



AGENDA

**REGULAR MEETING OF THE CITY COUNCIL
City of Garland
Duckworth Building, Goldie Locke Room
217 North Fifth Street
Garland, Texas
June 16, 2015
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 Duckworth Building is wheelchair accessible. Special parking is available on the north side of the building on Austin Street and may be accessed by a sloped ramp from the street 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. **BRILLE 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 June 2, 2015 Regular Meeting.**
- 2. Consider approval of the following bids:**

- a. Structural Firefighter Gear** **Bid No. 5129-15**

Casco Industries, Inc.	\$132,680.00
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This request is to purchase eighty sets of Structural Firefighter Gear to be used by the Garland Fire Department for training and emergency response.

- b. Biosolids Rehabilitation and Odor Abatement Bid No. 5196-15**

Archer Western Construction, LLC	\$24,301,000.00
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This request is to reduce odor emissions and improve plant operability and efficiency while providing the capacity to handle the solids produced at both Wastewater Treatment plants. This project includes replacing the belt filter presses with centrifuges, construction of a new biosolids storage facility, replacing the gravity belt thickeners with rotary drum thickeners, and installing biotrickling filters with carbon absorbers for odor abatement.

c. Engineering & Surveying Services Bid No. 5496-15

R-Delta Engineers \$235,350.00

This request is to provide electrical, structural, and geotechnical engineering and surveying services for the Apollo-East Richardson 138 kV transmission line construction.

d. E-Books and Audiobooks Bid No. 5508-15

Overdrive, Inc. \$388,000.00

This request is to continue to develop and provide downloadable E-Books and Audiobooks for the Library patrons. The Library has a well-developed and highly utilized collection of downloadable materials that are hosted and maintained by Overdrive, Inc.

e. Various Trucks and Equipment for EWS and Landfill Bid No. 5525-15

Bond Equipment	\$1,021,030.00
ATC Freightliner	647,030.00
Heil of Texas	600,849.50
Holt Caterpillar	342,770.00
TOTAL	<u>\$2,611,679.50</u>

This request is to purchase twelve replacement trucks and equipment for the Environmental Waste Services – Delivery and Disposal (Landfill) Departments to use in their daily operations.

f. Streetlight Management Solution Bid No. 5303-15

Techline, Inc. \$250,000.00

This request is to provide a Streetlight Management Solution that will allow GP&L to monitor streetlights in real time. This system will be installed as part of the LED Lighting Program.

g. Combined Instrument Transformers **Bid No. 5409-15**

ABB, Inc. **\$131,418.00**

This request is to provide six Combined Instrument Transformers for the Lookout Substation and three spare Combined Instrument Transformers for Substation Inventory as an approved Capital Improvement project.

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

a. Zoning File No. 15-15, Montgomery Motors

Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for automobile sales, used on property zoned Light Commercial District, on a 0.821-acre tract of land located at 4110 and 4106 O'Banion Road, southeast of the intersection of West Centerville Road and O'Banion Road; providing for conditions, restrictions, and regulations; and providing for a penalty and an effective date.

b. Zoning File No. 15-16, AT&T Mobility

Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for Antenna, Commercial on property zoned Community Retail District, on a 0.046-acre tract of land located at 3465 West Walnut Street; providing for conditions, restrictions, and regulations, and providing for a penalty and an effective date.

c. Zoning File No. 15-18, Metro Lumber Wholesale Co. d/b/a Dallas Cedar Company

Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for Building Materials Use on property zoned Heavy Commercial District on a 1.6 acre tract of land located at 4233 Forest Lane providing for conditions, restrictions, and regulations; and providing for a penalty and an effective date.

d. Zoning File No. 15-20, City of Garland

Consider an ordinance amending the zoning laws of the City of Garland by approving a change in zoning from Agriculture District; Planned Development Districts 01-04, 01-23, 87-28, and 01-18 for Freeway Uses; Planned Development Districts 04-16, 01-05, 95-59, 98-05 and 05-08 for Mixed Uses; Planned; Planned Development District 00-27 for Offices Uses; and Planned Development District 00-20 for Shopping Center Uses to a Planned Development for Mixed Use, on an approximately 300-acre tract of land located northeast of PGBT/SH 190, west of Holford Road, and south of the city limits line; providing for conditions, restrictions, and regulations; and providing for a penalty and an effective date.

- 4. Consider by minute action authorizing the City Manager to execute the Consent to Assignment of Lease for Hawaiian Falls.**

Council is requested to authorize the City Manager to execute a Consent of Assignment of Lease for Hawaiian Falls waterpark.

- 5. Consider an ordinance approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's 2014 and 2015 rate review mechanism filings; approving a Settlement Agreement with attached rate tariffs and proof of revenues; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring the company to reimburse ACSC'S reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date.**

At the June 1, 2015 Work Session, Council considered approval of the Settlement Agreement with Atmos Energy Mid-Tex Division and the resulting rate change under the RRM tariff.

- 6. Consider a resolution approving the Thoroughfare Plan and Bike Plan.**

At the May 18, 2015 Work Session, Council considered updates to the existing Thoroughfare Plan and the creation of a citywide Bike Plan based on a year-long study and public process.

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 are 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.

7. 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.

8. 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 convened in regular session at 7:03 p.m. on Tuesday, June 2, 2015, in the Goldie Locke Room at The Duckworth Building, 217 North Fifth Street, Garland, Texas, with the following members present:

COUNCIL PRESENT:

Mayor	Douglas Athas
Mayor Pro Tem	Jim Cahill
Deputy Mayor Pro Tem	Marvin 'Tim' Campbell
Council Member	Anita Goebel
Council Member	Stephen Stanley
Council Member	B. J. Williams
Council Member	Billy Mack Williams
Council Member	Lori Barnett Dodson
Council Member	Scott LeMay

STAFF PRESENT:

City Manager	Bryan L. Bradford
City Attorney	Brad Neighbor
City Secretary	Eloyce René Dowl

CALL TO ORDER:

The meeting was called to order by Mayor Douglas Athas. Council Member Stephen Stanley led the invocation and Pledge of Allegiance.

CEREMONIALS:

The Mayor recognized the Camelot Neighborhood Association for their Neighborhoods, USA (NUSA) first place award in the Neighborhood Newsletter Competition for their publication "The Knightly News."

CONSENT AGENDA:

All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Mayor Athas read those items into the record. Motion was made by Council Member Stanley, seconded by Council Member Dodson, to approve items 1, 2a, 2b, 2c, 2d, 2e, 2f, 2g, and 2h, 3a, 3b, 3c, 4, 5, and 6. Council Member Billy Mack Williams abstained from voting on item 2h. Motion carried, 9 ayes, 0 nays.

1. APPROVED**

Approval of the minutes of the May 19, 2015 Regular Meeting.

2a. APPROVED**

Bid No. 5012-15 to WEG Electric Company in the amount of \$1,330,000.00 to replace the spare Denton transformer that was used for the TMPA Bryan-East Substation when the transformer failed.

2b. APPROVED**

Bid No. 5254-15 to Lambda Construction I, Ltd. in the amount of \$1,374,000.00 with an optional contingency of \$137,400.00 for a total of \$1,511,400.00

This request is to provide all construction labor and equipment required for the expansion of the 345 kV reactor additions at the TMPA Gibbons Creek Substation. Due to the complex nature of the project, an Optional Contingency is included for any unforeseen additional work that may be required.

2c. APPROVED**

Bid No. 5350-15 to Techline, Inc. in the amount of \$277,665.80, including a refundable reel deposit of \$2,400.00, and an optional contingency of \$25,000.00 for a total of \$305,065.80.

This request is to provide steel transmission poles and related materials needed for the Marquis to Kraft and Kraft to Fairdale 138 kV transmission line reconstruction. Due to the complex nature of the project, an optional contingency is included for any unforeseen additional work that may be required.

2d. APPROVED**

Bid No. 5362-15 to G2 Electrical Testing and Consulting, LLC in the amount of \$136,375.00.

This request is to provide protection and control specialists to TMPA/GP&L at the Greenville Interchange to perform protection and control commissioning of substation equipment.

2e. APPROVED**

Bid No. 5443-15 to Level 3 Communications in the amount of \$150,000.00.

This request is to provide real-time data communications services from the field to the Emergency Management System. This communication provides visibility into critical electrical substations for physical security monitoring in order to meet ERCOT and NERC requirements.

2f. APPROVED**

Bid No. 5485-15 to RDO Equipment Company in the amount of \$243,435.00.

This request is to purchase one John Deere 250 G Hydraulic Excavator to be used by the Street Department in their daily operations.

2g. APPROVED**

Bid No 4987-15 to Kiser Hydro, LLC in the amount of \$330,500.00 for the Lewisville Hydro Plant Turbine Rehabilitation.

This request is to provide all labor, equipment, and materials required for the rehabilitation of the Lewisville Hydro Plant turbine.

2h. APPROVED**

Bid No. 5421-15 to R-Delta Engineers in the amount of \$407,850.00 for engineering services.

This request is to provide Professional Engineering Services for Garland Power & Light's new 138 kV switching station.

3a. APPROVED**

Ordinance No. 6775 amending the zoning laws of the City of Garland by approving a Specific Use Permit for Retail Sales with Gas Pumps on a 1.436-acre tract of land zoned Planned Development District 83-27 for Limited Shopping Center Uses and located on the southwest corner of Campbell Road and Murphy Road. (Zoning File 15-05, The Dimension Group, District 1)

3b. APPROVED**

Ordinance No. 6776 amending the zoning laws of the City of Garland by approving an amended Concept Plan, Detail Plan, and a Specific Use Permit for Restaurant with Drive Through on property zoned Planned Development

District 13-40 for general business uses, on a 0.869-acre tract of land located southeast of the intersection of West Centerville Road and IH 635. (Zoning File 15-08, Panda Restaurant, District 5)

3c. APPROVED**

Ordinance No. 6777 amending the zoning laws of the City of Garland by approving a Specific Use Permit for high risk use on property zoned Industrial-1 (I-1) District on a 30.57 acre tract of land located east of the intersection of Jupiter Road and West Miller Road providing for conditions, restrictions, and regulations. (Zoning file 15-14, Schwob Building Company, District 6)

4. APPROVED**

Ordinance No. 6778 authorizing the issuance of City of Garland Combination Tax and Revenue Certificates of Obligation, Series 2015; providing for the payment of said certificates of obligation by the levy of an ad valorem tax upon all taxable property within the City and a limited pledge of the net revenues derived from the operation of the City's Water and Sewer System; providing the terms and conditions of such certificates of obligation and resolving other matters incident and relating to the insurance, payment, security, sale and delivery of said certificates of obligation, including the approval and execution of a Paying Agent/Registrar Agreement, and the approval and distribution of a Preliminary Official Statement pertaining thereto.

At the April 21, 2015 Work Session, Council considered authorizing a Certificates of Obligation bond sale in the approximate amount of \$18 million to fund a portion of the approved 2015 CIP.

5. APPROVED**

Ordinance No. 6779 adopting a fee schedule of charges to be assessed and collected under the Garland Development Code.

With the adoption of the GDC at the May 19, 2015 Regular Meeting, a fee schedule must be adopted for the new ordinance. This is necessary because there are some applications in the GDC which were not in the old Comprehensive Zoning Ordinance.

6. APPROVED**

Ordinance No. 6780 and 6781 amending Chapter 51, "General Utility Provisions," of the Code of Ordinances of the City of Garland; providing a penalty clause, a savings clause and providing an effective date.

At the May 18, 2015 Work Session, Council considered modifying the water usage policies at the request of The North Texas Municipal Water District.

7a. APPROVED

Consider the application of Houshang Jahvani, requesting approval of 1) an amendment to Planned Development District 03-22 for Office-1 uses and 2) a Detail Plan for Medical Office. This property is located on the east side of Jupiter Road, approximately 140 feet north of the intersection of Jupiter Road and Collins Boulevard. (Zoning File No. 15-13, District 7)

The applicant requests approval of an amendment to Planned Development for office-1 uses and a Detail Plan for Medical Office to build a 4,925-square foot medical office.

Mayor Athas opened the public hearing at 7:14 p.m. The speaker on this item was Will Guerin, Director of Planning. Motion to approve was made by Council Member LeMay seconded by Council Member Dodson to close the public hearing and approve at 7:16 p.m. Motion to approve carried with 9 ayes and 0 nays.

7b. APPROVED

Consider the application of Montgomery Motors requesting approval of a Specific Use Permit for Automobile Sales, used on property zoned Commercial-1 (C-1) District. This property is located at 4110 and 4106 O'Banion Road. (Zoning File No. 15-15, District 4)

The applicant requests approval of the Specific Use Permit for automobile sales, used. Approval of a Specific Use Permit to allow for the continued sale of automobiles would be consistent with the adjacent zoning and land uses.

Mayor Athas opened the public hearing at 7:17 p.m. The speakers on this item were Gerald Monk Will Guerin, Director of Planning. Motion to approve was made by Council Member B. J. Williams seconded by Deputy Mayor Pro Tem Campbell to close the public hearing and approve at 7:21 p.m. Motion to approve carried with 9 ayes and 0 nays.

7c. APPROVED

Consider the application of AT&T Mobility requesting approval of 1) a Specific Use Permit for an Antenna, Commercial Type 2 on property zoned Shopping Center District and 2) a variance to Section 10-306.4(B) of the Comprehensive Zoning Ordinance regarding distance of Antenna, Commercial Type 2 from residential districts. This property is located at 3465 West Walnut Street (Zoning File No. 15-16, District 6)

The applicant requests renewal of a Specific Use Permit that expired in 2013 to allow the continued operation of a freestanding cell tower of approximately 75 feet in height. The tower is a monopole with external array antennas. There appears to be three sets of existing antennas on the tower.

Mayor Athas recused himself from discussion on this item and left the room.

Mayor Pro Tem Cahill opened the public hearing at 7:22 p.m. The speaker on this item was Will Guerin, Director of Planning and Jeremy Baldwin, representing AT&T. Motion to approve was made by Council Member Dodson seconded by Council Member Stanley to close the public hearing and approve at 7:25 p.m. Motion to approve carried with 8 ayes, 0 nays and 1 abstention.

7d. APPROVED

Consider the application of Metro Lumber Wholesale Co. d/b/a Dallas Cedar Company requesting approval of a Specific Use Permit for building materials on property zoned Commercial-2 (C-2) District. This property is located at 4233 Forest Lane. (Zoning File No. 15-18, District 6)

The applicant requests approval of a Specific Use Permit for building materials for a period of 25 years. The proposed operation will not present a nuisance to the adjacent properties given that a large portion of the building materials sold will be screened from adjacent properties and Forest Lane. The utilization of the subject property for the building materials use is appropriate and consistent with the surrounding land use pattern.

Mayor Athas opened the public hearing at 7:26 p.m. The speaker on this item was Will Guerin, Director of Planning. Motion to approve was made by Council Member Dodson seconded by Council Member LeMay to close the public hearing and approve at 7:29 p.m. Motion to approve carried with 9 ayes and 0 nays.

7e. APPROVED

Consider the application of City of Garland requesting approval of a change of zoning from Agriculture District; Planned Development Districts 01-04, 01-23, 87-28, and 01-18 for Freeway Uses; Planned Development Districts 04-16, 01-05, 95-59, 98-05, and 05-08 for Mixed-Uses; Planned Development District 00-27 for Office Uses; and Planned Development 00-20 for Shopping Center Uses to a Planned Development District for Mixed-Uses.

This property is located northeast of PGBT/SH 190, west of Holford Road, and south of the city limits line. (Zoning File No. 15-20, District 1)

The applicant requests approval of the request for rezoning to a Planned Development District for Mixed Uses. By maximizing the use of the land through higher densities, mixed uses and urban forms, the Planned Development is compatible with the surrounding area and will influence the prospective developments along the SH 190 corridor. The development potential of the subject property has been evaluated from an economic perspective as well as a land use view point. By creating an activity center that has a distinctive community design, range of building types and uses, pedestrian-oriented streetscapes and open space, the proposed development would be consistent with the vision for this area.

Mayor Athas opened the public hearing at 7:30 p.m. The speaker on this item was Scott Polikov, Gateway Planning. Motion to approve was made by Deputy Mayor Pro Tem Campbell to approve based on the Plan Commission's recommendation seconded by Council Member Stanley to close the public hearing and approve at 7:49 p.m. Motion to approve carried with 9 ayes and 0 nays.

8. CITIZEN COMMENTS None

9. ADJOURN There being no further business to come before the Council, Mayor Athas adjourned the meeting at 8:05 p.m.

CITY OF GARLAND, TEXAS

/s/Douglas Athas, Mayor

/s/Eloyce René Dowl, City Secretary



GARLAND
PURCHASING

Bid No.: 5129-15
Agenda Item: 2a
Meeting: Council
Date: 06/16/15

Purchasing Report

STRUCTURAL FIREFIGHTER GEAR OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this bid is to purchase eighty (80) sets of Structural Firefighter Gear to be used by the Garland Fire Department for training and emergency response. Funding was approved in the 2015 Capital Improvement Program and the Operating Budget.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Casco Industries, Inc.	All	\$132,680.00

TOTAL: \$132,680.00

BASIS FOR AWARD:

Best Value

Submitted by:

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

Reviewed by:

Bryan L. Bradford
City Manager

Date: 06/05/15

Date: 06/09/15

FINANCIAL SUMMARY:

Total Project/Account: \$	864,156
Expended/Encumbered to Date:	617,437
Balance: \$	246,719
This Item:	132,680
Proposed Balance: \$	114,039

Trent Schulze	06/08/15
Budget Analyst	Date

Ron Young	06/08/15
Budget Director	Date

FY 2014-15 Operating Budget
Operating Budget: ☒ CIP: ☒ Year: & 2015 CIP

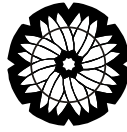
Document Location: Oper. Bgt. - p. 194 / CIP - p. PS06

Account #: 100-1321-6005
692-1399-1210800-9007

Fund/Agency/Project – Description:
Fire Operating Budget
Public Safety CIP

Comments: Of the total amount shown, \$97,852 will be provided by Fire's operating budget and the balance of \$34,828 provided by the Public Safety CIP.

[illegible]



GARLAND

PURCHASING

Executive Summary Bid 5129-15 Structural Firefighter Gear

Recommended Vendor:

Casco Industries, Inc.

Total Recommended Award:

\$132,680.00

Basis for Award:

Best Value

Purpose:

The purpose of this bid is to purchase eighty (80) sets of structural firefighter gear to be used by the Garland Fire Department for training and emergency response.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures. Six (6) bids were received and five (5) were evaluated on the published criteria of price, gear performance, gear manufacturer specifications, and references. Metro Fire's bid was outside of the competitive range and not considered for evaluation. Casco Industries, Inc. submitted the lowest overall bid and received the highest score, offering the best value to the City.

Recommendation:

Staff recommends awarding the contract to Casco Industries, Inc.

Funding Information:

100-1321-6005, 692-1399-12108-00-9007

Department Director:

Raymond Knight, Fire Chief, 972-781-7101



Purchasing Report

BIOSOLIDS REHABILITATION AND ODOR ABATEMENT OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this project is to reduce odor emissions and improve plant operability and efficiency while providing the capacity to handle the solids produced at both Wastewater Treatment Plants. This project includes replacing the belt filter presses with centrifuges, construction of a new biosolids storage facility, replacing the gravity belt thickeners with rotary drum thickeners, and installing biotrickling filters with carbon absorbers for odor abatement. This is a multi-year project approved in the 2015 Capital Improvement Program which is expected to continue through 2016. While expenditures will not exceed appropriated funds in 2015, this request does require the commitment of future funds of approximately \$7.4 million scheduled for 2016.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Archer Western Construction, LLC	1	\$24,301,000.00
TOTAL:		\$24,301,000.00

BASIS FOR AWARD:

Best Value

Submitted by:

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

Date: 06/05/15

Reviewed by:

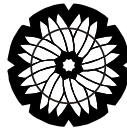
Bryan L. Bradford
City Manager

Date: 06/09/15

FINANCIAL SUMMARY:

Total Project/Account: \$ 27,305,000		Operating Budget: <input type="checkbox"/>	CIP: <input checked="" type="checkbox"/>	Year: 2015
Expended/Encumbered to Date: 2,146,531		Document Location: Page WW18		
Balance: \$ 25,158,469		Account #: 235-4229-3403500-9002 237-4239-3403500-9002 230-4229-3403500-9002 236-4239-3403500-9305		
This Item: 24,301,000				
Proposed Balance: \$ 857,469				
Fund/Agency/Project – Description: Wastewater Treatment Commercial Paper / Rowlett Creek WWTP Biosolids Expansion				
Matt Watson	06/08/15	Comments: While expenditures will not exceed appropriated funds in 2015, this request does require the commitment of future funds of approximately \$7.4 million scheduled for 2016.		
Budget Analyst	Date			
Ron Young	06/08/15			
Budget Director	Date			

[illegible]



GARLAND

PURCHASING

Executive Summary **Bid 5196-15** **Biosolids Rehabilitation and Odor Abatement Project**

Recommended Vendor:

Archer Western Construction, LLC

Total Recommended Award:

\$24,301,000.00

Basis for Award:

Best Value

Purpose:

The purpose of this project is to reduce odor emissions and improve plant operability and efficiency while providing the capacity to handle the solids produced at both Wastewater Treatment Plants. This project includes replacing the belt filter presses with centrifuges, construction of a new biosolids storage facility, replacing the gravity belt thickeners with rotary drum thickeners, and installing biotrickling filters with carbon absorbers for odor abatement.

Evaluation:

Requests for bids were issued in accordance with purchasing procedures. Five (5) bids were received and evaluated on the criteria of price, adherence to specifications, time of completion, general contractor and subcontractor experience, litigation history and project close-out/warranty history. Archer Western received the highest evaluated score of 99.52 out of a possible 100, offering the best value to the City.

Recommendation:

Staff recommends awarding the contract to Archer Western as the vendor offering the best value to the City.

Funding Information:

CIP Project 237-4239-3403500

Department Director:

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



GARLAND
PURCHASING

Bid No.: 5496-15
Agenda Item: 2c
Meeting: Council
Date: 06/16/15

Purchasing Report

ENGINEERING & SURVEYING SERVICES OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide electrical, structural, and geotechnical engineering and surveying services for the Apollo-East Richardson 138 kV transmission line construction. R-Delta Engineering was short-listed as a professional services provider through a formal Request for Qualifications process. They were selected as the most qualified firm for this project.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
R-Delta Engineers		\$235,350.00
TOTAL:		<u>\$235,350.00</u>

BASIS FOR AWARD:

Professional Services

Submitted by:

Reviewed by:

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

Bryan L. Bradford
City Manager

Date: 06/04/15

Date: 06/09/15

FINANCIAL SUMMARY:

Total Project/Account: \$	968,000
Expended/Encumbered to Date:	7,379
Balance: \$	960,621
This Item:	235,350
Proposed Balance: \$	725,271

Trent Schulze	06/05/15
Budget Analyst	Date

Ron Young	06/05/15
Budget Director	Date

Operating Budget: ☐ CIP: ☒ Year: 2015

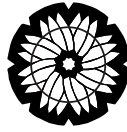
Document Location: Page E01

Account #: 210-3599-3142901-7111
(EC-T0429-001-1-7111)

Fund/Agency/Project – Description:
Electric CIP Fund / Transmission Lines

Comments:

CITY OF GARLAND - BID RECAP SHEET OPENED: 06/16/15 REQ. NO. PR 34559 BID NO. 5496-15 PAGE: 1 of 1 BUYER: Teresa Dabney				R-Delta Engineers							
I T E M	QTY	U N I T	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
			Engineering & Surveying Services		\$235,350.00						



GARLAND

PURCHASING

Executive Summary Bid 5496-15 Engineering & Surveying Services

Recommended Vendor:

R-Delta Engineers

Total Recommended Award:

\$235,350.00

Basis for Award:

Professional Services

Purpose:

The purpose of this contract is to provide electrical, structural and geotechnical engineering and surveying services for the Apollo-East Richardson 138kV transmission line construction.

Evaluation:

R-Delta Engineering was short-listed as a professional services provider through a formal Request for Qualifications process. They were selected as the most qualified firm for this project.

Recommendation:

Staff recommends awarding the contract to R-Delta as the most qualified firm for this project.

Funding Information:

This will be funded as part of the Apollo – E Richardson 138kV Transmission CIP project 210-3599-3142901-7111 (EC-T0429-001-1-7111).

Department Director:

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



GARLAND
PURCHASING

Bid No.: 5508-15
Agenda Item: 2d
Meeting: Council
Date: 06/16/15

Purchasing Report

E-BOOKS AND AUDIOBOOKS TERM CONTRACT

PURCHASE JUSTIFICATION:

The purpose of this contract is to continue to develop and provide downloadable E-Books and Audiobooks for the Library patrons. The Library has a well-developed and highly utilized collection of downloadable materials that are hosted and maintained by Overdrive, Inc. This is a Term Contract with four (4) optional renewals.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Overdrive, Inc.	All	\$388,000.00

TOTAL: \$388,000.00

BASIS FOR AWARD:

Sole Source

Submitted by:

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

Reviewed by:

Bryan L. Bradford
City Manager

Date: 06/04/15

Date: 06/09/15

FINANCIAL SUMMARY:

Total Project/Account: \$ N/A

Expended/Encumbered to Date: N/A

Balance: \$ N/A

This Item: 388,000

Proposed Balance: \$ N/A

Ron Tiffany 06/05/15
Budget Analyst Date

Ron Young 06/05/15
Budget Director Date

2014-15 Operating Budget

Operating Budget: ☒ CIP: ☒ Year: & 2015 CIP

Document Location: Various

Account #: 451-6999
(100-2501-7205)
(100-2504-7205)
(692-2599-1958013-9023)

Fund/Agency/Project – Description:
Term Contract – E-Books and Audiobooks

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



GARLAND

PURCHASING

Executive Summary **Bid 5508-15** **Term Contract for E-Books and Audiobooks**

Recommended Vendor:

Overdrive, Inc.

Total Recommended Award:

\$388,000.00

Basis for Award:

Sole Source

Purpose:

The purpose of this contract is to continue to develop and offer downloadable E-books and audiobooks for the Library patrons. This is a term contract with four (4) optional renewals.

Evaluation:

The Library has a well-developed and highly utilized collection of downloadable materials that are hosted and maintained by Overdrive, Inc. Fiscal Year circulation of Overdrive materials was 109,878 times. Overdrive, Inc. is the only vendor that is capable of not only hosting and maintaining our current collection but also adding new materials to the collection.

Recommendation:

Staff recommends awarding the contract to Overdrive, Inc. as the sole source provider.

Funding Information:

100-2501-7205
100-2504-7205
692-2599-1958013-9023

Department Director:

Claire Bausch, Library Director, 972-205-2543



GARLAND
PURCHASING

Bid No.: 5525-15
Agenda Item: 2e
Meeting: Council
Date: 06/16/15

Purchasing Report

VARIOUS TRUCKS AND EQUIPMENT FOR EWS AND LANDFILL OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to purchase twelve (12) replacement trucks and equipment for the Environmental Waste Services - Delivery and Disposal (Landfill) Departments to use in their daily operations. The trucks and equipment are being provided through the Texas Smart Buy Contract 072-A1 and the Buyboard Purchasing Cooperative Contract 430-13. Funding was approved in the 2015 Capital Improvement Program.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Bond Equipment	1, 4, 6	\$1,021,030.00
ATC Freightliner	8-10	647,030.00
Heil of Texas	2, 3, 5, 7	600,849.50
Holt Caterpillar	11	342,770.00
	TOTAL:	\$2,611,679.50

BASIS FOR AWARD:

Cooperative Purchase

Submitted by:

Reviewed by:

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

Bryan L. Bradford
City Manager

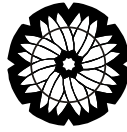
Date: 06/05/15

Date: 06/09/15

FINANCIAL SUMMARY:

Total Project/Account: \$	2,905,000	Operating Budget: <input type="checkbox"/>	CIP: <input checked="" type="checkbox"/>	Year: 2015
Expended/Encumbered to Date:	-0-	Document Location:	Pages M02-M05, M07, & EW02	
Balance: \$	2,905,000	Account #:	246-4319-2107300-9009	
This Item:	2,611,680		692-1609-1715500-9009	
Proposed Balance: \$	293,320		246-4319-2107200-9009	
			246-4319-2106900-9009	
			246-4319-2106800-9009	
			246-4319-2107100-9009	
Matt Watson	06/08/15	Fund/Agency/Project – Description:	CO-Funded CIP / Landfill / Transfer Station Equip.	
Budget Analyst	Date		EWS CIP / EWS Equipment Replacement	
Ron Young	06/08/15	Comments:		
Budget Director	Date			

CITY OF GARLAND - BID RECAP SHEET OPENED: 06/08/15 REQ. NO. Various BID NO. 5525-15 PAGE: 1 of 1 BUYER: T. Smith				Bond Equipment		ATC Freightliner		Heil of Texas		Holt Caterpillar	
ITEM	QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
			Various Trucks and Equipment for EWS and Landfill								
1	4	ea.	Sideloader Cab and Chassis	\$167,110.00	\$668,440.00						
2	4	ea.	Sideloader Bodies					\$116,279.00	\$465,116.00		
3	1	ea.	Sideloader Inspection Fee					\$1,600.00	\$1,600.00		
4	2	ea.	Rearloader Cab and Chassis	\$176,095.00	\$352,190.00						
5	1	ea.	BuyBoard Fee					\$400.00	\$400.00		
6	1	ea.	BuyBoard Fee	\$400.00	\$400.00						
7	2	ea.	Rearloader Bodies					\$66,866.75	\$133,733.50		
8	2	ea.	Knuckleboom Trucks			\$168,885.00	\$337,770.00				
9	2	ea.	Brush Tractor			\$83,572.00	\$167,144.00				
10	1	ea.	Transfer Tractor			\$142,116.00	\$142,116.00				
11	1	ea.	CAT 963C Loader							\$342,770.00	\$342,770.00
			TOTAL GROSS PRICE	\$1,021,030.00		\$647,030.00		\$600,849.50		\$342,770.00	
			CASH DISCOUNT								
			TOTAL NET PRICE	\$1,021,030.00		\$647,030.00		\$600,849.50		\$342,770.00	
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY								
<div> <div> NEXT LOW: LOW: _____ SAVINGS: _____ \$0.00 </div> <div> 0 # BidSync Notifications 0 # BidSync HUBS 0 # Direct Contact HUBS 0 # HUBS Responded </div> <div> All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. <u>The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.</u> </div> </div>											



GARLAND

PURCHASING

Executive Summary **Bid 5525-15**

Various Trucks and Equipment for EWS and Landfill

Recommended Vendors:

Bond Equipment	\$1,021,030.00
ATC Freightliner	647,030.00
Heil of Texas	600,849.50
Holt Caterpillar	<u>342,770.00</u>

Total Recommended Award: \$2,611,679.50

Basis for Award:

Cooperative Purchases

Purpose:

The purpose of this contract is to purchase twelve (12) replacement trucks and equipment for the Environmental Waste Department and Landfill to use in their daily operations.

Evaluation:

The trucks and equipment are being provided by Bond Equipment, ATC Freightliner, Heil of Texas and Holt Caterpillar through the Texas Smart Buy Contract 072-A1 and the Buyboard Purchasing Cooperative Contract 430-13.

Recommendation:

Staff recommends awarding the purchase of these trucks and equipment to Bond Equipment, ATC Freightliner, Heil of Texas and Holt Caterpillar.

Funding Information:

246-4319-2107300-9009, 692-1609-1715500-9009, 246-4319-2107200-9009
246-4319-2106900-9009, 246-4319-2106800-9009, 246-4319-2107100-9009

Department Director:

Terry Anglin, Fleet Director, 972-205-3524



GARLAND
PURCHASING

Bid No.: 5303-15
Agenda Item: 2f
Meeting: Council
Date: 06/16/15

Purchasing Report

STREETLIGHT MANAGEMENT SOLUTION TERM CONTRACT

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide a Streetlight Management Solution that will allow GP&L to monitor streetlights in real time. This system will be installed as part of the LED Lighting Program. The hardware and hosting services will be for one (1) term with five (5) optional renewals to coincide with the LED lighting schedule. Hosting services will continue to be evaluated and renewed annually as necessary.

AWARD RECOMMENDATION:

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

BASIS FOR AWARD:

Best Value

Submitted by:

Reviewed by:

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

Bryan L. Bradford
City Manager

Date: 06/04/15

Date: 06/09/15

FINANCIAL SUMMARY:

Total Project/Account:	\$	N/A	Operating Budget:	<input type="checkbox"/>	CIP:	<input checked="" type="checkbox"/>	Year:	2015
Expended/Encumbered to Date:		N/A	Document Location:	Page E05				
Balance:	\$	N/A	Account #:	451-6999 (215-3299-3146001-6051) (EC-D5460-001-1-6051)				
This Item:		250,000	Fund/Agency/Project – Description:	Term Contract – Electric CIP Fund / Street and Thoroughfare Lighting				
Proposed Balance:	\$	N/A	Comments:	Term Contract sets price but does not commit funds. Expenses will be charged to accounts as incurred.				
Trent Schulze		06/05/15						
Budget Analyst		Date						
Ron Young		06/05/15						
Budget Director		Date						



GARLAND

PURCHASING

Executive Summary Bid 5303-15 Streetlight Management Solution

Recommended Vendor:

Techline, Inc.

Total Recommended Award:

\$250,000.00

Basis for Award:

Best Value

Purpose:

The purpose of this contract is to provide a Streetlight Management Solution that will allow GP&L to monitor streetlights in real time. This system will be installed as part of the LED Lighting Program. The hardware and hosting services will be for one (1) term with five (5) optional renewals to coincide with the LED lighting schedule. Hosting services will continue to be evaluated and renewed annually as necessary.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures. Three (3) responses were received and evaluated based on the published criteria of price, software interface, technical support, experience and stability, system ability to grow, and warranty. Techline, Inc. offered the lowest responsible bid and received the highest evaluated score, offering the best value to the City.

Recommendation:

Staff recommends awarding the contract to Techline, Inc. as the vendor offering the best value to the City.

Funding Information:

This project will be funded out of the Street and Thoroughfare Lighting CIP project 215-3299-3146001-6051 (EC-D5460-001-1-6051)

Department Director:

Ross Owen, GP&L Transmission & Distribution Director, 972-205-2667



GARLAND
PURCHASING

Bid No.: 5409-15
Agenda Item: 2g
Meeting: Council
Date: 06/16/15

Purchasing Report

COMBINED INSTRUMENT TRANSFORMERS OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this bid is to provide six (6) Combined Instrument Transformers for the Lookout Substation and three (3) spare Combined Instrument Transformers for Substation Inventory as an approved Capital Improvement project. Expenses will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
ABB, Inc.	All	\$131,418.00
TOTAL:		\$131,418.00

BASIS FOR AWARD:

Straight Low Bid

Submitted by:

Reviewed by:

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

Bryan L. Bradford
City Manager

Date: 06/04/15

Date: 06/09/15

FINANCIAL SUMMARY:

Total Project/Account:	\$ 13,730,704
Expended/Encumbered to Date:	9,014,611
Balance:	\$ 4,716,093
This Item:	131,418
Proposed Balance:	\$ 4,584,675

Trent Schulze 06/05/15
Budget Analyst Date

Ron Young 06/05/15
Budget Director Date

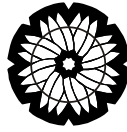
Operating Budget: ☐ CIP: ☒ Year: 2015

Document Location: Page E10

Account #: 215-3542-3175501-6051 \$87,612.00
(EC-S0715-001-16051)
211-1312 43,806.00

Fund/Agency/Project – Description:
Electric CIP Fund / Substations Upgrades

Comments:



GARLAND

PURCHASING

Executive Summary **Bid 5409-15** **Combined Instrument Transformers**

Recommended Vendor:

ABB, Inc.

Total Recommended Award:

\$131,418.00

Basis for Award:

Straight Low Bid

Purpose:

The purpose of this bid is to purchase six (6) combined transformers for the Lookout Substation and three (3) spare combined instrument transformers for Substation Inventory as an approved Capital Improvement Project.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated. ABB, Inc. was the straight low bidder.

Recommendation:

Staff recommends awarding the bid to ABB, Inc. as the straight low bidder.

Funding Information:

(6) CIP Account 210-3799-3171501-6051 (EC-S0715-001-16051)
(3) Substation Inventory Account 211-1312

Department Director:

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



City Council Item Summary Sheet

☐ Work Session

Date: June 16, 2015

☒ Agenda Item

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 15-15 Montgomery Motors

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Submitted By:

Will Guerin
Director of Planning

Approved By:

Bryan L. Bradford
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PERMIT FOR AUTOMOBILE SALES, USED ON PROPERTY ZONED LIGHT COMMERCIAL (LC) DISTRICT, ON A 0.821-ACRE TRACT OF LAND LOCATED AT 4110 AND 4106 O'BANION ROAD, SOUTHEAST OF THE INTERSECTION OF WEST CENTERVILLE ROAD AND O'BANION ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 11th day of May, 2015, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Montgomery Motors**; 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. 6773 is hereby amended by approving a Specific Use Permit for Automobile Sales, Used on property zoned Light Commercial (LC) District, on a 0.821-acre tract of land located at 4110 and 4106 O'Banion Road, southeast of the intersection of West Centerville Road and O'Banion Road, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2.

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

Section 3.

Ordinance No. 6773, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

Section 4.

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

FILE NO. 15-15

Section 5.

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

PASSED AND APPROVED this _____ day of _____, 2015.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A
LEGAL DESCRIPTION
Zoning File 15-15

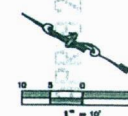
Being Lots 3 and 4, Block A, Wynne Commercial Addition and a portion of Lot 5, Block A, Wynne Commercial No. 2 Addition, as recorded in Volume 71246, Page 2350 and Volume 73200, Page 911 respectively, of the D.R.D.C.T., City of Garland, Dallas County, Texas, totaling approximately 0.821 acres. The property is located at 4110 and 4106 O'Banion Road, southeast of the intersection of West Centerville Road and O'Banion Road.

SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 15-15

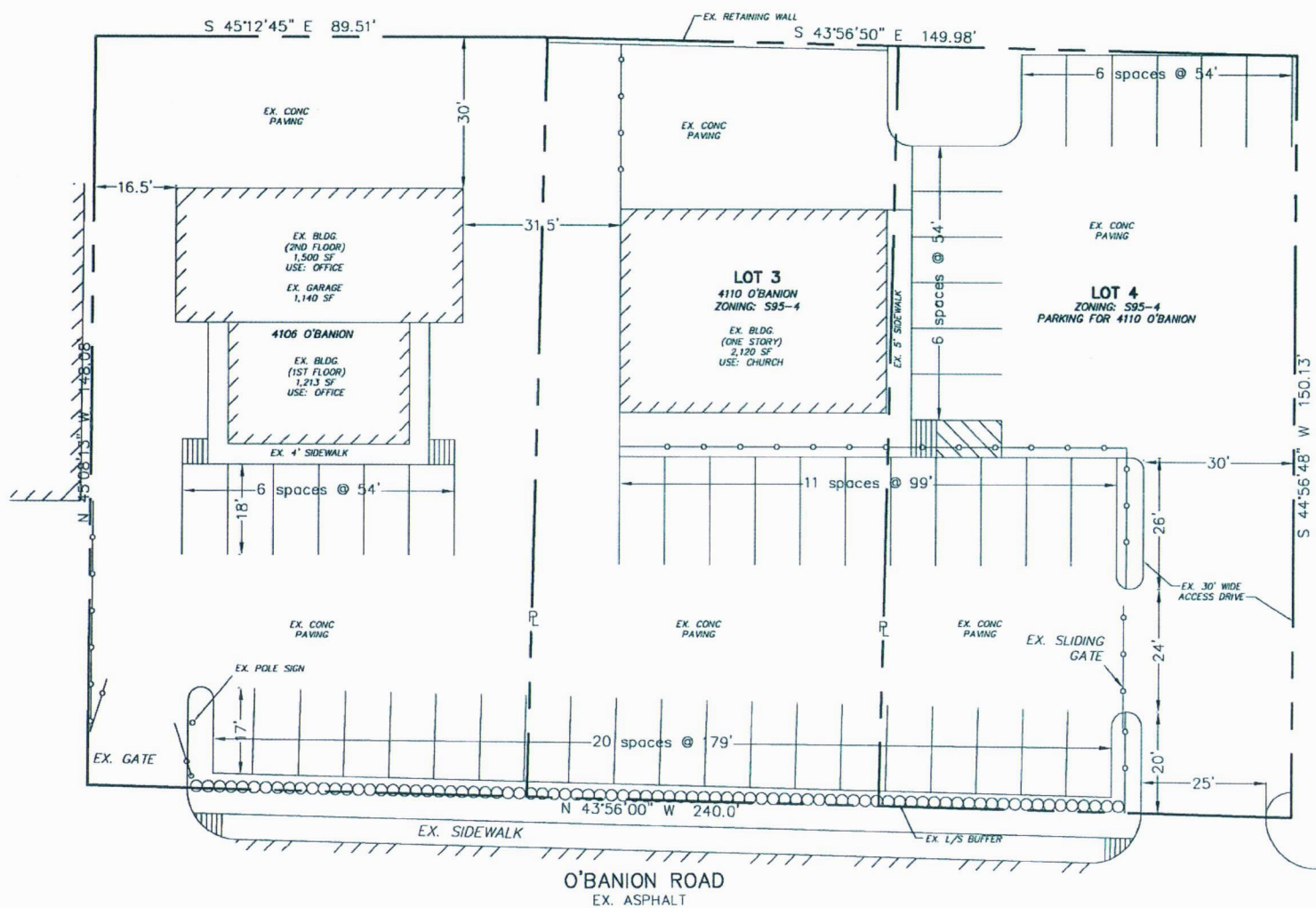
4106 and 4110 O'Banion Road

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to permit the use of Automobile Sales, Used.
- II. **Statement of Effect:** The Specific Use Permit shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Light Commercial (LC) District set forth in Chapter 2 of the Garland Development Code 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 twenty (20) years.
 - B. Site Plan: Development shall be in general conformance with the approved site plan labeled Exhibit C.



LEGEND
 --- PROPERTY LINE
 --- PIPE RAIL FENCE

EXHIBIT C



SUP EXHIBIT	
4110 O'BANION	
LOTS 3 & 4, B.L.K. A WYNN COMMERCIAL City of Garland, Dallas County, Texas	
PREPARED BY MONTGOMERY HOLDING CORP 3328 S. Shiloh Rd., Garland, 75041	
DESIGNED BY MONK CONSULTING ENGINEERS 1200 W. State Street, Garland, Texas 75040 972 272-1763 Fax 972 272-8701	
© 2015 by Monk Consulting Engineers, Inc., All Rights Reserved. date: 4/8/15 scale: 1" = 10' sheet:	



City Council Item Summary Sheet

☐ Work Session

Date: June 16, 2015

☒ Agenda Item

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 15-16 AT&T Mobility

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Submitted By:

Will Guerin
Director of Planning

Approved By:

Bryan L. Bradford
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PERMIT FOR ANTENNA, COMMERCIAL ON PROPERTY ZONED COMMUNITY RETAIL (CR) DISTRICT, ON A 0.046-ACRE TRACT OF LAND LOCATED AT 3465 WEST WALNUT STREET; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 11th day of May, 2015, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **AT&T Mobility**; 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. 6773 is hereby amended by approving a Specific Use Permit for Antenna, Commercial on property zoned Community Retail (CR) District, on a 0.046-acre tract of land located at 3465 West Walnut Street, 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. 6773, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

Section 4.

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

FILE NO. 15-15

Section 5.

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

PASSED AND APPROVED this _____ day of _____, 2015.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A
LEGAL DESCRIPTION
Zoning File 15-16

Being an approximately 0.046 acre portion of Lot 1R-A, Block 1, Walnut Plaza Shopping Center No. 3 Replat, as recorded in Volume 97192, Page 5338, of the Dallas County Plat Records, Garland, Dallas County, Texas. The property is located at 3465 West Walnut Street.

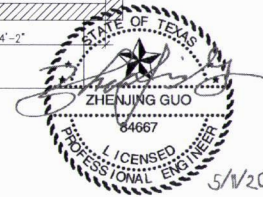
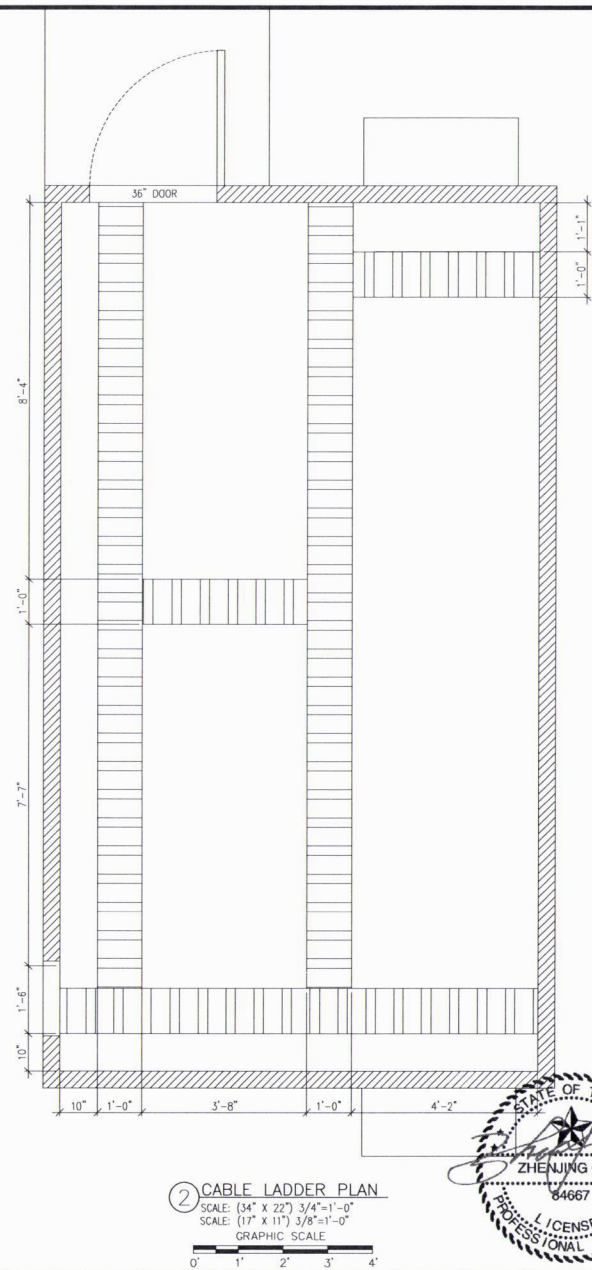
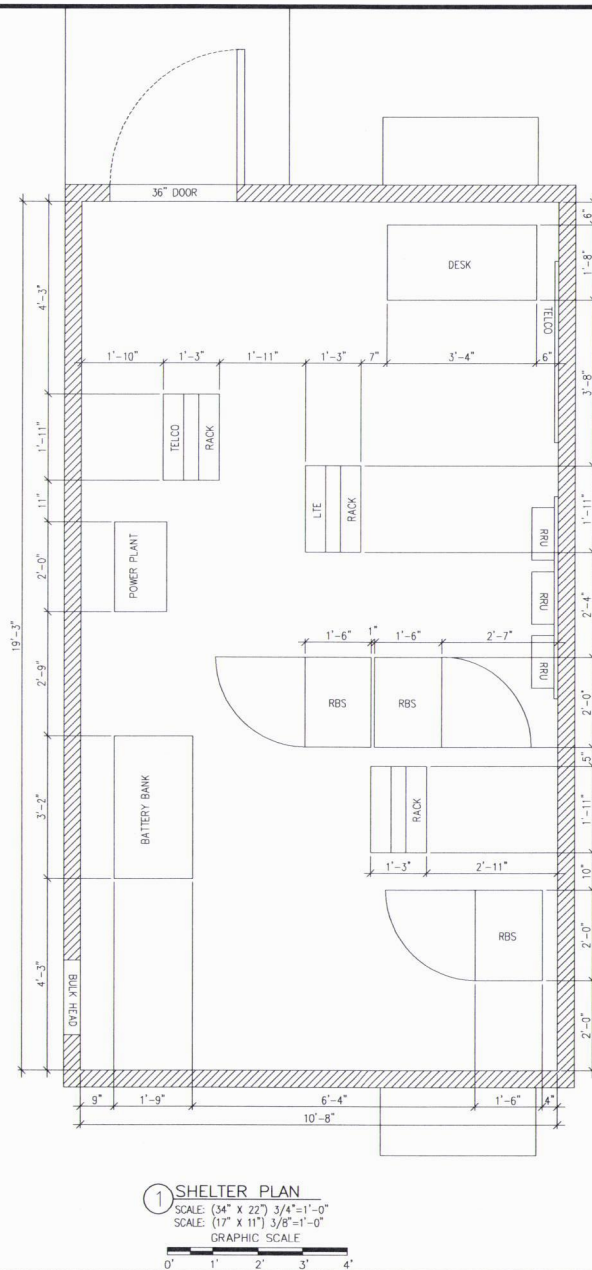
SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 15-16

3465 West Walnut Street

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow Antenna, Commercial subject to conditions.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Community Retail (CR) District set forth in Chapter 2 of the Garland Development Code 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.
 - B. Site Plan: Development shall be in general conformance with the approved site plan identified as Exhibit C.
 - C. Monopole Height: The height of the monopole shall not exceed 75 feet in height.
 - D. Security Fencing: The site shall be entirely enclosed by a chain link fence with solid slats.

EXHIBIT C



REVISIONS	DATE
ISSUED FOR CONSTRUCTION	02/25/15
ISSUED FOR CONSTRUCTION	05/11/15

CELERIS PROJECT NO.: 14-6901

CELERIS GROUP
 CONSULTING ENGINEERS
 2000 E. Lamar Blvd., Suite 550
 Arlington, TX 76006
 Office: 817.446.1700
 Fax: 817.460.0677
 TX Firm Reg. # F-13992

NEXIUS
 1301 CENTRAL EXPRESSWAY
 SOUTH, SUITE 200
 ALLEN, TX 75013
 OFFICE: 972.581.9888

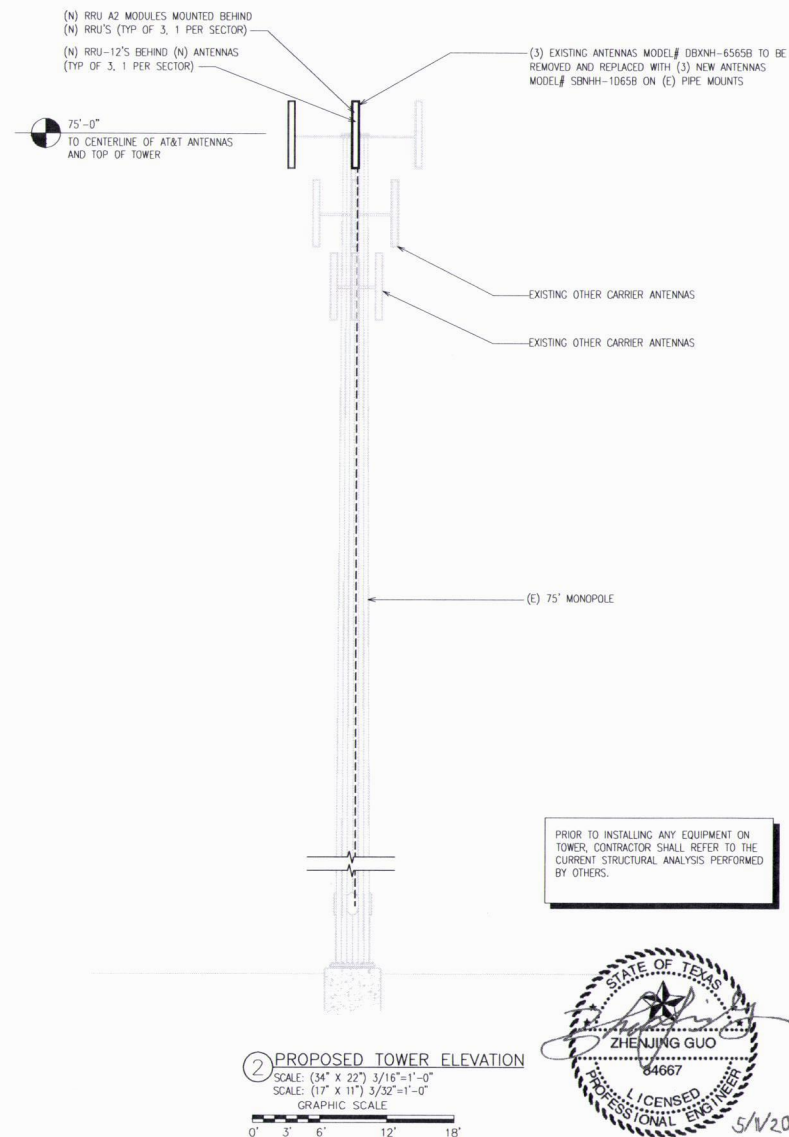
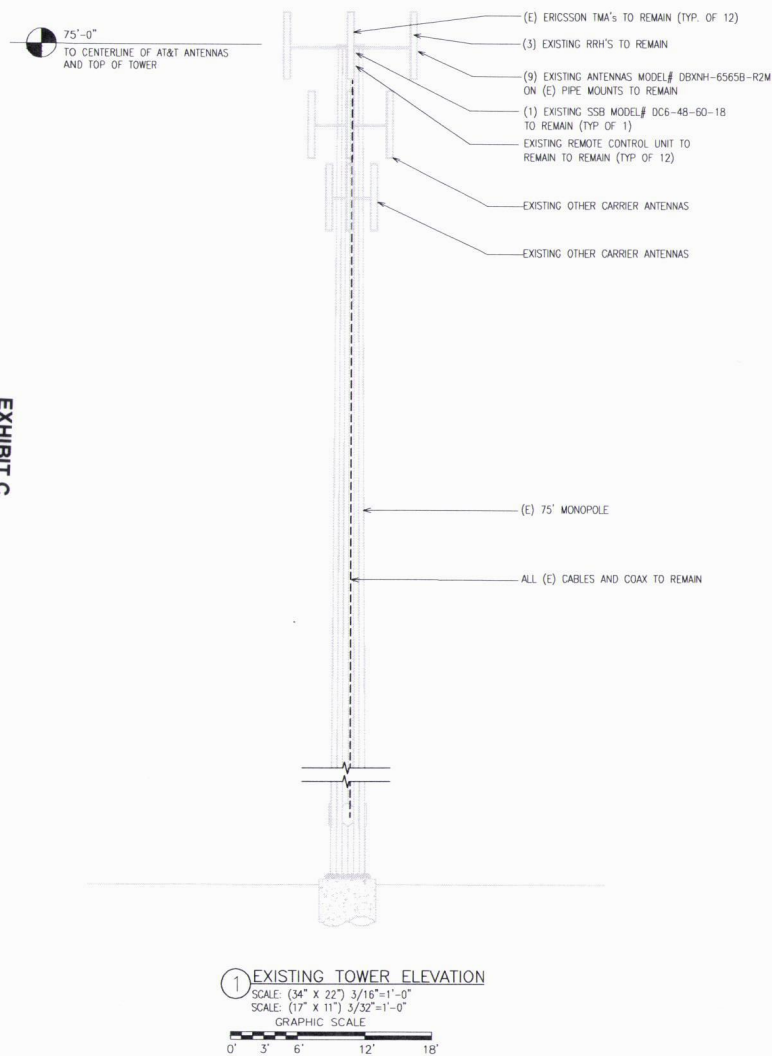
at&t
 1801 VALLEY VIEW LANE
 FARMERS BRANCH, TX 75234

JUPITER / WALNUT
 SITE NUMBER
 DX1212
 F.A. NUMBER
 10003453

DRAWN BY:
 BA
 CHECKED BY:
 ZC
 DATE:
 05/11/15
 PLOT SCALE:
 1:2
 DRAWING NAME:
 EQUIPMENT PLAN
 SHEET NO:
 C03

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File Info: K:\Nexus\AT&T_upgrade cds\146901 - DX1212\cd's\DX1212.dwg May 11, 2015 - 11:52am kirk



REVISIONS	DATE
0 ISSUED FOR CONSTRUCTION	02/25/15
1 ISSUED FOR CONSTRUCTION	05/11/15

CELERIS PROJECT NO.: 14-6901



NEXIUS

1301 CENTRAL EXPRESSWAY
SOUTH, SUITE 200
ALLEN, TX 75013
OFFICE: 972-581-9888



JUPITER / WALNUT

SITE NUMBER
DX1212

F.A. NUMBER
10003453

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DRAWN BY:	BA
CHECKED BY:	ZG
DATE	05/11/15
PLOT SCALE	1:2
DRAWING NAME	TOWER ELEVATIONS
SHEET No.	C04



City Council Item Summary Sheet

☐ Work Session

Date: June 16, 2015

☒ Agenda Item

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 15-18 Metro Lumber Wholesale Co. d/b/a/ Dallas Cedar Company

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Submitted By:

Will Guerin
Director of Planning

Approved By:

Bryan L. Bradford
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PERMIT FOR BUILDING MATERIALS USE ON PROPERTY ZONED HEAVY COMMERCIAL (HC) DISTRICT ON A 1.6 ACRE TRACT OF LAND LOCATED AT 4233 FOREST LANE PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 11th day of May, 2015, the City Plan Commission did consider and make recommendations on a certain request for approval of Specific Use Permit made by **Metro Lumber Wholesale CO. d/b/a Dallas Cedar Company**; 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. 6773 is hereby amended by approving a Specific Use Permit for Building Use Materials on property zoned Heavy Commercial (HC) District on a 1.6 acre tract of land, 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. 6773, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

Section 4.

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

Section 5.

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

FILE NO. 15-18

PASSED AND APPROVED this _____ day of _____, 2015.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

ZONING FILE 15-18

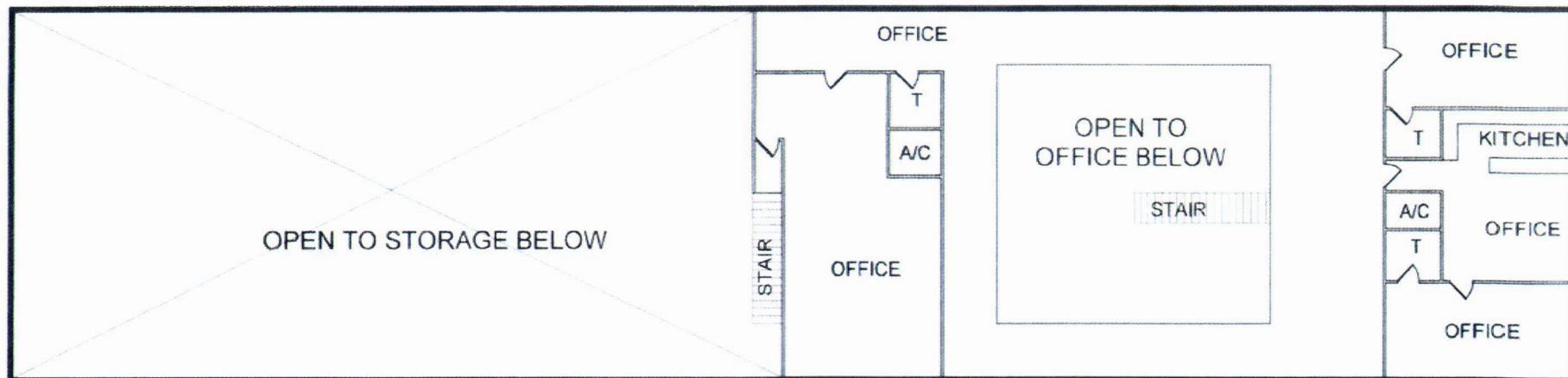
BEING A 1.7 ACRE TRACT OF LAND OUT OF LOT 1, BLOCK,1 SKILLMAN FOREST NO.7, CITY OF GARLAND, DALLAS COUNTY, TEXAS VOLUME 78183, PAGE 29 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS. THE PROPERTY IS LOCATED AT 4233 FOREST LANE, EAST OF THE INTERSECTION OF JUPITER ROAD AND FOREST LANE.

SPECIFIC USE PERMIT CONDITIONS

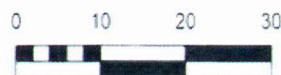
ZONING FILE 15-18

4233 Forest Lane

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to permit the use of Building Materials.
- II. **Statement of Effect:** The Specific Use Permit shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Heavy Commercial (HC) District set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Specific Regulations:**
 - A. Site Plan: Development shall be in general conformance with the site plan labeled Exhibit C.
 - B. Time Period: The Specific Use Permit shall be in effect for a period of 25 years.
 - C. Outdoor Storage Area: All outdoor storage areas must be screened by a 10-foot tall wood fence. There will be no processing of building materials within the outdoor storage area.



03 SECOND FLOOR PLAN
SCALE: 1" = 20'



USE KEY

AREA DEDICATED
TO OFFICE USE

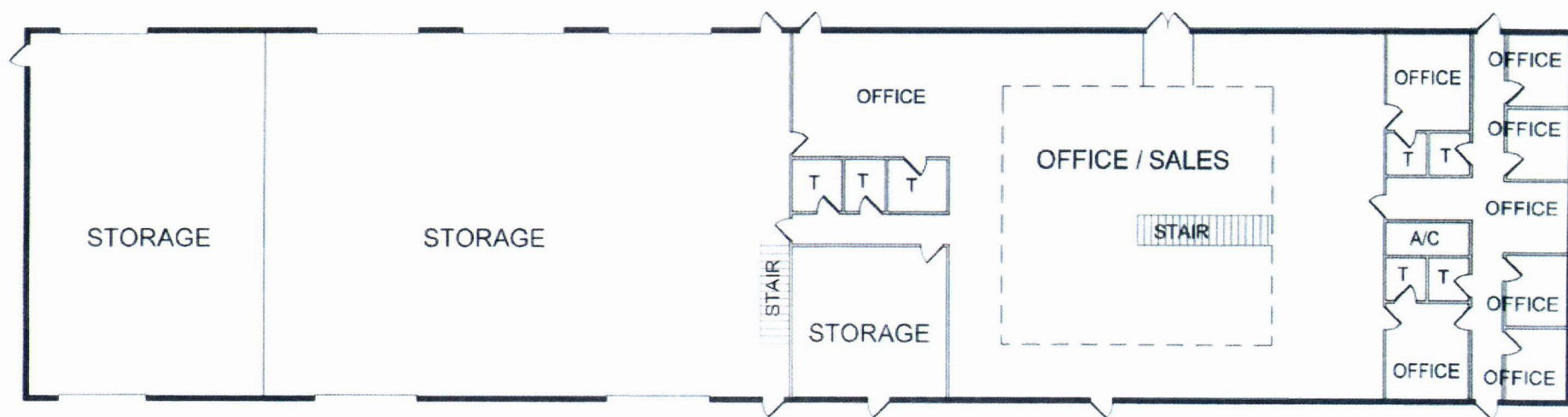
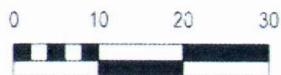


EXHIBIT C

02 FIRST FLOOR PLAN
SCALE: 1" = 20'





City Council Item Summary Sheet

☐ Work Session

Date: June 16, 2015

☒ Agenda Item

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 15-20 City of Garland

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Submitted By:

Will Guerin
Director of Planning

Approved By:

Bryan L. Bradford
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A CHANGE IN ZONING FROM AGRICULTURE (AG) DISTRICT; PLANNED DEVELOPMENT (PD) DISTRICTS 01-04, 01-23, 87-28, AND 01-18 FOR FREEWAY USES; PLANNED DEVELOPMENT (PD) DISTRICTS 04-16, 01-05, 95-59, 98-05 AND 05-08 FOR MIXED USES; PLANNED; PLANNED DEVELOPMENT (PD) DISTRICT 00-27 FOR OFFICE USES; AND PLANNED DEVELOPMENT (PD) DISTRICT 00-20 FO SHOPPING CENTER USES TO A PLANNED DEVELOPMENT FOR MIXED USE, ON AN APPROXIMATELY 300-ACRE TRACT OF LAND LOCATED NORTHEAST OF PGBT/SH 190, WEST OF HOLFORD ROAD, AND SOUTH OF THE CITY LIMITS LINE; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 11th day of May, 2015, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **City of Garland**; 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. 6773 is hereby amended by approving a change of zoning from Agriculture (AG) District; Planned Development (PD) Districts 01-04, 01-23, 87-28, and 01-18 for Freeway Uses; Planned Development (PD) Districts 04-16, 01-05, 95-59, 98-05, and 05-08 for Mixed Uses; Planned Development (PD) District 00-27 for Office Uses; and Planned Development (PD) District 00-20 for Shopping Center Uses to a Planned Development (PD) District for Mixed-Use, on an approximately 300-acre tract of land located northeast of PGBT/SH 190, west of Holford Road, and south of the city limits line, 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. 6773, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

Section 4.

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

Section 5.

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

PASSED AND APPROVED this _____ day of _____, 2015.

THE CITY OF GARLAND, TEXAS

By:

Mayor

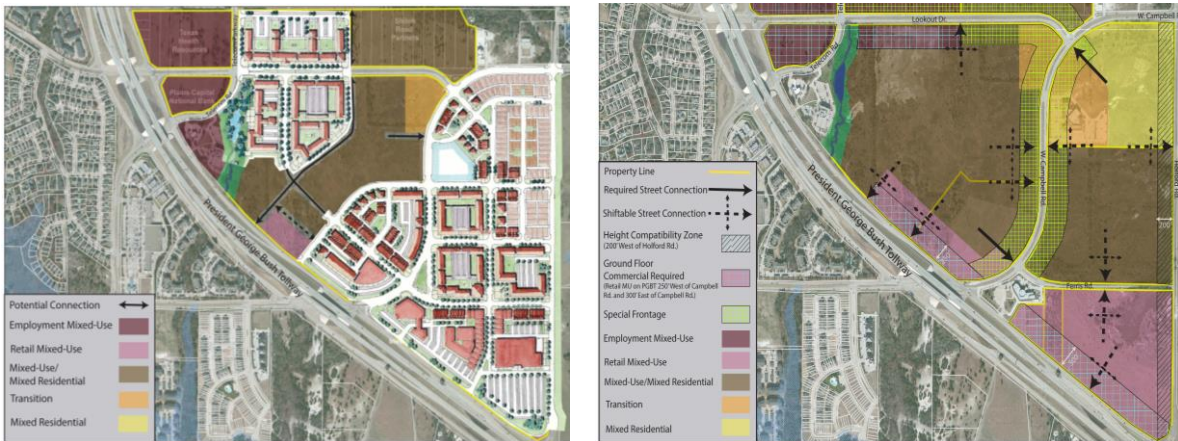
ATTEST:

City Secretary

Published:

CITY OF GARLAND SH 190/CAMPBELL MIXED USE CENTER PLANNED DEVELOPMENT DISTRICT

JUNE 8, 2015



Created for



GARLAND

TEXAS MADE HERE

By:

GATEWAYPLANNING
A VIALTA GROUP PARTNER

City of Garland SH 190/Campbell Mixed Use Center Planned Development District

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SH 190/Campbell Mixed Use Center Planned Development District

I. Purpose and Intent

The purpose and intent of the SH 190/Campbell Mixed Use Center Planned Development District (here after known as “MUC-PD”) is to implement the City’s vision for a vibrant and sustainable approach to the development of SH 190 Corridor and to encourage the continuation of the Telecom Corridor® through Garland by becoming a center for major employment office, technology, healthcare and support services, while encouraging, where feasible, a mix of complementary uses including housing, retail, offices, commercial services, and civic uses, supporting long term attractiveness for both employment uses and neighborhood uses. Specifically, the MUC-PD is intended to:

- A. Create short-term development momentum while allowing for long-term market opportunities for larger-scale employment uses;
- B. Establish a high level of development standards to create development of exemplary and enduring quality that fits into the City’s vision including Envision Garland 2030 as amended;
- C. Encourage the development of vertical and horizontal mixed-use areas that are safe, comfortable and attractive to pedestrians while protecting significant environmentally sensitive areas;
- D. Provide flexibility on the site and with design of new development to anticipate changes in the marketplace while establishing human-scaled buildings;
- E. Leverage the frontage and access to SH 190 and other regional corridors while preserving environmentally significant areas as “features” and not constraints, encouraging destination retail and other uses along the SH 190 Corridor with adjacent transitions to sustainable mixed use development patterns so that destination uses directly along the corridor are accessible internally by walking, cycling and driving;
- F. Create a variety of connected community gathering places and passive open spaces with trails to make walking and biking easy from one place to another and connect to off-site trails;
- G. Include a range of residential options that reflect changing lifestyles considering both market demand and City preferences;
- H. Provide appropriate transitions to protect adjacent neighborhoods and to promote sustained value;
- I. Encourage efficient uses of land; and
- J. Utilize existing and future transportation and parking assets efficiently in order to optimize both auto traffic on surrounding streets and on-site parking demand through design strategies and policy incentives that support use of multiple modes of transportation.

II. Applicability

- A. The MUC-PD District (this Code) applies to the property shown as the PD 15-20 on the Zoning Map and the boundaries are as established in the Zoning Framework Plan in Appendix A.
- B. The provisions of the MUC-PD District (this Code), when in conflict, shall take precedence over those in the Garland Development Code (GDC) as amended except as noted herein. Development standards not addressed in this Code shall be governed by the GDC to the extent they are not in conflict with the intent of the MUC-PD District standards.

III. SH 190/Campbell MUC-PD District Structure

- A. MUC-PD District Structure: The following plans establish the structure within which the details of the PD District are calibrated to a specific Master Concept Plan (MCP) at the time of development. The Sample Illustrative Plans are included to provide an overall guidance on the desired pattern and character of development envisioned under this code while the Zoning Framework Plan establishes the major street network and character zone allocations within the PD District.
1. Sample Illustrative Plans – are conceptual plans generated for different areas of the MUC-PD District that provide guidance on the intended character and layout of development based on the context and vision for the different character zones. These are to be used as prototypical development scenarios that would inform the ultimate Master Concept Plan by the individual developers/property owners. The Sample Illustrative Plans illustrate important principles of planning a mixed use, walkable neighborhood.
 2. Zoning Framework Plan – is the plan that is adopted at the time of creation of this PD and associated rezoning and establishes the different Character Zones and the major street network envisioned for MUC-PD District. Using the Zoning Framework Plan (ZFP) (Appendix A) and this Code, an applicant shall specify certain details of the development and may refine ZFP elements at the time of MCP per the criteria established in this Code.

Five (5) Character Zones are established within the MUC-PD, each of which implements specific aspects of the vision for a regional mixed use destination with significant employment and residential uses. Prior to any new development within these areas, a Master Concept Plan (MCP) consistent with the adopted ZFP (Appendix A) and this PD shall be developed by the applicant/property owner or developer.

- i. Employment Mixed Use Zone (EMU): This is the Character Zone the area adjacent to the SH 190 frontage and along Lookout Drive. This zone is appropriate for the long-term development of large-scale regional employment and office uses due to its proximity to the Telecom Corridor®. The direct access to regional roadways including SH 190 offers adequate capacity for such an employment hub. The major roadway frontages along SH 190, Lookout Drive, and Telecom Parkway are not appropriate for ground floor residential uses. The vision for this zone is mid-to high-rise office buildings with structured parking.
- ii. Retail Mixed Use Zone (RMU): This is the area adjacent to SH 190 with access conducive to destination and regional retail uses. This area shall contain design and development standards that allow for retail and office uses; but that also encourage connections and transitional uses with the adjacent development.
- iii. Mixed Use-Mixed Residential Zone (MU-MR): This area is the core mixed use development opportunity for the area, linking the other areas together and encouraging development standards and uses that create a variety of higher density residential types as well as office and retail uses that do not require visibility from SH 190, but in a walkable development context.

- iv. Transition Zone (T): This area is located to provide opportunities for residential and neighborhood serving smaller scale professional office and retail within a design context that respects the scale of the adjacent Mixed Residential Zone (MR).
 - v. Mixed Residential Zone (MR): This area is primarily residential in character and intended to provide a transition to the single family neighborhoods to the northeast. This area shall provide a variety of lower density attached and detached housing types within a walkable context including integrated small open spaces.
3. Master Concept Plan – A Master Concept Plan shall establish the exact location of Character Zones, land uses and open spaces, blocks, lots, building and street layout, treatment of transition areas to adjacent uses and any other appropriate information required by this PD. The Master Concept Plan shall illustrate the design direction of the site with dimensional standards that provide substantial certainty about the development outcomes, intensity, and phasing of the proposed development. It shall be created and submitted by the applicant/developer prior to any new development within the MUC-PD in conformance with Type 1 or Type 2 MCP applications as established in Section IV.B.2 of this Code. A Master Concept Plan shall meet the standards established in the Zoning Framework Plan and this PD and shall be developed for a minimum acreage even if the actual development is phased.
- i. Minimum Acreage Required: The minimum acreage required for any initial Master Concept Plan shall be no smaller than any one of the following: (1) all the contiguous property under one single ownership; or (2) all property under one Character Zone as established in the adopted Zoning Framework Plan; or (3) all property circumscribed by any proposed new or existing streets per the Zoning Framework Plan.
 - ii. Amendments to Approved Master Concept Plans: After the initial Master Concept Plan approval, subsequent amendments to approved MCPs shall include the entire area of the initial Master Concept Plan approval regardless of the standards in III.A.3.i. above.
4. Detail Plan: Detail plans shall be the lot and buildings level plans and shall be required for individual lots and/or buildings prior to Site Permit and/or Building Permit approval for all development. The approval process for detail plans shall be based on the process established for Type 1 or 2 applications in Section IV.B.3 of this PD and as outlined within Section 2.1.2 of the GDC.

IV. Administration

- A. General: No building or structure may be erected or moved unless in conformity with this MUC-PD.
- B. Authority for Approval (See Appendix C for a flow chart illustrating the Application Process):
 - 1. Zoning Framework Plans: may only be approved by City Council after recommendation by the Plan Commission. The process for Zoning Change applications in Chapter 2, Article 2, Division 1 of the GDC shall be followed. Modifications to adopted ZFPs may also be processed in conjunction with MCP applications per IV.B.2 below.

2. Master Concept Plans: Master Concept Plans may be classified into Type 1 and Type 2 MCP applications.
 - i. Type 1 MCP Applications:
 - a. Shall include any new or revised MCP applications consistent with the adopted ZFP, requirements of this PD, and applicable sections of the GDC. They may include minor modifications to ZFP elements per Table 4-1.
 - b. May be approved administratively by the Director.
 - c. Appeals to the Director's decision shall be heard by the City Council after a recommendation from the Plan Commission. In reviewing such appeals, the Plan Commission and City Council shall only consider the items identified by the Director as not meeting this PD.
 - ii. Type 2 MCP Applications:
 - a. Shall include any new or revised MCP applications that are NOT consistent with the adopted ZFP, requirements of this PD, or applicable sections of the GDC or propose alternative standards to the standards in this PD or an approved ZFP beyond the standards established under Table 4-1 for minor modifications to Zoning Framework Plan elements.
 - b. May only be approved by City Council after recommendation by the Plan Commission.
 - c. The process for Type 2 MCP Applications shall follow the process for Concept Plan Review under Section 2.12 of the GDC. In considering Type 2 MCP Applications, the Plan Commission and the City Council may use any of the following criteria:
 - 1) The extent to which the proposed modifications to street layout and/or character zones impact adjoining properties with respect to continuity and adjacency predictability;
 - 2) The overall purpose and intent of the regional Mixed Use Center;
 - 3) The extent to which the proposal fits the adjoining design context by providing appropriate building scale and use transitions;
 - 4) The extent to which the proposal provides public benefits such as usable civic and open spaces, livable streets, affordable housing, structured and/or shared parking, and linkages to transit; and
 - 5) The extent to which the proposal does not hinder future opportunities for higher intensity development.
3. Detail Plans: Detail Plans may be classified into Type 1 and Type 2 applications.
 - i. Type 1 Detail Plan Applications:
 - a. Shall include any new or revised Detail Plans consistent with the requirements of this PD, an approved MCP, and applicable sections of the GDC.
 - b. May be approved administratively by the Director.
 - ii. Type 2 Detail Plan Applications:
 - a. Shall include any new or revised Detail Plans that are NOT consistent with the requirements of this PD, an approved MCP, or applicable sections of the GDC

- or propose alternative standards to the standards in this PD or an approved MCP.
 - b. May only be approved by City Council after recommendation by the Plan Commission.
 - c. The process for Type 2 Applications shall follow Section 2.12 of the GDC. In considering Type 2 Applications, the Plan Commission and the City Council may use any of the following criteria:
 - 1) The extent to which the proposed application impacts adjoining properties with respect to continuity and adjacency predictability;
 - 2) The extent to which the application meets the overall purpose and intent of the regional Mixed Use Center;
 - 3) The extent to which the proposal fits the adjoining design context by providing appropriate building scale and use transitions;
 - 4) The extent to which the application provides public benefits such as usable civic and open spaces, livable streets, affordable housing, structured and/or shared parking, and linkages to transit; and
 - 5) The extent to which the application does not hinder future opportunities for higher intensity development.
- C. Master Concept Plan Requirements: The Master Concept Plan is intended to illustrate the building and block level development pattern of the MUC-PD District consistent with the purpose and intent of the Section and establish the detailed standards and rules for any new development within the MUC-PD District and the corresponding Character Zones.
- 1. The applicant shall submit a Master Concept Plan for the minimum acreage as established in Section III.A.3.i. The Master Concept Plan application shall be made prior to detail plan application for any new development.
 - i. Each MCP application shall:
 - a. demonstrate compliance with this PD's purpose, intent, and development standards;
 - b. include exhibits meeting all the informational requirements for a Concept Plan under Section 2.11 of the GDC, and meeting the standards of this PD and adopted ZFP including:
 - 1) Delineation of the Character Zones per the adopted ZFP (including any modifications to adopted ZFP elements);
 - 2) The layout of proposed blocks, major and minor streets, bikeways, sidewalks, and trails;
 - 3) the location and acreage of open space areas and whether each will be privately owned, a common area for residents only or dedicated to public use;
 - 4) Type "A" and "B" Development Frontage designations based on the standards in this PD.
 - 5) A conceptual level plan for the accommodation of stormwater drainage and detention and other major water and sewer infrastructure elements for the overall area included in the MCP;

- 6) the location and area of retail, office, industrial, residential, civic, and open space uses;
- 7) the approximate shape, size, and placement of buildings;
- 8) the general parking location relative to streets and buildings and approximate parking count, with indication of parking lot landscape areas; and
- 9) any minor modifications to adopted ZFP elements per Table 4-1 below.

Table 4-1: Minor Modifications Table		
Framework Plan Element	Extent of Minor Modification Permitted	Criteria
a. Area/boundary of a Character Zone	Area/boundary of a specific Character Zone may be adjusted no more or less than 30%.	<ol style="list-style-type: none"> i. Shall not eliminate any character zone ii. Modified area shall be contiguous with the corresponding character zone that is changed iii. Boundary modifications may be due to physical constraints on the property, or shifting of internal roadways or to better align with ownership boundaries.
b. Location of any Required Street	Location may be shifted no more than 150' in any direction	<ol style="list-style-type: none"> i. Shall maintain the connectivity intended by the Framework Plan ii. Shall maintain the continuation and/or connectivity with any existing streets or driveways where possible
c. Area of any Required Civic/Open Space	May be reduced by no more than 25%	<ol style="list-style-type: none"> i. Shall maintain the frontages required by the Framework Plan ii. Area may be adjusted to accommodate shifting of any new Required Streets or any required easements only

- c. Include a Street Classification Master Plan with associated with cross-sections and street classifications for the proposed MCP area (or for each phase, if it is to be developed in phases) specifying right-of-way width, minimum pavement width, on-street parking, approximate location of street trees, bikeways and sidewalks (Appendix D, Institute of Transportation Engineers' Designing Walkable Urban Thoroughfares manual or NACTO's Urban Street Design Guide shall be used to guide the development of the proposed cross sections in lieu of the street standards in the GDC. See Definitions for complete citation).
- d. Include a report in the form of text, statistical information, tables, guidelines, and graphics that includes:
 - 1) a statement of the purpose and intent of the proposed development consistent with the vision and ZFP for the MUC-PD District and its Character Zones;
 - 2) a description of the mix of land uses and the factors which ensure compatibility both within the development site, with adjacent land uses, and compliance with the recommendations of all the adopted elements of the Comprehensive Plan;
 - 3) any special standards for signage in the form of a Master Sign Plan application that provides a design palette addressing the location, size,

type, lighting, colors, and materials for all signage in the proposed development unless meeting the Sign Regulations in Chapter 4, Article 5 of the GDC;

4) statistical information including:

- a) gross acreage of the site, and net acreage of the site excluding jurisdictional wetlands, regulatory floodplains, and slopes over 20%;
- b) the amount of land devoted to open space, both in acres and as a percentage of the gross acreage of the site;
- c) the amount of land devoted to retail, office, industrial, residential, and civic uses;
- d) a plan for pedestrian, bicycle, and vehicular circulation describing the general design capacity of the system as well as access points to any regional trail system;
- e) a daily and peak hour trip generation and directional distribution report by use unless the Director of Transportation finds that the traffic to be generated by the proposed development does not warrant the preparation and submission of a study;
- f) the maximum allowable building coverage and height; and
- g) the minimum and maximum building setbacks.

- e. Development standards for the proposed development that meet Section VI.B of this PD and specifying standards for all the “flexible” elements by each Character Zone within the specific MCP area in the form of a table (see Table 6-3 in Section VI for criteria and format);
- f. Compliance with frontage and housing mix and type standards in Section VI.A.4 for the specific Character Zones and locations to be included with the MCP;
- g. Building design and general architectural design standards that meet Sections VI.A.8 and VI.A.9 of this PD for the proposed development specifying general materials and configurations permitted for facades, roofs, and openings;
- h. a landscape concept plan that includes the design direction and general for streetscapes and public/open spaces types; and
- i. a non-binding schedule for the entire development (or for each phase, if it is to be developed by phases), which shall show generally how the applicant will complete the project containing the following information:
 - 1) The proposed order of construction by section delineated on the Master Concept Plan;
 - 2) The proposed schedule for construction of improvements to open space areas; and
 - 3) The proposed schedule for the installation of required public streets, utilities improvements and the dedication of public rights-of-way and/or easements.

D. Detail Plans and Minor Amendments to Approved MCPs:

1. Detail Plan Requirements: A Detail Plan shall be required for all development. Detail Plans within the MUC-PD District shall meet the submittal requirements for Detail Plans established under the Section 2.12 of the GDC. Additional information that adequately illustrates the detail plan's compliance with this PD and the applicable MCP shall also be required. The process for approval of Detail Plans is established in Section IV.B.3 of this PD and within Chapter 2, Article 2, Division 2 of the GDC.
2. The Director of Planning may approve minor changes to a previously approved MCP or detail plan with the applicant's written justification for such changes. Any significant changes to and deviations from approved plans shall be regarded as an amendment to that particular plan and may be reviewed by the Director of Planning and processed per the standards established in this PD. The Director of Planning shall make the determination as to whether a proposed change is minor or significant, based upon consideration of the following facts:
 - i. whether the proposed change substantially alters the arrangement of component zones, buildings or changes the use of building space designated on the original plan;
 - ii. whether there is an increase of greater than 10% in the number of residential dwelling units beyond the threshold established in the approved MCP;
 - iii. whether the proposed change substantially alters vehicular circulation or the placement/ arrangement of parking areas; or
 - iv. whether the proposed change will reduce or lessen the effectiveness of open space, landscape buffers, and edges.

V. Schedule of Uses

- A. No permit may be issued for a use that is not allowed by this MUC-PD.
- B. Use Categories: In order to regulate use, categories of uses have been established. Use categories provide a systematic basis for assigning land uses to appropriate categories with other, similar uses. Use categories classify land uses and activities based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the hours of operation, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties, and site conditions.
- C. Principal Uses: Allowed principal uses by MUC-PD District and Character Zones are listed in Table 5.1 Permitted Use Table. Principal uses are grouped into categories of uses (see Definitions for description of land use categories). The example uses listed are not an exhaustive list. The Director of Planning has the responsibility for categorizing all uses.
- D. Accessory Uses: The following standards shall apply to Accessory Uses:
 - 1. Unless otherwise expressly stated, accessory uses are permitted in conjunction with allowed principal uses. Accessory uses shall be accessory and customarily incidental and subordinate to a permitted principal use.
 - 2. No accessory use may be established on a site prior to the establishment of a permitted principal use.
 - 3. The Director of Planning is authorized to determine when a structure or use meets the definition of an accessory use. In order to classify a structure or use as accessory, the Director of Planning must determine that the use:
 - i. Is subordinate to the principal use in terms of area, extent and purpose;
 - ii. Contributes to the comfort, convenience or necessity of occupants of the principal use served;
 - iii. Is located on the same lot as the principal structure or use, or on a contiguous lot in the same ownership;
 - iv. Does not involve operations not in keeping with the character of the principal use served; and
 - v. Is not of a nature likely to attract visitors in larger numbers than would normally be expected for the principal structure or use.
 - 4. Home Occupations: Standards in Section 2.61 of the GDC shall apply.
 - 5. Live-Work Uses and Structures: Live-work uses and structures are permitted per Section V of this PD. A live-work structure is a mixed use building type with a dwelling unit that is also used for work purposes, provided that the 'work' component is (1) restricted to the uses of professional office, personal service, cottage industrial, artist's workshop, studio, or other similar uses, (2) is located on the street level and ground floors constructed to Commercial Ready standards, and (3) is constructed as separate units under a condominium regime or as a single unit. The 'live' component may be located on the street level (adjacent to the work component) or any other level of the building. Live-work dwelling is distinguished from a home occupation otherwise defined by this Section in that the "work" component is not required to be incidental and secondary to the "live"

component. The business owner or a full-time employee may reside in the residential unit associated with the commercial use.

- E. Accessory Structures: All accessory structures shall be clearly subordinate to the principal structure on the lot. All accessory structures shall meet the applicable principal structure standards per the Character Zone unless alternative standards are proposed by the applicant and adopted as part of the MCP approval.

P The land use is allowed by right in the zoning district indicated.

The land use is prohibited in the zoning district indicated.

S The land use is allowed only upon approval of a Specific Use Provision (SUP) in the zoning district indicated.

Table 5-1 Schedule of Uses

	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
AGRICULTURAL USES						
Farm, Ranch, Orchard						-
Feed Store						-
Stable, Commercial						-
Stable, Private						-
Stockyards, Livestock Auction, Livestock Hauling						-
RESIDENTIAL USES						
Accessory Dwellings:	-	-	-	-	-	-
Dwelling, Accessory – Guard/Manager/Caretaker					P	Sec. 2.58
Dwelling, Accessory – Guest House					P	Sec. 2.58
Dwelling, Accessory – Rental Unit					P	Sec. 2.58
Congregate Adult Living Facilities:	-	-	-	-	-	-
Rehabilitation Facility, In Home/Residential		S	S	S	S	-
Rehabilitation Facility, Institutionalized						-
Elder Care Facilities:	-	-	-	-	-	-
Elder Care – Assisted Living	S	S	S	S		Sec. 2.52(A)12
Elder Care – Continuing Care (combination)	S	S	S	S		Sec. 2.52(A)12

P The land use is allowed by right in the zoning district indicated.

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	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Elder Care – Independent Living	P	P	P	P	p*	Sec. 2.52(A)12 p* = Permitted in duplex, triplex, quadplex, and single-family (attached and detached) building types only
Elder Care – Nursing/Convalescent Care	S	S	S	S		Sec. 2.52(A)12
Household Living Units:	-	-	-	-	-	-
Dwelling, Two-Family (duplex)			P	P	P	Sec. 2.38
Dwelling, Industrialized Housing Unit						Sec. 2.36
Dwelling, Manufactured/HUD-Code Home						-
Dwelling, Mobile Home						-
Dwelling, Multi-Family	P	P	P	P		Sec. 2.39 (see exception below) The GDC requirement for 2 swimming pools for MF Developments over 250 units may be reduced to 1 swimming pool in addition to any reduction of required Clubhouse area with the Planning Director's approval through the MCP or Detail Plan process.
Dwelling, Live/Work	P	P	P	P		-



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	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Dwelling, Single-Family Detached			P*		P*	Sec. 2.36 P* implies Section VI.A.4.i and Section VI.A.4.ii applies P implies only Section VI.A.4.i applies
Dwelling, Single-Family Attached (Townhouse)		P	P	P	P	Sec. 2.37
Manufactured/Mobile Home Park or Subdivision						-
ACCESSORY & TEMPORARY USES						
Accessory Structure			P	P	P	Sec. 2.58
Convenience Facilities:	-	-	-	-	-	-
Drive-Through Service		S				Sec. 4.20 Standards in Section 7 of this PD also apply
Walk-Up Service	P	P	P	P		-
Fuel Pumps, Retail		S				Sec. 2.52(A)3 Standards in Section 7 of this PD also apply
Kiosks, Self-Service:	-	-	-	-	-	-
Automated Teller Machine (ATM) – Drive-Up	P	P	S	S		Sec. 2.52(A)7, Sec. 4.20
Automated Teller Machine (ATM) – Walk-Up	P	P	P	P		Sec. 2.52(A)7
Retail (ice, water, etc.)		S				Sec. 2.52(A)7, Sec. 4.20
Recycled Materials Collection						
Outside Display, New Materials		S				Sec. 2.52(A)14
Outside Display, Used Materials						
Outside Storage, New Materials		S				Sec. 2.52(A)14

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	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Outside Storage, Used Materials						
Outside Storage Unit, Portable (POD)						
Seasonal Sales	*	*	*	*		Art. VIII, Ch. 30, City Code
Shelter Tent						-
Shipping Container						Sec. 2.52(A)15, Art. XII, Ch. 30, City Code
Temporary Building/Office (field office, construction office, subdivision sales office, etc.)	*	*	*	*	*	Sec. 2.52(A)19
INSTITUTIONAL AND EDUCATIONAL						
College or University	P	P				-
Convention Facility	P	S	S			-
Day Care Facilities:	-	-	-	-	-	-
Day Care Center, Adult	S	P	S	S	S	Sec. 2.52(A)13
Day Care, Youth – Licensed Child-Care Center	P	P	S	S	S	Sec. 2.52(A)2
Day Care, Youth – Registered Child-Care Home			S	S	S	Sec. 2.61
Church or Place of Worship	P	P	P	P	P	-
Learning Center, Specialized	P	P	S	S		-
School, Business	P	P	P			-
School, Retail/Personal Services Training	P	P	P			-
School, Trade						-
School, Private, Religious or Charter			S	S	S	-
School, Public			P	P	P	-

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	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
GOVERNMENT & HUMAN SERVICES USES						
Charitable Boarding						-
Garden, Charitable						-
Garden, Civic			P	P	P	-
Post Office	P	P	P	P		-
Social Service Facility/Agency		P	P	P		-
MEDICAL & HEALTH SERVICES USES						
Cemetery						-
Hospital	S	S				-
Medical and Dental Office/Clinic	P	P	P	P		-
Mortuary/Funeral Home						-
RECREATIONAL, SOCIAL AND ENTERTAINMENT USES						
Athletic Events Facility, Indoor		P	P			-
Athletic Events Facility, Outdoor						-
Athletic Field, Stadium, Arena	S	S				-
Civic Club/Fraternal Lodge		P	P	S		-
Commercial Amusement, Indoor		P	S			-
Commercial Amusement, Outdoor						-



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	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Cultural Facility	P	P	P	P		-
Day Camp, Private						-
Dry Boat Storage						-
Equestrian Camp, Private						-
Golf Course/Country Club						-
Health & Fitness Gym (indoor)	P	P	P	P		-
Marina						-
Public Amusement, Temporary	*	*	*	*		Art. VIII, Ch. 30, City Code.
Racing Track						-
Reception Facility		S				Sec. 2.52(A)20
Recreational Vehicle Park (short-term stays only)						-
Shooting Range, Indoor						-
Shooting Range, Outdoor						-
Theater, Large Scale		P				-
Theater, Small Scale	S	P	P			-
Zoo						-
OFFICE, RETAIL & SERVICE USES						
Alternative Financial Establishment						-



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	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Antique Shop (indoors only)		P	P	P		-
Bait Sales, Live						-
Bakery, Retail	P	P	P	P		-
Bed and Breakfast						Sec. 2.52(A)11
Business & Media Service	P	P	P	P		-
Call Center	P	P	P			-
Commercial Blood, Plasma, Tissue and Cell Collection Center						Sec. 2.52(A)26
Convenience Store (1,000-5,000sf)	P	P	P	S		Sec. 2.52(A)1
Financial Institution	P	P	P	P		Sec. 4.20
Flea Market, Indoor						-
Flea Market, Outdoor						-
Furniture, Household Furnishings and Appliance Sales/Rental		P	P			-
Grocery/Supermarket (>5,000sf)	S	P	P			-
Home Improvement Center (>50,000sf)		S				-
Hotel/Motel, Extended Stay	S	S	S			Sec. 2.52(A)11
Hotel/Motel, Full Service	P	P	P			Sec. 2.52(A)11
Hotel/Motel, Limited Service	S	S	S			Sec. 2.52(A)11
Indoor Shopping Mall						-



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	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Kiosk, Trailer or Mini-Structure (attended):	-	-	-	-	-	-
Retail/Service	S	P	P			Sec. 2.52(A)7, Sec. 4.20
Recycled Materials Collection						
Landscape Nursery (retail)		S				-
Landscape Nursery/Tree Farm (wholesale)						Sec. 2.52(A)17
Laundry, Drop-Off (with drive-through or window)	S	P	S			Sec. 4.20
Laundry, Drop-Off (without drive-through or window)	P	P	P	P		-
Laundry, Self-Serve (Laundromat)						-
Office, General	P	P	P	P		-
Pawn Shop						-
Personal Services	P	P	P	P		-
Pet Store (indoors only)	P	P	P			-
Pharmacy (with drive-through or window)	S	P	S			Sec. 4.20
Pharmacy (without drive-through or window)	P	P	P	P		-
Produce Stand/Outdoor Farmers Market		P	P	S		-
Restaurant (No Drive-Through)	P	P	P	P		-
Restaurant, Drive-Through		P	S			Sec. 4.20
Retail Store	P	P	P	P		-



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	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Sexually Oriented Business						
Smoke Shop						-
Studio, Arts/Crafts	P	P	P	P		-
Studio, Fitness or Performing Arts	P	P	P	P		-
Tattooing/Body Piercing Establishment						Sec. 2.52(A)6
Used Goods, Retail Sales (Indoors)		S				-
COMMERCIAL USES						
Bakery, Commercial						-
Building/Garden Materials Sales & Storage (wholesale)						Sec. 2.52(A)23
Bulk Material Sales & Storage (retail or wholesale)						Sec. 2.52(A)18
Contractor's Office/Storage Yard (outdoor storage)						Sec. 2.52(A)24
Contractor's Office/Warehouse (indoors only)						-
Custom Products Manufacturing	P					-
Equipment Leasing/Rental, Indoor						-
Equipment Leasing/Rental, Outdoor						Sec. 2.52(A)25
Feed/Grain Mill						-
Furniture and Appliance Cleaning/Repair						-
Garden, Commercial						-

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	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Laundry Plant, Commercial						-
Meat and Game Processing						-
Pet Care/Play Facility (indoor)	P	P	P	P		Sec. 2.52(A)9
Pet Care/Play Facility (outdoor)						Sec. 2.52(A)9
Portable Building Sales/Leasing						-
Printing/Publishing House		S	S			-
Recording Studio/Media Production	P	P	P			-
Recycling Collection Center (no outdoor storage)						Sec. 2.52(A)8
Recycling Salvage Yard (unlimited outdoor storage)						Sec. 2.52(A)8
Self-Storage Facility (mini-warehouse)		S				Sec. 2.52(A)16
Small Engine/Lawn Equipment Rental & Repair (indoors)						-
Taxidermist						-
Vehicle Dispatch & Storage						-
Veterinary Clinic, Large Animal (outdoor pens)						-
Veterinary Clinic, Small Animal (indoors only)	P	P	P	P		-
Veterinary Clinic, Small Animal (outdoor kennels, runs)						-
MOTOR VEHICLE & RELATED USES						
Automobile Leasing/Rental						-

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	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Automobile Repair, Major						
Automobile Repair, Minor						
Automobile Sales, New or Used						-
Boat Sales, Leasing & Repair (outdoor storage)						
Car Wash, Automated/Rollover						
Car Wash, Full-Service/Detail		S				
Car Wash, Self-Service/Wand						
Impoundment Lot (commercial/private)						-
Motorcycle/ATV Sales, Leasing & Repair (new and used – indoors only)						-
Parking Lot or Garage, Commercial	P	P	P			-
Personal Watercraft Sales, Leasing & Repair (new and used)						-
Recreational Vehicle/Trailer Sales, Leasing & Repair						-
Salvage Yard, Automotive						-
Travel Center						-
Truck/Bus Repair						-
Truck/Bus Sales & Leasing/Rental						-
Truck/Bus Storage						-
Truck/Bus Wash						



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	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Wrecker/Towing Service						-
TRANSPORTATION USES						
Airport/Heliport						-
Bus Stop	P	P	P	P		-
Helipad	S					-
Motor Freight Terminal/Railroad Switching Yard						-
Transit Station, Public	P	P	P			-
Transportation Depot, Passenger (commercial)						
Transportation Terminal, Passenger (commercial)						-
INDUSTRIAL USES						
Animal Feed Processing & Storage						-
Batching Plant						-
Batching Plant, Temporary	P	P	P	P	P	-
Data Center	P	P	P			Design standards in Section VI.A.10 shall apply
Distribution Center, Large (indoors only)						-
Distribution Center, Small (indoors only)	S					-
Food Processing & Storage						-

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	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Gas or Petroleum Drilling or Pipeline						
Heavy Machinery Sales, Rental, Storage & Repair						-
High Risk Use						-
Industrial or Manufacturing, Heavy						-
Industrial or Manufacturing, Light						-
Laboratory, Analytical or Research (indoor)	P					-
Leather & Allied Products Manufacturing						-
Mining/Mineral Extraction						-
Warehouse, Office/Showroom (indoors only)	S					-
UTILITY & SERVICE USES						
Antenna, Commercial	*	*	*	*	*	Div. 5, Art. 5, Ch. 2
Antenna, Private	*	*	*	*	*	Div. 5, Div. 6, Art. 5, Ch. 2
Electric Generating Plant						-
Electric Substation	S	S	S			-
Gas Regulating Station						-
Telecommunications Switching Station	S	S				-
Wind Energy Conversion System	S	S	S	S	S	Div. 7, Art. 5, Ch.2

VI. Development Standards: This section shall establish the overarching development standards for walkable, mixed-use development within the MUC-PD and all its Character Zones. Standards in this Section shall be applied during the development of a Master Concept Plan. Some standards apply to all the Character Zones within the MUC-PD District and other standards are specific to specific Character Zones.

A. General to the MUC-PD:

1. Intent: Standards in this PD are intended to facilitate the development of market responsive and pedestrian-friendly environments while discouraging monotonous and single use projects. To this end, design and development standards are intended to be tailored to create such an environment based on market-driven projects over a long-term development horizon. In order to provide flexibility in use and design with prescription of performance standards for specific building form outcomes, applicable development standards for each Character Zone shall be established through the Master Concept Plan for each proposed development.
2. Requirements for Site Development Standards by Character Zone: At the time of Master Concept Plan application, each applicant shall establish specific Site Development Standards for each Character Zone included in the MCP area. These standards shall be based on Section VI.A and the criteria in the Site Development Standards Table 6-3 and shall be developed at the time of MCP by the applicant.
3. General Layout Principles: All Master Concept Plans shall meet the following general principles:
 - i. Buildings and urban design shall contribute to the physical definition of Thoroughfares as Civic places.
 - ii. Development shall adequately accommodate automobiles while providing supportive design and programs/incentives to increase the use of other modes of transportation and respecting the spatial form of public areas.
 - iii. Buildings shall provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
 - iv. Civic Buildings and public gathering places shall be provided as locations that reinforce community identity.
 - v. The plan should anticipate a harmonious and orderly evolution of the district based on market changes and reinvestment over time.
4. Frontage and Housing Mix Standards: In order to ensure that the PD implements the community's vision for a regional mixed use center with supporting mix of retail and mixed residential uses while providing for short term development opportunities that can be appropriately transitioned into higher intensity non-residential uses, Special Frontage and Housing Mix Standards are established in this MUC-PD District.
 - i. Frontage Standards: This section establishes the Frontage Standards for development within the primarily commercial zones of Employment Mixed Use, Retail Mixed Use, and Transition Zones and along certain street frontages as established in the ZFP.
 - a. Retail Mixed Use Zone (see Appendix A – Zoning Framework Plan for location of this requirement):
 - 1) Required Ground Floor Commercial Uses (see definition) along PGBT frontage road:
 - i. West of Campbell Road shall be within 250' deep as measured from the PGBT frontage road.
 - ii. East of Campbell Road shall be 300' deep as measured from the PGBT frontage road

- 2) No ground floor residential permitted within the area designated for Ground Floor Commercial uses.
 - 3) Upper floor residential allowed anywhere within this zone.
 - 4) No limitation on surface parking along the PGBT frontage. Along Campbell Road frontage, surface parking shall be limited to no more than one double loaded aisle of parking (parallel, angled, or head-in).
- b. Employment Mixed Use Zone (applies to the blocks on both sides of Lookout Drive west of Telecom Drive and EMU area south of Lookout Drive and east of Telecom Drive ; see Appendix A – Zoning Framework Plan for location of this requirement):
- 1) Required Ground Floor Commercial Uses for the entire zone.
 - 2) No ground floor residential uses permitted.
 - 3) Upper floor residential allowed anywhere within this zone with structured parking only.
 - 4) No limitation on surface parking along the PGBT frontage. Along Lookout Road and Telecom Road frontage, surface parking shall be limited to no more than one double loaded aisle of parking (parallel, angled, or head-in).
- c. The following standards shall apply to frontages designated as “Special Frontage” along Lookout Road and Campbell Road (regardless of the specific character zone):
- 1) For ground floor commercial and commercial ready uses (w/ upper floor residential uses) the following frontage standards shall apply–
 - No more than one double loaded aisle of parking (parallel, angled, or head-in) shall be permitted between the building and the street.
 - Any such parking shall be screened along the sidewalk/street frontage to maintain a well defined pedestrian edge with street trees and connections to building entrances.
 - Street intersections shall be anchored by building front façade design that turns the corner
 - No large parking lots at street intersections (beyond the one double-loaded aisle) and
 - Special façade design, articulation standards, 12’ min. ground floor height, shall apply (see Section VI.A.8).
 - 2) For ground floor residential uses, including SF and townhomes (attached or detached-- by no more than 5 feet) the following frontage standards shall apply (note: SF detached residential uses more than 5’ shall not be permitted with direct frontage along Campbell and Lookout Road)–
 - No off-street parking permitted between the building fronts and street along Campbell Road/Lookout Road.
 - All off-street parking in the rear (tuck-under, parking structure, or surface parking);
 - Parking shall be set behind buildings along Campbell and Lookout Roads;
 - Ground floor building height min of 12’ finished floor to finished floor;

- No blank walls or opaque residential fences (open fences allowed - wrought iron, picket, and similar fences not taller than 3').
- Fronts of residential buildings to address the street (stoops, patios, porches, bay windows, doors, etc.).
- No large parking lots at street intersections (beyond the one double-loaded aisle) or anchor street intersections with building facades that turn the corner.
- Street trees and sidewalks required.
- Minimum façade design, articulation shall apply for residential building types (see Section VI.A.8).
- Landscaped and divided entry roadways into the neighborhood are permitted along Campbell and Lookout Roads

- ii. Housing Mix and Type Standards: Table 6-1 establishes the different categories of Housing Types and Table 6-2 establishes the minimum mix of housing types for each MCP within the predominantly residential Character Zones of Mixed Use-Mixed Residential and Mixed Residential Zones.

Table 6-1 Housing Type Standards

<i>Category/ Common Name</i>		<i>Lot Widths (min. – max.)</i>	<i>Garage or Primary Parking Location</i>
Category 1	Type 1A	70' +	Any
	Type 1B	60' – 69'	Any
	Type 1C	50' – 59'	Any
Category 2	Type 2A	40' – 49'	Side or Rear
	Type 2B	25' – 39'	Side or Rear
Category 3	Type 3A on pedestrian mews, court, green, eyebrow, square, or other similar public space	40' – 49'	Rear
	Type 3B on pedestrian mews, court, green, eyebrow, square, or other similar public space	25' – 39'	Rear
	Multi-unit home	no min or max	Rear
	Townhome or Single Family Detached (if separated by 3' or less)	20' – 35'	Rear/tuck under
Category 4	Multi-family Residential	60' – no max	Rear/tuck under

Table 6-2 Housing Mix Requirements

<i>Character Zone</i>	<i>Housing Mix Required</i>	<i>Notes</i>
Mixed Use – Mixed Residential Zone	Minimum of 1 from Category 3 and minimum of 1 from either Category 2 or Category 4	Minimum number of units in each category included in each Master Concept Plan shall be either one block face or 10 units (whichever is less)
Mixed Residential	Minimum of 1 from Category 1 and minimum	Minimum number of units in each category

	of 1 from either Category 2 or Category 3	included in each Master Concept Plan shall be either one block face or 10 lots (whichever is less)
--	---	--

5. Street Design Standards: Street cross sections in Appendix D, ITE's Designing Walkable Urban Thoroughfares manual or NACTO's Urban Street Design Guide shall be used to develop the streets within the MUC-PD. Generally, they shall:
 - i. Create a localized grid of pedestrian and vehicular travel ways.
 - ii. Be designed to create a pleasant walking environment with on-street parking and streetscape treatments.
 - iii. Discourage the use of cul-de-sacs unless natural features such as topography, floodplains or stream corridors, or practical site layout constraints make a street connection impractical or inefficient. In such cases, a trail or pedestrian pathway shall be utilized where a street cannot be constructed due to natural constraints or drainage elements. When such pedestrian pathways or trails are used as block edges, they shall be limited to no more than two edges of a block and the pathway or pedestrian facility shall be a minimum of 8' in width. They shall provide connectivity to adjoining neighborhoods or shopping and shall be within public access easements. Such block faces may be considered as Type A frontages only if they meet the building frontage requirement in that character zone along that block face.
 - iv. Blocks may be square, elongated or irregular. Block shape and size should respond to topography, existing vegetation, hydrology, and design intentions.
 - v. Average blocks widths shall be between 400 feet and 600 feet. Blocks should vary in size based on the Sample Illustrative Plans and character zone standards.
 - vi. Blocks that are longer than 1,000 feet should be bisected by a walking path, paseo or other similar pedestrian cut-through.
 - vii. Blocks may be bounded by streets or drainage features.
 - viii. Appendix D shall establish the cross section standards for the different street types in the MUC-PD.
 - ix. The MCP shall establish the Type "A" and Type "B" development frontage designations per the character zone standards within the Development Standards Table 6-3 of this PD.
 - x. Porte-cochers may be used along Type "A" frontages but shall maintain the pedestrian streetscape along the edge of the street within minimal encroachments of driveways and with the utilization of street walls along the sidewalk/street frontage to help define the pedestrian and public realms.
6. Open Space Standards: The provision of adequate and appropriate open space areas shall be integral to all development in MUC-PD. The minimum requirement for open space in the district is 10% of the gross area of the site which shall be based on the locations identified in the Zoning Framework Plan (if any) and dedicated as open space in the Master Concept Plan. The design of open spaces within the development shall be integrated with the design of stormwater improvements. However, no more than 50% of any required open space shall be used solely for stormwater improvements such as retention ponds and creeks. The remaining 50% of the open space may be utilized for

stormwater improvements only if amenitized and designed to also be usable open space per the criteria below. In addition to the following standards for the design, location, and orientation of open space, site specific standards shall also apply based on the Character Zone context:

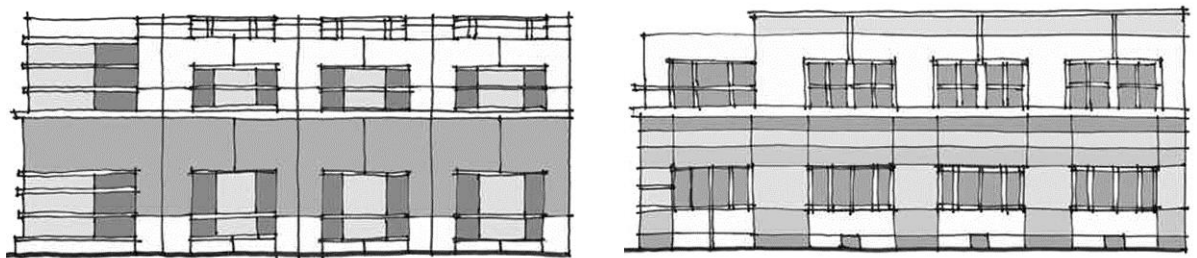
- i. The open space provided shall be appropriately distributed, designed and scaled in each of the character zones.
 - ii. The following criteria shall be used to evaluate the merits of proposed open spaces in the MUC-PD Master Concept Plan:
 - a. The extent to which environmental elements preserved are considered as “features” or “focal points” and integrated into and prominently featured as “front yards” in the development; adding value to the development;
 - b. The extent to which emphasis has been placed on preservation of existing wooded areas, view sheds, water bodies, topography, and stream corridors in a natural and contiguous state;
 - c. The extent to which pedestrian connectivity in the form of sidewalks, natural walking paths along stream and creek corridors has been accommodated; and
 - d. The extent to which a range of open spaces have been provided to be contiguous with existing open spaces and to invite passive recreational uses from plazas and squares to playgrounds, parks and environmental preserves, appropriately organized within the respective component zone.
 - iii. Open spaces may be in the form of plazas, pocket parks, children’s play areas, squares, linear greens, parks, and environmental preserves as outlined within Section 7.21 (Table 2.9.1) of the GDC. Active sports fields and structured recreational activities shall be limited to less than 10% of any required open space located in any character zone.
 - iv. Plazas and squares shall be permitted only in the Employment Mixed Use, Retail Mixed Use, and Mixed Use-Mixed Residential character zones. A plaza which is intended to serve as open space may be located at a street intersection or a focal point and shall generally be small in scale (under ¼ acre in size). A square which is intended to serve as open space may also be located at a street intersection or as a focal point of a development.
7. Special Designations: The following Special Designations are optional (unless required per Section VI.A.4 and Section VI.A.5), but if used, shall be designated on the MCP:
- i. Mandatory and/or Recommended Commercial Ready/Active Edge Requirement: Shall be designated frontages requiring active ground floor uses for a minimum depth of 30’ (no residential units, lodging rooms, parking (except as permitted in Section VI.A.4) , or service uses permitted) and with the ground floor façade being no less than 60% glazed (VT higher than 0.6). Such frontage designations are permitted in the following character zones: Employment Mixed Use, Retail Mixed Use, Mixed Use-Mixed Residential, and Transition.
 - ii. Designations for Mandatory and/or Recommended Gallery or Colonnade Frontage: requiring or advising that a building provide a permanent cover over

the sidewalk, either cantilevered or supported by columns. The Gallery or Colonnade Frontage designation may be combined with a Commercial Ready or Commercial Required Frontage designation.

8. Building Design Standards: Building design standards shall be established at the time of the MCP and shall be based on the following standards and criteria.
 - i. Building Orientation:
 - a. Primary Façade Orientation: For EMU and MU-MR Character Zones, primary building facades for all non-residential and mixed use buildings shall be oriented towards a Type “A” frontage designation or toward a focal point such as a landscaped street, plaza, similar formal open space or an environmental feature (which shall be considered as a Type “A” frontage as long as a sidewalk or trail is located along that frontage and links the buildings to the open space/environmental feature). For Mixed Residential at least 50% of the lots shall be oriented to a Type “A” frontage designation or toward a focal point such as a landscaped street, plaza, similar formal open space or an environmental feature (which shall be considered as a Type “A” frontage as long as a sidewalk or trail is located along that frontage and links the buildings to the open space/environmental feature). For MU-MR Category 3 lots, at least 50% of the lots shall be oriented to a Type “A” frontage designation or toward a focal point such as a landscaped street, plaza, similar formal open space or an environmental feature (which shall be considered as a Type “A” frontage as long as a sidewalk or trail is located along that frontage and links the buildings to the open space/environmental feature).
 - b. Building Frontage: Lots and blocks along Type “A” frontages shall establish a minimum standard for building frontage per the Development Standards Table for each character zone. Lots and blocks along Type “B” frontages need not specify a minimum building frontage requirement. (see illustration in the Definitions section on how building frontage is to be calculated).
 - c. Building Setbacks and Build-to Zones: Buildings shall be built at or close to the sidewalk along Type “A” frontages to better define the pedestrian realm. Any off-street surface parking along Type “A” frontages shall be minimized, be located in the middle of the block, and screened by a minimum 3’ high vegetative screen. The specific minimum and maximum building setbacks shall be established by the applicant at the time of MCP application per the criteria Development Standards Table for each character zone. .
 - ii. Building Façade Standards:
 - a. Primary facades along Type “A” frontages shall contain the main entrance of any principal building located along that street.
 - b. All principal buildings located on a Type “A” frontage shall also have doors, windows, and other architectural features facing that street/frontage. Non-residential or mixed use corner buildings shall have at least one customer entrance facing each street or a corner entrance instead of two entrances.

- c. The minimum ground floor height as measured from the finished sidewalk to the bottom of the second floor structural member for all Required and/or Recommended Commercial Ready frontages shall be 12 feet.
 - d. The ground floor elevation of all residential buildings along a designated Type “A” frontage (attached, detached, and stacked) located less than 10’ from the front property line or sidewalk shall be raised a minimum of 18” above the finished level of the public sidewalk/trail in front of the residential structures. This standard does not apply to frontages where Commercial Ready ground floors are required.
 - e. All development shall provide ground floor windows on the building façade facing and adjacent to a street (with the exception of alleys) or facing onto a park, plaza, or other civic space. The required area of windows and doors on each street façade along a Type “A” frontage, park, square, green, plaza, or other civic space as a percentage of that façade shall be established by the applicant at the time of MCP based on the character zone criteria. The required minimum area of windows and doors on all other street facades (Type “B” frontages with the exception of alleys) may be reduced by 20% of the corresponding requirement along a Type “A” frontage façade. Darkly tinted windows and mirrored windows that block two-way visibility shall not be permitted along ground floor facades along Type “A” frontages.
9. Architectural Design Standards: To ensure compatibility of building types and to relate new buildings to the building traditions of the region, architectural design shall be regulated, governed, and enforced through architectural design standards proposed by the applicant at the time of MCP. The applicant shall submit the proposed standards as a part of the MCP application for all development in the proposed MCP. The architectural design standards shall comply with Chapter 4, Article 6 of the GDC as the basis and may be varied as necessary. The Director of Planning shall review the proposed standards for compliance with this section and the GDC and shall be a part of the approval of the MCP. Architectural design standards for any proposed development in the MUC-PD shall:
- i. specify the materials and configurations permitted for walls, roofs, openings, street furniture, and other elements;
 - ii. be based on traditional/historical building precedents from the region;
 - iii. include the following:
 - a. architectural compatibility among structures within the different building types included in the different character zones;
 - b. human scale design;
 - c. pedestrian use of the entire PD;
 - d. relationship to the street, to surrounding buildings, and appropriate transitions to adjoining land uses (including existing neighborhoods); and
 - e. special architectural treatment of gateways/civic buildings.
 - iv. All building frontages along public and private streets (with the exception of alleys) shall break any flat, monolithic facades by including architectural elements such as bay windows, recessed entrances, or other articulations so as to provide pedestrian interest along the street level façade including discernible and

- architecturally appropriate features such as, but not limited to, porches, cornices, bases, fenestration, fluted masonry, bays, recesses, arcades, display windows, unique entry areas, plazas, courts, or other treatments to create visual interest, community character, and promote a sense of pedestrian scale.
- v. All buildings in the MUC-PD character zones shall be constructed with exterior building materials and finishes of a quality to convey an impression of permanence and durability. Materials such as masonry (stone, brick, 3-step stucco) and similar durable architectural materials are allowed as primary building materials and shall be approved with an MCP.
 - vi. Non-residential buildings and sites shall be organized to group the utilitarian functions away from the public view of any street (with the exception of alleys). Delivery and loading operations, HVAC equipment, trash compacting and collection, and other utility and service functions shall be incorporated into the overall design of the buildings and landscaping. The visual and acoustic impacts of all mechanical, electrical, and communications equipment (ground and roof-mounted) shall not be visible from adjacent properties and public streets, and screening materials and landscape screens shall be architecturally compatible with and similar to the building materials of the principal structures on the lot.
10. Design Standards for Data Centers: The following standards shall apply to any street facing facades of data centers in the MUC-PD. If data centers are located along Campbell Road or Lookout Drive, then the Special Frontage standards in Section VI.A.4.i.c shall supersede the standards below.
- i. Flat, blank walls shall not be allowed. If no windows and doors are provided along street facing façades, a minimum of one of the following treatments shall be required:
 - a. Color and textured panels to imitate the look of windows;
 - b. Horizontal or vertical articulations of the building façade; or
 - c. Changes in color, texture, or materials to provide horizontal and/or vertical rhythms



Desired street façade treatment for Data Centers

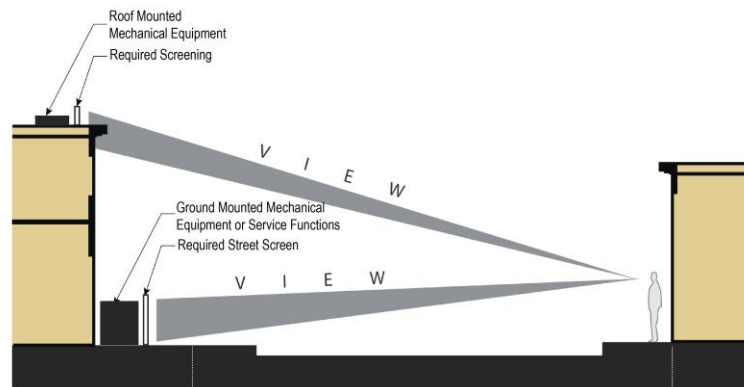
- ii. Any screening wall or security fence along a street shall meet the following standards:
 - a. Screening walls shall not be completely opaque.
 - b. They may be transparent or sem-opaque with architectural metal, wrought iron, galvanized steel or similar material or a combination of masonry columns and wrought iron with landscaping.

- c. Screening walls along sidewalks shall be set back a minimum of 3' to allow for landscaping.
- d. Screening wall height shall not exceed 10'
- e. To the extent possible, any frontage of such screening walls shall be minimized along Type "A" streets.



Images of desired screening/security fence design for data centers

- iii. In cases where a building may have to be setback more than the maximum setback allowed along a particular street for security or functional purposes, a screening wall or fence may be established within the build-to zone to provide for street wall definition. In such cases, the building shall be exempt from any maximum setback requirement in that character zone.
- iv. Any roof or ground mounted mechanical equipment shall be screened from view as shown in the illustration below. Design of such screening shall be architecturally integrated with the design of the building and use the same material as the primary façade material of the building.



Required screening of roof and ground mounted mechanical equipment

- v. In lieu of the above standards, the applicant may provide and request approval of alternative design standards for building facades and screening fences along street frontages. Such requests shall be reviewed by the Director of Planning and approved if the alternative standards submitted provide the same or greater level of design treatment as it relates to the street and adjoining neighborhood context and meets the intent of the standards in this section.
11. Location and Design of Parking and Service Areas: The number of off-street parking spaces provided shall be as set forth within Section 2.51 of the GDC unless the applicant provides alternative standards for the quantity of off-street parking proposed (both automobile and bicycle parking) for the MUC-PD character zones based on an analysis of the parking demand and a transportation management study for the mix of uses proposed and availability of on-street parking in the PD at the time of MCP application. The MCP shall establish the parking standards based on documented parking demand and transportation management study provided by the applicant. The standards set forth in the GDC shall be used if the applicant does not specifically provide alternative standards. Every effort should be made to incorporate shared parking as outlined within Chapter 4, Article 2 of the GDC. In addition, the location of surface parking on individual lots shall be regulated as follows:
- i. Except as described in Section VI.A.4, surface parking lots for non-residential uses shall be located at the side or rear of a building. Specifically, the frontage of off-street surface parking lots shall be minimized along Type "A" frontage designations. If located adjacent to a Type "B" frontage or a residential use, screening shall be provided in the form of a landscaped/vegetative or combination fence which is at least 3 feet in height.
 - ii. A surface parking lot may not be adjacent to a street intersection with a Type "A" frontage or civic space such as a plaza or square, or occupy a lot that terminates a street vista.
 - iii. Shared parking facilities are encouraged for uses in the Employment Mixed Use, Retail Mixed Use, Mixed Use-Mixed Residential, and Transition character zones.
 - iv. Bicycle parking shall be provided for non-residential uses, multi-family uses, and especially for schools, parks, trails, and other recreational facilities. Bicycle parking shall be provided at a rate of 2.5% of all off-street automobile parking spaces provided for all non single-family residential uses (attached and detached) unless an alternative standard is established in conjunction with a parking study for specific MCP. Bicycle parking may be shared between uses and should be centrally located, easily accessible, covered/protected from the elements, lit at night, and visible from streets or parking lots. They may be located between the roadway and the building facades as long as their location does not impede pedestrian walkways.
 - v. Any off-street parking provided for residential uses shall be located in such a manner as to minimize the impact of garages and driveways along the residential street. All residential lots that are 49 feet or less in width shall have off-street parking and/or garages accessed from alleys. All lots 50' or wider may have

front loaded garages, but in no case shall the width of the garage exceed 50% of the front façade width of the entire building. In addition, the garage shall be set back at least five (5) feet from the front façade of the home and at least twenty (20) feet from the front property line. J-swing garages may be permitted if they meet the standards above on lots 50' or wider. Shared driveways on adjoining lots are permitted on lots 50' or wider.

- vi. Front facing garage doors must employ at least four (4) architectural elements which may include balconies or other decorative overhangs above doors, columns flanking doors, decorative banding or moldings, multiple panel door designs or other architectural detailing with larger decorative brackets, windows/openings on garage doors, arches, decorative vent covers on gable just above garage, or sconce lighting flanking the garage doors.

12. Design of Automobile Related Site Elements (Drive Throughs, service bays, etc.)

- i. Drive-through lanes, drive up windows, service bays, and other auto-related site elements shall not be located along or be visible from any Type "A" Frontages.
- ii. Along Type "B" Frontages, no more than 60% of the lot's frontage along a Type "B" Frontage shall be dedicated to auto-related site elements such as driveways, surface parking lots, or drive through/service bays).
- iii. Drive-through lanes shall be hidden behind a screening device (min. 3' in height) along the Type "B" frontage. There shall be no limit to the number or frontage of drive-through lanes located along alleys or internal driveways.
- iv. All off-street loading, unloading, and trash pick-up areas shall be located along alleys only. Such uses may be located along Type "B" Frontages only if the lot has no access to an alley. Any off-street loading, unloading, or trash pick-up areas shall be screened in accordance with Section VI.A.10.
- v. Driveways shall be located along Type "B" Frontages unless the site has no access to a Type "B" Frontage or alley. Two lane driveway widths shall be a maximum of 24' unless providing service access in which case they shall be no wider than 30'. Three lane driveways shall have maximum width of 36 feet and may only be located off Type "B" frontages or alleys. Driveways shall maintain a continuous and level sidewalk across the curb cut. Driveway spacing shall be per the GDC or as approved by the Director of Transportation. Driveways along PG&T access road are under the purview of Texas Department of Transportation (TxDOT) and shall meet TxDOT standards.
- vi. Driveways and streets shall meet the city's sight distance standards in the GDC.

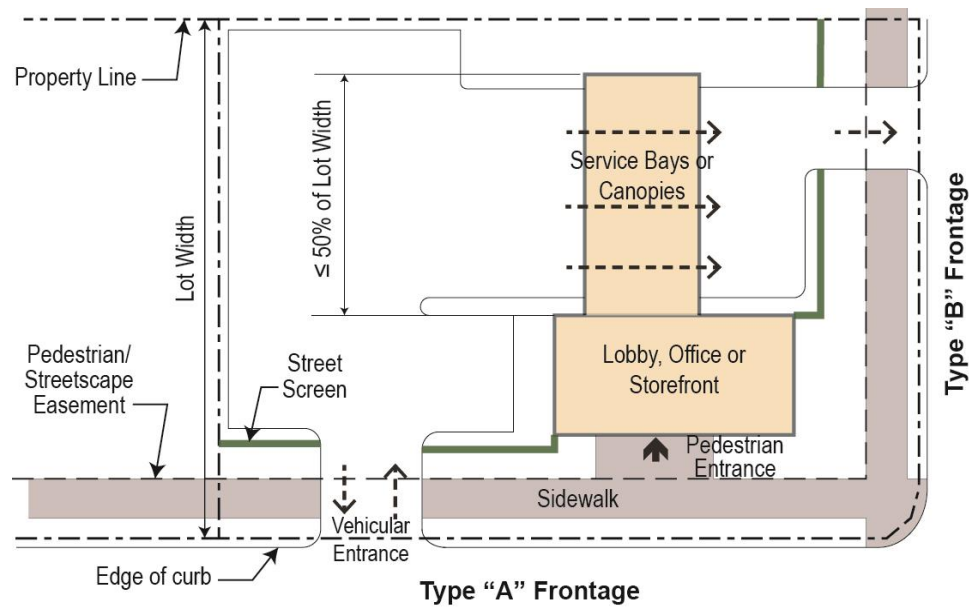


Image showing appropriate design of auto-related site elements

13. Design of Parking Structures

- i. All frontages of parking structures located on Type "A" frontages shall be lined by active edges or commercial ready frontages on the ground floor to a minimum depth of 30 feet.
- ii. Parking structure facades on all public streets (except alleys) shall be designed with both vertical (façade rhythm of 20' – 30') and horizontal (aligning with horizontal elements in the block) articulation.
- iii. All above-grade parking structures shall be designed with a distinguishable first floor, upper façades and roofs. Parking garage first floors shall be designed at human scale with pedestrian-scale elements such as awnings, canopies, window breaks and door openings. Above-grade parking garages may be designed using decorative metal elements such as ornate meshes, screens and the like, but shall not be allowed to have non-decorative steel guard cables that are visible to the public or to adjacent properties.
- iv. Where above ground structured parking is located at the perimeter of a building, it shall be screened in such a way that the majority of cars on all parking levels are not visible from adjacent buildings or a Type "A" street. Parking garage ramps shall, generally, be oriented so they are not visible from any Type "A" street. Ramps shall not be located along the perimeter of the parking structure with frontage along a Type "A" designation. Architectural screens shall be used to articulate the façade, screen parked vehicles, and shield car bumpers and headlights.



Images showing appropriate design of parking structures

14. Landscaping Standards

- i. The purpose of landscaping in the MUC-PD is to enhance pedestrian and open space areas, to help delineate active areas from passive areas, to provide a screening buffer between pedestrians and vehicular circulation, utility functions, and incompatible adjacent developments.
- ii. The applicant shall submit a landscape concept plan in conjunction with the MCP application. The landscape concept plan establishes the design direction and general schematics for all proposed landscaping including all major aspects of the public realm such as street trees, plant/tree palette, streetscape treatments, pavement treatments, front yards, and medians; proposals for required parking lot landscaping, screening, design concepts for all open spaces, and lighting concepts.
- iii. Proposed landscaping shall meet the following standards:
 - a. Be pedestrian oriented.
 - b. Designed in such a way to not create a security or physical hazard to pedestrians, bicyclists or motorists.
 - c. Enhance or complement the architectural design of the mixed-use development.
 - d. Provide visual interest year-round. Utilize water conservation methods and drought tolerant planting where possible.
 - e. Shall be provided between parking lots and all adjacent sidewalks.
 - f. Meet the standards for Installation and Maintenance in the GDC Section 4.32.
 - g. Propose a plant/tree palette that mostly includes indigenous species. (Plant list in Section 4.48 of the GDC shall be used for the vegetation palette)

B. Site Development Standards by Character Zone

Standards in the MUC-PD are intended to facilitate the development of unique and pedestrian-friendly environments within the different character zones. To this end, design and development standards are intended to be tailored to create such an environment. In order to provide flexibility in use with prescription of the building form, some development standards for each MCP in the PD shall be established via the Master Concept Plan consistent with the requirements in this PD.

The following standards shall apply to development in the MUC-PD. Most standards have a numerical range and few have a specific numerical value. Due to the inapplicability of one development standard across all character zones and to encourage a diversity of development proposals, the developer shall propose the standards indicated as “Flexible” or “Permitted/Flexible” on the following table (Table 6-3) for the proposed development at the time of Master Concept Plan application submittal. But the proposed standards shall be based on the Zoning Framework Plan and standards in this PD.

SH 190 FBC Zoning District					
TABLE 6-3: DEVELOPMENT STANDARDS TABLE					
Character Zone Development Standard	Employment Mixed Use	Retail Mixed use	Mixed Use – Mixed Residential	Transition	Mixed Residential
1.0 Building and Site Standards					
a. Principal Building Height*	No maximum	No maximum	10 stories or 65'by right	5 stories or 40' (maximum)	3 stories or 40' (maximum)
* Building height shall be measured in number of stories. Habitable attics and mezzanines shall be excluded from the height calculation as long as they do not exceed 50% of the floor area of a typical floor in the same building. Height Compatibility Zone Along Holford Road (applies to all character zones): All development within 200 feet of Holford Road (as measured from the western edge of Holford Road ROW) shall be limited to no more than 3 stories. (see Zoning Framework Plan for location)					
b. Setbacks and build-to zones**	Note about measuring setbacks: In cases where the ROW is established at or behind the curb line of streets, setbacks shall be measured from the edge of the pedestrian easement or parkway /streetscape zone or utility easement closest to the building face along that street.				
Front – Type “A” frontages^	Min. setback = Flexible; Max. setback = 25'	Min. setback = 5' - 15'; Max. setback = 25'	Min. setback = 5' - 20'; Max. setback = 30'	Min. setback = 5' - 20'; Max. setback = 30'	Min. setback = 5' - 20'; Max. setback = 40'
Front – SH 190	Min. setback = 20'; Max. setback = Flexible	Min. setback = 20'; Max. setback = Flexible			
Type “B” Frontage	Min. setback = 5'; Max. setback = Flexible	Min. setback = 5'; Max. setback = Flexible	Min. setback = 10'; Max. setback = Flexible	Min. setback = 10'; Max. setback = Flexible	Min. setback = 10'; Max. setback = Flexible
Side	Flexible	Flexible	Flexible	Flexible	Flexible
Rear	Flexible	Flexible	Flexible	Flexible	Flexible
**Minimum and/or maximum setback standards shall be proposed by the applicant for each character zone based on the above criteria and Development Standards established in this PD. **Specific standards for curvilinear streets may be proposed. ^ Maximum setbacks along Type “A” frontages that are along improved public space (park, plaza or other civic feature) between the street/sidewalk and building face may exceed the standards established in this table.					
c. Minimum Building Frontage [€]					
Type “A” Frontages	60%	60%	60%	60%	60%
All other Frontages	None required	None required	None required	None required	None required
€Corner building facades at street intersections shall be built to the build-to-zone for a minimum of 30' from the corner along both streets or the width of the corner lot, whichever is less. This standard shall apply to any street intersection with a Type “A” Development Frontage designation (even if the cross street has a Type “B” Frontage designation).					
d. Accessory buildings	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible
Standards for accessory uses and structures shall be provided by the applicant. The standards shall result in accessory buildings being subordinate in size and scale to the principal building. Standards in Division 4, Article 5, Chapter 2 of the GDC shall apply if the applicant does not specifically provide regulations for accessory uses and structures.					
e. Principal building orientation	Buildings shall be oriented to a Type “A” frontage or toward another focal point such as a park, plaza, square, other open space or environmental feature.				
f. Building façade & architectural design standards	The applicant shall propose appropriate building façade and architectural design standards for all the character zones in the development with the application for Master Concept Plan. They shall be based on the criteria established in this PD.				
2. Block and Lot Standards					

SH 190 FBC Zoning District					
TABLE 6-3: DEVELOPMENT STANDARDS TABLE					
Character Zone Development Standard	Employment Mixed Use	Retail Mixed use	Mixed Use – Mixed Residential	Transition	Mixed Residential
a. Block Type	Regular (square or rectangular) Irregular blocks may be permitted only if natural topography, existing roadways, and/or vegetation prevents a rectilinear grid			Regular or irregular (square, rectangular, or curvilinear based on topography, existing roadways and vegetation)	
b. Block Perimeter	Max. block perimeter = 2,500'	Max. block perimeter = 3,000'	Max. block perimeter = 3,000' (unless limited by unique site conditions such as topography and vegetation)	Max. block perimeter = 2,000' (unless limited by unique site conditions such as topography and vegetation)	Max. block perimeter = 2,000' (unless limited by unique site conditions such as topography and vegetation)
c. Type "A" Development Frontage (Frontages along civic/open spaces shall be considered Type "A" development frontage)#	Minimum of 25% of all new block frontages to be designated as Type "A" Development Frontage	Minimum of 25% of all new block frontages to be designated as Type "A" Development Frontage	Minimum of 50% of all new block frontages to be designated as Type "A" Development Frontage	Minimum of 25% of all new block frontages to be designated as Type "A" Development Frontage	Minimum of 50% of all new block frontages to be designated as Type "A" Development Frontage
d. Lot Area	Flexible	Flexible	Flexible	Flexible	Flexible
e. Lot Width and Depth	Flexible	Flexible	Flexible	Flexible	Flexible
f. Minimum Lot Mix. Required	No	No	Yes (To be established to get a mix of residential building types)	No	Yes (To be established to get a mix of residential building types)
g. Maximum Lot Coverage	Flexible	Flexible	Flexible	Flexible	Flexible
# Blocks w/ more than 40% frontage along PG&T and Campbell need not meet minimum Type "A" block designation standards so long as they provide the following (i) continuous pedestrian path/trails on the major non-PG&T block faces at least 8 feet in width and shaded by trees; (ii) improved pedestrian crossings at all intersections from adjoining blocks even if private service drives; and (iii) utilize at least 5% of the 10% open space requirement for improved pedestrian gathering spaces connected through a continuous walkable environment to any adjoining development within the MUC-PD.					
3. Street Design Standards (This standard applies to all new streets, public and private, located in the SH 190 FBC Zoning District)					
Street design standards in the SH190 EC-PD shall be based upon creating a safe and inviting walking environment through an interconnected network of roads with sidewalks, street trees, street furniture, and amenities. Cul-de-sacs are prohibited unless natural features such as topography or stream corridors prevent a street connection. The right-of-way widths for streets in the SH 190 FBC shall be based on the palette of street types established in Appendix D. They are based on the ITE's Designing Walkable Urban Thoroughfares manual and NACTO's Urban Street Guide. They may be adjusted based on the specific Master Concept Plan with the approval of the City Engineer. Bicycle facility widths may be modified based on the City's adopted Master Thoroughfare Plan standards.					
a. Design speed	≤30 mph	< 25 mph	< 25 mph	< 25 mph	< 25 mph
b. Street types allowed	i. Boulevards: 4-lane divided) ii. Avenues: 3-lane divided iii. Main streets iv. Residential streets: 2-lane undivided v. Commercial Alleys	i. Boulevards: 4-lane divided) ii. Avenues: 3-lane divided iii. Main streets iv. Residential streets: 2-lane undivided v. Commercial Alleys	i. Boulevards: 4-lane divided) ii. Avenues: 3-lane divided iii. Residential streets: 2-lane undivided iv. Commercial and Residential Alleys	i. Boulevards: 4-lane divided) ii. Avenues: 3-lane divided iii. Residential streets: 2-lane undivided iv. Residential Alleys	i. Boulevards: 4-lane divided) ii. Avenues: 3-lane divided iii. Residential streets: 2-lane undivided iv. Residential Alleys
c. Travel lane widths	Appendix D, ITE's Designing Walkable Urban Thoroughfares manual or NACTO's Urban Street Design Guide shall guide the development of street design standards and shall be established as part of the MCP with the approval of the City Engineer.				
d. Turning radii					
e. On-street Parking (along all internal streets except alleys) • Parallel	Permitted	Permitted	Permitted	Permitted	Permitted

SH 190 FBC Zoning District					
TABLE 6-3: DEVELOPMENT STANDARDS TABLE					
Character Zone Development Standard	Employment Mixed Use	Retail Mixed use	Mixed Use – Mixed Residential	Transition	Mixed Residential
• Angled (head-in or reverse angled).	Permitted	Permitted	Permitted	Permitted	Permitted
• Head in perpendicular	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted
f. Parking lane width					
• Parallel	8 feet	8 feet	8 feet	8 feet	8 feet
• Angled	18-20 feet	18-20 feet	18-20 feet	18-20 feet	18-20 feet
g. Alleys*	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible
4. Streetscape Standards					
a. Sidewalks/Trails/ Walkways	10 feet (min. along Type “A” Frontages) 6 feet (minimum along all other streets except alleys)	6 feet (minimum)	6 feet (minimum)	6 feet (minimum)	5 feet (minimum)
b. Planter/Planting Strip Type	Required - Tree wells or Planters	Required - Tree wells or Planters	Required - Tree wells or Planters	Required - Tree wells or Planters	Required - Planters
c. Planter/Planting Strip width	6 feet (min.) wide tree well or planting strip	6 feet (min.) wide tree well or planting strip	6 feet (min.) wide tree well or planting strip	6 feet (min.) wide tree well or planting strip	6 feet (min.) wide planting strip
d. Street trees	Required/Flexible	Required/Flexible	Required/Flexible	Required/Flexible	Required/Flexible
The applicant shall submit a proposed street tree planting plan, including a tree palette and spacing as a part of the Landscape Concept Plan, which shall be reviewed as part of the Master Concept Plan and must be approved at time of Master Concept Plan. The requirements for the landscape concept plan are outlined in Section VI.A.14 of this PD.					
5. Open/Civic Space Standards					
a. Open/Civic Space	Required/Flexible Squares and plazas are appropriate	Required/Flexible Squares and plazas are appropriate	Required/Flexible, Squares and greens are appropriate	Required/Flexible, Squares and greens are appropriate	Required/Flexible, Squares and greens are appropriate
*Overall open/civic space allocations in the MUC-PD shall be a minimum of 10% of the gross area of the entire site included in the Master Concept Plan and shall be distributed appropriately between the character zones. The location and design of appropriate open spaces shall be based on Section VI.A.6 of this PD.					
6. Parking & Screening Standards					
a. Off-street parking	The number of off-street parking spaces provided shall be as set forth within Section 2.51 of the GDC. The applicant may provide alternative standards for the quantity of off-street parking proposed (both automobile and bicycle parking) for the MUC-PD character zones based on an analysis of the parking demand and a transportation management study for the mix of uses proposed and availability of on-street parking in the PD at the time of MCP application. The PD shall regulate the location and design of all proposed off-street parking including any structured parking proposed per Section VI.A.12 and VI.A.13.				
Parking standards in the FBC Zoning District are intended to be flexible due to the mixed use nature, shared parking opportunities, and availability of on-street parking.					
b. Off-street loading	Section 4.22 of the GDC applies unless alternative standards are provided				N/A

* Alleys shall be required for all residential development with lots 50 feet or less in width.

SH 190 FBC Zoning District					
TABLE 6-3: DEVELOPMENT STANDARDS TABLE					
Character Zone Development Standard	Employment Mixed Use	Retail Mixed use	Mixed Use – Mixed Residential	Transition	Mixed Residential
c. Screening 1. Trash/recycling receptacles	Required/Flexible	Required for non-residential uses Flexible for residential uses (along alleys if alleys are provided)	Required for non-residential uses Flexible for residential uses (along alleys if alleys are provided)	Required for non-residential uses Flexible for residential uses (along alleys if alleys are provided)	Flexible for residential uses (along alleys if alleys are provided)
2. Other utility equipment	See Sec. VI.A.11				
3. Loading spaces	Screening required for non-residential uses. Section 4.41 and Section 4.42 of the GDC applies for non-residential uses only unless alternative standards are provided				
4. Surface parking areas	Required/Flexible (Standards in Section 4.35 and Section 4.44 of the GDC shall apply to any surface parking located along any public street with the exception of alleys unless the applicant proposes alternative screening standards at the time of Master Concept Plan.)				
7. Landscape and Streetscape					
a. Landscaping# 1. Landscape buffer between surface parking and sidewalks/trails and streets (except alleys)	Required/Flexible	Required only for non-residential uses	Required only for non-residential uses	Required only for non-residential uses	N/A
2. Parking lot minimum interior landscaping	Flexible	Flexible	Flexible	Flexible	N/A
#The applicant shall provide a landscape concept plan with the Master Concept Plan application that identifies landscape themes and general design approach addressing street tree planting, streetscape treatments, any required screening, parking lot landscaping, and landscaping proposed in all the identified open space areas. Information provided at the Master Concept Plan phase may be schematic meeting the design intent of the proposed development. Detailed landscaping plans shall be required at the site plan stage for all non-residential development. The requirements for the landscape concept plan are outlined in Section VI.A.14 of this Code.					
b. Lighting 1. Street Lighting 2. Building entrances 3. Parking areas, trails, and streets	Required/Flexible (As a part of the Master Concept Plan application, the applicant shall propose lighting standards that includes street light standards and other amenities as a part of the streetscape treatment plan. The landscape concept plan may be combined with a concept plan for lighting.)				
8. Signs					
Flexible (Flexible signage in the SH 190 MUC-PD may be proposed by the applicant and approved by the Plan Commission as part of the Master Concept Plan application or as a separate Master Sign Plan. Signage in the SH 190 MUC-PD shall integrate the streetscape and architectural design of the district through a palette of signs that enhance the pedestrian environment and create a unique identity. If no standards are proposed by the applicant, standards in Chapter 4, Article 5 of the GDC shall apply.)					
9. Stormwater Drainage: Detention of storm water runoff is only required for drainage areas abutting the Spring Creek Forest Preserve Ecological Boundary an approximately 450 to 550-foot wide strip of property north of the SH 190 service road between Campbell and Holford Roads and / or when the development generates a runoff greater than the downstream storm sewer system is designed for.					

VII. Definitions

Many terms used in this Section are defined in GDC. Definitions are only included here if not defined in Chapter 6 of the GDC, or if the definition for this PD differs from Chapter 6 of the GDC. In case of a conflict between the definitions under this Section and the GDC, the definitions in this section shall supersede.

Block Perimeter

Is the sum total of all block face dimensions circumscribed by public or private streets and pedestrian facilities with public access easements per the requirements in this PD.

Build-to Zone (BTZ)

Is the area between the minimum and maximum front setbacks from the edge of the pedestrian easement closest to the building facade. The principal building façade line shall be located within this area.

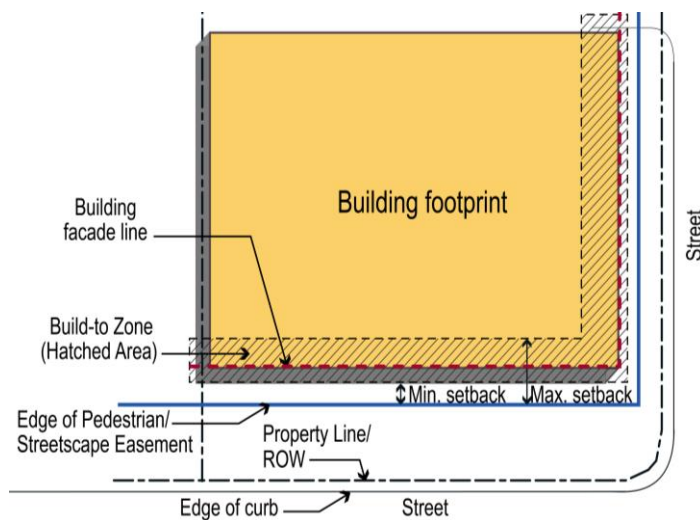
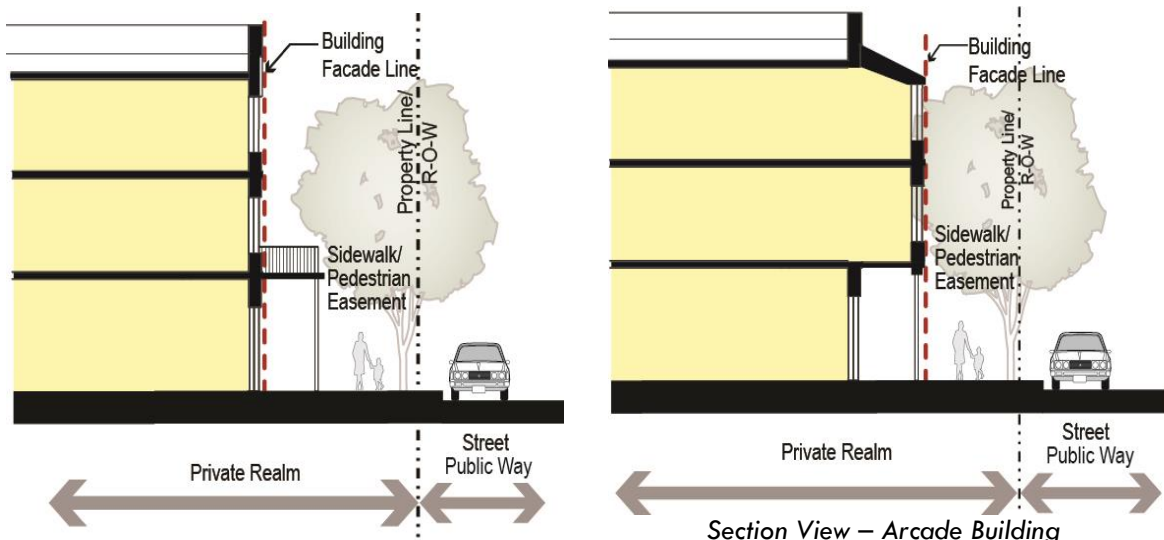
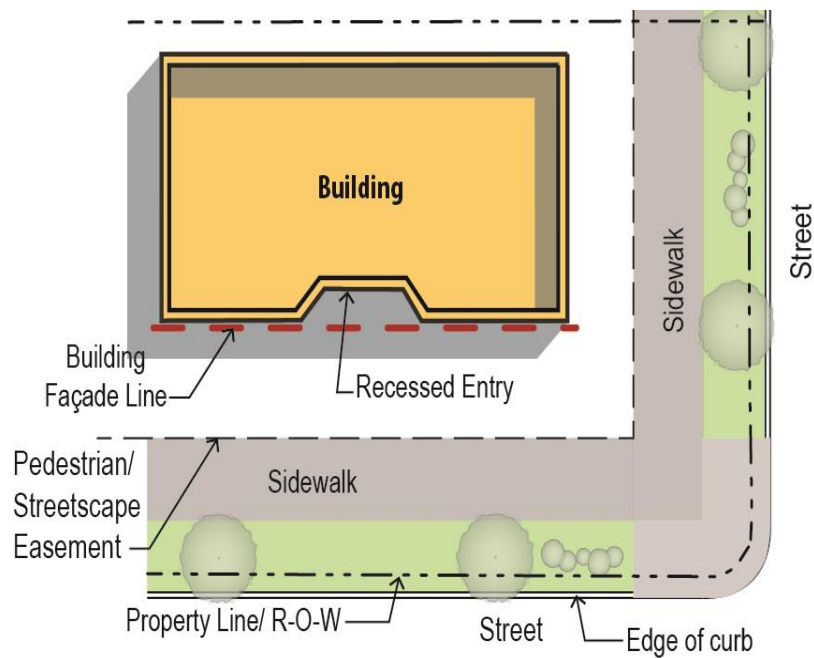


Illustration indicating the location of the build-to zone relative to the minimum and maximum setbacks and the building façade line

Building Façade Line

Is the location of the vertical plane of a building along a street frontage.



Section View – Gallery Building

*Plan View
Building Façade Line Illustrations*

Building Frontage

Is the percentage of a building's façade line that is required to be located within the Build-to Zone (BTZ) as a proportion of the lot's width along the fronting public street. Required driveways, stairs to access entrances, parks, plazas, squares, improved forecourts, and pedestrian breezeway frontages shall count towards the required building frontage.

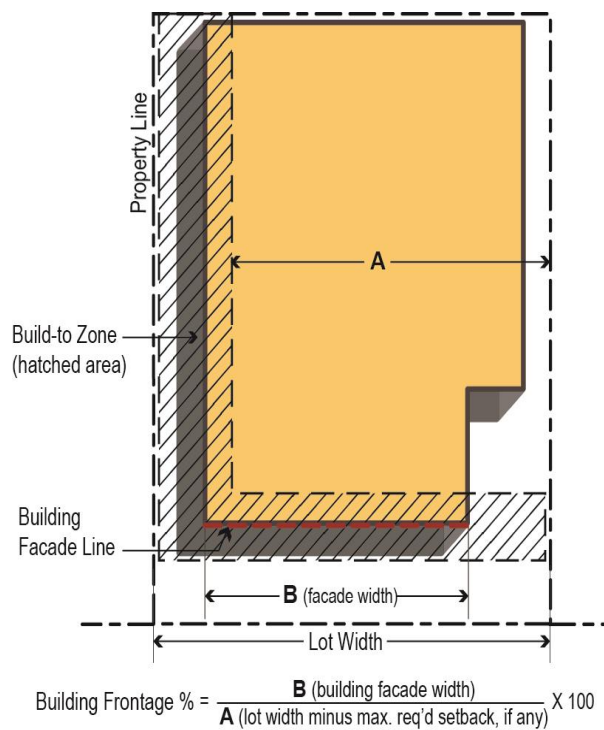


Image showing Building Frontage calculation

Building Step-back

Building step-back is the setting back of the building façade line away from the street at a specific floor or height.

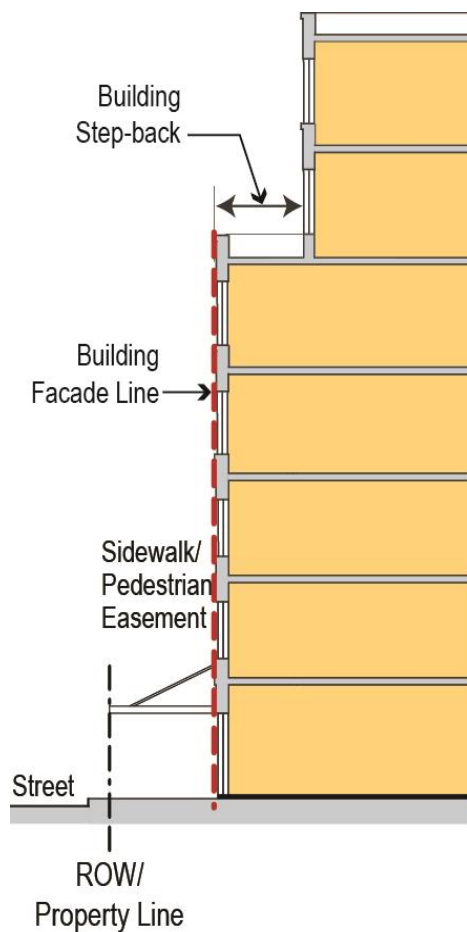


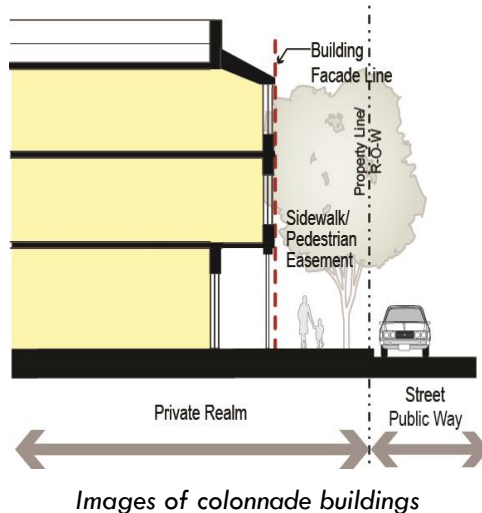
Illustration of a Building Step-back

Colonnade

Is a portion of the main façade of the building that is at or near the property line and a colonnade supports the upper floors of the building. Colonnades are intended for buildings with ground floor commercial or retail uses. The ground floor area within the colonnade may be conditioned or non-conditioned space.



Images of colonnade buildings



Character Zone

Means an area within any SH 190 MUC-PD District that is intended to preserve and/or create an urban form that is distinct from other areas. Arrangement and allocation of the Character Zones are in the Zoning Framework Plan.

Commercial Use or Mixed Use Building

Means a building in which at least the ground floor of the building is built to Commercial Ready standards and any of the floors are occupied by non-residential or residential uses.

Commercial Ready or Commercial Required

Means a ground floor space constructed with appropriate building orientation, entrance and window treatment and floor-to-floor height in order to accommodate ground floor retail/commercial uses (including but not limited to commercial, retail, restaurant, entertainment, and lobbies for civic, hotel, or multi-family uses). Standards for Commercial Ready or Active Edge frontages are to be established based on the requirements of this PD. Prior to the issuance of a certificate of occupancy for a retail/commercial use in a Commercial Ready space, the space must comply with all building and construction Sections for commercial uses. The intent of Commercial Ready or Commercial Required space is to provide the flexibility of occupying a space in accordance with market demand and allowing the use in such space to change to retail/commercial uses accordingly.

Comprehensive Plan:

Is Envision Garland, the City of Garland's comprehensive framework for informed decision making and establishes the blueprint for the long-term growth and development of the City.

Data Center:

Is a facility used to house computer systems and associated components, such as telecommunications and storage systems. It generally includes redundant or backup power supplies, redundant data communications connections, environmental controls (e.g., air conditioning, fire suppression) and various security devices.

Director of Planning

Shall be the City of Garland Director of Planning or his/her designee.

Dwelling, Single-Family Attached (Townhouse)

One of a group of no less than three nor more than six attached dwelling units, separated from each other by fire-rated walls in compliance with the City's building codes or separated from each other by no more than 5 feet. Each dwelling unit occupies its own separately platted lot and may be two or more stories in height. Does not include Dwelling, Multi-Family or Dwelling, Single-Family Detached.

Encroachment

Means any structural or non-structural element such as a sign, awning, canopy, terrace, or balcony that breaks the plane of a vertical or horizontal regulatory limit, extending into a setback, into the public right-of-way, or above a height limit.

Façade Area

Means the surface area of a building's elevation (including all floors) not counting minor indentations fronting a particular street. Ground floor façade area is the surface area of a building's ground floor elevation not counting minor indentations fronting a particular street. Upper floor façade area is the surface area of a building's upper floor elevations not counting minor indentations fronting a particular street.

Frontage Designation

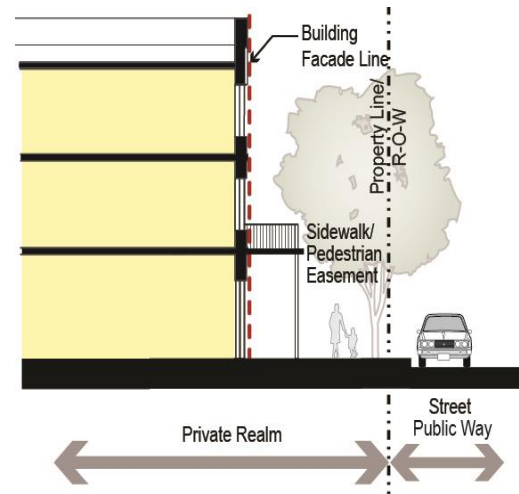
As identified on the approved Master Concept Plan, future streets in the SH 190 MUC-PD Districts are designated as Type "A" or Type "B". Each frontage designation establishes a certain development context in order to improve walkability and pedestrian orientation within the district.

Gallery

Is a roofed promenade or canopy, especially one extending along the wall of a building and supported by arches or columns on the outer side. The gallery space is unenclosed (non-conditioned) space and may be 2 or more stories tall.



Images of Galleries



ITE's Designing Walkable Urban Thoroughfares Manual

Daisa, James M., *Designing walkable urban thoroughfares: a context sensitive approach*. Washington, DC: Institute of Transportation Engineers. (most recent edition)

Live-Work Unit

Means a dwelling unit that is also used for work purposes, provided that the 'work' component is restricted to the uses of professional office, artist's workshop, studio, or other similar uses and is

located on the street level and constructed as separate units under a condominium regime or as a single unit. The 'live' component may be located on the street level (behind the work component) or any other level of the building. Live-work unit is distinguished from a home occupation otherwise defined by the TDS in that the work use is not required to be incidental to the dwelling unit, non-resident employees may be present on the premises and customers may be served on site.

Master Concept Plan (MCP):

A Master Concept Plan is a detailed plan for development that establishes the standards and specifications for all the critical elements of the built environment based on a specific development vision per all the requirements of this Section.

Minor Amendments

Means a requested amendment to an approved plan (site plan or MCP) per Table 4-1 __. The Director of Planning shall have the authority to approve or approve with conditions or deny a minor amendment to an approved plan.

Multi-Unit home

Means a Residential building containing between 2 and 6 units either as leasable units or individually owned. Architecturally, multi-unit homes are designed to appear similar to single-family homes with only one or two primary entrances per street frontage. Additional entrances are permitted along other non-street facing facades.

NACTO's Urban Street Design Guide

Urban Street Design Guide. New York City: National Association of City Transportation Officials. (most recent edition)

Open Space

Is publicly accessible open space in the form of parks, courtyards, forecourts, plazas, greens, playgrounds, squares, etc. provided to meet the standards in of this PD. Open space may be privately or publicly owned and/or maintained.

Primary Entrance

Means the public entrance located along the front of a building facing a street or sidewalk and provides access from the public sidewalk to the building. It is different from a secondary entrance which may be located at the side or rear of a building providing private controlled access into the building from a sidewalk, parking or service area.

Residential Use Building

Means a building that is built to accommodate only residential uses on all floors of the building such as a detached single family home, attached single family home (i.e. townhome), two family home (i.e. duplex), multiple family (3 or more), apartment building (under single ownership or under multiple owners within a condominium regime).

Sample Illustrative Plan

is to provide guidance on how to translate the Zoning Framework Plan into a Master Concept Plan that establishes the details required to develop under this PD including, but not limited to, the allocation of component zones, layout of streets and open spaces, and mix and intensity of uses. These Sample Illustrative Plans will then be the basis to create final Master Concept Plan by property owners/developers at the time of new development.

Service-related site functions

Means all uses that support the principal use on the site including parking access, garbage/trash collection, utility meters and equipment, loading/unloading areas, and similar uses.

Street Screen

Is a freestanding wall or living fence or combination fence built along the frontage line or in line with the building façade along the street. It may mask a parking lot or a loading/service area from view or provide privacy to a side yard and/or strengthen the spatial definition of the public realm.



Image of a combination masonry and living street screen

Street Wall

Indicates the creation of a “wall” or a sense of enclosure along the street with buildings placed immediately adjacent to the street/sidewalk. A street wall has a “void” if there is a surface parking lot or service area adjacent to the sidewalk/street.

Type 1 – 2 Applications:

Are the different types of applications with specific review and approval processes tailored to the scope of proposed development within the SH 190 MUC-PD. The application and development review flow charts in Appendix C summarizes the different application types and their respective processes.

Type “A” Frontage

Means the block frontages identified as such on the adopted MCP. Type “A” frontages are the primary pedestrian frontages and buildings along Type “A” frontages shall be held to the highest standard of pedestrian-oriented design. If Type “A” frontages are facing Type “B” frontages along the same street, the Type “B” frontages shall utilize enhanced streetscaping and/or landscaping to complement the streetscaping or landscaping utilized by the facing Type “A” Frontage including the screening of surface parking lots along the Type “B” Frontage in order to minimize the interruption to the quality of pedestrian experience along such frontage.

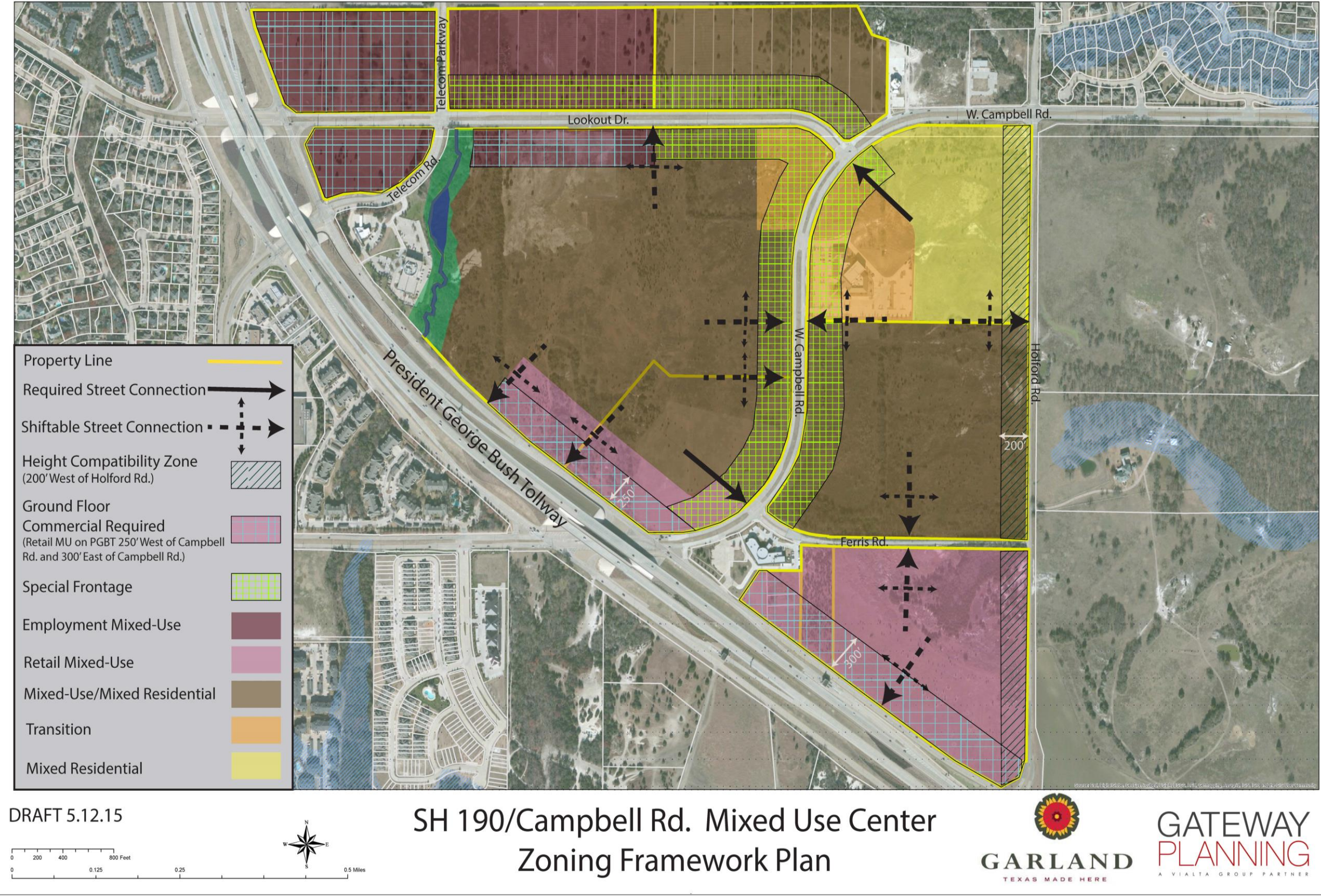
Type “B” Frontage

Means the block frontages identified as such on the adopted MCP. Type “B” frontages are intended to primarily accommodate access to parking, service, utility, and other auto-related functions. See above requirement when Type “B” Frontages are located facing Type “A” Frontages along the same street

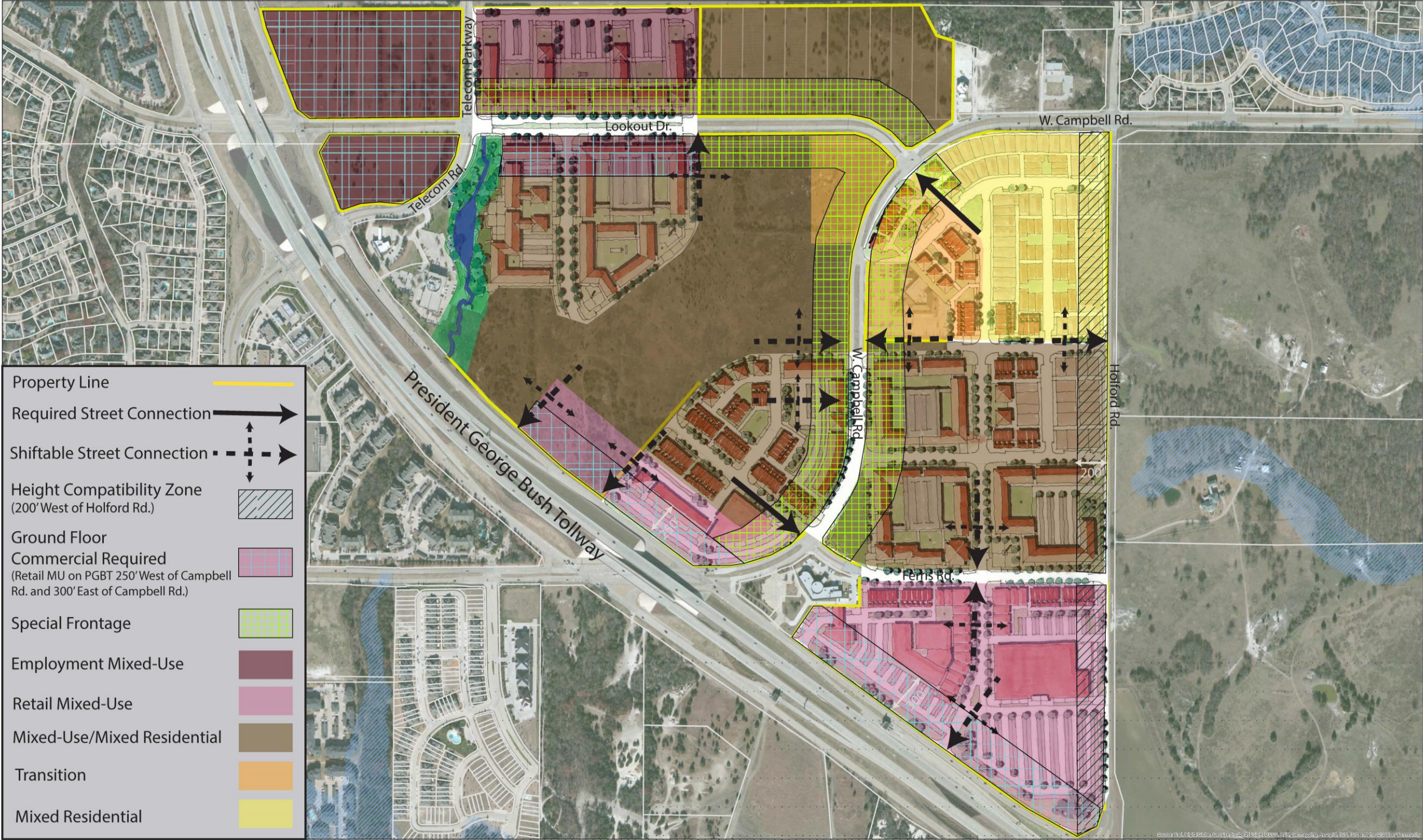
Zoning Framework Plan

Shall be the Zoning Map for the SH 190 MUC-PD which shall establish the boundaries of the different character zones, major roadway network, and open space locations.

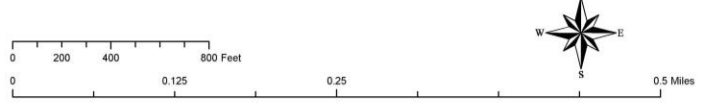
Appendix A
Zoning Framework Plan



Appendix B
Sample Illustrative Plans



DRAFT 5.14.15

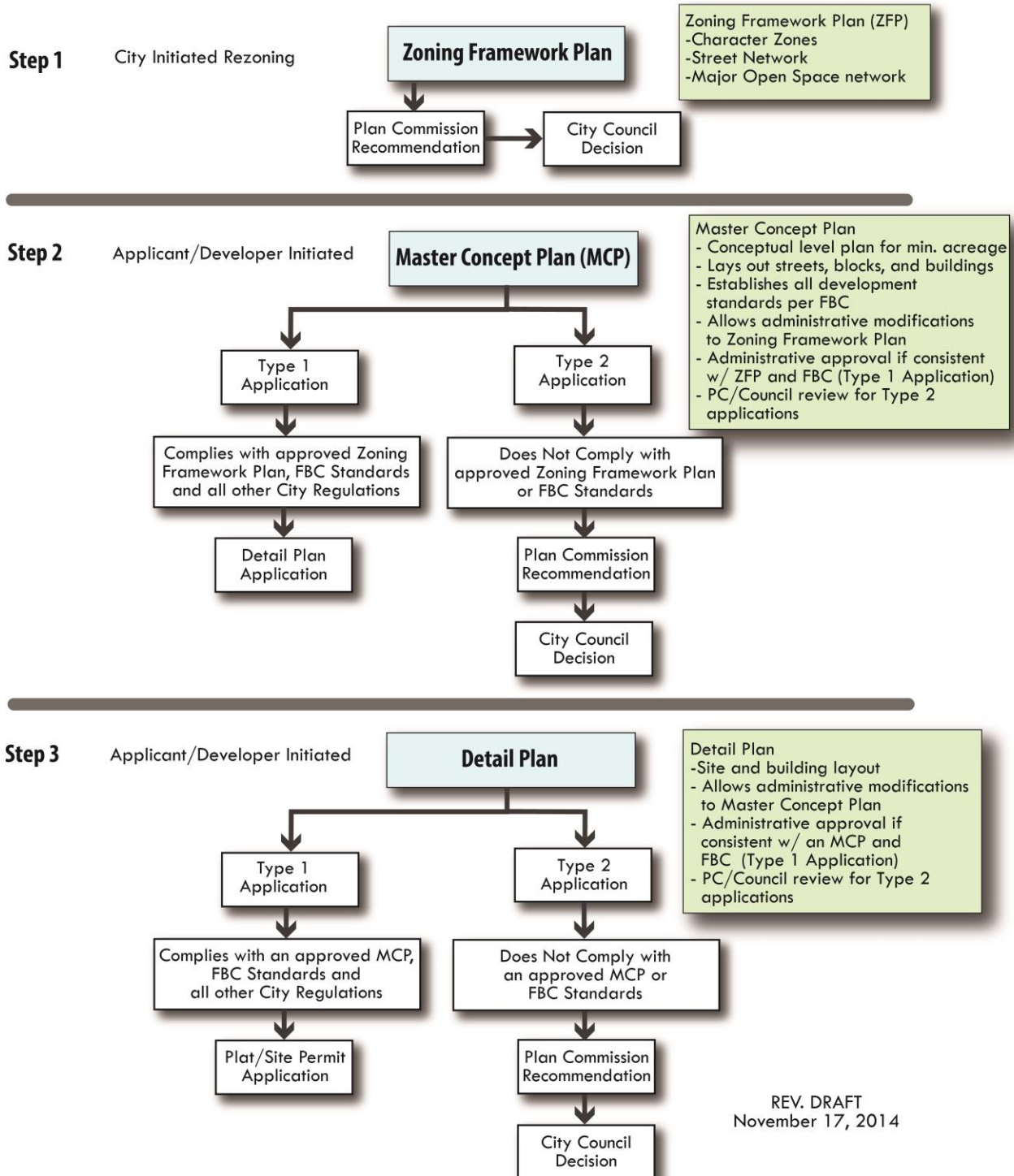


SH 190/Campbell Rd. Mixed Use Center Zoning Framework Plan



Appendix C
Flow Chart

SH 190 FBC Structure and Review Process



Appendix D

Street Design Standards and Typical Cross Sections

190 Campbell Road - Mixed Use Center

Street Type	Residential Alley (20' ROW)	Commercial Alley (20'-35' ROW)		Residential Street (50'-60' ROW)		Commercial Street (35'-70' ROW)					Avenue (50'-80' ROW)					Boulevard (70'-110' ROW)					Parkway (100'- 110' ROW)			
Number of Lanes	1	1	2	2	2	2	2	2	2	2	2-3	2-3	2-3	2-3	2-3	4	4	4	4	4	4-6	4-6	4-6	4-6
Lane Width (ft.)	10	12	12	13	18	13	13	13	13	13	12	12	12	12	12	12	12	12	12	12	11	11	11	11
Two Way (ft.)	-	-	24	26	36	26	26	26	26	26	36	36	36	36	36	48	48	48	48	48	66	66	66	66
Median (Y/N)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y
Width (Ft.)																14	14	14	14	14	14	14	14	14
On Street Parking?	N	N	N	N	N	N	N	Y	Y	Y	N	N	Y	Y	Y	N	N	Y	Y	N	N	N	N	N
Parallel (8'x22') (ft.)								16						16				16						
Angled (19') (ft.)									36					36					36					
Head-In (18') (ft.)										36					36									
Parkway (from face of curb to ROW) each side	5	4	5.5	12	12	4.5	4	4	4	4	7	4	4	4	4	4	6	6	6	9	10	10	10	10
On Street Bike Lanes #	N	N	N	N	N	N	Y	N	N	N	N	Y	N	N	N	N	Y	N	N	N	N	N	N	N
Width (Ft.) (Total ROW Req'd)							16					16					16							
ROW (ft.) (minimum)	20	20	35	50	60	35	50	50	70	70	50	60	60	80	80	70	90	90	110	80	100	100	100	100
Design Speed	<20mph (10mph)	<20mph (10mph)	<20mph (10mph)	20 mph	20 mph	25 mph	25 mph	25 mph	25 mph	25 mph	30-35 mph	30-35 mph	30-35 mph	30-35 mph	30-35 mph	35-40 mph	35-40 mph	35-40 mph	35-40 mph	35-40 mph	40-45 mph	40-45 mph	40-45 mph	40-45 mph
Right Turn Lane? *	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y
Width (Ft.)																10	10	10	10	10	10	10	10	10
ROW (ft.) with right turn lane *																80	100	100	120	90	110	110	110	110
Landscape/Furnishing Zone (ft.)	3-5	5	5																					
Sidewalk (ft.) (minimum)	-	-	-	4	4	8-12	8-12	8-12	8-12	8-12	6	6	6	6	6	6	6	6	6	6	6	6	6	6

*Fire Lane Exception
Bicycle facility widths may be modified based on the City’s adopted Master Thoroughfare Plan standards and adopted design standards.



City Council Item Summary Sheet

☐ Work Session

Date: June 16, 2015

☒ Agenda Item

Consider Authorizing City Manager to Execute Consent to Assignment of Waterpark Lease

Summary of Request/Problem

Council was briefed at the June 1, 2015 Work Session on a request to authorize the City Manager to execute a Consent to Assignment of Lease for Hawaiian Falls waterpark.

Recommendation/Action Requested and Justification

Approve by minute action authorizing the City Manager to execute the Consent to Assignment of Lease for Hawaiian Falls.

Submitted By:

Warren Bird
Recreation Director

Approved By:

Bryan L. Bradford
City Manager

CONSENT TO ASSIGNMENT OF LEASE

THIS CONSENT TO ASSIGNMENT OF LEASE, dated _____, 2015 (this “Consent”) by the CITY OF GARLAND, TEXAS, a Texas home-rule municipality (“City”), in favor of CNL INCOME GARLAND, LP, a Delaware limited partnership (“CNL”).

RECITALS

WHEREAS, City and CNL are parties to that certain Water Park Groundlease and Operating Agreement, dated December 1, 2002, as amended (the “Lease”), with respect to the Premises (as defined in the Lease);

WHEREAS, CNL is [indirectly] owned by Horizon Family Holdings, LLC (“Member”), and Member intends to sell one hundred percent (100%) of its equity interests to Source Horizon, LLC, a Georgia limited liability company (the “Transaction”); and

WHEREAS, CNL hereby seeks City’s consent to the Transaction.

NOW, THEREFORE, City hereby certifies and agrees:

1. City consents to the Transaction.
2. Nothing in this Consent shall be deemed or construed to be a release of CNL from its performance under the Lease.
3. This Consent shall be binding upon and shall inure to the benefit of the successors and assigns of City and CNL.
4. This Consent is not assignable and shall not be construed as a consent by City to any other assignment, encumbrance, or sublease of any of the Premises covered by the Lease, without the prior written consent of City pursuant to the terms and conditions of the Lease.
5. This Consent shall be governed by and construed and enforced in accordance with the laws of the State of Texas without reference to principles of conflicts of laws.

(Signature page follows)

IN WITNESS WHEREOF, the undersigned has executed this Consent as of date first written above.

CITY OF GARLAND, TEXAS,
a Texas home-rule municipality

By: _____
Name: _____
Title: _____

ACKNOWLEDGEMENT

THE STATE OF _____ §

COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, who certified to me that he/she is the _____ of the City of Garland, Texas, a Texas home-rule municipality, and acknowledged to me that he/she executed the same, in the capacity stated, and as the act and deed of said municipality.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____, 2015.

Notary Public in and for the State of _____

Name (Printed or Typed)
My Commission Expires: _____



City Council Item Summary Sheet

☐ Work Session

Date: June 16, 2015

☒ Agenda Item

Atmos Settlement Agreement

Summary of Request/Problem

At the June 1, 2015 Work Session, Council considered approval of the Settlement Agreement with Atmos Energy Mid-Tex Division ("Atmos Mid-Tex") and the resulting rate change under the RRM tariff.

Recommendation/Action Requested and Justification

Council is requested to consider approving an ordinance approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's 2014 and 2015 rate review mechanism filings.

Submitted By:

David Schuler
Chief Financial Officer

Approved By:

Bryan L. Bradford
City Manager

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2014 AND 2015 RATE REVIEW MECHANISM FILINGS; APPROVING A SETTLEMENT AGREEMENT WITH ATTACHED RATE TARIFFS AND PROOF OF REVENUES; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

WHEREAS, the City of Garland, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates and charges of Atmos; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of and response to natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a new Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by

the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the initial RRM Tariff was in effect for four (4) years; and

WHEREAS, ACSC Cities and Atmos Mid-Tex entered into another settlement agreement and revised the RRM Tariff; and

WHEREAS, ACSC Cities and Atmos Mid-Tex compromised and reached agreements on the amount of the rate increases to be in effect for the RRM Tariff filings for 2012 and 2013; and

WHEREAS, ACSC Cities and Atmos Mid-Tex were unable to reach an agreement on the 2014 RRM Tariff filing, resulting in the ACSC Cities' rejection of the 2014 RRM filing; and

WHEREAS, Atmos Mid-Tex appealed the ACSC Cities' actions rejecting its 2014 RRM filing to the Railroad Commission of Texas ("Commission"), pursuant to the provisions of the RRM Tariff; and

WHEREAS, Atmos Mid-Tex and ACSC litigated the appeal of the 2014 RRM filing at the Commission; and

WHEREAS, on February 27, 2015, Atmos Mid-Tex filed its 2015 RRM Tariff filing, requesting to increase natural gas base rates system-wide by \$28.762 million; and

WHEREAS, ACSC coordinated its review of Atmos Mid-Tex RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, Atmos Mid-Tex has agreed to withdraw its appeal of ACSC's rejection of its 2014 RRM Tariff rate increase; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve the attached Settlement Agreement (Attachment A to this

Ordinance) as well as the tariffs attached thereto, resolving both the 2014 and the 2015 RRM Tariff filings, which together will increase the Company's revenues by \$65.7 million over the amount allowed under City-approved rates set in 2013; and

WHEREAS, the attached tariffs implementing new rates are consistent with the negotiated Settlement Agreement and are just, reasonable, and in the public interest; and

WHEREAS, the RRM Tariff should be renewed for a period of time commencing in 2016 and continuing until the RRM Tariff is suspended by ordinance of the City; and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications;

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

Section 1. That the findings set forth in this Ordinance are hereby in all things approved.

Section 2. That the City Council finds that the Settlement Agreement (Attachment A to this Ordinance) represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2014 and 2015 RRM filings, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section 3. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment C, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$65.7 million in revenue over the amount allowed under currently approved rates, or \$21 million over currently-billed rates, as shown in the Proof of Revenues attached hereto and incorporated herein as Attachment B; such tariffs are hereby adopted.

Section 4. That the ratemaking treatment for pensions and other post-employment benefits in Atmos' next RRM filing shall be as set forth on Attachment D, attached hereto and incorporated herein.

Section 5. That in an effort to streamline the regulatory review process, the Atmos Mid-Tex RRM Tariff is renewed for a period commencing with the Company's March 1, 2016 RRM filing for calendar year 2015, effective June 1, 2016, and continuing thereafter until such time as the City adopts an ordinance suspending operation of the RRM Tariff.

Section 6. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's RRM application.

Section 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

Section 8. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

Section 10. That consistent with the City Ordinance that established the RRM process, this Ordinance shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after June 1, 2015.

Section 11. That a copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy

Corporation, 5420 LJB Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this _____ day of _____, 2015.

Mayor

ATTEST:

City Secretary

**SETTLEMENT AGREEMENT BETWEEN ATMOS ENERGY CORP., MID-TEX
DIVISION AND ATMOS CITIES STEERING COMMITTEE**

WHEREAS, this agreement (“Settlement Agreement”) is entered into by Atmos Energy Corp’s Mid-Tex Division and Atmos Cities Steering Committee (“ACSC”) whose members include the Cities of Abilene, Addison, Allen, Alvarado, Angus, Anna, Argyle, Arlington, Aubrey, Bedford, Bellmead, Benbrook, Beverly Hills, Blossom, Blue Ridge, Bowie, Boyd, Bridgeport, Brownwood, Buffalo, Burkburnett, Burleson, Caddo Mills, Canton, Carrollton, Cedar Hill, Celeste, Celina, Centerville, Cisco, Clarksville, Cleburne, Clyde, College Station, Colleyville, Colorado City, Comanche, Commerce, Coolidge, Coppell, Copperas Cove, Corinth, Corral City, Crandall, Crowley, Dalworthington Gardens, Denison, DeSoto, Duncanville, Eastland, Edgecliff Village, Emory, Ennis, Euless, Everman, Fairview, Farmers Branch, Farmersville, Fate, Flower Mound, Forest Hill, Fort Worth, Frisco, Frost, Gainesville, Garland, Garrett, Grand Prairie, Grapevine, Gunter, Haltom City, Harker Heights, Haskell, Haslet, Hewitt, Highland Park, Highland Village, Honey Grove, Hurst, Hutto, Iowa Park, Irving, Justin, Kaufman, Keene, Keller, Kemp, Kennedale, Kerens, Kerrville, Killeen, Krum, Lake Worth, Lakeside, Lancaster, Lewisville, Lincoln Park, Little Elm, Lorena, Madisonville, Malakoff, Mansfield, McKinney, Melissa, Mesquite, Midlothian, Murphy, Newark, Nocona, North Richland Hills, Northlake, Oakleaf, Ovilla, Palestine, Pantego, Paris, Parker, Pecan Hill, Petrolia, Plano, Ponder, Pottsboro, Prosper, Quitman, Red Oak, Reno (Parker County), Richardson, Richland, Richland Hills, Roanoke, Robinson, Rockwall, Roscoe, Rowlett, Royse City, Sachse, Saginaw, Sansom Park, Seagoville, Sherman, Snyder, Southlake, Springtown, Stamford, Stephenville, Sulphur Springs, Sweetwater, Temple, Terrell, The Colony, Trophy Club, Tyler, University Park, Venus, Vernon, Waco, Watauga, Waxahachie, Westlake, White Settlement, Whitesboro, Wichita Falls, Woodway, and Wylie.

WHEREAS, on February 28, 2014, Atmos filed with the ACSC Cities an application, hereinafter referred to as the 2014 RRM filing, to adjust rates pursuant to Rider RRM - Rate Review Mechanism, which were subsequently consolidated into GUD No. 10359 at the Railroad Commission of Texas; and

WHEREAS, on February 27, 2015, Atmos filed with the ACSC Cities an application, hereinafter referred to as the 2015 RRM filing, to adjust rates pursuant to Rider RRM - Rate Review Mechanism; and

WHEREAS, the Settlement Agreement resolves all issues between Atmos and ACSC (“the Signatories”) regarding the 2014 RRM filing, which is currently pending before the Commission, and the 2015 RRM filing, which is currently pending before the ACSC Cities, in a manner that the Signatories believe is consistent with the public interest, and the Signatories represent diverse interests; and

WHEREAS, the Signatories believe that the resolution of the issues raised in the 2014 RRM filing and the 2015 RRM filing can best be accomplished by each ACSC City approving this Settlement Agreement and the rates, terms and conditions reflected in the tariffs attached to this Settlement Agreement as Exhibit A;

NOW, THEREFORE, in consideration of the mutual agreements and covenants established herein, the Signatories, through their undersigned representatives, agree to the

following Settlement Terms as a means of fully resolving all issues between Atmos and the ACSC Cities involving the 2014 RRM filing and 2015 RRM filing:

Settlement Terms

1. Upon the execution of this Settlement Agreement, the ACSC Cities will approve an ordinance or resolution to approve the Settlement Agreement and implement the rates, terms and conditions reflected in the tariffs attached to the Settlement Agreement as Exhibit A. (Attachment A to the Ordinance ratifying the Agreement). Said tariffs should allow Atmos to recover annually an additional \$65.7 million in revenue over the amount allowed under currently approved rates by implementation of rates shown in the proof of revenues attached as Exhibit B. (Attachment B to the Ordinance ratifying this Agreement). The uniform implementation of gas rates, terms and conditions established by the Settlement Agreement shall be effective for bills rendered on or after June 1, 2015. Consistent with the City's authority under Section 103.001 of the Texas Utilities Code, the Settlement Agreement represents a comprehensive settlement of gas utility rate issues affecting the rates, operations and services offered by Atmos within the municipal limits of the ACSC Cities arising from Atmos' 2014 RRM filing and 2015 RRM filing. No refunds of charges billed to customers by Atmos under the RRM in past periods shall be owed or owing.
2. In an effort to streamline the regulatory review process, Atmos and the ACSC Cities have agreed to renew the Rate Review Mechanism ("Rider RRM") for a period commencing with the Company's March 1, 2016 filing under this mechanism for the calendar year 2015, effective June 1, 2016, and continuing thereafter until such time as either the ACSC Cities issue an ordinance stating a desire to discontinue the operation of the tariff or Atmos files a Statement of Intent. Atmos and the ACSC Cities further agree that the RRM tariff shall remain in effect until such time as new, final rates are established for Atmos. Upon approval of this Settlement Agreement by the ACSC Cities, Atmos shall file an updated RRM Tariff with each city reflecting the provisions of this agreement.
3. Atmos and the ACSC Cities agree that rate base as of December 31, 2014 in the amount of \$1,955,948,256 is just and reasonable and shall be recovered in rates.
4. Atmos and the ACSC Cities agree that a pension and other postemployment benefits balance as of December 31, 2014 in the amount of \$18,284,949 is just and reasonable and shall be used as the beginning balance for purposes of determining pension and other postemployment benefits to be recovered in the next RRM filing (Attachment D to the Ordinance ratifying the Agreement).
5. With regard to the treatment of Atmos' Rule 8.209 regulatory asset under the RRM, Atmos and the ACSC Cities agree to the following with respect to any pending and future RRM filings:
 - a. the capital investment in the Rule 8.209 regulatory asset in the 2014 RRM filing and 2015 RRM filing is reasonable and consistent with the requirements of Rule 8.209;

- b. the classification of projects included in the Rule 8.209 regulatory asset in the 2014 RRM filing and 2015 RRM filing is reasonable and consistent with the requirements of Rule 8.209 and shall serve as a basis for classification of projects in future RRM filings;
 - c. the treatment of blanket replacement projects, system upgrades, relocations, and transmission line replacements in the Rule 8.209 regulatory asset in the 2014 RRM filing and 2015 RRM filing is reasonable and consistent with the requirements of Rule 8.209 and shall be included in future RRM filings.
 - d. the incurred expenses included in the Rule 8.209 regulatory asset in the 2014 RRM and the 2015 RRM are reasonable and consistent with the requirements of Rule 8.209 and shall be included in future RRM filings;
 - e. interest on the Rule 8.209 regulatory asset account shall be calculated using the pre-tax cost of capital most recently approved by the Commission. The use of the pre-tax cost of capital is consistent with Rule 8.209. A return on Rule 8.209 capital investment is only earned once the investment is included in rate base. No change in the Company's calculation of the interest component in its Rule 8.209 regulatory asset accounts is warranted through the period ended May 31, 2015. Beginning June 1, 2015, interest expense shall be calculated monthly using simple interest (*i.e.* 11.49% divided by 12, or approximately 0.96% per month) applied to the total value of the Rule 8.209 asset investment (exclusive of interest) until such time the Rule 8.209 regulatory asset is approved for inclusion in the Company's rate base.
 - f. While Atmos and the ACSC Cities agree to apply the treatments and methodologies set forth in this paragraph, subsections (a) – (e) in all future RRM filings, the regulatory authority retains its right to disallow any capital investment that is not shown to be prudently incurred, and any expense not shown to be reasonable and necessary, in future RRM filings.
 - g. Atmos and the ACSC Cities acknowledge that their agreement regarding the treatment and methodologies applicable to Rule 8.209 capital investments under the RRM tariff shall not prejudice the right of either party to argue for different treatments or methodologies in a future statement of intent proceeding.
6. Revenues approved pursuant to Paragraph 1 of the Settlement Agreement include reimbursement of rate case expenses owed to the ACSC Cities in connection with the 2014 RRM filing.
7. The Signatories agree that each ACSC city shall approve this Settlement Agreement and adopt an ordinance or resolution to implement for the ACSC Cities the rates, terms, and conditions reflected in the tariffs attached to the Settlement Agreement as Exhibit A. Atmos and ACSC further agree that at such time as all of the ACSC Cities have passed an ordinance or resolution consistent with the Settlement and Atmos has received such ordinance or resolution, Atmos shall withdraw its appeal of the currently pending RRM filing before the Railroad Commission of Texas in connection with the 2014 RRM filing.

8. Atmos and the ACSC Cities further agree that the express terms of the Rider RRM are supplemental to the filing, notice, regulatory review, or appellate procedural process of the ratemaking provisions of Chapter 104 of the Texas Utilities Code. If the statute requires a mandatory action on behalf of the municipal regulatory authority or Atmos, the parties will follow the provisions of such statute. If the statute allows discretion on behalf of the municipal regulatory authority, the ACSC Cities agree that they shall exercise such discretion in such a way as to implement the provisions of the RRM tariff. If Atmos appeals an action or inaction of an ACSC City regarding an RRM filing to the Railroad Commission, the ACSC Cities agree that they will not oppose the implementation of interim rates or advocate the imposition of a bond by Atmos consistent with the RRM tariff. Atmos agrees that it will make no filings on behalf of its Mid-Tex Division under the provisions of Section 104.301 of the Texas Utilities code while the Rider RRM is in place. In the event that a regulatory authority fails to act or enters an adverse decision regarding the proposed annual RRM adjustment, the Railroad Commission of Texas shall have exclusive appellate jurisdiction, pursuant to the provisions of the Texas Utilities Code, to review the action or inaction of the regulatory authority exercising exclusive original jurisdiction over the RRM request. In addition, the Signatories agree that this Settlement Agreement shall not be construed as a waiver of the ACSC Cities' right to initiate a show cause proceeding or the Company's right to file a Statement of Intent under the provisions of the Texas Utilities Code.
9. The Signatories agree that the terms of the Settlement Agreement are interdependent and indivisible, and that if any ACSC city enters an order that is inconsistent with this Settlement Agreement, then any Signatory may withdraw without being deemed to have waived any procedural right or to have taken any substantive position on any fact or issue by virtue of that Signatory's entry into the Settlement Agreement or its subsequent withdrawal. If any ACSC city rejects this Settlement Agreement, then this Settlement Agreement shall be void *ab initio* and counsel for the ACSC Cities shall thereafter only take such actions as are in accordance with the Texas Disciplinary Rules of Professional Conduct.
10. The Signatories agree that all negotiations, discussions and conferences related to the Settlement Agreement are privileged, inadmissible, and not relevant to prove any issues associated with Atmos' 2014 RRM filing and 2015 RRM filing.
11. The Signatories agree that neither this Settlement Agreement nor any oral or written statements made during the course of settlement negotiations may be used for any purpose other than as necessary to support the entry by the ACSC Cities of an ordinance or resolution implementing this Settlement Agreement.
12. The Signatories agree that this Settlement Agreement is binding on each Signatory only for the purpose of settling the issues set forth herein and for no other purposes, and, except to the extent the Settlement Agreement governs a Signatory's rights and obligations for future periods, this Settlement Agreement shall not be binding or precedential upon a Signatory outside this proceeding.

Attachment A

13. The Signatories agree that this Settlement Agreement may be executed in multiple counterparts and may be filed with facsimile signatures.

Agreed to this 7 day of May, 2015.

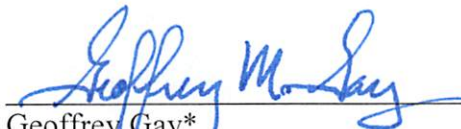
ATMOS ENERGY CORP., MID-TEX DIVISION

By: John A. Paris
John A. Paris
President, Mid-Tex Division

Agreed to this 7th day of May 2015.

ATTORNEY FOR ATMOS CITIES STEERING COMMITTEE, WHOSE MEMBERS INCLUDE THE CITIES OF ABILENE, ADDISON, ALLEN, ALVARADO, ANGUS, ANNA, ARGYLE, ARLINGTON, AUBREY, BEDFORD, BELLMEAD, BENBROOK, BEVERLY HILLS, BLOSSOM, BLUE RIDGE, BOWIE, BOYD, BRIDGEPORT, BROWNWOOD, BUFFALO, BURKBURNETT, BURLESON, CADDO MILLS, CANTON, CARROLLTON, CEDAR HILL, CELESTE, CELINA, CENTERVILLE, CISCO, CLARKSVILLE, CLEBURNE, CLYDE, COLLEGE STATION, COLLEYVILLE, COLORADO CITY, COMANCHE, COMMERCE, COOLIDGE, COPPELL, COPPERAS COVE, CORINTH, CORRAL CITY, CRANDALL, CROWLEY, DALWORTHINGTON GARDENS, DENISON, DESOTO, DUNCANVILLE, EASTLAND, EDGECLIFF VILLAGE, EMORY, ENNIS, EULESS, EVERMAN, FAIRVIEW, FARMERS BRANCH, FARMERSVILLE, FATE, FLOWER MOUND, FOREST HILL, FORT WORTH, FRISCO, FROST, GAINESVILLE, GARLAND, GARRETT, GRAND PRAIRIE, GRAPEVINE, GUNTER, HALTOM CITY, HARKER HEIGHTS, HASKELL, HASLET, HEWITT, HIGHLAND PARK, HIGHLAND VILLAGE, HONEY GROVE, HURST, HUTTO, IOWA PARK, IRVING, JUSTIN, KAUFMAN, KEENE, KELLER, KEMP, KENNEDALE, KERENS, KERRVILLE, KILLEEN, KRUM, LAKE WORTH, LAKESIDE, LANCASTER, LEWISVILLE, LINCOLN PARK, LITTLE ELM, LORENA, MADISONVILLE, MALAKOFF, MANSFIELD, MCKINNEY, MELISSA, MESQUITE, MIDLOTHIAN, MURPHY, NEWARK, NOCONA, NORTH RICHLAND HILLS, NORTHLAKE, OAKLEAF, OVILLA, PALESTINE, PANTEGO, PARIS, PARKER, PECAN HILL, PETROLIA, PLANO, PONDER, POTTSBORO, PROSPER, QUITMAN, RED OAK, RENO (PARKER COUNTY), RICHARDSON, RICHLAND, RICHLAND HILLS, ROANOKE, ROBINSON, ROCKWALL, ROSCOE, ROWLETT, ROYSE CITY, SACHSE, SAGINAW, SANSOM PARK, SEAGOVILLE, SHERMAN, SNYDER, SOUTHLAKE, SPRINGTOWN, STAMFORD, STEPHENVILLE, SULPHUR SPRINGS, SWEETWATER, TEMPLE, TERRELL, THE COLONY, TROPHY CLUB, TYLER, UNIVERSITY PARK, VENUS, VERNON, WACO, WATAUGA, WAXAHACHIE, WESTLAKE, WHITE SETTLEMENT, WHITESBORO, WICHITA FALLS, WOODWAY, AND WYLIE.

By:


Geoffrey Gay*

* Subject to approval by ACSC City Councils

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RRC Tariff No:

RATE SCHEDULE:	C – COMMERCIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 40.00 per month
Rider CEE Surcharge	\$ 0.00 per month ¹
Total Customer Charge	\$ 40.00 per month
Commodity Charge – All Ccf	\$ 0.08020 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹ Reference Rider CEE - Conservation And Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2014.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RRC Tariff No:

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 700.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.2937 per MMBtu
Next 3,500 MMBtu	\$ 0.2151 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0461 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION****RRC Tariff No:**

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**
RRC Tariff No:

RATE SCHEDULE:	R – RESIDENTIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 18.60 per month
Rider CEE Surcharge	\$ 0.02 per month ¹
Total Customer Charge	\$ 18.62 per month
Commodity Charge – All <u>Ccf</u>	\$0.09931 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹Reference Rider CEE - Conservation And Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2014.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RRC Tariff No:

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 700.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.2937 per MMBtu
Next 3,500 MMBtu	\$ 0.2151 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0461 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RRC Tariff No:

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2015	PAGE:

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf
- R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.
- HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class
- NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- ADD = billing cycle actual heating degree days.
- BL_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the j th customer in i th rate schedule is computed as:

$$WNA_j = WNAF_i \times q_{ij}$$

Where q_{ij} is the relevant sales quantity for the j th customer in i th rate schedule.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2015	PAGE:

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use Ccf	Heat use Ccf/HDD	Base use Ccf	Heat use Ccf/HDD
Abilene	10.22	0.1404	98.80	0.6372
Austin	11.59	0.1443	213.62	0.7922
Dallas	14.12	0.2000	208.11	0.9085
Waco	9.74	0.1387	130.27	0.6351
Wichita Falls	11.79	0.1476	122.35	0.5772

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and a Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

ATMOS ENERGY CORP., MID-TEX DIVISION
 PROOF OF REVENUES AND PROPOSED TARIFF STRUCTURE
 TEST YEAR ENDING DECEMBER 31, 2014

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Change In Rates:		\$21,066,527	Schedule A			
2	Proposed Change In Rates without Revenue Related Taxes:		\$19,757,254	Ln 1 divided by factor on WP_F-5.1			
3							
4							
5							
6		Revenue					
7		Requirements	Allocations				
7	Residential	\$ 338,431,486	77.95%	Per GUD 10170 Final Order			
8	Commercial	\$ 84,223,622	19.40%	Per GUD 10170 Final Order			
9	Industrial and Transportation	\$ 11,490,316	2.65%	Per GUD 10170 Final Order			
10	Net Revenue Requirements GUD No. 10170	<u>\$ 434,145,424</u>					
11							
12							
17							
18	Rate Class	Current	Proposed Change	Proposed Rates	Proposed Change In Revenues	Proposed Revenues	Proposed Rates with Rate Case Expenses
19							
20	Residential Base Charge	\$ 18.20	\$ 0.36	\$ 18.56	\$ 6,351,350	\$ 327,447,398	\$ 18.60
21	Residential Consumption Charge	\$ 0.08819	\$ 0.01112	\$ 0.09931	\$ 9,049,383	\$ 80,817,829	\$ 0.09931
22	Commercial Base Charge	\$ 38.50	\$ 1.37	\$ 39.87	\$ 2,000,584	\$ 58,221,364	\$ 40.00
23	Commercial Consumption Charge	\$ 0.07681	\$ 0.00339	\$ 0.08020	\$ 1,834,968	\$ 43,411,339	\$ 0.08020
24	I&T Base Charge	\$ 675.00	\$ 22.35	\$ 697.35	\$ 220,192	\$ 6,870,292	\$ 700.00
25	I&T Consumption Charge Tier 1 MMBTU	\$ 0.2807	\$ 0.0130	\$ 0.2937	\$ 142,055	\$ 3,209,350	\$ 0.2937
26	I&T Consumption Charge Tier 2 MMBTU	\$ 0.2056	\$ 0.0095	\$ 0.2151	\$ 117,051	\$ 2,650,282	\$ 0.2151
27	I&T Consumption Charge Tier 3 MMBTU	\$ 0.0441	\$ 0.0020	\$ 0.0461	\$ 42,703	\$ 984,314	\$ 0.0461
28					\$ 19,758,287	\$ 523,612,169	
29							

Data Sources:
 GUD10170_FINAL.xlsm

ATMOS ENERGY CORP., MID-TEX DIVISION
 PROOF OF REVENUES AND PROPOSED TARIFF STRUCTURE
 TEST YEAR ENDING DECEMBER 31, 2014

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Change In Rates:		\$21,066,527	Schedule A			
2	Proposed Change In Rates without Revenue Related Taxes:		\$19,757,254	Ln 1 divided by factor on WP_F-5.1			
3							
4							
5							
6		Revenue					
7		Requirements	Allocations				
7	Residential	\$ 338,431,486	77.95%	Per GUD 10170 Final Order			
8	Commercial	\$ 84,223,622	19.40%	Per GUD 10170 Final Order			
9	Industrial and Transportation	\$ 11,490,316	2.65%	Per GUD 10170 Final Order			
10	Net Revenue Requirements GUD No. 10170	\$ 434,145,424					
11							
12							
17							
18	Rate Class	Current	Proposed Change	Proposed Rates	Proposed Change In Revenues	Proposed Revenues	Proposed Rates with Rate Case Expenses
19							
20	Residential Base Charge	\$ 18.20	\$ 0.36	\$ 18.56	\$ 6,351,350	\$ 327,447,398	\$ 18.60
21	Residential Consumption Charge	\$ 0.08819	\$ 0.01112	\$ 0.09931	\$ 9,049,383	\$ 80,817,829	\$ 0.09931
22	Commercial Base Charge	\$ 38.50	\$ 1.37	\$ 39.87	\$ 2,000,584	\$ 58,221,364	\$ 40.00
23	Commercial Consumption Charge	\$ 0.07681	\$ 0.00339	\$ 0.08020	\$ 1,834,968	\$ 43,411,339	\$ 0.08020
24	I&T Base Charge	\$ 675.00	\$ 22.35	\$ 697.35	\$ 220,192	\$ 6,870,292	\$ 700.00
25	I&T Consumption Charge Tier 1 MMBTU	\$ 0.2807	\$ 0.0130	\$ 0.2937	\$ 142,055	\$ 3,209,350	\$ 0.2937
26	I&T Consumption Charge Tier 2 MMBTU	\$ 0.2056	\$ 0.0095	\$ 0.2151	\$ 117,051	\$ 2,650,282	\$ 0.2151
27	I&T Consumption Charge Tier 3 MMBTU	\$ 0.0441	\$ 0.0020	\$ 0.0461	\$ 42,703	\$ 984,314	\$ 0.0461
28					\$ 19,758,287	\$ 523,612,169	
29							

Data Sources:
 GUD10170_FINAL.xlsm

RATE SCHEDULE:	C – COMMERCIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 40.00 per month
Rider CEE Surcharge	\$ 0.00 per month ¹
Total Customer Charge	\$ 40.00 per month
Commodity Charge – All Ccf	\$ 0.08020 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹ Reference Rider CEE - Conservation And Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2014.

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 700.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.2937 per MMBtu
Next 3,500 MMBtu	\$ 0.2151 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0461 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

Attachment C
RRC Tariff No:

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

RATE SCHEDULE:	R – RESIDENTIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 18.60 per month
Rider CEE Surcharge	\$ 0.02 per month ¹
Total Customer Charge	\$ 18.62 per month
Commodity Charge – All <u>Ccf</u>	\$0.09931 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹Reference Rider CEE - Conservation And Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2014.

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 700.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.2937 per MMBtu
Next 3,500 MMBtu	\$ 0.2151 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0461 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2015	PAGE:

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf
- R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.
- HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class
- NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- ADD = billing cycle actual heating degree days.
- BL_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the j th customer in i th rate schedule is computed as:

$$WNA_j = WNAF_i \times q_{ij}$$

Where q_{ij} is the relevant sales quantity for the j th customer in i th rate schedule.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2015	PAGE:

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	10.22	0.1404	98.80	0.6372
Austin	11.59	0.1443	213.62	0.7922
Dallas	14.12	0.2000	208.11	0.9085
Waco	9.74	0.1387	130.27	0.6351
Wichita Falls	11.79	0.1476	122.35	0.5772

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and a Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

**ATMOS ENERGY CORP., MID-TEX DIVISION
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL
TEST YEAR ENDING DECEMBER 31, 2014**

Line No.	Description	Shared Services		Mid-Tex Direct			Adjustment Total
		Pension Account Plan ("PAP")	Post-Retirement Medical Plan ("FAS 106")	Pension Account Plan ("PAP")	Supplemental Executive Benefit Plan ("SERP")	Post-Retirement Medical Plan ("FAS 106")	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Fiscal Year 2014 Towers Watson Report (excluding Removed Cost Centers)	\$ 6,388,826	\$ 4,542,023	\$ 9,481,670	\$ 165,758	\$ 8,736,645	
2	Allocation to Mid-Tex	46.26%	46.26%	71.70%	100.00%	71.70%	
3	FY14 Towers Watson Benefit Costs (excluding Removed Cost Centers) Allocated to MTX (Ln 1 x Ln 2)	\$ 2,955,304	\$ 2,101,021	\$ 6,798,531	\$ 165,758	\$ 6,264,334	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	FY14 Towers Watson Benefit Costs To Approve (excluding Removed Cost Centers) (Ln 3 x Ln 4)	\$ 2,955,304	\$ 2,101,021	\$ 6,798,531	\$ 165,758	\$ 6,264,334	\$ 18,284,949
6							
7							
8	Summary of Costs to Approve:						
9							
10	Total Pension Account Plan ("PAP")	\$ 2,955,304		\$ 6,798,531			\$ 9,753,835
11	Total Post-Retirement Medical Plan ("FAS 106")		\$ 2,101,021			\$ 6,264,334	8,365,356
12	Total Supplemental Executive Retirement Plan ("SERP")				\$ 165,758		165,758
13	Total (Ln 10 + Ln 11 + Ln 12)	\$ 2,955,304	\$ 2,101,021	\$ 6,798,531	\$ 165,758	\$ 6,264,334	\$ 18,284,949
14							
15							
16	O&M Expense Factor	95.82%	95.82%	43.03%	21.00%	43.03%	
17							
18	Expense Portion (Ln 13 x Ln 16)	\$ 2,831,859	\$ 2,013,260	\$ 2,925,600	\$ 34,809	\$ 2,695,721	\$ 10,501,250
19							
20	Capital Factor	4.18%	4.18%	56.97%	79.00%	56.97%	
21							
22	Capital Portion (Ln 13 x Ln 20)	\$ 123,445	\$ 87,761	\$ 3,872,930	\$ 130,949	\$ 3,568,614	\$ 7,783,699
23							
24	Total (Ln 18 + Ln 22)	\$ 2,955,304	\$ 2,101,021	\$ 6,798,531	\$ 165,758	\$ 6,264,334	\$ 18,284,949



City Council Item Summary Sheet

☐ Work Session

Date: June 16, 2015

☒ Agenda Item

Thoroughfare Plan and Bike Plan Adoption

Summary of Request/Problem

The Thoroughfare Plan has been revised during the past year to update it for the new 2035 demographics and ensure it reflects current development plans. This revision was presented at the May 18, 2015 Work Session.

Recommendation/Action Requested and Justification

Approve by resolution the Thoroughfare Plan and Bike Plan as presented at the May 18, 2015 Work Session.

Submitted By:

Paul Luedtke
Transportation Director

Approved By:

Bryan L. Bradford
City Manager

RESOLUTION NO.

**A RESOLUTION APPROVING A REVISED AND UPDATED THOROUGHFARE PLAN;
APPROVING A BIKE PLAN; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the Thoroughfare Plan was last revised in 1998 and, since that time, changes in circumstances (including forecast modeling techniques) have occurred which necessitate revising and updating the Thoroughfare Plan; and

WHEREAS, the Parks and Recreation Board has considered and approved a proposed Bike Plan for use throughout the City;

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

Section 1

That the City Council hereby approves the revised and updated thoroughfare plan attached hereto as Exhibit A.

Section 2

That the City Council hereby approves the Bike Plan attached hereto as Exhibit B.

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 June, 2015.

CITY OF GARLAND, TEXAS

Mayor

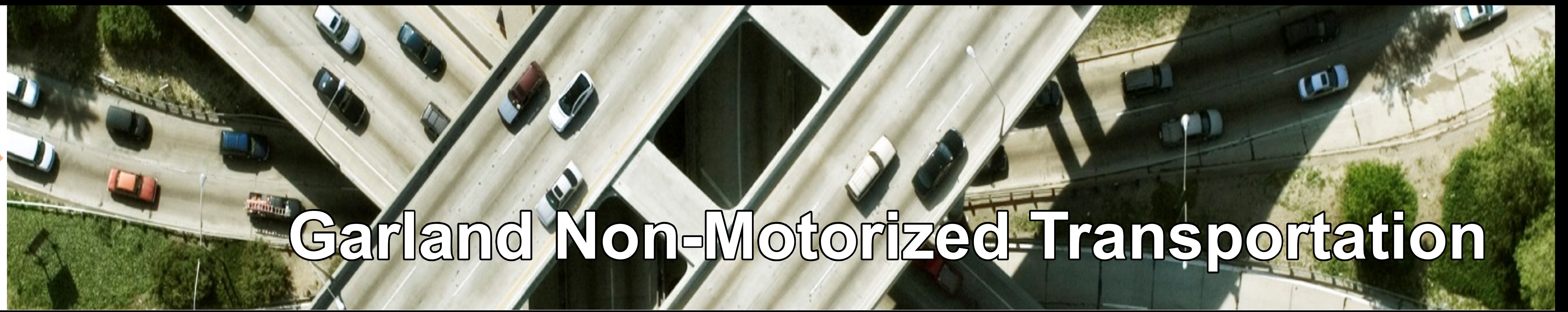
ATTEST:

City Secretary

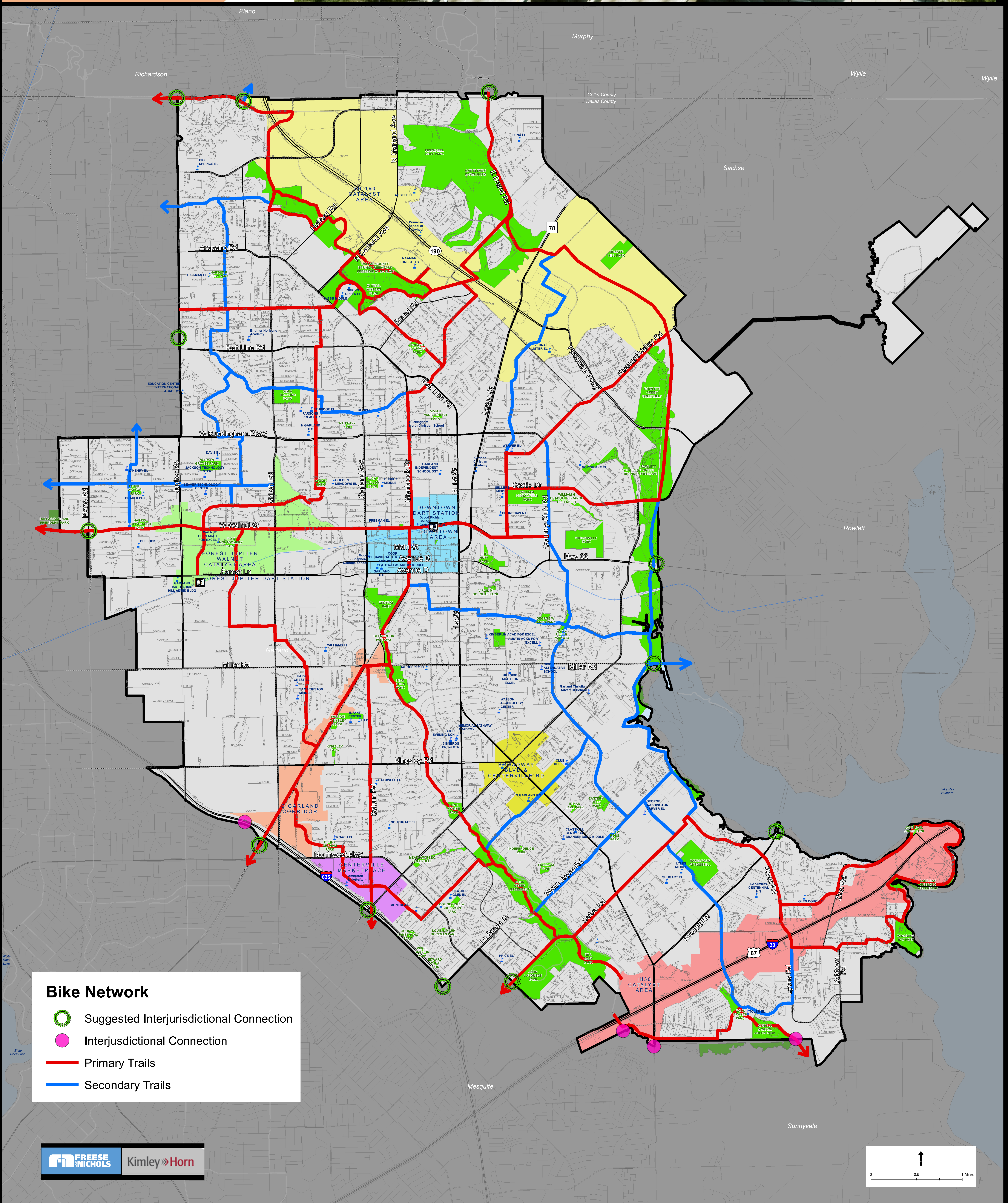


GARLAND

TRANSPORTATION



Garland Non-Motorized Transportation



Bike Network

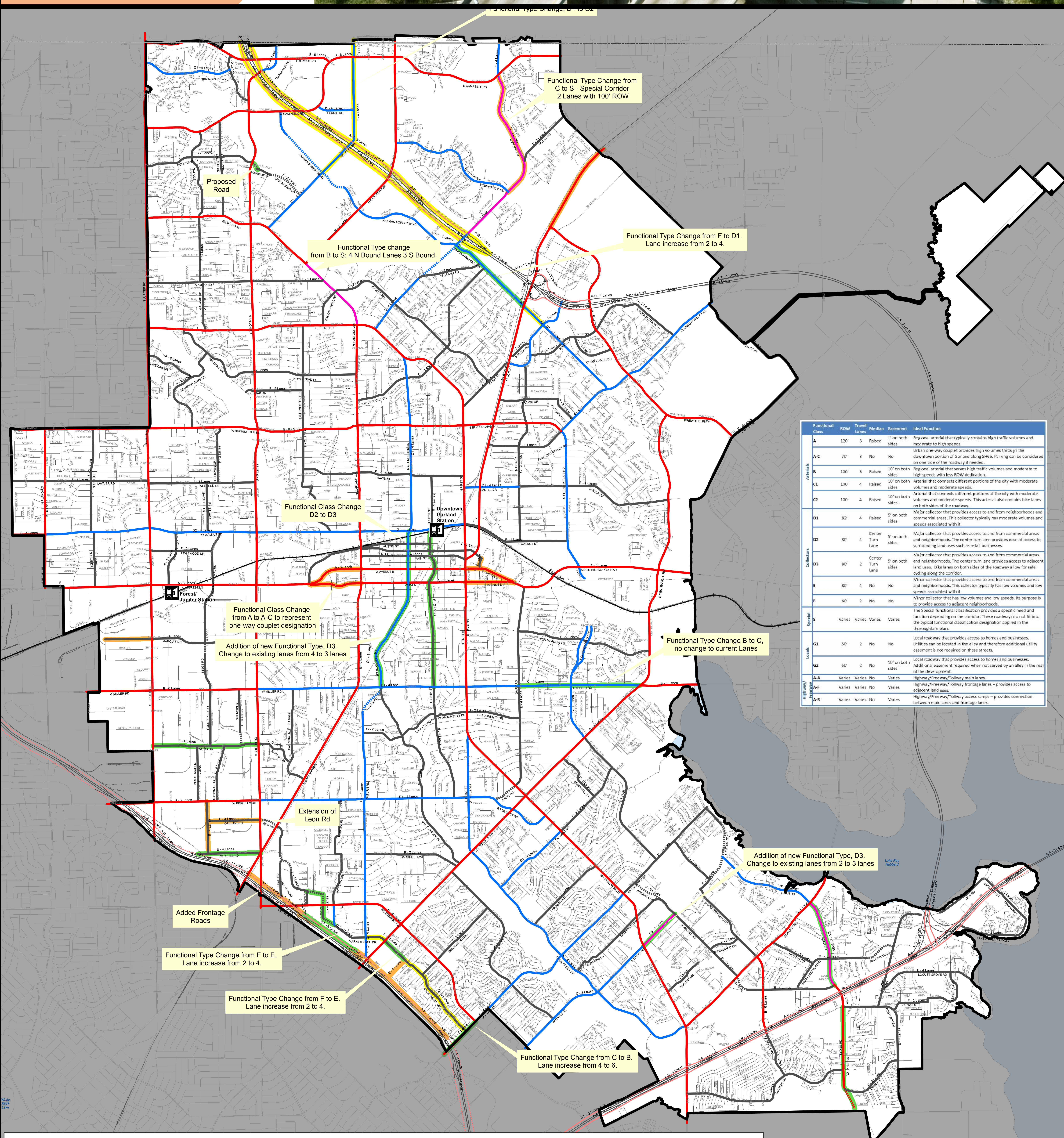
- Suggested Interjurisdictional Connection
- Interjurisdictional Connection
- Primary Trails
- Secondary Trails



GARLAND

TRANSPORTATION

Garland Thoroughfare Plan Recommendations



Functional Class	ROW	Travel Lanes	Median	Easement	Ideal Function
A	120'	6	Raised	1' on both sides	Regional arterial that typically contains high traffic volumes and moderate to high speeds.
A-C	70'	3	No	No	Urban one-way couplet provides high volumes through the downtown portion of Garland along 9466. Parking can be considered on one side of the roadway if needed.
B	100'	6	Raised	10' on both sides	Regional arterial that serves high traffic volumes and moderate to high speeds with less ROW dedication.
C1	100'	4	Raised	10' on both sides	Arterial that corrects different portions of the city with moderate volumes and moderate speeds.
C2	100'	4	Raised	10' on both sides	Arterial that connects different portions of the city with moderate volumes and moderate speeds. This arterial also contains bike lanes on both sides of the roadway.
D1	82'	4	Raised	5' on both sides	Major collector that provides access to and from neighborhoods and commercial areas. This collector typically has moderate volumes and speeds associated with it.
D2	80'	4	Center Turn Lane	5' on both sides	Major collector that provides access to and from commercial areas and neighborhoods. The center turn lane provides ease of access to surrounding land uses such as retail businesses.
D3	80'	2	Center Turn Lane	5' on both sides	Major collector that provides access to and from commercial areas and neighborhoods. The center turn lane provides access to adjacent land uses. Bike lanes on both sides of the roadway allow for safe cycling along the corridor.
E	80'	4	No	No	Minor collector that provides access to and from commercial areas and neighborhoods. This collector typically has low volumes and low speeds associated with it.
F	60'	2	No	No	Minor collector that has low volumes and low speeds. Its purpose is to provide access to adjacent neighborhoods.
S	Varies	Varies	Varies	Varies	The Special functional classification provides a specific need and function depending on the corridor. These roadways do not fit into the typical functional classification designation applied in the thoroughfare plan.
G1	50'	2	No	No	Local roadway that provides access to homes and businesses. Utilities can be located in the alley and therefore additional utility easement is not required on these streets.
G2	50'	2	No	10' on both sides	Local roadway that provides access to homes and businesses. Additional easement required when not served by an alley in the rear of the development.
A-A	Varies	Varies	No	Varies	Highway/freeway/tollway main lanes.
A-F	Varies	Varies	No	Varies	Highway/freeway/tollway frontage lanes - provides access to adjacent land uses.
A-R	Varies	Varies	No	Varies	Highway/freeway/tollway access ramps - provides connection between main lanes and frontage lanes.

Garland Thoroughfare Plan Recommendations - March 30, 2015

- A-A - Highway Mainlanes
- A-R - Highway Ramp
- A-F - Highway Frontage
- A-C - 70' One-way Couplet
- A - 120' 6-Lane Divided
- B - 100' 6-Lane Divided
- C1 - 100' 4-Lane Divided
- C2 - 100' 4-Lane Divided
- D1 - 82' 4-Lane Divided
- D2 - 80' 4-Lane w/ Center Turn
- D3 - 80' 2-Lane w/ Center Turn
- E - 80' 4-Lane Undivided
- F - 60' 2-Lane Undivided
- G - 50' Local
- S - Special Thoroughfare
- Lane and Type Change
- Lane Change
- Functional Type Change

