



AGENDA

REGULAR MEETING OF THE CITY COUNCIL

**City of Garland
Council Chambers, City Hall
200 North Fifth Street
Garland, Texas
April 15, 2014
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**

MAYORAL PROCLAMATIONS, RECOGNITIONS, AND ANNOUNCEMENTS

The Mayor may present proclamations and recognize attendees or award winners, and may make announcements regarding upcoming City events and matters of interest to citizens. There will be no Council deliberations or votes on these matters.

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has 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 1, 2014 Regular Meeting.
2. Consider approval of the following bids:

a. Replacement Equipment for Street Department **Bid No. 4295-14**

Crafco Texas	\$100,760.38
Kirby-Smith Machinery, Inc.	377,145.00
Freightliner of Austin	<u>166,032.50</u>
TOTAL	<u>\$643,937.88</u>

This request is for the purchase of two crack seal machines, one asphalt paver, and one asphalt distributor to be used by the Street Department in their daily operations.

b. Professional Engineering and Design Services **Bid No. 4307-14**

R-Delta Engineers	\$270,800.00
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This request is to provide professional engineering and design services for various GP&L projects associated with the structure reconstruction from Olinger to Wylie Switchyard, including preliminary design and dead-end structures.

c. Pure Flash Storage Array

Bid No. 4317-14

EST Group

\$149,954.25

This request is for the purchase of a flash storage array for the City's Storage Area Network (SAN).

d. Electric Motor Repair

Bid No. 4208-14

Brandon and Clark

\$300,000.00

This request is for a contract to facilitate repairs on electric motors at the wastewater treatment plants on an as needed basis.

e. Downtown Redevelopment – City Hall Renovations

Bid No. 4314-14

Hill & Wilkinson General Contractors

\$9,032,224.00

This request is for a Guaranteed Maximum Price contract for Construction Manager at Risk services for the City Hall Renovations as evaluated in original City Center Project Bid No. 3891-13.

f. Downtown Redevelopment – Street and Drainage Improvements

Bid No. 4315-14

Hill & Wilkinson General Contractors

\$2,760,203.00

This request is for a Guaranteed Maximum Price contract for Construction Manager at Risk services for the Downtown Street and Drainage Improvements as evaluated in original City Center Project Bid No. 3891-13.

g. Downtown Redevelopment – Streetscape Improvements Along Fifth, Austin, and State Streets

Bid No. 4316-14

Hill & Wilkinson General Contractors

\$970,999.00

This request is for a Guaranteed Maximum Price contract for Construction Manager at Risk services for Streetscape Improvements along Fifth, Austin, and State Streets as evaluated in original City Center Project Bid No. 3891-13.

3. **A public hearing was previously conducted for the following zoning case. Council approved the request and instructed staff to bring forth the following ordinance for consideration.**

Zoning File No. 14-07, Perry Molubhoy

Consider an ordinance amending the zoning laws of the City of Garland by approving an amendment to Planned Development (PD) 13-16 for Freeway Uses and an amended Detail Plan for Limited Service Hotel on a 2.569-acre tract of land located at 4412 Bass Pro Drive.

4. **Consider an ordinance amending Chapter 33, "Transportation", of the Code of Ordinances of the City of Garland.**

At the April 1, 2014 Work Session, Council considered a request from the residents of Eleventh Street between Avenues B and D that the parking restrictions be changed from current two-hour designated time limit parking to no stopping, standing, or parking. The proposed restriction will be from 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. on school days only.

5. **Consider by minute action authorizing the City Manager to execute Change Order No. 2 with VAI Architects, Inc.**

At the April 14, 2014 Work Session, Council was scheduled to consider authorizing Change Order No. 2 in the amount of \$234,875.00 with VAI Architects, Inc. for additional architectural design services associated with the City Center Program.

6. **Consider a resolution approving the sale of real property, 102 McKinley Drive and 104 McKinley Drive (collectively); authorizing the Mayor to execute deeds conveying the property to Green Extreme Homes CDC.**

At the April 1, 2014 Work Session, Council considered the sale of two City-owned residential properties at 102 and 104 McKinley to Green Extreme Homes Community Development Corporation.

7. **Consider a resolution approving the sale of real property, 3021 Rilla Drive; authorizing the Mayor to execute a deed conveying the property to Green Extreme Homes CDC.**

At the April 1, 2014 Work Session, Council considered the sale of a City-owned residential property at 3021 Rilla Drive to Green Extreme Homes Community Development Corporation.

8. **Consider a resolution authorizing the City Manager to execute the First Amendment to the Project Specific Agreement for Northwest Drive from Centerville Road to LaPrada Drive.**

At the April 14, 2014 Work Session, Council was scheduled to consider authorizing Amendment No. 1 to the Project Supplemental Agreement with Dallas County for participation in the reconstruction and widening of Northwest Highway from Centerville Road to LaPrada Drive. Amendment No. 1 formally establishes the financial responsibilities of the City and Dallas County for the construction effort.

9. **Consider a resolution approving and authorizing publication of Notice of Intention to Issue Certificates of Obligations.**

At the April 1, 2014 Work Session, Council considered authorizing the publication of Notice of Intention to Issue Certificates of Obligation not to exceed a principal amount of \$14.2 million. The issuance of Certificates of Obligations will fund various projects in the Capital Improvement Program approved on February 4, 2014.

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.

10. **Hold a public hearing regarding the 2014-15 CDBG, HOME, and ESG Funding.**

At the April 1, 2014 Work Session, Council was provided information regarding the available funding and applications received for the CDBG, HOME, and ESG 2014-15 budget year. As part of the review process, a public hearing is needed to obtain comments from any interested parties.

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

- a. **Consider the application of Cindy Nguyen requesting approval of a Specific Use Permit for a Reception Facility on property zoned**

Shopping Center (SC) District and a variance to Section 10-200 of the Comprehensive Zoning Ordinance regarding parking requirements. The property is located at 3465 West Walnut Street, Suite 305. (File 14-08, District 6)

The proposal is to allow a reception facility to operate within Suite 305 of the existing building.

- b. Consider the application of D.R. Rankin requesting approval of a Detail Plan for a Bank or Financial Institution on property zoned Planned Development (PD) District 02-28 for Shopping Center Uses. The property is located at the northeast corner of North Shiloh Road and Arapaho Road. (File 14-09, District 7)**

The proposal is to allow a bank building with a drive-through.

- c. Consider the application of Jaime Pineda 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 200 Rayburn Street. (File 14-10, District 2)**

The proposal is to allow the existing building to operate as an office and storage of contractor equipment.

- 12. Consider a request by Apollo Beer & Wine Inc. to reconsider Zoning File 14-06, approval of a Specific Use Permit for a Convenience Store on property zoned Planned Development (PD) District 87-15 for General Business Uses and in the SH-190 Overlay. The property is located at 7602 North Jupiter Road, Suite 100.**

This request was denied by the City Council on April 1, 2014 by a vote of 5 to 4. City Council Policy No. DEV-03 establishes criteria and procedures for reconsideration of zoning requests which have been denied by the Council.

- 13. Consider appointments to Boards and Commissions.**

Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience. Board members are appointed based on qualifications.

- *Sharon Rae Carstens – Parks and Recreation Board (District 2)*

14. 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.

15. 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 p.m. on Tuesday, April 1, 2014, in the Council Chambers at City Hall with the following members present:

Mayor	Douglas Athas
Mayor Pro Tem	Lori Barnett Dodson
Council Member	Marvin 'Tim' Campbell
Council Member	Anita Goebel
Council Member	Stephen Stanley
Council Member	B.J. Williams
Council Member	John Willis
Council Member	Scott LeMay
Council Member	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 Douglas Athas. District 1 Council Member Campbell led the Invocation and Pledge of Allegiance.

CEREMONIALS: Mayor Athas offered recognition for the following: Fair Housing Department, Library Award, Baylor Hospital 50th Anniversary, and the Leadership Garland Distinguished Leader Award was presented to Councilman Williams.

ANNOUNCEMENTS: Mayor Athas commented on the following: (1) Due to limited water supplies, Stage 3 winter watering schedule will be extended through the month of April. Irrigation of landscape with hose-end sprinklers or automatic irrigations systems will be limited to one day every other week. Visit garlandwater.com for information. (2) Applications for 2014-2015 Garland Youth Council are now available; (3) Thursday, April 10, 2014 is the last day to register to vote to be eligible to vote in the May 10, 2014 General Election. 4) Councilman Willis announced an upcoming meeting on April 2, 2014 at 6:30 p.m. at Amberton University regarding delays on IH-635 Service Road Project.

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 Council Member Campbell, seconded by Councilmember Willis, to approve Items: 1; 2a; 2b; 3; 4; 5; 6; and 7. A vote was cast and the motion carried with 9 Ayes; 0 Nays. Mayor Athas read the following items into the record:

1. APPROVED** City Council minutes of the March 18, 2014 Regular Meeting.
- 2a. APPROVED** Award of Bid No. 4281-14 in the amount of \$700,000 to Insituform Technologies, Inc. to provide trenchless rehabilitation of sanitary sewer lines and service laterals at various locations throughout the City.
- 2b. APPROVED** Award of Bid No. 4283-14 in the amount of \$5,000,000 to Martin Eagle Oil Company (Primary); \$150,000 to TAC Energy (Secondary) and \$150,000 to Douglass Distributing (Alternate) for a total award of \$5,300,000 to secure a long term pricing and supply agreement for approximately 650,000 gallons of gasoline and 765,000 gallons of diesel to be utilized by City departments in their daily operations.
3. APPROVED** Ordinance No. 6683 amending the zoning laws of the City of Garland by approving an amendment to Planned Development District 05-57 for Shopping Center Uses, a Detail Plan, and a Specific Use Permit for a Restaurant with Drive Through. The property is located at 2200 N. Jupiter Road (Zoning File No. 14-05; GFC Leasing Corp., LLC) (District 7)
4. APPROVED** Ordinance No. 6684 cancelling the General Election to be held May 10, 2014 for unopposed City Council candidates for District 1, 2, and 4; declaring the unopposed candidates elected to office; and continuing unaffected the General Election to be held May 10, 2014 for a council member in District 5.
5. APPROVED** Ordinance No. 6685 amending Chapter 51, "General Utility Provisions" of the Code of Ordinances relating to water conservation to reflect updated technical data and water use goals.
6. APPROVED** Minute action authorizing the City Manager to execute an Engineering Design Services Contract in the amount of \$350,205 with Freese and Nichols, Inc. for the design of the South Country Club Road Water Improvement Project. Project limits are South Country Club Road from Wendell Way to Rowlett Road. Paving, sidewalk, and drainage improvements in the area will also be included as part of the project.
7. APPROVED** Minute action authorizing the City Manager to execute an agreement with Freese and Nichols, Inc. in the amount of \$200,000 to update the current Thoroughfare Plan.

ITEMS FOR INDIVIDUAL CONSIDERATION

8a. HELD & DENIED Director of Planning Anita Russelmann provided background information regarding the application of Apollo Beer and Wine, Inc. requesting approval of a Specific Use Permit for a Convenience Store on property zoned Planned Development (PD) District 87-15 for General Business Uses and in the SH 190 Overlay. The property is located at 7620 North Jupiter Road, Suite 100. (Zoning File No. 14-06) (District 1)

Mayor Athas opened the public hearing to allow public input. The following persons spoke in favor of the application: Applicant Janish Vaishnay. The following persons spoke in opposition to the request: Clark Dowell, Kristen Hieronymus. The following persons registered a position in opposition of the request: Ginger Hubbard, Ronald Hubbard, and Pat Marchman.

Council Member Campbell, seconded by Council Member Cahill moved to close the public hearing and to deny the request. Discussion was held. A vote was cast and the motion to deny failed with 4 ayes, 5 nays (Athas, Stanley, Williams, Dodson, LeMay).

Council Member Williams informed the Mayor he erroneously voted in opposition. Mayor Athas called for another vote on the motion to deny. The motion to deny carried with 5 ayes, 4 nays (Athas, Stanley, Dodson LeMay).

8b. HELD & APPROVED Director of Planning Anita Russelmann provided background information regarding the application of Perry Molubhoy, requesting approval of 1) an amendment to Planned Development (PD) District 13-16 for Freeway Uses and 2) an amended Detail Plan for a Limited Service Hotel. The property is located at 4412 Bass Pro Drive. (Zoning File No. 14-07) (District 3)

Mayor Athas opened the public hearing to receive comment. The following persons spoke in favor of the request: Mir Ali Nasia Rizvi and Preston Edwards. Discussion was held. Council Member Stanley, seconded by Council Member Willis, moved to approve the request as presented. A vote was cast and the motion carried with 9 ayes, 0 nays. Staff with bring forth an ordinance for formal consideration at a future meeting.

9. CITIZEN COMMENTS: Allison Ehlenfeldt provided information regarding National Sexual Assault Awareness Month; Mary Ehlenfeldt offered a prayer; Susan Abshire commended regarding desired regulation of pipe

and tobacco shops, and Emily Martineau also spoke regarding regulation of pipe and tobacco shops.

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 8:26 p.m.

CITY OF GARLAND, TEXAS

Douglas Athas, Mayor

ATTEST:

Lisa Palomba, City Secretary

Purchasing Report

REPLACEMENT EQUIPMENT FOR STREET DEPARTMENT OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to purchase two (2) Crack Seal Machines, one (1) Asphalt Paver, and one (1) Asphalt Distributor for the City of Garland Street Department to be used in their daily operations. This equipment is being purchased through BuyBoard Purchasing Cooperative Contracts. Funding for this equipment is provided through the Capital Improvement Program and the Infrastructure Repair & Replacement Fund in the Operating Budget. The \$166,032.50 for an asphalt distributor is scheduled for inclusion on Budget Amendment No. 2. However, waiting on Budget Amendment No. 2 to be compiled, reviewed, and approved could result in delays to the Infrastructure Repair Program that can be avoided by Council's concurrence to purchase in advance of the passage of Budget Amendment No. 2.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Crafco Texas, Inc.	1, 2	\$100,760.38
Kirby-Smith Machinery, Inc.	3	377,145.00
Freightliner of Austin	4	166,032.50
	TOTAL:	<u>\$643,937.88</u>

BASIS FOR AWARD:

Cooperative Purchase

Submitted by:

Reviewed by:

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

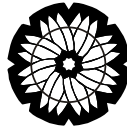
William E. Dollar
City Manager

Date: 04/03/14

Date: 4/7/14

FINANCIAL SUMMARY:

Total Project/Account: \$ 666,033		Operating Budget: <input checked="" type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2014 CIP
Expended/Encumbered to Date: -0-		Document Location: CIP – p. MF13 / Oper.Bgt. – p. 96
Balance: \$ 666,033		Account #: 692-4699-3981113-9009 \$477,905.38 831-4693-9007 166,032.50
This Item: 643,938		Fund/Agency/Project – Description: CIP Fund / Infrastructure Equipment and Oper. Budget / Infrastructure Repair & Replcmt. Fund / Construction – Replacement Equipment
Proposed Balance: \$ 22,095		Comments: The \$166,032.50 for an asphalt distributor will require a Budget Amendment to the Infrastructure Repair & Replacement Fund in the Operating Budget.
Matt Watson	04/07/14	
Budget Analyst	Date	
Ron Young	04/07/14	
Budget Director	Date	



GARLAND

PURCHASING

Executive Summary **Bid 4295-14** **Replacement Equipment for Street Department**

Recommended Vendors:

Crafco Texas, Inc.	\$100,760.38
Kirby-Smith Machinery, Inc.	\$377,145.00
Freightliner of Austin	\$166,032.50

Total Recommended Award:	\$643,937.88
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Basis for Award:

Cooperative Purchase

Purpose:

The purpose of this contract is to purchase (2) two Crack Seal Machines, (1) one Asphalt Paver and (1) one Asphalt Distributor for the City of Garland Street department to be used in their daily operations.

Evaluation:

This equipment is provided through the BuyBoard Purchasing Cooperative by Crafco Texas, Inc. Contract 424-13, Kirby-Smith Machinery, Inc. Contract 424-13 and Freightliner of Austin Contract 430-13.

Recommendation:

Staff recommends awarding the purchase of Street Department Equipment to Crafco Texas, Inc., Kirby-Smith Machinery, Inc. and Freightliner of Austin.

Funding Information:

692-4699-398113-9009, 831-4693-9007

Department Director:

Terry Anglin, Fleet Director, 972-205-3524



GARLAND
PURCHASING

Bid No.: 4307-14
Agenda Item: 2b
Meeting: Council
Date: 04/15/14

Purchasing Report

PROFESSIONAL ENGINEERING AND DESIGN SERVICES OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide professional engineering and design services for various GP&L Projects. These projects are associated with the structure reconstruction from Olinger to Wylie Switchyard including preliminary design and dead-end structures. This purchase is funded from an approved Capital Improvement project. Expenditures will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
R-Delta Engineers	1	\$170,700.00
	2	37,600.00
	3	33,500.00
	4	29,000.00
	TOTAL:	\$270,800.00

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: 04/03/04

Date: 4/7/14

FINANCIAL SUMMARY:

Total Project/Account: \$ 2,769,751

Expended/Encumbered to Date: 1,259,047

Balance: \$ 1,510,704

This Item: 270,800

Proposed Balance: \$ 1,239,904

Trent Schulze 04/04/14
Budget Analyst Date

Ron Young 04/07/14
Budget Director Date

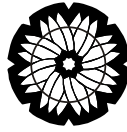
Operating Budget: ☐ CIP: ☒ Year: 2014

Document Location: Page E01

Account #: 217-3599-3140901-7111 \$170,700
217-3799-3174701-7111 37,600
210-3591-3141301-7111 33,500
217-3599-3140901-7111 29,000

Fund/Agency/Project – Description:
Electric CIP

Comments: Contract provides professional engineering and design services for various GP&L projects associated with the structure reconstruction from Olinger to Wylie Switchyard, including preliminary design and dead-end structures. Expenditures will not exceed appropriations.



GARLAND

PURCHASING

Executive Summary **Bid 4307-14** **Professional Engineering and Design Services**

Recommended Vendor:

R-Delta Engineers

Total Recommended Award:

\$270,800.00

Basis for Award:

Most Qualified

Purpose:

The purpose of this contract is to provide professional engineering and design services for various GP&L Projects. These projects are associated with the structure reconstruction from Olinger to Wylie Switchyard including preliminary design and deadend structures.

Evaluation:

R-Delta Engineers is one of the City's pre-qualified engineering firms selected from a Request for Qualifications. Based on the specific requirements of this project, R-Delta Engineers was selected as the most qualified firm.

Recommendation:

Staff recommends awarding the professional services contract to R-Delta Engineers.

Funding Information:

217-3599-3140901-7111: \$170,700.00
217-3799-3174701-7111: \$ 37,600.00
210-3591-3141301-7111: \$ 33,500.00
217-3599-3140901-7111: \$ 29,000.00

Department Director:

Ross Owen, Transmission & Distribution Director, 972-205-3532



GARLAND
PURCHASING

Bid No.: 4317-14
Agenda Item: 2c
Meeting: Council
Date: 04/15/14

Purchasing Report

PURE FLASH STORAGE ARRAY OPEN MARKET

PURCHASE JUSTIFICATION:

As the City's enterprise applications resource requirements grow, the need for ultra-fast server storage increases. In order to ensure the performance level of these applications, adding a flash storage array to the City's Storage Area Network (SAN) has become a necessity. After researching and evaluating several flash storage solutions, the Information Technology Department selected the Pure Flash Storage Array. EST Group is the provider for Pure Flash Storage Array under the BuyBoard Cooperative Purchasing Contract 409-12.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
EST Group	All	\$149,954.25
TOTAL:		\$149,954.25

BASIS FOR AWARD:

Cooperative Purchase

Submitted by:

Reviewed by:

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

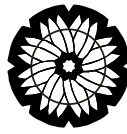
William E. Dollar
City Manager

Date: 04/04/14

Date: 4/7/14

FINANCIAL SUMMARY:

Total Project/Account: \$ 1,449,239		Operating Budget: <input checked="" type="checkbox"/> CIP: <input type="checkbox"/> Year: 2013-14
Expended/Encumbered to Date: 856,019		Document Location: Pages 126 and 134
Balance: \$ 593,220		Account #: 415-4599-2325710-9029 \$87,954.25
This Item: 149,954		461-4903-7111 20,000.00
Proposed Balance: \$ 443,266		461-4903-7141 42,000.00
Fund/Agency/Project – Description:		IT Project Fund
Matt Monedero 04/04/14		Customer Service Fund
Budget Analyst Date		Comments:
Ron Young 04/07/14		Addition of a flash storage array in order to
Budget Director Date		speed up the enterprise application process
		(Banner 4.2 upgrade).



GARLAND

PURCHASING

Executive Summary Bid 4317-17 Pure Flash Storage Array

Recommended Vendor:

EST Group

Total Recommended Award:

\$149,744.08

Basis for Award:

Cooperative Purchase

Purpose:

As the City's enterprise applications resource requirements grow, the need for ultra-fast server storage increases. In order to ensure the performance level of these applications, adding a flash storage array to the City's Storage Area Network (SAN) has become a necessity.

Evaluation:

After researching and evaluating several flash storage solutions, the Information Technology department selected the Pure Flash Storage Array. During the proof of concept trial, we observed increased performance and storage rates. In addition, Customer Service and Payroll have seen up to sixty-six percent decreases in processing times. Based on these results, the Pure Storage Flash Array was selected as it provides condensed, extremely fast storage for the City's most resource intensive enterprise applications. EST Group is the provider for Pure Storage Flash Array under the BuyBoard Cooperative Purchasing Contract 409-12.

Recommendation:

Staff recommends awarding the Pure Flash Storage Array to EST Group.

Funding Information:

\$89,744.08 from 415-4599-2325710-9029

\$20,000 from 461-4903-7111

\$42,000 from 461-4903-7141

Department Director:

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



GARLAND
PURCHASING

Bid No.: 4208-14
Agenda Item: 2d
Meeting: Council
Date: 04/15/14

Purchasing Report

ELECTRIC MOTOR REPAIR **TERM CONTRACT**

PURCHASE JUSTIFICATION:

The purpose of this contract is to facilitate repairs on electric motors at the wastewater treatment plants on an as needed basis. The contract term will be for one (1) year with four (4) optional renewals. The contract amount is estimated and may be more or less depending on actual needs. The contract price will remain form for the first year. Any subsequent price increases must be justified and mutually agreed upon.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Brandon and Clark	1	\$300,000.00
	TOTAL:	\$300,000.00

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: 04/04/14

Date: 4/8/14

FINANCIAL SUMMARY:

Total Project/Account: \$ N/A

Expended/Encumbered to Date: N/A

Balance: \$ N/A

This Item:

Proposed Balance: \$ N/A

Budget Analyst

Date

Budget Director

Date

Operating Budget: ☐ CIP: ☐ Year: _____

Document Location: _____

Account #: 451-6999

Fund/Agency/Project – Description:
Term Contract –

Comments:

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

CITY OF GARLAND - BID RECAP SHEET OPENED: 03/18/2014 REQ. NO. PR 32670 BID NO. 4208-14 PAGE: 1 of 1 BUYER: R.Berger				Brandon & Clark		Capital Electric Motor		Shermco Ind.			
I T E M	QTY	U N I T	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	Lt	Cost for evaluation		\$777.50		\$824.50		\$1,175.00		
			Evaluation Criteria:								
			Price	Maximum = 40	40		38		20		
			Full Range Service	Maximum = 20	20		20		20		
			DFW Location	Maximum = 20	20		20		20		
			Reputation/Experience	Maximum = 20	20		15		20		
			Total Score:	Maximum = 100	100		93		80		
			TOTAL GROSS PRICE								
			CASH DISCOUNT								
			TOTAL NET PRICE								
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY								
NEXT LOW: LOW: SAVINGS: \$0.00				381 # BidSync Notifications 0 # BidSync HUBS 5 # Direct Contact HUBS 0 # HUBS Responded				All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.			



GARLAND

PURCHASING

Executive Summary
Bid 4208-14
Electric Motor Repair

Recommended Vendor:

Brandon and Clark

Total Recommended Award:

\$300,000.00

Basis for Award:

Best Value

Purpose:

The purpose of this contract is to facilitate repairs on electric motors at the wastewater treatment plants as needed. The contract will be for one (1) year with four (4) optional renewals.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedure. Three (3) bids were received and evaluated based on the stated criteria of price, availability of full range services, DFW area location and qualifications. Brandon and Clark submitted the lowest overall bid and received the highest evaluated score.

Recommendation:

Staff recommends awarding the electric motor repair contract to Brandon and Clark.

Funding Information:

This Contract is funded from the Term Contract Account 451-6999.
Proper departmental account numbers will be applied at invoicing.

Department Director:

Wes Kucera, Director of Wastewater, 972-205-2874



GARLAND
PURCHASING

Bid No.: 4314-14
Agenda Item: 2e
Meeting: Council
Date: 04/15/14

Purchasing Report

DOWNTOWN REDEVELOPMENT – CITY HALL RENOVATIONS **OPEN MARKET**

PURCHASE JUSTIFICATION:

The purpose of this purchase is to award a Guaranteed Maximum Price contract for Construction Manager at Risk Services for the City Hall Renovations as evaluated in original City Center Project Bid #3891-13. 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	\$9,032,224.00
TOTAL:		\$9,032,224.00

BASIS FOR AWARD:

Most Qualified

Submitted by:

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

Date: 04/04/14

Reviewed by:

William E. Dollar
City Manager

Date: 4/10/14

FINANCIAL SUMMARY:

Total Project/Account: \$ 13,107,418

Expended/Encumbered to Date: 1,628,531

Balance: \$ 11,478,887

This Item: 9,032,224

Proposed Balance: \$ 2,446,663

Matt Watson 04/10/14
Budget Analyst Date

Ron Young 04/10/14
Budget Director Date

Operating Budget: ☐ CIP: ☒ Year: 2014

Document Location: pp. ED10, MF03, MF08, MF12, and M13

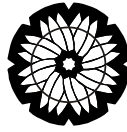
Account #: 692-1509-10502-00-9002 \$5,716,606
103-1178-16087-00-9002 1,148,618
692-4749-16104-00-9002 1,251,601
416-4749-23058-12-9002 32,555
692-4749-16039-00-9002 586,990
692-4749-16063-11-9002 295,854

Fund/Agency/Project – Description:

Various Funds – City Hall Façade, CGTV Upgrades, Code & Safety Updates, City Hall UPS Upgrades & Data Center Renovation, Facilities Upgrades, and HVAC System Replacement

Comments:

Contract for Construction Manager for the City Hall Renovations.



GARLAND

PURCHASING

Executive Summary **RFQ 4314-14** **Downtown Redevelopment – City Hall Renovations**

Recommended Vendor:

Hill & Wilkinson General Contractors

Total Recommended Award:

\$9,032,224.00

Basis for Award:

Most qualified

Purpose:

Award a Guaranteed Maximum Price (GMP) contract to Hill & Wilkinson General Contractors for Construction Manager at Risk (CMAR) services for the City Hall Renovations as a part of the City Center and Downtown Redevelopment efforts in the amount of \$9,032,224.00.

Evaluation:

On July 27, 2012, three prequalified construction managers at risk were interviewed by the evaluation team. Each firm was evaluated and ranked by the team members based upon published criteria and their interview resulting in the selection of Hill & Wilkinson General Contractors as the most qualified contractor.

Recommendation:

Staff recommends award of contract for Construction Manager at Risk services to Hill & Wilkinson General Contractors for the Guaranteed Maximum Price (GMP) of \$9,032,224.00.

Funding Information:

The contract is funded from the following CIP Project Accounts:
692-1509-10502-00-9002, 103-1178-16087-00-9002, 692-4749-16104-00-9002,
416-4749-23058-12-9002, 692-4749-16039-00-9002, and 692-4749-16063-11-9002

Department Director:

Jennifer Shoulders, Facilities Construction Services Manager, 972-205-3108



GARLAND
PURCHASING

Bid No.: 4315-14
Agenda Item: 2f
Meeting: Council
Date: 04/15/14

Purchasing Report

DOWNTOWN REDEVELOPMENT – STREET AND DRAINAGE IMPROVEMENTS OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this purchase is to award a Guaranteed Maximum Price contract for Construction Manager at Risk Services for the Downtown Street and Drainage improvements as evaluated in original City Center Project Bid #3891-13. 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	\$2,760,203.00
	TOTAL:	\$2,760,203.00

BASIS FOR AWARD:

Most Qualified

Submitted by:

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

Reviewed by:

William E. Dollar
City Manager

Date: 04/04/14

Date: 4/10/14

FINANCIAL SUMMARY:

Total Project/Account: \$ 3,994,948

Expended/Encumbered to Date: 850,087

Balance: \$ 3,144,861

This Item: 2,760,203

Proposed Balance: \$ 384,658

Matt Watson 04/10/14
Budget Analyst Date

Ron Young 04/10/14
Budget Director Date

Operating Budget: ☐ CIP: ☒ Year: 2014

Document Location: pp. W03, D08, ED10, and E04

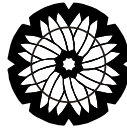
Account #: 227-4049-30233-00-9213 \$ 190,000
692-1409-14299-13-9011 2,126,326
692-1509-10505-00-9002 392,929
210-3292-31320-01-7111 50,948

Fund/Agency/Project – Description:

Various Funds / Relocation of Mains Prior to Paving, Downtown Drainage Improvements, Arts Plaza, Commercial and Industrial Construction

Comments:

Contract for Construction Manager for Downtown Street and Drainage Improvements.



GARLAND

PURCHASING

Executive Summary **RFQ-4315-14**

Downtown Redevelopment – Street & Drainage Improvements

Recommended Vendor:

Hill & Wilkinson General Contractors

Total Recommended Award:

\$2,760,203.00

Basis for Award:

Most qualified

Purpose:

Award a Guaranteed Maximum Price (GMP) contract to Hill & Wilkinson General Contractors for Construction Manager at Risk (CMAR) services for the Street & Drainage Improvements as a part of the City Center and Downtown Redevelopment efforts in the amount of \$2,760,203.00.

Evaluation:

On July 27, 2012, three prequalified construction managers at risk were interviewed by the evaluation team. Each firm was evaluated and ranked by the team members based upon published criteria and their interview resulting in the selection of Hill & Wilkinson General Contractors as the most qualified contractor.

Recommendation:

Staff recommends award of contract for Construction Manager at Risk services to Hill & Wilkinson General Contractors for the Guaranteed Maximum Price (GMP) of \$2,760,203.00.

Funding Information:

The contract is funded from the following CIP Project Accounts:
227-4049-30233-00-9213, 692-1409-14299-13-9011, 692-1509-10505-00-9002,
and 210-3292-31320-01-7111

Department Director:

Jennifer Shoulders, Facilities Construction Services Manager, 972-205-3108



GARLAND
PURCHASING

Bid No.: 4316-14
Agenda Item: 2g
Meeting: Council
Date: 04/15/14

Purchasing Report

DOWNTOWN REDEVELOPMENT – STREETSCAPE IMPROVEMENTS ALONG FIFTH, AUSTIN, AND STATE STREETS OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this purchase is to award a Guaranteed Maximum Price contract for Construction Manager at Risk Services for the Downtown Redevelopment – Streetscape Improvements along Fifth, Austin, and State Streets as evaluated in original City Center Project Bid #3891-13. 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	\$970,999.00
TOTAL:		\$970,999.00

BASIS FOR AWARD:

Most Qualified

Submitted by:

Reviewed by:

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

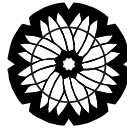
William E. Dollar
City Manager

Date: 04/04/14

Date: 4/10/14

FINANCIAL SUMMARY:

Total Project/Account: \$ 2,159,900		Operating Budget: <input type="checkbox"/>	CIP: <input checked="" type="checkbox"/>	Year: 2014
Expended/Encumbered to Date: 506,884		Document Location: Pages ED02 and ED10		
Balance: \$ 1,653,016		Account #: 692-1509-10503-00-9002 \$301,821		
This Item: 970,999		692-1509-10027-13-9002 669,178		
Proposed Balance: \$ 682,017		Fund/Agency/Project – Description:		
Matt Watson 04/10/14		Misc. Capital Project Fund / Economic Devel. /		
Budget Analyst Date		Downtown Streetscape – Austin & State Streets		
Ron Young 04/10/14		Misc. Capital Project Fund / Economic Devel. /		
Budget Director Date		Downtown Streetscape – Fifth Street		
		Comments: Contract for Construction Manager		
		for the Downtown Redevelopment – Streetscape		
		Improvements along Fifth, Austin, and State		
		Streets.		



GARLAND

PURCHASING

Executive Summary
RFQ-4316-14

Downtown Redevelopment – Streetscape Improvements
along 5th, Austin, and State Streets

Recommended Vendor:

Hill & Wilkinson General Contractors

Total Recommended Award:

\$970,999.00

Basis for Award:

Most qualified

Purpose:

Award a Guaranteed Maximum Price (GMP) contract to Hill & Wilkinson General Contractors for Construction Manager at Risk (CMAR) services for Streetscape Improvements along 5th, Austin, and State Streets as a part of the City Center and Downtown Redevelopment efforts in the amount of \$970,999.00.

Evaluation:

On July 27, 2012, three prequalified construction managers at risk were interviewed by the evaluation team. Each firm was evaluated and ranked by the team members based upon published criteria and their interview resulting in the selection of Hill & Wilkinson General Contractors as the most qualified contractor.

Recommendation:

Staff recommends award of contract for Construction Manager at Risk services to Hill & Wilkinson General Contractors for the Guaranteed Maximum Price (GMP) of \$970,999.00.

Funding Information:

The contract is funded from the following CIP Project Accounts:
692-1509-10503-00-9002, 692-1509-10027-13-9002

Department Director:

Jennifer Shoulders, Facilities Construction Services Manager, 972-205-3108



City Council Item Summary Sheet

☐ Work Session

Date: April 15, 2014

☒ Agenda Item

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 14-07 Perry Molubhoy

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Submitted By:

**Anita Russelmann
Director of Planning**

Approved By:

**William E. Dollar
City Manager**

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING AN AMENDMENT TO PLANNED DEVELOPMENT (PD) 13-16 FOR FREEWAY USES AND AN AMENDED DETAIL PLAN FOR LIMITED SERVICE HOTEL ON A 2.569-ACRE TRACT OF LAND LOCATED AT 4412 BASS PRO DRIVE; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 10th day of March, 2014, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Perry Molubhoy**; 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 an amendment to Planned Development (PD) 13-16 for Freeway Uses and an amended Detail Plan for Limited Service Hotel on a 2.569-acre tract of land located at 4412 Bass Pro 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.

FILE NO. 14-07

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

PASSED AND APPROVED this _____ day of _____, 2014.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 14-07

Being all of Lot 4R, Block 1, Harbor Point, Second Replat, in the City of Garland, Dallas, County, Texas, approximately 2.569 acres. This property is located at 4412 Bass Pro Drive, south of IH 30 and east of Chaha Road within the Harbor Point development.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE 14-07

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 amend the building elevations for a Limited Service Hotel on the subject property.
- 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 a minimum of 126 on-site parking spaces and approximately 39% of the required 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.



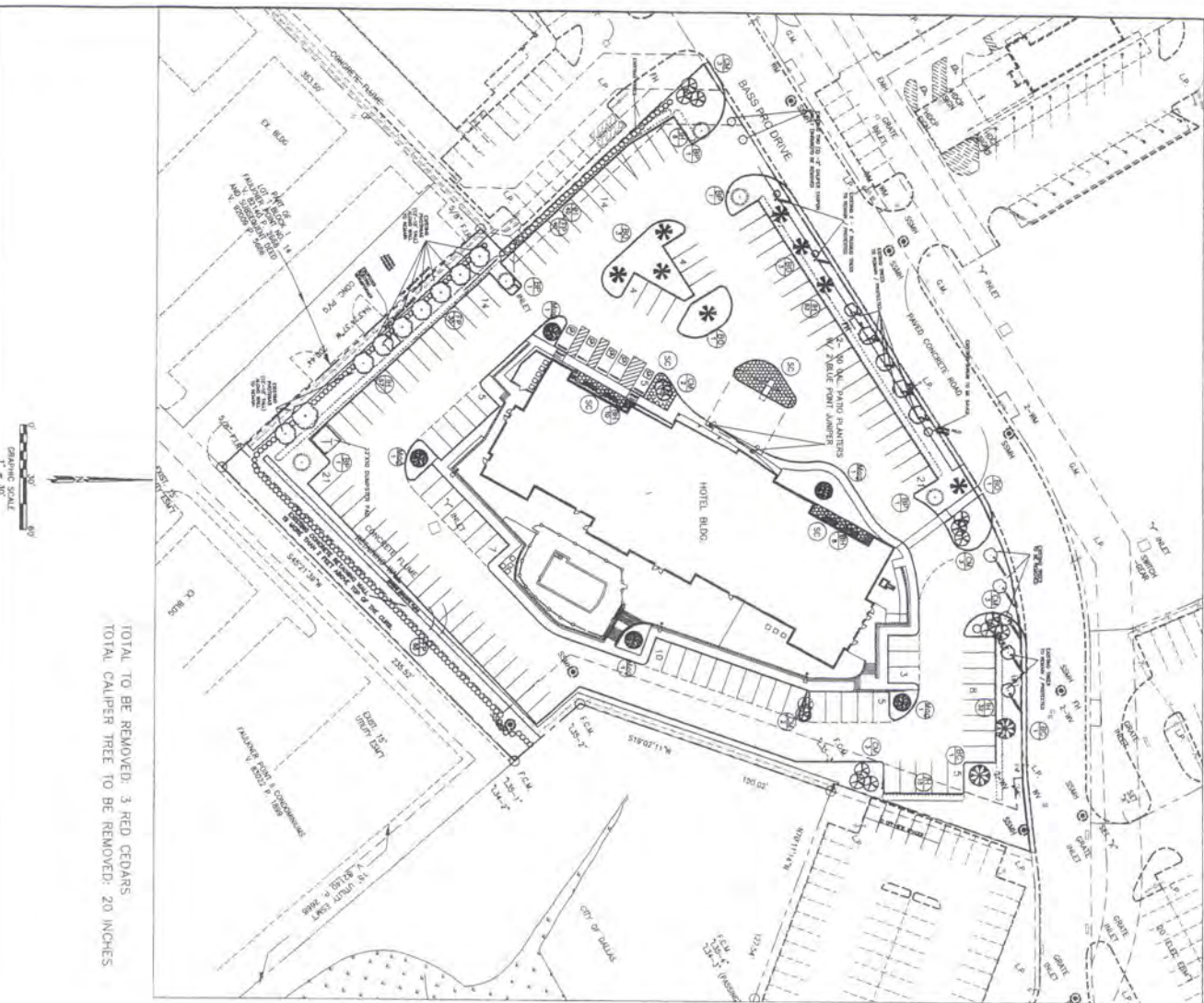
CASE NO. 080221-4

PROJECT:
HOLIDAY INN EXPRESS
LOT 4R, BLOCK 1
HAPPENING RIGHT NOW
441
GA EXP

DEVELOPER:
ATLANTIC HOTELS
PHONE: (972) 416-9900

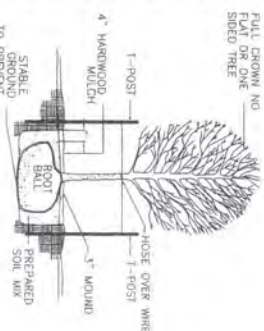


JDJR ENGINEERS & CONSULTANTS, INC.
TSBP REGISTRATION NUMBER F-6537
ENGINEERS • SURVEYORS • LAND PLANNERS
2900 TEXAS DRIVE SUITE 100 IRVING, TEXAS 75062
Tel. 972-262-FLUR (3577) Fax 972-966-0068

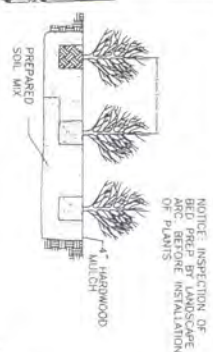


TOTAL TO BE REMOVED: 3 RED CEDARS
TOTAL CAULIPER TREE TO BE REMOVED: 20 INCHES

FULL GROWN NO
LANDSCAPE
SPEC TREE



01 TREE PLANTING DETAIL



02 DUMPSTER PAD DETAIL

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 = 57,867.63 s.f.
- 1. 3% of Parking Area = 1,736.03 s.f.
- 1. Parking Area Landscape Provided = 6,410.00 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
3	2	BAU CYPRESS	Taxodium distichum	4"	10' MIN.	AS SHOWN
*	8	BUR OAK	Quercus macrocarpa	4"	10' MIN.	AS SHOWN
5	5	WAXWICK	Myrica gracilis	3"	10' MIN.	AS SHOWN

PLANTING SCHEDULE (SMALL ORNAMENTAL TREES)

SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE/ CAL.	HEIGHT	SPACING
18	18	CRANE APPLE (RED)	Legnistris indica	1 1/2"	8' MIN.	AS SHOWN
5	5	BROADLEAF PINE	Pinus latifolia	5"	10' MIN.	AS SHOWN

PLANTING SCHEDULE (SHRUBS)

SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE/ CAL.	HEIGHT	SPACING
18	18	FRAXINUS PROLATA	Fraxinus velutina	3 CAL.	6'	5' O.C.
18	18	BURNING BUSH	Euonymus alatus	3 CAL.	24"	3' O.C.
213	213	DRYAS MONS. VARIETAL	Monarda mollis	3 CAL.	24"	3' O.C.

PLANTING SCHEDULE (SEASONAL COLOR PLANTS)

SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE/ CAL.	HEIGHT	SPACING
18	18	FRAXINUS PROLATA	Fraxinus velutina	3 CAL.	6'	5' O.C.
18	18	BURNING BUSH	Euonymus alatus	3 CAL.	24"	3' O.C.
213	213	DRYAS MONS. VARIETAL	Monarda mollis	3 CAL.	24"	3' O.C.

NOTE: ALL LANDSCAPING AND IRRIGATION SYSTEM SHALL BE IN ACCORDANCE WITH THE CITY OF GARLAND STANDARDS.

**JAHVANI CONSULTING
ENGINEERS, INC.**

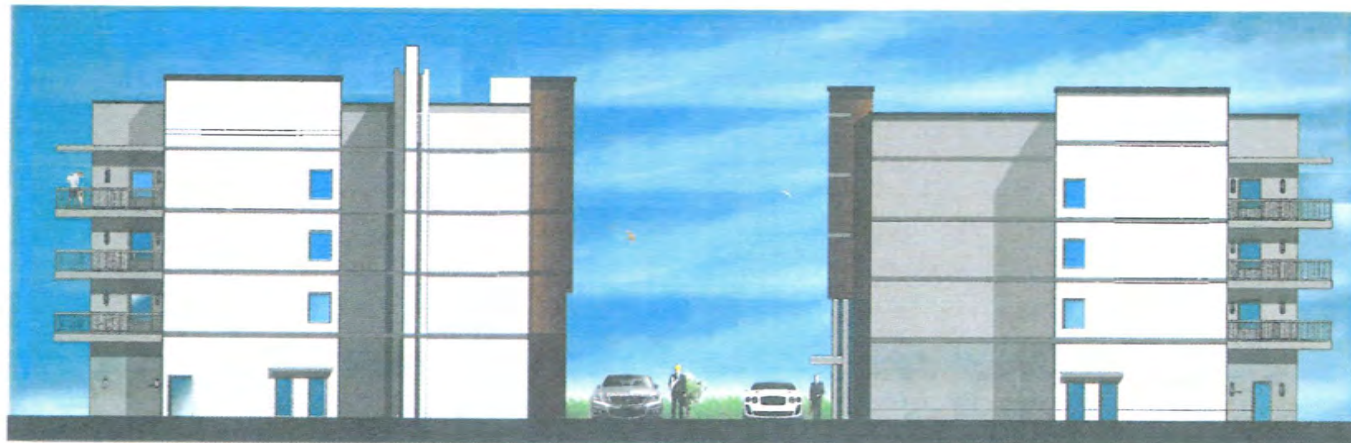
2233 CRISTINA CIRCLE
CARROLLTON, TEXAS 75006
TEL: (214) 718-8469
jahvani@hotmail.com

Holiday Inn
Hotel & Suites

BASS PRO
GARLAND, TEXAS



NORTH ELEVATION/83.8% stucco and 16.2% porcelain tile



EAST ELEVATION/76.2% stucco and 23.8% porcelain tile

WEST ELEVATION/74.1% stucco and 25.9% porcelain tile

EXHIBIT E



Holiday Inn Express and Suites
Bass Pro, Garland TX

January 2014



SOUTH ELEVATION/65.5% stucco and 34.5% porcelain tile



Holiday Inn Express and Suites
Bass Pro, Garland TX

January 2014

EXHIBIT E



City Council Item Summary Sheet

☐ Work Session

Date: April 15, 2014

☒ Agenda Item

ELEVENTH STREET PARKING RESTRICTIONS

Summary of Request/Problem

At the April 1, 2014 Work Session, Council considered a request from the residents of Eleventh Street between Avenues B and D that the parking restrictions be changed from the current two-hour designated time limit parking to no stopping, standing, or parking. The proposed restriction will be from 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. on school days only.

Recommendation/Action Requested and Justification

Approve an ordinance amending Chapter 33, "Transportation," of the Code of Ordinances of the City of Garland.

Submitted By:

Paul Luedtke
Director of Transportation

Approved By:

William E. Dollar
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 33, "TRANSPORTATION", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY CLAUSE, 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 Section 33.51(A)(1) of Chapter 33, "Transportation", of the Code of Ordinances of the City of Garland, Texas, is hereby amended by deleting the following:

"S. Eleventh Street W. Avenue A to W. Avenue D Both"

Section 2

That Section 33.49(D) of Chapter 33, "Transportation", of the Code of Ordinances of the City of Garland, Texas, is hereby amended by adding the following:

"S. Eleventh Street W. Avenue A to Avenue B Both"

Section 3

That Section 33.52(E) of Chapter 33, "Transportation", of the Code of Ordinances of the City of Garland, Texas, is hereby amended by adding the following:

"S. Eleventh Street Avenue B to Avenue D Both"

Section 4

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

Section 5

That Chapter 33, "Transportation", 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 Section 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 _____, 2014.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

☐ Work Session

Date: April 15, 2014

☒ Agenda Item

Change Order No. 2 – VAI Architects, Inc.

Summary of Request/Problem

At the April 14, 2014 Work Session, Council was scheduled to consider authorizing Change Order No. 2 in the amount of \$234,875.00 with VAI Architects, Inc. for additional architectural design services associated with the City Center Program.

Recommendation/Action Requested and Justification

Authorize by minute action the City Manager to execute Change Order No. 2 with VAI Architects, Inc. in the amount of \$234,785.00.

Submitted By:

Martin E. Glenn
Deputy City Manager

Approved By:

William E. Dollar
City Manager



City Council Item Summary Sheet

☐ Work Session

Date: April 15, 2014

☒ Agenda Item

Approval of Sale 102 & 104 McKinley

Summary of Request/Problem

At the April 1, 2014 Work Session, Council considered the sale of two City owned residential properties at 102 and 104 McKinley to Green Extreme Homes Community Development Corporation. Council approval is required to authorize the Mayor to execute a deed without warranty conveying the property to the buyer.

Recommendation/Action Requested and Justification

Adopt the attached resolution.

Submitted By:

**Mona Woodard
Grants Manager
Housing and Community Services**

Approved By:

**William E. Dollar
City Manager**

RESOLUTION NO. _____

A RESOLUTION APPROVING THE SALE OF REAL PROPERTY, 102 MCKINLEY DRIVE and 104 MCKINLEY DRIVE (COLLECTIVELY, THE "PROPERTY"); AUTHORIZING THE MAYOR OF THE CITY OF GARLAND TO EXECUTE DEEDS CONVEYING THE PROPERTY TO GREEN EXTREME HOMES, CDC ("THE BUYER"); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City acquired the Property through tax foreclosure proceedings in Dallas County, Texas;

WHEREAS, the Buyer has offered to purchase the Property for greater than or equal to the full judgment amounts of the respected tax suits;

WHEREAS, the City has determined that selling the Property is in the public's best interest because it allows the Buyer to develop the Property and it eliminates the City's expenses associated with maintaining the Property.

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

Section 1

That the sale and conveyance of the Property, by the City of Garland to the Buyer is hereby approved.

Section 2

That the Mayor is hereby authorized to execute Deeds Without Warranty, the forms and substance of which are attached as Exhibit "A" and incorporated herein by reference, conveying the Property to the Buyer.

Section 3

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

PASSED AND APPROVED this the ____ day of _____, 2014.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That **the City of Garland.**, a Texas home-rule municipality ("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 **Green Extreme Homes CDC, a Texas non-profit Corporation** ("Grantee"), has **GRANTED, SOLD and CONVEYED**, and by these presents does **GRANT, SELL and CONVEY** unto Grantee that certain lot, tract, or parcel of land situated in the County of Dallas, State of Texas, to wit:

Being Lot 67, R.E. Sumners Addition, an addition to the City of Garland, Dallas County, Texas, according to the deed recorded in volume 99081, page 2353 of the deed records of Dallas County, commonly known as 102 Mckinley Street (the "Property").

This Deed Without Warrant is subject to:

- (1) Any and all visible and apparent easements and encroachments, whether of record or not;
- (2) Any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the Property or any part thereof;
- (3) Rights of the public to any portion of the above described Property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes; and
- (4) Rights of parties in possession.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES 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. GRANTOR DOES NOT WARRANT OR MAKE ANY REPRESENTATION, EXPRESS OR IMPLIED, AS TO FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, ABSENCE OF LATENT DEFECTS OR COMPLIANCE WITH LAWS AND REGULATIONS, OR ANY OTHER MATTER AFFECTING THE PROPERTY. BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES THAT THE LAND IS CONVEYED "AS IS—WHERE IS, WITH ALL FAULTS".

The intent of this Deed Without Warranty is to transfer the property foreclosed on by the Grantor taxing jurisdictions in Cause No. TX11-40244, in the 162nd District Court, Dallas County, Texas.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever.

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the _____ day of _____ 2014.

GRANTOR:

CITY OF GARLAND, a Texas home-rule municipality

By: _____

Title: _____

THE STATE OF TEXAS §

§

COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the _____ day of _____, 2014, by _____, in his capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:

DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That **the City of Garland.**, a Texas home-rule municipality ("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 **Green Extreme Homes CDC, a Texas non-profit Corporation** ("Grantee"), has **GRANTED, SOLD and CONVEYED**, and by these presents does **GRANT, SELL and CONVEY** unto Grantee that certain lot, tract, or parcel of land situated in the County of Dallas, State of Texas, to wit:

Being Lot 66, R.E. Sumners Addition, an addition to the City of Garland, Dallas County, Texas, according to the deed recorded in volume 99081, page 2353 of the deed records of Dallas County, commonly known as 104 Mckinley Street (the "Property").

This Deed Without Warrant is subject to:

- (1) Any and all visible and apparent easements and encroachments, whether of record or not;
- (2) Any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the Property or any part thereof;
- (3) Rights of the public to any portion of the above described Property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes; and
- (4) Rights of parties in possession.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES 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. GRANTOR DOES NOT WARRANT OR MAKE ANY REPRESENTATION, EXPRESS OR IMPLIED, AS TO FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, ABSENCE OF LATENT DEFECTS OR COMPLIANCE WITH LAWS AND REGULATIONS, OR ANY OTHER MATTER AFFECTING THE PROPERTY. BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES THAT THE LAND IS CONVEYED "AS IS—WHERE IS, WITH ALL FAULTS".

The intent of this Deed Without Warranty is to transfer the property foreclosed on by the Grantor taxing jurisdictions in Cause No. TX11-40244, in the 162nd District Court, Dallas County, Texas.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever.

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the _____ day of _____ 2014.

GRANTOR:

CITY OF GARLAND, a Texas home-rule municipality

By: _____

Title: _____

THE STATE OF TEXAS §

§

COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the _____ day of _____, 2014, by _____, in his capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:



City Council Item Summary Sheet

☐ Work Session

Date: April 15, 2014

☒ Agenda Item

Approval of Sale 3021 Rilla Drive

Summary of Request/Problem

At the April 1, 2014 Work Session, Council considered the sale of a City owned residential property at 3021 Rilla Drive to Green Extreme Homes Community Development Corporation. Council approval is required to authorize the Mayor to execute a deed without warranty conveying the property to the buyer.

Recommendation/Action Requested and Justification

Adopt the attached resolution.

Submitted By:

**Mona Woodard
Grants Manager
Housing and Community Services**

Approved By:

**William E. Dollar
City Manager**

RESOLUTION NO. _____

A RESOLUTION APPROVING THE SALE OF REAL PROPERTY, 3021 RILLA DIVE (THE "PROPERTY"); AUTHORIZING THE MAYOR OF THE CITY OF GARLAND TO EXECUTE A DEED CONVEYING THE PROPERTY TO GREEN EXTREME HOMES, CDC ("THE BUYER"); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City acquired the Property through tax foreclosure proceedings in Dallas County, Texas;

WHEREAS, all taxing jurisdictions included in the judgment have consented to the sale because the Buyer has offered to purchase the Property for less than either the total amount of the judgment or the market value as stated in the judgment; and

WHEREAS, the City has determined that selling the Property is in the public's best interest because it allows the Buyer to develop the Property and it eliminates the City's expenses associated with maintaining the Property.

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

Section 1

That the sale and conveyance of the Property, by the City of Garland to the Buyer is hereby approved.

Section 2

That the Mayor is hereby authorized to execute the Deed Without Warranty, the form and substance of which is attached as Exhibit "A" and incorporated herein by reference, conveying the Property to the Buyer.

Section 3

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

PASSED AND APPROVED this the ____ day of _____, 2014.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That **the City of Garland.**, a Texas home-rule municipality ("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 **Green Extreme Homes CDC, a Texas non-profit Corporation** ("Grantee"), has **GRANTED, SOLD and CONVEYED**, and by these presents does **GRANT, SELL and CONVEY** unto Grantee that certain lot, tract, or parcel of land situated in the County of Dallas, State of Texas, to wit:

Being Lot 16, Block 10 of Broadway Terrace 2, an addition to the City of Garland, Dallas County, Texas, according to the deed records of Dallas County, commonly known as 3021 Rilla Drive (the "Property").

This Deed Without Warrant is subject to:

- (1) Any and all visible and apparent easements and encroachments, whether of record or not;
- (2) Any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the Property or any part thereof;
- (3) Rights of the public to any portion of the above described Property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes; and
- (4) Rights of parties in possession.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES 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. GRANTOR DOES NOT WARRANT OR MAKE ANY REPRESENTATION, EXPRESS OR IMPLIED, AS TO FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, ABSENCE OF LATENT DEFECTS OR COMPLIANCE WITH LAWS AND REGULATIONS, OR ANY OTHER MATTER AFFECTING THE PROPERTY. BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES THAT THE LAND IS CONVEYED "AS IS—WHERE IS, WITH ALL FAULTS".

The intent of this Deed Without Warranty is to transfer the property foreclosed on by the Grantor taxing jurisdictions in Cause No. TX08-40444, Dallas County, Texas, and struck off the tax records at Sheriff's Sale on May 6, 2010.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever.

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the _____ day of _____ 2014.

GRANTOR:

CITY OF GARLAND, a Texas home-rule municipality

By: _____

Title: _____

THE STATE OF TEXAS §

§

COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the _____ day of _____, 2014, by _____, in his capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:



City Council Item Summary Sheet

☐ Work Session

Date: April 15, 2014

☒ Agenda Item

Project Supplemental Agreement (PSA) Amendment No. 1 with Dallas County for Northwest Highway – Centerville Road to LaPrada Drive

Summary of Request/Problem

The 2004 Bond Referendum and the approved 2012 CIP included funds to partner with Dallas County in the reconstruction and widening of Northwest Highway from Centerville Road to LaPrada Drive.

A Project Supplemental Agreement (PSA) with Dallas County was executed for the design only of Northwest Highway from Centerville to LaPrada in 2010. The Amendment No. 1 formally establishes the financial responsibilities of the City and Dallas County for the construction effort. The City's expected share is \$2,750,000 plus utility improvements. The expected share for Dallas County is \$2,750,000.

This item was scheduled for Council consideration at the April 14, 2014 Work Session.

Recommendation/Action Requested and Justification

Adopt a Resolution that authorizes the City Manager to execute the Amendment No. 1.

Submitted By:

Michael C. Polocek
Director of Engineering

Approved By:

William E. Dollar
City Manager

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE PROJECT SPECIFIC AGREEMENT FOR NORTHWEST DRIVE FROM CENTERVILLE ROAD TO LAPRADA DRIVE AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the City Manager is hereby authorized to execute the First Amendment to the Project Specific Agreement for Northwest Drive from Centerville Road to LaPrada Drive with the Dallas County regarding the widening improvements to Northwest Drive, which is attached hereto as Exhibit A and incorporated herein by reference.

Section 2

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

PASSED AND APPROVED this the 15th day of **April 2014**.

THE CITY OF GARLAND, TEXAS

By: _____
Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

☐ Work Session

Date: April 15, 2014

☒ Agenda Item

Notice of Intent to Issue Certificates of Obligation

Summary of Request/Problem

At the April 1, 2014 Work Session, Council considered authorizing the publication of Notice of Intent to Issue Certificates of Obligation not to exceed a principal amount of \$14.2 million. The issuance of Certificates of Obligation will fund various projects in the Capital Improvement Program approved on February 4, 2014.

Recommendation/Action Requested and Justification

Approve a Resolution approving and authorizing publication of a Notice of Intent to Issue Certificates of Obligation.

Submitted By:

David Schuler
Finance Director

Approved By:

William E. Dollar
City Manager

RESOLUTION NO. _____

A RESOLUTION Approving and Authorizing Publication of
Notice of Intention to Issue Certificates of Obligation.

WHEREAS, the City Council of the City of Garland, Texas (the "City"), has determined that certificates of obligation should be issued under and pursuant to the provisions of V.T.C.A., Local Government Code, Subchapter C of Chapter 271, as amended, for the purpose of paying contractual obligations to be incurred for: (i) constructing, equipping and improving municipal park and recreation facilities, library facilities and public safety facilities, (ii) acquiring, constructing, renovating, improving and equipping existing municipal facilities, (iii) acquiring equipment and vehicles for Firewheel golf course, the environmental waste services department, the solid waste department and the municipal street department, (iv) street improvements, (v) drainage improvements, including the acquisition of land and rights-of-way therefor and (vi) professional services rendered in connection therewith; and

WHEREAS, prior to the issuance of such certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the Council tentatively proposes to pass the ordinance authorizing the issuance of the certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the certificates are to be issued and (iv) the manner in which the Council proposes to pay the certificates; now, therefore,

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

SECTION 1: That the City Secretary is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation in one or more series in the principal amount not to exceed FOURTEEN MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$14,750,000) for the purpose of paying contractual obligations to be incurred for: (i) constructing, equipping and improving municipal park and recreation facilities, library facilities and public safety facilities, (ii) acquiring, constructing, renovating, improving and equipping existing municipal facilities, (iii) acquiring equipment and vehicles for Firewheel golf course, the environmental waste services department, the solid waste department and the municipal street department, (iv) street improvements, (v) drainage improvements, including the acquisition of land and rights-of-way therefor and (vi) professional services rendered in connection therewith; such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's Water and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: That the City Secretary shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

PASSED AND ADOPTED, this April 15, 2014.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

(City Seal)

EXHIBIT A

CITY OF GARLAND, TEXAS NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

TAKE NOTICE that the City Council of the City of Garland, Texas, shall convene at 7:00 p.m. on the 20th day of May, 2014, at the City Council chambers located at 200 N. Fifth, in the City of Garland, Texas, and, during such meeting, the City Council will consider the passage of one or more ordinances authorizing the issuance of certificates of obligation in one or more series in an amount not to exceed FOURTEEN MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$14,750,000) for the purpose of paying contractual obligations to be incurred for: (i) constructing, equipping and improving municipal park and recreation facilities, library facilities and public safety facilities, (ii) acquiring, constructing, renovating, improving and equipping existing municipal facilities, (iii) acquiring equipment and vehicles for Firewheel golf course, the environmental waste services department, the solid waste department and the municipal street department, (iv) street improvements, (v) drainage improvements, including the acquisition of land and rights-of-way therefor and (vi) professional services rendered in connection therewith; such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's Water and Sewer System. The certificates are to be issued, and this notice is given, under the pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, as amended.

City Secretary
City of Garland, Texas



City Council Item Summary Sheet

☐ Work Session

Date: April 15, 2014

☒ Agenda Item

2014-2015 CDBG, HOME, and ESG Funding

Summary of Request/Problem

At the April 1, 2014 Work Session, Council was provided information regarding the available funding and applications received for the CDBG, HOME, and ESG 2014-2015 budget year. As part of the review process, a public hearing is needed to obtain comments from any interested parties.

Recommendation/Action Requested and Justification

Hold a public hearing to obtain comments from interested parties.

Submitted By:

**Mona Woodard
Grants Manager
Housing and Community Services**

Approved By:

**William E. Dollar
City Manager**



File No. 14-08/District 6

Meeting: Regular Meeting

Date: April 15, 2014

Planning Report

Cindy Nguyen

3465 West Walnut Street, Suite 305

REQUEST

Approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District and a variance to Section 10-200 of the Comprehensive Zoning Ordinance regarding parking requirements.

OWNER

Benbrook Walnut Partners

PLAN COMMISSION RECOMMENDATION

On March 24, 2014 the Plan Commission, by a vote of nine (9) to zero (0), recommended denial of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District and a variance to Section 10-200 of the Comprehensive Zoning Ordinance regarding parking requirements. The applicant has requested an appeal to City Council for consideration.

STAFF RECOMMENDATION

Denial of the Specific Use Permit for a Reception Facility and variance to Section 10-200 of the Comprehensive Zoning Ordinance regarding parking. The proximity of the proposed reception facility to the existing residential area and the potential impact of traffic and noise on those neighborhoods should be considered. Additionally, the site is within a Targeted Investment Area where retail infill should be encouraged for a long term redevelopment effort of the subject property and surrounding area.

BACKGROUND

The subject property is currently zoned Shopping Center (SC) District. The 10.733-acre tract of land contains approximately 155,826 square feet of retail space housed within multiple buildings. The applicant seeks a Specific Use Permit for a Reception Facility to occupy an 8,002 square foot tenant space within the 88,000 square foot multi-tenant retail building.

At the January 18, 2005 meeting, the City Council adopted Ordinance 5873, which created a new land use identified as Reception Facility. The use is described by the ordinance as a facility that is open to the general public or made available for private uses, designed and used for social events, which may

include but are not limited to parties, dances, receptions, banquets or similar social events.

SITE DATA

The subject property contains approximately 10.733-acres in total area and is developed with multiple buildings. The property has approximately 670 feet of frontage along West Walnut Street, approximately 702 feet of frontage along Jupiter Road, and approximately 743 feet of frontage along Lariat Lane. The property has direct access to all aforementioned roadways.

USE OF PROPERTY UNDER CURRENT ZONING

Development of this property is restricted to only the uses permitted in the Shopping Center (SC) District which permits a broad range of non-residential land uses providing convenient retail and personal service activities by grouping compatible uses in a single center. The purpose of the Shopping Center (SC) District is to provide a neighborhood or community service area. A Specific Use Permit is required in the Shopping Center (SC) District in order to permit a Reception Facility.

CONSIDERATIONS

1. The applicant proposes to operate a reception facility within Suite 305, an 8,002 square foot tenant space within the existing multi-tenant retail building. The applicant would like the ability to rent out the reception facility for events every day of the week with hours ranging from 10:00am to 2:00am. The applicant anticipates the majority of events would occur from 8:00 p.m. to 2:00 a.m. on Friday, Saturday, and Sunday.
2. The applicant has stated that there will not be sales of alcoholic beverages. However, in the case that alcoholic beverages are served or consumed during the events, security will be provided at the premises. The City Attorney's Office has indicated that State law identifies who can provide private security under Chapter 1702 of the State Occupations Code. The Attorney's Office recommends that security be provided as allowed under the State law as shown in the conditions. This security provision has been required with recently approved reception facilities.
3. Section 2.4 of the Reception Facility Ordinance (Ordinance 5873) states that required parking for a Reception Facility Use is 1 parking space for each 100 square feet of gross floor area. Based upon the information supplied by the applicant, the proposed Reception Facility Use would occupy approximately 8,002 square feet of lease space which requires 80 parking spaces. The existing parking area has approximately 650 parking spaces. The existing tenants within the building and the reception facility would require approximately 760 parking spaces. A variance must be approved to allow the current parking, approximately 650 spaces, on the site to accommodate the proposed reception facility and existing tenants.

4. The proposed Reception Facility Use would be located in Suite 305, which is approximately 90 feet from the single family residential properties located north from the subject property across Lariat Lane. There is a partial masonry wall along Lariat Lane on the subject property.
5. On April 6, 2010, City Council approved a request for a Specific Use Permit for Reception Facility (S10-04) at 3460 West Walnut Street, Suite 120, which is across Walnut Street from the location of the proposed reception facility. It is no longer in operation based on current Certificate of Occupancy information.
6. The applicant is requesting approval of the Specific Use Permit for a 20 year period tied to **Cindy Nguyen**.

COMPREHENSIVE PLAN

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

The existing shopping center provides for appropriate land uses in proximity to residential areas such as retail, restaurants and personal service. However, a reception facility does not comply with the Building Block and or Development Types stated within Envision Garland, which are described as being a conventional neighborhood setting with daily goods and services located at the perimeter of the neighborhood. Additionally, this Targeted Investment Area (TIA) is a part of the larger study area (Forest Jupiter Transit-Oriented Redevelopment Plan), which proposes retail infill redevelopment on the northeast corner of Walnut and Jupiter to support increased residential, educational, and employment in other sectors of the Targeted Investment Area (TIA).

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The property to the northwest is zoned Office-2 (O-2) District with Specific Use Permit (S 08-02) for Retail Sales/Personal Service. Properties to the northeast are zoned Single Family (SF/7/F/3) District and are developed with single family residences. Property to the east is zoned Shopping Center (SC) District and is developed with a multi-tenant shopping center. Properties further east are zoned (SF/7/F/3) District and are developed with single family residences.

The proposed Reception Facility would be located in an existing multi-tenant commercial building with inadequate parking to meet the parking requirements of the reception facility in addition to the existing tenants. Additionally, the traffic generation and level of noise potentially created by the Reception Facility Use is a high concern particularly because of the proximity of the existing residential development located north and east from the subject property. As a result, the proposed Reception Facility would not be compatible with the adjacent surrounding area.

Prepared By:

Chasidy Allen, AICP
Development Planner

Date: April 3, 2014

Reviewed By:

Anita Russelmann
Director of Planning

Date: April 4, 2014

Reviewed By:

William E. Dollar
City Manager

Date: April 7, 2014



ZONING Z 14-08

 INDICATES AREA OF REQUEST

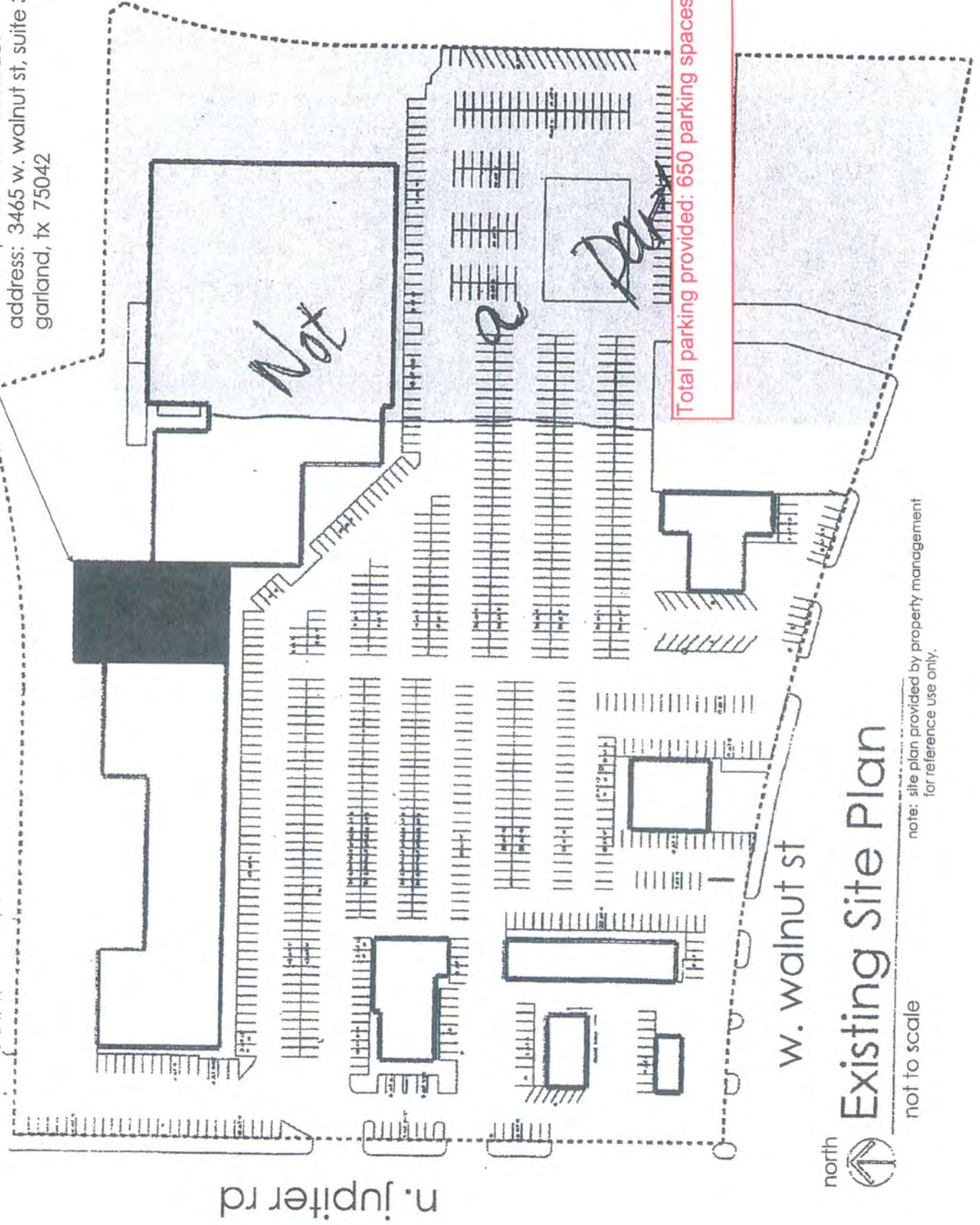
SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 14-08

3465 West Walnut Street, Suite 305

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow a Reception Facility subject to conditions.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the SC (Shopping Center) District set forth in Section 24 and Section 33 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Specific Regulations:**
 - A. Time Period: The Specific Use Permit shall be in effect for a 20 year time period and shall be tied to **Cindy Nguyen**.
 - B. Parking: The existing approximately 650 parking spaces onsite shall meet the parking requirements of the Reception Facility.
 - C. Security: Security shall be provided at every event where alcohol is provided. Security will be provided by a person authorized to provide private security under Chapter 1702 of the Texas Occupations Code.
 - D. Loitering: No congregation or loitering will be allowed to occur outside the facility.

leased space under contract
address: 3465 w. walnut st, suite 305
garland, tx 75042



north

Existing Site Plan

not to scale

note: site plan provided by property management
for reference use only.

S. f.Parking Req.Req. Space

Quoc Bao Bakery 3419 W. Walnut, #104	1,200 sq.ft.	1' 200 s.f.	6
Torres Tax Service 3419 W. Walnut, #106/108	1,484 sq.ft.	1' 300 s.f.	5
Attraction Salon 3419 W. Walnut, #110	800 sq.ft.	1' 200 s.f.	4
Regalo de Vida Nutrition 3419 W. Walnut, #112	1,000 sq.ft.	1' 200 s.f.	5
Shalom Catholic Gift Store 3419 W. Walnut, #114	1,200 sq.ft.	1' 200 s.f.	6
JDC Healthcare 3415 W. Walnut	4,900 sq.ft.	1' 300 s.f.	16
Pupusas Mama Tita 618 N. Jupiter	7,200 sq.ft.	1' 75 s.f.	96
DN Tax Service 520 N. Jupiter, Suite A	1,645 sq.ft.	1' 300 s.f.	6
Tinh Tieu (Tim) Allstate 520 N. Jupiter, Suite B	1,200 sq.ft.	1' 300 s.f.	4
Discount Cigarettes 520 N. Jupiter, Suite C	1,460 sq.ft.	1' 200 s.f.	7
World Finance Corp 520 N. Jupiter, Suite D	1,680 sq.ft.	1' 300 s.f.	6
American Chinese Natural Herbs 520 N. Jupiter, Suite E	1,200 sq.ft.	1' 200 s.f.	6
H-C Management (Law-Jerry Goh) 520 N. Jupiter, Suite F	1,200 sq.ft.	1' 300 s.f.	4
Star Wireless (Boost) 520 N. Jupiter, Suite G	1,200 sq.ft.	1' 200 s.f.	6
Baja Auto Insurance 520 N. Jupiter, Suite H	1,200 sq.ft.	1' 300 s.f.	4
Ostioneria 7 Mares 3317 W. Walnut	5,778 sq.ft.	1' 75 s.f.	77
VACANT 3321 W. Walnut	1,632 sq.ft.	1' 200 s.f.	8
Eagle Tire 3421 W. Walnut	1,500 sq.ft.	1' 400 s.f.	4

December 30, 2013

	<u>S.f.</u>	<u>Parking Req.</u>	<u>Req. Space</u>
First Chinese BBQ 3465 W. Walnut, #103	3,000 sq.ft.	1: 75 s.f.	40
No. 1 Feet Massage 3465 W. Walnut, #105	1,500 sq.ft.	1: 200 s.f.	8
Regional Finance Corp 3465 W. Walnut, #107	1,500 sq.ft.	1: 300 s.f.	5
Metro PCS 3465 W. Walnut, #109	1,500 sq.ft.	1: 200 s.f.	8
National Beauty College 3465 W. Walnut, #205	3,839 sq.ft.	1 per 2 students	20
Thai Dental Clinic 3465 W. Walnut, #209	1,617 sq.ft.	1: 200 s.f.	8
Hiep Cao, MD 3465 W. Walnut, #211	1,821 sq.ft.*	1: 200 s.f.	9
Maxitransfers Corp. 3465 W. Walnut, #213	1,875 sq.ft.	1: 300 s.f.	6
Thalia's Salon 3465 W. Walnut, #215	1,875 sq.ft.	1: 200 s.f.	9
Window Café Coffee Shop 3465 W. Walnut, #217	1,875 sq.ft.	1: 75 s.f.	25
Bien Xanh Restaurant 3465 W. Walnut, #219	3,750 sq.ft.	1: 75 s.f.	50
FamiCare 3465 W. Walnut, #225	5,280 sq.ft.	1: 300 s.f.	18
Family Dollar #1569 3465 W. Walnut, #229	8,400 sq.ft.	1: 200 s.f.	42
Mr. Do's Coin Laundry 3465 W. Walnut, #301	6,000 sq.ft.	1: 200 s.f.	30
VACANT 3465 W. Walnut, #302	8,824 sq.ft.	1: 200 s.f.	44
Thrift Store 3359 W. Walnut, #101	24,516 sq.ft.	1: 200 s.f.	123
LS Nail Depot 3359 W. Walnut, #200	4,550 sq.ft.	1: 200 s.f.	23
Pizza Patron 3419 W. Walnut, #102	1,200 sq.ft.	1: 75 s.f.	16

December 30, 2013

754 total

REPORT & MINUTES

P.C. Meeting, March 24, 2014 (9 Members Present)

Consideration of the application of Cindy Nguyen, requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District and a variance to Section 10-200 of the Comprehensive Zoning Ordinance regarding parking requirements. The property is located at 3465 West Walnut Street, Suite 305. (File 14-08)

The applicant, Cindy Nguyen, 901 Sunningdale, Richardson, TX 75081, addressed parking issues, clarified the establishment would not be selling alcohol, and that security would be hired for those events that do serve alcohol.

Speaking in opposition, Pete Hughes, 3326 Lariat Lane, Garland, TX, Mr. Hughes stated concerns regarding the hours of operation, noise, traffic and trash.

Motion was made by Commissioner Vera, seconded by Commissioner Johnson to close the Public Hearing and open the case for discussion. Motion **carried: 9 Ayes, 0 Nays.**

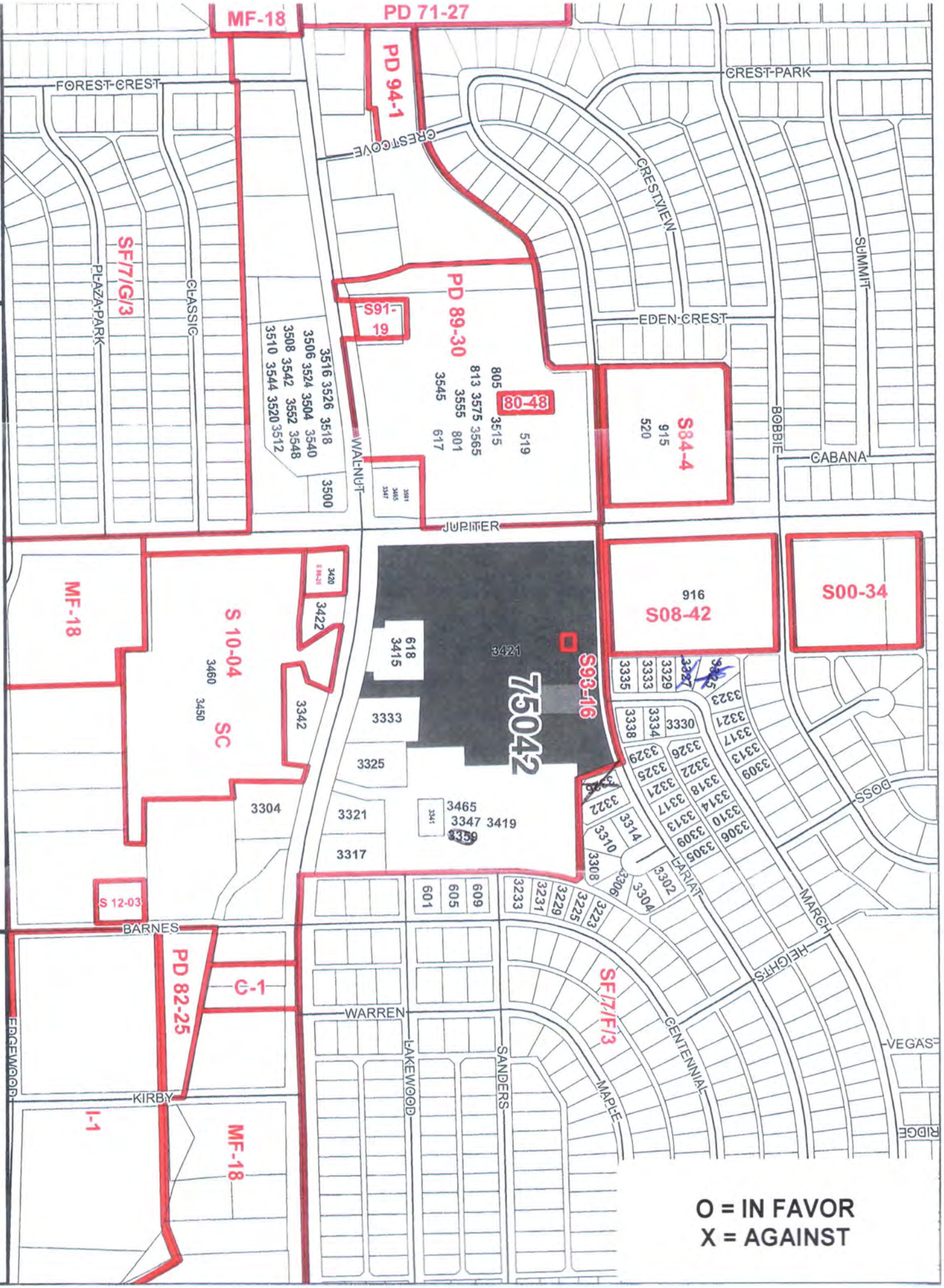
There was discussion regarding the parking variance and concerns regarding the proximity to a residential neighborhood.

Motion was made by Commissioner Vera, seconded by Commissioner Dalton to **deny** the request per staff recommendation. Motion **carried: 9 Ayes, 0 Nays.**

0 200 400 Feet

ZONING Z 14-08

INDICATES AREA OF REQUEST



O = IN FAVOR
X = AGAINST



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

March 12, 2014

HEARING DATE/TIME: Plan Commission: March 24, 2014 – 7:00 PM

APPLICANT: Cindy Nguyen

File Z 14-08

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, March 24, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Cindy Nguyen** requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is shown on the enclosed sketch and is described as follows:

BEING a 10.733-acre tract known as Lot 1RA, Block 1, Walnut Plaza Shopping Center No. 3, an addition to the City of Garland, Dallas County, Texas according to the map of the plat recorded in Volume 97192, Page 5338, of the Plat Records of Dallas County, Texas. This property is located at 3465 West Walnut Street, Suite 305. (District 6)

Note: The approval of this request will allow a reception facility to operate within Suite 305 of the existing building.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474**. Should you have any questions, please contact Chasidy Allen at 972-205-2445.

(Please Check One Below)

_____ I am in favor of the request.

_____ I am opposed to the request.

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

(Please complete the following information)

Your Property Address

Printed Name

Address

City, State

Zip

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

Signature

Title

Date: _____



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

March 12, 2014

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(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

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

It will add to road congestion on Lariat Lane. There is not an acceptable barrier between property & 3326 Lariat Lane. The chainlinked fence allows trash to blow into our yard. More business will cause more noise and disruption to our home life. This reduces our quality of life & reduces resale value of our property.

(Please complete the following information)

Your Property Address

Eugenia Hughes

Printed Name

3326 Lariat Ln.

Address

Garland TX 75042

City, State

Zip

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

Eugenia Hughes

Signature

Ms.

Title

Date: *3/18/14*



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

March 12, 2014

HEARING DATE/TIME: Plan Commission: March 24, 2014 – 7:00 PM

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(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

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

(Please complete the following information)

Your Property Address

JOHN COMERFORD - PREMIUM PROPERTY MANAGEMENT FOR BENBROOK WALNUT PARTNERS

Printed Name

3359 W. Walnut

Address

GARLAND, TX

City, State

Zip

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

Signature

Title

Date:

3/18/2014

PROPERTY MANAGER



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

March 12, 2014

HEARING DATE/TIME: Plan Commission: March 24, 2014 – 7:00 PM

APPLICANT: Cindy Nguyen

File Z 14-08

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(Please Check One Below)

☐ I am in favor of the request.

☐ I am opposed to the request.

> NO Idea this request

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

(Please complete the following information)

Your Property Address

Printed Name DARLENE NGUYEN

Address 801 N. Jupiter Rd City, State Garland TX Zip 75042

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

Signature [Signature]

Title owner

Date: 3/18/2014



GARLAND

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

March 12, 2014

HEARING DATE/TIME: Plan Commission: March 24, 2014 – 7:00 PM

APPLICANT: Cindy Nguyen

File Z 14-08

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(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

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

to much TRAFFIC now, In this AREA ALREADY

(Please complete the following information)

Your Property Address

RAUL GARZA
Printed Name
3325 MARCH Lane *GARLAND, TX* *75042*
Address City, State Zip

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

Raul Garza *OWNER*
Signature Title

Date: *03/15/2014*



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

March 12, 2014

HEARING DATE/TIME: Plan Commission: March 24, 2014 – 7:00 PM

APPLICANT: Cindy Nguyen

File Z 14-08

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(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

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

To much activity now

(Please complete the following information)

Your Property Address

SAUL GARZA JR

Printed Name

3327 MARCH LANE

Address

Garland, TX

City, State

75042

Zip

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

Signature

Owner
Title

Date: *03/15/2014*



File No. 14-09/District 7

Meeting: Regular Meeting

Date: April 15, 2014

Planning Report

DR Rankin, PLLC.

On the northeast corner of Arapaho Road and Shiloh Road

REQUEST

Approval of a Detail Plan for a Bank or Financial Institution on a property zoned Planned Development (PD) District 02-28 for Limited Shopping Center Uses.

OWNER

Resource One Credit Union

PLAN COMMISSION RECOMMENDATION

On March 24, 2014 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Detail Plan for a Bank or Financial Institution per staff recommendation provided a condition is added limiting the height of the monument sign to 7 feet.

The applicant concurs with the addition of a condition limiting the height of the monument sign to 7 feet.

STAFF RECOMMENDATION

Approval of a Detail Plan for a Bank or Financial Institution. The layout, scale, and design of the proposed bank building reflected on the Detail Plan is suitable for the subject property as well as compatible with the surrounding residential and commercial developments.

BACKGROUND

In 2002 City Council approved Planned Development (PD) District 02-28 which encompassed a 7.2 acre area and a Detail Plan to partially develop the site with a self-storage complex, leaving the remaining 3.163 acres vacant for future development. The applicant is seeking approval of a Detail Plan to develop 1.060 acres of the 3.163-acre vacant tract of land with a bank building with a drive-through.

SITE DATA

The subject property contains approximately 1.060 acres and has frontage of approximately 178 linear feet along Arapaho Road and 187 linear feet along

Shiloh Road. The site will be accessible from Arapaho Road and Shiloh Road through access drives that will be shared with future development occurring on the remaining 2.103-acres from the original vacant tract of land.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 02-28 for Limited Shopping Center Uses and permits all banks and financial institutions. However, a Detail Plan is required to be approved through a public hearing process before any development can occur on the subject property.

CONSIDERATIONS

1. The applicant requests approval of a Detail Plan to develop the subject property with a 4,100 square foot bank with a drive-through consisting of 4 lanes and a 1,080 square foot canopy. The drive-through will be fully screened from Arapaho Road by the main building and from Shiloh Road by additional large trees within the landscape buffer. The bank will operate Monday through Friday from 8:30 a.m. to 5:30 p.m. (lobby), from 8:00 a.m. to 6:00 p.m. (drive-through), and Saturday from 9:00 a.m. to 1:00 p.m. (lobby and drive-through).
2. The landscape plan put forward exceeds the screening and landscape requirements for the subject property. The site will exceed the number of required trees within the landscape buffer as well as the number of required parking lot trees.
3. Planned Development (PD) District 02-28 limits the number and type of freestanding signage to 4 monument signs with a maximum height of 10 feet and maximum area of 100 square feet. There is 1 existing monument sign associated with the self-storage complex. The applicant is proposing 1 monument sign that will be associated with the proposed bank, making it the second monument sign on the overall site. The proposed monument sign complies with the maximum height and square footage regulations and the proposed attached signage complies with the Sign Ordinance.
4. Per the Zoning Ordinance, 1 parking space for every 300 square feet of gross floor area is required for banks or financial institutions. A 4,100 square foot bank building will require 14 parking spaces; the proposed Detail Plan provides 36 parking spaces.
5. The proposed building elevations consist of split face concrete masonry unit blocks, brick veneer, and EIFS. The architectural design of the proposed elevations is contemporary, yet compatible with the existing surrounding commercial developments.

COMPREHENSIVE PLAN

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

The proposed bank building is consistent with the Comprehensive Plan recommendation in that it will provide a service that is commonly used by nearby residents from a site that is conveniently located along two major thoroughfares. Furthermore, the scale of the proposed bank building is appropriate for a commercial site that is near residential development.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The surrounding properties are zoned with a variety of the Planned Development (PD) Districts for Shopping Center Uses, Office Uses, Multi-Family Uses and Single-Family Uses. These properties are developed with retail/personal service uses, a gas station, a grocery store, a bank building, a church building, and residential neighborhoods.

It should be noted that the proposed bank is allowed by right in Planned Development (PD) District 02-28 and the Detail Plan put forward is what is being considered for approval. The Detail Plan provides a bank building whose scale is compatible with the residential and commercial developments established in the surrounding area. Furthermore, the proposed landscape plan goes beyond the required tree plantings, proposing a landscape layout that will enhance the appearance of the subject site and provide adequate screening of site features such as the drive-through.

Prepared By:

Josue De La Vega
Development Planner

Date: April 3, 2014

Reviewed By:

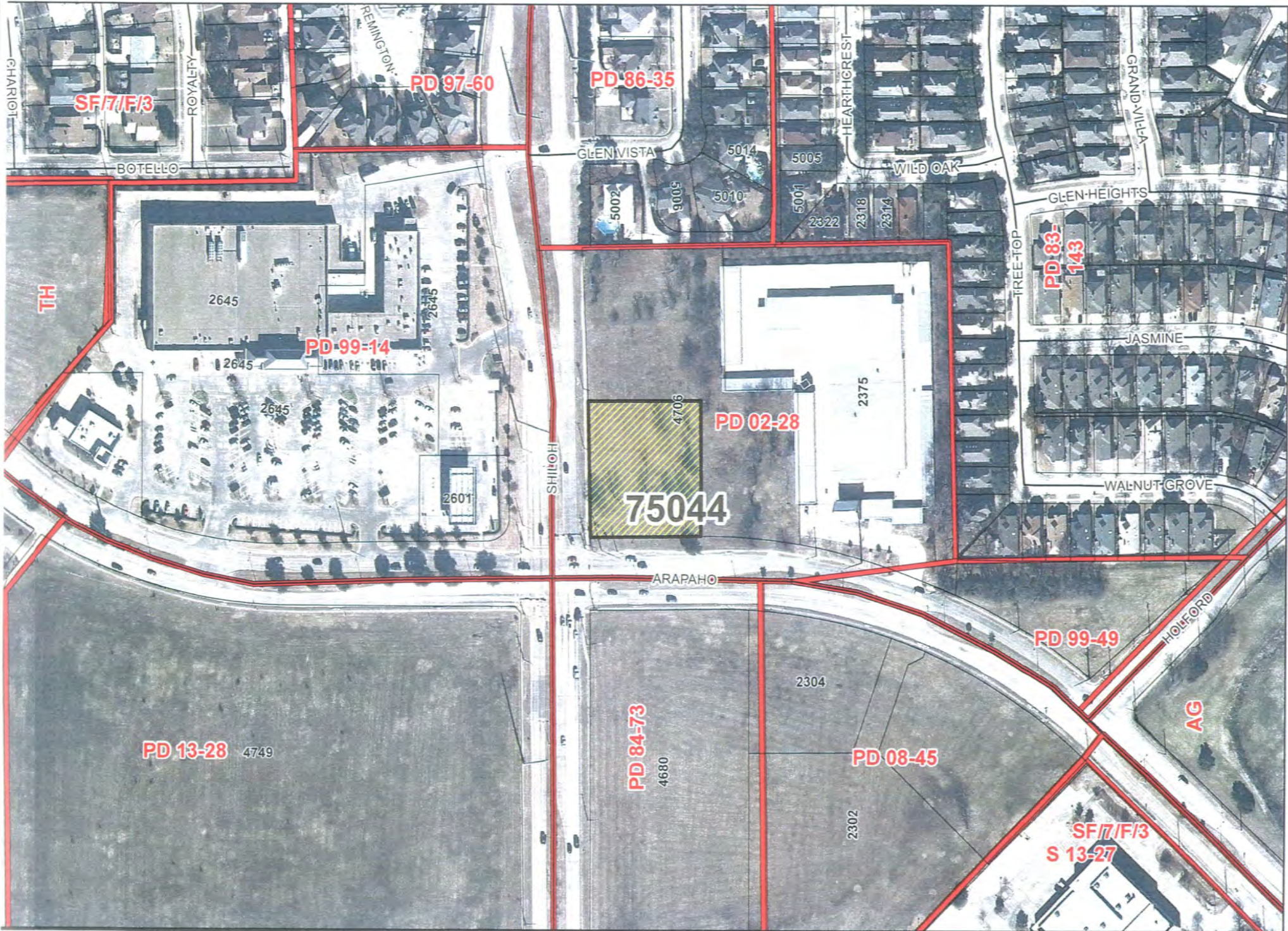
Anita Russelmann
Director of Planning

Date: April 7, 2014

Reviewed By:

William E. Dollar
City Manager

Date: April 8, 2014



0 100 200 Feet

ZONING Z 14-09

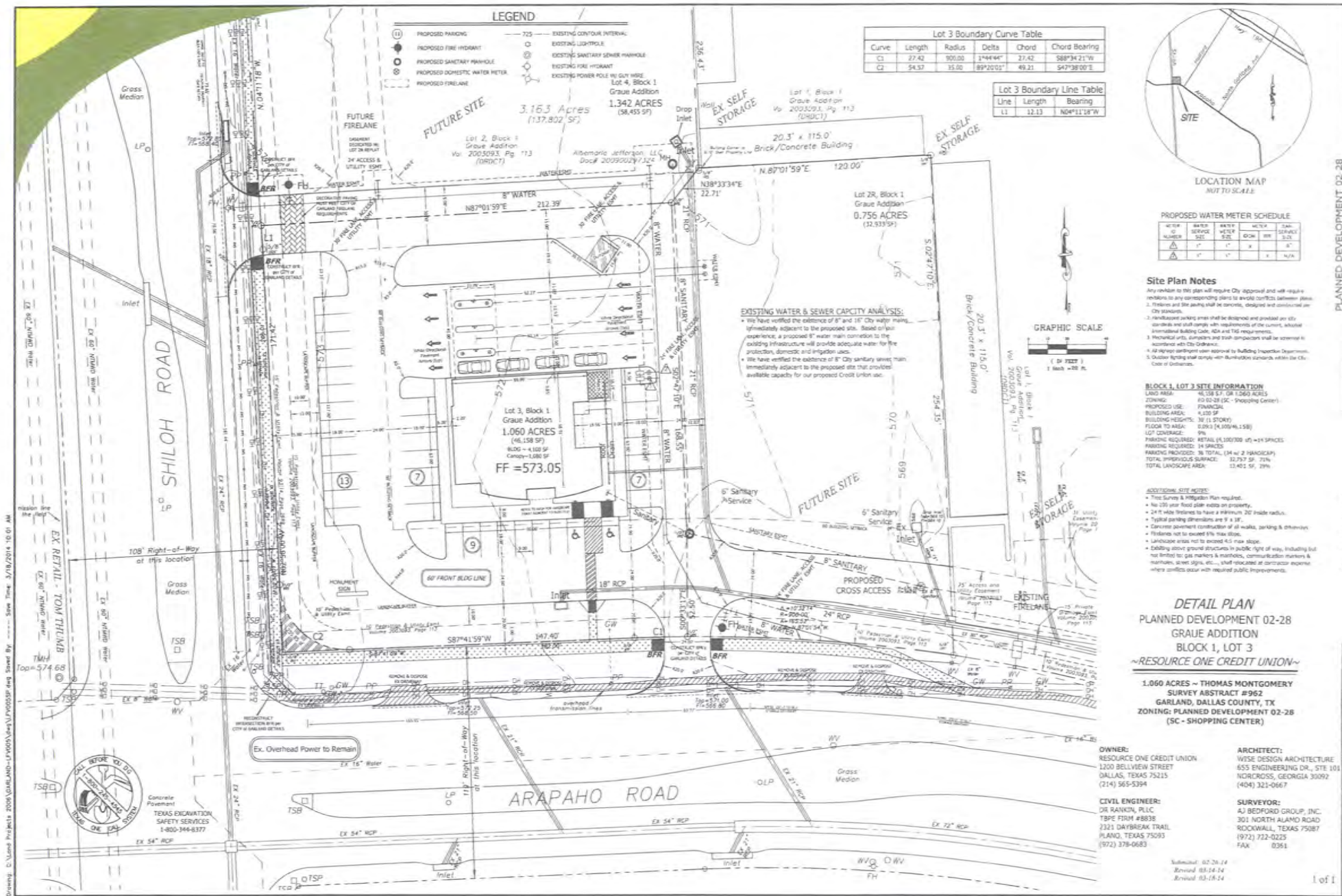
 INDICATES AREA OF REQUEST

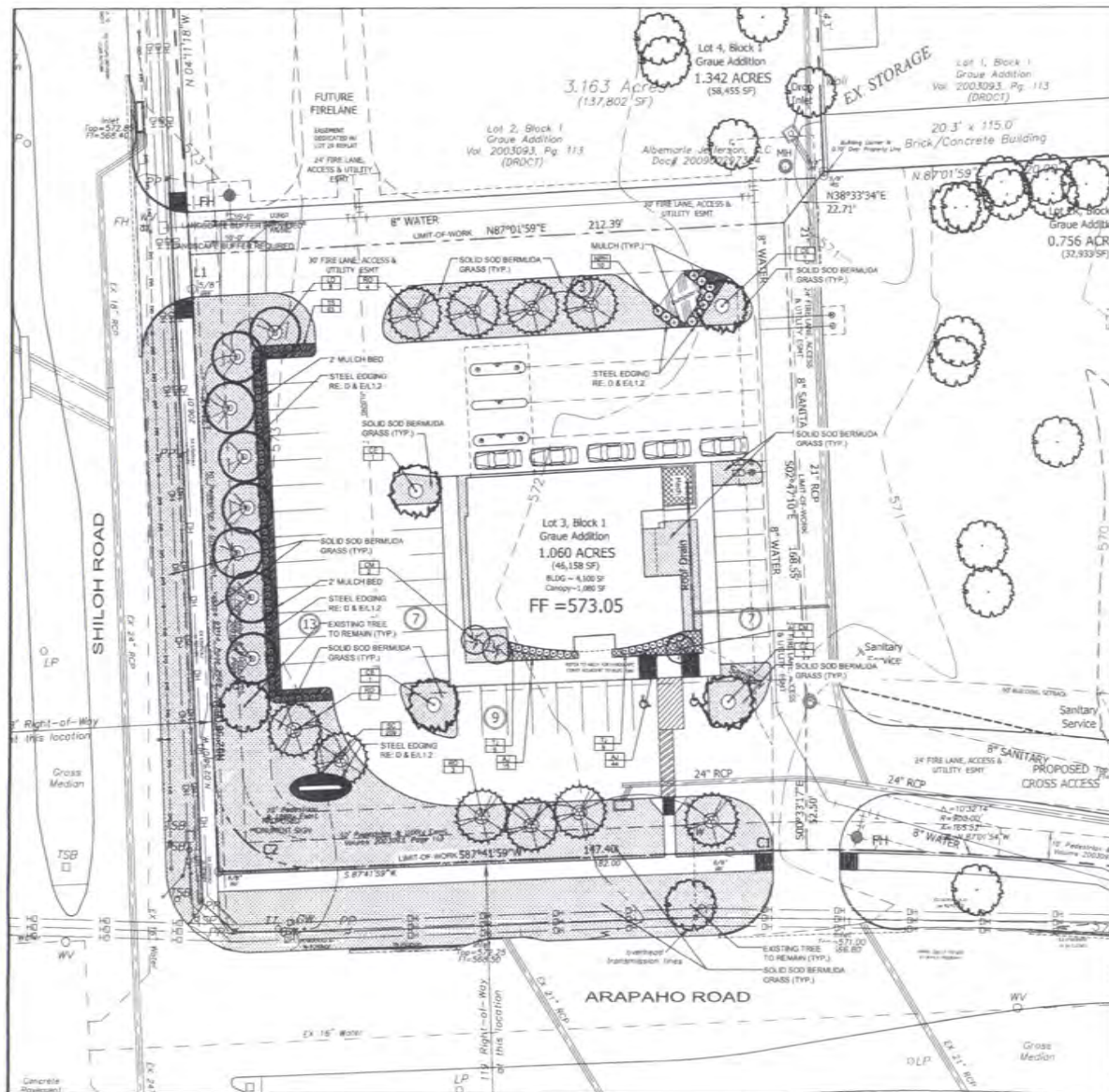
PLANNED DEVELOPMENT CONDITIONS

ZONING FILE 14-09

On the northeast corner of Arapaho Road and Shiloh Road

- I. **Statement of Purpose:** The purpose of this Planned Development is to approve a Detail Plan of a Bank/Financial Institution subject to conditions.
- II. **Statement of Effect:** This Planned Development (PD) District shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Shopping Center (SC) District set forth in Section 24 and 32 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Development Plans:**
 - A. Detail Plan: Development shall be in conformance with the approved Detail Plan labeled Exhibit C. In the event of conflict between the conditions and Detail Plan, the conditions listed below shall prevail.
- V. **Specific Regulations:**
 - A. Permitted Uses: All uses as listed in Planned Development (PD) 02-28.
 - B. Landscape Plan: Screening and Landscaping shall be in general conformance with the approved Landscape Plan labeled as Exhibit D.
 - C. Building Elevations: Exterior building elevations shall be in conformance with the approved elevations labeled as Exhibit E.
 - D. Signs: Freestanding signage shall be limited to 1 monument sign with a maximum height of 7 feet and a maximum area of 100 square feet.
 - E. Exterior Lighting: All exterior lighting shall be downlighted and shall not project onto adjacent property.





A LANDSCAPE PLAN
SCALE: 1" = 20'-0"
PLAN VIEW



Curve Table				
Curve	Length	Radius	Delta	Chord
C1	27.42	880.00	174.84°	27.42
C2	30.37	10.00	89.20°	30.37

Line Table		
Line	Length	Bearing
L1	12.13	N87°01'59"



CITY OF GARLAND LANDSCAPE REQUIREMENT

CATEGORY	REQUIRED	PROVIDED
SHILOH ROAD LANDSCAPE BUFFER 2,000 S.F.	12' LANDSCAPE BUFFER WITH 1-LARGE TREE OR 3-ORNAMENTAL TREES FOR EACH 500 SQ. FT. OF LANDSCAPE BUFFER (3-LARGE TREES OR 15-ORNAMENTAL TREES REQUIRED)	7-LARGE TREES PROVIDED 1-EXISTING
ARAPAHO ROAD LANDSCAPE BUFFER 1,400 S.F.	12' LANDSCAPE BUFFER WITH 1-LARGE TREE OR 3-ORNAMENTAL TREES FOR EACH 500 SQ. FT. OF LANDSCAPE BUFFER (3-LARGE TREES OR 15-ORNAMENTAL TREES REQUIRED)	4-LARGE TREES PROVIDED 2-EXISTING
PARKING LOT TREES (30 SPACES)	1-LARGE TREE OR 3-ORNAMENTAL TREES FOR EACH 10 PARKING SPACES (3-LARGE TREES REQUIRED)	3-LARGE TREES PROVIDED
PARKING INTERIOR	3% OF THE TOTAL PARKING AREA IS TO BE LANDSCAPED	3% LANDSCAPED

LEGEND

SYMBOL	DESCRIPTION
	EXISTING TREE TO REMAIN AND TO BE PROTECTED
	RE: TREE SURVEY & MANAGEMENT PLAN ONLY, DRAWINGS

TREE MITIGATION DATA

- TOTAL MITIGATION CALIPER INCHES REQUIRED: 128
- TOTAL MITIGATION CALIPER INCHES PROVIDED: 88

RE: TREE SURVEY & MANAGEMENT PLAN ONLY, DRAWINGS

CITY CASE #131026-1

DAVID C. BALDWIN
INCORPORATED



LANDSCAPE ARCHITECTURE

PLANNING

135 EAST PARK BOULEVARD, SUITE 100

PLANO, TX 75074

PHONE: (972) 504-1088 / FAX: (972) 504-1089

SETH HEIDMAN

IRRIGATION DESIGN

AND CONSULTING

508 W. PARKER ROAD #148-21

PLANO, TX 75074

PHONE: (972) 515-0411

DATE	REVISIONS	BY
3.14.14	1	CITY COMMENTS
3.18.14	2	DUMPSTER INC. REVISIONS

RESOURCE ONE CREDIT UNION
GARLAND, TEXAS

NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION.

LANDSCAPE PLAN

PROJECT MANAGER	DATE
HRM	03/18/14
DESIGNER	DATE
TDH	03/18/14
CHECKED	DATE
AS NOTED	03/18/14

L1.1

CITY CASE #131026-1

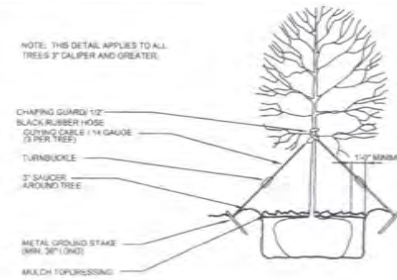
EXHIBIT D

PLANT LIST

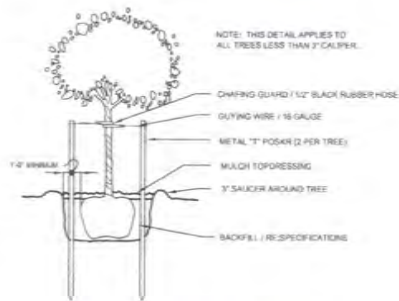
KEY	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
LD	8	LIVE OAK	<i>Quercus virginiana</i>	100 gallon, minimum 4" caliper x 16' height x 5' spread	Container-grown, full head, branching at 4'; matched. Twin Lakes Nursery Tel. (800) 955-5622 or approved equal.
RD	10	SHAMARD RED OAK	<i>Quercus shumardii</i>	100 gallon, minimum 4" caliper x 16' height x 5' spread	Container-grown, full head, branching at 4'; matched. Twin Lakes Nursery Tel. (800) 955-5622 or approved equal.
CE	4	CEAR ELM	<i>Ulmus crinitus</i>	100 gallon, minimum 4" caliper x 16' height x 5' spread	Container-grown, full head, branching at 4'; matched.
OM	3	ORANGE MYRTLE MUSKOGEE	<i>Laguncularia indica</i> (Muskegee)	30 gallon, min. 9-10' height x 4-5' spread, multi-trunk	Container-grown full single trunk
NPH	10	NEEDLE POINT HOLLY	<i>Ilex cornuta</i> 'Needlepoint'	7 gallon, minimum 36" height and 30" spread	Full, plant 42" o.c.
TS	60	COMPACT TEXAS SAGE	<i>Leucophyllum frutescens</i> (Compact)	3 gallon, Min. 24" height and 18" spread	Full-to-ground; plant 30" o.c.
TJ	18	TAM JAMPER	<i>Juniperus horizontalis</i> (horizontalis)	3 gallon, Min. 18" height x 18" spread	Full, plant 24" o.c.
AJ	58	ASIAN JASMINE	<i>Fraxelosmum asiaticum</i>	1 gallon	Full, plant 18" o.c.
SC	208	SEASONAL COLOR	To be determined (Please to bloom)	4" pot	Full, ready to bloom, plant 9" o.c.

LANDSCAPE GENERAL NOTES

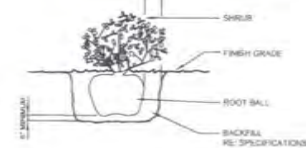
- CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES, AMBIGUITY, OR UNLABELED PLANTS ON PLANS PRIOR TO BID SUBMITTAL. IF DISCREPANCY, AMBIGUITY, OR UNLABELED PLANT IS NOT CLARIFIED BY LANDSCAPE ARCHITECT PRIOR TO BID SUBMITTAL, CONTRACTOR SHALL NOTE SUCH ITEM ON BID.
- CONTRACTOR SHALL PROVIDE REPRESENTATIVE SAMPLES OF SHRUB AND GROUND COVER STOCK FOR LANDSCAPE ARCHITECTS AND/OR OWNERS APPROVAL PRIOR TO MAJOR SHIPMENT OF MATERIALS TO SITE. IF REPRESENTATIVE SAMPLES CANNOT BE PROVIDED, CONTRACTOR SHALL FURNISH GOOD QUALITY PHOTOGRAPH OF LANDSCAPE MATERIALS TO LANDSCAPE ARCHITECT AND/OR OWNERS. PHOTOGRAPHS SHALL HAVE A MEANS OF DETERMINING SCALE AND SIZE OF MATERIALS WITHIN THE PHOTOGRAPH (I.E. 48-102 POLE WITH ONE FOOT INCREMENT FOR TREES).
- AFTER IRRIGATE AND CLEANING, ALL AREAS TO BE GRADED SHALL BE LEVELED AND FINISHED. THE REQUIRED PERCENT SHALL BE THE ELIMINATION OF HOLES, DEPRESSIONS, HUMPS, AND OBJECTIONABLE SOIL CLOUDS. DURING THE SOIL PREPARATION PROCESS, A "POCK HOLE" OR "POCK MARK" SHALL BE USED TO GATHER SURFACE STONES AS SMALL AS ONE INCH (1") IN DIAMETER.
- CONTRACTOR SHALL GUARANTEE A FULL STAND OF GRASS, REGARDLESS OF WHETHER A PERMANENT LANDSCAPE IRRIGATION SYSTEM IS INSTALLED. CONTRACTOR SHALL PROVIDE TEMPORARY IRRIGATION OR HAND WATER AS REQUIRED FOR TURF ESTABLISHMENT.
- SOIL AMENDMENT: "A PROFESSIONAL BEDDING SOIL" AS PRODUCED BY LIVING EARTH TECHNOLOGIES, INC., 1808 W. NORTHWEST HIGHWAY, DALLAS, TEXAS (PHONE: 214-888-4332) OR "NATURAL T. L. COMPOST" AS PRODUCED BY SOIL BUILDING SYSTEMS, INC., 1770 "Y" STREET, DALLAS, TEXAS (PHONE: 972-431-8181) OR APPROVED EQUAL.
- TREE HOLES TO BE EXCAVATED 2' GREATER THAN BALL DIAMETER AND 8" DEEPER.
- TREE BACKFILL SHOULD BE COMPOSED OF 5 PARTS OF EXISTING SOIL EXCAVATED FROM THE HOLE TO ONE PART SOIL AMENDMENT, THOROUGHLY MIXED WITH 5 LBS. PER CUBIC YARD BACKFILL FERTILIZER (13-13-13 ANALYSIS BULK FERTILIZER); TREE BACKFILL TO BE MECHANICALLY MIXED PRIOR TO BACKFILL OPERATIONS.
- SHRUB PITS SHALL BE EXCAVATED 12" GREATER THAN CONTAINER DIAMETER AND 8" DEEPER. BACKFILL WITH 1/2 EXISTING SOIL AND 1/2 SOIL AMENDMENT (OR APPROVED EQUAL) AS NOTED UNDER NOTE 7 ABOVE, THOROUGHLY BLENDED BY MECHANICAL MEANS PRIOR TO BACKFILL.
- SOIL PREPARATION FOR GROUND COVER, SHRUB, AND SEASONAL COLOR BEDS:
 - EXCAVATE EXISTING SOIL, IF NECESSARY, AND ADD TO SHRUB, GROUND COVER, AND SEASONAL COLOR AREAS THE FOLLOWING:
 - 4" LAYER OF COMPOST MIX
 - 14-16-14 SLOW RELEASE FERTILIZER (OSMACOTE) AT A RATE OF 5 LBS. / 100 S.F.
 - SPREAD MATERIALS UNIFORMLY AND CULTIVATE THOROUGHLY BY MEANS OF A MECHANICAL TILLER, TILL TO A MINIMUM DEPTH OF 8".
 - POCKET PLANTING OF SHRUB, GROUND COVER, AND SEASONAL COLOR IS NOT ALLOWED.
- MULCH TOPDRESSING TO BE MINIMUM 2" LAYER DOUBLE SHREDDED HARDWOOD, SPREAD UNIFORMLY ON ALL SHRUB AND GROUND COVER BEDS AND ON ALL TREE SAUCERS. AVAILABLE FROM LIVING EARTH TECHNOLOGY (PHONE: 214-888-4332) OR APPROVED EQUAL.
- BED EDGING (IF APPLICABLE) TO BE 16" x 4" CO-ARB "COMMERICAL" EDGING AS MANUFACTURED BY COLARBY, GARLAND, TEXAS (PHONE: 800-434-4332), OR APPROVED EQUAL. COLOR UNLESS NOTED OTHERWISE ON DRAWINGS.
- ALL HOLES FOR TREES AND LARGE SHRUBS SHALL BE TESTED FOR WATER RETENTION PRIOR TO TREE OR SHRUB INSTALLATION. AFTER HOLE IS EXCAVATED, IT IS TO BE FILLED WITH WATER TO THE TOP OF THE EXCAVATION. IF, AFTER 24 HOURS, THE HOLE STILL HOLDS WATER, THE CONTRACTOR SHALL EXCAVATE AN ADDITIONAL 6" FROM THE BOTTOM OF THE HOLE. THE LANDSCAPE CONTRACTOR SHALL THEN INSTALL 8" OF WASHED GRAVEL COVERED ON THE TOP AND UP TO A MINIMUM OF 12" ON THE SIDES OF THE HOLE WITH FILTER FABRIC. THE CONTRACTOR SHALL ALSO INSTALL A CAPPED 2" DIAMETER PVC DUMP WHICH WILL EXTEND FROM NEAR THE BOTTOM OF THE HOLE TO 3" ABOVE THE PROPOSED FINISH GRADE SO THE HOLE CAN BE EVACUATED THROUGH MECHANICAL MEANS.



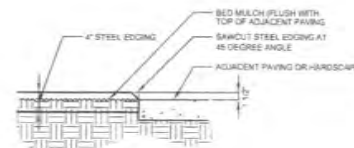
A TREE GUYING DETAIL
SCALE: N.T.S. SECTION/ELEVATION



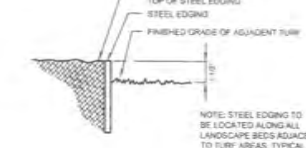
B TREE STAKING DETAIL
SCALE: N.T.S. SECTION/ELEVATION



C SHRUB PLANTING DETAIL
SCALE: N.T.S. SECTION



E STEEL EDGING ADJACENT TO PAVING (TYP.)
SCALE: N.T.S. SECTION/ELEVATION



D STEEL EDGING
SCALE: N.T.S. SECTION/ELEVATION

PHONE: (972) 594-1255 / FAX: (972) 594-1259

DAVID C. BALDWIN
INCORPORATED



LANDSCAPE
ARCHITECTS
P.L.L.C.

730 EAST PARK BOULEVARD, SUITE 100
PLANO, TX 75074
PHONE: (972) 594-1255 / FAX: (972) 594-1259

IRRIGATION DESIGN

SETH HEIDMAN
IRRIGATION DESIGN
AND CONSULTING
508 W. PARKER ROAD #149-27
PLANO, TX 75093
PHONE: (972) 818-0141

DATE	REVISIONS	BY
3.14.14	1 CITY COMMENTS	
3.18.14	2 COLUMBIA INC. REVISIONS	

RESOURCE
ONE CREDIT
UNION
GARLAND, TEXAS

NOT FOR
REGULATORY
APPROVAL
PERMITTING
OR
CONSTRUCTION

SHEET TITLE

LANDSCAPE
DETAILS

PROJECT NUMBER: BRM	DATE OF DRAWING: 02/08/2014
DESIGNED BY: TCH	CHECKED BY: DOR/RRM
DATE: MARCH 18, 2014	SCALE: AS NOTED

SHEET REVISIONS

L1.2

CITY CASE #100871

EXHIBIT D



335 ENGAGEERING DRIVE
SUITE 101
MORRISVILLE, GA 30097
404.321.0067 (T)
404.321.0068 (F)
www.VWbaDesignArchitecture.com
SummerWise & Associates, P.C.

LEVEL

Think strategically. Build creatively.

800 RIVER COLE BRUNN 800-255-1000
47, 48, 49 1-800-255-1000
1000 750-1000 Fax 255-110-1000



3 NORTH ELEVATION

A-50 SCALE: 1/8"=1'-0"

SPLIT FACE BLOCK	10226 SF	53.0%
BRICK	1719 SF	9.0%
GLASS	99 SF	5.0%
EIFS	6263 SF	33.0%
	19198 SF	100.0%



2 EAST ELEVATION

A-30 SCALE: 1/8"=1'-0"

FAÇADE MATERIALS		
SPLIT FACE BLOCK	599.9 SF	40.0%
BRICK	270.3 SF	18.0%
GLASS	214.85 SF	14.0%
EIJS	414.4 SF	28.0%
	1499.45 SF	100.0%



5 SIGN ELEVATIONS

A-50 SCALE: 1/4"=1'-0"



4 WEST ELEVATION

A-50 SCALE: 1/8" = 1'-0"

FACADE MATERIALS		
SPLIT FACE BLOCK	3637 SF	29.0%
BRICK	5415 SF	43.0%
GLASS	9 SF	9.0%
EIFS	19 SF	19.0%
	1258 SF	100.0%



① SOUTH - ENTRY ELEVATION

A-50	SCALE: 1/8" = 1'-0"
------	---------------------

FACADE MATERIALS		
SPLIT FACE BLOCK	7273 SF	40.0%
BRICK	2798 SF	15.0%
GLASS	3525 SF	19.0%
EIFS	4745 SF	26.0%
	18341 SF	100.0%

Drawing Issued:

Date	Rev	Description
11/29/13		Design Review
2/27/14		Design Development
3/24/14		Design Development

Drawn By: MK/CB/T

Checked By:	CX
-------------	----

Client No:	XXXX
------------	------

Wise Design No.	1311
-----------------	------

EXTERIOR

EXTERIOR ELEVATIONS

ELEVATIONS

A-5.0

REPORT & MINUTES

P.C. Meeting, March 24, 2014 (9 Members Present)

Consideration of the application of D.R. Rankin, requesting approval of a Detail Plan for a Bank or Financial Institution on a property zoned Planned Development (PD) District 02-28 for Shopping Center Uses. The property is located at the northeast corner of North Shiloh Road and Arapaho Road. (File 14-09)

Representing the applicant, Don Rankin, 2321 Daybreak Trail, Plano, TX, gave a brief overview of the request and remained available for questions.

Commissioner Fisher raised concern regarding the height of the monument sign.

Motion was made by Commissioner Fisher, seconded by Commissioner Ott to close the Public Hearing and **approve** the request per staff recommendation with the maximum height of the monument sign of 7 feet. Motion **carried: 9 Ayes, 0 Nays.**



INDICATES AREA OF REQUEST

ZONING Z 14-09

0 100 200 Feet

O = IN FAVOR
X = AGAINST



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

March 13, 2014

HEARING DATE/TIME: Plan Commission: March 24, 2014 - 7:00 PM

APPLICANT: DR Rankin, PLLC.

File Z 14-09

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, March 24, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **DR Rankin, PLLC.** requesting approval of 1) an amendment to Planned Development (PD) District 02-28 for Shopping Center Uses and 2) a Detail Plan for a Bank or Financial Institution. The property is shown on the enclosed sketch and is described as follows:

Being approximately a 1.065 tract of land and identified as part of Lot 2, Block 1, Graue Addition, an addition to the City of Garland as shown on the Plat recorded in Volume 2003093, Page 113 of the Map Records of Dallas County, Texas. The property is located at northeast corner of Arapaho Road and Shiloh Road, Garland, TX. (District 7)

Note: The applicant requests approval of a Detail Plan to develop the property with a bank building with a drive-through.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002** or by fax to **972-205-2474**. Should you have any questions, please contact Josue De La Vega at 972-205-2445

(Please Check One Below)

☒ I am in favor of the request.
☐ I am opposed to the request.

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

DOES THIS DEVELOP THE WHOLE PD02-28? IF NOT
WHAT HAPPENS TO THE NORTHERN SECTION?

TOMME ELLIOTT (Please complete the following information)

Your Property Address

5006 Glen Vista Dr GARLAND, TX 75044

Printed Name

Address

City, State

Zip

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

Signature

HOMEOWNER
Title

Date: 3/17/2014



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

March 13, 2014

HEARING DATE/TIME: Plan Commission: March 24, 2014 – 7:00 PM

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(Please Check One Below)

☒ I am in favor of the request.
☐ I am opposed to the request.

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

(Please complete the following information)

Your Property Address

Nelda Islam

Printed Name

5002 Glen Vista Dr Garland Tx 75046

Address

City, State

Zip

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

Signature

Title

Date:

3/31/14



File No. 14-10/District 2

Meeting: Regular Meeting

Date: April 15, 2014

Planning Report

Jaime Pineda

200 Rayburn Street

REQUEST

Approval of a Specific Use Permit for Contractor Equipment and Storage on a property zoned Commercial 2 (C-2) District.

OWNER

Regions Electric

PLAN COMMISSION RECOMMENDATION

On March 24, 2014 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Specific Use Permit for Contractor Equipment and Storage for a period of five years on property zoned Commercial 2 (C-2) District.

STAFF RECOMMENDATION

Approval of a Specific Use Permit for Contractor Equipment and Storage for a period of 5 years and tied to Jaime Pineda provided all storage is limited to indoor storage. The proposed Contractor Equipment and Storage operation will not represent a nuisance to the adjacent properties given that all storage will be indoors and the commercial activity in the surrounding area is comparable with the proposed operation. The utilization of the subject property for the storage of contractor equipment and vehicles is appropriate and consistent with the surrounding land use pattern.

BACKGROUND

The subject property was developed in 1985 with a metal building that was previously occupied by an auto repair shop and retail sales/personal service. The applicant is seeking a Specific Use Permit to utilize the building as Contractor Equipment and Storage.

SITE DATA

The subject property contains approximately 0.2 acres and has frontage of approximately 85 linear feet along Rayburn Street, 100 linear feet along Avenue A and Avenue B. The property can be accessed from Rayburn Street and Avenue B.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Commercial 2 (C-2) District which allows a broad range of commercial sales, service and repair activities, many of which are not appropriate in a retail or office environment. Contractor Equipment and Storage is only allowed with the approval of a Specific Use Permit.

CONSIDERATIONS

1. The applicant is requesting a Specific Use Permit to utilize the building for office and indoor storage of contractor equipment and vehicles associated with an electrician business. The applicant has indicated that no outside storage will take place at this location. The site consists of a 2,990 square foot metal building with 2 overhead doors facing Rayburn Street, parking area and a yard adjacent to Avenue A that is enclosed by a chain link fence.
2. The applicant is not proposing any improvements on the subject property and existing signage will remain as is.
3. Section 10-200 of the Comprehensive Zoning Ordinance stipulates a minimum parking ratio of 1 parking space for every 500 square feet of gross floor area. The minimum parking requirement for a 2,990 square foot building is 6 parking spaces; the site has 11 parking spaces.
4. The applicant is requesting a Specific Use Permit for a period of 5 years and tied to Jaime Pineda.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Business Centers for the subject property. Business Centers represent clusters of business offices and/or clean industry whose development and operations result in minimal negative effects to adjacent development types. The proposed contractor equipment and storage is congruent with the above recommendation in that it will have a minimal negative visual impact on the surrounding properties and thoroughfares given that all storage will be indoors.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north and northeast are zoned Industrial 1 (I-1) District while the properties to the south and west are zoned Commercial 2 (C-2) District with a Specific Use Permit 08-08 for Contractor Equipment and Storage. The surrounding properties are developed with buildings that are similar in character as the building on the subject property and used for auto sales, auto repair, warehousing and other heavy commercial operations. Given the heavy

commercial character of the surrounding area, the subject property is a suitable location for the proposed contractor equipment and storage.

Prepared By:

Josue De La Vega
Development Planner

Date: April 3, 2014

Reviewed By:

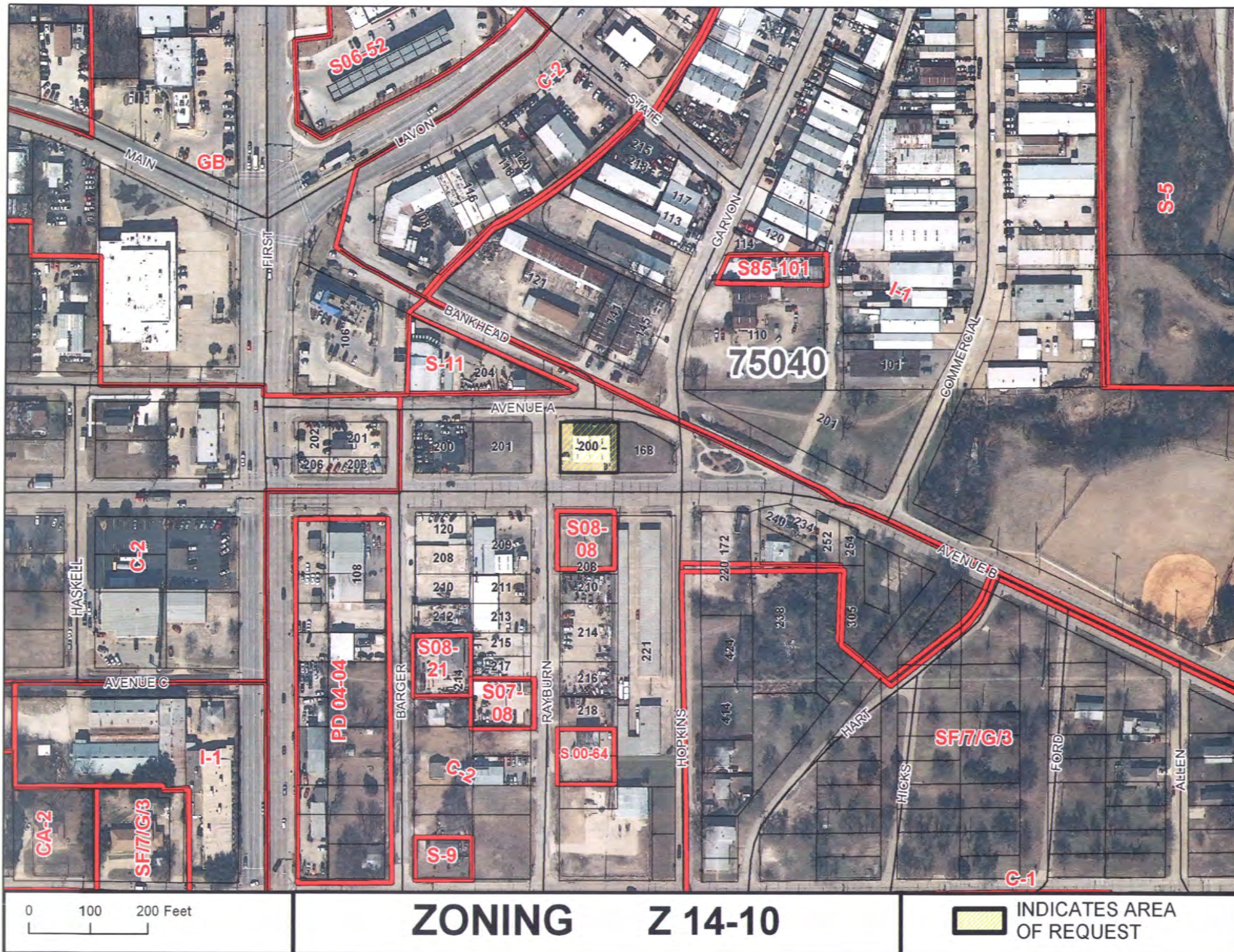
Anita Russelmann
Director of Planning

Date: April 7, 2014

Reviewed By:

William E. Dollar
City Manager

Date: April 8, 2014



SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 14-10

200 Rayburn Street

- 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 5 years and shall apply to **Jaime Pineda**.
 - B. Storage: All contractor equipment, material and vehicles shall be stored within the building.

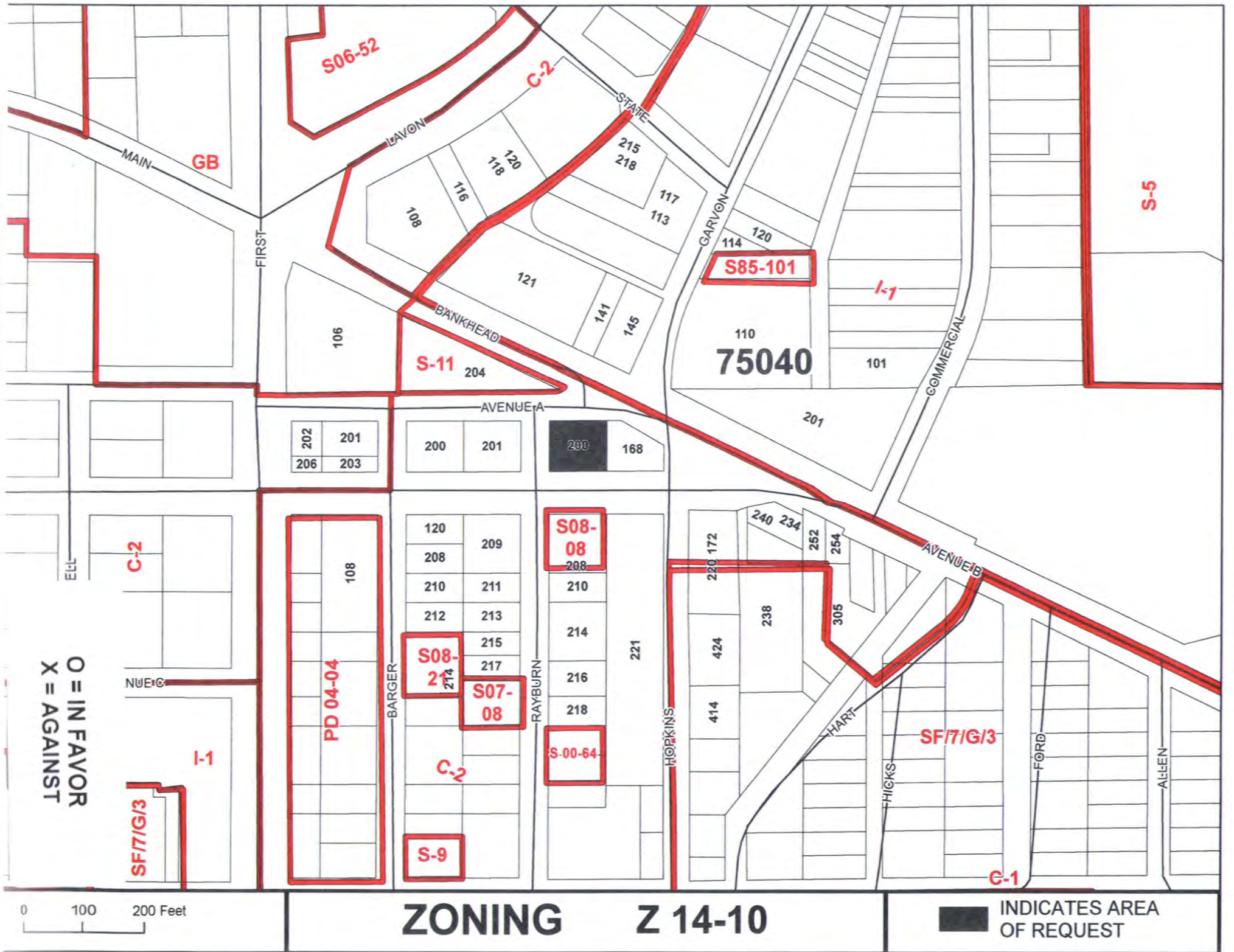
REPORT & MINUTES

P.C. Meeting, March 24, 2014 (9 Members Present)

Consideration of the application of Jaime Pineda, requesting approval of a Specific Use Permit for Contractor Equipment and Storage on a property zoned Commercial 2 (C-2) District. The property is located at 200 Rayburn Street. (File 14-10)

The applicant, Jaime Pineda, 200 Rayburn, Garland, TX, gave a brief overview of the establishment. He explained that business trucks are driven home by the employees and if the trucks need to remain overnight, they will be parked inside the building. The accessible parking will be relocated to the west side of the building. The applicant remained available for questions.

Motion was made by Commissioner Johnson, seconded by Commissioner Dalton to close the Public Hearing and **approve** the request per staff recommendation with the stipulation that all storage shall be inside the building. Motion **carried: 9 Ayes, 0 Nays.**



We did not receive any notification letters for this case.



Meeting: City Council

Date: April 15, 2014

Policy Report

RECONSIDERATION REQUEST BY APOLLO BEER & WINE, INC.

ISSUE

Apollo Beer & Wine, Inc. is requesting City Council reconsider its denial of Zoning File 14-06.

OPTIONS

1. Authorize reconsideration of Zoning File 14-06 at the May 6, 2014 Council meeting.
2. Do not authorize reconsideration.

RECOMMENDATION

Council direction is requested.

COUNCIL GOAL

Sustainable Quality Development and Redevelopment

BACKGROUND

In November of 2013 an application was made for an interior remodel permit on property located at 7602 North Jupiter Road, Suite 100. The submitted plans indicated the permit was to allow a remodel for a "Spec Suite" for "future lease." There was no indication of the proposed use. Because the application was for a remodel of an existing space for "future lease", the permit was issued on November 25th. Subsequently, applications were made for a walk-in cooler permit and then for attached signage. When the sign permit application was received, it was realized that the proposed use of the space is for a convenience store which, because the property is located in the SH 190 Overlay, requires approval of an SUP. An application for the SUP was submitted on February 12, 2014 and a public hearing was conducted by the Plan Commission on March 10th.

At the April 1, 2014 meeting, City Council denied the request by Apollo Beer and Wine, Inc. (File 14-06) for a Specific Use Permit for a Convenience Store. Council Policy

DEV-03 sets forth the criteria and procedures for reconsideration, upon request by the applicant, of zoning requests which have been denied. A motion to grant reconsideration may only be made by a Councilmember who voted to deny the original request. The request was denied by a vote of 5 to 4, with Councilmembers Campbell, Cahill, Williams, Goebel and Willis supporting the motion for denial.

CONSIDERATION

1. As noted, the attached Council Policy sets forth criteria and procedures for reconsidering a zoning request that has been denied. The Policy states that zoning requests which have been denied may be reconsidered if it can be demonstrated by the applicant that development or site conditions have changed since denial of the request such that new considerations will enter into the Council's deliberation.
2. The Policy directs that if the request for reconsideration is approved, the zoning request shall be placed on the agenda of the next appropriate meeting. If Council approves the request for reconsideration, a public hearing would be scheduled for the May 6, 2014 meeting to rehear the request.

ATTACHMENT(S)

1. Letter from Pankaj Vaishnav, Apollo Beer & Wine, Inc.
2. City Council Policy DEV-03

Submitted By:

Anita Russelmann
Director of Planning

Date: April 7, 2014

Approved By:

William E. Dollar
City Manager

Date: April 8, 2014

Pankaj Vaishnav
Apollo Beer & Wine Inc.
7602 N. Jupiter Road, Suite 100
Garland, Tx 75044

April 3, 2014

Respected Council Members,

File Z14-06

At April 1st, 2014 Meeting the Council Members denied the request for Specific Use Permit for a convenience Store on a SH 190 overlay

Please consider my request for a rehearing regarding this case as I was not ready with my plans and circumstances, which occurred at the meeting. I do not agree with the observation that our store would create too much traffic. There is no validity to the fear that my store would bring in crime. There are Beer and wine stores in the best neighborhoods of Dallas, Highland Park village, Preston Royal etc. I have already spent more than 50k on this business, we have all the licenses. Just waiting on the SUP., which was told us to get by the city when we went to get the certificate of occupancy. We are also trying to get in contact with the neighborhood organization who are against the store. Please accept the rehearing, so that I can be well prepared and have better answers on all your questions.

Thanks,
Pankaj Vaishnav



CITY COUNCIL POLICY

POLICY NO.: DEV-03

Date of Adoption: 1/6/87

Date Of Revision: 10/20/98

Title: **Reconsideration of Zoning Requests**

Page 1 of 2

I. Purpose and Need for Policy

To establish criteria and procedures for reconsideration of zoning requests which have been denied by the City Council.

II. Policy

Zoning requests which have been denied by the City Council may be reconsidered if it can be demonstrated by the applicant that development or site conditions have changed since denial of the request such that new considerations will enter into the Council's deliberation. For the information of the applicant contemplating asking Council to reconsider an item, the following circumstances do not generally justify reconsideration:

1. Failure of the applicant to appear at the Council hearing at which the request was considered and denied.
2. Failure of the applicant to be adequately prepared for presentation to the Council.
3. Absence of one or more Council members from the meeting at which the request was considered and denied.
4. Modifying the request to address Council discussion at the time of the original consideration and denial.

However, the City Council clearly retains the flexibility to review the merits of each individual case in order to determine if a reconsideration is in the best interest of all concerned.

III. Procedure to Accomplish Policy

An applicant desiring reconsideration of a zoning request by City Council shall submit a letter to the Director of Planning within five (5) business days of the meeting at which the request was denied. Such letter shall clearly describe the conditions that have changed which justify reconsideration.

City Council Policy	TITLE: Reconsideration of Zoning Requests	Page: 2 of 2
	SUBJECT: Land and Economic Development	NO. DEV-03

The request for reconsideration shall be heard by the Council at the meeting immediately following the denial. A motion to grant reconsideration may only be made by a Council member who voted to deny the original request. The motion may be seconded by any member. A vote of five (5) Council Members shall be required to authorize reconsideration of a request. If the request for reconsideration is approved, the zoning request shall be placed on the agenda of the next appropriate meeting.

IV. Responsibility and Authority

1. The Director of Planning shall be responsible for submitting reconsideration requests to the City Manager for placement on the appropriate Council agenda.
2. Council members shall be responsible for assuring that reconsideration of a request is granted when warranted according to this policy.

Written/ Neil Montgomery.

Reviewed by: Jeffrey B. Muzzy.

Revised by: Managing Director of
Development Services

City Manager

APPROVED BY CITY COUNCIL RESOLUTION 8086 :

James M. Spence
Mayor

Date: 10/21/98



City Council Item Summary Sheet

☐ Work Session

Date: April 15, 2014

☒ Agenda Item

Boards and Commissions

Summary of Request/Problem

Council is requested to consider appointments to Boards and Commissions.

Recommendation/Action Requested and Justification

Submitted By:

Approved By:

William E. Dollar
City Manager



Board & Commission Application

Please Print or Type. **PLEASE DO NOT SEND RESUME.**

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Board or Commission of first, second, and third choice: (Utility Advisory Board has a separate application)

- | | | |
|---|---|--|
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Garland Cultural Arts Commission | <input checked="" type="checkbox"/> Parks and Recreation Board |
| <input type="checkbox"/> Building and Fire Codes Board | <input type="checkbox"/> Garland Youth Council | <input type="checkbox"/> Plan Commission * |
| <input type="checkbox"/> Citizens Environmental and Neighborhood Advisory Committee | <input type="checkbox"/> Housing Standards Board | <input type="checkbox"/> Plumbing and Mechanical Codes Board |
| <input type="checkbox"/> Community Multicultural Commission | <input type="checkbox"/> Library Board | <input type="checkbox"/> Senior Citizens Advisory Committee |
| <input type="checkbox"/> Electrical Board | | |

Full Name: SHARON RAE CARSTENS

Home Address: 304 WASHINGTON ST. Bus. Address: MAR 27 2014

City, State, Zip: GARLAND. 75040 City, State, Zip:

Home Phone: 972-276-6498 Phone (Other):

Email Address: HARRYRALPHIE@GMAIL.COM

Resident of Garland for 31 years Resident of Texas for 60 years

Are you a registered voter in Dallas County? ☒ Yes ☐ No

Voter Registration No. 1083645843 Precinct No. 1711 City Council District No. 2

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

I am interested in Park beautification, upkeep and security

If you have served on a City Board or Commission, please specify and list dates of service.

List civic or community endeavors with which you have been involved.

CITIZENS ON PATROL CHANDLER HEIGHTS HOA

What is your educational background?

BUSINESS COLLEGE

What is your occupational experience? ACCOUNTANT

* Plan Commission members must own property within the city.

I hereby affirm that all statements herein are true and correct.

Sharon Carstens
Signature of Applicant

FOR OFFICE USE ONLY

Ad Valorem Tax Status

Current ☒ Past Due ☐

Status of Utility Accounts

Current ☒ Past Due ☐

Suit/Claim Filed in City Secretary's Office

Yes ☐ No ☒

Signatures

CN 3/27/14
Tax Clerk

CN 3/27/14
Accounting Clerk

CN 3/27/14
City Secretary

Date Appointed

Appointed By

Date Notified

Date Disclosure Form Filed