the Trade Area for industrial space have gradually decreased over the past three years, from 12.1 percent to 10.9 percent. Over that same three-year period, however, asking rents have declined, from \$5.54 to \$4.53 per square foot.

The Trade Area is somewhat unique in the Metroplex, as it contains significant concentrations of a wide variety of employment space, from Class A office space along the US 75 corridor, to traditional industrial / warehouse space along I-30, giving it a competitive advantage to capture a higher share of regional growth.

Industrial Demand

Demand for new industrial space is derived from two primary sources: expansion of existing industry; and the relocation of new companies into the market. Employment projections by industry classification for the Trade Area were used to estimate demand over the next ten years. (See Appendix Exhibit 3-14.) Assuming an overall 1.5 percent sustained annual employment growth, the Trade Area should add approximately 127,299 new jobs between 2012 and 2022. Assuming differing levels of industrial space need across various industry categories, the analysis revealed demand for over 8.4 million square feet of new industrial space over this period. At a relatively modest 6 percent capture rate, the Study Area could absorb approximately 505,638 square feet of new industrial space by 2022.

Industrial Implications

While Garland is a major industrial force in the Trade Area, it has a significantly lower share of higher-value (i.e., higher rents) flex space. Within the Trade Area, Richardson has become home to a sizable share of flex space, where rents are at the top end of the industrial market. Garland's Firewheel Distribution Center is a good step toward diversifying Garland's flex space inventory, but there are ample opportunities to expand this employment space sector which has not yet been capitalized on.



Garland's sizable industrial base offers a range of opportunities for economic development. Companies providing services to existing companies could be accommodated in industrial and / or flex space. Expansion of existing industries could provide demand for new and / or redeveloped industrial space. Existing industries could be converted to accommodate businesses that are new to the Trade Area and have higher level technological needs. Lastly, there is an opportunity to enhance the existing industrial environment with the addition of ancillary housing and commercial uses. This is especially relevant to the Study Area, which already has an established industrial environment.

Target Investment Area (TIA) Supply and Demand

Market supply and demand characteristics for each of the individual TIAs are summarized in the following sections.

Forest / Jupiter TIA

The trade area for the Forest / Jupiter TIA is bounded by:

- North: Arapaho Road
- South: Interstate 635
- West: U.S. Highway 75
- East: Garland Avenue

This trade area is illustrated in Figure 3R.

Figure 3R. Forest / Jupiter TIA Trade Area





Supply characteristics for the Forest / Jupiter Trade Area are summarized in Table 3F.

As shown, Trade Area supply conditions indicate relatively low rental rates and high vacancy rates for non-residential product types, reflective of the age and quality of existing buildings in the Study Area.

Apartment submarkets serving this Trade Area include Richardson and Garland. As shown in Table 3G, current conditions in these two submarkets are also reflective of the age and quality of the existing building stock.

Trade Area market demand estimates for various land uses in the Forest / Jupiter TIA are presented in Appendix Exhibit 3-15 through Exhibit 3-20. These forecasts indicate support for 178 residential units (single family attached and apartments), 49,000 square feet of retail space, 72,000 square feet of office space, and 97,000 square feet of industrial space over the next 10 years.

Table 3F. Trade Area Non-Residential Supply (Forest/Jupiter TIA)

Indicator	Product Type			
	Office	Retail	Industrial	Flex
Total Space (sq ft)	5,007,748	7,607,015	26,854,648	11,361,199
Vacancy Rate	14.8%	13.0%	9.8%	12.4%
Average Rental Rate (per sq ft)	\$14.96	\$10.39	\$4.49	\$5.28

Table 3G. Trade Area Apartment Supply (Forest/Jupiter TIA)

Indicator	Submarket	
	Richardson	Garland
Total Units	11,083	16,683
Vacancy Rate	4.8%	6.2%
Average Monthly Rental Rate	\$989	\$730

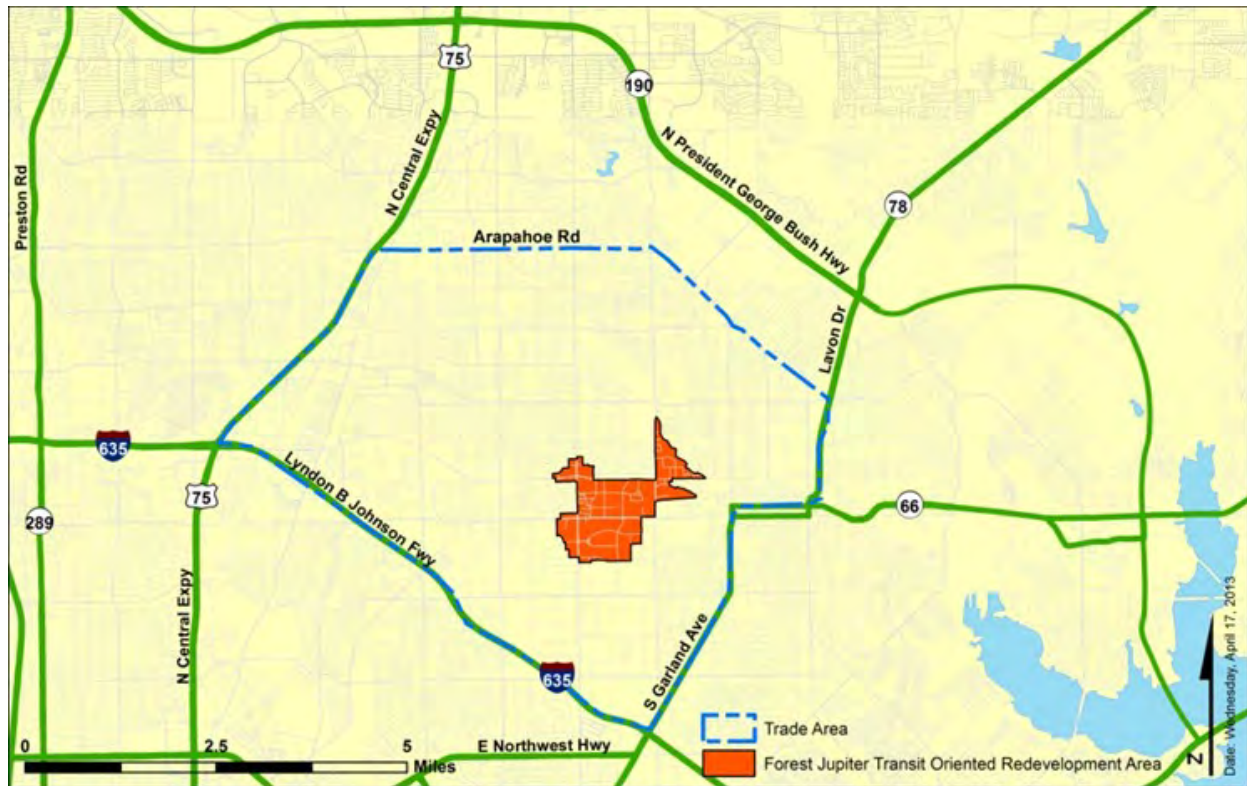
Jupiter / Walnut TIA

The trade area for the Jupiter / Walnut TIA is bounded by:

- North: Arapaho Road
- South: Interstate 635
- West: U.S. Highway 75
- East: Garland Avenue

This trade area is illustrated in Figure 3S.

Figure 3S. Jupiter / Walnut TIA Trade Area





Supply characteristics for the Jupiter / Walnut Trade Area are summarized in Table 3H.

As shown, Trade Area supply conditions indicate relatively low rental rates and high vacancy rates for non-residential product types, reflective of the age and quality of existing buildings in the Study Area.

Apartment submarkets serving this Trade Area include Richardson and Garland. As shown in Table 3I, current conditions in these two submarkets are also reflective of the age and quality of the existing building stock.

Trade Area market demand estimates for various land uses in the Jupiter / Walnut TIA are presented in Appendix Exhibit 3-21 through Exhibit 3-26. These forecasts indicate support for 143 residential units (single family attached and apartments), 66,000 square feet of retail space, 48,000 square feet of office space, and 97,000 square feet of industrial space over the next 10 years.

Table 3H. Trade Area Non-Residential Supply (Jupiter/Walnut TIA)

Indicator	Product Type			
	Office	Retail	Industrial	Flex
Total Space (sq.ft.)	5,007,748	7,607,015	26,854,648	11,361,199
Vacancy Rate	14.8%	13.0%	9.8%	12.4%
Average Rental Rate (per sq.ft.)	\$14.96	\$10.39	\$4.49	\$5.28

Table 3I. Trade Area Apartment Supply (Jupiter/Walnut TIA)

Indicator	Submarket	
	Richardson	Garland
Total Units	11,083	16,683
Vacancy Rate	4.8%	6.2%
Average Monthly Rental Rate	\$989	\$730

Shiloh / Walnut TIA

The trade area for the Shiloh/ Walnut TIA is bounded by:

- North: Arapaho Road
- South: Interstate 635
- West: U.S. Highway 75
- East: Garland Avenue

This trade area is illustrated in Figure 3T.

Figure 3T. Shiloh / Walnut TIA Trade Area





Supply characteristics for the Shiloh / Walnut Trade Area are summarized in Table 3J.

As shown, Trade Area supply conditions indicate slightly healthier rental rates and vacancy rates as compared to the Forest / Jupiter and Jupiter / Walnut trade areas, primarily because of the inclusion of the Highway 190 corridor.

Apartment submarkets serving this Trade Area include Richardson and Garland. As shown in Table 3H, current conditions in these two submarkets are also reflective of the age and quality of the existing building stock.

Trade Area market demand estimates for various land uses in the Shiloh / Walnut TIA are presented in Appendix Exhibit 3-27 through Exhibit 3-32. These forecasts indicate support for 192 residential units (single family attached and apartments), 88,000 square feet of retail space, 90,000 square feet of office space, and 73,000 square feet of industrial space over the next 10 years.

Table 3J. Trade Area Non-Residential Supply (Shiloh/Walnut)

Indicator	Product Type			
	Office	Retail	Industrial	Flex
Total Space (sq.ft.)	14,477,519	9,931,750	43,983,663	16,805,354
Vacancy Rate	14.4%	11.1%	9.5%	20.3%
Average Rental Rate (per sq.ft.)	\$18.44	\$11.23	\$3.60	\$14.29

Table 3H. Trade Area Apartment Supply (Shiloh/Walnut)

Indicator	Submarket	
	Richardson	Garland
Total Units	11,083	16,683
Vacancy Rate	4.8%	6.2%
Average Monthly Rental Rate	\$989	\$730

Summary

Historically, Garland has been a good investment, but it will become an even better investment with expansion and diversification of the Study Area's industrial, commercial, and residential bases. This market analysis will provide the foundation on which to build sound investment strategies.

Principal land uses / real estate products have been identified and include attached and detached ownership and rental housing units, retail and office space (in mixed-use developments and free-standing), and employment office and industrial space. As concluded here and assuming future area improvements, coordinated planning efforts, and certain other catalyst events, the Study Area will be strategically located to capture a substantial share of the region's traffic and business growth. Forecasts indicate that more than 17.6 million square feet of employment space (office and industrial), more than 9.2 million square feet of retail space and nearly 33,750 residential units could be absorbed in the Trade Area over the next ten years, from which the Area could benefit. The level of investment that actually occurs within the Study Area will be directly proportionate to Garland's and property owners' commitment to wait for the right investment. Given the highly competitive nature of new development, and the heightened challenges of developing in infill environments, success will depend on defining a place in the minds of the region's residents and area visitors. Developing key catalyzing projects as retail, residential, employment and community destinations will increase the Area's ability to capture not only a greater share of the Trade Area demand, but also to reach beyond those boundaries. This evolution will obviously be expedited with assistance from a favorable regulatory environment which encourages a flexible land use model, tighter building form, balanced parking requirements and stronger connections.

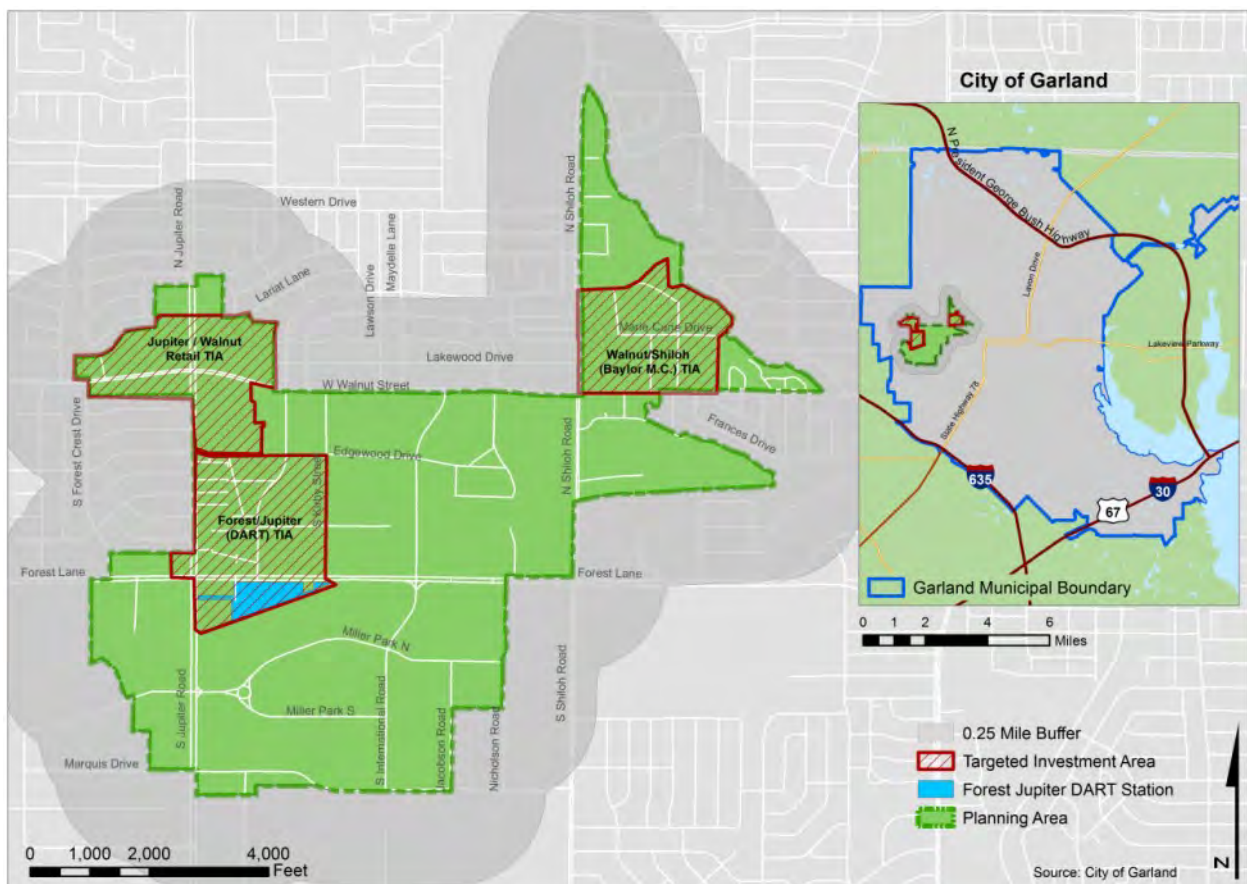
Section 4. Redevelopment Program

The Redevelopment Program lays out the revitalization strategy for the Study Area as a whole and each of the three targeted investment areas (TIAs) depicted in Figure 4A. The Redevelopment Program is based on synthesizing the results of the current physical conditions (Section 2), current and anticipated market demand for real estate (Section 3) and the input of key property owners, business interests, residents and key civic interests. Whereas experience knows that the specific recommendations stem from a number of factors -- the local market's historical character, its resources, amenities, and people -- the vision and directives constituting the framework arise from property and business owners input and guidance from City Staff. As such, they are unique to the City of Garland.

Study Area Redevelopment Framework

Based on the results of the physical analysis, market analysis, and public input gained throughout the planning process, an overall redevelopment concept has been determined for the Study Area. This concept focuses on policies and implementation actions to allow and induce marketplace reinvestment in a manner that promotes the visual improvement of the overall community experience, strengthens the programmatic and physical quality of the primary corridors within the Study Area, and promotes targeted reinvestment and redevelopment within the three TIA's.

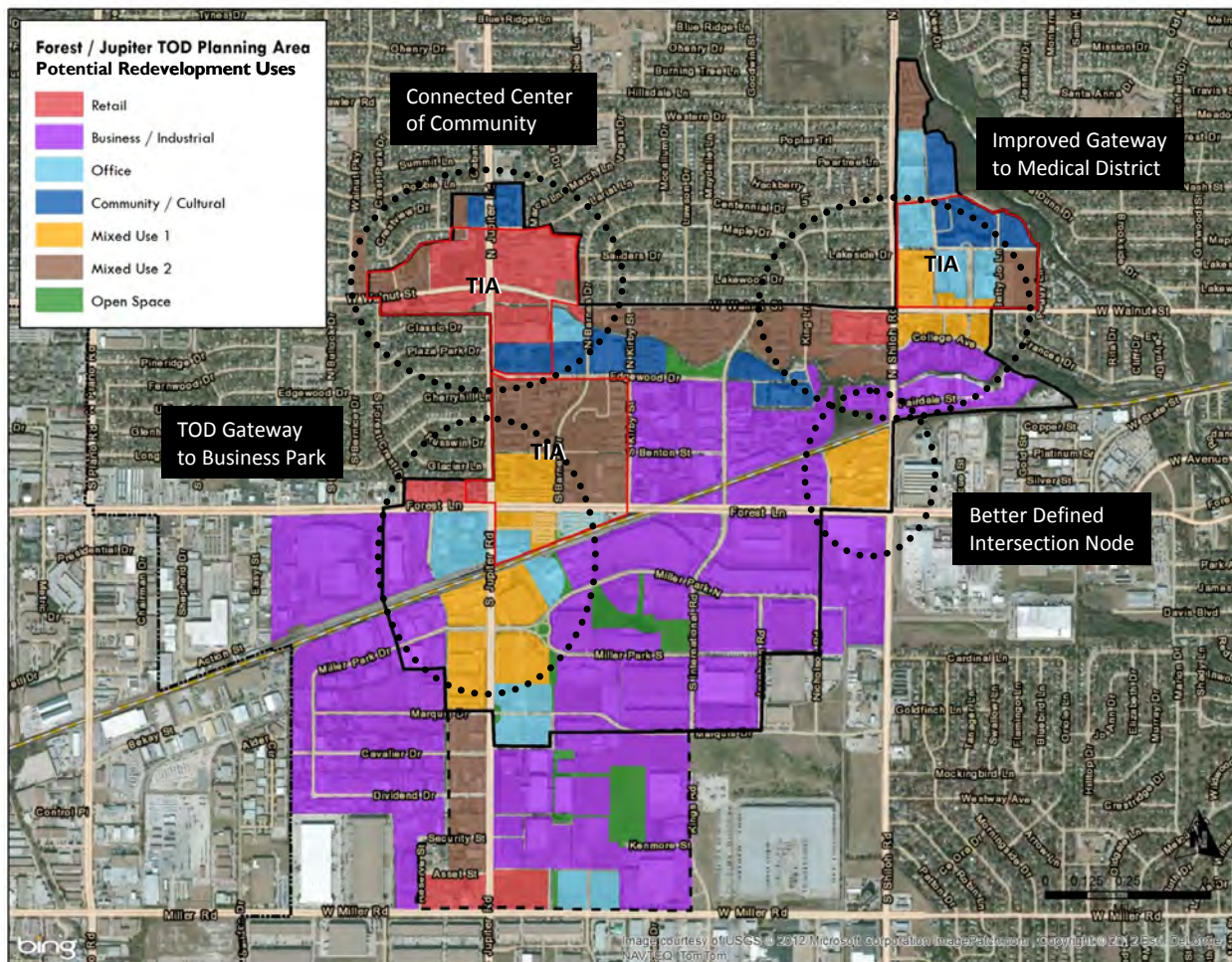
Figure 4A. Study Area Boundary and TIA Designations



TIA Redevelopment Framework

Predominant land uses can be residential, non-residential, institutional, and public. Within what are often relatively compact geographic areas, such as the urban condition in the Study Area, a variety of land uses are located side by side or within the same structure. Structures

Figure 4B Potential Redevelopment Concept



are assumed to be taller with minimal setbacks and reduced parking requirements, all in an effort to achieve rent and sale prices necessary to support higher infrastructure and construction costs. Catalyst concepts are intended to inform public and private investment, as well as municipal policies and regulations, as they are designed to highlight development opportunities and challenges.

Whereas experience has proven that implementable plans must maintain a high degree of flexibility, improvements to the physical realm need to be designed for flexibility allowing them to evolve with changing market conditions. It is less important that they occur exactly as presented and more important that they advance the community's vision over the long-term. Each catalyst project depicted in the following section embodies the following four characteristics, which will help the City identify future potential catalyst projects:

- ◆ Encourage sustainable elements
- ◆ Stimulate market supported private investment
- ◆ Inform early priority public investments
- ◆ Demonstrate potential for uses which do not exist today

Determining the potential impact of future development opportunities will be essential to the long term implementation of the redevelopment framework. Therefore, during the first public meeting, participants were asked to provide guidance on a set of criteria that could be used to evaluate various catalyst concepts that would inform future development and investment decisions in the Area. Note, each particular concept is consistent with stakeholder preferences expressed during public input sessions (as fully displayed in Appendix 1). The purpose of the criteria was to provide a framework for decision-making that reflected goals and desired outcomes.

These criteria include the following eight considerations: How well does the project ...

- ◆ ... strengthen the Area's identity?
- ◆ ... create potential to expand business revenue?
- ◆ ... provide stronger connections between activity centers?
- ◆ ... improve the Area's pedestrian and vehicular infrastructure?
- ◆ ... provide more defined and usable open space?
- ◆ ... enhance the Area's sense of safety and cleanliness?
- ◆ ... expand the area's retail and restaurant options?
- ◆ ... initiate / incentivize redevelopment and reinvestment?

Redevelopment Program Format

Based on the input from the first public meeting, catalyst concepts were developed for each targeted investment area (TIA). The preliminary catalyst concepts affirmatively address the above criteria as well as the projected market potential from the market study. At the second public meeting, participants were asked to prioritize the most important elements and provide feedback on each of the preliminary catalyst concepts. This input, along with one-on-one meetings with key property owners refined the catalyst concepts. Final drafts were presented and validated at a final public meeting in the study area. Section 4 provides each TIA Redevelopment Program. Section 5: **Implementation** outlines how to move from these refined concepts to reality given market conditions.



Each of the catalyst concepts for the TIAs is presented according to several key elements:

- ◆ The Environment
- ◆ The Vision
- ◆ The Opportunity
- ◆ The Concept
- ◆ The Economics
- ◆ The Strategy

The overview of the general conditions within each of the TIAs describes the environment that could impact investment and reinvestment decisions. This overview is followed by a vision statement describing the broader redevelopment concept and a detailed list of market-supported redevelopment opportunities by land use type. Collectively these uses are illustrated as catalyst concepts with key elements defined. The catalyst concept includes private-sector lead real estate development, as well as enhanced streetscape and public amenities in the public realm. Each illustration is accompanied by a summary of the development's financing gap and summary of how to address the gap with public support. The City may use its Capital Improvement Program (CIP) budgeting process to assist in supporting the catalyst project. In addition, this section also includes supportive implementation resources and strategies necessary to advance the project.

The purpose of this analysis was to provide the City and other advocacy organizations with an understanding of potential ranges of economic gaps associated with advancing catalyzing projects and resources which can be employed to fill them. Since assumptions were based on findings from a market analysis that reflected current conditions, the actual programming, cost, and revenue figures will likely be different as conditions and markets change over time. Conclusions derived to-date can best be used to understand the range and number of financing mechanisms and strategies which will be needed to deliver projects of these types to the market.

Forest Lane / Jupiter Road TIA

The Environment

The Forest Lane / Jupiter Road (Forest/ Jupiter) TIA is generally bounded by Edgewood Drive, Kirby Street, DART rail line, and Jupiter Road. This TIA is anchored by the DART Light Rail Station and hosts several older multi-family, industrial, retail and motel uses. Figure 4C illustrates Targeted Investment Area boundaries, as well as some of the existing features. The opportunities associated with the conditions that could impact investment (as defined in Section 2) are shown in Table 4A.

Table 4A. Existing Conditions and Redevelopment Opportunities

+ / -	Element	Strategic Response
+	Underutilized DART parking lot	Leverage a transit oriented development (TOD)
+	Local ownership of adjacent land	Potential for land assemblage for a TOD
+	Nearby library, school and park	Community assets that new development can build upon
-	Aging buildings and lack of streetscape	Existing building renovation and streetscape enhancements
-	Concentration of older apartments	New residential infill development can encourage
-	DART Light Rail Station platform hard to access by foot	Connect the station platform to the area through pedestrian streetscape improvements

Figure 4C. Forest/ Jupiter TIA Boundary and Existing Features



Forest / Jupiter TIA Boundary



DART Platform



DART Parking Lot



Walnut Creek Branch Library



Montgomery Park/Walnut Glen



Multifamily on Barnes



Existing Church



Forest Lane Frontage



View from station area looking north along Barnes Drive



The Vision

The Forest/ Jupiter TIA is envisioned as a regional transit gateway to the City of Garland, as well as the local gateway to the industrial business park.

- ◆ Employees in the Study Area now have the opportunity to live near work and enjoy commercial venues which meet their lifestyle needs,
- ◆ Residents in and around the Study Area would have an improved regional gateway to their community with stronger access to transit, and
- ◆ The City would have an improved transit-oriented district on one of two light rail stations in the City that expands its tax base and overall quality of life.

This will be accomplished through a collection of mixed land uses in a more urban format based on buildings being closer to streets, high quality urban streetscapes with wide sidewalks and street trees, and careful urban design to create a stronger visual and programmatic environment for the surrounding business district. To accomplish this, the City would work with existing property owners near the station and outside developer/investors to help unlock this potential.

Imagery of Envisioned Program Types (Forest/ Jupiter TIA)



Labor Training Facility

credit: Bowman Melton



Lofts and Streetscape Retail

credit: David Whitcomb



Urban Mixed-Use

credit:: David Whitcomb



Loft Office R&D

credit: Freese Nichols



Over-Rail Pedestrian Access

credit: Bowman Melton



Urban Streetscape

credit: David Whitcomb



The Opportunity

The following reflects market-supportable redevelopment programming ranges by use. The specific redevelopment programs shown on the concept plans fall within these ranges and are identified in the catalyst project details (Table 4B).

Table 4B. Attainable Capture

Land Use	Attainable Capture	
	5 Year	10 Year
Residential (units)	150	200
Retail/Service (sq. ft.)	15,000	20,000
Educational (sq. ft.)	50,000	50,000
Employment (sq. ft.)	50,000	100,000

The Concept

Redevelopment of the Forest/ Jupiter TIA consists of a variety of catalyst projects listed below and depicted in Figure 4D.

- 1) **General Redevelopment** introduces connected streets to define urban blocks and deliver more dense residential and commercial development with new walkable streetscapes, and a planting circle on Barnes Drive. These are shown as future developments.
- 2) **Mixed-Use Loft Residential Development** introduces buildings on both sides of Forest Lane to form a strong street frontage, urban streetscape, pedestrian amenities, and ground-level retail along Forest Lane. This is shown as an initial catalyst development.
- 3) **Research and Development** creates office incubator space on eastern half of DART property through a partnership with existing hi-tech employers in the area. As this has a high associated public improvement cost, this would only occur if a specific user showed interest.
- 4) **Station Plaza** creates open space adjacent to the platform entrance. Existing bus facilities and routing to remain on site in streetscape. This would be part of the research and development project when developed.
- 5) **DART Parking** moved across the rail with overhead pedestrian access structure. This occurs when the office research and development project is ready. New DART parking becomes future infill site once market allows densification.
- 6) **Job Training** and/or flex-industrial facility located adjacent to new DART replacement parking south of the rail line. Land for this facility would be part of the property acquired for the new DART replacement parking, and would not likely occur until the research and development project moves forward.
- 7) **New Streetscape** along Forest Lane coordinates with development infill projects. Each segment would be constructed with related infill development.

Figure 4D. Imagery of Envisioned Program Types



Figure 4E. Forest/ Jupiter Targeted Investment Area Map



CIP and Economic Development Budgeting Summary

The Forest/ Jupiter TIA catalyst projects have been planned to induce greater reinvestment within the TIA by redefining the District entry, introduction of new retail and services, and delivering new loft housing and commercial space (Figure 4E). Through initial programming and market-based analysis, it has been determined there are site and infrastructure expenses that generate a financial gap which would inhibit such a project to occur. As such, the City may consider funding all or a portion of such expenses to help induce catalytic reinvestment efforts.

The range of public improvements and economic development costs vary, depending on the project and level of subsidy determined in final project budgeting:

- ◆ South side of Forest Lane (Project 1.1) is approximately \$2,265,249;
- ◆ North side of Forest Lane (Project 1.2) is approximately \$1,951,989; and
- ◆ East DART parking lot (Project 1.3) is completely tied to an office user desiring this site and would require new construction of parking and pedestrian improvements that require a larger subsidy amount of approximately \$6,841,083.

Table 4C. Forest Lane/ Jupiter Road TIA CIP and ED Investment Summary

1.1 Catalyst Project: Mixed-Use Building on DART West Parking Lot and Vacant Land

Total Development Value	\$ 23,905,071
Public Improvements Required as Incentives	\$ 715,405
<u>Additional Economic Incentives</u>	<u>\$ 1,549,844</u>
Total Public Investment	\$ 2,265,249
Leverage Ratio	\$10.55 to \$1
(private dollar value to public dollar investment)	

1.2 Catalyst Project: North Mixed-Use Block

Total Development Value	\$ 35,076,713
Public Improvements Required as Incentives	\$ 635,235
<u>Additional Economic Incentives</u>	<u>\$ 1,316,754</u>
Total Public Investment	\$ 1,951,989
Leverage Ratio	\$17.97 to \$1
(private dollar value to public dollar investment)	

1.3 Residual Project: Research and Development on DART East Parking Lot

Total Development Value	\$ 13,880,088
Public Improvements Required to Create Development Value	\$ 6,841,083
Leverage Ratio	\$2.03 to \$1

Notes: These costs do not include storm drainage, utilities, franchise, and on-site construction or other site development costs. These assumptions reflect an opinion of probable cost based on the consultant's experience and best judgment as a professional. Any evaluation of work to be performed related to project construction must be speculative in nature until actual detailed design.

The consultant has no control over the cost of labor, materials or services to be furnished by others or over market conditions, and cannot guarantee that actual costs will not vary from the opinions expressed herein. These costs assume any land purchase at current DCAD assessed value.



Catalyst Project 1.1 Summary

Figure 4F. Project 1.1 South Mixed Use Block Map



Table 4D. Development Costs (Project 1.1 South Mixed Use Area)

On & Offsite Development Costs		
Development Project	\$/SF	Total
Land Allocation	\$10.94	\$2,072,000
Sitework Allocation	\$2.06	\$390,000
Sitework Contingency	\$0.08	\$16,000
Parking Spaces (surface)	\$3.93	\$744,000
Hard Costs (on & offsite)	\$81.17	\$15,368,000
Hard Cost Contingency	\$3.50	\$662,000
Retail TI	\$2.34	\$444,000
Soft Costs	\$17.27	\$3,269,000
Soft Cost Contingency	\$0.69	\$131,000
Total Development Costs	\$121.98	\$23,095,000

Offsite Development Costs		
Streetscape Improvements	\$/LF	Total
Forest Slip Road	\$715.33	\$469,136
Barnes Streetscape	\$385.00	\$86,303
Total Hard Costs		\$555,439
Design/Engineering	12%	\$66,653
Contingency	15%	\$93,314
Total Streetscape Costs		\$715,405

Figure 4G. Project 1.1 South Mixed Use Block Artist Rendering



Table 4E. Development Financing (Project 1.1 South Mixed Use Area)

Development Financing	
Project Income	Total
Residential Income	\$2,572,383
Retail Income	\$266,244
Other Income	\$70,000
Vacancy & Credit Loss	(\$228,327)
Effective Gross Income	\$2,680,299
Project Expenses	Total
Controllable & Non-Controllable	\$596,031
Real Estate Taxes	\$435,626
Capital Reserve	\$15,819
Total Expenses	\$1,047,476
Net Operating Income	\$1,632,823
Financing	Total
Total Development Costs	\$ 23,095,000
Loan Amount (83%)*	\$ 19,226,588
Public & Private funds needed (17%)	\$ 3,868,413
Debt Service (4.95% IR)	\$1,104,890
Cash Flow After Debt Service	\$527,934
Debt Coverage Ratio (DCR)	1.48

* Assumes HUD 221 (d)(4) Loan



Table 4F. Catalyst Program (Project 1.1 South Mixed Use Area)

Catalyst Program			Monthly Rent PSF	
Land Use	GLA (sf)	Units	Today	Stabilized
Residential	163,940	200	\$1.21	\$1.31
Clubhouse	3,200		\$0.00	\$0.00
Retail	22,187		\$1.00	\$1.00
Total Program	189,327	200	\$1.16	\$1.25

Table 4G. Catalyst Project Summary (Project 1.1 South Mixed Use Area)

Catalyst Project Summary	
Return on Investment	
Stabilized Return on Costs	7.07%
Untrended Return on Costs	6.54%
Return on Equity	13.65%
Immediate Return Required	7.25%
Gap Analysis	
Total Development Costs	\$ 23,095,000
Less Private Sources of Debt & Equity	\$ 20,829,751
Debt	\$ 19,226,588
Equity	\$ 1,603,164
Total Public Financial Gap	\$ 2,265,249
Tools to Cover the Gap	
<ul style="list-style-type: none"> City infrastructure financing (bonds) EB5 Immigrant Investor Loan New Market Tax Credit equity Tax Increment Financing HUD 221(d) (4) Loan Low Income Housing Tax Credits Below-market DART Land Lease 	

Financial Proforma (Project 1.1 South Mixed Use Block)

Several issues influence the economics and related financial gap for the south mixed-use block (Project 1.1) of the Forest/ Jupiter TIA.

Land Cost	At \$10,360 per door, the land cost is higher than many conventional suburban sites for this type of development. This cost would ideally be in the \$5000 to \$6000 per door. Given this land is owned by DART, such consideration may be given if a quality development concept is advanced to generate the reinvestment strategy shown in this concept.
Rents	Retail rents are shown at \$12/square foot (sf) (\$1/sf monthly). This rate is lower than may be achievable and, if so, project performance would improve. That said, residential rents at \$1.21/sf (today) are somewhat aggressive given the overall nature of the current marketplace and would require the high level of streetscape improvements and quality building programming and unit design as shown in the TIA planning.
Hard Costs	The costs shown in this proforma have been planned to achieve a quality development with masonry exterior materials and quality interior finishes. While this cost may be reduced somewhat, it would not be advisable given the lower visual quality of surrounding uses.
Expenses	No tax abatement has been assumed. This may be an incentive tool that could be utilized to reduce the overall financial gap shown in this analysis.
Return on Cost	The financial gap is generated by the difference between the project return on cost as generated through this proforma analysis and a minimum assumed investor threshold of 7.25%. Certain development groups can be more aggressive on yields by incorporating other revenue streams (i.e. management fees, construction fees, etc.). The related financial gap would adjust accordingly.
Financial Gap	The financial gap shown here is for the vertical development only. The total gap associated with the full development is identified in Table 4G.



Catalyst Project 1.2 Summary

Figure 4G. Project 1.2 North Mixed Use Block Map



Table 4H. Development Costs (Project 1.2 North Mixed Use Block)

Total Development Costs		
Development Project	\$/SF	Total
Land Allocation	\$12.23	\$3,642,000
Sitework Allocation	\$1.13	\$390,000
Sitework Contingency	\$0.05	\$16,000
Parking Spaces (surface)	\$3.09	\$920,000
Hard Costs (on & offsite)	\$81.13	\$24,153,000
Hard Cost Contingency	\$3.41	\$1,015,000
Retail TI	\$0.99	\$296,000
Soft Costs	\$15.01	\$4,468,000
Soft Cost Contingency	\$0.60	\$179,000
Total Development Costs	\$117.64	\$35,079,000

Offsite Development Costs		
Streetscape Improvements	\$/LF	Total
Forest Lane Parking Slip Road	\$498.82	\$390,423
Barnes Streetscape (west side)	\$266.88	\$102,772
Total Hard Costs		\$493,195
Design/Engineering	12%	\$59,183
Contingency	15%	\$82,857
Total Streetscape Costs		\$635,235

Table 4I. Development Financing (Project 1.2 North Mixed Use Block)

Development Financing	
Project Income	Total
Residential Income	\$4,426,000
Retail Income	\$177,000
Other Income	\$119,000
Vacancy & Credit Loss	(\$336,000)
Effective Gross Income	\$4,386,000
Project Expenses	Total
Controllable & Non-Controllable	\$966,000
Real Estate Taxes	\$742,000
Capital Reserve	\$27,000
Total Expenses	\$1,735,000
Net Operating Income	\$2,651,000
Financing	Total
Total Development Costs	\$ 35,079,000
Loan Amount (70%)	\$ 24,555,300
Public & Private funds needed (20%)	\$ 10,523,700
Debt Service (4.5% IR)	\$1,493,017
Cash Flow After Debt Service	\$1,157,983
Debt Coverage Ratio (DCR)	1.78

Figure 4H. Example of Possible Development (Project 1.2 North Mixed Use Block)



Mixed-Use Loft Infill Streetscape

Photo: David Whitcomb



Table 4J. Development Financing (Project 1.2 North Mixed Use Block)

Catalyst Program			Monthly Rent PSF	
Land Use	GLA (sf)	Units	Today	Stabilized
Residential	279,725	341	\$1.21	\$1.32
Clubhouse	3,200		\$0.00	\$0.00
Retail	14,777		\$1.00	\$1.00
Total Program	189,327	341	\$1.19	\$1.29

Table 4K. Catalyst Project Summary (Project 1.2 North Mixed Use Block)

Catalyst Project Summary	
Private Sector Development Project	
Stabilized Return on Costs	7.56%
Untrended Return on Costs	6.85%
Return on Equity	11.00%
Immediate Return Required	7.25%
Gap Analysis	
Total Development Costs	\$ 35,079,000
Less Private Sources of Debt & Equity	\$ 33,124,724
Debt	\$ 24,555,300
Equity	\$ 8,571,711
Total Public Financial Gap	\$ 1,951,989

Tools to Cover the Gap

- City infrastructure financing (bonds)
- EB5 Immigrant Investor Loan
- New Market Tax Credit equity
- Tax Increment Financing
- HUD 221(d) (4) Loan
- Low Income Housing Tax Credits

Financial Proforma Analysis (Project 1.2 North Mixed Use Block)

Several issues influence the economics and related financial gap for the north mixed-use block (Project 1.2) of the Forest/ Jupiter TIA.

Land Cost	At \$10,680 per door, the land cost is higher than many conventional suburban sites for this type of development. This cost would ideally be in the \$5000 to \$6000 per door. However, given this land currently has cash-flowing properties and is held privately, it is doubtful it would be able to be acquired for less (and may be more expensive). This is one factor driving the financial gap.
Rents	Retail rents are shown at \$12/sf (\$1/sf monthly). This rate is lower than may be achievable and, if so, project performance would improve. That said, residential rents at \$1.21/sf (today) are somewhat aggressive given the overall nature of the current marketplace and would require the high level of streetscape and landscape improvements shown in the TIA planning as well as quality building programming and unit design. With this said, it is anticipated that this development would not occur until Project 1.1 is completed across Forest Lane. With the success of this project, such rents would be justifiable.
Hard Costs	The costs shown in this proforma have been planned to achieve a quality development with masonry exterior materials and quality interior finishes. While this cost may be reduced somewhat, it would not be advisable given the lower visual quality of surrounding uses.
Expenses	No tax abatement has been assumed. This may be an incentive tool that could be utilized to reduce the overall financial gap shown in this analysis.
Return on Cost	The financial gap is generated by the difference between the project return on cost as generated through this proforma analysis and a minimum assumed investor threshold of 7.25%. Certain development groups can be more aggressive on yields by incorporating other revenue streams (i.e. management fees, construction fees, etc.). The related financial gap would adjust accordingly.
Financial Gap	The financial gap shown here is for the vertical development only. The total gap associated with the full development is identified in Table 4K.



Catalyst Project 1.3 Summary

**Figure 4I. Pedestrian Bridge Example
(Project 1.3 Office and R&D Area)**



Table 4L. Development Costs (Project 1.3 Office and Research & Development)

Total Development Costs		
Development Project	\$/SF	Total
Land Allocation	\$16.53	\$952,000
Sitework Allocation	\$10.42	\$600,000
Sitework Contingency	\$0.52	\$30,000
Parking Spaces (surface)	\$10.00	\$576,000
Hard Costs (on & offsite)	\$90.00	\$5,183,000
Hard Cost Contingency	\$6.50	\$374,000
Retail TI	\$30.00	\$1,728,000
Soft Costs	\$73.39	\$4,226,000
Soft Cost Contingency	\$3.67	\$211,000
Total Project Costs	\$241.03	\$13,880,000

Offsite Development Costs		
Public Streetscape of Development	\$/LF	Total
Forest Lane Parking Slip Road	\$444.91	\$314,703
Barnes Streetscape (west side)	\$258.75	\$95,903
Subtotal		\$410,606
Design/Engineering	12%	\$49,273
Contingency	15%	\$68,982
Development Streetscape subtotal		\$528,861
DART Station Public Cost Subtotal	\$/LF	Total
Property Acquisition	\$3.42	\$1,370,680
Pedestrian Bridge	\$868.00	\$2,500,000
Surface Parking Lot	635 spaces	\$1,047,750
Total Hard Costs		\$4,918,430
Design/Engineering	12%	\$425,730
Contingency	15%	\$801,624
DART Station Public Cost Subtotal		\$6,145,784
TOTAL OFF SITE DEVELOPMENT COSTS		\$6,674,645

Figure 4J. Project 1.3 Office and Research & Development Map



Table 4M. Development Financing (Project 1.3 Office and Research & Development)

Development Financing	
Project Income	Total
Rental Income	\$1,440,000
Vacancy & Credit Loss	(\$43,000)
Effective Gross Income	\$1,397,000
Project Expenses	Total
Controllable & Non-Controllable	\$402,000
Total Expenses	\$402,000
Net Operating Income	\$995,000
Financing	Total
Total Development Costs	\$ 13,880,000
Loan Amount (70%)	\$ 9,716,000
Public & Private funds needed (30%)	\$ 4,164,000
Debt Service (5.8% IR)	\$684,107
Cash Flow After Debt Service	\$310,893
Debt Coverage Ratio (DCR)	1.45



Table 4N. Catalyst Program (Project 1.3 Office and Research & Development)

Catalyst Program			Monthly Rent PSF	
Land Use	GLA (sf)	Units	Today	Stabilized
Office R & D	57,587		\$25.00	\$25.00
Total Program	57,587		\$25.00	\$25.00

Table 4O. Catalyst Project Summary (Project 1.3 Office and Research & Development)

Catalyst Project Summary	
Private Sector Development Project	
Stabilized Return on Costs	7.17%
Untrended Return on Costs	7.16%
Return on Equity	7.51%
Immediate Return Required	7.25%
Gap Analysis	
Total Development Costs (On & Offsite)	\$ 20,554,732
Less Private Sources of Debt & Equity	\$ 13,713,649
Debt	\$ 9,716,000
Equity	\$ 3,997,649
Total Public Financial Gap	\$ 6,841,083
Tools to Cover the Gap	
<ul style="list-style-type: none"> City infrastructure financing (bonds) TxDOT Enhancement Grant New Market Tax Credits Traditional debt and equity NCTCOG Sustainable Development Grant TIGER Grant 	

Financial Proforma Analysis (Project 1.3 Office and Research & Development)

Several issues influence the economics and related financial gap for the Office R&D block (Project 1.3) of the Forest Lane / Jupiter Road (TIA).

Land Cost	At \$16.53/sf, the land cost is higher than many conventional suburban sites for this type of office development. This cost would ideally be in the \$8/sf to \$12/sf range. Given this land is owned by DART, such consideration may be given if an office user is identified, funding for the replacement parking and related infrastructure is determined, and a quality development concept is advanced.
Rents	Office rents are shown at \$25/sf. This rate is somewhat aggressive given the overall nature of the marketplace and would require the high level of streetscape and landscape improvements shown in the TIA planning as well as quality building design. It is also assumed that the user would be part of a larger office/industrial lease in the immediate area to serve as the "front door" for this larger user.
Hard Costs	The costs shown in this proforma have been planned to achieve a basic masonry clad tilt up office structure within the quality assumptions of the TIA planning. While this cost may be reduced somewhat, it would not be advisable given the lower visual quality of surrounding uses.
Expenses	No tax abatement has been assumed. This may be an incentive tool that could be utilized to reduce the overall financial gap shown in this analysis.
Return on Cost	The financial gap is generated by the difference between the project return on cost as generated through this proforma analysis and a minimum assumed investor threshold of 7.25%. Certain development groups can be more aggressive on yields by incorporating other revenue streams (i.e. mgt fees, construction fees, etc.). The related financial gap would adjust accordingly.
Financial Gap	The financial gap shown here is for the vertical development only. The total gap associated with the full development is identified in 4O.



Implementation Factors

For the overall Study Area and TIA's, and in keeping with the central tenet of *Envision Garland* and the *ED Strategy*, a series of implementation strategies has been developed to encourage and attract private investment and reinvestment. The general strategy concepts for the Forest/ Jupiter TIA are defined in Table 4P. Detailed implementation actions associated with the catalyst projects in this TIA are defined in Section 5.

Table 4P. Implementation Action Concepts

<p>Financial</p> <ul style="list-style-type: none"> ◆ Gap Financing (new investment and reinvestment) ◆ CDBG Dollars ◆ Signature Project ◆ Public-Private Partnership ◆ Reinvestment Incentives (Residential and Commercial) ◆ Section 108 Loan Program ◆ Low Income Housing Tax Credit (LIHTC) ◆ HUD 221(d)(4) Mortgage Insurance Program ◆ TIGER Grant for TOD Infrastructure Improvements ◆ Private Investment <p>Regulatory</p> <ul style="list-style-type: none"> ◆ Re-Zoning ◆ Design Standards ◆ Reduced Parking Requirements ◆ Enhanced Security (police presence, lighting, design) ◆ Historic Preservation ◆ Code Enforcement ◆ Diversify Housing Inventory ◆ Graffiti Abatement 	<p>Organizational</p> <ul style="list-style-type: none"> ◆ Business Improvement District Services ◆ Business Owner Outreach / Awareness Program ◆ Commercial Property Owner Outreach/ Awareness Program <p>Political</p> <ul style="list-style-type: none"> ◆ Balanced Growth Policies ◆ Affordable Housing Policies ◆ Long-Term Support for Envision Garland and ED Strategy <p>Market</p> <ul style="list-style-type: none"> ◆ Small Business Assistance ◆ Brand Identification (Districts) ◆ Business Promotion ◆ Stronger Retail Mix <p>Physical</p> <ul style="list-style-type: none"> ◆ Streetscape ◆ Pedestrian Improvements ◆ Infrastructure Improvements ◆ Gateway Improvements ◆ Open / Public Space Improvements ◆ Trail Improvements ◆ Bike Paths ◆ ADA Improvements
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Jupiter Road / Walnut Street TIA

The Environment

The Jupiter Road / Walnut Street (Jupiter/ Walnut) TIA is generally located at the intersection of Jupiter Road and Walnut Street. It serves as a retail center for businesses and residents and as such contains retail, office and service uses. The conditions within the TIA that could impact investment and reinvestment decisions along with identified redevelopment opportunities follow in Table 4Q.

Table 4Q. Existing Conditions and Redevelopment Opportunities

+/-	Element	Strategic Response
+	Strong and vibrant mix of ethnic tenants	New opportunities for expansion and investment
+	Keen Branch offers a natural amenity	Reclaim developable property and beautify area
+	Larger retail parcels with single ownership	Simpler redevelopment and reinvestment process
-	Aging buildings and lack of streetscape	Enhance existing building renovation and streetscape
-	Business and neighborhoods disconnected	Improve connections and add new infill
-	Unbalanced land value vs rent structure	Provide/enhance economic development assistance
-	High perception of crime	Improve GPD presence and conditions for self-policing (visibility, lighting)

Figure 5K. Jupiter/ Walnut TIA Existing Features



Jupiter / Walnut TIA Boundary



Ethnic Retailers



Older Signage



Keen Branch Flood Plain



Large Expanses of Parking



Negative Transitions



Confusing Visual Identity



Jupiter/ Walnut TIA

View of Retail Infill and Enhanced Gateway Frontage



The Vision

The vision for the Jupiter/ Walnut TIA is that of a strengthened neighborhood center, one that has regained its role as a convenient and identity-driven community core. A “town center” within the Study Area would likely include:

- ◆ Renovated buildings and strategic infill of new buildings to increase the density, value and return of investments;
- ◆ Improved access and stronger pedestrian connections;
- ◆ Greater diversity of commercial uses and new pedestrian-based amenities; and
- ◆ Greatly improved visual identity for the gateway to the neighborhood, and improved identity for the area, as a whole.

This is to be accomplished through a collection of retail, restaurant and small businesses which together serve as a center of the local community, enhanced by retail and residential offerings catering to the changing ethnic demographics, and integrated with and surrounded by established neighborhoods.

In addition to working with the existing property owners of the large retail centers, utilization of land fragments offers opportunities for new housing products as an alternative to traditional single family products, while serving to attract individuals desiring a moderately-priced, lower-maintenance lifestyle in close proximity to their work and/or family.

Imagery of Envisioned Program Types



Retail/Restaurant Infill

credit: David Whitcomb



Retail Kiosks

credit: Freese Nichols



Live/Work Infill

credit: David Whitcomb



Restaurant Incubator

credit: Freese Nichols



The Opportunity

The following reflects market-supportable redevelopment programming ranges by use (see Table 4R). The specific redevelopment programs are shown on the concept plans and have been based on this analysis.

Table 4R. Attainable Capture

Land Use	Attainable Capture	
	5 Year	10 Year
Residential (units)	150	150
Senior Living (units)	120	120
Retail/Service (sq. ft.)	15,000	30,000
Cultural/Recreational	10,000	20,000
Educational (sq. ft.)	2,500	4,500
Employment (sq. ft.)	25,000	50,000

The Concept

Redevelopment of the Jupiter/ Walnut TIA consists of a variety of catalyst projects listed below and depicted in Figure 4L.

- 1) Senior Housing and townhomes on vacant land adjacent to existing church serves as new gateway to neighborhood. This is a future development and not part of the initial catalyst projects as it does not require public investment.
- 2) Restaurant Incubator with classroom kitchen and ethnic food court helps to anchor inside corner of retail center.
- 3) Housing Infill behind retail center situated on shared new parking streets and plazas. This is a future development concept and not part of the initial catalyst projects as its marketability would be better defined by the successful completion of the adjacent redevelopment.
- 4) Signage and Streetscape improvements along main streets
- 5) Retail Infill (restaurants, food kiosks, and small shops created by culling certain pad sites, reorganizing parking fields and placing employee parking in a rear condition on shared parking streets.
- 6) Landscaped Project Entries with strong urban design features helps to formalize, define , and enhance the experience along Walnut and Jupiter.
- 7) Live/Work and single-family on former rights of way, retail edge, and neighborhood infill. This is a future development concept and not part of the initial catalyst projects as its marketability would be better defined by the successful completion of the adjacent redevelopment.

Figure 4L. Jupiter/ Walnut TIA Concept Plan



- 8) Improved Waterway induces sites for new retail/restaurant pads with outdoor dining. This improvement would be part of a horizontal master development of the Walnut frontage and would not occur until such a master developer (or property owners) express interest.
- 9) Reposition Office with new landscaped entrance and retail/restaurant pad. This is a future development concept and not part of the initial catalyst projects as its marketability would be better defined by the successful completion of the waterway master development and may not require public assistance.
- 10) Community Center, recreation facility and sport court infill around library to strengthen its location as a community destination anchor. This is a future development concept and not part of the initial catalyst projects as its marketability would be better defined by the successful completion of the catalyst projects.



Figure 4M. Jupiter/ Walnut Target Investment Map



Public Improvements

Figure 4N. Aging Ethnic Retail Center Renovation



Lake June Plaza — Before



Torre Vista — After

Renovation Concept

As an alternative (or in addition) to the retail infill concept, a larger renovation concept involves expanded merchandizing of the entire retail center. Referred to as *Renovation Over Infill*, this would include architectural improvements to the facades, interiors, signage, site design, and overall visitor experience. It would likely include the addition of new retail stores through new ownership and leasing strategy. One example, shown in Figure 4N, is the Torre Vista shopping center (formerly Lake June Plaza). Torre Vista is a fully renovated shopping center containing a diverse blend of ethnic retailers located at the intersection of Lake June Road and North Masters Drive in Dallas, TX. This project is the result of a partnership between Vista Property Company and the City of Dallas.



CIP and Economic Development Budgeting

Retail-based catalyst infill projects are anticipated to occur on three of the four intersection quadrants of the Jupiter/ Walnut TIA to form a stronger neighborhood center. Initial programming and market-based analysis determined that both site and infrastructure expenses generate a financial gap, which may inhibit such projects to occur. As such, the City may consider funding all or a portion of such expenses to help induce these catalytic reinvestment efforts.

The approximate cost of public improvements and economic development are similar:

- ◆ Northwest quadrant (Project 2.1) is approximately \$1,474,044;
- ◆ Northeast (Project 2.2) is approximately \$1,882,076; and
- ◆ Southeast (Project 2.3) is approximately \$1,759,729; includes expense for new retail pad site development (reclaiming floodplain, constructing an improved waterway).

As shown in Table 4S, estimated public improvement and economic development costs identified in the TIA planning range between \$3,356,121 and \$5,115,850, depending on the level of improvements and economic development costs associated with a final plan. A more detailed gap analysis will be required to determine specific costs and to consider whether the specific development proposal achieves the goals set forth for redevelopment in the Jupiter/ Walnut TIA.

Table 4S. Jupiter/ Walnut TIA - CIP and ED Investment Summary

2.1 Catalyst Project: Northwest Retail Quadrant	
Total Development Value	\$ 19,726,824
Public Improvements Required as Incentives	\$ 574,290
<u>Additional Economic Incentives</u>	<u>\$ 899,754</u>
Total Public Investment	\$ 1,474,044
Leverage Ratio (private dollar value to public dollar investment)	\$13.38 to \$1
2.2 Catalyst Project: Northeast Retail Quadrant	
Total Development Value	\$ 14,161,762
Public Improvements Required as Incentives	\$ 750,680
<u>Additional Economic Incentives</u>	<u>\$ 1,131,396</u>
Total Public Investment	\$ 1,882,076
Leverage Ratio (private dollar value to public \$investment)	\$7.52 to \$1
2.3 Residual Project: Southeast Retail Quadrant	
Total Development Value	\$ 3,421,129
Public Improvements Required as Incentives	\$ 1,640,053
<u>Additional Economic Incentives</u>	<u>\$ 119,676</u>
Total Public Investment	\$ 1,759,729
Leverage Ratio (private dollar value to public \$investment)	\$2.09 to \$1
Total Development	
Total Development Value	\$ 37,309,715
<u>Total Public Investment</u>	<u>\$ 5,115,850</u>
Leverage Ratio (with SE Quadrant)	\$7.29 to \$1
Leverage Ratio (without SE Quadrant)	\$ 9.75 to \$1

Notes: These costs do not include storm drainage, utilities, franchise, and on-site construction or other site development costs. These assumptions reflect an opinion of probable cost based on the consultant's experience and best judgment as a professional. Any evaluation of work to be performed related to project construction must be speculative in nature until actual detailed design.

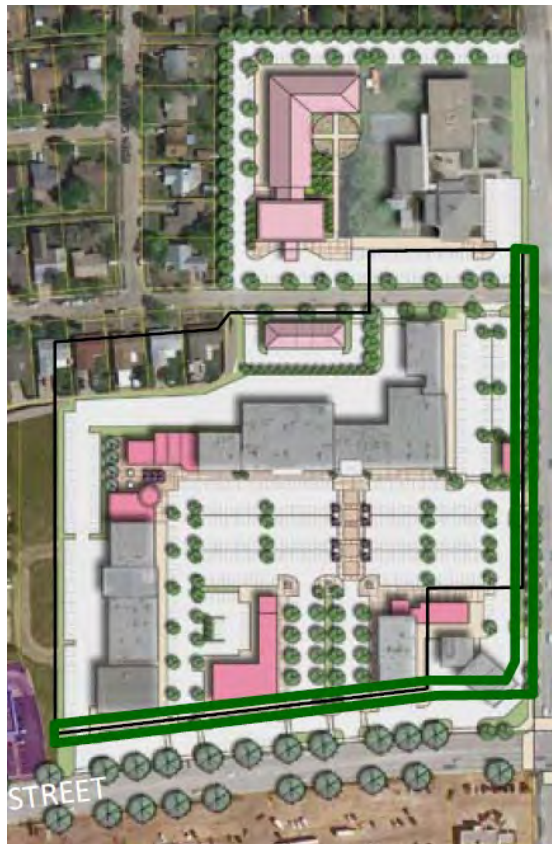
The consultant has no control over the cost of labor, materials or services to be furnished by others or over market conditions, and cannot guarantee that actual costs will not vary from the opinions expressed herein. These costs assume any land purchase at current DCAD assessed value.

Catalyst Project 2.1 Summary

Table 4T. Development Costs (Project 2.1 Northwest Retail Block)

Development Costs		
Development Project	\$/SF	Total
Land Allocation	\$91.22	\$8,075,000
Sitework Allocation	\$5.29	\$468,000
Sitework Contingency	\$0.26	\$23,000
Parking Spaces (surface)	\$7.40	\$655,000
Hard Costs (On & Offsite)	\$63.74	\$5,642,000
Hard Cost Contingency	\$4.66	\$413,000
Retail TI	\$22.06	\$1,953,000
Soft Costs	\$26.88	\$2,379,000
Soft Cost Contingency	\$1.34	\$119,000
Total Project Costs	\$222.85	\$19,727,000

Figure 40. Project 2.1 Northwest Retail Block Map



Offsite Development Costs		
Public Streetscape Improvements	\$/LF	Total
Block edge for NW Quadrant	\$366.48	\$445,878
Total Hard Costs		\$445,878
Design/Engineering	12%	\$53,505
Contingency	15%	\$74,908
Total Streetscape Costs		\$574,291



Table 4U. Development Financing (Project 2.1 Northwest Retail Block)

Development Financing	
Project Income	Total
Rental Income	\$1,543,000
Vacancy & Credit Loss	(\$123,000)
Effective Gross Income	\$1,420,000
Project Expenses	Total
Controllable & Non-Controllable	\$51,000
Capital Reserve	\$13,000
Total Expenses	\$64,000
Net Operating Income	\$1,356,000
Financing	Total
Total Development Costs	\$ 19,727,000
Loan Amount (65%)	\$ 12,822,550
Equity Amount (35%)	\$ 6,904,450
Debt Service (5.25% IR)	\$922,066
Cash Flow After Debt Service	\$433,934
Debt Coverage Ratio (DCR)	1.47

Figure 4P. Project 2.1 Northwest Artists Rendering



Table 4V. Catalyst Programing (Project 2.1 Northwest Retail Block)

Catalyst Program			Monthly Rent PSF	
Land Use	GSF (sf)	GLA (sf)	Today	Stabilized
MU Office	9,000	8,820	\$1.25	\$1.25
Existing In-line Shops	62,258	61,013	\$1.50	\$1.50
In-Line Shops	9,472	9,283	\$1.14	\$1.14
Restaurants	6,500	6,370	\$1.67	\$1.67
Kiosks	1,600	1,568	\$1.50	\$1.50
Pad	1,500	1,470	\$1.67	\$1.67
Total Program	90,330	88,524	\$1.45	\$1.45

Table 4W. Catalyst Project Summary (Project 2.1 Northwest Retail Block)

Catalyst Project Summary	
Private Sector Development Project	
Stabilized Return on Costs	6.87%
Untrended Return on Costs	6.94%
Return on Equity	6.28%
Immediate Return Required	7.25%
Gap Analysis	
Total Development Costs	\$ 19,727,000
Less Private Sources of Debt & Equity	\$ 18,252,956
Debt	\$ 12,822,550
Equity	\$ 5,430,406
Total Economic Gap	\$1,474,044
Tools to Cover the Gap	
<ul style="list-style-type: none"> City infrastructure financing (bonds) EB5 Immigrant Investor Loan New Market Tax Credit equity Tax Increment Financing Traditional sources of debt and equity Local Government Code Chapter 380 Grant CDBG Section 108 Loan 	



Project 2.1 Financial Proforma Summary

The following issues influence the economics and related financial gap for the northwest retail block (Project 2.1) of the Jupiter/ Walnut TIA.

Land Cost	At \$91.22/sf, this land cost assumes opportunities for higher rents after a renovation and infill project as shown in the TIA planning. Given this land is comprised of currently cash-flowing property under private ownership, final cost will be determined by the owner's willingness to sell.
Rents	Retail and office rents are shown to average \$17.4/sf (\$1.45/sf monthly). Each rate will vary from those shown here based on the success of future leasing activity and related site improvements.
Hard Costs	The costs shown in this proforma have been planned to achieve the renovation and infill concepts shown in the TIA. While this cost may be reduced somewhat, it would not be advisable given the lower visual quality of surrounding uses.
Expenses	No tax abatement has been assumed. This may be an incentive tool that could be utilized to reduce the overall financial gap shown in this analysis.
Return on Cost	The financial gap is generated by the difference between the project return on cost as generated through this proforma analysis and a minimum assumed investor threshold of 7.50%. Certain development groups can be more aggressive on yields by incorporating other revenue streams (i.e. management fees, construction fees, etc.). The related financial gap would adjust accordingly.
Financial Gap	The financial gap shown here is for the vertical development only. The total gap associated with the full development is identified in Figure 4W.

Catalyst Project 2.2 Summary

Table 4X. Development Costs (Project 2.2 Northeast Retail Block)

Development Costs		
Development Project	\$/SF	Total
Land Allocation	\$15.30	\$1,103,000
Sitework Allocation	\$9.78	\$705,000
Sitework Contingency	\$0.49	\$35,000
Parking Spaces (surface)	\$9.23	\$665,000
Hard Costs (On & Offsite)	\$102.01	\$7,350,000
Hard Cost Contingency	\$6.88	\$496,000
Retail TI	\$26.35	\$1,899,000
Soft Costs	\$25.23	\$1,818,000
Soft Cost Contingency	\$1.26	\$91,000
Total Project Costs	\$196.53	\$14,162,000

Offsite Development Costs		
Public Streetscape Improvements	\$/LF	Total
Block edge for NE Quadrant	\$366.48	\$582,826
Total Hard Costs		\$582,826
Design/Engineering	12%	\$69,939
Contingency	15%	\$97,915
Total Streetscape Costs		\$750,680

**Figure 4Q. Project 2.2
Northeast Retail Block Map**

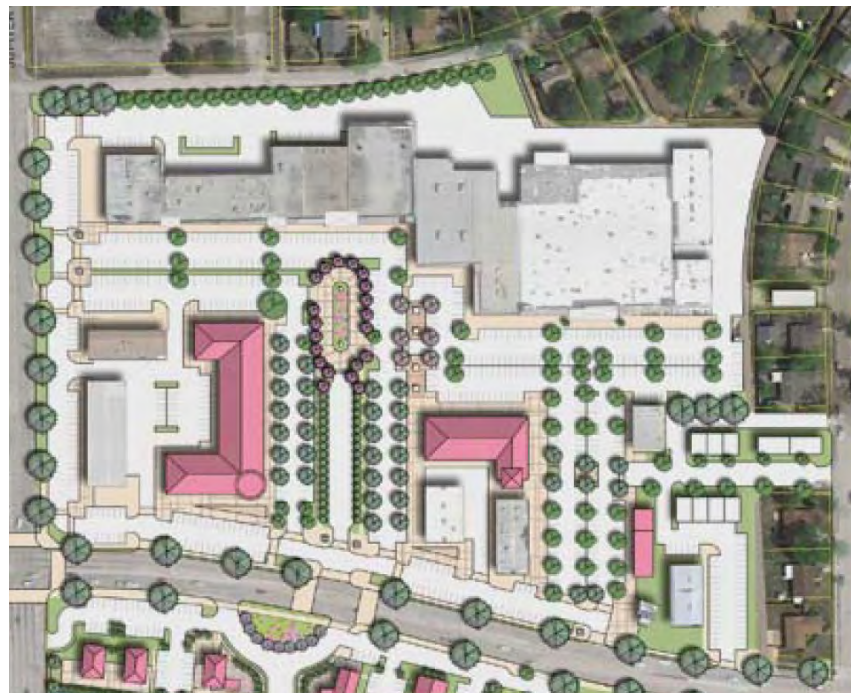




Table 4Y. Development Financing (Project 2.2 Northeast Retail Block)

Development Financing	
Project Income	Total
Income	\$1,075,000
Vacancy & Credit Loss	(\$117,000)
Effective Gross Income	\$958,000
Project Expenses	Total
Controllable & Non-Controllable	\$38,000
Capital Reserve	\$11,000
Total Expenses	\$49,000
Net Operating Income	\$909,000
Financing	Total
Total Development Costs	\$ 14,162,000
Loan Amount (65%)	\$ 9,205,300
Equity Amount (35%)	\$ 4,956,700
Debt Service (5.25% IR)	\$661,951
Cash Flow After Debt Service	\$247,049
Debt Coverage Ratio (DCR)	1.37

Table 4Z. Catalyst Program (Project 2.2 Northeast Retail Block)

Catalyst Program			Monthly Rent PSF	
Land Use	GSF (sf)	GLA (sf)	Today	Stabilized
MU Office	20,870	20,453	\$1.25	\$1.25
In-Line Shops	42,156	41,313	\$1.14	\$1.14
Restaurants	8,500	8,330	\$1.67	\$1.67
Kiosks	2,000	1,960	\$1.50	\$1.50
Total Program	73,526	72,056	\$1.24	\$1.24

Table 4AA. Catalyst Project Summary (Project 2.2 Northeast Retail Block)

Catalyst Project Summary	
Private Sector Development Project	
Stabilized Return on Costs	6.42%
Untrended Return on Costs	6.50%
Return on Equity	4.98%
Immediate Return Required	7.25%
Gap Analysis	
Total Development Costs	\$ 14,162,000
Less Private Sources of Debt & Equity	\$ 12,279,924
Debt	\$ 9,205,300
Equity	\$ 3,074,624
Total Economic Gap	\$1,882,076

Tools to Cover the Gap
<ul style="list-style-type: none"> • City infrastructure financing (bonds) • EB5 Immigrant Investor Loan • New Market Tax Credit equity • Tax Increment Financing • Traditional sources of debt and equity • Local Government Code Chapter 380 Grant • CDBG Section 108 Loan



Project 2.2 Financial Proforma Summary

Several issues influence the economics and related financial gap for the northeast retail block (Project 2.2) of the Jupiter/ Walnut TIA.

Land Cost	At \$15.30/sf, this land cost assumes the amount the existing owner would allocate to new infill (whether executed by them or a third party developer). The ultimate value associated with this land will be determined based on the owner's willingness to execute such a concept.
Rents	Retail and office rents are shown to average \$4.88/sf (\$1.24/sf monthly). Each rate will vary from those shown here based on the success of future leasing activity and related site improvements.
Hard Costs	The costs shown in this proforma have been planned to achieve the infill concepts shown in the TIA and no renovation of the existing primary retail center. While this cost may be reduced somewhat, it would not be advisable given the lower visual quality of surrounding uses.
Expenses	No tax abatement has been assumed. This may be an incentive tool that could be utilized to reduce the overall financial gap shown in this analysis.
Return on Cost	The financial gap is generated by the difference between the project return on cost as generated through this proforma analysis and a minimum assumed investor threshold of 7.50%. Certain development groups can be more aggressive on yields by incorporating other revenue streams (i.e. management fees, construction fees, etc.). The related financial gap would adjust accordingly.
Financial Gap	The financial gap shown here is for the vertical development only. The total gap associated with the full development is identified in Figure 4AA.

Catalyst Project 2.3 Summary

Figure 4R. Project 2.3 Southeast Retail Block Map



Table 4AB. Development Costs (Project 2.3 Southeast Retail Block)

Development Costs		
Development Project	\$/SF	Total
Land Allocation	\$7.32	\$1,034,000
Sitework Allocation	\$10.71	\$1,513,000
Sitework Contingency	\$0.54	\$76,000
Soft Costs	\$5.38	\$760,000
Soft Cost Contingency	\$0.27	\$38,000
Total Project Costs	\$24.22	\$3,421,000



Keen Branch Improvements

Photo Credit: Bowman Melton

Table 4AC. Catalyst Program (Project 2.3 Southeast Retail Block)

Catalyst Program			
Land Use	Land SF	Sales PSF	Completed Sales Price
Pad Site I	10,540	\$20.00	\$210,800.00
Pad Site II	10,540	\$18.00	\$189,720.00
Pad Site III	19,630	\$13.00	\$255,190.00
Pad Site IV	18,700	\$13.00	\$243,100.00
Pad Site V	18,700	\$13.00	\$243,100.00
Pad Site VI	63,249	\$12.00	\$758,988.00

Table 4AD Catalyst Project Summary (Project 2.3 Southeast Retail Block)

Catalyst Project Summary	
Private Sector Development Project	
Immediate Return Required	20.00%
Gap Analysis	
Total Development Costs	\$ 3,421,000
Less Private Sources of Debt & Equity	\$ 1,661,271
Total Economic Gap	\$1,759,729
Tools to Cover the Gap	
<ul style="list-style-type: none"> • City infrastructure financing (bonds) • Tax Increment Financing • Local Government Code Chapter 380 Grant • CDBG Section 108 Loan 	



Implementation Factors

For the overall Study Area and TIA's, and in keeping with the central tenet of *Envision Garland* and the *Economic Development Strategy*, a series of implementation strategies has been developed to encourage and attract private investment and reinvestment. General strategy concepts for the Jupiter/ Walnut TIA are defined in Table 4AE. Detailed implementation actions associated with the catalyst projects in this TIA are defined in Section 5.

Table 4AE. Jupiter/ Walnut TIA Implementation Action Concepts

<p>Financial</p> <ul style="list-style-type: none"> ◆ Gap Financing (new investment and reinvestment) ◆ CDBG Dollars ◆ Signature Project ◆ Public-Private Partnership ◆ Reinvestment Incentives (Residential and Commercial) ◆ Section 108 Loan Program ◆ Low Income Housing Tax Credit (LIHTC) ◆ HUD 221(d)(4) Mortgage Insurance Program ◆ TIGER Grant for TOD Infrastructure Improvements ◆ Private Investment <p>Regulatory</p> <ul style="list-style-type: none"> ◆ Re-Zoning ◆ Design Standards ◆ Reduced Parking Requirements ◆ Enhanced Security (police presence, lighting, design) ◆ Historic Preservation ◆ Code Enforcement ◆ Diversify Housing Inventory ◆ Graffiti Abatement 	<p>Organizational</p> <ul style="list-style-type: none"> ◆ Business Improvement District Services ◆ Business Owner Outreach / Awareness Program ◆ Commercial Property Owner Outreach / Awareness Program <p>Political</p> <ul style="list-style-type: none"> ◆ Balanced Growth Policies ◆ Affordable Housing Policies ◆ Long-Term Support for Envision Garland and ED Strategy <p>Market</p> <ul style="list-style-type: none"> ◆ Small Business Assistance ◆ Brand Identification (Districts) ◆ Business Promotion ◆ Stronger Retail Mix <p>Physical</p> <ul style="list-style-type: none"> ◆ Streetscape ◆ Pedestrian Improvements ◆ Infrastructure Improvements ◆ Gateway Improvements ◆ Open / Public Space Improvements ◆ Trail Improvements ◆ Bike Paths ◆ ADA Improvements
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Shiloh Road / Walnut Street TIA

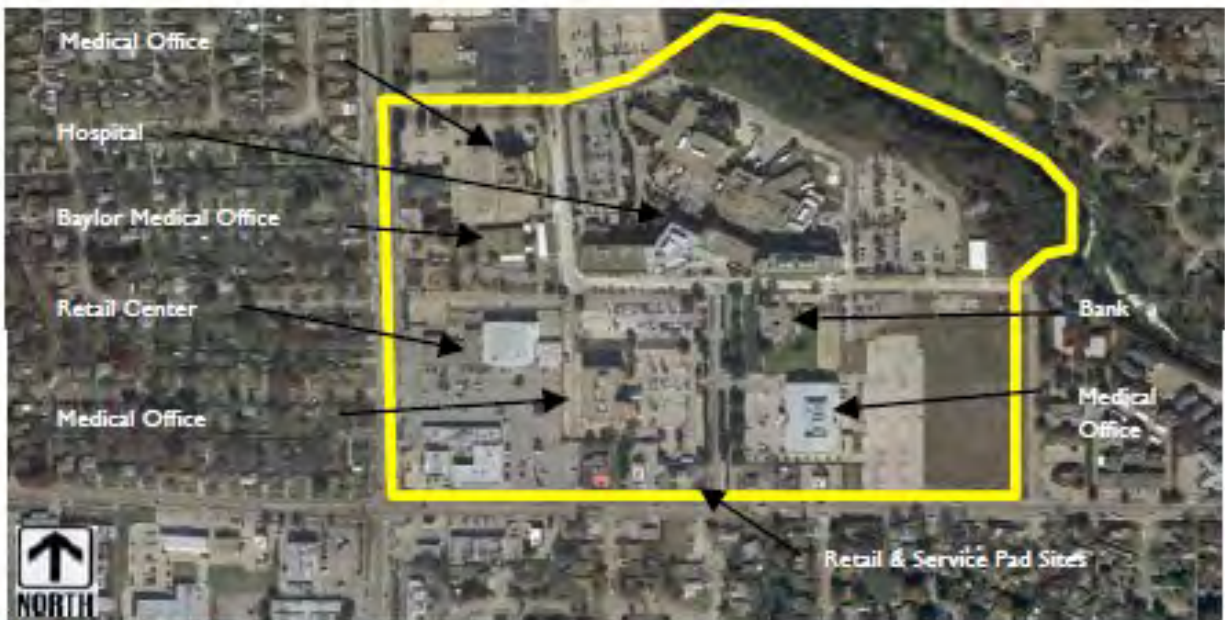
The Environment

The Shiloh Road / Walnut Street (Shiloh/ Walnut) TIA is generally located at the Shiloh Road and Walnut Street intersection and hosts several medical and health-care related uses in the vicinity of the BMC-Garland campus, including the former Vista Community Hospital. Opportunities associated with the issues identified in Section 2 that impact investment within the TIA are shown below in Table 4AF, as well as the mitigating opportunities this analysis has identified for each.

Table 4AF. Existing Conditions and Redevelopment Opportunities

+ / -	Element	Strategic Response
+	BMC-Garland serves as a critical anchor and regional draw	Revitalization strategy focuses on strengthening BMC-Garland's position
+	BMC-Garland facilities create a sense of place	Create aesthetic views of the campus and connections to supportive uses
+	Concentration of BMC-Garland land ownership	Work closely with BMC-Garland to leverage their real estate assets
+	Former Vista Hospital campus on the market	Encourage its redevelopment that complements BMC-Garland services
-	Deteriorated shopping center on the NE corner of Shiloh/Walnut	Redevelop with new entrances, landscape and site design that enhances the area
-	Lack of area identity as a mixed-use health science district	Develop synergistic medical uses and market the area's identity

Figure 4S. Project 2.3 North East Retail Block Map



Walnut / Shiloh TIA Boundary



Baylor Garland Medical Center



Medical Office Buildings



Edge Condition for BMC-Garland Campus



Gateway Experience to BMC-Garland Campus



Shiloh/ Walnut TIA

View of New Parkway and Mixed-Use Entry to BMC-Garland



The Vision

The vision for the Shiloh/ Walnut TIA is one of an integrated mixed-use health science district. Utilizing the BMC-Garland campus as a programmatic anchor and overall driver of regional identity, the addition of residential, retail, and employment uses support the needs of hospital employees and visitors, and nearby residential neighborhoods.

- ◆ New educational and medical uses to strengthen their market positioning;
- ◆ Residential products adjacent to the BMC-Garland facilities provide housing for nurses, support staff and seniors in a walkable and pedestrian-friendly environment; and
- ◆ Ground-level retail and small commercial uses provide lunchtime and neighborhood service uses.

This combination of efforts would be delivered in a manner that forms a more visually appealing and programmatically synergized gateway to the BMC-Garland campus that is active in both the daytime and evening.

To accomplish this, the City would work closely with BMC-Garland to deliver key public improvements that support Baylor's role as land owner, and the two would work with outside real estate developers/investors to help implement this concept.

Shiloh/ Walnut TIA

Imagery of Envisioned Program Types



Senior Living

credit: Conservatory Senior Living



Mixed-Use Infill

credit: David Whitcomb



Parkway Entrance

credit: Post Properties



Lunch-Time Food Trucks

credit: John Fregonese



The Opportunity

The following reflects market-supportable redevelopment programming ranges by use. The specific redevelopment programs are shown on the concept plans and have been based on this analysis outlined in Table 4AG

Table 4AG. Attainable Capture

Land Use	Attainable Capture	
	5 Year	10 Year
Residential (units)	150	300
Senior Living (units)	80	80
Retail/Service (sq. ft.)	15,000	30,000
Health Care/Education (sq. ft.)	40,000	40,000
Employment (sq. ft.)	100,000	250,000

The Concept

Redevelopment of the Shiloh Road / Walnut Street TIA consists of a variety of catalyst projects listed below and depicted in Figure 4T.

- 1) **Senior Housing** Independent and/or assisted living adjacent to Duck Creek at the north end of the BMC-Garland.
- 2) **New Roadway** extended through parking fields to create distinct infill blocks over time. This would only occur if/when the independent living project implements.
- 3) **Nursing School** and daycare created within underutilized space within hospital structure. This would only occur if BMC-Garland is interested in pursuing this concept as it effects their operations and physical plant.
- 4) **Baylor ER** and Hope Clinic may be outsourced allowing future expansion / reduced expense. This would only occur if BMC-Garland is interested in pursuing this concept as it effects their operations and physical plant.
- 5) **Mixed-Use** Development to recast existing retail on Shiloh/Walnut corner provides opportunities for loft residential, service retail and restaurants.
- 6) **Green Esplanade** entry to medical district provides for outdoor dining, seating and food carts. Existing medical office given prominence. This would only occur if/when the mixed-use development implements.
- 7) **Adaptive Reuse** and streetscape improvements to remaining Walnut Street retail parcels. This is shown as future development.
- 8) **Future Development Blocks** defined by grid street system and kept for new investment over time.

Figure 4T. Imagery of Envisioned Program Types





CIP and Economic Development Budgeting

Redevelopment planning for the Shiloh Road / Walnut Street TIA identifies a combination of catalyst projects including mixed-use and independent living facilities for sites adjacent to the BMC-Garland campus. These projects have been planned with new public improvements all aimed to help induce larger reinvestment within the TIA by redefining this area as a distinctive development district with clear gateways, open spaces, and mixed-use frontages.

Both public improvement and economic development costs have been identified and may generate a financial gap, which would inhibit such reinvestment from occurring. As such, the City may consider funding all or a portion of such expenses to help induce such catalytic redevelopment efforts.

A more detailed gap analysis will be required to determine specific costs once a developer/ investor is identified. A more detailed gap analysis will be required to determine specific costs once a developer/investor is identified in order for the City to consider whether the specific development proposal achieves the goals set forth for redevelopment in the Jupiter/Walnut TIA redevelopment area.

Table 4AH. Shiloh Road/ Walnut Street TIA CIP and ED Investment Summary

31 Catalyst Project: Seniors Residential Infill on North Side of Baylor Campus	
Total Development Value	\$ 16,697,299
Public Improvements Required as Incentives	\$ 1,042,392
<u>Additional Economic Incentives</u>	<u>\$ 1,406,821</u>
Total Public Investment	\$ 2,449,213
Leverage Ratio	\$6.82 to \$1
(private dollar value to public dollar investment)	
Remaining Off-Site Cost to Assist Future Investments	\$650,970
3.2 Catalyst Project: Mixed-Use Development at Shiloh/Walnut	
Total Development Value	\$ 30,475,878
Public Improvements Required as Incentives	\$ 961,854
<u>Additional Economic Incentives</u>	<u>\$ 2,019,596</u>
Total Public Investment	\$ 2,981,450
Leverage Ratio	\$10.22 to \$1
(private dollar value to public \$investment)	
Total Development	
Total Development Value	\$ 47,173,177
<u>Total Public Investment</u>	<u>\$ 5,430,663</u>
Leverage Ratio	\$8.69 to \$1
<p>Notes: These costs do not include storm drainage, utilities, franchise, and on-site construction or other site development costs. These assumptions reflect an opinion of probable cost based on the consultant's experience and best judgment as a professional. Any evaluation of work to be performed related to project construction must be speculative in nature until actual detailed design.</p> <p>The consultant has no control over the cost of labor, materials or services to be furnished by others or over market conditions, and cannot guarantee that actual costs will not vary from the opinions expressed herein. These costs assume any land purchase at current DCAD assessed value.</p>	

Figure 5U. Shiloh Road/ Walnut Street Target Investment Area Map





Table 4AI. Development Costs (Project 3.1 Senior Living Block)

Development Costs		
Development Project	\$/SF	Total
Land Allocation	\$13.27	\$1,798,000
Sitework Allocation	\$1.40	\$190,000
Sitework Contingency	\$0.06	\$8,000
Parking Spaces (surface)	\$0.80	\$108,000
Hard Costs (on & offsite)	\$81.56	\$11,051,000
Hard Cost Contingency	\$3.34	\$453,000
Retail TI	\$1.25	\$170,000
Soft Costs	\$20.71	\$2,807,000
Soft Cost Contingency	\$0.83	\$112,000
Total Development Costs	\$123.22	\$16,697,000

Offsite Development Costs		
Public Streetscape Improvements	\$/LF	Total
Parking road streetscape	\$831.82	\$607,798
Existing road streetscape	\$523.25	\$201,513
Total Hard Costs		\$809,311
Design/Engineering	12%	\$97,117
Contingency	15%	\$135,964
Total Streetscape Costs		\$1,042,393

Figure 4V. Project 3.1 Senior Living Block Map

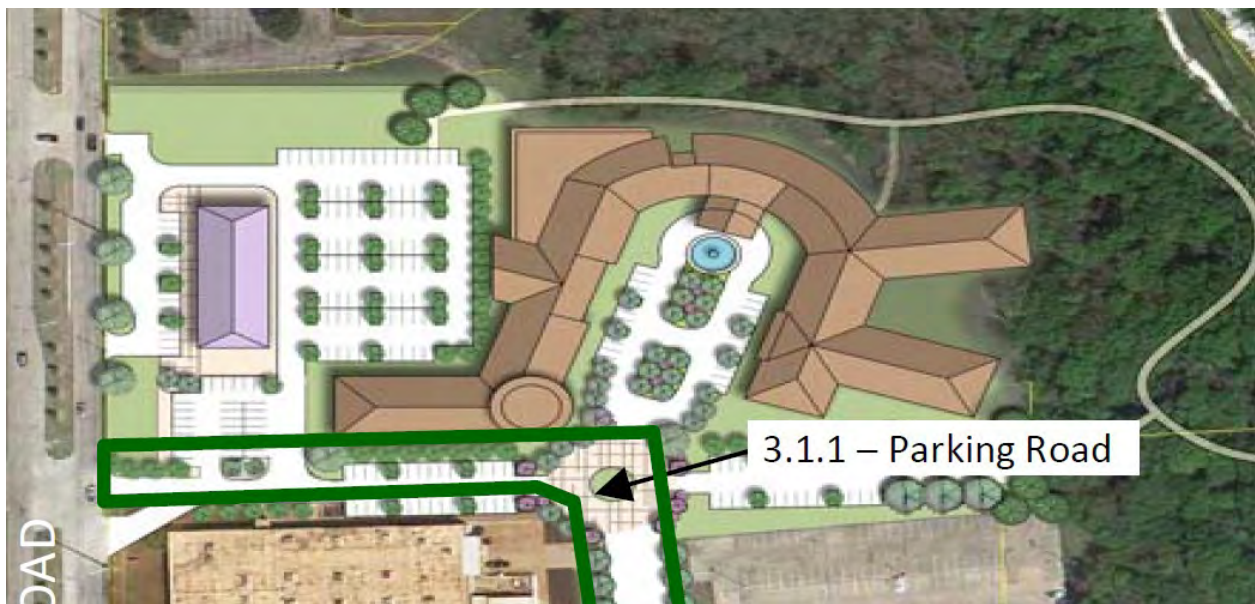


Table 4AJ. Development Financing (Project 3.1 Senior Living Block)

Development Financing	
Project Income	Total
Residential Income	\$1,996,000
Retail Income	\$128,000
Other Income	\$51,000
Vacancy & Credit Loss	(\$167,000)
Effective Gross Income	\$2,008,000
Project Expenses	Total
Controllable & Non-Controllable	\$478,000
Real Estate Taxes	\$320,000
Capital Reserve	\$12,000
Total Expenses	\$810,000
Net Operating Income	\$1,198,000
Financing	Total
Total Development Costs	\$ 16,697,000
Loan Amount (82%)	\$ 13,691,540
Equity Amount (18%)	\$ 3,005,460
Debt Service (4.95% IR)	\$786,809
Cash Flow After Debt Service	\$411,191
Debt Coverage Ratio (DCR)	1.52

Figure 4W. Project 3.1 Image Example



New Streetscape

Photo Credit: Paul Shaw



Shiloh/ Walnut TIA

Table 4AK. Catalyst Program (Project 3.1 Senior Living Block)

Catalyst Program			Monthly Rent PSF	
Land Use	GSF (sf)	Units	Today	Stabilized
Residential	123,800	145	\$1.22	\$1.34
Clubhouse	3,200		\$0.00	\$0.00
Retail	8,500		\$1.25	\$1.25
Total Program	135,500		\$1.19	\$1.30

Table 4AL. Catalyst Project Summary (Project 3.1 Senior Living Block)

Catalyst Project Summary	
Private Sector Development Project	
Stabilized Return on Costs	7.17%
Untrended Return on Costs	6.47%
Return on Equity	13.68%
Immediate Return Required	7.25%
Gap Analysis	
Total Development Costs	\$ 16,697,000
Less Private Sources of Debt & Equity	\$ 14,898,757
Debt	\$ 13,691,540
Equity	\$ 1,207,217
Total Economic Gap	\$ 1,798,243

Tools to Cover the Gap
<ul style="list-style-type: none"> • City infrastructure financing (bonds) • EB5 Immigrant Investor Loan • New Market Tax Credit equity • Tax Increment Financing • Traditional sources of debt and equity • Low Income Housing Tax Credit • CDBG Section 108 Loan

Project 3.1 Financial Proforma Summary

Several issues influence the economics and related financial gap for the Senior Living Block (Project 3.1) of the Shiloh/ Walnut TIA.

Land Cost	At \$12,400 per door, the land cost is higher than many conventional suburban sites for this type of senior living development. This cost would ideally be in the \$7000 to \$9000 per door. Given this land is owned by BMC-Garland, such consideration may be given if a quality development concept is advanced to generate the reinvestment strategy shown in this concept.
Rents	Residential rents at \$1.22/sf (today) are somewhat aggressive given the overall nature of the current marketplace and would require the high level of streetscape and landscape improvements shown in the TIA planning as well as quality building programming and unit design.
Hard Costs	The costs shown in this proforma have been planned to achieve a quality development with masonry exterior materials and quality interior finishes. While this cost may be reduced somewhat, it would not be advisable given the lower visual quality of surrounding uses.
Expenses	No tax abatement has been assumed. This may be an incentive tool that could be utilized to reduce the overall financial gap shown in this analysis.
Return on Cost	The financial gap is generated by the difference between the project return on cost as generated through this proforma analysis and a minimum assumed investor threshold of 7.25%. Certain development groups can be more aggressive on yields by incorporating other revenue streams (i.e. management fees, construction fees, etc.). The related financial gap would adjust accordingly.
Financial Gap	The financial gap shown here is for the vertical development only. The total gap associated with the full development is identified in Table 4AJ.



Shiloh/ Walnut TIA

Table 4AM. Development Costs (Project 3.2 Mixed Use Block)

Development Costs		
Development Project	\$/SF	Total
Land Allocation	\$17.98	\$4,349,000
Sitework Allocation	\$1.61	\$390,000
Sitework Contingency	\$0.06	\$16,000
Parking Spaces (surface)	\$3.39	\$820,000
Hard Costs (on & offsite)	\$80.93	\$19,577,000
Hard Cost Contingency	\$3.45	\$834,000
Retail TI	\$1.86	\$451,000
Soft Costs	\$16.06	\$3,884,000
Soft Cost Contingency	\$0.64	\$155,000
Total Project Costs	\$125.98	\$30,476,000

Offsite Development Costs		
Public Streetscape Improvements	\$/LF	Total
East/west entry road from Shiloh	\$715.33	\$408,231
Shiloh/Walnut edge improvements	\$321.98	\$335,981
North/South entry parkway from Walnut	\$508.59	\$347,178
Total Hard Costs		\$1,091,390
Design/Engineering	12%	\$130,967
Contingency	15%	\$183,354
Total Streetscape Costs		\$1,405,710

Figure 4X. Project 3.2 Mixed Use Block

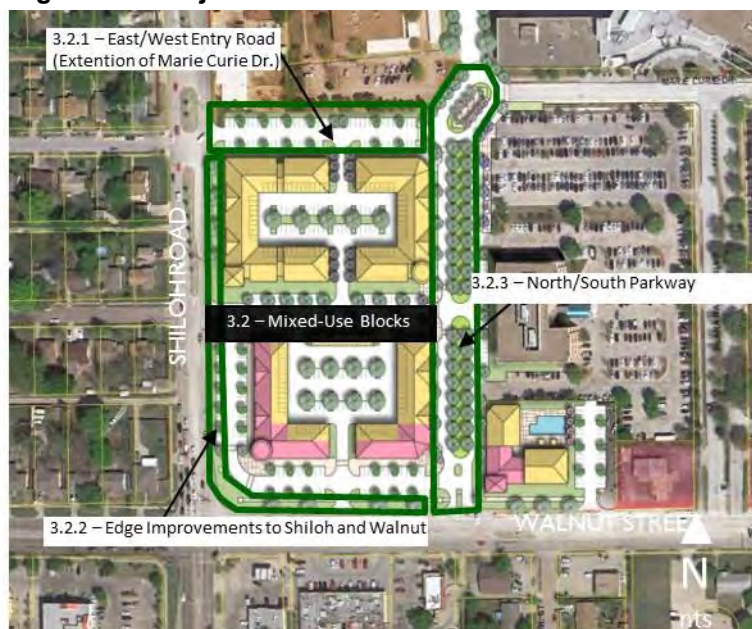


Table 4AN. Development Financing (Project 3.2 Mixed Use Block)

Development Financing	
Project Income	Total
Residential Income	\$3,392,000
Retail Income	\$338,000
Other Income	\$92,000
Vacancy & Credit Loss	(\$299,000)
Effective Gross Income	\$3,523,000
Project Expenses	Total
Controllable & Non-Controllable	\$771,000
Real Estate Taxes	\$575,000
Capital Reserve	\$21,000
Total Expenses	\$1,367,000
Net Operating Income	\$2,156,000
Financing	Total
Total Development Costs	\$ 30,476,000
Loan Amount (70%)	\$ 21,333,200
Equity Amount (30%)	\$ 9,142,800
Debt Service (4.50% IR)	\$1,297,106
Cash Flow After Debt Service	\$858,894
Debt Coverage Ratio (DCR)	1.66

Figure 5Y. Project 3.2 Artist Rendering



New Parkway Street

Credit: Catalyst Group



Table 4AO. Catalyst Program (Project 3.2 Mixed Use Block)

Catalyst Program			Monthly Rent PSF	
Land Use	GSF (sf)	Units	Today	Stabilized
Residential	216,150	264	\$1.21	\$1.31
Clubhouse	3,200		\$0.00	\$0.00
Retail	22,545		\$1.25	\$1.25
Total Program	241,895		\$1.20	\$1.28

Table 4AP. Catalyst Project Summary (Project 3.2 Mixed Use Block)

Catalyst Project Summary	
Private Sector Development Project	
Stabilized Return on Costs	7.07%
Untrended Return on Costs	6.54%
Return on Equity	9.39%
Immediate Return Required	7.25%
Gap Analysis	
Total Development Costs	\$ 30,476,000
Less Private Sources of Debt & Equity	\$ 27,494,550
Debt	\$ 21,333,200
Equity	\$ 6,161,350
Total Economic Gap	\$2,981,450

Tools to Cover the Gap
<ul style="list-style-type: none"> • City infrastructure financing (bonds) • EB5 Immigrant Investor Loan • New Market Tax Credit equity • Tax Increment Financing • Traditional sources of debt and equity • Low Income Housing Tax Credit • CDBG Section 108 Loan

Financial Proforma Summary (Project 3.2 Mixed Use Block)

Several issues influence the economics and related financial gap for the mixed-use block (Project 3.2) of the Shiloh/ Walnut TIA.

Land Cost	At \$17.98/sf, this land cost is higher than the acceptable cost of land for this type of project in a suburban area. Further, given this land currently has cash-flowing properties and is held privately, it is doubtful it would be able to be acquired for less (and may be more expensive). This is one factor driving the financial gap.
Rents	Retail rents are shown at \$15/sf (\$1.25/sf monthly). This rate is lower than may be achievable and, if so, project performance would improve. That said, residential rents at \$1.21/sf (today) are somewhat aggressive given the overall nature of the current marketplace and would require the high level of streetscape and landscape improvements shown in the TIA planning as well as quality building programming and unit design to achieve.
Hard Costs	The costs shown in this proforma have been planned to achieve a quality development with masonry exterior materials and quality interior finishes. While this cost may be reduced somewhat, it would not be advisable given the lower visual quality of surrounding uses.
Expenses	No tax abatement has been assumed. This may be an incentive tool that could be utilized to reduce the overall financial gap shown in this analysis.
Return on Cost	The financial gap is generated by the difference between the project return on cost as generated through this proforma analysis and a minimum assumed investor threshold of 7.25%. Certain development groups can be more aggressive on yields by incorporating other revenue streams (i.e. mgt fees, construction fees, etc.), the related financial gap would adjust accordingly.
Financial Gap	The financial gap shown here is for the vertical development only. The total gap associated with the full development is identified in 4AP.



Implementation Factors

As described in the Introduction section of this report, a central tenet of Envision Garland and the ED Strategy is directing strategic investment to this Study Area. For the overall Study Area and its TIA's, a series of implementation strategies has been developed to encourage and attract private investment and reinvestment. These general strategy concepts are defined in Table 4AQ for this TIA. Detailed implementation actions associated with the catalyst projects in this TIA are defined in Section 5.

Table 4AQ. Implementation Action Concepts

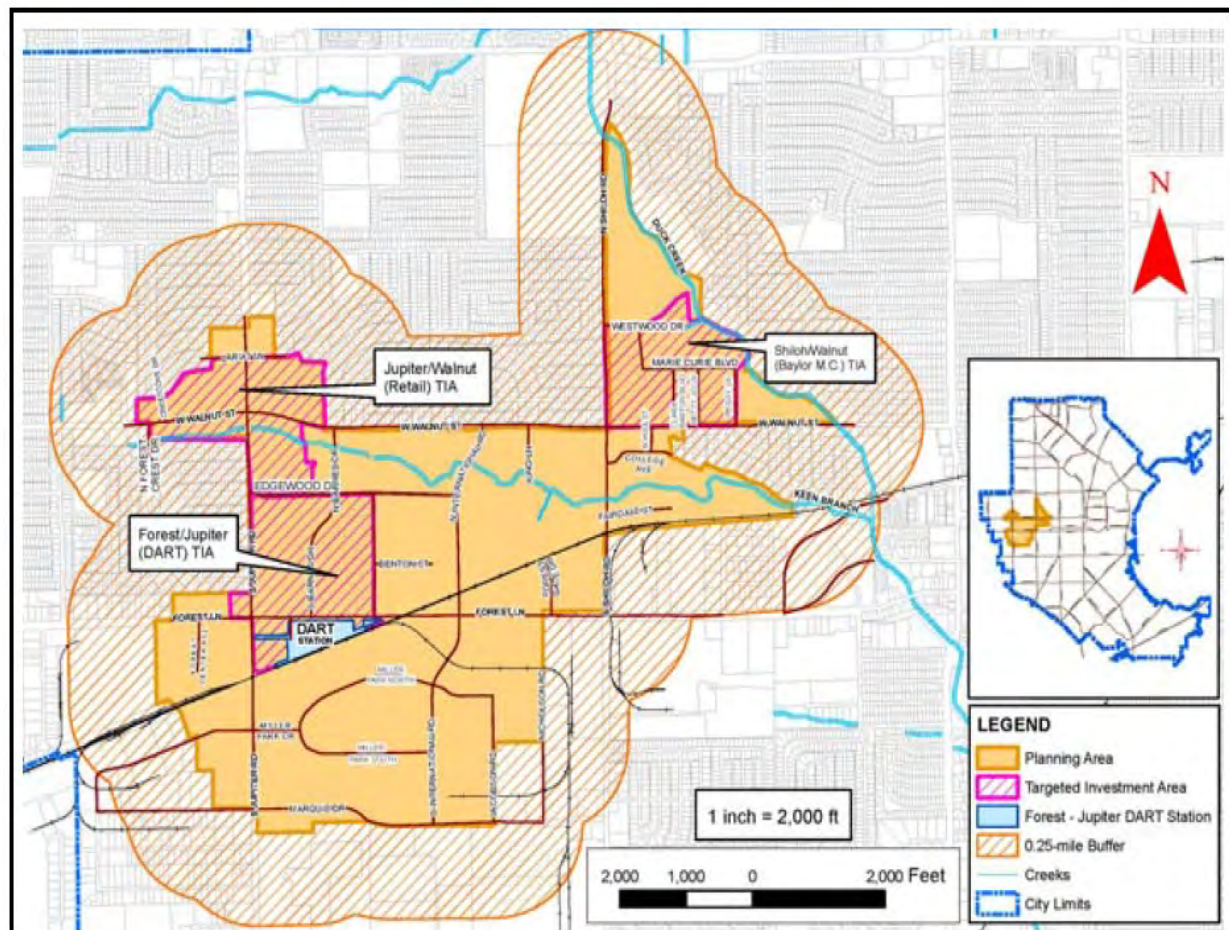
<p>Financial</p> <ul style="list-style-type: none"> ◆ Gap Financing (new investment and reinvestment) ◆ CDBG Dollars ◆ Signature Project Public-Private Partnership ◆ Reinvestment Incentives (Residential and Commercial) ◆ Section 108 Loan Program ◆ Low Income Housing Tax Credit (LIHTC) ◆ HUD 221(d)(4) Mortgage Insurance Program ◆ TIGER Grant for TOD Infrastructure Improvements ◆ Private Investment <p>Regulatory</p> <ul style="list-style-type: none"> ◆ Re-Zoning ◆ Design Standards ◆ Reduced Parking Requirements ◆ Enhanced Security (police presence, lighting, design) ◆ Historic Preservation ◆ Code Enforcement ◆ Diversify Housing Inventory ◆ Graffiti Abatement 	<p>Organizational</p> <ul style="list-style-type: none"> ◆ Business Improvement District Services ◆ Business Owner Outreach/ Awareness Program ◆ Commercial Property Owner Outreach/ Awareness Program <p>Political</p> <ul style="list-style-type: none"> ◆ Balanced Growth Policies ◆ Affordable Housing Policies ◆ Long-Term Support for Envision Garland and ED Strategy <p>Market</p> <ul style="list-style-type: none"> ◆ Small Business Assistance ◆ Brand Identification (Districts) ◆ Business Promotion ◆ Stronger Retail Mix <p>Physical</p> <ul style="list-style-type: none"> ◆ Streetscape ◆ Pedestrian Improvements ◆ Infrastructure Improvements ◆ Gateway Improvements ◆ Open / Public Space Improvements ◆ Trail Improvements ◆ Bike Paths ◆ ADA Improvements
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Section 5: Implementation

Following defining a vision and desired results, comes the challenge of outlining an implementable strategy for promoting investment in the Study Area as envisioned in this *Redevelopment Plan*. As discussed during the planning process, success will depend on implementing a series of actions or strategies designed to capitalize on market opportunities and overcome barriers – effectively readying the environment for investment. Figure 5A illustrates the Study Area boundaries and TIA locations. The key to advancing the long-term vision expressed herein will be the continued monitoring of these strategies to ensure they are tailored to the unique circumstances and potential catalyst projects within the Area. Through this approach the City will:

- ◆ Position the public sector as the early lead in this initiative (private investment follows public commitment);
- ◆ Build community support whereas progress will be visible;
- ◆ Enhance quality-of-life near-term as conditions are improved;
- ◆ Send a message that the Study Area is successful and making positive strides; and,
- ◆ Create an increasingly attractive environment for investment in the TIA's.

Figure 5A Study Area





Strategy Fundamentals

There are two common complaints associated with redevelopment initiatives that are lead by a City. The first is whether this is an activity that a City should undertake rather than the private marketplace and, if such a decision is made, the second has to do with the speed with which investment decisions are made. This *Redevelopment Plan* addresses these two concerns through the following.

First, the analysis of the existing Study Area conditions has shown it to be comprised of a range of land uses and property owners without a common plan, organization, or active and consistent market interest. As such, the City has undertaken the initial step of preparing this *Redevelopment Plan* based on stakeholder input to provide a strategic framework to inform future decisions, a tool for Study Area property owners to use in generating marketplace interest, and a resource to reduce the cost of outside developer/investor initial underwriting for each TIA.

Secondly, a fundamental assumption in the recommendations associated with this *Redevelopment Plan* is that there will be a hierarchy of decision-making. The first layer will involve the private sector (applicant) interface with City Staff, where they will be provided all relevant policy and regulating documents associated with the *Redevelopment Plan* and Study Area. The second layer will be between Staff, the applicant, and relevant Boards and Commissions. Decision-making at this level will be informed by Staff recommendations and consistency with all City adopted documents. The third layer will be between Staff, the applicant and City Council. Decision-making at this level will be informed by Staff recommendations and those of the Boards and Commissions, as well as a set of guiding principles defined in *Envision Garland* and reflective of the expressed goals stated herein. Each of these principles is listed below.

Guiding Principles

The following guiding principles suggest that the Study Area be managed as one cohesive sub-market, strengthening, connecting and promoting its collection of diverse assets and responding in innovative ways to opportunities to leverage investment. They are intended to assist the City, advocacy organizations, and stakeholders with managing issues in the Study Area in a unified way by clarifying the role of the City and overall goals.

Guiding Principles

1. The City will be proactive and entrepreneurial in communicating the opportunities to the private marketplace
2. The City will utilize any appropriate revitalization tool to kick-start initial redevelopment and reinvestment.
3. The City's economic development profile will be elevated on a regional level by such activity.
4. The City will promote development and redevelopment that conforms to the community's vision, as expressed in this *Redevelopment Plan*.
5. The City will build the necessary public improvements shown in this *Redevelopment Plan* to connect the places where people work, live and play, while preserving and protecting neighborhood character.
6. The City will provide preference for the catalyst projects identified in this *Redevelopment Plan* due to their strategic locations.
7. The City will treat the TIA's as a portfolio of assets, realizing that each area will have differing levels of: market readiness; public financial support; and, public return on investment.
8. The City will avoid negative financial impacts to the funding of general government operations and effectively leverage public investment to attract private investment.
9. The City will provide assistance for eligible projects that have verifiable financing gaps at a level that is fiscally responsible.
10. Land use planning and zoning in the Study Area will be supportive of economic development and the goals of this *Redevelopment Plan*.

Study Area Strategies

The following list of strategies and actions are consistent with recommendations in *Envision Garland* and focused on the Study Area. Experience has shown that programs to maintain, promote and develop the concepts shown in this *Redevelopment Plan* cannot succeed in a fragmented structure and the relationship proposed between the City and Chamber will be critical towards advancing the concepts. As such, these strategies have been prepared for use by the City and Chamber towards the implementation of the economic development initiatives recommended in this *Redevelopment Plan* through a variety of improvements and services. Collectively, the synergies that these efforts create will enable properties in the Study Area to compete and offer a framework for the targeted use of Garland's scarce resources. A summary of these action items is listed in a matrix outlining the Study Area implementation concepts by TIA that has been included in Appendix Exhibit 5-1.

A. Operate with the Garland Chamber of Commerce (the Chamber) under a unified marketing incentive and business development platform to project a —nowrong door” image.

- 1) Develop a targeted industry analysis that defines desired strategic industries within and adjacent to the Study Area, and identify strategies to attract, relocate and / or expand industry within those clusters.
- 2) Continue to educate neighborhood and business associations in and around the Study Area in understanding the importance of redevelopment efforts and resources available to assist with redevelopment in each TIA.
- 3) Utilize existing nonprofit housing and redevelopment organizations as vehicles to market the vision and opportunities for each TIA.
- 4) Organize Study Area Stakeholders to help create a specific branding strategy for the Study Area and related TIA's.

B. Re-align roles and responsibilities within and between the City and Chamber to better focus skill sets and resources to enhance economic development efforts.

- 1) The City and Chamber will jointly accept a set of benchmarks for evaluating progress in advancing the *Redevelopment Plan*. These benchmarks will be used to communicate progress related to implementation.
- 2) Formalize the City's commitment to the revitalization of the Study Area by designating and empowering a staff-level professional to facilitate redevelopment efforts with the private sector, negotiate public-private partnerships for key projects, and to develop policies and programs for economic revitalization.
- 3) Designate City Staff (project managers) empowered to negotiate on behalf of the City at the staff level to facilitate coordination of permitting and approval process, resource allocation and elimination of all obstacles for key projects.
- 4) Institute a more formalized in-house process to evaluate (gap analysis) and negotiate economic development incentive packages by using a staff-management vetting process.
- 5) Given the limited number of parcels available in the Study Area for expansion by existing businesses, the Chamber will maintain an inventory of available parcels and continually monitor the expansion and relocation needs of businesses and industries in the Area.



C. In association with the Chamber, offer a comprehensive incentive program to facilitate redevelopment, business expansion, retention and attraction.

- 1) Evaluate existing incentives (e.g. tax abatement policy and existing TIF district) and modify as necessary to better attract investment for redevelopment in the Study Area. This will include analyzing the boundaries and use of the existing TIF district to expand on its resources in order to better capitalize on real estate market, business development opportunities, and public realm improvements.
- 2) Expand the menu of incentives for business expansion, urban infill, existing retail strip center and distressed commercial property within the TIA's.
- 3) Together, the City and Chamber will expand its small business development services to address the needs of ethnic interest in the Study Area. To this end, the City should consider a joint planning activity with a representative group of businesses to understand their resource and service needs.
- 4) Create a "war chest" through a wide variety of funding sources including federal appropriation funding that can serve as patient equity to leverage private development.
- 5) Research the application of Economic Development Administration (EDA), Housing and Urban Development (HUD) and other federal grant and loan funds for development and predevelopment support.
- 6) Partner with existing Community Development Financial Institutions (CDFIs) and Small Business Administration (SBA) lenders to expand the availability of capital for business expansion.
- 7) Develop a procedural and underwriting work plan that individual businesses can utilize in accessing SBA low interest business loans and New Markets Tax Credits (NMTC)
- 8) Explore the utilization of State economic development incentive programs, such as the Neighborhood Empowerment Zone (NEZ) program to encourage reinvestment in and adjacent to the Study Area.
- 9) Explore the utilization of a Business Improvement District (BID) to encourage business redevelopment in the Study Area or nearby large employers.
- 10) Institute an expedited development approval process as one of the incentives for key projects.
- 11) Explore the use of CDBG Section 108 low interest/favorable term loans for key job-creating projects.
- 12) Consider building a redevelopment fund for use in the Study Area along with an annual appropriation of general fund or Capital Improvement Plan (CIP) dollars combined with proceeds from the sale of City-owned property or Federal / State grant funds. In addition, revenues from successful catalyst projects could ultimately be earmarked for future redevelopment efforts. Such a revolving redevelopment fund would allow the City to quickly respond to investment opportunities that arise in the Study Area.

D. Revise development regulations to better encourage quality new investment and reuse of infill properties.

- 1) Revise the future land use map as shown in *Envision Garland* to match the more detailed Potential Redevelopment Concept shown in this *Redevelopment Plan* and that clearly illustrates TIAs as higher density mixed-use activity centers.

- 2) Consider adopting a form based zoning for the TIA's, or, (in conjunction with *Envision Garland* recommendations) create a mixed-use zoning district which permits vertical mixed-use by right in the TIA's. Utilize the design guidelines recommended in this *Redevelopment Plan* in such efforts.
- 3) Work with property owners to rezone parcels within the Study Area to be consistent with Potential Redevelopment Concept shown in this *Redevelopment Plan*.

E. Direct public investment into the TIA's to leverage private investment that advances the *Redevelopment Plan* vision.

- 1) Encourage and support the catalyst projects and implementation steps by TIA as shown in this *Redevelopment Plan*.
- 2) Package incentives tailored to the type of real estate issue / development opportunity and market to potential developers.
- 3) Offer pre-development assistance for strategic properties (site / property design, market analysis, conditions assessment, etc.)
- 4) Assign priority to TIAs in the allocation of capital improvement funds and establish a five-year capital improvement program for priority TIAs to fund improvements.
- 5) Establish a policy requiring an economic impact analysis of all projects receiving financial assistance for use in educating both elected officials and the local citizenry about returns on investment to the community.
- 6) Once redevelopment opportunities are identified and begin to implement, the City and Chamber will craft marketing tools that tell the investment story in an effort to maintain investment momentum.



Targeted Investment Area Strategies

Whereas the Study Area strategies described previously were broad, the strategies associated with the implementation of the specific catalyst projects recommended for the TIA's in this *Redevelopment* Plan are very specific. Implementing these activities will require strong and seamless collaboration based on Staff skill sets, resources, regulatory control, and the willingness and interest of property owners and outside developer/investors. With the assumption that the general strategies listed above are implemented, the specific action steps to implement the catalyst projects is identified by TIA in the format of the full matrix included in the appendix.

Forest Lane / Jupiter Road TIA

General Strategies

- ◆ With the planning concept of the industrial complex as an amenitized business park, the City and Chamber should work with property and business owners to determine the specific business amenities that could be executed within the area to promote new investment and expansion.
- ◆ The City and Chamber would work with property owners in the area to establish a crime watch program in partnership with the Garland Police Department.
- ◆ The specific recommendations should be followed.

Sequential Implementation Steps

Steps and actions associated with each of the three catalyst projects in the Forest/Jupiter TIA are presented in the following tables: Table 5A (Project 1.1), Table 5B (Project 1.2), and Table 5C (Project 1.3).

Table 5A. Forest/Jupiter TIA Catalyst Projects – Sequential Implementation Steps

Project 1.1 (South Mixed-Use Block) – Initial TIA Phase	
Step	Action
(1) Land Control	<ul style="list-style-type: none"> a. Hold discussions with DART regarding the potential for the parking lot west of Barnes Drive and vacant property to be used for development without replacement of parking. b. Agree upon terms with DART in which a property sale or ground lease would be acceptable for the west parking lot subject to developer interest. c. Determine the exact nature of land procurement DART would accept (request for qualifications, request for proposals, or direct sourcing) d. Obtain a Memorandum of Understanding from DART on the terms of these agreed upon options for use in discussions with developer/investors.
(2) Entitlement	<ul style="list-style-type: none"> a. Confirm the catalyst project will conform to the existing PD 03-47 standards and, if not, amend to incorporate the mixed-use development guidelines proposed in this <i>Redevelopment Plan</i>. b. Should rezoning be required, execute rezoning to accommodate all projects shown in the TIA concept working with each property owner.
(3) Conceptual Approval of Gap Financing and Partnership Concept	<ul style="list-style-type: none"> a. This project has been shown to have an estimated financial gap of \$2,265,249 on a total estimated development cost of \$23,905,071. This is made up of two public improvements (1.1.1 and 1.1.2) totaling \$715,405 and economic development needed to execute the vertical project totaling \$1,549,844 based on project assumptions in the <i>Redevelopment Plan</i>. The source of funds that have been envisioned to finance this gap is a combination of bonds, EB5 Immigrant Investor Loan, CDBG Section 108 loan, and/or Tax Increment Financing. b. Prior to specific developer/investor interest being obtained, the City Council should consider this amount of necessary gap financing, the identified source of funds (and others deemed appropriate), and the City's role in a potential public/private partnership. c. The City should determine the specific method it would accept for entering into a public/private partnership (through request for qualifications, request for proposals, or direct sourcing).
Upon determination of this process, approval of the gap financing and partnership concept, the City would prepare a simple Letter of Intent outlining this understanding for use in discussions with developer/investors.	
(4) Proactive Marketing to Prospective Developer/ Investors	<ul style="list-style-type: none"> a. City Staff and the Chamber would build a list of potential developer/ investors including those involved in the planning process and others deemed to have proven capabilities and success in this type of development. b. Utilizing the project materials from this <i>Redevelopment Plan</i>, the Memorandum of Understanding from DART, and the Letter of Intent from the City Council, City Staff and the Chamber begin approaching each developer/investor to gauge their interest in implementing the project. c. Following the steps outlined by the City's procurement rules, the City would select a specific developer/investor to move into detailed discussions.
(5) Public / Private Partnership and Contracts	<ul style="list-style-type: none"> a. The City will assist the developer in any information requests, etc that come out of their underwriting process b. The developer will perform their own proforma analysis and gap analysis to determine final economic gap based on their specific programming needs and communicate as such to the City. c. The City and developer will negotiate the terms of the final public/private partnership. d. The City will assist the developer to finalize the terms of the land agreement with DART as needed, and will also be available to work with the developer in its finalization of financing with lenders as needed. e. The City and developer will execute the public/private partnership.



Table 5B. Forest/Jupiter TIA Catalyst Projects – Sequential Implementation Steps

Project 1.2 (North Mixed-Use Block) – Phase Two	
Step	Action
(1) Conceptual Approval of Gap Financing and Partnership Concept	<ul style="list-style-type: none"> a. Through initial analysis, this project has been shown to have an estimated financial gap of \$1,951,989 on a total estimated development cost of \$35,076,713. This is made up of two public improvements (1.2.1 and 1.2.2) totaling \$635,235 and economic development needed to execute the vertical project totaling \$1,316,754 based on project assumptions in the <i>Redevelopment Plan</i>. The source of funds that have been envisioned to finance this gap is a combination of bonds, EB5 Immigrant Investor Loan, CDBG Section 108 loan, and/or Tax Increment Financing. b. As the price of land is variable based on land owner expectation and the prior project 1.1 would be in place to derive comparable statistics from, it will be necessary to determine a basic scale for public incentives (if any) prior to detailed discussion with developer/investors. As such, City Staff should update the financial projections from this <i>Redevelopment Plan</i> (as necessary), and submit this concept to City Council for consideration. c. The City Council should consider the amount of necessary gap financing, the identified source of funds (and others deemed appropriate), and the City's role in a potential public/private partnership. d. The City should determine the specific method it would accept for entering into a public/private partnership (through request for qualifications, request for proposals, or direct sourcing). e. Upon determination of this process, approval of the gap financing and partnership concept, the City would prepare a simple Letter of Intent outlining this understanding for use in discussions with developer/investors.
(2) Proactive Marketing to Prospective Developer/Investors	<ul style="list-style-type: none"> a. City Staff and the Chamber would build a list of potential developer/investors including those involved in the planning process and others deemed to have proven capabilities and success in this type of development.
Utilizing the project materials from this <i>Redevelopment Plan</i> , the Memorandum of Understanding from DART, and the Letter of Intent from the City Council, City Staff and the Chamber begin approaching each developer/investor to gauge their interest in implementing the project. Following the steps outlined by the City's procurement rules, the City would select a specific developer/investor to move into detailed discussions.	
(3) Land Control and Project Economics	<ul style="list-style-type: none"> a. As the two properties required to implement this process are held privately, any discussion regarding acquisition should not be made until it is determined what the budget for the project and gap financing (if necessary) would be. Once this is determined, the developer would engage in dialogue with the land owners to gauge land pricing. b. Based on nature of negotiations with land owner and details associated with its programming and market pricing, developer would prepare its own economic analysis and communicate these results to City for conceptual approval. c. Should negotiations end favorably, developer would enter into a purchase/sale agreement with land owners, with proper timing and contingencies for entitlement and financing as needed.
(4) Entitlement	<ul style="list-style-type: none"> a. Confirm the catalyst project will conform with the existing zoning and, if not, amend to incorporate the mixed-use development guidelines proposed in this <i>Redevelopment Plan</i> as a new planned development district (or mixed-use district if already adopted by City as part of the Study Area recommendations).

Table 5B. Forest/Jupiter TIA Catalyst Projects – Sequential Implementation Steps

Project 1.2 (North Mixed-Use Block) – Phase Two (continued)	
Step	Action
(5) Public / Private Partnership and Contracts	<ul style="list-style-type: none"> a. The City will assist the developer in any information requests, etc that come out of their underwriting process b. The developer will perform their own proforma analysis and gap analysis to determine final economic gap based on their specific programming needs and communicate as such to the City. c. The City and developer will negotiate the terms of the final public/private partnership. d. The City will be available to work with the developer in its finalization of financing with lenders as needed. e. The City and developer will execute the public/private partnership.

Table 5C. Forest/Jupiter TIA Catalyst Projects – Sequential Implementation Steps

Project 1.3 – Office/Research & Development (Phase Three)	
Step	Action
(1) User Identification	<ul style="list-style-type: none"> a. Implementation of this project triggers substantial public improvements costs associated with property acquisition to relocate DART parking, construction of pedestrian bridge from parking to the DART Forest / Jupiter station, and streetscape improvements. Due to this complexity and cost, it is anticipated that the only way this project will transpire if it is based on specific needs of a particular office / industrial user desiring expansion or relocation to the adjacent business park. b. Should such need arise, or should the City desire to advance this project, City staff and the Chamber will identify this user and work to receive a binding Letter of Intent outlining its specific needs and timing, contingent on financing and approvals. c. With this agreement in place, implementation of following steps begins.
(2) Land Control	<ul style="list-style-type: none"> a. Hold discussions with DART regarding the potential to replace the parking lot east of Barnes Drive to its proposed location south of the DART Forest / Jupiter station in order for their current property to be used for development. b. Agree upon terms with DART in which a property sale or ground lease would be acceptable for the east parking lot. c. Determine the exact nature of land procurement DART would accept (request for qualifications, request for proposals, or direct sourcing) d. Obtain a Memorandum of Understanding from DART on the terms of these agreed upon options for use in discussions with developer/investors.
(3) Entitlement	<ul style="list-style-type: none"> a. Should this property not have been rezoned in prior phases, City would execute rezoning to accommodate the user's project needs working with DART.



Table 5C. Forest/Jupiter TIA Catalyst Projects – Sequential Implementation Steps

Project 1.3 (Office/Research & Development) – Phase Three (continued)	
Step	Action
(4) Conceptual Approval of Gap Financing and Partnership Concept	<ul style="list-style-type: none"> a. Through initial analysis, this project has been shown to have an estimated financial gap of \$6,841,083 on a total estimated development cost of \$20,554,732. This is made up of three public improvements (1.3.1, 1.3.2 and 1.3.3) totaling \$6,674,644 and economic development needed to execute the vertical project totaling \$166,439 based on project assumptions in the <i>Redevelopment Plan</i>. The source of funds that have been envisioned to finance this gap is a combination of TxDOT Transportation Enhancement Program funds, TIGER Grant, NCTCOG Sustainable Development Grant funds, Tax Increment Financing, and/or bonds. b. Prior to specific developer/investor interest being obtained, the City Council should consider this amount of necessary gap financing, the identified source of funds (and others deemed appropriate), and the City's role in a potential public/private partnership. c. The City should determine the specific method it would accept for entering into a public/private partnership (through request for qualifications, request for proposals, or direct sourcing). d. Upon determination of this process, approval of the gap financing and partnership concept, the City would prepare a simple Letter of Intent outlining this understanding for use in discussions with developer/investors.
(5) Proactive Marketing to Prospective Developer/Investors	<ul style="list-style-type: none"> a. City Staff and the Chamber would build a list of potential developer/investors including those involved in the planning process and others deemed to have proven capabilities and success in this type of development. b. Utilizing the project materials from this <i>Redevelopment Plan</i>, the Letter of Interest from the User, the Memorandum of Understanding from DART, and the Letter of Intent from the City Council, City Staff and the Chamber begin approaching each developer/investor to gauge their interest in implementing the project. c. Following the steps outlined by the City's procurement rules, the City would select a specific developer/investor to move into detailed discussions.
(6) Public / Private Partnership and Contracts	<ul style="list-style-type: none"> a. The City will assist the developer in any information requests, etc that come out of their underwriting process b. The developer will perform their own proforma analysis and gap analysis to determine final economic gap based on their specific programming needs and communicate as such to the City. c. The City and developer will negotiate the terms of the final public/private partnership. d. The City will assist the developer to finalize the terms of the land agreement with DART as needed, and will also be available to work with the developer in its finalization of financing with lenders as needed. e. The City and developer will execute the public/private partnership.

Jupiter Road / Walnut Street TIA

General Strategies

- ◆ Work with Chamber, property and business owners to form a business association focused on the advancement of economic development and marketing efforts for this specific TIA, as well as programming of events, etc.
- ◆ Work with this formed group in the creation of a branding strategy for this ethnic retailing center.
- ◆ Provide small business expansion support, with particular emphasis on anchor retailers through partnerships with the Chamber's SBDC center.
- ◆ Promote business recruitment of certain types of businesses based on void/synergy (and compared with other ethnic centers that have been benchmarked).
- ◆ Undertake drainage study to determine land reclamation and improvements along Keen branch.
- ◆ The specific recommendations should be followed.

Sequential Implementation Steps

Steps and actions associated with each of the three catalyst projects in the Jupiter/Walnut TIA are presented in the following tables: Table 5D (Project 2.1), Table 5E (Project 2.2), and Table 5F (Project 2.3).



Table 5D. Jupiter/Walnut TIA Catalyst Projects – Sequential Implementation Steps

Project 2.1 (Northwest Retail Block) – Phase One	
Step	Action
(1) Initial Measurement of Developer Interest	<ul style="list-style-type: none"> a. Due to the poor quality of the existing retail center, this project involves the renovation of the existing retail and new infill development. As valuation of this asset should not be influenced by the potential for public/private partnership funding, the City may choose to contact several developer/investors with experience in such renovation to gauge their interest prior to detailed discussions with the owner beyond what has occurred to date in the planning process. b. If this is desirable, and utilizing the project materials from this <i>Redevelopment Plan</i>, City Staff and the Chamber begin approaching each developer/investor to gauge their interest in implementing the project. c. Should such interest be present, and following the steps outlined by the City's procurement rules, the City would select a developer/investor to prepare a simple Letter of Interest outlining their basic terms for the City's consideration based on the information prepared in this <i>Redevelopment Plan</i>, but contingent on their own more detailed analysis. d. With such formal interest displayed, the City and developer would progress in the following process.
(2) Refined Project Underwriting	<ul style="list-style-type: none"> a. As the property required to implement this process is held privately, any discussion regarding acquisition should not be made until it is determined what the budget for the project and gap financing (if necessary) would be. b. Through initial analysis, this project has been shown to have an estimated financial gap of \$1,474,044 on a total estimated development cost of \$19,726,824. This is made up of one public improvement (2.1.1) totaling \$574,290 and economic development needed to execute the vertical project totaling \$899,754 based on project assumptions in the <i>Redevelopment Plan</i>. The source of funds that have been envisioned to finance this gap is a combination of bonds, EB5 Immigrant Investor Loan, CDBG Section 108 loan, Chapter 380 Grant, and/or Tax Increment Financing. c. The use of New Markets Tax Credits is also a likely source of funds as it is well-suited to the type of project. As such, and to obtain more favorable pricing for these credits, the City may choose to seek its own allocation of these credits as an additional source of funds that can be offered. d. The City Council should consider the amount of necessary gap financing, the identified source of funds (and others deemed appropriate), and the City's role in a potential public/private partnership and communicate its option to the developer. e. Once this is determined, the developer would engage in separate dialogue with the land owner. Based on the outcome of this negotiation, current market pricing, and the City's communicated goals in gap financing and partnership structure, the developer would finalize its own economic analysis and communicate these results to City for conceptual approval.
(3) Land Control	<ul style="list-style-type: none"> a. Should negotiations with both the City and land owner end favorably, developer would enter into a purchase/sale agreement with land owner, with proper timing and contingencies for entitlement and financing as needed.
(4) Entitlement	<ul style="list-style-type: none"> a. Based on the programming of this <i>Redevelopment Plan</i>, the current project should work within existing zoning. Should the detailed programming desires of the owner and/or developer differ from existing zoning, a change in zoning would be pursued by the developer.

Table 5D. Jupiter/Walnut TIA Catalyst Projects – Sequential Implementation Steps

Project 2.1 (Northwest Retail Block) – Phase One (continued)	
Step	Action
(5) Public / Private Partnership and Contracts	<ul style="list-style-type: none"> a. The City will assist the developer in any information requests, etc that come out of their underwriting process b. The developer will finalize their own proforma analysis and gap analysis to determine final economic gap and communicate results to the City. c. The City and developer will negotiate the terms of the final public/private partnership if acceptable. d. The City will be available to work with the developer in its finalization of financing with lenders as needed. e. The City and developer will execute the public/private partnership.

Table 5E. Jupiter/Walnut TIA Catalyst Projects – Sequential Implementation Steps

Project 2.2 (Northeast Retail Block) – Phase Two	
Step	Action
(1) Initial Measurement of Owner Interest	<ul style="list-style-type: none"> a. Due to high assessments of property value and more recent property improvements, it is likely that this development concept will require the existing owner to be involved in the project, either as investor or developer. As such, and utilizing the project materials from this <i>Redevelopment Plan</i>, City Staff and the Chamber would approach the property owner to gauge their interest in pursuing the process below. b. Should such interest be present, the property owner would prepare a simple Letter of Interest outlining their basic terms for the City's use in discussions with developers and/or the City Council.
(2) Conceptual Approval of Gap Financing and Partnership Concept	<ul style="list-style-type: none"> a. Through initial analysis, this project has been shown to have an estimated financial gap of \$1,882,076 on a total estimated development cost of \$14,161,762. This is made up of one public improvement (2.2.1) totaling \$750,680 and economic development needed to execute the vertical project totaling \$1,131,396 based on project assumptions in the <i>Redevelopment Plan</i>. The source of funds that have been envisioned to finance this gap is a combination of bonds, EB5 Immigrant Investor Loan, CDBG Section 108 loan, Chapter 380 Grant, and/or Tax Increment Financing. b. The use of New Markets Tax Credits is likely on the private financing of this project. As such, and to obtain more favorable pricing for these credits, the City may choose to seek its own allocation of these credits as an additional source of funds that can be offered. c. It will be necessary to confirm a basic range of public investment prior to detailed discussion with developer/investors. As such, City Staff should update the financial projections from this <i>Redevelopment Plan</i> (if necessary based on discussion with the land owner), and submit this concept to City Council for consideration. d. The City Council should consider the amount of necessary gap financing, the identified source of funds (and others deemed appropriate), and the City's role in a potential public/private partnership. e. The City should determine the specific method it would accept for entering into a public/private partnership (through request for qualifications, request for proposals, or direct sourcing). f. Upon determination of this process, approval of the gap financing and partnership concept, the City would prepare a simple Letter of Intent outlining this understanding for use in discussions with developer/investors (if necessary).



Table 5E. Jupiter/Walnut TIA Catalyst Projects – Sequential Implementation Steps

Project 2.2 (Northeast Retail Block) – Phase Two (continued)	
Step	Action
(3) Proactive Marketing to Prospective Developer/ Investors	<ul style="list-style-type: none"> a. Should a separate developer be necessary, the City Staff and the Chamber would build a list of potential developer/investors including those involved in the planning process and others deemed to have proven capabilities and success in this type of development. b. Utilizing the project materials from this <i>Redevelopment Plan</i>, a Letter of Interest from the property owner, and the Letter of Intent from the City Council, City Staff and the Chamber begin approaching each developer/ investor to gauge their interest in implementing the project. c. Following the steps outlined by the City's procurement rules, the City would select a specific developer/investor to move into detailed discussions.
(4) Land Control and Project Economics	<ul style="list-style-type: none"> a. As the two properties required to implement this process are held privately, any discussion regarding acquisition should not be made until it is determined what the budget for the project and gap financing (if necessary) would be. Once this is determined, the developer would engage in separate dialogue with the land owner to finalize budgeting. b. Based on nature of negotiations with land owner and details associated with its programming and market pricing, developer would finalize its own economic analysis and communicate these results to City for conceptual approval. c. Should negotiations end favorably, developer would enter into a purchase/ sale agreement (or joint venture agreement) with land owner, with proper timing and contingencies for entitlement and financing as needed.
(5) Entitlement	<ul style="list-style-type: none"> a. Based on the programming of this <i>Redevelopment Plan</i>, the current project should work within existing zoning. Should the detailed programming desires of the owner and/or developer differ from existing zoning, a change in zoning would be pursued by the developer.
(6) Public / Private Partnership and Contracts	<ul style="list-style-type: none"> a. The City will assist the developer in any information requests, etc that come out of their underwriting process b. The developer/investor will finalize their own proforma analysis and gap analysis to determine final economic gap based on their specific programming needs, market pricing, and other variables and communicate as such to the City. c. The City and developer will negotiate the terms of the final public/private partnership if acceptable. d. The City will be available to work with the developer in its finalization of financing with lenders as needed. e. The City and developer/investor will execute the public/private partnership.

Table 5F. Jupiter/Walnut TIA Catalyst Projects – Sequential Implementation Steps

Project 2.3 (Southeast Retail Block) – Phase Three	
Step	Action
(1) Initial Measurement of Developer Interest	<ul style="list-style-type: none"> a. Due to the poor quality of the existing Walnut frontage and pad sites, this project involves the demolition of existing conditions, improvement of Keen Branch (and related land reclamation), and master horizontal development to achieve the concepts identified in this <i>Redevelopment Plan</i>. As valuation of this asset should not be influenced by the potential for public/ private partnership funding, the City may choose to contact several master

Table 5F. Jupiter/Walnut TIA Catalyst Projects – Sequential Implementation Steps

Project 2.3 (Southeast Retail Block) – Phase Three (continued)	
Step	Action
(1) Initial Measurement of Developer Interest (continued)	<p>developer/investors with experience in such horizontal retail land development programs to gauge their interest prior to detailed discussions with the owner beyond what has occurred to date in the planning process.</p> <p>b. If this is desirable, and utilizing the project materials from this <i>Redevelopment Plan</i>, City Staff and the Chamber begin approaching several identified master developer/investors to gauge their interest in implementing the project.</p> <p>c. Should such interest be present, and following the steps outlined by the City's procurement rules, the City would select a master developer/investor to prepare a simple Letter of Interest outlining their basic terms for the City's consideration based on the information prepared in this <i>Redevelopment Plan</i>, but contingent on their own more detailed analysis.</p> <p>d. With such formal interest displayed, the City and developer would progress in the following process.</p>
(2) Refined Project Underwriting	<p>a. Due to the poor quality of the existing Walnut frontage and pad sites, this project involves the demolition of existing conditions, improvement of Keen Branch (and related land reclamation), and master horizontal development to achieve the concepts identified in this <i>Redevelopment Plan</i>. As valuation of this asset should not be influenced by the potential for public/private partnership funding, the City may choose to contact several master developer/investors with experience in such horizontal retail land development programs to gauge their interest prior to detailed discussions with the owner beyond what has occurred to date in the planning process.</p> <p>b. If this is desirable, and utilizing the project materials from this <i>Redevelopment Plan</i>, City Staff and the Chamber begin approaching several identified master developer/investors to gauge their interest in implementing the project.</p> <p>c. Should such interest be present, and following the steps outlined by the City's procurement rules, the City would select a master developer/investor to prepare a simple Letter of Interest outlining their basic terms for the City's consideration based on the information prepared in this <i>Redevelopment Plan</i>, but contingent on their own more detailed analysis.</p> <p>d. With such formal interest displayed, the City and developer would progress in the following process.</p>
(3) Land Control	<p>a. Should negotiations with both the City and land owner end favorably, developer would enter into a purchase/sale agreement with land owner, with proper timing and contingencies for entitlement and financing as needed.</p>
(4) Entitlement	<p>a. Based on the programming of this <i>Redevelopment Plan</i>, the current project should work within existing zoning. Should the detailed programming desires of the owner and/or developer differ from existing zoning, a change in zoning would be pursued by the developer.</p>
(5) Public / Private Partnership and Contracts	<p>a. The City will assist the developer in any information requests, etc that come out of their underwriting process</p> <p>b. The developer will finalize their own proforma analysis and gap analysis to determine final economic gap and communicate results to the City.</p> <p>c. The City and developer will negotiate the terms of the final public/private partnership if acceptable.</p> <p>d. The City will be available to work with the developer in its finalization of financing with lenders as needed.</p> <p>e. The City and developer will execute the public/private partnership.</p>



Shiloh Road / Walnut Street TIA

General Strategies

- ◆ Work with BMC-Garland in the formal adoption of the strategies contained in this *Redevelopment Plan*, with particular focus on the concept of creating a grid street network to better define development blocks. Once determined, work with area real estate brokers to determine users suitable to invest on these blocks.
- ◆ Expand area of focus to include the former Vista Hospital campus. Work with local real estate brokers to determine potential users for the Vista campus.
- ◆ The specific recommendations should be followed.

Sequential Implementation Steps

Steps and actions associated with each of the two catalyst projects in the Shiloh/Walnut TIA are presented in the following tables: Table 5G (Project 3.1) and Table 5H (Project 3.2).

Table 5G. Shiloh/Walnut TIA Catalyst Projects – Sequential Implementation Steps

Project 3.1 (Senior Living) – Phase One	
Step	Action
(1) Land Control	<ul style="list-style-type: none"> a. Hold discussions with BMC-Garland regarding the potential for their partial small parking lot and vacant property on the extreme north end of their property to be used for development without replacement of parking. b. Agree upon conceptual terms with BMC-Garland in which a property sale or ground lease would be acceptable subject to developer interest. c. Determine the exact nature of land procurement BMC-Garland would accept (request for qualifications, request for proposals, or direct sourcing) d. Obtain a Memorandum of Understanding from BMC-Garland on the terms of these agreed upon options for use in discussions with developer/ investors.
(2) Entitlement	<ul style="list-style-type: none"> a. Confirm the catalyst project will conform to the existing PD standards and, if not, amend to incorporate the mixed-use development guidelines proposed in this <i>Redevelopment Plan</i>. b. Should rezoning be required, execute rezoning to accommodate all projects shown in the TIA concept working with each property owner.
(3) Conceptual Approval of Gap Financing and Partnership Concept	<ul style="list-style-type: none"> a. Through initial analysis, this project has been shown to have an estimated financial gap of \$2,449,213 on a total estimated development cost of \$16,697,299. This is made up of one on-site public improvement (50% of 3.1.1) totaling \$391,422, two off-site public improvements totaling \$650,970, and economic development needed to execute the vertical project totaling \$1,406,821 based on project assumptions in the <i>Redevelopment Plan</i>. The source of funds that have been envisioned to finance this gap is a combination of bonds, EB5 Immigrant Investor Loan, CDBG Section 108 loan, and/or Tax Increment Financing. b. Prior to specific developer/investor interest being obtained, the City Council should consider this amount of necessary gap financing, the identified source of funds (and others deemed appropriate), and the City's role in a potential public/private partnership. c. The City should determine the specific method it would accept for entering into a public/private partnership (through request for qualifications, request for proposals, or direct sourcing). d. Upon determination of this process, approval of the gap financing and partnership concept, the City would prepare a simple Letter of Intent outlining this understanding for use in discussions with developer/investors.
(4) Proactive Marketing to Prospective Developer/ Investors	<ul style="list-style-type: none"> a. City Staff and the Chamber would build a list of potential developer/ investors including those involved in the planning process and others deemed to have proven capabilities and success in this type of development. b. Utilizing the project materials from this <i>Redevelopment Plan</i>, the Memorandum of Understanding from BMC-Dallas, and the Letter of Intent from the City Council, City Staff and the Chamber begin approaching each developer/investor to gauge their interest in implementing the project. c. Following the steps outlined by the City's procurement rules, the City would select a specific developer/investor to move into detailed discussions.
(5) Public / Private Partnership and Contracts	<ul style="list-style-type: none"> a. The City will assist the developer in any information requests, etc that come out of their underwriting process b. The developer will perform their own proforma analysis and gap analysis to determine final economic gap based on their specific programming needs and communicate as such to the City. c. The City and developer will negotiate terms of final public/private partnership. d. The City will assist the developer to finalize the terms of the land agreement with BMC-Garland as needed, and will also be available to work with the developer in its finalization of financing with lenders as needed. e. The City and developer will execute the public/private partnership.



Table 5H. Shiloh/Walnut TIA Catalyst Projects – Sequential Implementation Steps

Project 3.2 (Mixed-Use Block) – Phase Two	
Step	Action
(1) Conceptual Approval of Gap Financing and Partnership Concept	<ul style="list-style-type: none"> a. Through initial analysis, this project has been shown to have an estimated financial gap of \$2,981,450 on a total estimated development cost of \$30,475,878. This is made up of two on-site public improvements (3.2.1 and 3.2.2) totaling \$514,688, one off-site public improvement (3.2.3) totaling \$447,166, and economic development funds needed to execute the vertical project totaling \$2,019,596 based on project assumptions in the <i>Redevelopment Plan</i>. The source of funds that have been envisioned to finance this gap is a combination of bonds, EB5 Immigrant Investor Loan, CDBG Section 108 loan, and/or Tax Increment Financing. b. As the price of land is variable based on land owner expectation and the prior project 3.1 would be in place to derive comparable statistics from, it will be necessary to determine a basic scale for public incentives (if any) prior to detailed discussion with developer/investors. As such, City Staff should update the financial projections from this <i>Redevelopment Plan</i> (as necessary), and submit this concept to City Council for consideration. c. The City Council should consider the amount of necessary gap financing, the identified source of funds (and others deemed appropriate), and the City's role in a potential public/private partnership. d. The City should determine the specific method it would accept for entering into a public/private partnership (through request for qualifications, request for proposals, or direct sourcing). e. Upon determination of this process, approval of the gap financing and partnership concept, the City would prepare a simple Letter of Intent outlining this understanding for use in discussions with developer/investors.
(2) Proactive Marketing to Prospective Developer/ Investors	<ul style="list-style-type: none"> a. City Staff and the Chamber would build a list of potential developer/ investors including those involved in the planning process and others deemed to have proven capabilities and success in this type of development. b. Utilizing the project materials from this <i>Redevelopment Plan</i>, the Memorandum of Understanding from DART, and the Letter of Intent from the City Council, City Staff and the Chamber begin approaching each developer/investor to gauge their interest in implementing the project. c. Following the steps outlined by the City's procurement rules, the City would select a specific developer/investor to move into detailed discussions.
(3) Land Control and Project Economics	<ul style="list-style-type: none"> a. As the two properties required to implement this process are held privately, any discussion regarding acquisition should not be made until it is determined what the budget for the project and gap financing (if necessary) would be. Once this is determined, the developer would engage in dialogue with the land owners to gauge land pricing. b. Based on the nature of negotiations with the land owners and details associated with its programming and market pricing, developer would prepare its own economic analysis and communicate these results to City for conceptual approval. c. Should negotiations end favorably, developer would enter into a purchase/ sale agreement with land owners, with proper timing and contingencies for entitlement and financing as needed.
(4) Entitlement	<ul style="list-style-type: none"> a. Confirm the catalyst project will conform with the existing zoning and, if not, amend to incorporate the mixed-use development guidelines proposed in this <i>Redevelopment Plan</i> as a new planned development district (or mixed-use district if already adopted by City as part of the Study Area recommendations).

Table 5H. Shiloh/Walnut TIA Catalyst Projects – Sequential Implementation Steps

Project 3.2 (Mixed-Use Block) – Phase Two (continued)	
Step	Action
(5) Public / Private Partnership and Contracts	<ul style="list-style-type: none"> a. The City will assist the developer in any information requests, etc. that come out of their underwriting process b. The City will be available to work with the developer in its finalization of financing with lenders as needed. c. The developer will update their own proforma analysis and gap analysis to determine final economic gap based on their specific programming needs, and final market pricing, and communicate as such to the City. d. The City and developer will negotiate the terms of the final public/private partnership if acceptable. e. The City and developer will execute the public/private partnership.

Conclusion

In summary, successful implementation of this *Redevelopment Plan* will be dependent on committed leadership from the public and private sectors. So as to ensure that the *Redevelopment Plan* will not be vulnerable to the failure of one project -- many projects should be underway at any given time, and a wide variety of stakeholders will be involved. Experience has shown that success is dependent on capitalizing on opportunities while also removing barriers to investment. This said, regulations should allow for and encourage the vision for the Study Area and prohibit anything inconsistent with that vision. Victories, even minor ones, will be continually broadcast through an on-going communications strategy, and all policy and regulatory documents will be aligned towards a common goal – to advance the vision expressed herein.

Redevelopment is never easy, but always exciting. It is challenging, and as such requires higher levels of analysis, planning and assistance. It is widely accepted that early projects in any revitalization effort should be assisted at least until market conditions reach levels where new construction can more than support itself. The Study Area is but one subset of a larger market, and as such, has strengths which can be capitalized on and limitations which need to be overcome. These limitations, commonly referred to in this *Redevelopment Plan* as barriers, pose unique obstacles which require unique solutions. Given the importance of key anchors including major employers within the Study Area (including existing industry clusters and the BMC-Garland campus) have a tremendous influence on the economic well-being of the entire region. These valued assets must be protected and the environment within which they operate improved and maintained.

The proposed approach to redevelopment of the Study Area encourages strategic investment in the core TIA's to deliver an appropriate mix of land uses, with a greater emphasis to multiple forms of access, resulting in a unique sense of place. The *Redevelopment Plan* is intended to assist the City and other advocacy partners with a technical framework for discussions regarding market opportunities, development programming alternatives, and partnership strategies. The vision and directives referenced here were developed with input from stakeholders who participated in the planning process including property and business owners, apartment managers, and institutional representatives along with City and Chamber Staff and guidance from the Consultant Team.

This strategic planning effort was designed to provide the stakeholders with a clear vision of intended investment and criteria with which to evaluate specific development proposals located in the Study Area. The *Redevelopment Plan* is intended to provide recommendations for improvements and policy reform which can be implemented over the near- and long-term.

Ultimately, this strategic document will serve as the roadmap to move the community's vision towards reality and to ensure that redevelopment of the Study Area is accomplished in a way that balances private investment objectives with community sustainability.

Appendix 1 (Introduction)

Exhibit 1-1. Public Meeting Summary

Date	Location	Format	Accomplishment
03/07/2012	GISD Administration 601 S. Jupiter Road	Public Meeting	Understand existing conditions Identify issues and opportunities Develop criteria for catalytic projects
06/27/2012	Northeast Church 318 N. Shiloh Road	Public Meeting	Review draft catalyst projects Prioritize key elements of each project
09/25/2012	Northeast Church 318 N. Shiloh Road	Public Meeting	Finalize proposed catalyst projects Input on implementation priorities
10/08/2012	City Hall 200 N. Fifth Street	Plan Commission	Briefing and input from Plan Commission
04/15/2013	City Hall 200 N. Fifth Street	City Council	Briefing and input from City Council
05/07/2013	City Hall 200 N. Fifth Street	City Council	Presentation to and Action by City Council

Exhibit 1-2. Public Meeting Survey Results

Results from General Study Area Public Discussion

Positive Study Area Issues and Locations

- ◆ The BMC-Garland Campus
- ◆ Proximity and Access to Employment
- ◆ Light Industrial Campus
- ◆ Ease of Product Movement to I-635
- ◆ DART Forest/Jupiter Station Grounds

Negative Study Area Issues and Locations

- ◆ Blocks between Barnes Drive, International Road, Edgewood Drive and Forest Lane
- ◆ Patrons of the DART Station
- ◆ General Noise Concerns
- ◆ Decline of Neighborhoods
- ◆ Decline of Restaurants and Housing
- ◆ Location of Parole Office
- ◆ Expanding Ethnicities and Lack of Services
- ◆ Neglected Properties South of Edgewood
- ◆ Inability to Walk Safely to DART Station

Results of Ranking of Top Community Priorities

Pedestrian Friendly Experiences	1
More Positive Community Identity	2
Greater Diversity of Retail Formats	3
Better Connections for Walking, etc	4
More Interactive Streets & Streetscape	5
Better Defined Open Space System	6
Expanded Choice of Workplaces	7
Expanded Choice of Housing Types	8
Better Sense of Community Scale	9



Exhibit 1-3. Responses to Questionnaires

Study Area Residents and Workers Responses to Questionnaire:

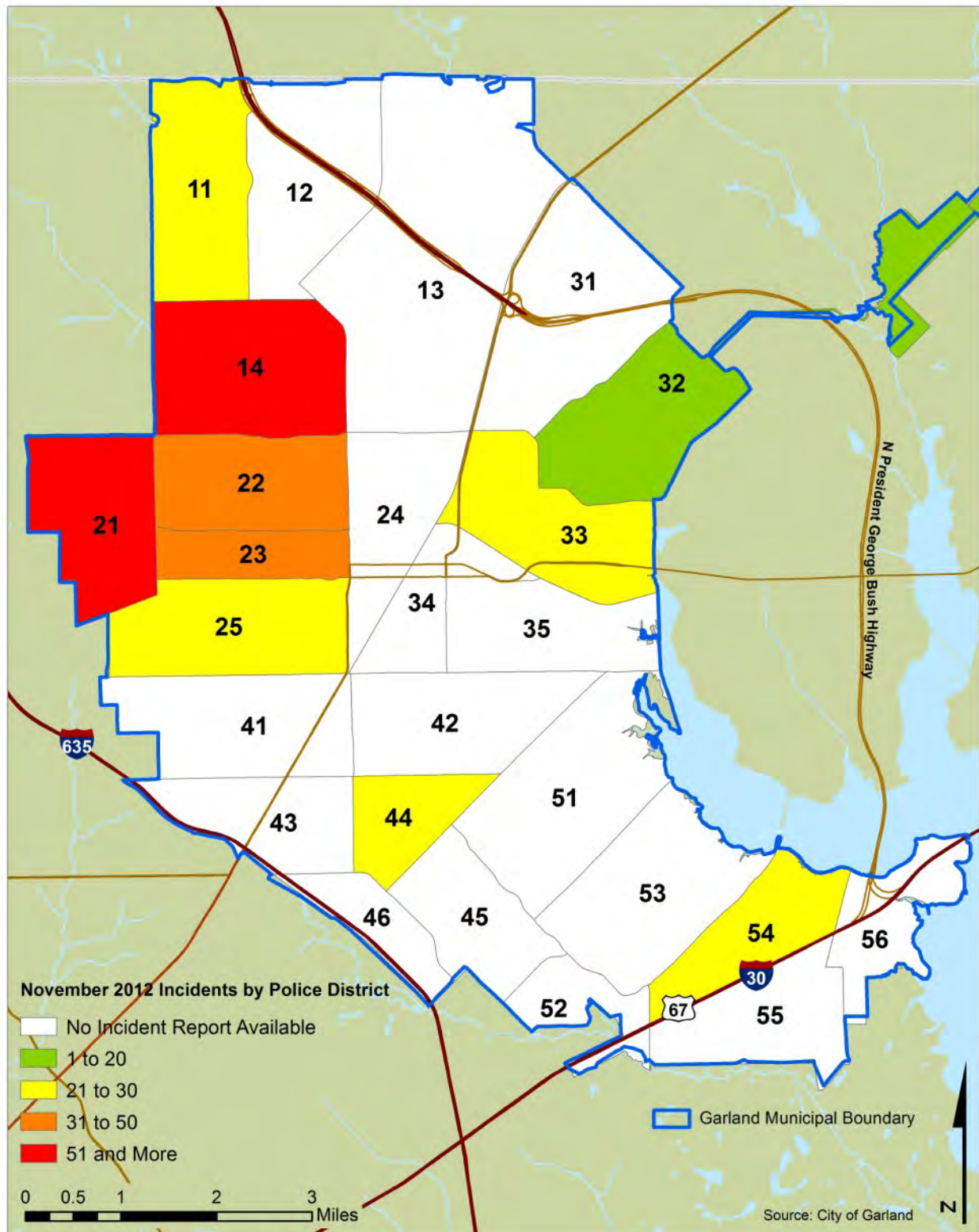
- 1) What are the most significant changes occurring in the Study Area?
 - Aging of public improvements 18%
 - There are no significant changes 17%
 - Increase in residential population density 9%
 - Declining identity of the area 8%
 - Businesses are expanding 8%
 - Demographic decline in area neighborhoods 8%
 - Poor land use transition and connections 8%
 - Degrading area aesthetics and visual quality 8%
 - There has been an influx of transients 8%
 - There is an increase in renters vs. home owners .. 8%
- 2) Do these changes encourage or discourage you?
 - Discourage 56%
 - Encourage 33%
 - No change 11%
- 3) Will these conditions improve or decline over 10 years?
 - Decline 33%
 - No change 11%
 - Improve 56%
- 4) Do you take transit to and from this area?
 - No 70%
 - Yes 30%

Business and Property Owner Responses:

- 1) Has your market expanded or contracted in recent years?
 - Contracted 30%
 - Stayed Same 20%
 - Expanded 50%
- 2) Will your market expand or contract over next 10 years?
 - Contract 23%
 - Stay Same 15%
 - Expand 62%
- 3) Do you plan to expand your investment?
 - No 45%
 - Unsure 18%
 - Yes 37%
- 4) Do you plan to sell your investment?
 - No 80%
 - Unsure 10%
 - Yes 10%
- 5) What are largest factors affecting answers above?
 - Business Sales/Revenue 32%
 - Improved Pedestrian Access 25%
 - Employment Cost 15%
 - Safety 07%
 - Brand Name 07%
 - Construction Costs 07%
 - Rent Increase 07%

Appendix 2 (Existing Conditions)

Exhibit 2-1. City of Garland Police District Map





Jupiter / Walnut TIA Retail Inventory Analysis

Exhibit 2-2. Retail Inventory Chart (NW Quadrant Jupiter/Walnut TIA)

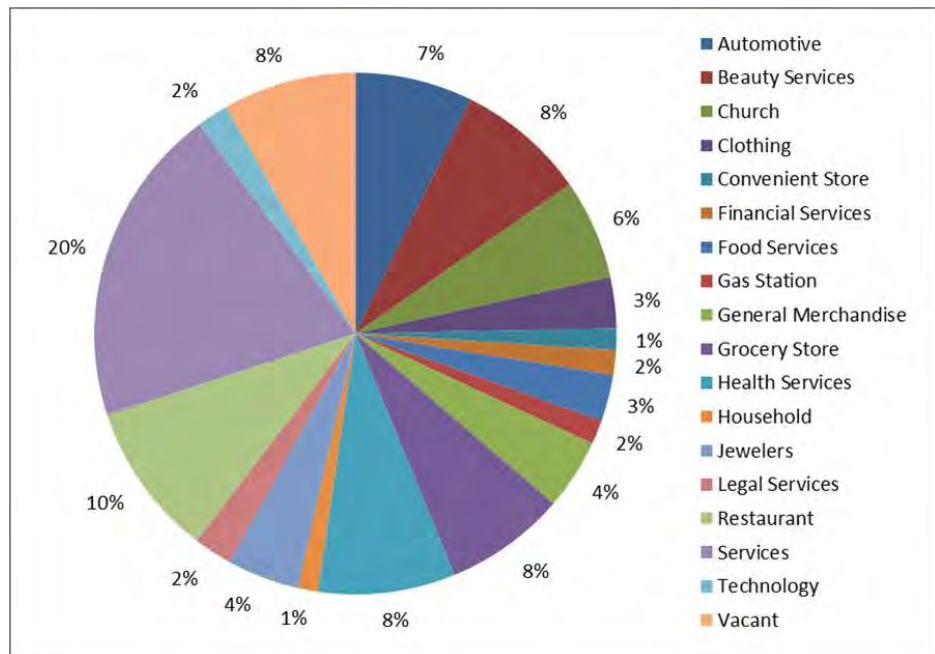


Exhibit 2-3. Retail Inventory Aerial Map (NW Quadrant Jupiter/Walnut TIA)

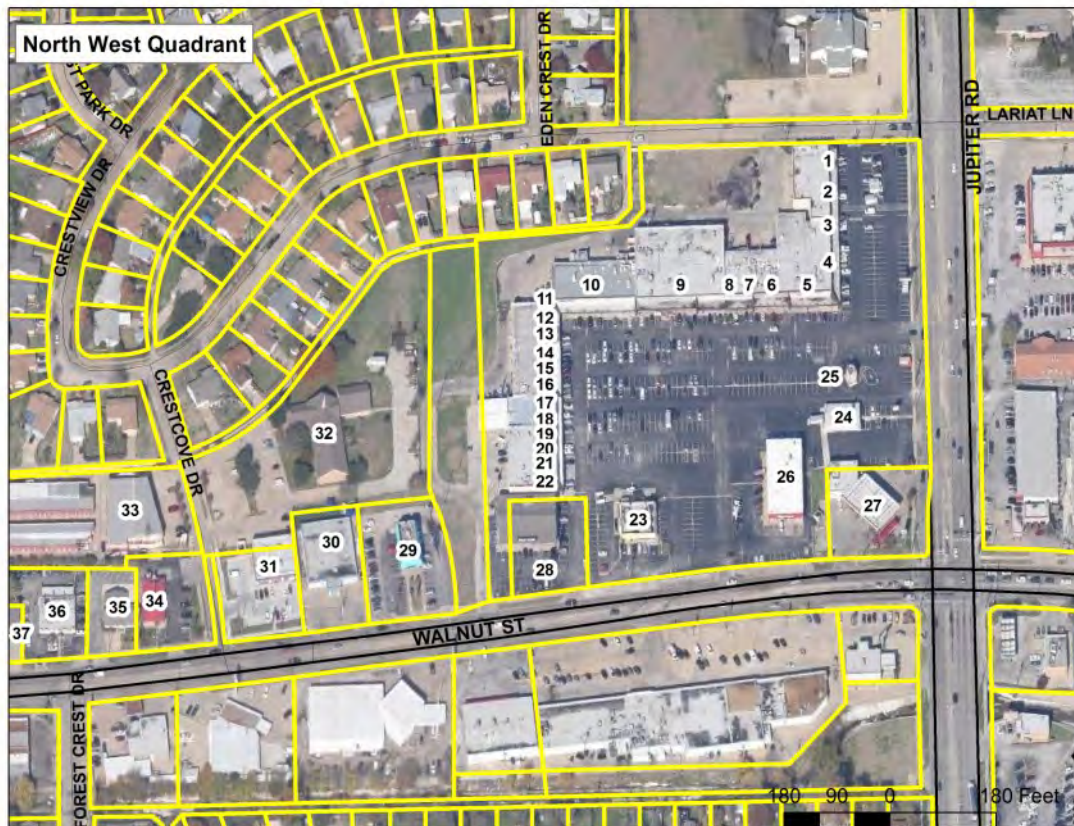


Exhibit 2-4. Retail Inventory Chart (NE Quadrant Jupiter/Walnut TIA)

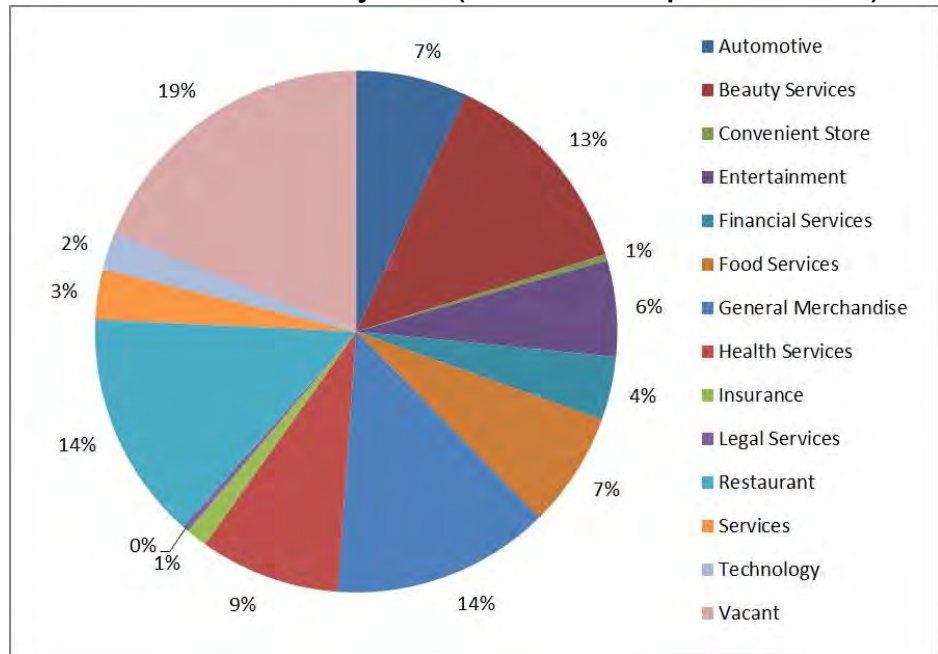


Exhibit 2-5. Retail Inventory Aerial Map (NE Quadrant Jupiter/Walnut TIA)





Exhibit 2-6. Retail Inventory Chart (SE Quadrant Jupiter/Walnut TIA)

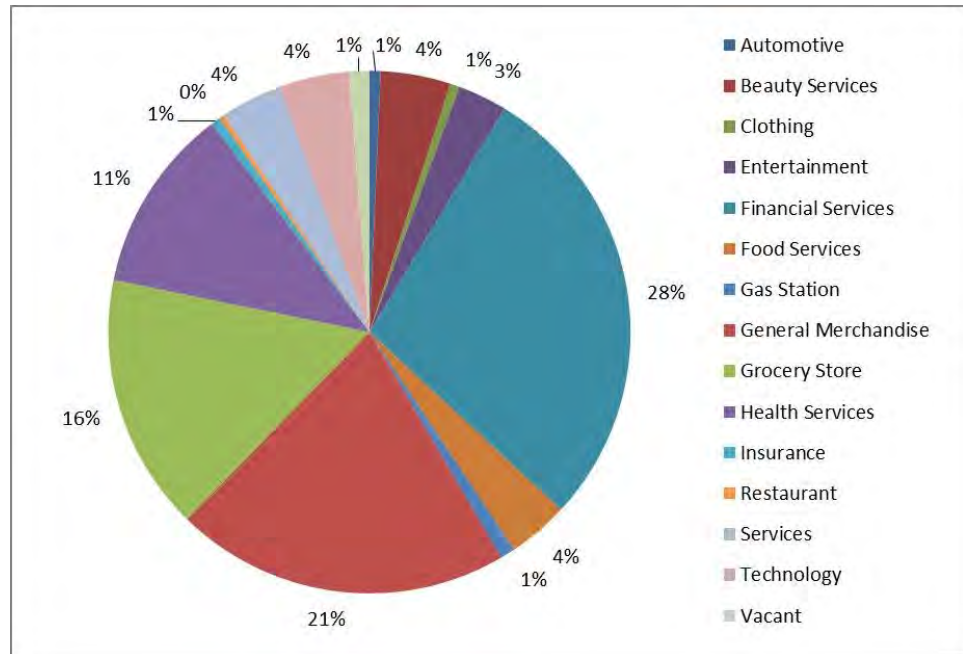


Exhibit 2-7. Retail Inventory Aerial Map (SE Quadrant Jupiter/Walnut TIA)

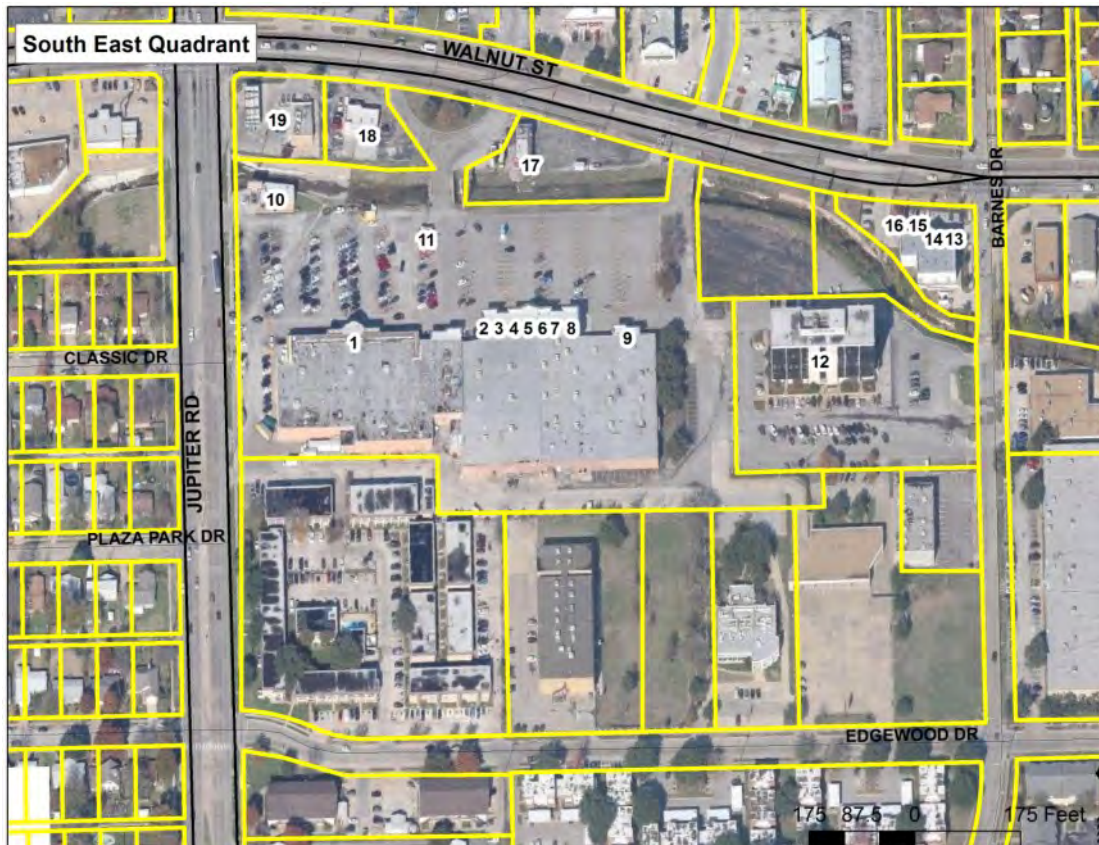


Exhibit 2-8. Retail Inventory Chart (SW Quadrant Jupiter/Walnut TIA)

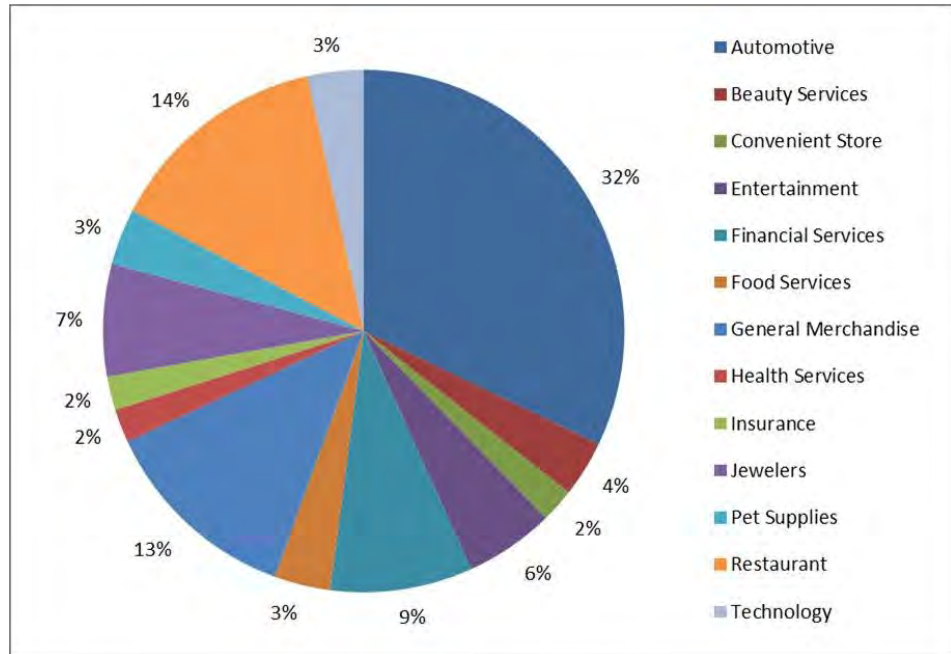


Exhibit 2-9. Retail Inventory Aerial Map (SW Quadrant Jupiter/Walnut TIA)





Appendix 3 (Market Composition)

Exhibit 3-1. Population and Household Growth

	City of Garland	Trade Ar- ea	DFW Met- ro
Population			
2000 Census	215,768	765,510	5,161,544
2010 Census	226,876	859,206	6,371,773
2011 estimate	227,730	869,185	6,627,743
2016 projected	239,347	920,632	7,257,611
2000-2011 CAAGR*	0.5%	1.2%	2.3%
2011-2016 CAAGR*	1.0%	1.2%	1.8%
Households			
2000 Census	73,241	287,153	1,881,056
2010 Census	75,696	316,304	2,298,498
2011 estimate	75,946	319,377	2,367,002
2016 projected	79,426	335,668	2,582,386
2021 projected	79,949	352,790	2,829,283
2000-2011 CAAGR*	0.3%	1.0%	1.8%
2011-2021 CAAGR*	0.9%	1.0%	1.8%

* Compound Average Annual Growth Rate

Source: U.S. Census; NCTCOG; Claritas, Inc.; and Ricker|Cunningham.

Exhibit 3-2. Top 20 Psychographic segments for garland and the Trade Area

Qty of Garland					Garland Trade Area				
Rank	Lifestyle Segment	Number of Households	% of Households	Per Capita Index to U.S. (100%=norm)	Rank	Lifestyle Segment	Number of Households	% of Households	Per Capita Index to U.S. (100%=norm)
YOUNGER YEARS					YOUNGER YEARS				
6	Home Sweet Home	3,357	4.7%	254%	1	Urban Achievers	28,000	8.8%	571%
10	New Beginnings	2,261	3.1%	210%	8	Home Sweet Home	10,751	3.4%	185%
12	Young Influentials	2,138	3.0%	203%	9	Executive Suites	10,268	3.2%	352%
13	Urban Achievers	2,044	2.8%	190%	10	New Beginnings	9,981	3.1%	194%
16	Movers and Shakers	1,826	2.5%	159%	11	Movers and Shakers	9,971	3.1%	197%
19	Suburban Sprawl	1,680	2.3%	178%	17	Young Influentials	7,633	2.4%	163%
20	Bohemian Mix	1,612	2.2%	127%	19	Suburban Sprawl	6,766	2.1%	162%
FAMILY LIFE					FAMILY LIFE				
1	Multi-Culti Mosaic	7,951	11.0%	664%	2	Kids and Cul-de-Sacs	20,690	6.5%	404%
2	American Dreams	7,942	11.0%	517%	3	Multi-Culti Mosaic	18,644	5.8%	350%
3	Kids and Cul-de-Sacs	5,803	8.0%	496%	4	American Dreams	17,168	5.4%	256%
4	Blue Chip Blues	4,807	6.7%	535%	5	Blue Chip Blues	12,117	3.8%	304%
8	Beltway Boomers	2,553	3.5%	368%	13	Winner's Circle	9,309	2.9%	265%
11	Big City Blues	2,141	3.0%	271%	14	Beltway Boomers	9,063	2.8%	296%
14	Winner's Circle	1,905	2.6%	242%	15	Big City Blues	8,556	2.7%	241%
15	Suburban Pioneers	1,883	2.6%	254%	20	Blue Blood Estates	6,695	2.1%	217%
17	Blue Blood Estates	1,785	2.5%	253%	MATURE YEARS				
18	Low-Rise Living	1,750	2.4%	173%	6	Money and Brains	11,296	3.5%	183%
MATURE YEARS					7	Close-In Couples	10,842	3.4%	299%
	The Cosmopolitans	3,443	4.8%	413%	12	The Cosmopolitans	9,371	2.9%	259%
	Close-In Couples	3,322	4.6%	401%	16	Pools and Patios	8,359	2.6%	200%
	Money and Brains	2,317	3.2%	162%	18	Upper Crust	7,337	2.3%	152%
TOTALS		62,520	86.5%	--	TOTALS		232,817	72.8%	--



Exhibit 3-3. City of Garland Building Permits issued over the past 7 years

City	2005			2006			2007			2008			2009			2010			YTD 11/2011			Total			Annual Average		
	Single Family	Multi-Family	0	Single Family	Multi-Family	0	Single Family	Multi-Family	0	Single Family	Multi-Family	0	Single Family	Multi-Family	0	Single Family	Multi-Family	0	Single Family	Multi-Family	0	Single Family	Multi-Family	0	Single Family	Multi-Family	0
Garland	327	0		398	318		274	0		199	309		162	0		147	0		141	146		1,648	773		235	110	
Mesquite	426	0		345	0		132	252		64	0		79	2		42	0		33	0		1,121	254		160	36	
Murphy	612	0		436	0		287	0		138	0		87	0		113	0		59	0		1,732	0		247	0	
Richardson	125	0		104	0		148	591		68	321		55	154		56	140		51	177		607	1,383		87	198	
Rowlett	298	0		251	0		107	0		93	0		43	0		24	0		24	0		840	0		120	0	
Sachse	185	0		272	0		165	0		177	0		135	0		118	0		90	0		1,142	0		163	0	
Sunnyvale	115	0		76	0		61	0		74	0		37	0		52	0		22	0		437	0		62	0	
Wylie	1,234	0		905	4		682	286		412	4		261	0		267	4		207	0		3,968	298		567	43	
Total	3,322	0		2,787	322		1,856	1,129		1,225	634		859	156		819	144		627	323		11,495	2,708		1,642	387	

Source: U.S. Census and Ricker+Cunningham.

Forest-Jupiter Transit-Oriented Redevelopment Plan

Exhibit 3-4. 2011 New Home Sales (SF detached units)

City Subdivision	Builder Name	Property Type	Closings	Avg Price	Avg Living SF	Land SF
Garland						
CASTLEWOOD ESTATES	SUMEER HOMES	SINGLE FAMILY	3	\$217,274	3,075	11,473
CHATEAUS OF WOODBRIDGE PKWY	DR HORTON	SINGLE FAMILY	4	\$249,744	3,277	--
EMERALD LAKE	GRAND HOMES	SINGLE FAMILY	6	\$264,725	3,565	11,484
ENCLAVE OF EMERALD FOREST	GRAND HOMES	SINGLE FAMILY	5	\$287,999	3,069	6,143
HERONS BAY ESTATES	FIRST TEXAS HOMES	SINGLE FAMILY	5	\$234,954	3,476	8,026
JACKSON HILLS	GRAND HOMES	SINGLE FAMILY	6	\$221,522	3,139	7,535
JACKSON HILLS	MHI PARTNERSHIP LTD	SINGLE FAMILY	5	\$224,694	2,939	6,545
JACKSON HILLS	MHI-MCGUYER HOMEBUILDERS	SINGLE FAMILY	2	--	2,709	8,457
KENSINGTON GARDENS	GRAND HOMES	SINGLE FAMILY	3	\$332,149	3,674	12,026
MYERS MEADOW	FIRST TEXAS HOMES	SINGLE FAMILY	7	\$226,754	2,704	7,691
OAKS FIREWHEEL	MEGATEL HOMES	SINGLE FAMILY	9	\$241,055	2,509	6,801
PARKWOOD RANCH	FIRST TEXAS HOMES	SINGLE FAMILY	7	\$265,568	3,813	9,744
PROVENCE FIREWHEEL REP	HIGHLAND HOMES OF TEXAS	SINGLE FAMILY	8	\$334,092	3,835	9,146
PROVENCE FIREWHEEL REP	K HOVNANIAN	SINGLE FAMILY	10	\$322,671	3,278	9,251
SACHSE FARMS	MEGATEL HOMES	SINGLE FAMILY	8	\$284,125	2,753	11,044
SHOAL CREEK	LANDSTAR HOMES DALLAS, LTD	ATTACHED	4	\$220,493	2,085	4,032
SPRING MEADOW ESTATES	GRAND HOMES	SINGLE FAMILY	3	\$317,495	3,695	9,433
SPRING MEADOW ESTATES	GRAND HOMES	SINGLE FAMILY	2	\$309,984	3,113	10,016
TAYLOR HILLS	HABITAT FOR HUMANITY	SINGLE FAMILY	2	\$53,125	1,364	7,801
VALLEY CREEK	FIRST TEXAS HOMES	SINGLE FAMILY	3	\$202,457	2,894	7,293
WOODBIDGE	HIGHLAND HOMES OF TEXAS	SINGLE FAMILY	2	\$242,320	3,012	6,885
*Unknown or Custom Home	FIRST TEXAS HOMES	SINGLE FAMILY	4	\$328,082	--	--
*Unknown or Custom Home	FIRST TEXAS HOMES	SINGLE FAMILY	2	\$200,233	--	--
*Unknown or Custom Home	GRAND HOMES	SINGLE FAMILY	2	\$327,188	--	--
*Unknown or Custom Home	HIGHLAND HOMES OF TEXAS	SINGLE FAMILY	6	\$256,529	--	--
*Unknown or Custom Home	MEGATEL HOMES	SINGLE FAMILY	6	\$302,510	--	--
Garland Averages			133	\$261,750	2,577	6,996
Mesquite						
CREEK CROSSING ESTATE	PRINT IT NORTH	SINGLE FAMILY	2	\$138,996	2,014	7,135
FALCON SOUTH LAIR PRCL	DR HORTON	SINGLE FAMILY	5	\$151,222	2,494	9,773
FALCON SOUTH LAIR PRCL	STANDARD PACIFIC HOMES	SINGLE FAMILY	4	\$193,691	2,584	8,580
FOSSIL RIDGE	CHELDAN HOMES	SINGLE FAMILY	8	\$125,720	1,789	6,295
PIONEER BLUFFS	DR HORTON	SINGLE FAMILY	6	\$161,286	2,157	8,316
SPRING RIDGE ESTATES	KB HOME	SINGLE FAMILY	16	\$136,985	2,185	7,458
STONEY CREEK	BEAZER HOMES	SINGLE FAMILY	2	\$291,870	3,356	15,856
STONEY CREEK	PAUL TAYLOR HOMES	SINGLE FAMILY	3	\$492,792	4,181	46,130
STONEY CREEK	STANDARD PACIFIC HOMES	SINGLE FAMILY	10	\$375,595	3,454	16,537
*Unknown or Custom Home	ALTURA HOMES	SINGLE FAMILY	3	\$117,634	--	--
*Unknown or Custom Home	BEAZER HOMES	SINGLE FAMILY	2	\$336,748	--	13,250
*Unknown or Custom Home	CHELDAN HOMES	SINGLE FAMILY	8	\$134,041	--	--
Mesquite Averages			79	\$191,276	1,969	11,293
Plano						
AVIGNON WINDHAVEN	SHADDOCK & MCNAUGHT	SINGLE FAMILY	3	\$522,058	--	5,927
CHASE OAKS VILLA	CB JENI HOMES	SINGLE FAMILY	2	\$151,923	--	2,263
DEERFIELD NORTH	MERITAGE HOMES	SINGLE FAMILY	4	\$400,263	--	9,062
GABLES NORTH HILL	FIRST TEXAS HOMES	SINGLE FAMILY	3	\$288,409	4,092	11,555
KINGS RIDGE	TOLL BROTHERS	SINGLE FAMILY	5	\$352,222	3,492	7,765
MAXWELL CREEK NORTH	K HOVNANIAN	SINGLE FAMILY	3	\$325,670	4,520	10,259
MAXWELL CREEK NORTH	STANDARD PACIFIC HOMES	SINGLE FAMILY	4	\$316,425	3,458	11,584
PASQUINELLIS WILLOW CREST	CB JENI HOMES	SINGLE FAMILY	14	\$255,310	2,146	--
POINTE WEST	GRAND HOMES	SINGLE FAMILY	3	\$462,467	3,962	7,514
PRESTON VILLA	PULTE-DEL WEBB-CENTEX	SINGLE FAMILY	2	\$261,442	--	2,839
REGENCY PARK	GRAND HOMES	SINGLE FAMILY	9	\$389,937	3,075	6,091
RIDGEVIEW VILLAS	RYLAND HOMES	SINGLE FAMILY	13	\$219,557	--	3,473
ROLLING RIDGE ESTATES	GRAND HOMES	SINGLE FAMILY	6	\$323,885	5,191	11,179
ROLLING RIDGE ESTATES	SHADDOCK COMPANIES	SINGLE FAMILY	2	\$479,250	--	15,585
SAGE CREEK NORTH	ASHTON WOODS	SINGLE FAMILY	2	\$200,010	--	8,175
SUNCREEK TOWNHOMES	RYLAND HOMES	SINGLE FAMILY	3	\$180,938	1,855	2,396
TOWN HOMES LEGACY TOWN CENT	DR HORTON	SINGLE FAMILY	9	\$241,835	--	--
TRAILS OF GLENWOOD	FIRST TEXAS HOMES	SINGLE FAMILY	3	\$238,249	3,943	8,947
TRAILS OF GLENWOOD	GRAND HOMES	SINGLE FAMILY	2	\$234,313	3,974	11,092
VILLAS OF STONEY HOLLOW	RYLAND HOMES	SINGLE FAMILY	15	\$254,588	3,992	--
WILLOW BEND PARK	HW BUILDERS LLC	SINGLE FAMILY	2	\$538,750	--	4,815
*Unknown or Custom Home	CB JENI HOMES	SINGLE FAMILY	11	\$294,243	--	--
*Unknown or Custom Home	FIRST TEXAS HOMES	SINGLE FAMILY	15	\$261,677	--	--
*Unknown or Custom Home	GRAND HOMES	SINGLE FAMILY	23	\$387,125	--	--
*Unknown or Custom Home	K HOVNANIAN	SINGLE FAMILY	2	\$331,022	--	--
*Unknown or Custom Home	MERITAGE HOMES	SINGLE FAMILY	22	\$406,042	--	--
*Unknown or Custom Home	PULTE-DEL WEBB-CENTEX	SINGLE FAMILY	2	\$253,243	--	--
*Unknown or Custom Home	SHADDOCK COMPANIES	SINGLE FAMILY	3	\$437,183	--	--
*Unknown or Custom Home	THE DREES COMPANY	SINGLE FAMILY	4	\$426,019	--	--
Plano Averages			214	\$322,841	1,289	3,314



Exhibit 3-4. 2011 New Home Sales (SF detached units) - continued

Richardson						
BRIDGEWATER XING	TOLL BROTHERS	SINGLE FAMILY	2	\$475,000	--	7,074
LAKE PARK ESTATE UNIVERSITY	LAKE PARK TOWNHOMES LTD (TX)	ATTACHED	4	\$201,609	1,970	2,261
MCKAMY PARK	DAVID WEEKLEY HOMES	ATTACHED	3	\$193,384	1,937	1,774
MCKAMY PARK	DAVID WEEKLEY HOMES	SINGLE FAMILY	3	\$190,853	1,869	1,643
PIONEER BLUFFS	DR HORTON	SINGLE FAMILY	3	\$142,399	--	5,490
*Unknown or Custom Home	TOLL BROTHERS	SINGLE FAMILY	4	\$489,211	--	6,082
Richardson Averages			24	\$263,637	1,106	7,669
Rowlett						
LAKEWOOD POINTE	HIGHLAND HOMES OF TEXAS	SINGLE FAMILY	6	\$235,991	3,036	7,635
Rowlett Averages			8	\$235,305	2,277	8,970
Wylie						
BIRMINGHAM RANCH	RYLAND HOMES	SINGLE FAMILY	7	\$182,458	2,555	--
BOZMAN FARM ESTATES	ALTURA HOMES	SINGLE FAMILY	5	\$165,964	--	9,940
BRADDOCK PLACE	FIRST TEXAS HOMES	SINGLE FAMILY	11	\$299,205	4,310	--
COLLINS ESTATE	PAUL TAYLOR HOMES	SINGLE FAMILY	6	\$382,500	--	20,666
COUNTRY RIDGE	PAUL TAYLOR HOMES	SINGLE FAMILY	4	\$278,994	--	9,241
LAKE TRAILS OF BOZMAN FARM	DR HORTON	SINGLE FAMILY	9	\$188,015	--	8,408
MEADOWVIEW ESTATES	LGD PROPERTIES	SINGLE FAMILY	2	\$183,348	--	8,766
PARKSIDE	ALTURA HOMES	SINGLE FAMILY	3	\$184,879	--	--
PARKSIDE	GRAND HOMES	SINGLE FAMILY	2	\$269,090	3,690	--
SAGE CREEK NORTH	ASHTON WOODS	SINGLE FAMILY	17	\$198,430	2,995	8,567
SOUTHBROOK	ONYX HOMES	SINGLE FAMILY	2	\$164,839	2,059	--
WOODBRIIDGE	DAVID WEEKLEY HOMES	SINGLE FAMILY	3	\$201,949	2,531	--
WOODBRIIDGE	HIGHLAND HOMES OF TEXAS	SINGLE FAMILY	4	\$274,149	--	7,731
WOODBRIIDGE	K HOVNANIAN	SINGLE FAMILY	15	\$218,274	2,871	8,390
WOODBRIIDGE	MEGATEL HOMES	SINGLE FAMILY	12	\$280,896	--	9,880
WYLIE LAKES	DR HORTON	SINGLE FAMILY	4	\$168,832	2,064	8,316
*Unknown or Custom Home	GRAND HOMES	SINGLE FAMILY	6	\$252,818	--	--
*Unknown or Custom Home	HABITAT FOR HUMANITY	SINGLE FAMILY	2	\$56,250	--	--
*Unknown or Custom Home	HIGHLAND HOMES OF TEXAS	SINGLE FAMILY	8	\$204,537	--	--
*Unknown or Custom Home	K HOVNANIAN	SINGLE FAMILY	10	\$205,655	--	--
*Unknown or Custom Home	ONYX HOMES	SINGLE FAMILY	3	\$174,778	--	--
Wylie Averages			147	\$223,722	1,325	5,842
Trade Area Totals/Averages			605	\$264,642	1,676	6,027

Exhibit 3-5. Residential Demand

Residential Demand Analysis		Households	2011	319,377				
Forest/Jupiter TOD Trade Area			2016	335,668	Annual Growth Rate	1.0%		
2011-2021 Demand Estimates			2021	352,791				
		Household Growth (2011-21)		33,414	Adjust for 2nd homes, demolition, vacancy	1.0%		
		Adjusted Unit Requirement		33,748	% Rental	38%		
Trade Area Demand from New Households (10-yr)								
Household Income Range (2011 dollars)	Approximate Rent Range	Supportable Home Price Range	Current Households in Income Bracket	New Households by Income Bracket	Total Units	Estimated % Rental	Total Rental Units	Total Ownership Units
up to \$15K	up to \$375	up to \$75K	8%	8%	2,700	90%	2,430	270
\$15-25K	\$375 - \$625	\$75 to \$100K	9%	8%	2,700	80%	2,160	540
\$25-35K	\$625 - \$875	\$100 to \$150K	11%	11%	3,712	70%	2,599	1,114
\$35-50K	\$875 - \$1,000	\$150 to \$200K	16%	16%	5,400	50%	2,700	2,700
\$50-75K	\$1,000+	\$200 to \$250K	20%	20%	6,750	25%	1,687	5,062
\$75-100K	\$1,000+	\$250 to \$350K	14%	14%	4,725	15%	709	4,016
\$100-150K	\$1,000+	\$350 to \$500K	13%	14%	4,725	5%	236	4,488
\$150K and up	\$1,000+	\$500K and up	9%	9%	3,037	5%	152	2,885
Totals			100%	100%	33,748	38%	12,672	21,076

Source: U.S. Census; Claritas, Inc.; North Central Texas Council of Governments; and Ricker+Cunningham.

Exhibit 3-6. For Sale Housing Demand (Condo-Townhomes)

Condo/Townhome

10-yr. Trade Area Demand & Investment Area Capture

Annual Household Income Range	Approximate Home Price Range	Trade Area For-Sale Demand (Incomes \$15K+)	Estimated % Townhome/Condo	Estimated Townhome/Condo Demand	Forest/Jupiter TOD Attainable Capture Rate	Forest/Jupiter TOD Attainable Capture (units)
\$15-25K	\$75 to \$100K	540	30%	162	10%	16
\$25-35K	\$100 to \$150K	1,114	30%	334	10%	33
\$35-50K	\$150 to \$200K	2,700	30%	810	10%	81
\$50-75K	\$200 to \$250K	5,062	30%	1,519	10%	152
\$75-100K	\$250 to \$350K	4,016	30%	1,205	10%	120
\$100-150K	\$350 to \$500K	4,488	30%	1,347	10%	135
\$150K and up	\$500K and up	2,885	30%	866	10%	87
Totals		20,806	30%	6,242	10%	624



Exhibit 3-7. Rental Housing Demand

Rental/Apartment

10-yr. Trade Area Demand & Investment Area Capture

Annual Household Income Range	Approximate Rent Range	Trade Area		
		Rental Demand (Incomes \$15K+)	Forest/Jupiter TOD Attainable Capture Rate	Forest/Jupiter TOD Attainable Capture (units)
\$15-25K	\$375 - \$625	2,160	10%	216
\$25-35K	\$625 - \$875	2,599	10%	260
\$35-50K	\$875 - \$1,000	2,700	10%	270
\$50-75K	\$1,000+	1,687	10%	169
\$75-100K	\$1,000+	709	10%	71
\$100-150K	\$1,000+	236	10%	24
\$150K and up	\$1,000+	152	10%	15
Totals		10,243	10%	1,024

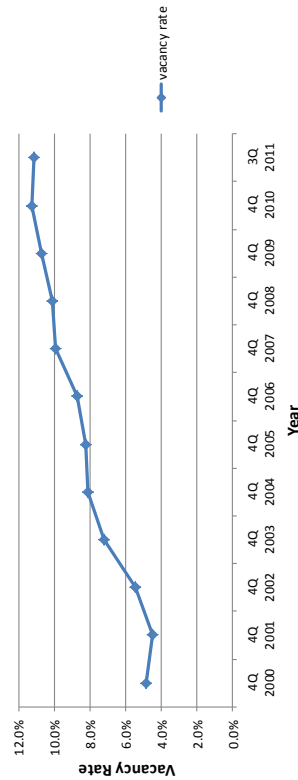
Source: U.S. Census; Claritas, Inc.; North Central Texas Council of Governments; and Ricker+Cunningham.

Exhibit 3-8. Trade area Retail Supply ... table + charts

Forest/Jupiter TOD Trade Area	4Q 2000	4Q 2001	4Q 2002	4Q 2003	4Q 2004	4Q 2005	4Q 2006	4Q 2007	4Q 2008	4Q 2009	4Q 2010	3Q 2011
Total Rentable Area	47,365,782	48,945,700	50,139,761	51,346,509	52,788,768	53,890,740	54,282,536	55,500,743	56,893,315	57,377,279	57,421,401	57,902,036
Total Vacant Sq Ft	2,298,871	2,180,895	2,739,559	3,710,037	4,277,394	4,428,565	4,738,180	5,500,228	5,758,537	6,130,395	6,443,136	6,461,326
Vacancy Rate	4.9%	4.5%	5.5%	7.2%	8.1%	8.2%	8.7%	9.9%	10.1%	10.7%	11.2%	11.2%
Total Net Absorption	263,961	459,590	(302,077)	566,828	158,910	595,761	304,268	(48,173)	645,892	166,787	29,150	606,731
Average Asking Rents (triple net)	\$6.50	\$7.03	\$6.75	\$13.25	\$13.75	\$13.23	\$14.97	\$13.31	\$13.28	\$13.32	\$13.00	\$12.98

Source: CoStar Group and Ricker+Cunningham.

Forest/Jupiter TOD Trade Area Retail Market Conditions



Forest/Jupiter TOD Trade Area Retail Market Conditions

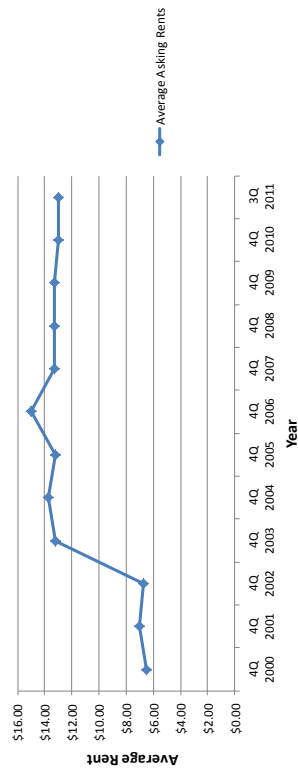




Exhibit 3-9. Study Area Retail Demand (Leakage / Void)

Forest/Jupiter TOD Trade Area										
Retail Category	Estimated 2011 Household Retail Demand	Estimated 2011 Retail Sales (Supply)	Estimated 2011 Retail Void (Leakage)	Estimated Retail Sales/s.f.	New Retail Space Needed to Recapture Void/Leakage	Annual Household Growth Rate (2011-2021)	Net New Household Retail Demand	New Retail Space Needed for Household Growth	Total 10-Year New Trade Area Retail Demand (sf)	Forest/Jupiter TOD Attainable Capture Rate
Furniture & Home Furnishings	\$266,668,645	\$331,495,125	\$0	\$200	0	1.0%	\$27,899,440	139,497	139,497	2%
Electronics & Appliance	\$290,014,809	\$260,759,067	\$29,255,742	\$225	130,026	1.0%	\$30,341,966	134,853	264,879	2%
Bldg Materials, Garden Equipment	\$1,149,960,590	\$856,332,205	\$293,628,385	\$300	978,761	1.0%	\$120,311,321	401,038	1,379,799	2%
Food & Beverage (Grocery)	\$1,665,127,617	\$1,479,514,831	\$185,612,786	\$375	494,967	1.0%	\$174,209,190	464,558	959,525	2%
Health & Personal Care	\$766,803,154	\$495,544,707	\$271,258,447	\$325	834,641	1.0%	\$80,224,576	246,845	1,081,486	2%
Clothing and Accessories	\$652,139,239	\$553,890,870	\$88,248,369	\$225	436,659	1.0%	\$68,228,193	303,236	739,896	2%
Sporting Goods,Hobby, Book, Music	\$255,510,032	\$280,152,495	\$0	\$225	0	1.0%	\$26,732,003	118,809	118,809	2%
General Merchandise	\$1,740,237,311	\$854,620,863	\$885,616,448	\$300	2,952,055	1.0%	\$182,067,326	606,891	3,558,946	2%
Miscellaneous Stores	\$326,673,035	\$263,934,446	\$62,738,589	\$200	313,693	1.0%	\$34,177,227	170,886	484,579	2%
Foodservice & Drinking Places	\$1,429,176,891	\$1,586,150,665	\$0	\$325	0	1.0%	\$149,523,524	460,072	460,072	2%
Total	\$8,542,311,323	\$6,962,395,274	\$1,826,358,766		6,140,803		\$893,714,767	3,046,686	9,187,489	2%
										183,750

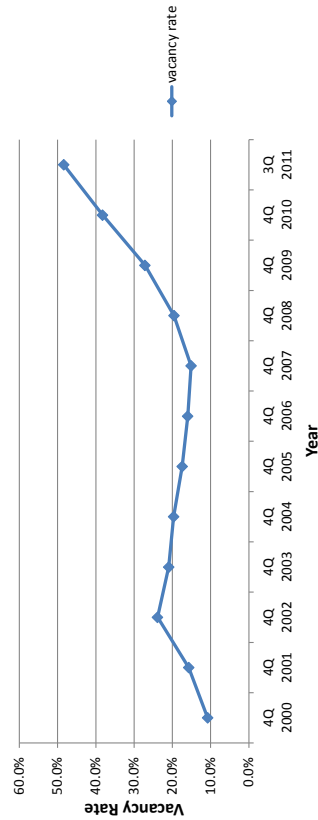
Source: Claritas, Inc.; Urban Land Institute; North Central Texas Council of Governments; and Ricker|Cunningham.

Exhibit 3-10 Class A Office Market Conditions

Forest/Jupiter TOD Trade Area	4Q 2000	4Q 2001	4Q 2002	4Q 2003	4Q 2004	4Q 2005	4Q 2006	4Q 2007	4Q 2008	4Q 2009	4Q 2010	3Q 2011
Total Rentable Area	4,168,986	4,451,786	4,451,786	4,451,786	4,451,786	4,451,786	4,451,786	4,451,786	4,451,786	4,451,786	4,451,786	4,451,786
Total Vacant Sq Ft	449,226	699,960	1,062,973	932,311	875,102	775,674	711,326	672,383	871,282	1,209,254	1,702,285	2,154,057
Vacancy Rate	10.8%	15.7%	23.9%	20.9%	19.7%	17.4%	16.0%	15.1%	19.6%	27.2%	38.2%	48.4%
Total Net Absorption	132,092	226,507	(54,913)	12,396	28,532	126,803	(53,880)	17,712	(19,155)	(78,372)	16,621	(96,536)
Average Asking Rents (full service)	\$21.79	\$20.00	\$18.72	\$18.03	\$17.23	\$17.24	\$18.02	\$20.01	\$19.93	\$20.03	\$20.61	\$20.39

Source: CoStar Group and Ricker-Cunningham.

Forest/Jupiter TOD Trade Area Class A Office Market Conditions



Forest/Jupiter TOD Trade Area Class A Office Market Conditions

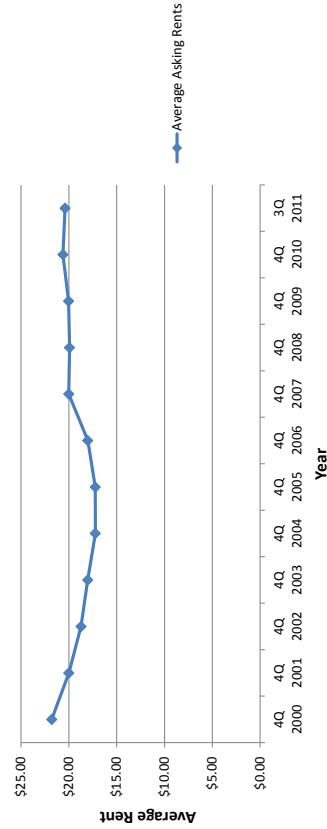


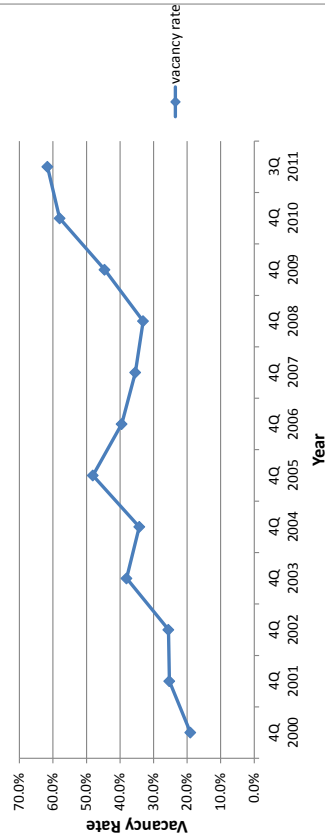


Exhibit 3-11 Class B Office Market Conditions

Forest/Jupiter TOD Trade Area	4Q 2000	4Q 2001	4Q 2002	4Q 2003	4Q 2004	4Q 2005	4Q 2006	4Q 2007	4Q 2008	4Q 2009	4Q 2010	3Q 2011
Total Rentable Area	3,059,909	3,059,909	3,059,909	3,059,909	3,059,909	3,059,909	3,059,909	3,059,909	3,059,909	3,295,836	3,295,836	3,295,836
Total Vacant Sq Ft	582,568	773,649	782,315	1,164,974	1,048,052	1,472,419	1,208,752	1,084,613	1,013,446	1,470,258	1,912,118	2,032,037
Vacancy Rate	19.0%	25.3%	25.6%	38.1%	34.3%	48.1%	39.5%	35.4%	33.1%	44.6%	58.0%	61.7%
Total Net Absorption	(136,830)	(126,553)	(6,641)	21,743	(27,773)	(586,042)	81,870	47,376	(5,662)	1,534	(223,138)	(237,924)
Average Asking Rents (full service)	\$18.92	\$19.37	\$17.49	\$17.07	\$16.61	\$16.29	\$16.18	\$17.59	\$20.11	\$19.22	\$18.96	\$18.68

Source: CoStar Group and Ricker+Cunningham.

Forest/Jupiter TOD Trade Area Class B Office Market Conditions



Forest/Jupiter TOD Trade Area Class B Office Market Conditions

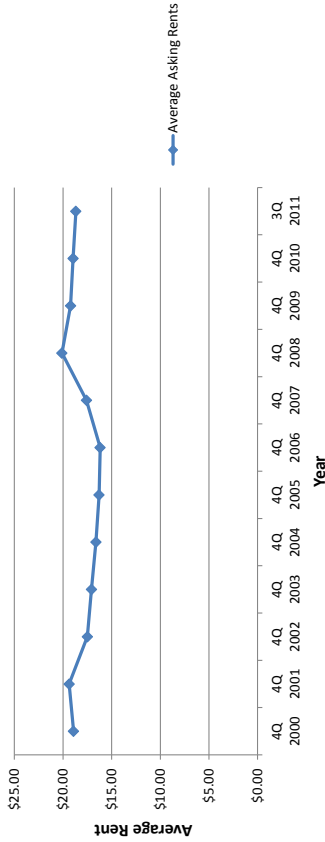


Exhibit 3-12. Office Demand

Office Demand Analysis

Forest Jupiter TOD Trade Area

Industry Category	Estimated 2012 Employees	Estimated Growth Rate 2012-2022	Estimated 2022 Employees	Net New Employees	Estimated % in Office Space	Estimated New Employees	Sq Ft per Office Employee	Estimated 10-Yr New Office Demand	Forest Jupiter TOD Attainable Capture Rate	Forest Jupiter TOD Attainable Capture (Sq Ft)
Educational and Health Services	136,840	2.7%	178,303	41,463	30%	12,439	180	2,239,005	3%	67,170
Financial Activities	71,192	1.3%	80,736	9,544	90%	8,590	180	1,546,125	3%	46,384
Government	34,332	1.8%	40,874	6,541	25%	1,635	180	294,366	1%	2,944
Information	25,041	0.9%	27,368	2,326	70%	1,628	180	293,119	3%	8,794
Leisure and Hospitality	69,142	2.1%	85,459	16,317	10%	1,632	180	293,707	3%	8,811
Manufacturing	70,498	-0.5%	66,740	0	10%	0	180	0	0%	0
Natural Resources, Mining and Construction	49,118	1.2%	55,309	6,191	25%	1,548	180	278,583	1%	2,786
Other Services	28,836	1.5%	33,594	4,757	30%	1,427	180	256,895	3%	7,707
Professional and Business Services	134,856	2.0%	164,403	29,547	70%	20,683	180	3,722,971	3%	111,689
Trade, Transportation and Utilities	160,117	0.6%	170,729	10,612	15%	1,592	180	286,512	3%	8,595
Totals	779,973	1.5%	903,513	127,299	6%	51,174	180	9,211,283	3%	276,338

Source: Texas Workforce Commission; North Central Texas Council of Governments; and Ricker+Cunningham.

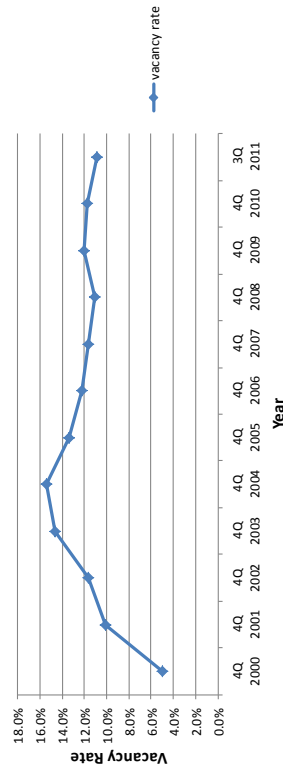


Exhibit 3-13. Industrial Supply

Forest/Jupiter TOD Trade Area	4Q 2000	4Q 2001	4Q 2002	4Q 2003	4Q 2004	4Q 2005	4Q 2006	4Q 2007	4Q 2008	4Q 2009	4Q 2010	3Q 2011
Total Rentable Area	82,877,082	85,682,171	87,604,161	88,372,111	88,840,537	89,371,936	90,364,526	90,949,406	92,461,318	92,501,293	92,541,418	92,541,418
Total Vacant Sq Ft	4,136,089	8,690,958	10,213,933	12,986,426	13,697,865	11,982,223	11,031,956	10,603,929	10,215,508	11,164,430	10,875,905	10,102,572
Vacancy Rate	5.0%	10.1%	11.7%	14.7%	15.4%	13.4%	12.2%	11.7%	11.0%	12.1%	11.8%	10.9%
Total Net Absorption	387,600	(388,555)	(333,926)	(708,219)	13,491	721,964	532,356	972,557	(126,310)	203,885	449,744	(108,565)
Average Asking Rents (triple net)	\$5.39	\$5.34	\$4.29	\$4.90	\$5.27	\$5.08	\$4.86	\$5.20	\$5.13	\$5.54	\$5.07	\$4.53

Source: CoStar Group and Ricker+Cunningham.

Forest/Jupiter TOD Trade Area Industrial/Flex Market Conditions



Forest/Jupiter TOD Trade Area Industrial/Flex Market Conditions

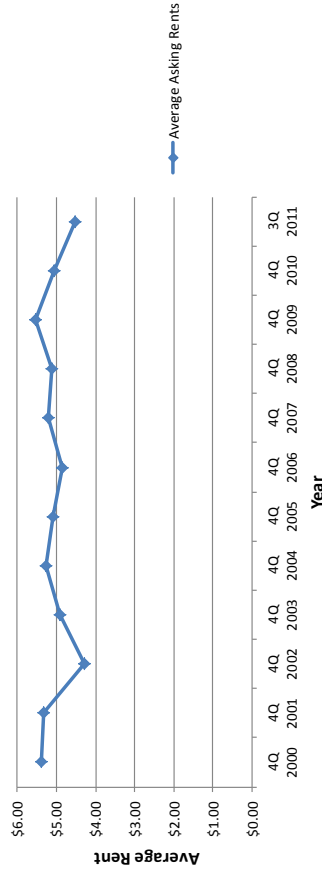
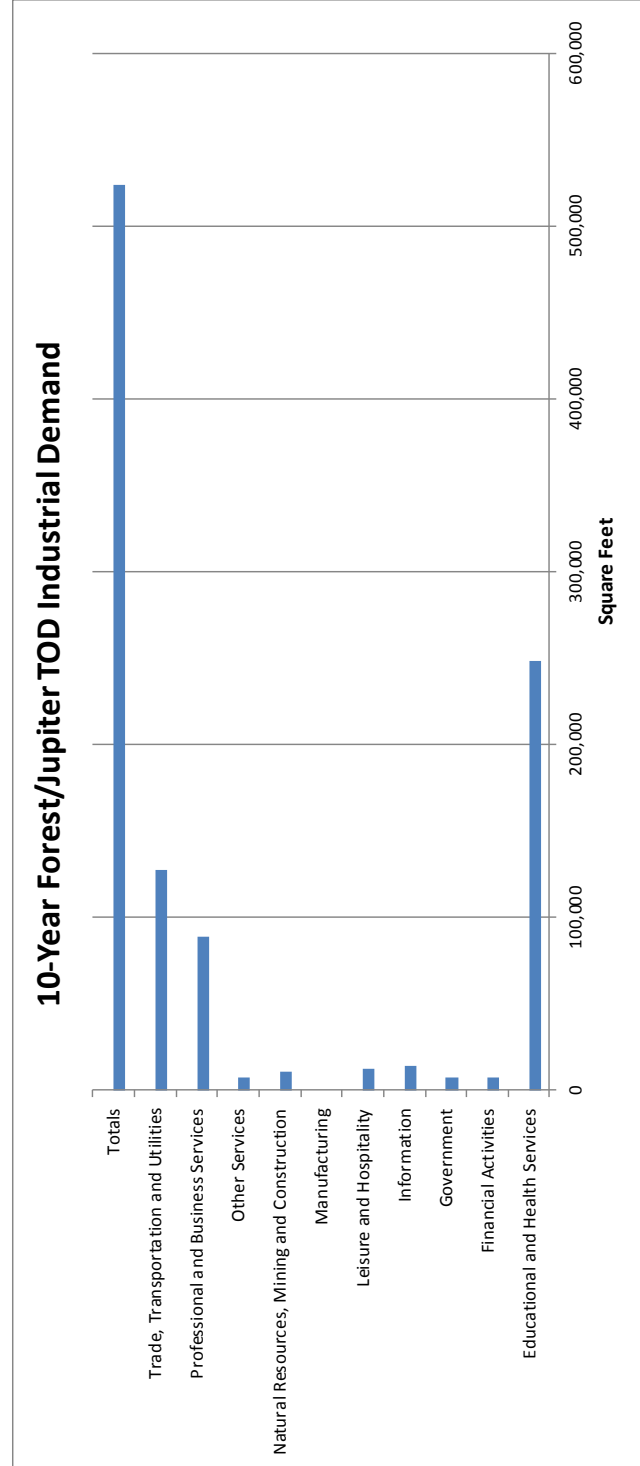


Exhibit 3-14. Industrial Demand

Industrial Demand Analysis Forest Jupiter TOD Trade Area

Industry Category	Estimated 2012 Employees	Estimated Growth Rate 2012-2022	Estimated 2022 Employees	Net New Employees	Estimated % in Industrial Space	Estimated New Industrial Employees	Sq Ft per Industrial Employee	Estimated 10-Yr New Industrial Demand	Forest Jupiter TOD Attainable Capture Rate	Forest Jupiter TOD Attainable Capture (Sq Ft)
Educational and Health Services	136,840	2.7%	178,303	41,463	20%	8,293	300	2,487,783	10%	248,778
Financial Activities	71,192	1.3%	80,736	9,544	5%	477	300	143,160	5%	7,158
Government	34,332	1.8%	40,874	6,541	20%	1,308	300	392,488	2%	7,850
Information	25,041	0.9%	27,368	2,326	20%	465	300	139,580	10%	13,958
Leisure and Hospitality	69,142	2.1%	85,459	16,317	5%	816	300	244,756	5%	12,238
Manufacturing	70,498	-0.5%	66,740	0	80%	0	300	0	0%	0
Natural Resources, Mining and Construction	49,118	1.2%	55,309	6,191	30%	1,857	300	557,166	2%	11,143
Other Services	28,836	1.5%	33,594	4,757	10%	476	300	142,719	5%	7,136
Professional and Business Services	134,856	2.0%	164,403	29,547	20%	5,909	300	1,772,843	5%	88,642
Trade, Transportation and Utilities	180,117	0.6%	170,729	10,612	80%	8,489	300	2,546,778	5%	127,339
Totals	779,973	1.5%	903,513	127,299	3%	28,091	300	8,427,273	6%	505,636

Source: Texas Workforce Commission; North Central Texas Council of Governments; and Ricker+Cunningham.





Forest / Jupiter TIA Market Demand Estimates

Exhibit 3-15 Forest / Jupiter TIA

Residential Demand

Forest/Jupiter TIA Trade Area

Residential Demand Analysis				Households		Annual Growth Rate	
Forest/Jupiter TIA				2012		50,593	
2012-2022 Demand Estimates				2017		53,915	
				2022		57,455	
				Household Growth (2011-21)		6,862	
				Adjusted Unit Requirement		6,931	
				Household Growth (2011-21)		Adjust for 2nd homes, demolition, vacancy	
				Adjusted Unit Requirement		% Rental	
						1.0%	
						38%	
				Trade Area Demand from New Households (10-yr)			

**Exhibit 3-16 Forest / Jupiter TIA
Residential Ownership Analysis**

Townhome/Condo Demand

Annual Household Income Range	Approximate Home Price Range	Trade Area For-			Estimated Townhome/ Condo Demand	Forest/Jupiter TIA Attainable Capture Rate	Forest/Jupiter TIA Attainable Capture (units)
		Sale Demand (Incomes \$15K+)	Estimated % Townhome/ Condo				
\$15-25K	\$75 to \$100K	180	30%		54	5%	3
\$25-35K	\$100 to \$150K	250	30%		75	5%	4
\$35-50K	\$150 to \$200K	589	30%		177	5%	9
\$50-75K	\$200 to \$250K	1,144	30%		343	5%	17
\$75-100K	\$250 to \$350K	766	30%		230	5%	11
\$100-150K	\$350 to \$500K	527	30%		158	5%	8
\$150K and up	\$500K and up	263	30%		79	5%	4
Totals		3,718	30%		1,115	5%	56

Note: Assumes Townhome/Condo development stabilizes at 30% of all ownership demand

Source: U.S. Census; Claritas, Inc.; North Central Texas Council of Governments; and Ricker|Cunningham.



Exhibit 3-17 Forest / Jupiter TIA

Rental/Apartment Demand

Trade Area				
Annual Household Income Range	Approximate Rent Range	Rental Demand (Incomes \$15K+)	Forest/Jupiter TIA Attainable Capture Rate	Forest/Jupiter TIA Attainable Capture (units)
\$15-25K	\$375 - \$625	721	5%	36
\$25-35K	\$625 - \$875	582	5%	29
\$35-50K	\$875 - \$1,000	589	5%	29
\$50-75K	\$1,000+	381	5%	19
\$75-100K	\$1,000+	135	5%	7
\$100-150K	\$1,000+	28	5%	1
\$150K and up	\$1,000+	14	5%	1
Totals		2,450	5%	122

Source: U.S. Census; Claritas, Inc.; North Central Texas Council of Governments; and Ricker|Cunningham.

Exhibit 3-18 Forest / Jupiter TIA - Retail Analysis

Forest/Jupiter TIA Trade Area

Retail Category	Estimated 2012 Household	Estimated 2012 Retail Demand	Estimated 2012 Retail Sales (Supply)	Estimated 2012 Retail Void (Leakage)	Estimated 2012 Retail Sales/s.f. (Leakage)	Estimated Annual Household Growth Rate (2012-2022)	Net New Household Demand	New Retail Space Needed for Household Growth	Total 10-Year New Trade Area Retail Demand (s.f.)	Forest Jupiter TIA Attainable Capture Rate	Forest Jupiter TIA Attainable Capture (Sq Ft)
Furniture & Home Furnishings	\$38,663,541	\$24,854,392	\$13,809,149	\$200	\$69,046	1.3%	\$5,243,943	26,220	95,265	3%	2,858
Electronics & Appliance	\$35,002,009	\$29,580,629	\$5,421,380	\$225	24,095	1.3%	\$4,747,329	21,099	45,194	3%	1,356
Bldg Materials, Garden Equipment	\$168,308,788	\$203,482,884	\$0	\$300	0	1.3%	\$22,827,752	76,093	76,093	3%	2,283
Food & Beverage (Grocery)	\$256,384,100	\$265,807,794	\$0	\$375	0	1.3%	\$34,773,422	92,729	92,729	3%	2,782
Health & Personal Care	\$125,168,094	\$58,112,456	\$67,055,638	\$325	206,325	1.3%	\$16,976,571	52,236	258,561	3%	7,757
Clothing and Accessories	\$92,691,237	\$43,158,701	\$49,532,536	\$225	220,145	1.3%	\$12,571,729	55,874	276,019	3%	8,281
Sporting Goods, Hobby, Book, Music	\$39,054,661	\$33,226,528	\$5,828,133	\$225	25,903	1.3%	\$5,296,991	23,542	49,445	3%	1,483
General Merchandise	\$259,049,020	\$139,116,904	\$119,932,116	\$300	399,774	1.3%	\$35,134,866	117,116	516,890	3%	15,507
Miscellaneous Stores	\$48,089,981	\$55,229,579	\$0	\$200	0	1.3%	\$6,522,453	32,612	32,612	3%	978
Foodservice & Drinking Places	\$203,805,943	\$166,868,808	\$36,937,135	\$325	113,653	1.3%	\$27,642,237	85,053	198,706	3%	5,961
Total	\$1,266,217,374	\$1,019,438,675	\$298,516,087		1,058,940		\$171,737,294	582,574	1,641,514	3%	49,245

Source: Claritas, Inc.; Urban Land Institute; North Central Texas Council of Governments; and Ricker|Cunningham.

Exhibit 3-19 Forest / Jupiter TIA - Office Analysis

Forest/Jupiter TIA Trade Area

Industry Category	Estimated 2012 Employees	Estimated Growth Rate 2012-2022	Estimated 2022 Employees	Net New Employees	Estimated % in Office Space	Estimated New Office Employees	Sq Ft per Office Employee	Estimated 10-Yr New Office Demand	Forest Jupiter TIA Attainable Capture Rate	Forest Jupiter TIA Attainable Capture (Sq Ft)
Educational and Health Services	25,627	1.2%	28,845	3,218	30%	965	180	173,780	6%	10,427
Financial Activities	13,332	1.2%	15,007	1,674	90%	1,507	180	271,233	6%	16,274
Government	6,430	1.2%	7,237	807	25%	202	180	36,334	6%	2,180
Information	4,690	1.2%	5,278	589	70%	412	180	74,203	6%	4,452
Leisure and Hospitality	12,949	1.2%	14,575	1,626	10%	163	180	29,269	6%	1,756
Manufacturing	13,202	1.2%	14,860	1,658	10%	166	180	29,843	6%	1,791
Natural Resources, Mining and Construction	9,199	1.2%	10,354	1,155	25%	289	180	51,982	6%	3,119
Other Services	5,400	1.2%	6,078	678	30%	203	180	36,621	6%	2,197
Professional and Business Services	25,255	1.2%	28,426	3,171	70%	2,220	180	399,608	6%	23,976
Trade, Transportation and Utilities	29,986	1.2%	33,751	3,766	15%	565	180	101,671	6%	6,100
Totals	146,069	1.2%	164,412	18,343	36%	6,692	180	1,204,544	6%	72,273

Source: Texas Workforce Commission; North Central Texas Council of Governments; and Ricker/Cunningham.

Exhibit 3-20 Forest / Jupiter TIA - Industrial Analysis

Forest/Jupiter TIA Trade Area

Industry Category	Estimated 2012 Employees	Estimated Growth Rate 2012-2022	Estimated 2022 Employees	Net New Employees	Estimated % in Industrial Space	Estimated New Industrial Employees	Sq Ft per Industrial Employee	Estimated 10-Yr New Industrial Demand	Forest Jupiter TIA Attainable Capture Rate	Forest Jupiter TIA Attainable Capture (Sq Ft)
Educational and Health Services	25,627	1.2%	28,845	3,218	20%	644	300	193,089	5%	9,654
Financial Activities	13,332	1.2%	15,007	1,674	5%	84	300	25,114	5%	1,256
Government	6,430	1.2%	7,237	807	20%	161	300	48,445	5%	2,422
Information	4,690	1.2%	5,278	589	20%	118	300	35,335	5%	1,767
Leisure and Hospitality	12,949	1.2%	14,575	1,626	5%	81	300	24,391	5%	1,220
Manufacturing	13,202	1.2%	14,860	1,658	80%	1,326	300	397,908	5%	19,895
Natural Resources, Mining and Construction	9,199	1.2%	10,354	1,155	30%	347	300	103,963	5%	5,198
Other Services	5,400	1.2%	6,078	678	10%	68	300	20,345	5%	1,017
Professional and Business Services	25,255	1.2%	28,426	3,171	20%	634	300	190,290	5%	9,514
Trade, Transportation and Utilities	29,986	1.2%	33,751	3,766	80%	3,012	300	903,740	5%	45,187
Totals	146,069	1.2%	164,412	18,343	35%	6,475	300	1,942,620	5%	97,131

Source: Texas Workforce Commission; North Central Texas Council of Governments; and Ricker/Cunningham.



Jupiter / Walnut TIA Market Demand Estimates

Exhibit 3-21 Jupiter/ Walnut TIA Residential Demand

Jupiter/Walnut TIA Trade Area											
Residential Demand Analysis					Households						
Jupiter/Walnut TIA					2012		2017		Annual Growth Rate		
2012-2022 Demand Estimates					2022		57,455		1.3%		
					Household Growth (2011-21)		6,862		Adjust for 2nd homes, demolition, vacancy		
					Adjusted Unit Requirement		6,931		% Rental		
									38%		
					Trade Area Demand from New Households (10-yr)						
Annual											
Household Income Range (2011 dollars)	Supportable Home Price Range	Current Households in Income Bracket	New Households by Income Bracket	Total Units	Estimated % Rental	Total Rental Units	Ownership Units				
up to \$15K	up to \$375	12%	11%	762	90%	686	76				
\$15-25K	\$375 - \$625	14%	13%	901	80%	721	180				
\$25-35K	\$625 - \$875	13%	12%	832	70%	582	250				
\$35-50K	\$875 - \$1,000	16%	17%	1,178	50%	589	589				
\$50-75K	\$1,000+	21%	22%	1,525	25%	381	1,144				
\$75-100K	\$1,000+	12%	13%	901	15%	135	766				
\$100-150K	\$1,000+	8%	8%	554	5%	28	527				
\$150K and up	\$1,000+	4%	4%	277	5%	14	263				
Totals				6,931	45%	3,136	3,794				
Source: U.S. Census; Claritas, Inc.; North Central Texas Council of Governments; and Ricker/Cunningham.											

Source: U.S. Census; Claritas, Inc.; North Central Texas Council of Governments; and Ricker|Cunningham.

Exhibit 3-22 Jupiter/ Walnut TIA
Residential Ownership Analysis

Townhome/Condo Demand

Annual Household Income Range	Approximate Home Price Range	Trade Area For-		Estimated % Townhome/ Condo	Estimated Townhome/ Condo Demand	Jupiter/Walnut TIA Attainable	
		Sale Demand (Incomes \$15K+)	Jupiter/Walnut TIA Attainable Capture Rate			Jupiter/Walnut TIA Attainable Capture Rate	Jupiter/Walnut TIA Attainable Capture (units)
\$15-25K	\$75 to \$100K	180	30%	30%	54	4%	2
\$25-35K	\$100 to \$150K	250	30%	30%	75	4%	3
\$35-50K	\$150 to \$200K	589	30%	30%	177	4%	7
\$50-75K	\$200 to \$250K	1,144	30%	30%	343	4%	14
\$75-100K	\$250 to \$350K	766	30%	30%	230	4%	9
\$100-150K	\$350 to \$500K	527	30%	30%	158	4%	6
\$150K and up	\$500K and up	263	30%	30%	79	4%	3
Totals		3,718	30%		1,115	4%	45

Note: Assumes Townhome/Condo development stabilizes at 30% of all ownership demand

Source: U.S. Census; Claritas, Inc.; North Central Texas Council of Governments; and Ricker|Cunningham.

Exhibit 3-23 Jupiter/ Walnut TIA
Residential Rental Analysis

Rental/Apartment Demand

Annual Household Income Range	Approximate Rent Range	Trade Area		Estimated Townhome/ Condo	Estimated Townhome/ Condo Demand	Jupiter/Walnut TIA Attainable	
		Rental Demand (Incomes \$15K+)	Jupiter/Walnut TIA Attainable Capture Rate			Jupiter/Walnut TIA Attainable Capture Rate	Jupiter/Walnut TIA Attainable Capture (units)
\$15-25K	\$375 - \$625	721	4%	4%	29		
\$25-35K	\$625 - \$875	582	4%	4%	23		
\$35-50K	\$875 - \$1,000	589	4%	4%	24		
\$50-75K	\$1,000+	381	4%	4%	15		
\$75-100K	\$1,000+	135	4%	4%	5		
\$100-150K	\$1,000+	28	4%	4%	1		
\$150K and up	\$1,000+	14	4%	4%	1		
Totals		2,450	4%		98		

Source: U.S. Census; Claritas, Inc.; North Central Texas Council of Governments; and Ricker|Cunningham.



Exhibit 3-24 Jupiter/ Walnut TIA—Retail Analysis

Jupiter/Walnut TIA Trade Area

Retail Category	Estimated 2012 Household Retail Demand	Estimated 2012 Retail Sales (Supply)	Estimated 2012 Retail Void (Leakage)	Estimated Retail Sales/s.f. Void/Leakage	Annual Household Growth Rate (2012-2022)	Net New Household Retail Demand	New Retail Space Needed for Household Growth	Total 10-Year New Trade Area Retail Demand (s.f.)	Jupiter Walnut TIA Attainable Capture Rate	Jupiter Walnut TIA Attainable Capture (Sq Ft)
Furniture & Home Furnishings	\$38,663,541	\$24,854,392	\$13,809,149	\$200	1.3%	\$5,243,943	26,220	95,265	4%	3,811
Electronics & Appliance	\$35,002,009	\$29,580,629	\$5,421,380	\$225	1.3%	\$4,747,329	21,099	45,194	4%	1,808
Blldg Materials, Garden Equipment	\$168,308,788	\$203,482,884	\$0	\$300	1.3%	\$22,827,752	76,093	76,093	4%	3,044
Food & Beverage (Grocery)	\$256,384,100	\$265,807,794	\$0	\$375	1.3%	\$34,773,422	92,729	92,729	4%	3,709
Health & Personal Care	\$125,168,094	\$58,112,456	\$67,055,638	\$325	1.3%	\$16,976,571	52,236	258,561	4%	10,342
Clothing and Accessories	\$92,691,237	\$43,158,701	\$49,532,536	\$225	1.3%	\$12,571,729	55,874	276,019	4%	11,041
Sporting Goods, Hobby, Book, Music	\$39,054,661	\$33,226,528	\$5,828,133	\$225	1.3%	\$5,296,991	23,542	49,445	4%	1,978
General Merchandise	\$259,049,020	\$139,116,904	\$119,932,116	\$300	1.3%	\$35,134,866	117,116	516,890	4%	20,676
Miscellaneous Stores	\$48,089,981	\$55,229,579	\$0	\$200	1.3%	\$6,522,453	32,612	32,612	4%	1,304
Foodservice & Drinking Places	\$203,805,943	\$166,868,808	\$36,937,135	\$325	1.3%	\$27,642,237	85,053	198,706	4%	7,948
Total	\$1,266,217,374	\$1,019,438,675	\$298,516,087	1,058,940		\$171,737,294	582,574	1,641,514	4%	65,661

Source: Claritas, Inc.; Urban Land Institute; North Central Texas Council of Governments; and Ricker/Cunningham.

Exhibit 3-25 Jupiter/ Walnut TIA—Office Analysis

Jupiter/Walnut TIA Trade Area

Industry Category	Estimated 2012 Employees	Estimated 2012 Growth Rate	Estimated 2022 Employees	Net New Employees	Estimated % in Office Space	Estimated New Office Employees	Sq Ft per Office Employee	Estimated 10-Yr New Office Demand	Jupiter Walnut TIA Attainable Capture Rate	Jupiter Walnut TIA Attainable Capture (Sq Ft)
Educational and Health Services	25,627	1.2%	28,845	3,218	30%	965	180	173,780	4%	6,951
Financial Activities	13,332	1.2%	15,007	1,674	90%	1,507	180	271,233	4%	10,849
Government	6,430	1.2%	7,237	807	25%	202	180	36,334	4%	1,453
Information	4,690	1.2%	5,278	589	70%	412	180	74,203	4%	2,968
Leisure and Hospitality	12,949	1.2%	14,575	1,626	10%	163	180	29,269	4%	1,171
Manufacturing	13,202	1.2%	14,860	1,658	10%	166	180	29,843	4%	1,194
Natural Resources, Mining and Construction	9,199	1.2%	10,354	1,155	25%	289	180	51,982	4%	2,079
Other Services	5,400	1.2%	6,078	678	30%	203	180	36,621	4%	1,465
Professional and Business Services	25,255	1.2%	28,426	3,171	70%	2,220	180	399,608	4%	15,984
Trade, Transportation and Utilities	29,986	1.2%	33,751	3,766	15%	565	180	101,671	4%	4,067
Totals	146,069	1.2%	164,412	18,343	36%	6,692	180	1,204,544	4%	48,182

Source: Texas Workforce Commission; North Central Texas Council of Governments; and Ricker/Cunningham.

Exhibit 3-26 Jupiter/ Walnut TIA—Industrial Analysis

Jupiter/Walnut TIA Trade Area

Industry Category	Estimated 2012 Employees	Estimated Growth Rate 2012-2022	Estimated 2022 Employees	Net New Employees	Estimated % in Industrial Space		Estimated New Industrial Employees		Sq Ft per Industrial Employee	Estimated 10-Yr New Industrial Demand		Jupiter Walnut TIA Attainable Capture Rate		Jupiter Walnut TIA Attainable Capture (Sq Ft)	
					Industrial	Space	Industrial	Employees		Industrial	Yr New Demand	Industrial	Yr New Demand	Industrial	Yr New Demand
Educational and Health Services	25,627	1.2%	28,845	3,218	20%		644		300		193,089	5%		9,654	
Financial Activities	13,332	1.2%	15,007	1,674	5%		84		300		25,114	5%		1,256	
Government	6,430	1.2%	7,237	807	20%		161		300		48,445	5%		2,422	
Information	4,690	1.2%	5,278	589	20%		118		300		35,335	5%		1,767	
Leisure and Hospitality	12,949	1.2%	14,575	1,626	5%		81		300		24,391	5%		1,220	
Manufacturing	13,202	1.2%	14,860	1,658	80%		1,326		300		397,908	5%		19,895	
Natural Resources, Mining and Construction	9,199	1.2%	10,354	1,155	30%		347		300		103,963	5%		5,198	
Other Services	5,400	1.2%	6,078	678	10%		68		300		20,345	5%		1,017	
Professional and Business Services	25,255	1.2%	28,426	3,171	20%		634		300		190,290	5%		9,514	
Trade, Transportation and Utilities	29,986	1.2%	33,751	3,766	80%		3,012		300		903,740	5%		45,187	
Totals	146,069	1.2%	164,412	18,343	35%		6,475		300		1,942,620	5%		97,131	

Source: Texas Workforce Commission; North Central Texas Council of Governments; and Ricker|Gunningham.



Shiloh / Walnut TIA Market Demand Estimates

Exhibit 3-27 Shiloh Walnut TIA - Residential Demand

Shiloh/Walnut TIA Trade Area Residential Demand Analysis		Households	2012	64,623	Annual Growth Rate	1.4%
Shiloh/Walnut TIA 2012-2022 Demand Estimates			2017	69,173		
			2022 Household Growth (2011-21)	74,043		
				9,420	Adjust for 2nd homes, demolition, vacancy	1.0%
		Adjusted Unit Requirement		9,514	% Rental	38%
Trade Area Demand from New Households (10-yr)						
Annual Household Income Range (2011 dollars)	Approximate Rent Range	Supportable Home Price Range	Current Households in Income Bracket	New Households by Income Bracket	Estimated Rental Units	Total Ownership Units
up to \$15K	up to \$375	up to \$75K	10%	9%	771	86
\$15-25K	\$375 - \$625	\$75 to \$100K	12%	11%	837	209
\$25-35K	\$625 - \$875	\$100 to \$150K	12%	12%	799	342
\$35-50K	\$875 - \$1,000	\$150 to \$200K	15%	15%	714	714
\$50-75K	\$1,000+	\$200 to \$250K	21%	22%	523	1,570
\$75-100K	\$1,000+	\$250 to \$350K	13%	14%	200	1,132
\$100-150K	\$1,000+	\$350 to \$500K	11%	11%	52	994
\$150K and up	\$1,000+	\$500K and up	6%	6%	29	542
Totals			100%	100%	3,924	5,589

Source: U.S. Census; Claritas, Inc.; North Central Texas Council of Governments; and Ricker | Cunningham.

Exhibit 3-28 Shiloh Walnut TIA - Residential Ownership Analysis

Annual Household Income Range	Approximate Home Price Range	Trade Area For-Sale Demand			Estimated % Townhome/Condo	Estimated Townhome/Condo Demand	Shiloh/Walnut TIA Attainable	
		(Incomes \$15K+)					Capture Rate	Capture (units)
\$15-25K	\$75 to \$100K	209			30%	63	4%	3
\$25-35K	\$100 to \$150K	342			30%	103	4%	4
\$35-50K	\$150 to \$200K	714			30%	214	4%	9
\$50-75K	\$200 to \$250K	1,570			30%	471	4%	19
\$75-100K	\$250 to \$350K	1,132			30%	340	4%	14
\$100-150K	\$350 to \$500K	994			30%	298	4%	12
\$150K and up	\$500K and up	542			30%	163	4%	7
Totals		5,504			30%	1,651	4%	66

Note: Assumes Townhome/Condo development stabilizes at 30% of all ownership demand

Source: U.S. Census; Claritas, Inc.; North Central Texas Council of Governments; and Ricker|Cunningham.

Exhibit 3-29 Shiloh Walnut TIA - Residential Rental Analysis

Annual Household Income Range	Approximate Rent Range	Trade Area Rental Demand			Shiloh/Walnut TIA Attainable	Shiloh/Walnut TIA Attainable Capture Rate	Shiloh/Walnut TIA Attainable Capture (units)
		(Incomes \$15K+)					
\$15-25K	\$375 - \$625	837			4%		33
\$25-35K	\$625 - \$875	799			4%		32
\$35-50K	\$875 - \$1,000	714			4%		29
\$50-75K	\$1,000+	523			4%		21
\$75-100K	\$1,000+	200			4%		8
\$100-150K	\$1,000+	52			4%		2
\$150K and up	\$1,000+	29			4%		1
Totals		3,154			4%		126

Source: U.S. Census; Claritas, Inc.; North Central Texas Council of Governments; and Ricker|Cunningham.



Exhibit 3-30 Shiloh Walnut TIA - Retail Analysis

Shiloh/Walnut TIA Trade Area

Retail Category	Estimated 2012 House Demand	Estimated 2012 Retail Sales (Supply)	Estimated 2012 Retail Void (Leakage)	Estimated Retail Sales (s.f.)	New Retail Space Needed to Recapture Void/Leakage	Annual Household Growth Rate (2012-2022)	Net New Household Demand	Estimated New Office Employees	Sq Ft per Office Employee	Estimated 10-yr New Office Demand	Shiloh Walnut TIA Attainable Capture Rate	Shiloh Walnut TIA Attainable Capture (Sq Ft)
Furniture & Home Furnishings	\$33,090,205	\$30,688,193	\$22,402,012	\$200	112,010	1.4%	\$7,738,542	1,207	180	217,226	4%	6,028
Electronics & Appliance	\$48,840,539	\$54,013,429	\$0	\$225	0	1.4%	\$7,119,101	1,884	180	339,041	4%	1,266
Bldg Materials, Garden Equipment	\$234,991,814	\$234,397,930	\$593,884	\$300	1,980	1.4%	\$34,252,908	252	180	45,417	4%	4,646
Food & Beverage (Grocery)	\$335,876,809	\$300,284,020	\$35,592,789	\$375	94,914	1.4%	\$48,958,120	515	180	92,754	4%	9,019
Health & Personal Care	\$163,380,090	\$87,540,520	\$75,839,570	\$325	233,353	1.4%	\$23,814,630	736	180	37,304	4%	12,265
Clothing and Accessories	\$126,367,874	\$54,733,667	\$71,634,207	\$225	318,374	1.4%	\$18,419,651	203	180	36,586	4%	16,010
Sporting Goods, Hobby, Book, Music	\$52,992,766	\$42,435,925	\$10,556,841	\$225	46,919	1.4%	\$7,724,339	207	180	37,304	4%	3,250
General Merchandise	\$344,480,764	\$217,904,714	\$126,576,050	\$300	421,920	1.4%	\$50,212,251	361	180	64,977	4%	23,572
Miscellaneous Stores	\$65,745,045	\$65,750,564	\$0	\$200	0	1.4%	\$9,583,138	254	180	45,776	4%	1,917
Foodservice & Drinking Places	\$276,303,315	\$233,550,238	\$42,753,077	\$325	131,548	1.4%	\$40,274,561	706	180	127,088	4%	10,219
Total	\$1,702,069,221	\$1,321,299,200	\$385,948,430		1,361,018		\$248,097,240	8,365	180	1,505,680	4%	88,191

Source: Claritas, Inc.; Urban Land Institute; North Central Texas Council of Governments; and Ricker/Cunningham.

Exhibit 3-31 Shiloh Walnut TIA - Office Analysis

Shiloh/Walnut TIA Trade Area

Industry Category	Estimated 2012 Employees	Estimated Growth Rate 2012-2022	Estimated 2022 Employees	Net New Employees	Estimated % in Office Space	Estimated New Office Employees	Sq Ft per Office Employee	Estimated 10-yr New Office Demand	Shiloh Walnut TIA Attainable Capture Rate	Shiloh Walnut TIA Attainable Capture (Sq Ft)
Educational and Health Services	32,033	1.2%	36,056	4,023	30%	1,207	180	217,226	6%	13,034
Financial Activities	16,666	1.2%	18,758	2,093	90%	1,884	180	339,041	6%	20,342
Government	8,037	1.2%	9,046	1,009	25%	252	180	45,417	6%	2,725
Information	5,862	1.2%	6,598	736	70%	515	180	92,754	6%	5,565
Leisure and Hospitality	16,186	1.2%	18,218	2,033	10%	203	180	36,586	6%	2,195
Manufacturing	16,503	1.2%	18,576	2,072	10%	207	180	37,304	6%	2,238
Natural Resources, Mining and Construction	11,498	1.2%	12,942	1,444	25%	361	180	64,977	6%	3,899
Other Services	6,750	1.2%	7,598	848	30%	254	180	45,776	6%	2,747
Professional and Business Services	31,569	1.2%	35,533	3,964	70%	2,775	180	499,510	6%	29,971
Trade, Transportation and Utilities	37,482	1.2%	42,189	4,707	15%	706	180	127,088	6%	7,625
Totals	182,586	1.2%	205,515	22,929	36%	8,365	180	1,505,680	6%	90,341

Source: Texas Workforce Commission; North Central Texas Council of Governments; and Ricker/Cunningham.

Exhibit 3-32 Shiloh Walnut TIA - Industrial Analysis

Shiloh/Walnut TIA Trade Area

Industry Category	Estimated 2012 Employees	Estimated Growth Rate 2012-2022	Estimated 2022 Employees	Net New Employees	Estimated % in Industrial Space	Estimated New Industrial Employees	Sq Ft per Industrial Employee	Estimated 10-Yr New Industrial Demand	Shiloh Walnut TIA Attainable Capture Rate	Shiloh Walnut TIA Attainable Capture (Sq Ft)
Educational and Health Services	32,033	1.2%	36,056	4,023	20%	805	300	241,362	3%	7,241
Financial Activities	16,666	1.2%	18,758	2,093	5%	105	300	31,393	3%	942
Government	8,037	1.2%	9,046	1,009	20%	202	300	60,557	3%	1,817
Information	5,862	1.2%	6,598	736	20%	147	300	44,168	3%	1,325
Leisure and Hospitality	16,186	1.2%	18,218	2,033	5%	102	300	30,489	3%	915
Manufacturing	16,503	1.2%	18,576	2,072	80%	1,658	300	497,385	3%	14,922
Natural Resources, Mining and Construction	11,498	1.2%	12,942	1,444	30%	433	300	129,954	3%	3,899
Other Services	6,750	1.2%	7,598	848	10%	85	300	25,431	3%	763
Professional and Business Services	31,569	1.2%	35,533	3,964	20%	793	300	237,862	3%	7,136
Trade, Transportation and Utilities	37,482	1.2%	42,189	4,707	80%	3,766	300	1,129,675	3%	33,890
Totals	182,586	1.2%	205,515	22,929	35%	8,094	300	2,428,275	3%	72,848

Source: Texas Workforce Commission; North Central Texas Council of Governments; and Ricker|Cunningham.

Appendix 4 (Redevelopment Program)

No Exhibits referenced for this Section



Appendix 5 (Implementation)

Exhibit 5-1. Implementation Matrix

Forest-Jupiter Transit-Oriented Implementation Strategy Matrix	Initiative Objective	Resources Needed	Effort	Impact	Timing	Targeted Investment Area		
	Stabilize Grow Improve Transform	Staff Time General Fund \$ Other \$ * Political Capital	1 = Low 2 = Mod 3 = High	Reverse Decline in Values Strengthen Revenue Stream Leverage Public \$ Catalyze Private Investment	Near- Term (< 24 Mo) Mid-Term (2 - 5 Yrs) Long-Term (5 + Yrs)	Forest / Jupiter (DART) TIA	Jupiter / Walnut (Retail) TIA	Shiloh / Walnut (Baylor) TIA

Market								
Small Business Assistance	Stabilize, Grow	Staff Time	2	Strengthen Revenue Stream	Near-Term	X		
Facilities Assistance (Relocation Expansion)	Stabilize, Transform	Staff Time, Other \$	3	Catalyze Private Investment	Near-Term		X	X
Ethnic Business Support	Stabilize	Staff Time	2	Reverse Declines in Values	Near-Term		X	
Brand Identification (Districts)	Improve	Other \$	2	Catalyze Private Investment	Mid-Term	X	X	X
Business Promotion	Stabilize, Grow	Other \$	2	Reverse Declines in Values	Near-Term	X	X	X
Stronger Retail Mix	Grow, Improve	Other \$	2	Catalyze Private Investment	Near-Term	X	X	X

Physical **								
Streetscape	Improve	General Fund \$, Other \$	2	Catalyze Private Investment	Mid-Term	X	X	X
Pedestrian Improvements	Improve, Transform	General Fund \$, Other \$	2	Catalyze Private Investment	Near-Term	X	X	X
Roadway Improvements	Improve, Transform	General Fund \$, Other \$	2	Catalyze Private Investment	Mid-Term			X
Infrastructure Improvements	Grow	General Fund \$, Other \$	3	Catalyze Private Investment	Mid-Term	X	X	X
Adaptive Reuse / Redevelopment	Improve, Transform	Other \$	3	Catalyze Private Investment	On-Going		X	X
Gateway Improvements	Improve, Transform	General Fund \$, Other \$	2	Catalyze Private Investment	Near-Term	X	X	X
Open / Public Space Improvements	Improve, Transform	General Fund \$, Other \$	2	Strengthen Revenue Stream	Mid-Term	X	X	X
Trail Improvements	Improve	General Fund \$, Other \$	2	Strengthen Revenue Stream	Mid-Term	X		X
Bike Paths	Improve	General Fund \$, Other \$	2	Strengthen Revenue Stream	Mid-Term	X	X	X
ADA Improvements	Stabilize, Improve	General Fund \$, Other \$	2	Strengthen Revenue Stream	Mid-Term	X		

Financial								
Gap Financing (new investment and reinvestment)	Improve, Transform	Other \$	2	Catalyze Private Investment	Near-Term	X	X	X
CRA Dollars	Improve, Transform	Other \$	2	Catalyze Private Investment	Near-Term		X	X
Loan Pools	Improve, Transform	Other \$	3	Catalyze Private Investment	Mid-Term		X	
New Market Tax Credits / CDFI Dollars	Improve, Transform	Other \$	2	Catalyze Private Investment	Near-Term		X	
CDBG Dollars	Stabilize, Grow	Other \$	2	Catalyze Private Investment	Near-Term	X		X
Signature Project	Improve, Transform	Other \$	3	Catalyze Private Investment	Mid-Term	X	X	X
Public-Private Partnership	Improve, Transform	Other \$	3	Catalyze Private Investment	On-Going	X	X	X
Reinvestment Incentives (Residential and Commercial)	Improve, Transform	Other \$	2	Catalyze Private Investment	Near-Term	X	X	X
Section 108 Loan Program	Improve, Transform	Other \$	2	Catalyze Private Investment	Near-Term	X	X	X
LIHTC	Improve, Transform	Other \$	2	Catalyze Private Investment	Mid-Term	X		
HUD 221(d)(4) Mortgage Insurance Program	Stabilize, Grow	Other \$	2	Catalyze Private Investment	Mid-Term	X		
HUD 223(f), 232 LEAN and SBA Loans for Senior Housing	Stabilize, Grow	Other \$	2	Catalyze Private Investment	Mid-Term			X
TIGER Grant for TOD Infrastructure Improvements	Improve, Transform	Other \$	2	Catalyze Private Investment	Mid-Term	X		
Private Investment	Improve, Transform	Other \$	3	Catalyze Private Investment	On-Going	X	X	X

Forest-Jupiter Transit-Oriented Redevelopment Plan

Exhibit 5-1. Implementation Matrix (continued)

Forest-Jupiter Transit-Oriented Implementation Strategy Matrix	Initiative Objective	Resources Needed	Effort	Impact	Timing	Targeted Investment Area		
	Stabilize Grow Improve Transform	Staff Time General Fund \$ Other \$ * Political Capital	1 = Low 2 = Mod 3 = High	Reverse Decline in Values Strengthen Revenue Stream Leverage Public \$ Catalyze Private Investment	Near- Term (< 24 Mo) Mid-Term (2 - 5 Yrs) Long-Term (5 + Yrs)	Forest / Jupiter (DART) TIA	Jupiter / Walnut (Retail) TIA	Shiloh / Walnut (Baylor) TIA

Regulatory

Re-Zoning	Grow, Improve, Transform	Staff Time, Political Capital	3	Catalyze Private Investment	Mid-Term	X		X
Design Standards	Improve	Staff Time, Other \$	2	Catalyze Private Investment	Mid-Term	X	X	X
Reduced Parking Requirements	Improve, Transform	Staff Time	2	Reverse Decline in Values	Mid-Term	X	X	
Enhanced Security (police presence, lighting, design)	Stabilize, Grow, Improve	Staff Time, Other \$	2	Reverse Decline in Values	Near-Term	X	X	X
Historic Preservation	Improve	Staff Time	2	Leverage Public \$	Mid-Term	X		
Code Enforcement	Stabilize	Staff Time, General Fund \$	2	Reverse Decline in Values	Near-Term	X	X	X
De-densify Apartments		Other \$, Political Capital	3	Reverse Decline in Values	Mid-Term			
Diversify Housing Inventory	Improve, Transform	Other \$, Political Capital	3	Reverse Decline in Values	Mid-Term	X		X
Graffiti Abatement	Stabilize, Grow	General Fund \$	2	Reverse Decline in Values	Near-Term	X		

Organizational

Business Improvement District	Stabilize, Grow, Improve	Other \$	2	Leverage Public \$	Mid-Term	X		
Business Owner Outreach / Awareness Program	Stabilize, Grow	Staff Time, General Fund \$	2	Leverage Public \$	Near-Term	X		
Residential Property Owner / Outreach Awareness Program	Stabilize	Staff Time, General Fund \$	2	Leverage Public \$	Near-Term		X	X
Commercial Property Owner Outreach / Awareness Program	Stabilize, Grow	Staff Time, General Fund \$	2	Leverage Public \$	Near-Term	X	X	X

Political

Balanced Growth Policies	Stabilize, Grow	Staff Time, Political Capital	3	Strengthen Revenue Stream	Mid-Term	X	X	X
Affordable Housing Policies	Stabilize	Staff Time, Political Capital	3	Reverse Decline in Values	Mid-Term	X		
Long-Term Support for Envision Garland and ED Strategy	Improve, Transform	Political Capital	1	Catalyze Private Investment	On-Going	X	X	X

* Includes consultant fees.

** If city doesn't lead, timing should coincide with private investment projects.

Source: Catalyst Group and Ricker|Cunningham.



City Council Item Summary Sheet

☐ Work Session

Date: May 7, 2013

☒ Agenda Item

CONVEYANCE OF CERTAIN ELECTRIC TRANSMISSION FACILITIES TO THE CITY OF BRYAN AND BRAZOS ELECTRIC POWER COOPERATIVE

Summary of Request/Problem

In 1991 and 1992, the Texas Municipal Power Agency (TMPA) entered into contracts for the administration of a contract for the sale of power between the Member Cities (Cities of Bryan, Denton, Garland, and Greenville) and the cities of Bowie, Bridgeport, and College Station. As part of these contracts, TMPA constructed certain transmission facilities ("Off-System Sales Facilities") and acquired certain transmission rights of way ("Off-System Sales Transmission Rights of Way") in order to support the sales under these contracts. Under the terms of the contracts, the Member Cities are entitled to have TMPA convey the Off-System Sales Facilities and Off-System Sales Transmission Rights of Way to the Member Cities.

In recognition of the operational conditions and compliance provisions associated with the Off-System Sales Facilities the Member Cities, through TMPA, maintain a potential regulatory liability with continued ownership of these facilities. Due to current operational processes, as well as their geographical position, the assets are best conveyed to the City of Bryan and the Brazos Electric Power Cooperative.

This item is scheduled for Council consideration at the May 6, 2013 Work Session.

Recommendation/Action Requested and Justification

Approve a resolution authorizing the Mayor to execute the documents necessary for conveyance of the Off-System Sales Facilities and the Off-System Sales Transmission Rights of Way to the City of Bryan, Texas and Brazos Electric Power Cooperative.

Submitted By:

Jeff Janke
Senior Managing Director

Approved By:

William E. Dollar
City Manager

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE DEEDS WITHOUT WARRANTY, BILLS OF SALE, ASSIGNMENTS OF EASEMENTS AND OTHER DOCUMENTS NECESSARY TO THE CONVEYANCE OF CERTAIN ELECTRIC TRANSMISSION FACILITIES TO THE CITY OF BRYAN TEXAS AND BRAZOS ELECTRIC POWER COOPERATIVE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Municipal Power Agency ("TMPA") is a joint powers agency whose member cities are the cities of Bryan, Denton, Garland and Greenville (the "Member Cities"); and

WHEREAS, on October 11, 1991, TMPA entered into a contract for the administration of a contract for the sale of power between the Member Cities, as sellers, and the City of Bridgeport, as purchaser; and

WHEREAS, on February 4, 1992, TMPA entered into a contract for the administration of a contract for the sale of power between the Member Cities, as sellers, and the City of College Station, as purchaser; and

WHEREAS, on February 4, 1992, TMPA entered into a contract for the administration of a contract for the sale of power between the Member Cities, as sellers, and the City of Bowie, as purchaser; and

WHEREAS, under such contracts (hereinafter, the "Administration Contracts"), and in order to support such sales, TMPA constructed certain transmission facilities (the "Off-System Sales Facilities") and acquired certain transmission rights of way (the "Off-System Sales Transmission Rights of Way"), the cost of which the Member Cities had fully reimbursed TMPA as of September 30, 1996; and

WHEREAS, TMPA has held title to the Off-System Sales Facilities and Off-System Sales Transmission Rights of Way in trust for the Member Cities under the terms of the Administration Contracts since September 30, 1996; and

WHEREAS, under the terms of the Administration Contracts, the Member Cities are entitled to require TMPA to convey the transmission facilities and rights of way to the Member Cities after TMPA has been reimbursed its costs for construction; and

WHEREAS, the Member Cities have requested that TMPA transfer title to the Member Cities as required under the Administration Contracts; and

WHEREAS, after TMPA transfers the transmission facilities and rights of way to the Member Cities, the Member Cities desire that

certain of the transmission facilities and rights of way be transferred to the City of Bryan, and certain of the transmission facilities and rights of way be transferred to the Brazos Electric Power Cooperative;

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

Section 1

That the Mayor is hereby authorized to execute the deeds, quitclaims, bills of sale and assignments of easements in the form and substance of those attached hereto as Exhibit "A", and such other documents as may be necessary or desirable to effect the transfer of the Off-System Sales Facilities and the Off-System Sales Transmission Rights of Way.

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 _____, 2013.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

**BILL OF SALE
ASSIGNMENT OF EASEMENTS
AND DEED WITHOUT WARRANTIES**

**STATE OF TEXAS §
 § **KNOW ALL BY THESE PRESENTS:**
COUNTY OF WISE §**

That the City of Bryan, Texas, the City of Denton, Texas, the City of Garland, Texas, and the City of Greenville, Texas ("Grantors"), home rule municipalities, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, have sold, transferred and delivered, and by these presents do sell, transfer and deliver unto Brazos Electric Power Cooperative, Inc. ("Grantee") the following:

Those certain electric facilities, in place, known as the Bridgeport-Brazos Tap 138 kV Line, in Wise County, Texas, extending 7.7 miles from a tap structure at the Bridgeport East switching station owned by TMPA, to the dead-end structure in the East Bridgeport substation owned by Brazos Electric Power Cooperative, Inc., and the Bridgeport-Oncor Tap 138 kV Line, extending 0.4 miles from a tap structure owned by TXU Electric Delivery to the dead-end structure in the East Bridgeport Substation owned by Brazos Electric Power Cooperative, Inc., each line consisting of a single circuit on single pole wood structures, and being foundations, wood structures, cross-arms, insulators, static wire, associated hardware and electric conductors, including the transmission equipment described in Exhibit "A" (hereinafter, the "Transmission Facilities").

For the same consideration, Grantors have sold, assigned and transferred, and by these presents does sell, assign and transfer unto Grantee the transmission line easements described on Exhibit "B" attached hereto (hereinafter, the "Transmission Easements").

For the same consideration, Grantors have sold, assigned and transferred, and by these presents does sell, assign and transfer unto Grantee that certain tract of land conveyed to TMPA by warranty deed, dated November 5, 1991, executed by Edward Dill and wife, Thelma Dill as grantors, and recorded in Volume 423, Page 521, of the Real Property Records of Wise County, Texas (hereinafter, the "Transmission Tract").

This conveyance is subject to: (i) any and all visible and apparent easements and encroachments, whether of record or not; (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the Transmission Facilities, the Transmission Easements, the Transmission

Tract or any part thereof; and (iii) standby fees, taxes and assessments - if any - by any taxing authority for the year 2013 and subsequent years and subsequent taxes and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of which Grantee hereby assumes.

THIS CONVEYANCE IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTORS EXPRESSLY DISCLAIM, EXCEPT AND EXCLUDE ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING - WITHOUT LIMITATION - ANY WARRANTIES ARISING UNDER COMMON LAW OR UNDER SECTION 5.023 OF THE TEXAS PROPERTY CODE OR OTHER STATUTE. As a material part of the consideration for the conveyances made herein, Grantors and Grantee agree that Grantee is taking the Property **"AS IS, WHERE IS, WITH ALL FAULTS."**

TO HAVE AND TO HOLD the Transmission Facilities, the Transmission Easements, the Transmission Tract, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, its successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED this ____ day of _____, 2013.

CITY OF BRYAN, TEXAS

By: _____
Mayor

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on _____, 2013, by Jason Bienski, Mayor of the City of Bryan, on behalf of the municipality.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires: _____

CITY OF DENTON, TEXAS

By: _____
Mayor

STATE OF TEXAS §
§
COUNTY OF DENTON §

This instrument was acknowledged before me on _____, 2013, by Mark Burroughs, Mayor of the City of Denton, Texas, on behalf of the municipality.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires: _____

CITY OF GARLAND, TEXAS

By: _____
Mayor

STATE OF TEXAS §
§
COUNTY OF DALLAS §

This instrument was acknowledged before me on _____, 2013, by Ronald Jones, Mayor of the City of Garland, Texas, on behalf of the municipality.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires: _____

After recording, return to:

City of Garland, Texas
Attn: Electric Department Director
P.O. Box 469002
Garland, Texas 75046-9002

CITY OF GREENVILLE, TEXAS

By: _____
Mayor

STATE OF TEXAS §
 §
COUNTY OF HUNT §

This instrument was acknowledged before me on _____, 2013, by Steve Reid,
Mayor of the City of Greenville, Texas, on behalf of the municipality.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires:_____

EXHIBIT "A"
TRANSMISSION EQUIPMENT

1. Bridgeport East Switching Station, including 3 sets of three-phase disconnect switches and the transmission pole to which the switches are attached, located approximately 3 miles west of the City of Decatur and in-line with the Brazos Electric Power Cooperative, Inc. ("BEPC") Decatur to Greenwood 138kV transmission line section.
2. Communication circuits external to BEPC's microwave system to provide communications from SCADA ports at the Substation.

EXHIBIT B
TRANSMISSION EASEMENTS

The following easements conveyed to the Texas Municipal Power Agency as recorded in the Real Property Records of Wise County, Texas:.

1. Grantor: Glenn S. Pike
Volume 434, Page 102
2. Grantor: Edward Dill
Volume 780, Page 809
3. Grantor: Glenn S. Pike
Volume 423, Page 691
4. Grantor: Jimmy C. Wright
Volume 462, Page 565
5. Grantor : Ewing Watkins, et ux
Volume 423, Page 693
6. Grantor : Floyd Galloway
Volume 434, Page 110
7. Grantor : Chester Upham, Jr.
Volume 436, Page 340
8. Grantor : Buddy Johnson, et ux
Volume 434, Page 108
9. Grantor : James Isom
Volume 434, Page 104
10. Grantor : R.J. Coursey
Volume 434, Page 106
11. Grantor : Juanita Sue Green Lewis
Volume 434, Page 92
12. Grantor : Leta M. Coursey
Volume 424, Page 402
13. Grantor : Jimmy Carroll Green, et ux
Volume 423, Page 687

14. Grantor: Gaylord Lee Cato
Volume 424, Page 398
15. Grantor: Calvin Woolaver, et ux
Volume 425, Page 49
16. Grantor: Faith Temple of Wise Co.
Volume 423, Page 682
17. Grantor: Gloria Ann Busey Welch
Volume 423, Page 677
18. Grantor: Hollis Jones
Volume 424, Page 400
19. Grantor: Eddie L. Warren, et al
Volume 425, Page 613
20. Grantor: Troy Lutenbaker, et ux
Volume 435, Page 162
21. Grantor: Billie Ruth Peavy
Volume 423, Page 672
22. Grantor: Bruce Smith
Volume 441, Page 555
23. Grantor: Gary Shelton, et ux
Volume 435, Page 167
24. Grantor: Tommie Lee Reid
Volume 434, Page 389
25. Grantor: Bailey Stevens, et al
Volume 432, Page 78
26. Grantor : Addie Ruth Green
Volume 423, Page 687
27. Grantor : Bruce Smith
Volume 426, Page 218
28. Grantor : Melba Sue Harbaugh
Volume 432, Page 78

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**BILL OF SALE AND
ASSIGNMENT OF EASEMENTS**

STATE OF TEXAS	§	KNOW ALL MEN BY THESE PRESENTS:
	§	
COUNTY OF GRIMES	§	

That the City of Denton, Texas, the City of Garland, Texas, and the City of Greenville, Texas ("Grantors"), for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, have sold, transferred and delivered, and by these presents do sell, transfer and deliver unto the City of Bryan, Texas ("Grantee") the following:

Those certain electric facilities, in place, known as the Gibbons Creek-Greens Prairie 138kV Transmission Line, between the Gibbons Creek Steam Electric Station in Grimes County, Texas, and the City of College Station, Texas, extending from the dead-end structure in the Gibbons Creek Switchyard owned by TMPA in Grimes County, Texas, to the dead-end structure in the Greens Prairie substation owned by the City of Bryan, Texas, a home-rule municipal corporation which owns and operates a municipal electric utility known as "Bryan Texas Utilities", hereinafter referred to as "City" or BTU", in Brazos County, Texas, consisting of (i) one circuit of a double circuit line for 7.4 miles on a combination of wood H-frame and single pole concrete structures (the "7.4 Mile Portion"), (ii) 4.1 miles of single circuit on steel and concrete single pole structures (the "4.1 Mile Portion"), and (iii) within the 4.1 Mile Portion, 1.5 miles of double circuit (the "1.5 Mile Portion") on steel single pole structures with the second circuit (conductor and insulators) being owned by the City of College Station, and being foundations, steel and concrete structures, cross-arms, insulators, static wire, associated hardware and electric conductors (hereinafter, the "Transmission Facilities"). "Transmission Facilities" conveyed herein shall include the steel and concrete towers located in the 4.1 Mile Portion but shall not include towers located in the 7.4 Mile Portion (which are owned by TMPA).

For the same consideration, Grantee, its successors, and assigns shall have the right and a license to operate, maintain, repair, and reconstruct the single circuit hereby conveyed on the 7.4 Mile Portion.

For the same consideration, Grantors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Grantee the transmission line easements described on Exhibit "A" attached hereto (hereinafter, the "Transmission Easements").

There is excepted from this conveyance and warranty the following:

a. The H-frames and single pole concrete structures, owned by TMPA, on the 7.4 Mile Portion.

b. The second circuit (conductor and insulators), owned by the City of College Station, Texas, on the 1.5 Mile Portion.

This conveyance is subject to: (i) any and all visible and apparent easements and encroachments, whether of record or not; (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the Transmission Facilities, the Transmission Easements, or any part thereof; and (iii) standby fees, taxes and assessments - if any - by any taxing authority for the year 2013 and subsequent years and subsequent taxes and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of which Grantee hereby assumes.

THIS CONVEYANCE IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTORS EXPRESSLY DISCLAIM, EXCEPT AND EXCLUDE ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING - WITHOUT LIMITATION - ANY WARRANTIES ARISING UNDER COMMON LAW OR UNDER SECTION 5.023 OF THE TEXAS PROPERTY CODE OR OTHER STATUTE. As a material part of the consideration for the conveyances made herein, Grantors and Grantee agree that Grantee is taking the Property "AS IS, WHERE IS, WITH ALL FAULTS."

TO HAVE AND TO HOLD the Transmission Facilities, the Transmission Easements, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, its successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED this ____ day of _____, 2013.

CITY OF DENTON, TEXAS

By: _____
Mayor

STATE OF TEXAS §
 §
COUNTY OF DENTON §

This instrument was acknowledged before me on _____, 2013, by Mark Burroughs, Mayor of the City of Denton, Texas, on behalf of the municipality.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires:_____

CITY OF GARLAND, TEXAS

By: _____
Mayor

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on _____, 2013, by Ronald Jones, Mayor of the City of Garland, Texas, on behalf of the municipality.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires:_____

CITY OF GREENVILLE, TEXAS

By: _____
Mayor

STATE OF TEXAS §
§
COUNTY OF HUNT §

This instrument was acknowledged before me on _____, 2013, by Steve Reid, Mayor of the City of Greenville, Texas, on behalf of the municipality.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires: _____

EXHIBIT A
TRANSMISSION EASEMENTS

The following easements conveyed to the Texas Municipal Power Agency as recorded in the Real Property Records of Brazos County, Texas:

1. Grantor: Lillian Weaver
Volume 1230, Page 823
2. Grantor: Travelers Insurance Company
Volume 1233, Page 108
3. Grantor: Anderson/Stephen
Volume 1251, Page 663
4. Grantor: First National Bank of Bryan
Volume 1244, Page 346
5. Grantor: Dolly Olden
Volume 1231, Page 5
6. Grantor: James Creagor
Volume 1231, Page 10
7. Grantor: Jerry Windham and Frank Thurmond
Volume 1231, page 15
8. Grantor: Louise Marsh Reeves
Volume 1231, Page 20
9. Grantor: Esterline Smith
Volume 1230, Page 816
10. Grantor: Jonnie Mae Allen
Volume 1230, Page 830
11. Grantor: Vivian Duran et al
Volume 1230, Page 845
12. Grantor: Shaila Ford et al
Volume 1230, Page 837
13. Grantor: Delores Payne et al
Volume 1230, Page 1

After recording, return to:

City Attorney
City of Bryan
300 S. Texas Avenue
Bryan, TX 77803-3937

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**BILL OF SALE AND
ASSIGNMENT OF EASEMENTS AND QUITCLAIM**

STATE OF TEXAS	§	KNOW ALL MEN BY THESE PRESENTS:
	§	
COUNTY OF MONTAGUE	§	

That the City of Bryan, Texas, the City of Denton, Texas, the City of Garland, Texas, and the City of Greenville, Texas ("Grantors"), for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, has sold, transferred and delivered, and by these presents does sell, transfer and deliver unto the Brazos Electric Power Cooperative, Inc. ("Grantee") the following:

Those certain electric facilities, in place, known as the Patterson St. (Bowie)-Brazos Tap 138 kV Line, in Montague County, Texas, extending 2.05 miles from a tap structure owned by TMPA to the dead-end structures in the Bowie Patterson Street substation owned by the City of Bowie, Texas ("Transmission Line") consisting of a double circuit on steel single pole structures, and being foundations, steel structures, cross-arms, insulators, static wire, associated hardware and electric conductors, including but not limited to the equipment described in Exhibit "A" (hereinafter, the "Transmission Facilities").

For the same consideration, Grantors have sold, assigned and transferred, and by these presents does sell, assign and transfer unto Grantees the transmission line easements and license agreements described on Exhibit "B" attached hereto (hereinafter, the "Transmission Easements").

For the same consideration, Grantors quitclaim to Grantee all of Grantors' right title and interest in and to the communications tower, equipment shelter, microwave dish antenna, and associated SCADA equipment (the "Communications Facilities") located in the Bowie Patterson Street substation owned by the City of Bowie, Texas, to have and to hold it to Grantee and Grantee's successors and assigns forever. Neither Grantors or Grantors' successors or assigns will have, claim, or demand any right or title to the Communications Facilities or any part of it.

This conveyance is subject to: (i) any and all visible and apparent easements and encroachments, whether of record or not; (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the Transmission Facilities, the Transmission Easements, the Transmission Line or any part

thereof; and (iii) standby fees, taxes and assessments - if any - by any taxing authority for the year 2013 and subsequent years and subsequent taxes and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of which Grantee hereby assumes.

THIS CONVEYANCE IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTORS EXPRESSLY DISCLAIM, EXCEPT AND EXCLUDE ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING - WITHOUT LIMITATION - ANY WARRANTIES ARISING UNDER COMMON LAW OR UNDER SECTION 5.023 OF THE TEXAS PROPERTY CODE OR OTHER STATUTE. As a material part of the consideration for the conveyances made herein, Grantors and Grantee agree that Grantee is taking the Property **"AS IS, WHERE IS, WITH ALL FAULTS."**

TO HAVE AND TO HOLD the Transmission Facilities, the Transmission Easements, the Transmission Line, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, its successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED this ____ day of _____, 2013.

CITY OF BRYAN, TEXAS

By: _____
Mayor

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on _____, 2013, by Jason Bienski, Mayor of the City of Bryan, on behalf of said municipality.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires: _____

CITY OF DENTON, TEXAS

By: _____
Mayor

STATE OF TEXAS §
COUNTY OF DENTON §

This instrument was acknowledged before me on _____, 2013, by Mark Burroughs,
Mayor of the City of Denton, Texas, on behalf of said Agency.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires: _____

CITY OF GARLAND, TEXAS

By: _____
Mayor

STATE OF TEXAS §
§
COUNTY OF DALLAS §

This instrument was acknowledged before me on _____, 2013, by Ronald Jones,
Mayor of the City of Garland, Texas, on behalf of said municipality.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires: _____

CITY OF GREENVILLE, TEXAS

By: _____
Mayor

STATE OF TEXAS §
§
COUNTY OF HUNT §

This instrument was acknowledged before me on _____, 2013, by Steve Reid,
Mayor of the City of Greenville, Texas, on behalf of said municipality.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires: _____

EXHIBIT "A"
TRANSMISSION EQUIPMENT

1. The 138kV buses and associated facilities in the City of Bowie's Patterson Street Substation (the "Substation") including supports, insulators, connectors, hardware, concrete, and static protection.
2. The 138kV dead-end structure in the Substation to terminate the Transmission Line.
3. The take-off structure located at the point of interconnection where the Transmission Line and the transmission line of the Brazos Electric Power Cooperative, Inc. ("BEPC") terminate.
4. One set of three-phase 138kV metering accuracy potential devices located in the Substation.
5. Two 138kV breakers (1805 and 1815) including disconnect switches and bus work between such breakers and the Transmission Line.
6. The metering accuracy bushing current transformers in both 138kV breakers (1805 and 1815) in the Substation.
7. The metering facilities in the Substation for the point of interconnection with BEPC.
8. The protective relaying facilities necessary at the Substation to protect the Substation's 138kV bus, the Transmission Line, and the BEPC transmission line, including cables and conduit.

EXHIBIT B
TRANSMISSION EASEMENTS

The following easements conveyed to the Texas Municipal Power Agency as recorded in the Real Property Records of Montague County, Texas:

1. Grantor: Barbara Egenbacher Estate
Volume 945, Page 597
2. Grantor: E.L. Edgin, Jr. et ux
Volume 945, Page 601
3. Grantor : Kirk Walker
Volume 945, Page 605
4. Grantor : La Anna RodrigsKallenbach
Volume 945, Page 609
5. Grantor: F.E. Arnold, et ux
Volume 945, Page 614
6. Grantor : Forrest Bend Terry, et ux
Volume 945, Page 618
7. Grantor : GeorgeHoeldtke, et al
Volume 945, Page 622
8. The unrecorded License Agreement relating to Encroachment on Easement dated July 16, 2008, between Texas Municipal Power Agency and Pecan Pipeline Company regarding one underground 12" gas pipeline and two underground 8" gas pipelines, a copy of which is attached hereto.

**LICENSE AGREEMENT RELATING TO
ENCROACHMENT ON EASEMENT**

Date: July 17, 2008

File Code: T22 M16; Bowie 138 kV Transmission Line

Re: Pecan Pipeline Company
Proposed one 12" & two 8" Pipelines
Montague County

Dear Sir:

Pecan Pipeline Company (hereinafter referred to as User) has requested the Texas Municipal Power Agency ("TMPA") permission to use the area within the boundaries of TMPA's electric power line easement, recorded in volume 945, page 601, of the Real Property Records of Montague County, for the operation of one underground 12" and two underground 8" gas pipelines in a 50' easement (hereinafter, the "encroaching facility").

TMPA is agreeable to the construction of the encroaching facility, if the encroaching facility is located and described as shown on the attached drawing, marked Exhibit "A" and incorporated herein, and subject to the following terms and conditions:

1. It is understood and agreed that TMPA holds easement rights on the property involved; therefore, User will be required to obtain whatever rights and permission, other than TMPA's, that are necessary. This letter agreement shall extend to and be binding upon User and its heirs, successors, and assigns, and is not to be interpreted as a waiver of any rights held by TMPA under its easement.
2. User shall defend, indemnify and hold harmless TMPA, its employees and agents from and against any and all claims, expenses, (including attorney fees), damages, losses and judgments whether for bodily injury or damage to property **REGARDLESS IF CAUSED BY THE CONCURRENT NEGLIGENCE (BUT NOT THE SOLE NEGLIGENCE) OF TMPA OR ANY OTHER PARTY INDEMNIFIED HEREUNDER** arising out of or incident to the presence, construction, operation and maintenance of the encroaching facility.
3. Use of draglines or other boom-type equipment in connection with any work to be performed on the TMPA easement by User, its employees, agents, representatives or contractors must comply with Chapter 752, Texas Health and Safety Code, the National Electrical Safety Code and any other applicable safety or clearance requirements. Notwithstanding anything to the contrary herein, in no event shall any equipment be within fifteen feet of the TMPA power lines situated on the aforesaid property. User must notify the Supervisor

of Transmission, Tom Chambers, at (936) 873-1125 or Cell phone (979) 255-8614, 48 hours prior to the use of any boom-type equipment on the TMPA easement.

4. If in the future the encroaching facility, in the reasonable judgment of TMPA, does interfere with the use or enjoyment of its easement rights, TMPA shall notify User in writing that, within 90 days, the encroaching facility must be removed at User's sole cost. If at the end of the 90 day period the encroaching facility has not been removed, TMPA shall remove it at User's expense. TMPA will not be responsible nor will compensation be paid for damages incurred by such removal. However, in an emergency, TMPA shall have the right to immediately remove the encroaching facility. If the encroaching facility is removed, TMPA will not unreasonably withhold consent for User to relocate the encroaching facility within the easement.
5. It is expressly understood and agreed that if the property has transmission or distribution facilities located thereon, User shall not, except for the encroaching facility, place upon the premises any improvements including but not limited to, building, light standards, fences, shrubs, trees or signs unless approved in writing by TMPA.
6. It is agreed that no trash dumpsters, toxic substances or flammable material will be allowed on the easement.
7. TMPA will not be responsible for any costs of construction, operation and maintenance of User's encroaching facility. It is further agreed that TMPA shall not be liable for any damage to the encroaching facility herein agreed to as a result of TMPA's use pursuant to its easement, **REGARDLESS IF THE DAMAGE TO THE ENCROACHING FACILITY IS CAUSED BY TMPA'S NEGLIGENCE.** Any TMPA property damaged or destroyed by User or its agents and contractors shall be repaired or replaced by TMPA at User's expense and payment is due upon User's receipt of an invoice from TMPA.
8. Blasting is not permitted on the TMPA right of way.
9. Grading shall be done in order to leave the right of way in as nearly as possible to present condition. Spoil dirt and all trash shall be removed from the right of way. Slopes shall be graded so that TMPA vehicles may transit the right of way when required to maintain TMPA's facilities.
10. Shoring shall be required where approved excavation is within 10 feet of a structure and shall extend 20 feet each side of the centerline of the structure. Shoring shall be sufficient to withstand the added load of the structure and its footing. Ditches shall not be left open for extended periods of time. Shoring shall be removed and ditches properly backfilled as soon as practical. Backfill shall be thoroughly tamped. Water tamping shall not be permitted within this

area.

11. The TMPA right of way shall be protected from washing and erosion by a method approved by TMPA.
12. Construction equipment and materials shall not be stored on the right of way during construction.
13. It is understood and agreed that, in case of default by User or its agents in any of the terms and conditions herein stated and such default continues for a period of ten (10) days after TMPA notifies User of such default, TMPA may at its election forthwith terminate this agreement and upon such termination all of User's rights hereunder shall cease and come to an end. This agreement shall also terminate upon the abandonment of the encroaching facility.

If the foregoing terms and conditions are acceptable to Pecan Pipeline Company, please have the original and a copy of this letter agreement signed and returned to me at Texas Municipal Power Agency, P.O. Box 7000, Bryan, Texas 77805 within 30 days for final approval by TMPA. This letter agreement shall be effective only after final approval by TMPA.

Yours very truly,



Hubert Nelson
Contract Land Specialist

ACCEPTED:

Pecan Pipeline Company

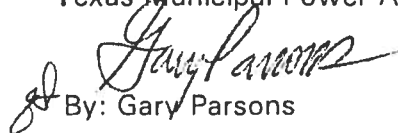
By:  _____

Title: Row Rep.

Date: 7-23-08

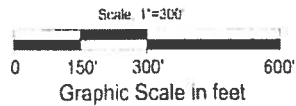
APPROVED:

Texas Municipal Power Agency


By: Gary Parsons

Title: General Manager

Date: 7/24/08



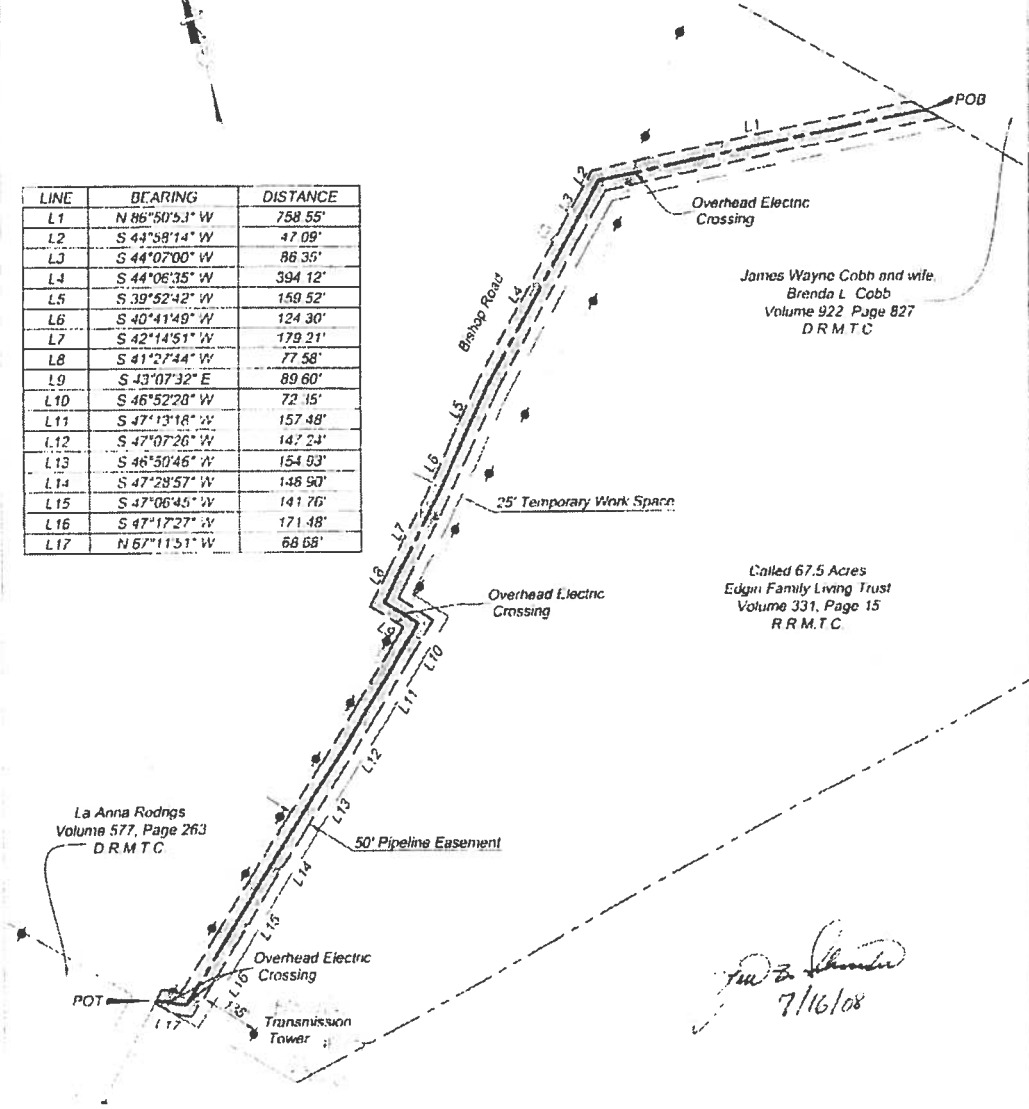
- NOTE**
- Actual bearings shown hereon are correlated to the Texas Coordinate System, North Central Zone, based upon the North American Datum of 1983.
 - Surveyor has made no investigation or independent search for easements, or encumbrances of record.

LEGEND:

D.R.M.C.T.	Deed Records of Montague County, Texas
W/F	Iron Rod Found
P.O.B.	Point of Beginning
P.O.T.	Point of Termination
P.P.	Power Pole
(XXX)	Record Date
*	Barbed wire fence
---	Overhead Electric Line

EXHIBIT "A"

LINE	BEARING	DISTANCE
L1	N 86°50'53" W	758.55'
L2	S 44°58'14" W	47.09'
L3	S 44°07'00" W	86.35'
L4	S 44°06'35" W	394.12'
L5	S 39°52'42" W	158.52'
L6	S 40°41'49" W	124.30'
L7	S 42°14'51" W	179.21'
L8	S 41°27'44" W	77.58'
L9	S 43°07'32" E	89.60'
L10	S 46°52'28" W	72.15'
L11	S 47°13'18" W	157.48'
L12	S 47°07'26" W	147.24'
L13	S 46°50'46" W	154.93'
L14	S 47°28'57" W	148.90'
L15	S 47°06'45" W	141.76'
L16	S 47°17'27" W	171.48'
L17	N 67°11'51" W	68.68'



FW 2
7/16/08

REVISED:

Centerline Length:	
2979.13 Feet	180.55 Rods

**Pecan Pipeline
50' Pipeline Easement**
Crossing the
Edgin Family Living Trust Tract
Hill County School Land Survey
Abstract No. 319, Block 66
Montague County
Texas

JEA / JH *HydroTech*
Surveyors • Engineers • Planners • Hydrologists
6825 Manhattan Boulevard Suite 100
Fort Worth, Texas 76120
ph (817) 451-9000 fax (817) 451-9003
web, jea-hydro.com email: jea-hydro@jea-hydro.com

Preliminary

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**BILL OF SALE AND
ASSIGNMENT OF EASEMENTS**

**STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF BRAZOS §**

That the City of Denton, Texas, the City of Garland, Texas, and the City of Greenville, Texas ("Grantors"), for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, have sold, transferred and delivered, and by these presents do sell, transfer and deliver unto the City of Bryan, Texas, ("Grantee") the following:

Those certain electric facilities, in place, known as the Gibbons Creek-Greens Prairie 138kV Transmission Line, between the Gibbons Creek Steam Electric Station in Grimes County, Texas, and the City of College Station, Texas, extending from the dead-end structure in the Gibbons Creek Switchyard owned by TMPA in Grimes County, Texas, to the dead-end structure in the Greens Prairie substation owned by the City of Bryan, Texas, a home-rule municipal corporation which owns and operates a municipal electric utility known as "Bryan Texas Utilities", hereinafter referred to as "City" or "BTU", in Brazos County, Texas, consisting of (i) one circuit of a double circuit line for 7.4 miles on a combination of wood H-frame and single pole concrete structures (the "7.4 Mile Portion"), (ii) 4.1 miles of single circuit on steel and concrete single pole structures (the "4.1 Mile Portion"), and (iii) within the 4.1 Mile Portion, 1.5 miles of double circuit (the "1.5 Mile Portion") on steel single pole structures with the second circuit (conductor and insulators) being owned by the City of College Station, and being foundations, steel and concrete structures, cross-arms, insulators, static wire, associated hardware and electric conductors (hereinafter, the "Transmission Facilities"). "Transmission Facilities" conveyed herein shall include the steel and concrete towers located in the 4.1 Mile Portion but shall not include towers located in the 7.4 Mile Portion (which are owned by TMPA).

For the same consideration, Grantee, its successors, and assigns shall have the right and a license to operate, maintain, repair, and reconstruct the single circuit hereby conveyed on the 7.4 Mile Portion.

For the same consideration, Grantors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Grantee the transmission line easements described on Exhibit "A" attached hereto (hereinafter, the "Transmission Easements").

There is excepted from this conveyance and warranty the following:

- a. The H-frames and single pole concrete structures, owned by TMPA, on the 7.4 Mile Portion.
- b. The second circuit (conductor and insulators), owned by the City of College Station, Texas, on the 1.5 Mile Portion.

This conveyance is subject to: (i) any and all visible and apparent easements and encroachments, whether of record or not; (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the Transmission Facilities, the Transmission Easements, or any part thereof; and (iii) standby fees, taxes and assessments - if any - by any taxing authority for the year 2013 and subsequent years and subsequent taxes and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of which Grantee hereby assumes.

THIS CONVEYANCE IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTORS EXPRESSLY DISCLAIM, EXCEPT AND EXCLUDE ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING - WITHOUT LIMITATION - ANY WARRANTIES ARISING UNDER COMMON LAW OR UNDER SECTION 5.023 OF THE TEXAS PROPERTY CODE OR OTHER STATUTE. As a material part of the consideration for the conveyances made herein, Grantors and Grantee agree that Grantee is taking the Property "AS IS, WHERE IS, WITH ALL FAULTS."

TO HAVE AND TO HOLD the Transmission Facilities, the Transmission Easements, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, its successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED this _____ day of _____, 2013.

CITY OF DENTON, TEXAS

By: _____
Mayor

STATE OF TEXAS §
COUNTY OF DENTON §

This instrument was acknowledged before me on _____, 2013, by Mark Burroughs, Mayor of the City of Denton, Texas, on behalf of the municipality.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires: _____

CITY OF GARLAND, TEXAS

By: _____
Mayor

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on _____, 2013, by Ronald Jones,
Mayor of the City of Garland, Texas, on behalf of the municipality.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires: _____

CITY OF GREENVILLE, TEXAS

By: _____
Mayor

STATE OF TEXAS §
 §
COUNTY OF HUNT §

This instrument was acknowledged before me on _____, 2013, by Steve Reid,
Mayor of the City of Greenville, Texas, on behalf of the municipality.

Notary Public in and for the
State of Texas

Typed or Printed Name of Notary

My commission expires: _____

EXHIBIT A
TRANSMISSION EASEMENTS

The following easements conveyed to the Texas Municipal Power Agency as recorded in the Real Property Records of Brazos County, Texas:

1. Grantor: Lillian Weaver
Volume 1230, Page 823
2. Grantor: Travelers Insurance Company
Volume 1233, Page 108
3. Grantor: Anderson/Stephen
Volume 1251, Page 663
4. Grantor: First National Bank of Bryan
Volume 1244, Page 346
5. Grantor: Dolly Olden
Volume 1231, Page 5
6. Grantor: James Creagor
Volume 1231, Page 10
7. Grantor: Jerry Windham and Frank Thurmond
Volume 1231, page 15
8. Grantor: Louise Marsh Reeves
Volume 1231, Page 20
9. Grantor: Esterline Smith
Volume 1230, Page 816
10. Grantor: Jonnie Mae Allen
Volume 1230, Page 830
11. Grantor: Vivian Duran et al
Volume 1230, Page 845
12. Grantor: Shaila Ford et al
Volume 1230, Page 837
13. Grantor: Delores Payne et al
Volume 1230, Page 1

After recording, return to:

City Attorney
City of Bryan
300 S. Texas Avenue
Bryan, TX 77803-3937



City Council Item Summary Sheet

☐ Work Session

☒ Agenda Item

Date: May 7, 2013

Bond Refunding

Summary of Request/Problem

At the April 15, 2013 Work Session, Council considered authorizing the refund of approximately \$14.4 million General Obligation Bonds, \$11.2 million Electric Utility System Revenue Bonds, and \$22.1 million Water and Sewer System Revenue Bonds.

Recommendation/Action Requested and Justification

It is recommended that Council approve ordinances authorizing the issuance of CITY OF GARLAND, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013, CITY OF GARLAND, TEXAS, ELECTRIC UTILITY SYSTEM REVENUE REFUNDING BONDS, SERIES 2013, and CITY OF GARLAND, TEXAS, WATER AND SEWER SYSTEM REVENUE REFUNDING and IMPROVEMENT BONDS, SERIES 2013.

Submitted By:

David Schuler
Managing Director for Financial Services

Approved By:

William E. Dollar
City Manager



City Council Item Summary Sheet

☐ Work Session

☒ Agenda Item

Date: May 7, 2013

Proposed Debt Sale

Summary of Request/Problem

At the April 15, 2013 Work Session, Council considered authorizing a Certificates of Obligation (CO) bond sale in the approximate amount of \$13 million and a Water and Sewer Utility System Revenue Bond sale in the approximate amount of \$7.3 million to fund a portion of the CIP.

Recommendation/Action Requested and Justification

Approve the sale of Certificates of Obligation and Water & Sewer Revenue Bonds to fund a portion of the approved 2012 CIP.

Submitted By:

David Schuler
Managing Director for Financial Services

Approved By:

William E. Dollar
City Manager



City Council Item Summary Sheet

☐ Work Session

Date: May 7, 2013

☒ Agenda Item

Property Acquisition – Water Tower Site at 2200 McCree Road

Summary of Request/Problem

Funding for a new water storage tower was included in the approved 2013 Capital Improvements Program as part of the West Pressure Plane project.

Acquisition of the property at 2200 McCree Road is required before the design can be started for the tank construction. After preliminary negotiations, the City and property owner agreed to a land value of \$4.94/SF of property. The exact size of parcel is yet to be determined, but is expected to be approximately 54,000 SF for a total of \$266,700. Staff seeks the Council's concurrence in entering into an Earnest Money Contract with the property owner to complete the agreement and transaction. This item was considered at the April 1, 2013 Work Session.

Council action is required to authorize the City Manager to execute the contract.

Recommendation/Action Requested and Justification

Authorize the City Manager to execute the proposed contract by Minute Action

Submitted By:

Michael C. Polocek
Director of Engineering

Approved By:

William E. Dollar
City Manager

EARNEST MONEY CONTRACT

This Earnest Money Contract ("**Contract**") is made and entered into by and between **Richard "Ric" Mitchell**, an individual residing at 350 Barnes Bridge Rd., Sunnyvale, Texas 75182 ("**Seller**") and the **City of Garland, Texas**, a Texas home-rule municipality ("**Buyer**").

W I T N E S S E T H:

For and in consideration of the respective undertakings and agreements of Seller and Buyer set forth herein, the sufficiency of which are hereby mutually acknowledged, Seller and Buyer hereby agree as follows:

1. Property. Seller hereby agrees to sell and convey and Buyer hereby agrees to purchase and take from Seller, upon and subject to all of the terms and conditions set forth hereinafter all of that property located in Dallas County, Texas containing approximately **1.24 acres** of land, commonly known as **2200 McCree Road**, being more particularly described on **Exhibit "A"** attached hereto, together with all rights and appurtenances thereto, including any right, title, and interest of Seller in and to adjacent streets, alleys, rights-of-way, rights of ingress and egress, and any strips or gores relating to adjacent properties (collectively referred to herein as the "**Land**"). The description referred to in this paragraph shall be amended by substituting the description contained in the Survey (as defined below) if, when, and as approved by the Buyer, but without any adjustment to the Purchase Price (as defined below).

2. Purchase Price. Subject to adjustment as hereinafter provided, the total consideration for the sale of the Land (the "**Purchase Price**") shall be approximately **Two Hundred Sixty Six Thousand Seven Hundred and No/100 U.S. Dollars (\$266,700.00)**, all of such Purchase Price to be paid at closing on the closing date (same day funds). It is understood that, upon surveying and platting of the property, minor boundary adjustments may take place in the property to be purchased. It is also understood that the final purchase price will be based on a land value of **\$4.94 per square foot**.

3. Earnest Money. Within five (5) business days following the date when this Contract is fully executed by both parties,

Buyer shall deliver to Mel Morgan, Republic Title Company of Dallas, 2626 Howell Street, 10th Floor, Dallas, Texas 75024, Phone 214-855-8823 (the **"Title Company"**) as earnest money, the sum of **Thirteen Thousand Three Hundred Thirty Five and No/100 Dollars (\$13,335.00)** in cash or immediately available funds (the **"Earnest Money"**). If for any reason the sale contemplated herein is not consummated, then all of the Earnest Money shall be paid either to Buyer or Seller in conformity with the terms of this Contract. If the sale contemplated herein is consummated, the Earnest Money shall be applied toward the balance due of the Purchase Price.

4. Survey and Plat. Within one hundred twenty days (120) days following the date when this Contract is fully executed, Buyer, at its sole cost and expense, shall:

(A) make arrangements to obtain a current on-the-ground survey of the Land prepared by an engineer or surveyor acceptable to Buyer (the **"Survey"**). Seller agrees to provide full and unlimited access to the surveyor performing the Survey; and

(B) make arrangements to replat the "Land" and the Seller's remainder tract as separate lots. Seller agrees to fully cooperate with Buyer in the replat process, including providing all necessary documentation and executing any instruments necessary to complete the replat.

5. Title Binder. Within thirty (30) days following the date when this Contract is fully executed, Seller shall, at Seller's sole cost and expense, obtain a title binder or commitment to issue a title insurance policy in the amount of the total Purchase Price of the Land by the Title Company (the **"Title Binder"**). Buyer shall, within ten (10) days after receipt of the Title Binder and legible copies of all exceptions shown on the Title Binder and the Survey, advise Seller in writing of any and all objections to title, encumbrances, encroachments or other matters shown on the Title Binder or the Survey. If Buyer timely objects to such matters, then Seller shall have a reasonable time after the date of receipt of Buyer's objections, but in no event to exceed thirty (30) days, within which to cure any and all objections in that notice. If Buyer timely objects to such matters, Seller shall use its best efforts to cure such objections but in no event shall Seller be

obligated to engage in litigation in effecting such curative work. If Buyer fails to object within such time period, it shall be conclusively presumed that Buyer has no objections to any matters shown on the Title Binder or the Survey.

6. Encumbrances and Exceptions. Seller agrees to convey to Buyer by means of a general warranty deed, good and indefeasible title to the Land, free and clear of all liens and encumbrances except as set forth in this Paragraph 6. The Land shall be conveyed to Buyer, and Buyer shall accept title subject only to those exceptions to title shown on the Title Binder or the Survey as to which Buyer fails to timely raise any objections as required in Paragraph 5 above or any exceptions to title shown on the Title Binder or the Survey if waived by Buyer as provided in Paragraph 7 below (all of such matters being hereinafter collectively referred to as the "**Permitted Exceptions**"). As used in this Contract, the term "**Permitted Exceptions**" shall include the standard printed exceptions contained in Schedule B of the Title Binder for (i) standby fees, taxes, and assessments; (ii) discrepancies, conflicts, shortages in area or boundary lines, encroachments or protrusions, or overlapping improvements; (iii) marital rights; and (iv) waters, tidelands, beaches, streams and related matters. Notwithstanding anything else contained in this Contract, Buyer shall not have to object in writing or otherwise to any monetary lien affecting the Land or to any of the matters contained in Schedule C of the Title Binder, all of which shall be deemed objectionable for purposes of this Agreement.

7. Failure to Cure Objections to Title Binder. If, within fifteen (15) days from the date of receipt by Seller of Buyer's written objections to matters shown on the Title Binder or the Survey (other than the Permitted Exceptions), Seller notifies Buyer in writing that Seller is unable to cure such objections then, unless Buyer notifies Seller in writing within ten (10) days of such written notice to Buyer that Buyer waives all such uncured objections to the Title Binder or the Survey, the Earnest Money shall be refunded to Buyer, whereupon all parties shall be released from all further obligations hereunder.

8. Title Policy. At the closing, as hereinafter defined, the Title Company shall issue to Buyer an Owner's Policy of Title Insurance on the Land in face amount equal to the Purchase Price subject only to the Permitted Exceptions, with the

exception for taxes being limited to the year of closing and subsequent years endorsed "Not Yet Due and Payable". At Buyer's sole option and expense, the survey exception may be deleted except for "Shortages in Area".

9. Seller's Representations and Warranties. Seller represents and warrants to Buyer (which representations and warranties shall survive closing) that:

- (A) Seller has good and indefeasible title to the Land.
- (B) There is no action, suit or proceeding pending or, to Seller's actual knowledge, threatened against or affecting the Land or any portion thereof or relating to or arising out of the ownership or use of the Land or any portion thereof in any court or before any administrative body or governmental authority.
- (C) There are no adverse or other parties in possession of the Land.
- (D) Neither the entering into of this Contract nor the consummation of the transaction contemplated hereby will constitute a violation or breach by Seller of (i) any contract or other instrument to which Seller is a party, or to which Seller is subject or by which any of Seller's assets or properties may be affected, or (ii) any judgment, order, writ, injunction or decree issued against or imposed upon Seller, nor result in a violation of any applicable law, order, rule or regulation of any governmental authority affecting Seller.
- (E) Seller is not a "foreign person" as such term is used in Section 1445 of the Internal Revenue Code.
- (F) Except as disclosed in writing attached to this Contract as **Exhibit "C"**, to the best of Seller's knowledge: (1) the Land does not presently contain any Hazardous Materials (as defined below) in an amount, condition, location, manner of storage, degree or concentration in violation of any Environmental Laws (as defined below); (2) neither the Land nor Seller are currently in violation of or subject to any existing, pending or threatened investigation or inquiry by any governmental

authority or any remedial obligations under any Environmental Laws; (3) Seller is not aware of any condition that could create liability to any party, public or private, of any environmental nature relating to the Land or due to the presence of any Hazardous Material on the Land; (4) Seller is in compliance with all applicable Environmental Laws with respect to the Land; (5) Seller is not aware of any release, spill, leak, discharge, disposal of, pumping, pouring, emitting, emptying, injecting, leaching, dumping or escape into or through the environment of any Hazardous Materials at, on, to or from the Land that is or could be a violation of any Environmental Law. In this Contract, the term "Environmental Laws" includes, but is not limited to, (a) with respect to federal law, CERCLA, the Hazardous Materials Transportation Act (49 U.S.C. §§ 1801 et seq.), the Resource Conservation and Recovery Act (42 U.S.C. §§ 6901 et seq.), the Federal Water Pollution Control Act (33 U.S.C. §§ 1251 et seq.), the Clean Air Act (42 U.S.C. §§ 7401 et seq.), the Toxic Substances Control Act (15 U.S.C. §§ 2601 et seq.), the Oil Pollution Act (33 U.S.C. §§ 2701 et seq.), the Emergency Planning and Community Right-to-Know Act (42 U.S.C. §§ 11001 et seq.), the Occupational Safety and Health Act (29 U.S.C. §§ 651 et seq.), the Safe Drinking Water Act (42 U.S.C. § 300f et. seq.), the Surface Mine Conservation and Reclamation Act (30 U.S.C. §§ 1251-1279), and regulations adopted pursuant thereto, and counterpart state and local laws, regulations adopted pursuant thereto; and (b) with respect to Texas law the Solid Waste Disposal Act (TEX. HEALTH & SAFETY CODE, Chap. 361 et. seq.), the Texas Clean Air Act (TEX. HEALTH & SAFETY CODE, Chap. 382 et. seq.), the Texas Water Code (TEXAS WATER CODE, Chap. 1 et. seq.) and the regulations promulgated pursuant thereto. The term "Hazardous Materials" shall mean any hazardous, toxic or dangerous waste, substance, contaminant or material defined as such in any of the foregoing statutes and also includes lead-based paint, asbestos, radioactive materials, urea formaldehyde insulation or other substance considered to be hazardous by a reasonably prudent purchaser of real property.

- (G) This Contract constitutes the legal, valid and binding agreement of Seller, enforceable against Seller in

accordance with its terms, and Seller has full power and authority to execute and deliver this Contract and to consummate the transactions contemplated hereby. The execution and delivery of this Contract and the consummation of the transactions contemplated hereby have been duly and validly authorized by all necessary corporate, partnership, trust or other action required on the part of Seller and this Contract has been duly and validly executed and delivered by Seller.

10. Conditions Precedent to Buyer's Obligation. The following matters shall constitute absolute conditions precedent to Buyer's obligation to purchase the Land:

- (A) Seller's representations and warranties shall be true and correct as of the closing date.
- (B) The Land is in the same or similar condition as it was when this Contract was fully executed.
- (C) Title to the Land shall remain as initially approved by Buyer in the Title Binder and on the Survey as set forth in the provisions of this Contract such that good and indefeasible title shall be conveyed to Buyer at closing.

In the event that the conditions set forth above are not satisfied at closing, then Buyer may either obtain a refund of all Earnest Money plus accrued interest thereon following which neither party shall thereafter have any further liability to the other hereunder, or Buyer may waive in writing the nonfulfillment of such condition and purchase the Land pursuant to the terms and provisions hereof without any reduction in the Purchase Price.

11. Feasibility Period; Remediation of Hazardous Wastes.

- (A) Buyer shall have the right for a period of Sixty (60) days (the "Feasibility Period") after the effective date (as provided below) of this Contract to enter onto the Land and to have full access the Land for the purpose of conducting such inspections, investigations, studies and tests as Buyer may deem fit. On or before the commencement of the Feasibility Period, Seller shall furnish Buyer with a copy of any hazardous waste reports

or other environmental assessments, audits or test results obtained by Seller relative to any portion of the Land. In the event that Buyer determines, in its sole discretion, based upon its inspections, investigations, studies or tests, that the Land is not satisfactory for Buyer's purposes or is not suitable for Buyer's intended use, then Buyer shall deliver written notice of such determination to Seller on or before the expiration of the Feasibility Period. In the event of such termination, and provided that Buyer is not otherwise in default of any provision of this Contract, all Earnest Money together with any accrued interest shall be returned to Buyer by the Title Company, and thereafter this Contract shall terminate and neither party shall have any further obligation or liability to the other under this Contract.

- (B) If Buyer's inspections, investigations, studies or tests disclose the existence of any Hazardous Materials in, on or under the Land, then Buyer may either:
 - (1) Terminate this Contract (in which event the Earnest Money together with any accrued interest shall be paid or returned Buyer and thereafter this Contract shall terminate and neither party shall have any further obligation or liability to the other under this Contract); or
 - (2) Waive, in writing, its objections to the existence of Hazardous Materials and proceed to closing without adjustment of the Purchase Price.

12. Closing.

- (A) The closing of the purchase and sale of the Land shall take place no later than **October 1, 2013**. The closing shall take place at the offices of the Title Company or at such other place as the parties may mutually agree.
- (B) At the closing, Seller shall deliver to Buyer:
 - (1) One or more general warranty deeds conveying title to the Land to Buyer, its successors and assigns, in the form of that attached hereto as Exhibit "B",

duly executed and acknowledged by Seller;

(2) A FIRPTA Affidavit, duly executed by Seller; and

(3) All such other instruments of assignment, transfer or conveyance as shall, in the reasonable opinion of Buyer and its counsel, be necessary to transfer to Buyer the Land in accordance with this Agreement and where necessary or desirable in recordable form.

At the closing, the Earnest Money shall be applied to the Purchase Price and Buyer shall pay the balance of the Purchase Price subject, however, to the adjustments and prorations provided herein. Exclusive possession of the Land shall be delivered to Buyer in accordance with the terms hereof on the date of closing.

13. Closing Adjustments and Prorations.

- (A) Real Estate Taxes. Real estate taxes and assessments for the calendar year of closing shall be prorated between Seller and Buyer as of the date of closing, taking into consideration that Buyer is a tax-exempt entity. If the amount of such taxes for the year of closing is not yet available, the proration shall be based upon the amount of such taxes for the previous year.
- (B) Recording Fees. Seller shall pay all recording fees and any similar fees or assessments imposed by state or local law and payable in respect of the sale or transfer of the Land.
- (C) Title Insurance and Survey. Seller shall pay all premiums and other costs respecting the Title Binder and the Owner's Policy of Title Insurance. Buyer shall pay for the cost of the Survey, and Buyer shall pay any additional premium due for the deletion of the survey exception from the Owner's Policy of Title Insurance.
- (D) Escrow Fees. Seller and Buyer shall pay equally any escrow or closing fee charged by the Title Company.

14. Remedies. If Seller shall have fully complied with all covenants, conditions and matters hereunder by Seller to be

performed or Buyer has waived such compliance in writing, Buyer's conditions precedent are satisfied or waived, and the Title Company is ready, willing and able to issue its Owner's Policy of Title Insurance in the form herein prescribed, and Buyer shall then fail and refuse to close this transaction, then all Earnest Money deposited hereunder together with accrued interest thereon shall be paid to Seller as Seller's sole and exclusive remedy. If Buyer shall have fully complied with all covenants, conditions and matters hereunder by Buyer to be performed, or Seller has waived such compliance in writing, and the Title Company is ready, willing and able to issue its Owner's Policy of Title Insurance in the form herein prescribed, and Seller shall then fail and refuse to close this transaction, then at Buyer's election Buyer may either obtain a refund of all Earnest Money together with accrued interest thereon whereupon all parties shall be released from all further obligations hereunder or Buyer may sue Seller for specific performance, it being hereby acknowledged that Buyer's remedies at law are inadequate. Buyer and Seller hereby waive any and all other remedies available to either or any of them at law or in equity.

15. Brokerage Commission. Each of the parties hereto represents and warrants to the other that, there are no brokers or finders involved in this transaction and that there are no real estate commissions or finder's fees due in connection with this Contract and each of the parties agrees to indemnify and hold harmless the other from any other claims or liability for any other such commission or brokerage fee brought on account of the action or conduct of the indemnifying party. This paragraph shall survive the closing or termination of this Contract.

16. Time, Calculation. Time is of the essence in this Contract. If the final date in any provision of this Contract falls on a Saturday, Sunday or legal holiday (when national banks are closed), then, and in such event, the duration of such period shall be extended so that it shall end on the next succeeding day that is not a Saturday, Sunday or legal holiday.

17. Real Estate License Act of Texas. Buyer acknowledges that, in accordance with the terms of the Real Estate License Act of Texas, it has been advised that it should have an abstract covering the Land examined by an attorney of Buyer's selection or that Buyer should be furnished with or obtain a policy of title insurance.

18. Notices. Any notice required or desired to be given from one party to the other party to this Contract shall be in writing and shall be given and shall be deemed to have been served and received (whether actually received or not) if (i) delivered in person to the address set forth below; (ii) deposited in an official depository under the regular care and custody of the United States Postal Service located within the confines of the United States of America and sent by certified mail, return receipt requested, postage prepaid, and addressed to such party at the address hereinafter specified; or (iii) delivered to such party by courier receipted delivery. Either party may designate another address within the confines of the continental United States of America for notice, but until written notice of such change is actually received by the other party, the last address of such party designated for notice shall remain such party's address for notice.

19. No Assignment. Neither party shall have the right to assign that party's interest in this Contract without the prior written consent of the other party.

20. Severability. If any term or provision of this Contract is held to be illegal, invalid or unenforceable, the legality, validity or enforceability of the remaining terms or provisions of this Contract shall not be affected thereby, and in lieu of each such illegal, invalid or unenforceable term or provision, there shall be added automatically to this Contract a legal, valid or enforceable term or provision as similar as possible to the term or provision declared illegal, invalid or unenforceable.

21. Waiver. Either Seller or Buyer shall have the right to waive any requirement contained in this Contract which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended and specifically identifying the provision or provisions being waived. No waiver of any breach or violation of any term of this Contract shall be deemed or construed to constitute a waiver of any other breach or violation, whether concurrent or subsequent, and whether of the same or of a different type of breach or violation.

22. Governing Law; Venue. This Agreement and all of the transactions contemplated herein shall be governed by and construed in accordance with the laws of the State of Texas. The provisions and obligations of this Agreement are performable in Dallas County, Texas such that exclusive venue for any action arising out of this Agreement shall be in Dallas County, Texas.

23. Paragraph Headings; Construction. The paragraph headings contained in this Contract are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the negotiation and preparation of this Contract and this Contract shall not be construed either more or less strongly against or for either party.

24. Binding Effect. Except as limited herein, the terms and provisions of this Contract shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, devisees, personal and legal representatives, successors and assigns.

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

26. Counterparts. This Contract may be executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument.

27. Exhibits. All exhibits to this Contract are incorporated herein by reference for all purposes wherever reference is made to the same.

28. Entire Agreement. It is understood and agreed that this Contract contains the entire agreement between the parties and supersedes any and all prior agreements, arrangements or understandings between the parties relating to the subject matter. No oral understandings, statements, promises or inducements contrary to the terms of this Contract exist. This Contract cannot be changed or terminated orally and may be modified only by a written document signed by an authorized representative both parties.

29. Relationship of Parties; No Third-Party Beneficiaries.

Nothing contained in this Contract shall be deemed or construed by the parties hereto or by any third party to create the relationship of principal and agent or of partnership or of joint venture or of any association whatsoever between the parties, it being expressly understood and agreed that no provision contained in this Contract nor any act or acts of the parties hereto shall be deemed to create any relationship between the parties other than the relationship of independent parties contracting with each other solely for the purpose of effecting the provisions of this Contract. There are no third-party beneficiaries to this Contract and no third-party beneficiaries are intended by implication or otherwise.

EXECUTED on the dates indicated below but deemed to be effective as of the ____ day of _____, 2013 (the "Effective Date").

Seller:

Richard "Ric" Mitchell

Date: _____

BUYER:

CITY OF GARLAND, a Texas home-rule municipality

By: _____

Martin E. Glenn

Deputy City Manager

Date: _____

ADDRESS FOR NOTICE:

Seller:

With a copy to:

Buyer:

City Manager
P.O. Box 469002
Garland, Texas 75046-9002
With a copy to:
City Attorney
200 N. Fifth St., 4th Floor
P.O. Box 469002
Garland, Texas 75046-9002
(972) 205-2380
(972) 205-2389 [FAX]

EXHIBITS:

Exhibit "A" - Preliminary Description of the Land
Exhibit "B" - Form of General Warranty Deed
Exhibit "C" - Environmental Disclosures

EXHIBIT "A"

FORM OF PRELIMINARY DESCRIPTION OF THE LAND

EXHIBIT "B"

FORM OF GENERAL WARRANTY DEED

GENERAL WARRANTY DEED

STATE OF TEXAS §
 § **KNOW ALL BY THESE PRESENTS:**
COUNTY OF DALLAS §

That Richard Mitchell, a resident of Dallas County ("**Grantor**"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by the City of Garland, Texas, a Texas home-rule municipality ("**Grantee**"), has **GRANTED, SOLD AND CONVEYED**, and by these presents does **GRANT, SELL AND CONVEY** unto Grantee all that certain lot, tract, or parcel of land situated in the County of Dallas, State of Texas as described in Exhibit "A" attached hereto and incorporated herein by reference (the "Land").

TO HAVE AND TO HOLD the Land, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, its successors and assigns forever; and Grantor does hereby bind itself, its successors, and assigns to **WARRANT AND FOREVER DEFEND** all and singular the Land unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor.

EXECUTED this the ____ day of _____, 2013.

GRANTOR:

Richard Mitchell

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

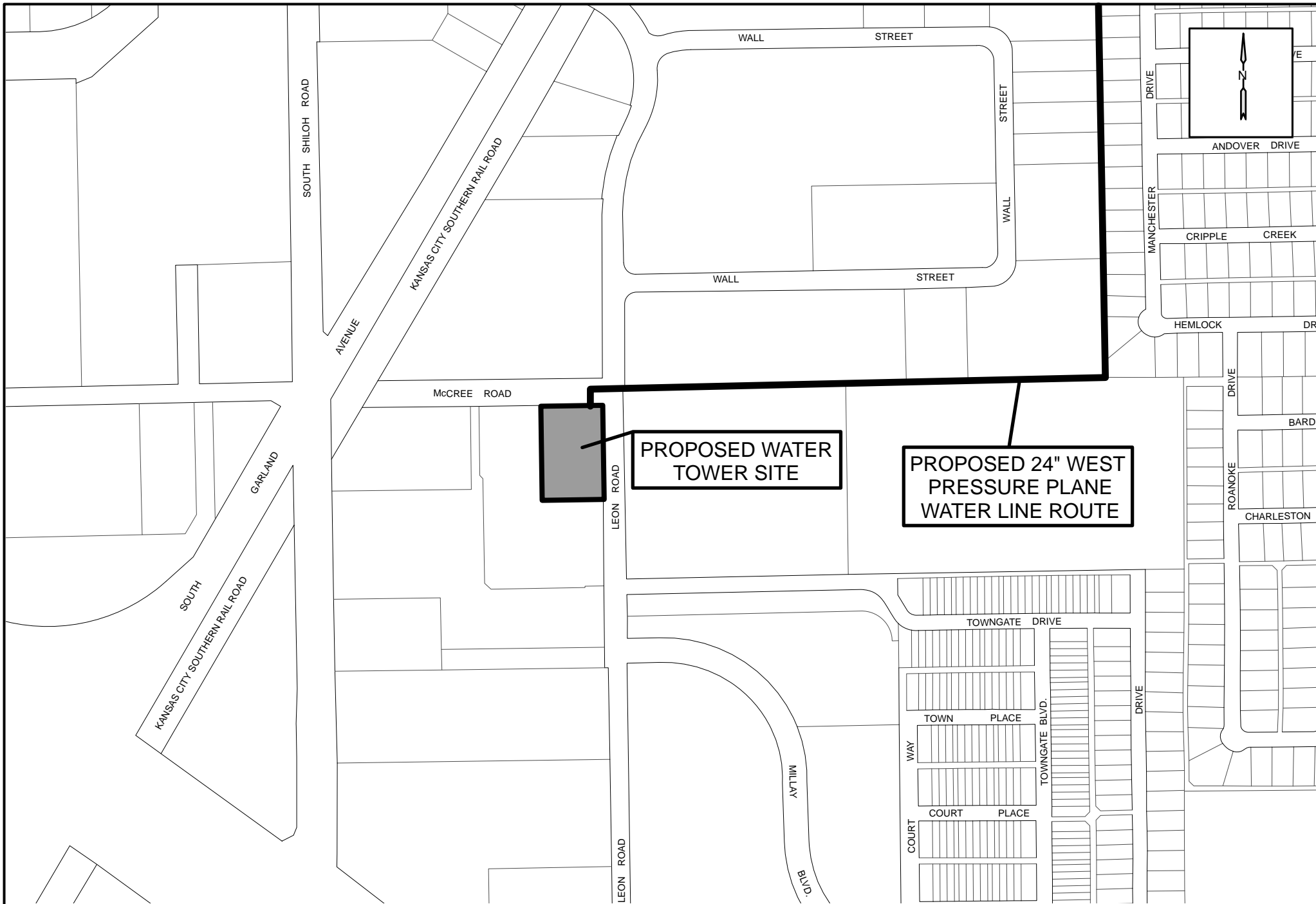
This instrument was acknowledged before me on the _____ day of _____, 2013, by Richard Mitchell.
GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2013.

Notary Public in and for the State
of Texas

Typed or Printed Name of Notary

My Commission Expires:_____

EXHIBIT "C"
ENVIRONMENTAL DISCLOSURES





City Council Item Summary Sheet

☐ Work Session

Date: 5/7/13

☒ Agenda Item

Downtown Parking Restrictions

Summary of Request/Problem

The downtown merchants have requested parking restrictions along Main Street to ensure adequate nearby parking for their customers. Additionally, the City Center Project will significantly limit parking surrounding the City Hall Building necessitating parking restrictions in this vicinity.

Therefore, to address these issues, city staff has requested parking restrictions of 3-hour limited parking in the downtown area.

A draft ordinance is included which would create these changes.

This item was considered by Council at the April 15, 2013 Work Session.

Recommendation/Action Requested and Justification

Adopt attached ordinance revision and set a penalty amount.

Submitted By:

Paul Luedtke
Director of Transportation

Approved By:

William E. Dollar
City Manager

DRAFT
- For Discussion Purposes Only -
Additions are indicated by double-underlining
Deletions are indicated as ~~strike-throughs~~

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 33, "TRANSPORTATION" AND CHAPTER 24, "MUNICIPAL COURT AND ADMINISTRATIVE ADJUDICATION" OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Sec. 33.43 of Chapter 33, "Transportation" of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"Sec. 33.43 ~~Parking in City parking lots, restrictions~~ Downtown parking regulations

~~(A) It shall be unlawful for any person to park any vehicle on a parking lot owned by the City in any other location than those areas which are clearly designated as parking spaces.~~

~~(B) Signs shall be erected on all parking lots owned by the City which shall state that the parking lot is owned by the City and that vehicles shall park within marked spaces only.~~

(A) A vehicle is unlawfully parked if the vehicle is parked upon any of the streets or portions thereof as described below for more than three consecutive hours between the hours of 8:00 a.m. and 5:00 p.m. on any day except Saturdays, Sundays, and legal holidays officially observed by the City:

<u>Street</u>	<u>Extent</u>	<u>Side</u>
Main Street	Seventh Street to Sixth Street	Both
Main Street	Sixth Street to 275 feet east	South
Sixth Street	Main Street to State Street	West

DRAFT

- For Discussion Purposes Only -

Additions are indicated by double-underlining
Deletions are indicated as ~~strike-throughs~~

State Street	Sixth Street to Fifth Street	North
Fifth Street	State Street to 190 feet north	West
Austin Street	Sixth Street to Fifth Street	Both
Sixth Street	Austin Street to Walnut Street	Both
Fifth Street	Austin to Walnut Street	West

(B) It is an affirmative defense to prosecution under this section that the area in which the vehicle was unlawfully parked was not designated as time-limited parking by signs or curb-markings adequate to give a reasonable person notice of the time limitations."

Section 2

That Sec. 33.77(D) of Chapter 33, "Transportation" of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(D) Granville Arts Center. A vehicle is unlawfully parked if the vehicle is parked on the premises of the Granville Arts Center between the hours of 7:00 a.m. and 5:00 p.m. on a business day ~~on which the Granville Arts Center is open for business~~ if:

(1) The operator of the vehicle is not an official or employee of the City; ~~or~~

(2) The operator of the vehicle is not within or on the premises of City Hall, the Duckworth Building or the Granville Arts Center; or

(3) the vehicle is parked on the northern-most row of parking spaces adjacent to the Dallas Area Rapid Transit parking lot from Fifth Street to a point 380 feet east for more than three consecutive hours."

Section 3

That Sec. 24.44(A) of Chapter 24, "Municipal Court and Administrative Adjudication" of the Code of Ordinances of the City

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- For Discussion Purposes Only -
Additions are indicated by double-underlining
Deletions are indicated as ~~strike-throughs~~

of Garland, Texas, is hereby amended by changing the reference to Sec. 33.43 contained therein to read as follows:

<u>Offense</u>	<u>Penalty Amount</u>
"Sec. 33.43 City parking lots <u>Downtown parking</u>	\$ 2 0 . 0 0 \$ _____ "

Section 4

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

Section 5

That Chapter 33, "Transportation" and Chapter 24, "Municipal Court and Administrative Adjudication" of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 6

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

Section 7

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

PASSED AND APPROVED this the _____ day of _____, 2013.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

☐ Work Session

Date: May 7, 2013

☒ Agenda Item

Change Order for Additional Services for City Center Project – VAI Architects, Inc.

Summary of Request/Problem

Increase the design contract to VAI Architects, Inc. by a change order in the amount of \$261,800.00 for additional services with VAI Architects, Inc. for the design of additional site improvements for the City Center Project.

Recommendation/Action Requested and Justification

Authorize the City Manager to execute a change order in the amount of \$261,800.00 for additional services with VAI Architects, Inc.

Submitted By:

Ginny Holliday
Facilities Management

Approved By:

William E. Dollar
City Manager



City Council Item Summary Sheet

☐ Work Session

Date: May 7, 2013

☒ Agenda Item

Budget Allocation for 2013/2014 CDBG, HOME & ESG Programs

Summary of Request/Problem

Attached is the Resolution approving the one year action plan for 2013/2014 CDBG, HOME and ESG Budget Allocations. Council conducted a Public Hearing at the April 2, 2013 meeting and discussed the allocations at the April 15th Work Session.

Recommendation/Action Requested and Justification

Adopt the attached Resolution.

Submitted By:

Neil Montgomery
tor

Approved By:

William E. Dollar
City Manager

RESOLUTION NO. _____

A RESOLUTION ADOPTING AND APPROVING THE CONSOLIDATED PLAN - ONE YEAR PLAN OF ACTION INCLUDING A REVISED STATEMENT OF USES OF FUNDS FOR THE 2013/2014 COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP AND, EMERGENCY SOLUTIONS GRANT PROGRAMS; AND APPROVING AN EFFECTIVE DATE.

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

Section 1

That the Consolidated Plan - One Year Action Plan, which includes the Statement of Community Development Objectives and Projected Use of Funds for the 2013-2014 Community Development Block Grant, HOME Investment Partnership Program and, Emergency Solutions Grant programs, attached hereto as Exhibit A and incorporated herein by reference, is hereby adopted and approved.

Section 2

That this resolution shall be and become effective immediately upon and after it's adoption and approval.

PASSED AND APPROVED this the 7th day of May, 2013.

THE CITY OF GARLAND, TEXAS

BY: _____
Mayor

ATTEST:

City Secretary

Attachment A

ALLOCATION OF COMMUNITY DEVELOPMENT GRANT FUNDING FY 2013/2014

The City will receive \$1,706,997 from the Department of Housing and Urban Development for the Community Development Block Grant. There is \$510,682 available in reprogrammed funds for a total of \$2,217,679. The HOME Investment Partnership Program allocation is \$438,202. Emergency Solutions Grant funding of \$155,199 is available. Specific grant funded activities are as follows:

COMMUNITY DEVELOPMENT BLOCK GRANT 2013 - 2014

PUBLIC SERVICES

Achievement Center of Texas	39,425
Axe Memorial United Methodist Church	1,600
Counseling Institute of Texas	9,125
Dental Health Program	36,375
Hope Clinic	24,250
Galaxy Center	14,438
Garland Family YMCA	7,475
Garland Police – Boxing Program	21,287
Girls Escape Club	1,000
Mount Hebron Literacy Enhancement	7,250
Code Compliance – Elderly Lawn Care	20,500
New Beginning Center – Family Violence	24,600
Park – S.T.A.R.S	25,750
Reinventing Human Capital	2,750
Salvation Army – After School Program	5,950
Salvation Army – Rent/Mortgage Assistance	5,950
Senior Citizens (Garland Ombudsman)	7,325
Urban League – Homeless Prevention	1,000
TOTAL	\$256,050

PROJECTS

Code Compliance	182,000
Minor Home Repair	150,000
Great Homes Project	560,700
Single Family Rehabilitation	185,530
Street Replacement	542,000
Sussex/Avon, Ridgecrest to Stratford	\$266,000
Lakeside, Garland to Garwood	\$276,000

TOTAL	\$1,620,230
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ADMINISTRATION

Grant Administration	268,758
Fair Housing	18,300
Neighborhood Planners	54,341

TOTAL	341,399
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TOTAL CDBG FUNDING

\$2,217,679

**HOME
2013 - 2014**

ADMINISTRATION

HOME Administration	43,820
TOTAL	\$43,820

CHDO ACTIVITIES

Housing and Community Services CHDO Infill Housing	65,730
TOTAL	\$65,730

HOME PROJECTS

Housing and Community Services Infill Housing	248,652
Housing and Community Services Downpayment Assistance	80,000
TOTAL	\$328,652

<u>TOTAL HOME FUNDING</u>	<u>\$438,202</u>
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**EMERGENCY SOLUTIONS GRANT FUNDS
2012 - 2013**

SHELTER SERVICES

New Beginning Center	60,000
TOTAL	\$60,000

ESG PREVENTION

Mount Hebron Urban Community Housing	20,517
TOTAL	\$20,517

ESG RAPID RE-HOUSING

Mount Hebron Urban Community Housing	27,156
New Beginning Center	27,156
TOTAL	\$54,312

DATA COLLECTION

Metro Dallas Homeless Alliance	8,971
TOTAL	\$8,971

ESG ADMINISTRATION

Grants Management	11,399
TOTAL	\$11,399

TOTAL ESG FUNDING

\$155,199



City Council Item Summary Sheet

☐ Work Session

Date: May 7, 2013

☒ 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 \$8,999.92. The required enforcement period will be May 20, 2013 – June 2, 2013. 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 scheduled for Council consideration at the May 06, 2013 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 20, 2013 – June 2, 2013 in the amount of \$8,999.92.

Submitted By:

Mitchel L. Bates
Chief of Police

Approved By:

William E. Dollar
City Manager

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) - CLICK IT OR TICKET (CIOT) GRANT IN THE AMOUNT OF \$8,999.92; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the City of Garland Police Department, by and through Police Chief Mitch Bates, is hereby authorized to accept a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program - Click It Or Ticket (CIOT) Grant in the amount of \$8,999.92, for the purpose of vehicle occupant restraint enforcement during the period from May 20, 2013 through June 2, 2013.

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 _____, 2013.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

☒ Work Session

Date: May 6, 2013

☒ Agenda Item

May 7, 2013

Consultation Services Retainer Agreement

Summary of Request/Problem

At the April 15, 2013 Work Session, Council considered Dean International, Inc.'s response to the Request for Qualifications to provide public policy consulting related to transportation issues. Council directed that staff prepare a Consultation Services Retainer Agreement with Dean International, Inc. The proposed agreement is included for Council's review and approval.

Recommendation/Action Requested and Justification

Approve by minute action authorizing the City Manager to enter into a Consultation Services Retainer Agreement with Dean International, Inc. for transportation consulting services.

Submitted By:

Approved By:

William E. Dollar
City Manager

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- For Discussion Purposes Only -

CONSULTATION SERVICES RETAINER AGREEMENT

This Agreement is made and entered into between the City of Garland, Texas ("City"), and Dean International, Inc. ("Consultant").

W I T N E S S E T H

For and in consideration of the agreements contained herein, City and Consultant agree as follows:

1. Retention of Consultant.

(A) For the term of this Agreement, the City agrees to retain Consultant, and Consultant agrees to provide, transportation consulting services as more particularly described in the scope of services attached hereto as Exhibit A. Consultant shall provide such services and those incident services diligently, to the best of its abilities, and in the promotion of the best interests of the City.

(B) Consultant will prepare and submit monthly summaries and quarterly briefings to the City regarding the accomplishments, results, and efforts relating to the services described in the scope of services. Consultant agrees to submit each monthly summary by the tenth day of the following month. Quarterly briefings to the City Council should display the accomplishments, results and efforts from the prior quarter.

(C) The City recognizes that nothing in this Agreement and nothing in the Consultant's statements to the City will be construed as a promise or a guarantee concerning the outcome of the Consultant's undertakings or efforts on behalf of the City and that the Consultant's comments about the outcome of the City's matters represent an expression of opinion only. The City acknowledges that (i) Consultant cannot and does not make any such promises or guarantees; and (ii) that Consultant's entitlement to payment of fees and expenses is not contingent upon the results obtained or the final disposition of the services for which the Consultant has been retained. The City also acknowledges that Consultant represents other clients in similar matters and agrees that if such representation results in an actual or potential conflict, the City will, upon reasonable request by Consultant, waive such conflicts by written waiver agreement. Consultant agrees and represents that it will exercise ordinary care in representing the interests of the City in the matters subject to this Agreement.

2. Compensation.

(A) City shall pay Consultant for the services of Consultant a fee of \$20,000 per month.

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(B) City will pay or reimburse, as the case may be, documented, actual, necessary, and reasonable non-routine out-of-pocket expenses incurred by Consultant in performing services under this Agreement for the City. Non-routine expenses include long-distance telephone and long-distance fax charges, postage, outside copying charges, travel/lodging expenses, and similar business-related expenses (other than usual office overhead, the cost of which is included in the fee specified in 2(A)). Such reimbursable expenses may not exceed \$30,000.00 annually without the prior written approval of the City.

3. Records; Reports and Work Product; Billing.

(A) Consultant shall produce, maintain, and keep records of all work done by Consultant on behalf of the City. Unless otherwise approved in writing by the City, payment of expenses incurred by Consultant shall be based upon actual expenses, without mark-up, and shall be supported by receipts, vouchers or other acceptable proof of payment. The City may review, during business hours and upon reasonable notice, all records kept and maintained by Consultant in relation to this Agreement. Consultant shall retain such records for a period of not less than three years following completion of the work performed or the date of payment or reimbursement of the expense incurred.

(B) Consultant may invoice City for services performed and expenses incurred no more frequently than once per month. Bills for Consultant's expenses are payable within fifteen (15) days of receipt by the City provided that Consultant has timely submitted the bill(s) for reimbursement or payment. An overdue payment that is not disputed by the City shall bear interest at the rate of one percent per month. The parties specifically agree that the terms of this Agreement supersede the applicability of the Prompt Payment Act. Interest on an overdue payment stops accruing on the date the City mails or electronically transmits payment.

4. Status of Consultant.

(A) Consultant acknowledges that Consultant is an independent contractor of the City and that neither the Consultant nor any of its employees or independent contractors is an employee, agent, borrowed servant, official or representative of the City. Consultant shall not represent, either expressly or through implication, that it or any of its employees, agents or independent contractors is an employee, agent, borrowed servant, official or representative of the City. Income taxes, self-employment taxes, social security taxes, workers compensation coverage or insurance and the like are the sole responsibility of the Consultant.

(B) Consultant acknowledges and agrees that, as an independent contractor, Consultant shall

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have no authority for:

(1) The hiring, evaluation, assignment, scheduling, promotion, discipline, or termination of any City employee;

(2) The supervision, direction, or control of work or work activities of City employees, or the determination of work methods or processes to be followed by City employees; or

(3) The execution of any agreements on behalf of the City, or in any other manner binding or committing financial or other resources of the City without written authorization from the City Manager.

5. Term; Termination; Renewal. This Agreement shall be effective for a term of twelve calendar months following the Effective Date as set forth above the signatures of the party. During the initial term of this Agreement, the City may terminate this Agreement if Consultant fails or refuses to fulfill or perform any covenant, agreement or obligation of Consultant under this Agreement or if Consultant fails or refuses to devote sufficient time and effort to the work to be performed under this Agreement, and such failure or refusal continues without correction for a period of sixty (60) or more consecutive days following written notice by the City. Within ten (10) days after receipt of such written notice by Consultant, City and Consultant shall meet to outline a mutually acceptable performance optimization plan that is to be implemented over the sixty day period commenced with the delivery of notice. At the end of that period, if the City remains dissatisfied with the performance of Consultant, the City may send a notice of termination setting forth with material specificity the nature of its dissatisfaction and providing Consultant with a further thirty (30) days in which to cure the reasons for termination specified in the second notice. If Consultant is unable or unwilling to cure the reasons for termination to the satisfaction of the City, then the City may terminate this Agreement by delivery of written notice of termination to the Consultant. City agrees to pay Consultant for all services actually performed and for expenses actually incurred as of the day of termination provided that such services and expenses conform to the terms of this Agreement. After the initial term and not less than sixty (60) days prior to the anniversary date of this Agreement, is Agreement may be renewed for an additional period of twelve (12) consecutive months by means of a mutually agreed written agreement executed by both the City and the Consultant. Any renewal of this Agreement shall require the approval of the City Council.

6. Notices. Any notice required or desired to be given to either party hereto shall be deemed to be delivered: (i) on the date of delivery, if hand delivered; (ii) one (1) day after sending, if sent by overnight courier; or (iii) three (3) days after the same is posted in a U.S.

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mail receptacle, postage prepaid, to the address of the applicable party set out below such party's signature hereinbelow, if sent by mail. Either party hereto may change such party's address for notice to another address within the United States of America, but until written notice of such change is actually received by the other party, the last address of such party designated for notice shall remain such party's address for notice.

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

8. **Severability.** If any term or provision of this Agreement is held to be illegal, invalid or unenforceable, the legality, validity or enforceability of the remaining terms or provisions of this Agreement shall not be affected thereby, and in lieu of each such illegal, invalid or unenforceable term or provision, there shall be added automatically to this Agreement a legal, valid or enforceable term or provision as similar as possible to the term or provision declared illegal, invalid or unenforceable.

9. **Waiver.** Either party shall have the right to waive any requirement contained in this Agreement, which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended.

10. **Governing Law; Venue.** This Agreement and all of the transactions contemplated herein shall be governed by and construed in accordance with the laws of the State of Texas. This Agreement is performable in Dallas County, Texas, and exclusive venue for any action arising out of this Agreement shall be in Dallas County, Texas.

11. **Paragraph Headings; Construction.** The paragraph headings contained in this Agreement are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. The parties acknowledge that they have read and participated in the preparation of this Agreement so that this Agreement shall not be construed either more or less strongly in favor of or against either party.

12. **Binding Effect.** Except as limited herein, the terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, devisees, personal and legal representatives, successors and assigns.

13. **Counterparts.** This Agreement has been executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument.

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14. Relationship of Parties. Nothing contained in this Agreement shall be deemed or construed by the parties hereto or by any third party to create the relationship of principal and agent or of partnership or of joint venture or of any association whatsoever between the parties, it being expressly understood and agreed that no provision contained in this Agreement nor any act or acts of the parties hereto shall be deemed to create any relationship between the parties other than the relationship of an independent contractor.

15. Exhibits. All exhibits attached hereto are incorporated herein by reference for all purposes wherever reference is made to the same provided that, to the extent of any conflict between the terms of this Agreement and the terms of any exhibit, the terms of this Agreement shall control.

16. Non-Collusion. Consultant represents and warrants that Consultant has not given, made, promised or paid, nor offered to give, make, promise or pay any gift, bonus, commission, money or other consideration to any person as an inducement to or in order to obtain the work to be provided to the City under this Agreement. Consultant further agrees that Consultant shall not accept any gift, bonus, commission, money, or other consideration from any person (other than from the City under this Agreement) for or arising from any of the services performed by Consultant under or related to this Agreement. If any such gift, bonus, commission, money, or other consideration is received by or offered to Consultant, Consultant shall immediately report that fact to the City and, at the sole option of the City, the City may elect to accept the consideration for itself or to take the value of such consideration as a credit against the compensation otherwise owing to Consultant under this Agreement.

17. Confidentiality; Fiduciary Obligations.

(A) Consultant acknowledges that, in the course of providing its services to the City under this Agreement, Consultant and its employees will be given highly-sensitive, proprietary, and competitive information ("Confidential Information"). Such Confidential Information includes all documents, software, reports, data, records, forms and other materials obtained by Consultant from the City in the course of performing the services (including, but not limited to, client records and information): (i) that have been marked as confidential; (ii) whose confidential nature has been made known by City to Consultant; or (iii) that due to their character and nature, a reasonable person under like circumstances would treat as confidential. Consultant shall not, without the express written consent of the City, disclose any such information to any third party or in any other manner that may compromise the interests of the City. Consultant shall retain all Confidential Information in the strictest confidence.

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(B) Consultant is providing its services and is receiving compensation for those services in a fiduciary capacity under this Agreement. Therefore, Consultant agrees that it shall not use Confidential Information for any purpose other than in furtherance of the purposes described in this Agreement; that is, in furtherance of its professional obligations and services to the City. Neither Consultant nor any of its employees shall be engaged in any competitive or conflicting activity without the express written consent of the City Council nor shall Consultant or its employees accept any employment, enter into any agreement, or engage in any activity that could conflict with Consultant's fiduciary obligations to the City. Consultant shall exercise extreme care to avoid conflicts, unintended or otherwise, which may arise in the future. Consultant shall disclose any other dealings that Consultant may have with others that in any manner relate to the activities, functions or operations of the City.

[Signature page follows]

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EXECUTED this ____ day of _____, 2013 (the “Effective Date”).

CITY:

CONSULTANT:

CITY OF GARLAND, TEXAS

DEAN INTERNATIONAL, INC.

William E. Dollar
City Manager

David A. Dean
President and CEO

ADDRESS FOR NOTICE:

CITY

CONSULTANT

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

Dean International, Inc.
8080 Park Lane, Suite 600
Dallas, Texas 75231

With a copy to:

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

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Exhibit A
Scope of Work

Consultant agrees to perform the following services on behalf of the City:

A. Assist the City in the creation, development and preparation of a Strategic Transportation Enhancement Plan (hereinafter STEP) for the purpose of maximizing funding and project development of projects prioritized by the City for project development within the city limits of Garland, including the implementation of the STEP as it relates to IH-635 East, SH-78 and IH-30. The STEP will be a written document that will be updated annually and periodically as directed by the City and will reflect a detailed listing of the then-current funding opportunities for transportation projects as identified above and the potential strategies to assist the City in qualification for same.

For purposes of contract compliance, the City and Consultant acknowledge that while there needs to be a degree of flexibility in addressing the transportation needs of the the City as herein outlined, that the creation of the STEP and projects of interest will outline the process and procedure relating to IH-635 East, SH-78 and IH-30 within the Garland city limits by which the City and Consultant agree to relate to each other during the term of this Agreement.

The City and Consultant agree that the following projects will be evaluated and Client and Firm will actively pursue the following projects being worked into the STEP as well as specifically outlined goals and objectives agreed to by Client and Firm:

IH-635 East

Examine possibilities to enhance the corridor, and identify and assist in the implementation of effective solutions to the high traffic volumes and needed frontage roads; assist in IH-635 east of US-75 to IH-30 being included in legislation authorizing the Texas Department of Transportation (TxDOT) to enter into a Comprehensive Development Agreement to rebuild and improve the section of IH-635 in an upcoming legislative session; examine the feasibility of the creation of a corridor coalition of municipalities and interested organizations and businesses along IH-635 with the purpose of bettering the corridor.

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- For Discussion Purposes Only -

SH-78

Examine the possibilities for the betterment of the corridor including but not limited to various transit services, corridor zoning and aesthetic improvements, and mobility options, while working in a coordinated effort with other municipalities.

IH-30

Examine possible enhancements and improvements needed for the maximization of the potential and opportunities of the corridor including improved frontage roads and access, intersections, and corridor aesthetics and zoning improvements.

B. Monitor meetings and prepare reports as appropriate, generally keeping the City informed of relevant transportation-related actions by the following agencies to the projects identified above: various transportation-related agencies and organizations at the local, state and federal levels of government, including the U.S. Congress and appropriate committees, U.S. Attorney General, U.S. Department of Transportation agencies including the Federal Aviation Administration, Federal Highway Administration, Federal Railroad Administration, Federal Transit Administration, Texas Governor's Office, Texas Attorney General's Office, Texas Legislature and appropriate committees, Texas Transportation Commission, Texas Department of Transportation-Headquarters (Austin), Texas Turnpike Authority, Texas Department of Transportation-Dallas District, Texas Department of Transportation-Fort Worth District, the Dallas Area Rapid Transit Authority, the Fort Worth Transportation Authority, the Denton County Transportation Authority, North Central Texas Council of Governments, Dallas Fort Worth International Airport, Metropolitan Planning Organization, Regional Transportation Council, Dallas Regional Mobility Coalition, Tarrant Regional Transportation Coalition, Dallas County Commissioners Court, Tarrant County Commissioners Court, the City of Dallas, the City of Fort Worth, and others to be mutually agreed upon relating to those projects; and

C. Assist the City in the development and implementation of a legislative strategy designed to enhance funding allocations for the above-referenced transportation projects, and the organization and implementation of legislative and congressional days.

D. Assist Client in any other service mutually agreed upon by Client and Firm in writing and subject to additional remuneration.



City Council Item Summary Sheet

☐ Work Session

Date: May 7, 2013

☒ Agenda Item

Appointment to the North Texas Municipal Water District Board

Summary of Request/Problem

The North Texas Municipal Water District (NTMWD) notified the City that Don Gordon's term of office as a NTMWD Board Member expires on May 31, 2013. NTMWD has requested that Council reappoint Mr. Gordon or appoint another Director to serve a two-year term from June 1, 2013 to May 31, 2015.

Information was posted on the City's website for 14 days regarding the qualifications of the NTMWD Board Member in order to provide an opportunity for citizens to apply for the position. Qualified applicants were requested to submit a letter of interest and resume to the City Manager's Office by 5:00 p.m. on April 30, 2013. Letters of interest and resumes were received from Don Gordon, Ken Johnson, and Tony Torres. Council was scheduled to interview all three individuals at the May 6, 2013 Work Session.

Recommendation/Action Requested and Justification

Approve by minute action the appointment of an individual to represent Garland on the North Texas Municipal Water District Board of Directors to serve a two-year term from June 1, 2013 to May 31, 2015.

Submitted By:

Approved By:

William E. Dollar
City Manager



File No. 13-16/District 3

Meeting: City Council

Date: May 7, 2013

Planning Report

Atlantic Hotels Ltd.

4412 Bass Pro Drive

REQUEST

Approval of 1) amendments to Planned Development (PD) District 08-26, 2) an amended Detail Plan, and 3) a shared off-site parking agreement on a property zoned Planned Development (PD) District 08-26 for Freeway Uses and within the IH 30 Overlay.

OWNER

Atlantic Oil & Gas Ltd.

PLAN COMMISSION RECOMMENDATION

On April 8, 2013 the Plan Commission, by a vote of 8 to 0, recommended approval of) amendments to Planned Development (PD) District 08-26 and 2) an amended Detail Plan as recommended by Staff with a change in the original request to provide 99 guest rooms and additional parking off-site by shared parking agreement with the City of Garland.

Additionally, the Plan Commission approved a variance to Section 34.19(A)(2)(a)(iii) of the IH 30 Development Standards regarding setbacks to allow an 85-foot average setback from the residential district located to the west of the subject property.

STAFF RECOMMENDATION

Approval of amendments to Planned Development (PD) District 08-26 Conditions and Detail Plan. The proposed Detail Plan will maintain the character of the previously approved Detail Plan and remain in compliance with the Hotel/Motel Ordinance. The proposed elevations reflect a more modern architectural design that translates to an improvement to the aesthetics of the overall hotel design.

Approval of a shared parking agreement to use at least 5 parking spaces on the adjacent City-owned parking lot to meet the minimum parking requirement.

BACKGROUND

In 2008, City Council approved Planned Development (PD) District 08-26 as the guiding document for the development of a limited service hotel on the subject property. With Planned Development (PD) District 08-26, a Detail Plan was approved along with a number of conditions regarding parking, screening and landscape requirements, building elevations, signage, and general development standards. Furthermore, given that Limited Service Hotel/Motel is only permitted by Specific Use Permit in the Freeway (FW) District, within the IH-30 Corridor, a Specific Use Permit was granted for a period of 30 years and tied to Harbor Point Hotels, LLC.

The applicant is proposing the following changes to the previously approved Detail Plan and Conditions:

- A reduction in the number of rooms
- A reduction in the square footage of the meeting space
- A reduction in the number of stories
- An increase in the area of the footprint of the building
- Changes to the elevations
- A reduced setback from the adjacent residential district

SITE DATA

The subject property contains approximately 2.569 acres in area, with approximately 319 feet along Bass Pro Drive.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is restricted to the uses permitted by Planned Development (PD) District 08-26. Under Planned Development District 08-26, only the uses listed in the Freeway (FW) District are permitted. The Freeway (FW) District provides for a broad range of non-residential land uses including office, retail and personal service, commercial, industrial and institutional activities. A Specific Use Permit is required in the Freeway (FW) District, within the IH-30 Corridor, in order to permit a Limited Service Hotel/Motel.

CONSIDERATIONS

1. The previously approved Detail Plan consisted of a 5 story hotel with a footprint of 14,359 square feet. The applicant is proposing a new Detail Plan with a 4 story hotel and a footprint of 15,914 square feet. Notwithstanding the

increase in square footage, the building will not exceed the maximum allowable lot coverage.

2. The parking ratio as specified in Section 10-200 of the City of Garland Comprehensive Zoning Ordinance requires 1.25 parking spaces per room, plus 1 parking space for every 200 square feet of meeting area, for all hotel/motel uses.

The previously approved hotel had 102 guest rooms and 3,000 square feet of meeting area, for a minimum parking requirement of 143 spaces. With the approval of the Detail Plan, the applicant obtained a variance to provide only 141 parking spaces. With the new Detail Plan, the applicant is proposing 99 guest rooms and a meeting area of 1,400 square feet, resulting in a minimum parking requirement of 131 parking spaces. The applicant is providing 126 on-site parking spaces; the remaining 5 parking spaces will be off-site parking that will be located on the adjacent City-owned parcel which is developed with a parking lot used for overflow for Bass Pro and the other Harbor Point developments by way of a shared parking agreement with the City.

3. Section 34.20(B)(2)(b) of the IH 30 Development Standards states that a minimum of 5 percent of the total parking area shall be landscaped and that 1 large tree or 3 small/ornamental trees shall be provided for each 10 parking spaces. Moreover, Section 34.20(B)(2)(d) of the IH 30 Development Standards stipulates that parking areas shall be screened from public streets and adjacent residential districts; the screening shall screen the parking lot completely, giving the appearance of a continuous minimum height of 24 inches above the top of the adjacent parking area curb. The proposed screening and landscape of the parking area is in compliance with the IH 30 Development Standards.

4. Section 34.18(B)(2) of the IH-30 Development Standards states that exterior walls shall be composed of a minimum of 50% primary masonry product, a maximum of 50% secondary masonry product; and no more than 20% other non-masonry materials, excluding doors, windows, or window walls. No more than two basic materials, in addition to glass, may be used on any single building.

The exterior material of the approved elevations consisted of a minimum 80% primary masonry material, which was a combination of brick and two types of stone: stone veneer and limestone, and a maximum of 20% of stucco. In keeping with the changes in the construction industry and architectural styles, the applicant is proposing new elevations that reflect a more urban and modern design that consists of at least 50 percent porcelain tile (primary masonry) and no more than 50 percent EIFS (secondary masonry).

5. Only the Planned Development (PD) District 08-26 Conditions regarding parking, building placement, and building elevations will be amended as the result of the proposed changes, all other Conditions will remain the same.

6. The applicant is not proposing any amendments to Specific Use Permit 08-26 for Limited Service Hotel/Motel granted for a period of 30 years and tied to Harbor Point Hotels, LLC.

Prepared By:

Josue De La Vega
Development Planner

Date: April 25, 2013

Reviewed By:

Neil Montgomery
Director of Planning

Date: April 25, 2013

Reviewed By:

William E. Dollar
City Manager

Date: April 29, 2013

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE 13-16

Atlantic Hotels, Ltd.

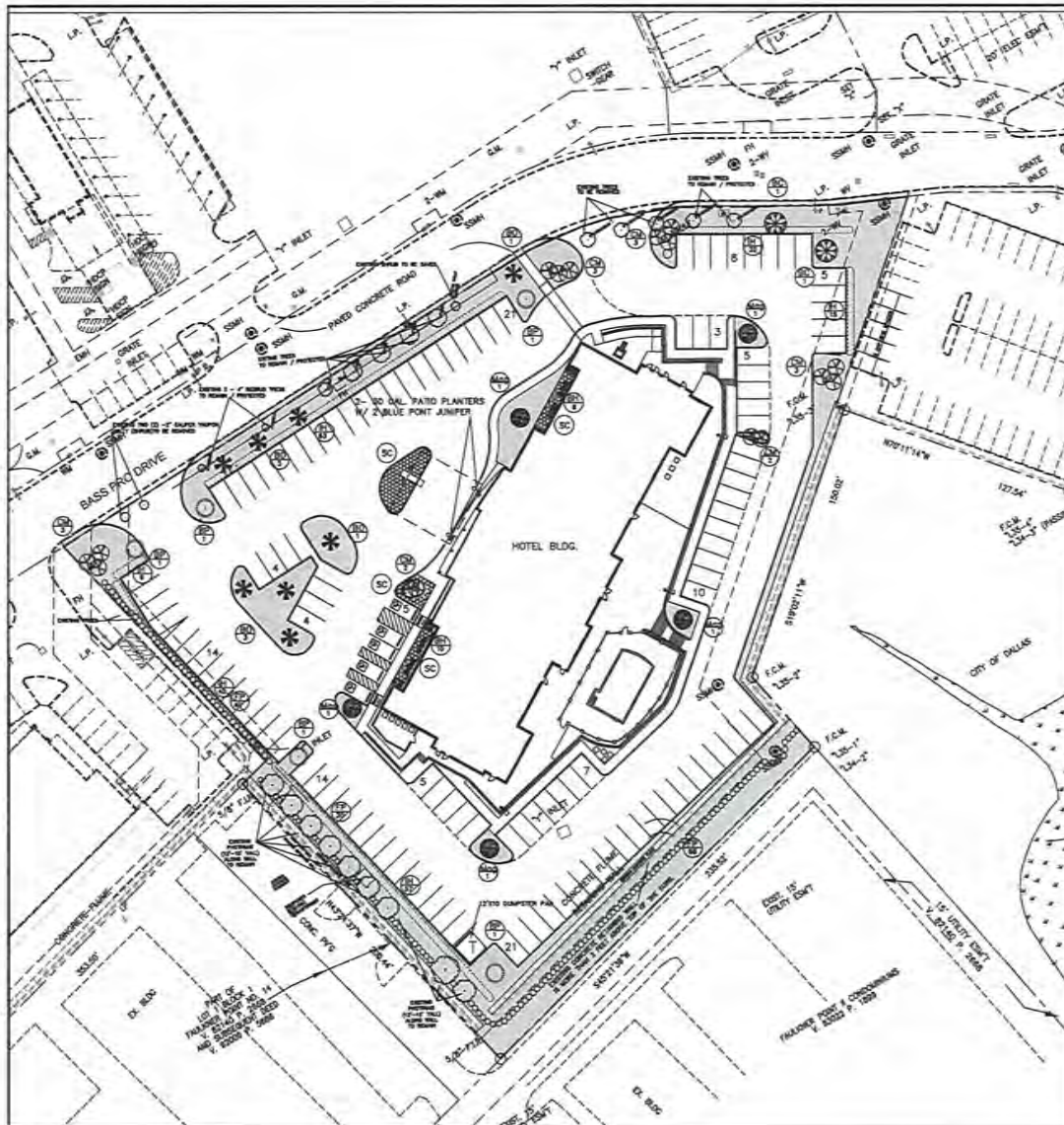
4412 Bass Pro Drive, south of IH 30 and east of Chaha Road

- I. **Statement of Purpose:** The purpose of this Planned Development District is to develop a Limited Service Hotel on the property 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 Freeway (FW) District set forth in Sections 31, 32, 33 and 48 of the Comprehensive Zoning Ordinance, Ordinance 4647, as well as the IH-30 Development Standards are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Development Plans:**

Detail Plan: Development shall be in general conformance with the approved Detail Plan set forth in Exhibit C. However, in the event of conflict between the Detail Plan and the conditions, the conditions shall prevail.
- V. **Specific Regulations:**
 - A. Screening and Landscape Requirements: Screening from the adjacent residential districts shall consist of six (6) foot tall evergreen shrubs planted three (3) feet on center to form continuous screening. Landscape shall be in general conformance with the approved landscape plan labeled Exhibit D.
 - B. Building Elevations: Building elevations and exterior wall materials shall be in general conformance with the approved elevations labeled Exhibit E.
 - C. Building Placement: The building shall be allowed to have an average setback of a minimum of 85 feet from the contiguous residential district located to the west of the subject site.
 - D. Parking: The subject property shall have 126 on-site parking spaces and at least 5 off-site parking spaces located on the adjacent City-owned parcel by way of a shared parking agreement with the City.

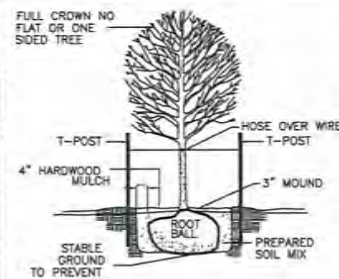
Approximately 39% of the required on-site parking shall be permitted in front of the building.

- E. Signage: Two (2) freestanding signs shall be permitted on the subject property: a monument sign with a height of seven (7) feet and twenty (20) square feet in area and a pole sign with a height of fifty (50) feet and two hundred thirty-one (231) square feet in area. Attached signage shall follow the requirements of the IH 30 Development Standards.
- F. Development Standards: The site shall be required to comply with the IH-30 Development Standards, the Freeway (FW) District development regulations, as well as all other applicable codes and ordinances unless otherwise specified in these conditions.

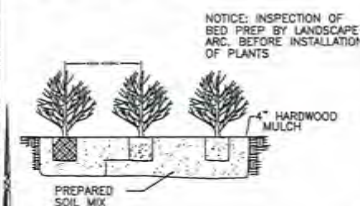


TOTAL TO BE REMOVED: 3 RED CEDARS
TOTAL CALIPER TREE TO BE REMOVED: 20 INCHES

GRAPHIC SCALE
1" = 30'



01 TREE PLANTING DETAIL
SCALE: NONE



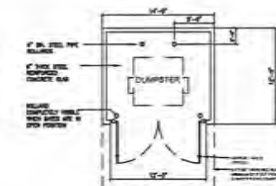
02 DUMPSTER PAD DETAIL
SCALE: NONE

LANDSCAPE AREA TABULATION:

1. Total Site Area = 111,800.00 s.f
1. 10% of Site Area = 11,180.00 s.f
1. Overall Landscape Area Provided = 25,202.00 s.f
1. Total Parking Area = 57,887.63 s.f
1. 5% of Parking Area = 2,835.50 s.f
1. Parking Area Landscape Provided = 5,410.00 s.f

Ground Cover Note:
All landscape ground covers to be
Buffalo Grass.

NOTICE: INSPECTION OF
BED PREP BY LANDSCAPE
ARC. BEFORE INSTALLATION
OF PLANTS



PLANTING SCHEDULE (LARGE TREES)

SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE/ CAL.	HEIGHT	SPACING
	2	BALD CYPRESS	Taxodium distichum	4"	10' MIN.	AS-SHOWN
	8	BUR OAK	Quercus macrocarpa	4"	10' MIN.	AS-SHOWN
	5	MAGNOLIA	Magnolia grandiflora	3"	10' MIN.	AS-SHOWN

PLANTING SCHEDULE (SMALL ORNAMENTAL TREES)

SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE/ CAL.	HEIGHT	SPACING
	18	GRAPE MYRTLE (RED)	Legnestraemia indica	1 1/2" MULTI-TRUNK	8' MIN.	AS-SHOWN
	5	BRADFORD PEAR	Pyrus Calleryana "Bradford"	3"	10' MIN.	AS-SHOWN

PLANTING SCHEDULE (SHRUBS)

SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE/ CAL.	HEIGHT	SPACING
	130	FRAXEL'S PHOTINIA	Photinia fraxel	3 GAL.	5'	3' O.C.
	18	BURFORD HOLLY	Ilex cornut a "Burfordi"	3 GAL.	24"	3' O.C.
	213	DWARF INDIAN HAWTHORN	Raphitaphia indica	3 GAL.	24"	3' O.C.

PLANTING SCHEDULE (SEASONAL COLOR PLANTS)

SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE/ CAL.	HEIGHT	SPACING
	N/A	SEASONAL COLOR PLANTS	-	4" POTS	-	-

NOTE: ALL LANDSCAPING AND IRRIGATION SYSTEM SHALL BE IN ACCORDANCE WITH THE CITY OF CARLAND STANDARDS.

Holiday Inn
Hotel & Suites
BASS PRO
CARLAND, TEXAS

**JAHVANI CONSULTING
ENGINEERS, INC.**
2335 CRISTINA CIRCLE
CARROLLTON, TEXAS 75006
TEL: (214) 718-9469
johvani@earthlink.net

REVISIONS DATE



DWG. TITLE:
**LANDSCAPE
PLAN**

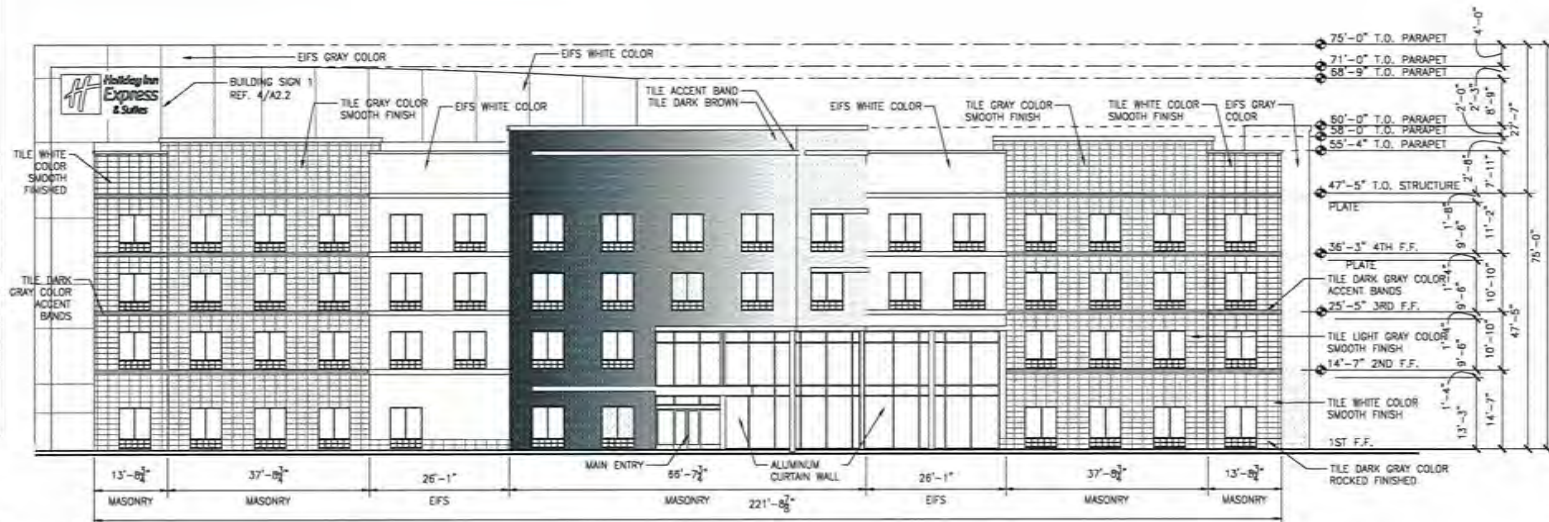
PROJECT #:
DRAWN BY: HJ
CHECKED BY: HJ
FILE: LANDSCAPE-PLAN

DATE: 4-22-2013

L - 1

SHEET NUMBER

EXHIBIT D



GENERAL NOTES

- EIFS DRAINAGE EFFICIENCY OF 90% IS REQUIRED PER ASTM E2273 TEST (REFER IBC - 2009)

MATERIAL LEGEND

- MASONRY**
MATERIAL: EXTERIOR GRADE PORCELAIN TILE
MANUFACTURER: PAMICOR - TROUSERS 9-15 SERIES, DIRECT APPLIED METHOD
SIZE: 12"x24" NOMINAL, SIZE
TEXTURE: SMOOTH FACE
COLOR: WHITE, GRAY, DARK GRAY, BROWN
- EXTERIOR INSULATED FINISH SYSTEM (EIFS)**
MATERIAL: CLASS B EIFS WITH DRAINAGE
MANUFACTURER: DRYL, STYRENE AND BURL (OR EQUIV.)
COLOR: AS INDICATED IN THE DRAWINGS
FINISH: CHROMA HIGH PERFORMANCE WITH HIGH PERFORMANCE COLORHUNT
COLOR: WHITE, GRAY
- CURTAIN WALL**
MATERIAL: ALUMINUM CURTAIN WALL SYSTEM
MANUFACTURER: KAWNEER ALUMINUM CURTAIN WALL 1600 (1 SYSTEM OR EQUIV.)
COLOR: TO BE DETERMINED
GLAZING: WITH 1" DOUBLE LAYER GLAZING
WALLS: WITH 1" DOUBLE LAYER GLAZING
REINFORCEMENT: AS NEEDED WITH STEEL
- STOREFRONT SYSTEM**
MATERIAL: KAWNEER TRIFAB 400 STOREFRONT SERIES
FRAME SIZE: 1-1/2" x 4", FRONT GLAZED
GLAZING: WITH 1" DOUBLE LAYER GLAZING
COLOR: TO BE DETERMINED
GLAZING: WITH 1" DOUBLE LAYER GLAZING
- WINDOWS AND DOORS**
FOLLOWING FRAME DOORS WITH LIFE FOR JACKET BALCONIES, BALCONY DOORS, OPERABLE CHAIRMAN
WINDOWS, FIXED WINDOWS
MATERIAL: ALUMINUM FRAME WITH DOUBLE PANE LOW-E, TINTED GLASS
MANUFACTURER: GUNDEL, GUNDEL SERIES AND PRO PERFORMANCE SERIES
SIZE: REFER TO ELEVATION DRAWINGS

2 FRONT ELEVATION
SCALE: 3/32" = 1'-0"



1 REAR ELEVATION
SCALE: 3/32" = 1'-0"

EXTERIOR MATERIALS CALCULATIONS
EXCLUDING WINDOWS AND DOORS

ELEV		EIFS	MASONRY	GLASS	TOTAL
FRONT	AREA (SF)	4,185	7,245	—	11,430
	%	36.6	63.4	—	100
REAR	AREA (SF)	4,603	5,409	—	10,012
	%	46	54	—	100
SIDE LEFT	AREA (SF)	1,301	3,286	—	4,587
	%	28.4	71.62	—	100
SIDE RIGHT	AREA (SF)	1,692	3,359	—	5,021
	%	33.1	66.9	—	100
TOTAL	AREA (SF)	11,751	19,299	—	31,050
	%	37.8	62.2	—	100

EJES
12885 NORTH CENTRAL EXPRESSWAY
SUITE 300
DALLAS, TEXAS 75244
(972) 430-1278
(972) 430-2885
EJES Inc. Copyright © 2012. TYPED BY: ELEVATION & PLAN

12885 NORTH CENTRAL EXPRESSWAY
SUITE 300
DALLAS, TEXAS 75244
(972) 430-1278
(972) 430-2885

Holiday Inn Express & Suites
BASS PRO DRIVE - GARLAND

AMERICAN
04/16/13

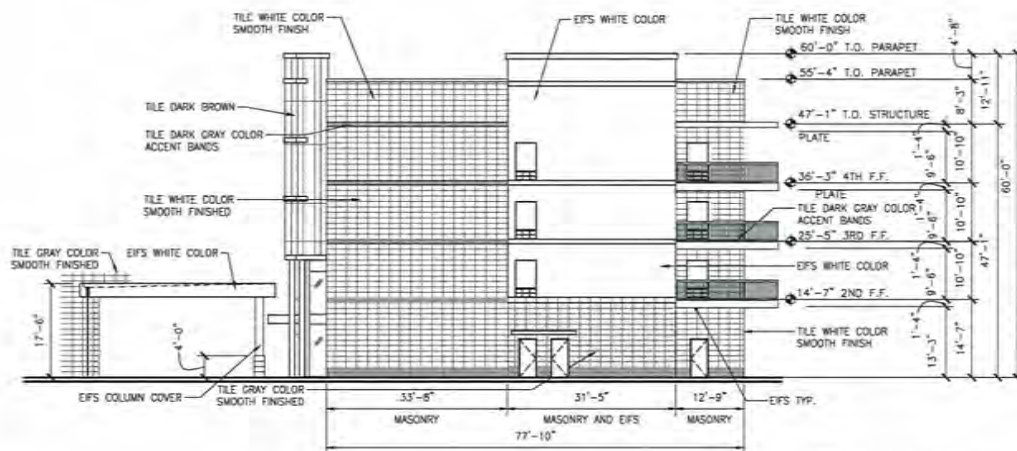
DATE	DESCRIPTION	BY	DATE	DESCRIPTION	BY
3/15/13	PD ZONING SUBMITTAL	RK			
3/29/13	PD ZONING SUBMITTAL REVISION 1	RK			
3/28/13	PD ZONING SUBMITTAL REVISION 2	RK			
4/15/13	PD ZONING SUBMITTAL REVISION 3	RK			
	PD ZONING 08-25				

PROJECT NAME: GARLAND HOLIDAY INN EXPRESS & SUITES
SHEET TITLE: FRONT AND REAR ELEVATIONS
PROJECT NO: 008-01
SCALE: AS NOTED
DRAWN BY:
CHECKED BY:

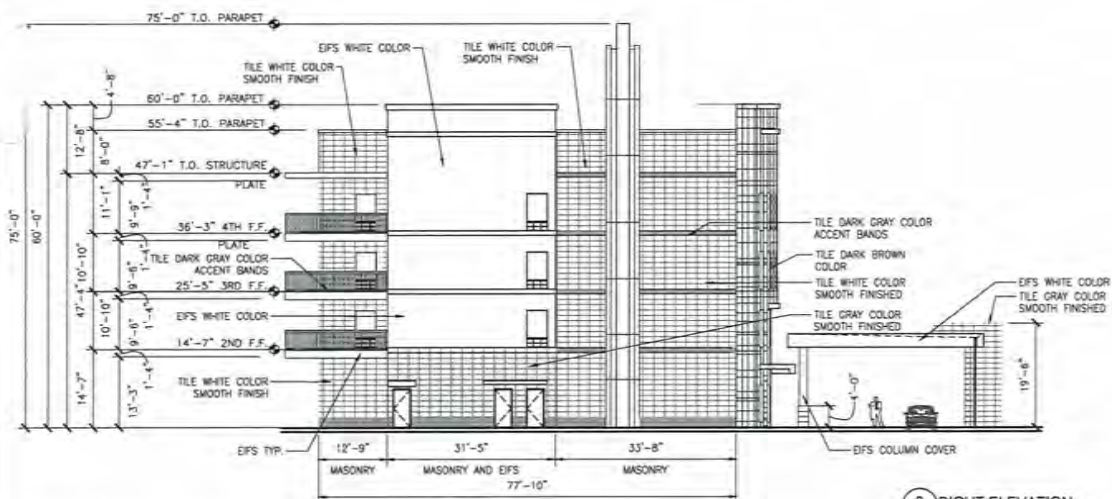
ISSUED FOR: PD ZONING
DATE: APRIL 16, 2013

SHEET NO:
A2.1

SCALE(S) AS NOTED ON THIS SHEET ARE BASED ON A FULL SIZE 24 X 36 SHEET.



4 LEFT ELEVATION
82.2 SCALE: 3/32" = 1'-0"

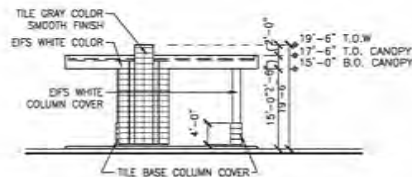


3 RIGHT ELEVATION
A2.2 SCALE: 3/32" = 1'-0"

SIGN MODEL
VI-SIM-8

AREA OF SIGN 1	166.38 SF
AREA OF SIGN 2	166.38 SF
TOTAL AREA OF SIGNAGE	332.76 SF

2 HOLIDAY INN SIGN
A3.2 SCALE: NTS



1 POTICO CHERE FRONT ELEVATION
K2.2 SCALE: 3/32" = 1'-0"

GENERAL NOTES

- * EIFS DRAINAGE EFFICIENCY OF 90% IS REQUIRED PER ASTM E2273 TEST (REFER IBC - 2009)

MATERIAL LEGEND

- 1. MASONRY**
 MATERIAL: EXTERIOR GRADE PORCELAIN TILE
 MANUFACTURER: FIVE STAR TILE 5-13 SERIES, DIRECT APPLIED METHOD
 SIZE: 15"x14" NOMINAL SIZE
 TYPICAL SLAB
 COLOR: WHEAT, GRAY, GAIN, GRAY, BROWN
- 2. EXTERIOR INSULATED FINISH SYSTEM (EIFS)**
 MATERIAL: CLAYS & EPS WITH ORNAMENT
 MANUFACTURER: DOW CORNING
 COLOR: AS PRECATED IN THE DRAWINGS
 FINISH: GRASS HIGH PERFORMANCE WITH HIGH PERFORMANCE COLORANT
 COLOR: WHEAT, GRAY
- 3. CURTAIN WALL**
 MATERIAL: ALUMINUM CURTAIN WALL SYSTEM
 MANUFACTURER: GUNNEBO
 MATERIAL: ALUMINUM CURTAIN WALL 1800 U SYSTEM (OR EQUAL)
 COLOR: TO BE DETERMINED
 GLAZING WITH 1" DOUBLE LAYER GLAZING
 MULLION DEPTH: 7.5", FRONT GLAZING
 REINFORCEMENT: AS REQUIRED WITH STEEL
- 4. STOREFRONT GLASS**
 MANUFACTURER: GUNNEBO TRISAP AND STOREFRONT SERIES
 FRAME SIZE: 1-3/4" x 4" FRONT GLAZING
 GLAZING WITH 1" DOUBLE LAYER GLAZING
 COLOR: TO BE DETERMINED
 GLAZING WITH 1" DOUBLE LAYER GLAZING
- 5. WINDHOLE AND DOORS**
 INCLUDING PARDI DOORS WITH LITE FOR JULIETTE BALCONIES, BALCONY DOORS, OPENABLE CASSETTE WINDHOLE, FIXED WINDHOLE
 MATERIAL: ALUMINUM FRAME WITH DOUBLE PANE LOW-E, THERMO GLASS
 MANUFACTURER: DUNBAR, BRUNNER SERIES AND PRO PERFORMANCE SERIES
 SEE: REFER TO EXTERIOR ELEVATIONS

EXTERIOR MATERIALS CALCULATIONS
EXCLUDING WINDOWS AND DOORS

ELEV		EPS	MASONRY	GLASS	TOTAL
FRONT	AREA (SF)	4,185	7,245	—	11,430
	%	36.6	63.4	—	100
REAR	AREA (SF)	4,603	5,409	—	10,012
	%	46	54	—	100
SIDE LEFT	AREA (SF)	1,301	3,286	—	4,587
	%	28.4	71.62	—	100
SIDE RIGHT	AREA (SF)	1,862	3,359	—	5,021
	%	33.1	66.9	—	100
TOTAL	AREA (SF)	11,751	19,299	—	31,050
	%	37.8	62.2	—	100

PORTE COCHERE
MATERIALS CALCULATION

ELEV		MASONRY	EPS	TOTAL
FRONT	AREA (SF)	168	100	288
	%	62.8	37.4	100
SIDE LEFT	AREA (SF)	146	109	255
	%	57.3	42.7	100
SIDE RIGHT	AREA (SF)	146	109	255
	%	57.3	42.7	100
TOTAL	AREA (SF)	460	318	778
	%	59.2	40.8	100

EJES
INCORPORATED

12855 NORTH CENTRAL EXPRESSWAY
SUITE 500
DALLAS, TEXAS 75243
(F) 214-343-1218
(F) 214-343-1285

7508 MOOREVIEW CT.
SUITE 104
FORT WORTH, TEXAS 76116
(F) 817-284-2640
(F) 817-284-5747

Holiday Inn Express & Suites
BASS PRO DRIVE - GARLAND



04/16/10

DATE	DESCRIPTION	BY	DATE	DESCRIPTION
3/15/13	PO ZONG SUBMITTAL	RK		
3/20/13	PO ZONG SUBMITTAL REVISION 1	RK		
3/26/13	PO ZONG SUBMITTAL REVISION 2	RK		
4/16/13	PO ZONG SUBMITTAL REVISION 3	RK		
	PO ZONG 08-26			

PROJECT NAME: GARLAND HOLIDAY INN EXPRESS & SUITES	
SHEET TITLE : SIDE ELEVATIONS	
PROJECT NO: 009-01	DRAWN BY:
SCALE: AS NOTED	CHECKED BY:
	ISSUED FOR: PO-REVIEW
	DATE: APRIL 16, 2013

SHEET NO:
A2.2

SCALE(S) AS NOTED ON THIS SHEET ARE BASED ON A FULL SIZE 24 X 36 SHEET



Rear Elevation



Side Elevation



Holiday Inn Express and Suites

Bass Pro, Garland TX

SUBMITTED FOR: PD ZONING
DATE: 03/15/2013
PROJECT NO.: 009-01
PD ZONING CASE: PD 08-26





Front Elevation



Side Elevation



Holiday Inn Express and Suites

Bass Pro, Garland TX

SUBMITTED FOR: PD ZONING
DATE: 03/15/2013
PROJECT NO.: 009-01
PD ZONING CASE: PD 08-26



REPORT & MINUTES

P.C. Meeting, April 8, 2013 (8 Members Present)

Consideration of the application of Atlantic Hotels Ltd., requesting approval of 1) amendments to Planned Development (PD) District 08-26, 2) an amended Detail Plan, and 3) a variance to Section 34.19(A)(2)(a)(iii) of the IH 30 Development Standards regarding setbacks on a property zoned Planned Development (PD) District 08-26 for Freeway Uses and within the IH 30 Overlay. The property is located at 4412 Bass Pro Drive. (File 13-16)

Speaking on behalf of the applicant were:

Peter Molubhoy, 7 Savannah Ridge Drive, Frisco, Texas 75034

Richard King, Architect, 5206 Woodmeadow Drive, Garland, Texas 75043

The applicant's representatives outlined the changes from the original Planned Development and the reason for the variance request. The number of guest rooms outlined in the application was increased from 95 to 99, increasing the number of parking spaces required. A shared parking agreement with the City of Garland to provide off-site parking will be submitted before the City Council public hearing. They also showed renderings of the elevations proposed.

Motion was made by Commissioner Luckie, seconded by Commissioner Fisher to **approve** the request as recommended by staff with a change in the condition for the variance regarding setbacks to read, "an 85 foot average setback from the contiguous residential district" and the revised requests to provide 99 guest rooms and additional parking offsite by agreement with the City of Garland. Motion carried: 8 Ayes, 0 Nays.



O = IN FAVOR
X = AGAINST

0 150 300 Feet

ZONING Z 13-16

INDICATES AREA OF REQUEST

There were no replies received to this notification.