



# GARLAND

## **AGENDA**

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

City of Garland  
Duckworth Building, Goldie Locke Room  
217 North Fifth Street  
Garland, Texas  
July 19, 2016  
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. BRAILLE IS NOT AVAILABLE.

### **CITY COUNCIL GOALS 2020**

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

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

## **MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS**

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

## **CONSENT AGENDA**

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

1. Consider approval of the minutes of the July 5, 2016 Regular Meeting.
2. Consider approval of the following bids:
  - a. **Change Order #2 to PO 22088 - Bid No. 4515-14**  
**Wylie-Firewheel Transmission Line**  
**Reconstruction**  
  
R-Delta Engineers **\$240,500.00**  
  
*The purpose of this contract is to provide additional professional engineering services necessary for reconstruction of 138 kV transmission lines between the Olinger Line and the Firewheel Substation.*
3. A public hearing was previously conducted for the following zoning case. Council approved the request and instructed staff to bring forth the following ordinance for consideration.
  - a. **Zoning File No. Z 16-18, The Dimension Group**  
  
*Consider an ordinance amending the Garland Development Code of the City of Garland, by approving 1) a Specific Use Provision for fuel pumps, retail, and 2) a Specific Use Provision for restaurant, drive-through on a 1.55-acre tract of land zoned Community Retail (CR) District and located at 3036 Broadway Boulevard; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland; providing*

*a savings clause and a severability clause; and providing an effective date.*

4. **Consider an ordinance amending Section 33.28(C) of Chapter 33, "Transportation," of the Code of Ordinances of the City of Garland; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland; providing a savings clause and a severability clause; and providing an effective date.**

*Council is requested to consider by ordinance adopting the proposed school traffic control changes.*

5. **Appointment to the Texas Municipal Power Agency**

*Consider by minute action the appointment of James Ratliff to the Texas Municipal Power Agency Board of Directors.*

### **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.**

6. **Consider the appointment of a Mayor Pro Tem**

*Council is requested to appoint a Mayor Pro Tem from among its members. In accordance to Article III, Section 4 of the City Charter (relating to the appointment of a mayor pro tem).*

7. **Hold public hearings on:**

- a. **Consider the application of Tailim Song, requesting approval of 1) a Detail Plan for Fuel Pumps, Retail; Convenience Store; Restaurant; and Retail Store on a property zoned Planned Development (PD) District 03-40/41 for Heavy Commercial Uses and 2) and amendment to Planned Development (PD) District 03-40/41. This property is located at 1012-1020 South First Street. (File No. Z 16-11, District 2) (This request was postponed from the July 5, 2016 City Council Meeting)**

*The applicant proposes to redevelop the property with a gas station and a two-tenant building with a convenience store and a restaurant or retail.*

- b. **Consider the application of Charles Hicks, requesting approval of 1) a zoning change from Agriculture (AG) District to Planned Development (PD) for Single-Family-5 (SF-5) Uses and 2) a Concept Plan for Dwelling, Single-Family Detached. This property is located at the northeast corner of Brand Road and Campbell Road. (File No. Z 16-08, District 1)**

*The applicant seeks approval of a zoning change and a Concept Plan to develop the site with a single-family subdivision.*

**8. Consider appointments to Boards and Commissions.**

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

Mayor Douglas Athas

- Justice Dickson - Garland Youth Council
- Riley Niksich - Garland Youth Council

Council Member David Gibbons

- Taylor Enslin - Garland Youth Council
- Cameron Glick - Garland Youth Council

Council Member Anita Goebel

- Erick Zamora - Garland Youth Council
- Stephanie Hernandez - Garland Youth Council

Council Member Stephen Stanley

- Savannah Anglin - Garland Youth Council

Mayor Pro Tem BJ Williams

- Esther Akapo - Garland Youth Council
- Paola Jazmin Sanchez Quintero - Garland Youth Council

Council Member Rich Aubin

- Grace Omer - Garland Youth Council
- Jade Martinez - Garland Youth Council

Deputy Mayor Pro Tem Lori Barnett Dodson

- Samuel Trevor Newman - Garland Youth Council



Council Member Scott LeMay

- Max Moeck - Garland Youth Council
- Megan May - Garland Youth Council

**9. 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.*

**10. Adjourn.**

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



**GARLAND**

**City Council Regular Session Agenda**

**Agenda Item 1.**

**Meeting Date:** July 19, 2016

**Item Title:**

**Submitted By:** Rene Dowl, City Secretary, City Secretary

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**Summary:**

**Consider approval of the minutes of the July 5, 2016 Regular Meeting.**

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**Attachments**

July 5 2016 Minutes

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The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, July 5, 2016, 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        | B. J. Williams  |
| Deputy Mayor Pro Tem | Lori Dodson     |
| Council Member       | David Gibbons   |
| Council Member       | Anita Goebel    |
| Council Member       | Stephen Stanley |
| Council Member       | Rich Aubin      |
| Council Member       | Scott LeMay     |
| Council Member       | James Cahill    |

**STAFF PRESENT:**

|                      |                   |
|----------------------|-------------------|
| City Manager         | Bryan L. Bradford |
| Deputy City Attorney | Mike Betz         |
| City Secretary       | Eloyce René Dowl  |

**CALL TO ORDER:**

The meeting was called to order by Mayor Douglas Athas. Mayor Pro Tem B. J. Williams led the pledge and invocation.

**CEREMONIALS:**

The Mayor presented a proclamation to the Parks and Recreation Department, proclaiming July 2016 as Parks and Recreation month.

A Scout from Troop 1978 was recognized during the meeting.

**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 Mayor Pro Tem B. J. Williams, to approve items 1, 2a, 2b, 2c, 2e, 3, 4, and 5, seconded by Council Member Stanley. Item 2d was pulled for discussion by Council Member Goebel. Motion carried, 9 ayes, 0 nays.

**1. APPROVED\*\***

Approval of the Minutes of the June 21, 2016 Regular Meeting.

**2a. APPROVED\*\***

Bid No. 5792-16 to Engineered Endeavors in the amount of \$120,792.00 for the GP&L Wylie Switchyard CIP Project Change Order.

The purpose of this Change Order is to add fifty-seven (57) additional steel structures for the GP&L Wylie Switchyard CIP Project. These structures were not included in the original order.

**2b. APPROVED\*\***

Bid No. 6701-16 to Power Engineers in the amount of \$814,044.00 which includes an optional contingency of \$81,404.40 for a total bid of \$895,448.40 for Professional Engineering Services for the Swindell Switching Station.

The purpose of this contract is to provide Professional Engineering Services related to the design upgrade of the Swindell Switching Station. Service will include the substation design, temporary shoofly design, bid package development and evaluation, assistance in materials contracts and equipment design. Due to the complex nature of the project, an optional contingency is included for any additional unforeseen work that may be required.

**2c. APPROVED\*\***

Bid No. 6707-16 to Mac Haik Dodge in the amount of \$142,450.00 for Ambulance Chassis and Body Remount.

The purpose of this contract is to refurbish one existing ambulance body and remount it on one new cab and chassis for the Fire Department's use in their daily operations.

**2d. APPROVED**

Bid No. 5466-15 to Alliance Geotechnical Group in the amount of \$7,847.25 for Station 5 Materials Testing Change Order.

The purpose of this change order is to incorporate additional Materials Testing not reflected in the original proposal. This change order represents a 41.9% increase to the original PO 23105 amount of \$18,747.00

Mayor Athas opened the discussion at 7:12 p.m. Speakers on this item were Chief Raymond Knight and Captain Kelly Miller. Motion was made by Council Member Goebel to approve the item, seconded by Council Member Cahill to close the discussion at 7:15 p.m. Motion carried 9 ayes, 0 nays.

2e. APPROVED\*\*

Bid No. 6666-16 to Conley Group in the amount of \$212,740.00 for Roof Assessment Program for Various City Facilities.

The purpose of this contract is to conduct roof condition assessment on 155 City buildings. The City's portfolio of buildings is quite large and diverse, both geographically and structurally. It is important to complete a roof assessment on 155 of our buildings in light of the recent weather events, as well as to assist in future capital planning. The results of these assessments will be input into an Access database that will belong to the City and be housed on a City server versus a proprietary software system requiring annual licensing and maintenance agreements. Funding for the roof assessments is proposed to be split between unencumbered cash available in the Facilities CIP and the Self Insurance Fund while the Access database will be funded from the Facilities Management operating budget.

3. APPROVED\*\*

Ordinance No. 6842 approving a Joint Operating Agreement between the City of Garland and the Texas Municipal Power Agency ("TMPA").

The City Manager is authorized to execute a joint operating agreement between and among the City of Garland and the Texas Municipal Power Agency ("TMPA"), the City of Bryan, the City of Denton, and the City of Greenville. The Joint Operating Agreement will provide for the future of TMPA beyond the expiration of the existing agreement that has governed the relationship between TMPA and the member cities since TMPA's inception in the 1970s. All of the member cities and TMPA have agreed to the terms of the proposed Joint Operating Agreement.

4. APPROVED\*\*

Ordinance No. 6843 amending Ordinance No. 6806, as amended, establishing Civil Service classifications within the Police and Fire Departments and prescribing the number of positions in each classification; providing a savings clause and a severability clause; and providing an effective date.

Council is requested to adopt an ordinance amending the schedule of approved fire department positions to provide for an additional Fire Lieutenant position.

5. APPROVED\*\*

The City Manager is authorized to execute a development agreement, between the City of Garland, Garland Partners Ltd., Western Rim Investors 2015-2, L. P., and Western Rim Investors 2015-3, L.P. for the development of a certain 89.27-acre tract of land located south of President George Bush Turnpike, northwest of Holford Road, north of the Spring Creek Greenbelt, and east of Naaman Forest Blvd., pursuant to Planned Development Ordinance No. 6581.

6. APPROVED

Resolution No. 10252 confirming Mark E. Lee as Fire Chief and head of the Garland Fire Department; and providing an effective date.

A vote was cast and the Council confirmed the City Manager's recommendation with a vote of 9 ayes, 0 nays.

City Manager Bryan L. Bradford spoke explaining the steps in the selection process and describing the numerous interviews that were held in order to narrow the field of candidates who applied. Mr. Bradford presented information from Mr. Lee's biography and professional career.

7. APPOINTMENTS

Mayor Athas called for nominations to the DART Board.

Council Member Goebel placed Jonathan R. Kelly's name in nomination and Council Member Cahill placed Michael T. Cheney's name in nomination.

A vote was cast on the nominees. The nomination of Mr. Kelly carried with 6 votes: (Mayor Pro Tem B. J. Williams, Deputy Mayor Pro Tem Dodson, Council Members Gibbons, Goebel, Stanley, and Aubin,) and 3 votes for Mr. Cheney: (Mayor Athas, Council Member LeMay and Cahill).

Mayor Athas called for nominations for the shared DART position. Council Member Stanley nominated Mr. Mark C. Enoch. There were no other nominations and Mr. Enoch was appointed by acclamation 9 ayes, 0 nays.

**8. DENIED**

OM Housing, LLC consideration of previously denied amended Concept Plan and Planned Development (PD), and Detail Plan.

OM Housing, LLC, previously submitted an application for an amended Concept Plan and Planned Development (PD), and a Detail Plan for Multi-Family on property zoned Planned Development (PD) 11-32 for Multi-Family and Community Retail Uses. This property is located north of Market place Drive and west of Saturn Road (File No. Z 16-01, District 5). The Council previously considered and denied this application in a public hearing on June 21, 2016. The applicant requests that the Council reconsider the application.

Mayor Athas opened the discussion at 7:28 p.m. Speakers on this item were Will Guerin, Director of Planning and Kim Wise, the applicant. Council Member Aubin stated he does not support reconsideration.

No motion was made to reconsider.

**9a. POSTPONED**

Consider the application of Tailim Song, requesting approval of 1) a Detail Plan for Fuel Pumps, Retail; Convenience Store; Restaurant; and Retail Store on property zoned Planned Development (PD) District 03-40/41 for Heavy Commercial Uses and 2) an amendment to Planned Development (PD) District 03-40/41. This property is located at 1012-1020 South First Street. (File Z 16-11, District 2).

The applicant requests to redevelop the property with a gas station and a two-tenant building with a convenience store and a restaurant or retail.

Mayor Athas opened the hearing at 7:29 p.m. Speakers on this item were Will Guerin, Director of Planning, Amy Hsu, Tailim Song Law Firm, and Rogelio Cabello. Motion was made by Council Member Goebel to approve the application, without approval of the sign amendment, which would be reviewed and approved by the Planning and Transportation departments, seconded by Council Member Stanley. After

extensive discussion, Deputy Mayor Pro Tem Dodson made a motion to postpone until the July 19 Regular Meeting. Motion carried 6 ayes, (Deputy Mayor Pro Tem Dodson and Council Members Gibbons, Goebel, Stanley, Aubin, and LeMay) 3 nays (Mayor Athas, Mayor Pro Tem B. J. Williams and Council Member Cahill) to close the hearing at 8:21 p.m.

9b. APPROVED

Consider the application of The Dimension Group, requesting approval of a Specific Use Provision for Retail Sales with Gas Pumps and Restaurant with Drive-Through on property zoned Community Retail (CR) District. This property is located at 3036 Broadway Boulevard. (File Z 16-18, District 5)

The applicant requests to redevelop the subject property with a gas station, a convenience store and a restaurant with a drive-through.

Mayor Athas opened the hearing at 8:22 p.m. The speaker on this item was Will Guerin, Director of Planning. Motion was made by Council Member Aubin to approve the application with the Plan Commission recommendation to allow the applicant to exceed 5,000 square feet maximum for the convenience store, seconded by Deputy Mayor Pro Tem Dodson to close the hearing at 8:26 p.m. Motion carried 9 ayes, 0 nays.

10. CITIZEN COMMENTS: Karen Nixon  
Troy Baute

11. ADJOURNED: There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 8:30 p.m.



CITY OF GARLAND, TEXAS

APPROVED: \_\_\_\_\_  
Douglas Athas, Mayor

ATTEST: \_\_\_\_\_  
Eloyce René Dowl, City Secretary



**GARLAND  
PURCHASING REPORT**

**City Council Regular Session Agenda**

**Agenda Item 2. a.**

**Meeting Date:** July 19, 2016

**Item Title:** Change Order #2 to PO 22088 - Wylie-Firewheel Transmission Line  
Reconstruction

**Submitted By:** Ross Owen, Director of Transmission & Distr

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**PURCHASE JUSTIFICATION:**

The purpose of this contract is to provide additional professional engineering services necessary for reconstruction of 138 kV transmission lines between the Olinger Line and the Firewheel Substation. The additional engineering is necessary to incorporate revised line rating requirements due to significant increases in system power demand as identified by Garland Power & Light. This represents Change Order #2 to the original Purchase Order 22088.

**AWARD RECOMMENDATION:**

| <u>Vendor</u>     | <u>Item</u> | <u>Amount</u>       |
|-------------------|-------------|---------------------|
| R-Delta Engineers | All         | \$240,500.00        |
| <b>TOTAL:</b>     |             | <b>\$240,500.00</b> |

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**Fiscal Impact**

**Total Project/Account:** \$1,388,500  
**Expended/Encumbered to Date:** 1,001,934  
**Balance:** \$386,566  
**This Item:** 240,500  
**Proposed Balance:** \$146,066  
**Account #:** 210-3599-3142101-7111  
**Fund/Agency/Project – Description and Comments:**  
Electric CIP / Transmission Lines

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**Attachments**

Bid Recap  
Executive Summary

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**Fiscal Reference:**

Budget Type: CIP  
Fiscal Year: 2016  
Document Location: Page E01

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|                        |                       |
|------------------------|-----------------------|
| <b>Budget Director</b> | <b>Approval Date:</b> |
| <b>Approval:</b>       | 07/11/2016            |
| Ron Young              |                       |

|                            |                       |
|----------------------------|-----------------------|
| <b>Purchasing Director</b> | <b>Approval Date:</b> |
| <b>Approval:</b>           | 07/08/2016            |
| Gary L. Holcomb            |                       |





**GARLAND**  
**PURCHASING EXECUTIVE SUMMARY**

Bid 4515-14  
Transmission Line Engineering Services

**Recommended Vendor:**  
R-Delta Engineers

**Total Recommended Award:**  
\$240,500.00

**Basis for Award:**  
Change Order

**Purpose:**  
The purpose of this contract is to provide additional professional engineering services necessary for reconstruction of 138kV transmission lines between the Olinger Line and the Firewheel Substation. The additional engineering is necessary to incorporate revised line rating requirements due to significant increases in system power demand as identified by Garland Power & Light.

**Evaluation:**  
R-Delta Engineers was short-listed as a professional services provider through a Request for Qualification process. They were selected as the most qualified engineering firm for the original project. This represents Change Order #2 to the original Purchase Order 22088.

**Recommendation:**  
Staff recommends the approval of the change order to R-Delta Engineers.

**Funding Information:**  
210-3599-3142101-7111 Wylie Switchyard to Firewheel 138kV Line CIP Project

**Department Director:**  
Ross Owen, Transmission & Distribution Director, 972-205-3532



**GARLAND  
CITY COUNCIL ITEM SUMMARY SHEET**

**City Council Regular Session Agenda**

**Agenda Item 3. a.**

**Meeting Date:** July 19, 2016

**Item Title:** Z 16-18 The Dimension Group

**Submitted By:** Will Guerin, Planning Director

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**Summary of Request/Problem**

Zoning Ordinance Z 16-18 The Dimension Group

**Recommendation/Action Requested and Justification**

Consider adoption of attached ordinance.

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**Attachments**

Z 16-18 The Dimension Group Ordinance

Z 16-18 The Dimension Group Attachments

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) A SPECIFIC USE PROVISION FOR FUEL PUMPS, RETAIL AND 2) A SPECIFIC USE PROVISION FOR RESTAURANT, DRIVE-THROUGH ON A 1.55-ACRE TRACT OF LAND ZONED COMMUNITY RETAIL (CR) DISTRICT AND LOCATED AT 3036 BROADWAY BOULEVARD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

**WHEREAS**, at its regular meeting held on the 13<sup>th</sup> day of June, 2016, the Plan Commission did consider and make recommendations on a certain request for approval of two Specific Use Provisions made by **The Dimension Group**; 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 Garland Development Code 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**

The Garland Development Code is hereby amended by approving 1) a Specific Use Provision for Fuel Pumps, Retail and 2) a Specific Use Provision for Restaurant, Drive-Through on a 1.55-acre tract of land zoned Community Retail (CR) District and located at 3036 Broadway Boulevard 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**

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

**Section 4**

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

**Section 5**

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

**Section 6**

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

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

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



ZONING FILE NO. 16-18

**Published:**

**EXHIBIT A**

**LEGAL DESCRIPTION**

**Zoning File Z 16-18**

Being an approximate 1.55-acre parcel shown as Lot 1, Block 1, Broadway-Centerville Addition, an addition to the City of Garland, Dallas County, Texas, recorded in Instrument No. 201400001363 of the Deed Records of Dallas County, Texas. The subject property is located at 3036 Broadway Boulevard.

## **SPECIFIC USE PROVISION CONDITIONS**

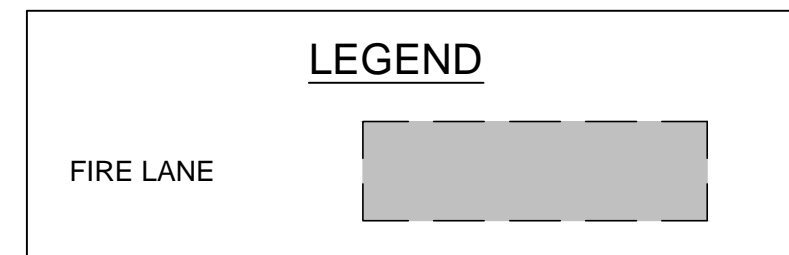
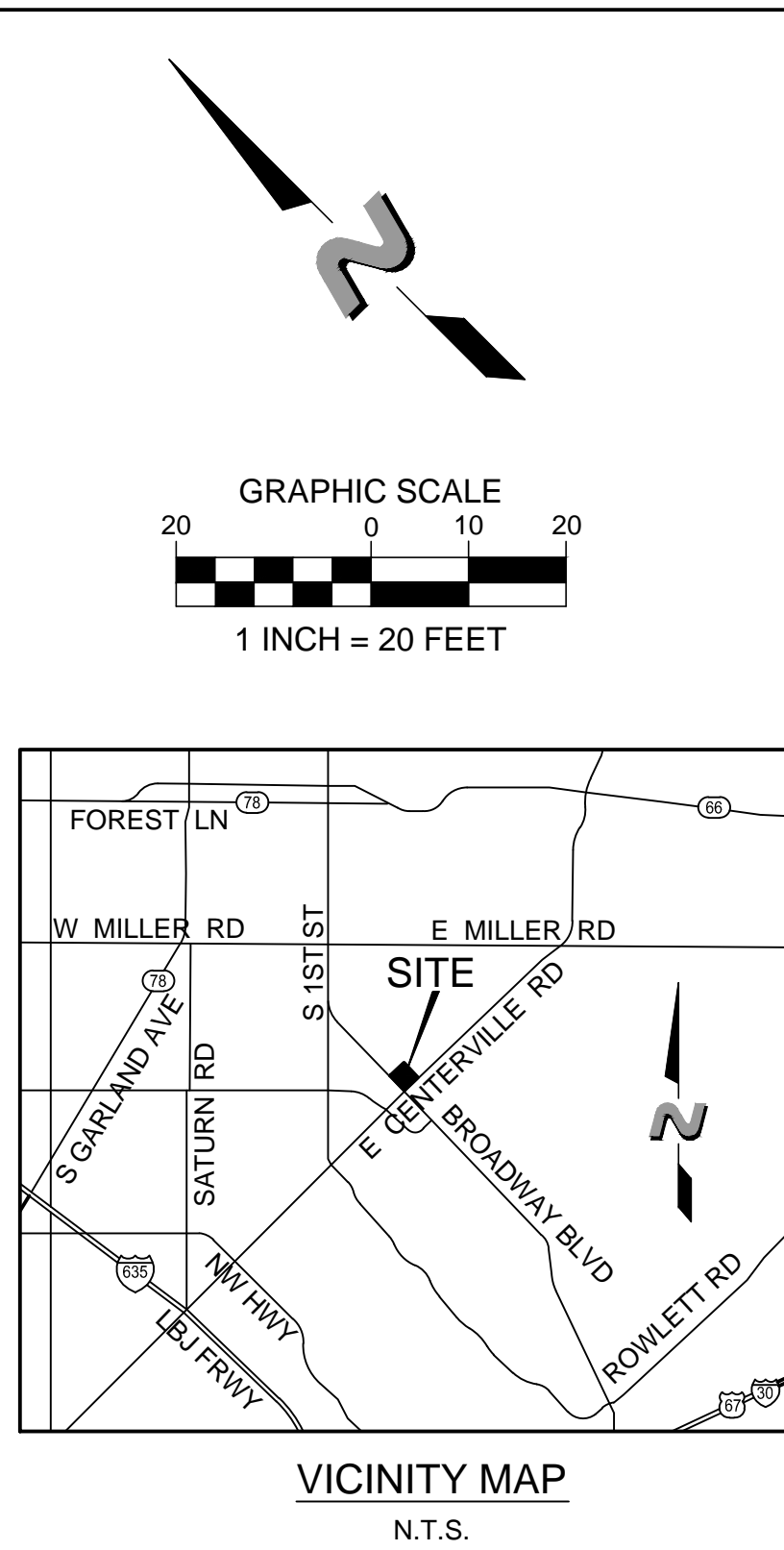
### **ZONING FILE Z 16-18**

#### **3036 Broadway Boulevard**

- I. **Statement of Purpose:** The purpose of these Specific Use Provisions is to permit Fuel Pumps, Retail and Restaurant, Drive-Through.
- II. **Statement of Effect:** These Specific Use Provisions 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 as 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. SUP Time Period: The Specific Use Provision for Fuel Pumps, Retail shall be in effect for a period of 25 years.
  - B. SUP Time Period: The Specific Use Provision for Restaurant, Drive-Through shall be in effect for a period of 25 years.
  - C. Site Layout: The site shall conform to the site layout reflected on Exhibit C.
  - D. Screening and Landscaping: Screening and landscaping shall conform to the layout reflected on Exhibit D.
  - E. Building Elevations: Building elevations shall conform to the elevations as approved on Exhibit E.
  - F. Drive-Through Window: The drive-through window shall serve only the restaurant. Furthermore, no pre-packaged, sealed, unopened beverages shall be served through the drive-through window.
  - G. Convenience Store: The maximum allowable area for a convenience store is permitted to be increased from 5,000 square feet, as established by the Garland Development Code, to 6,300 square feet.

# EXHIBIT C

[X-REF.DWG] [00-TDG Civil Border 24x36.dwg]  
Drawing name: L:\Premises\13-095 3036 Broadway, Garland, TX\2 Civil\A Current\03-13095-SITE PLAN-C3.0.dwg Jun 07, 2016 - 3:41pm



| ID | TYPE       | SIZE | REMARK                       |
|----|------------|------|------------------------------|
| 1  | DOMESTIC   | 2"   | RE-USE 2" METER FROM CARWASH |
| 2  | IRRIGATION | 1"   | EXISTING (FIELD VERIFY SIZE) |

**PRIMARY BENCHMARK**  
CITY OF GARLAND GPS AZIMUTH MONUMENT #35 AZ  
ELEVATION = 543.70

**SECONDARY BENCHMARK**  
CITY STANDARD MONUMENT AT NORTHWEST PROPERTY  
CORNER OF BROADWAY POPEYE'S LOT 1, BLOCK 1

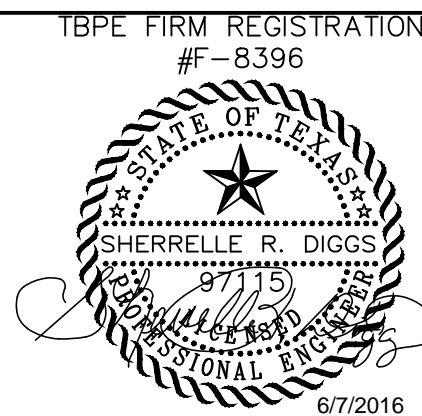
ELEVATION = 543.70

**CITY OF GARLAND BENCHMARK**

GPS #235, 2" BRASS DISK STAMPED 235 LOCATED IN THE  
MEDIAN ISLAND AT INTERSECTION OF KEEN DRIVE &  
CENTERVILLE ROAD APPROXIMATELY 31' NORTHWEST OF  
CENTERLINE WEST BOUND CENTERVILLE ROAD AND 13'  
SOUTH OF CENTERLINE OF KEEN DRIVE WEST BOUND LANE

ELEVATION = 539.034

**CAUTION NOTICE TO CONTRACTORS**  
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND / OR ELEVATION OF THE EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL BE ADVISED AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO LOCATIONS OF THE UTILITIES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO RELOCATE ALL EXISTING UTILITIES AND TO MAKE ANY NECESSARY IMPROVEMENTS SHOWN ON THESE PLANS.



|             |                         |          |             |    |
|-------------|-------------------------|----------|-------------|----|
| #           | DATE                    | REVISION | DESCRIPTION | BY |
| △           |                         |          |             | KP |
| △           |                         |          |             | KP |
| △           |                         |          |             |    |
| △           |                         |          |             |    |
| project no. | 13-095                  |          | drawn by    | CS |
| date        | 5/18/2016               |          | designed by | SD |
| dwg.        | 03-13095-SITE PLAN-C3.0 |          | approved by | MS |

**NOTE:**  
NO LANDSCAPING SUCH AS TREES, HEDGES, ABOVE AND UNDERGROUND STRUCTURES SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHT-OF-WAY.



ARCHITECTURE • CIVIL ENGINEERING • MEP ENGINEERING • PLANNING  
10755 Sandhill Road, Dallas, Texas 75238  
TEL: 214-343-9400 FAX: 214-341-9060 [www.DimensionGrp.com](http://www.DimensionGrp.com)

SITE PLAN KEYNOTES:

- 1 CONSTRUCT 6" CURB & GUTTER
- 2 CONSTRUCT 6" CONCRETE PAVEMENT SECTION (RE: GEOTECH)
- 3 CONSTRUCT 4" CONCRETE CONCRETE SIDEWALK
- 4 CONSTRUCT BARRIER-FREE RAMPS (PER A.D.A. STANDARDS)
- 5 CONSTRUCT OR REPLACE BARRIER-FREE RAMPS (PER CITY STANDARDS)
- 6 CONSTRUCT 10' CURB INLET
- 7 EDGE OF CONCRETE TANK PAD
- 8 EDGE OF SAW CUT
- 9 INSTALL 6" BOLLARD
- 10 INSTALL HANDICAP VAN AND CAR SIGN (RE: A.D.A. PLAN)
- 11 INSTALL TRASH CAN
- 12 4" YELLOW OR WHITE PAVEMENT SOLID PARKING STRIPES
- 13 HANDICAP PARKING LOGO
- 14 STANDARD AREA LIGHT POLE (RE: PHOTOMETRIC PLAN)
- 15 FIRE LANE STRIPING
- 16 UNDERGROUND STORAGE TANKS
- 17 UNDERGROUND STORAGE TANK VENTS
- 18 MULTI-PRODUCT FUEL DISPENSERS (MPD'S)
- 19 EDGE OF CANOPY ROOF
- 20 10' X 2' MONUMENT SIGN, (SIGNS WILL REQUIRE SEPARATE SIGN PERMIT)
- 21 FIRE DEPARTMENT CONNECTION
- 22 RE-STRIPLE EXISTING FIRE LANE WHERE REMOVED
- 23 INSTALL STANDARD GP&L 8' X 6'-6" ELECTRICAL TRANSFORMER
- 24 PATIO SEATING AREA

## SITE AND DESIGN DATA

|  |      |   |
|--|------|---|
| SITE SQ FT   |      | 63,987 S.F. OR 1.469 ACRES  |
| EXISTING ZONING  |      | "GB" GENERAL BUSINESS   |
| BUILDING SQ. FT.   |      | 6,300 S.F.  |
| CANOPY SQ. FT.   |      | 3,640 S.F.  |
| PARKING REQUIRED (RETAIL) PARKING<br>REQUIRED (RESTAURANT) PARKING<br>REQUIRED (TOTAL)   |      | 15 SPACES [ 3,780/250 ]<br>26 SPACES [ 2,520/100 ]<br>41 SPACES                       |
| PARKING PROVIDED   |      | 39 STANDARD SPACES<br>2 HANDICAP SPACES   |
| BUILDING COVERAGE  |      | 9,940 S.F. OR 15.53%<br>40% ALLOWED   |
| BUILDING HEIGHT<br>MAX. BUILDING HEIGHT  |      | 24 FT.<br>30 FT. - PER ORDINANCE  |
| BUILDING SETBACKS  |      | 30 FEET ON BROADWAY BLVD.<br>30 FEET ON CENTERVILLE ROAD<br>20 FEET ON PROPERTY SIDES |
| LANDSCAPE & SCREENING SETBACKS   |      | 15 FEET ON BROADWAY BLVD.<br>15 FEET ON CENTERVILLE ROAD<br>NONE ON PROPERTY SIDES    |
| REQUIRED<br>VARIANCES  | NONE |   |
| NOTES:<br>EXTERIOR WALLS: minimum 50% primary masonry product<br>maximum 50% secondary masonry product<br>maximum 20% non masonry product<br>All above exclude doors, windows, or window walls |      |   |

BROADWAY CENTERVILLE ADDITION  
LOT 1, BLOCK 1  
IN THE CITY OF GARLAND,  
DALLAS COUNTY, TEXAS  
CASE # 160421-2

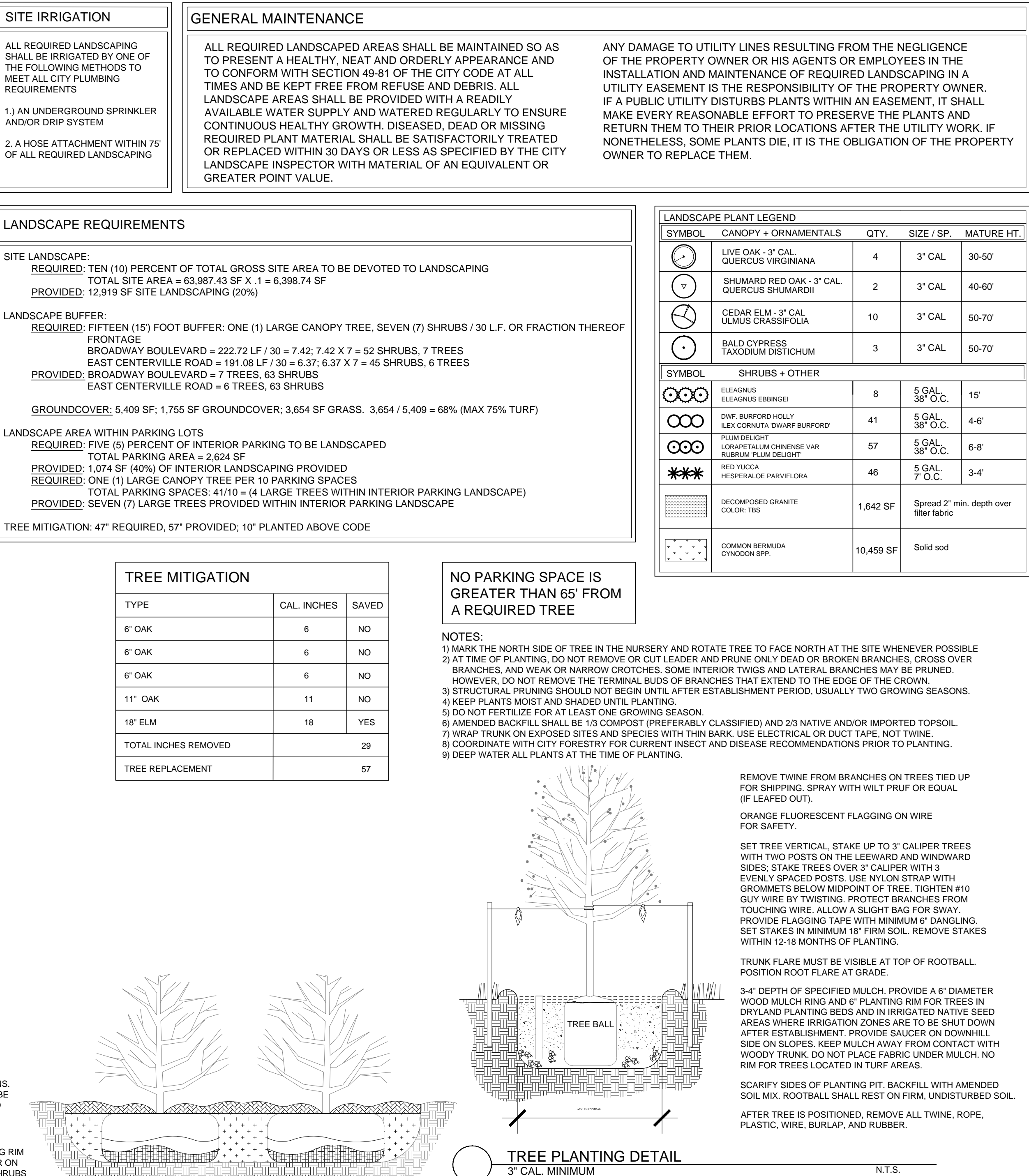
| <u>SURVEYOR</u>  | <u>DEVELOPER</u>  | <u>APPLICANT/ENGINEER</u>  |
|--|---|--|
| TEXAS HERITAGE SURVEYING LLC.<br>10610 METRIC DRIVE<br>SUITE 124<br>DALLAS, TEXAS 75243<br>CONTACT: GARY E. JOHNSON, R.P.L.S<br>TEL:(214) 340-9700 | PREMUEE INVESTMENTS<br>2727 LBJ FREEWAY<br>SUITE 300<br>DALLAS, TX 75234<br>CONTACT: JAMAL PREMUEE<br>TEL: (214) 867-8522 | THE DIMENSION GROUP<br>TBPE FIRM # F-8396<br>10755 SANDHILL ROAD<br>DALLAS, TEXAS 75238<br>CONTACT: SHERRELLE R. DIGGS, P.E.<br>TEL:(214) 343-9400 |

## SITE PLAN

RETAIL CENTER  
3036 BROADWAY BLVD & E. CENTERVILLE ROAD  
GARLAND, TEXAS 75041

SHEET

### C3.0



**LANDSCAPE ARCHITECT**  
**MEEKES DESIGN GROUP, INC**  
**1755 N. COLLINS BLVD #300**  
**RICHARDSON, TEXAS 75080**  
**CONTACT: HERB MEEKES**  
**TEL: (972) 690-7474**

**ENGINEER / APPLICANT**  
**THE DIMENSION GROUP**  
**FIRM REGISTRATION # F-8396**  
**10755 SANDHILL ROAD**  
**DALLAS, TEXAS 75238**  
**CONTACT: SHERRELLE DIGGS**  
**TEL: (214) 343-9400**



mdg  
landscape  
architects

Meeks Design Group, Inc.  
1755 n. collins blvd. #300  
richardson, tx 75080  
p (972) 690-7474  
f (972) 690-7878

PROJECT INFO.

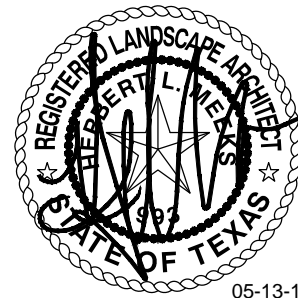
RETAIL CENTER

3036 BROADWAY BLVD & E. CENTERVILLE RD.

GARLAND, TEXAS 75041

DRAWING INFO.

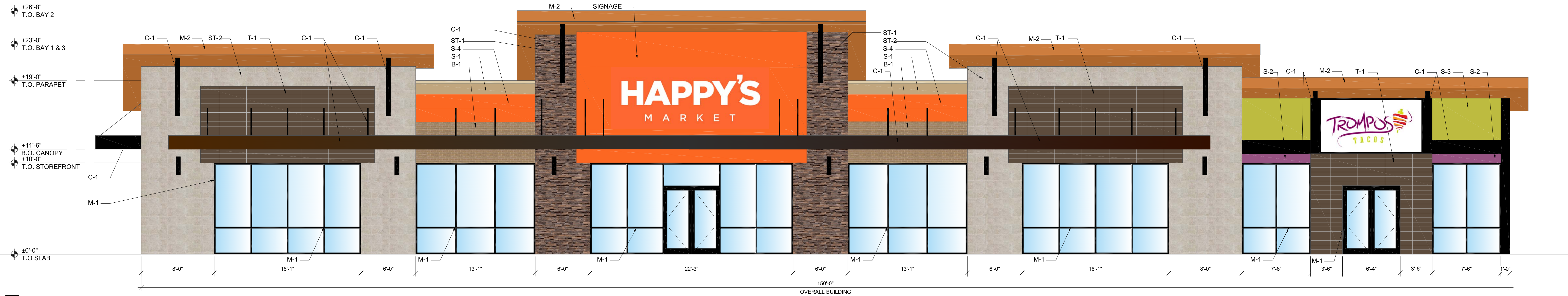
LANDSCAPE  
PLAN



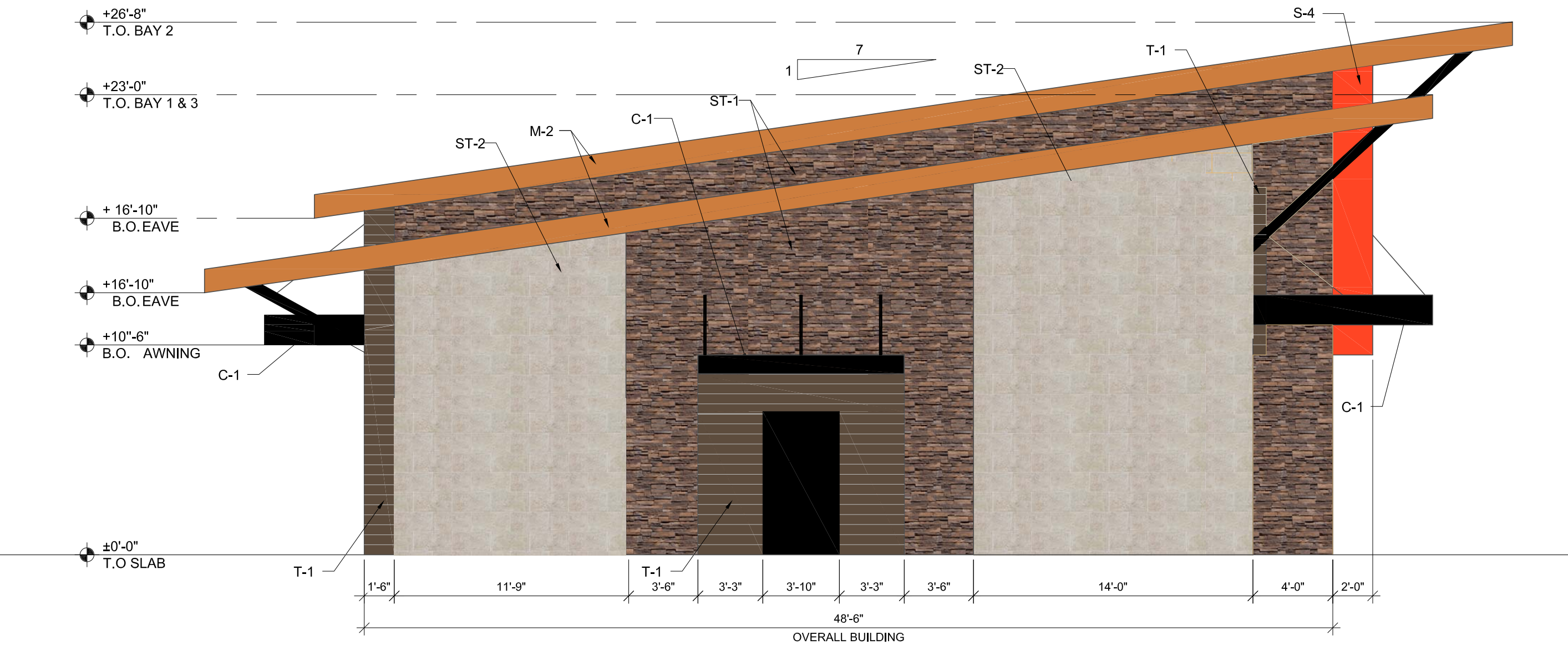
SHEET NUMBER

# L1

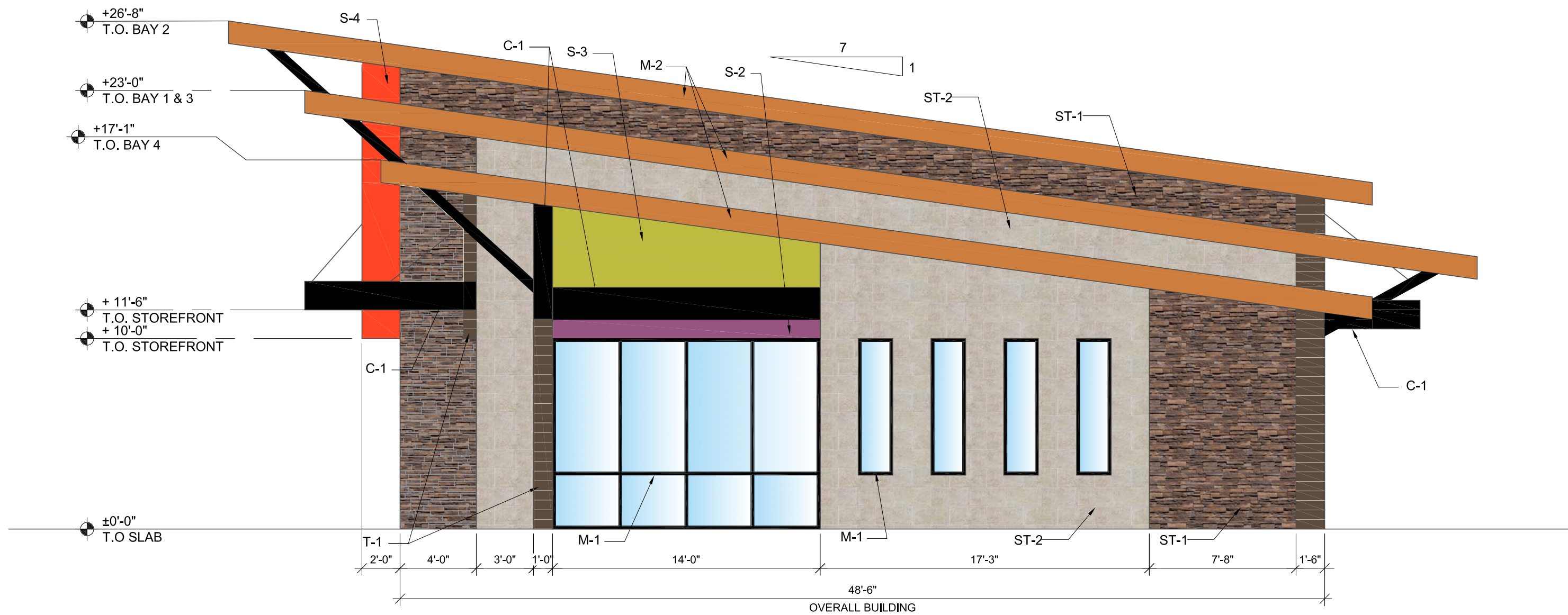




1 WEST ELEVATION  
SCALE: 3/16" = 1'-0"



2 NORTH ELEVATION  
SCALE: 3/16" = 1'-0"



3 SOUTH ELEVATION  
SCALE: 3/16" = 1'-0"

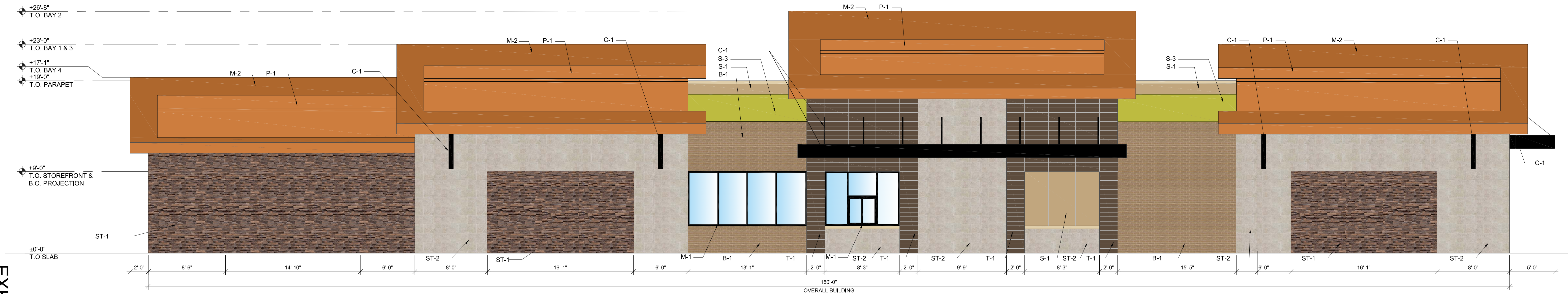
| ELEVATION                    | EXTERIOR MATERIAL CALCULATIONS  |                                 |                                     |
|------------------------------|---------------------------------|---------------------------------|-------------------------------------|
|                              | TOTAL ELEVATION AREA (SF AND %) | MASONRY CONSTRUCTION PERCENTAGE | NON-MASONRY CONSTRUCTION PERCENTAGE |
| FRONT ELEVATION (WEST)       | 2,334 (100%)                    | 2,334 (100%)                    | 0 (0%)                              |
| LEFT SIDE ELEVATION (NORTH)  | 985 (100%)                      | 985 (100%)                      | 0 (0%)                              |
| REAR ELEVATION (EAST)        | 2,052 (100%)                    | 2,052 (100%)                    | 0 (0%)                              |
| RIGHT SIDE ELEVATION (SOUTH) | 799 (100%)                      | 799 (100%)                      | 0 (0%)                              |

| EXTERIOR MATERIAL SCHEDULE |                    |  |
|----------------------------|--------------------|--|
| NO.                        | MATERIAL           | DESCRIPTION  |
| M-1                        | ALUMINUM FRAME     | MANUFACTURER: KANWEER, FINISH: CLEAR ANODIZED                                  |
| M-2                        | MTL. STANDING SEAM | MCB- SIGNATURE 300- TERRA COTTA  |
| ST-1                       | MANUFACTURED STONE | MANUFACTURER: CORONADO STONE - LEDGE SERIES- PIR-LEGE - DAKOTA BROWN           |
| ST-2                       | MANUFACTURED STONE | MANUFACTURER: CORONADO STONE - CLASSIC SERIES- FRENCH LIMESTONE - FRENCH WHITE |
| B-1                        | THIN BRICK         | MANUFACTURER: ACME BRICK - WEATHERWOOD GRAY                                    |
| T-1                        | EXTERIOR TILE      | MANUFACTURER: TBD WALNUT WOOD LOOKING TILE                                     |
| S-1                        | PAINTED STUCCO     | PAINT MANUFACTURER: TBD COLOR: BEIGE (TBD)                                     |
| S-2                        | PAINTED STUCCO     | PAINT MANUFACTURER: TBD COLOR: PURPLE (TBD)                                    |
| S-3                        | PAINTED STUCCO     | PAINT MANUFACTURER: TBD COLOR: GREEN (TBD)                                     |
| S-4                        | PAINTED STUCCO     | PAINT MANUFACTURER: TBD COLOR: ORANGE (TBD)                                    |
| P-1                        | PAIN               | MANUFACTURER: TBD - COLOR TO MATCH THE MTL. ROOF                               |
| C-1                        | PREFINISHED METAL  | MANUFACTURER: TBD COLOR: DARK BRONZE   |

| ARCHITECTURAL DESIGN ELEMENTS |                                 |
|-------------------------------|---------------------------------|
| NO.                           | DESCRIPTION                     |
| 1.                            | AWNINGS / CANOPIES              |
| 2.                            | DISTINCTIVE LIGHTING FEATURES:  |
| 3.                            | PLANTERS (SEE LANDSCAPE PLANS)  |
| 4.                            | OUTDOOR SEATING (SEE SITE PLAN) |
| 5.                            | VARIED ROOF HEIGHTS             |
| 6.                            | RECESSED ENTRIES                |

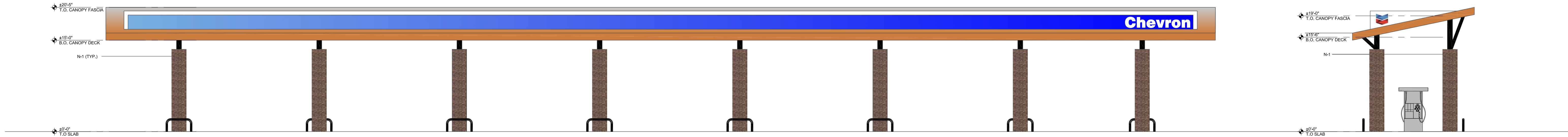
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1 EAST ELEVATION

SCALE: 3/16" = 1'-0"



2 GAS CANOPY WEST ELEVATION

SCALE: 3/16" = 1'-0"

3 GAS CANOPY SOUTH ELEVATION

SCALE: 3/16" = 1'-0"



4 DUMPSTER ENCLOSURE SOUTHEAST ELEVATION

SCALE: 3/16" = 1'-0"



5 DUMPSTER ENCLOSURE SOUTHWEST ELEVATION

SCALE: 3/16" = 1'-0"

| EXTERIOR MATERIAL CALCULATIONS |  |                                 |                                     |
|--------------------------------|--|---------------------------------|-------------------------------------|
| ELEVATION                      | TOTAL ELEVATION AREA (SF AND %) (SF AND %) | MASONRY CONSTRUCTION PERCENTAGE | NON-MASONRY CONSTRUCTION PERCENTAGE |
| FRONT ELEVATION (WEST)         | 2,334 (100%)                               | 2,334 (100%)                    | 0 (0%)                              |
| LEFT SIDE ELEVATION (NORTH)    | 965 (100%)                                 | 965 (100%)                      | 0 (0%)                              |
| REAR ELEVATION (EAST)          | 2,052 (100%)                               | 2,052 (100%)                    | 0 (0%)                              |
| RIGHT SIDE ELEVATION (SOUTH)   | 799 (100%)                                 | 799 (100%)                      | 0 (0%)                              |

| EXTERIOR MATERIAL SCHEDULE |                    |
|----------------------------|--------------------|
| NO.                        | DESCRIPTION        |
| M-1                        | ALUMINUM FRAME     |
| M-2                        | MTL STANDING SEAM  |
| ST-1                       | MANUFACTURED STONE |
| ST-2                       | MANUFACTURED STONE |
| B-1                        | THIN BRICK         |
| T-1                        | EXTERIOR TILE      |
| S-1                        | PAINTED STUCCO     |
| S-2                        | PAINTED STUCCO     |
| S-3                        | PAINTED STUCCO     |
| S-4                        | PAINTED STUCCO     |
| P-1                        | PAINT              |
| C-1                        | PREFINISHED METAL  |

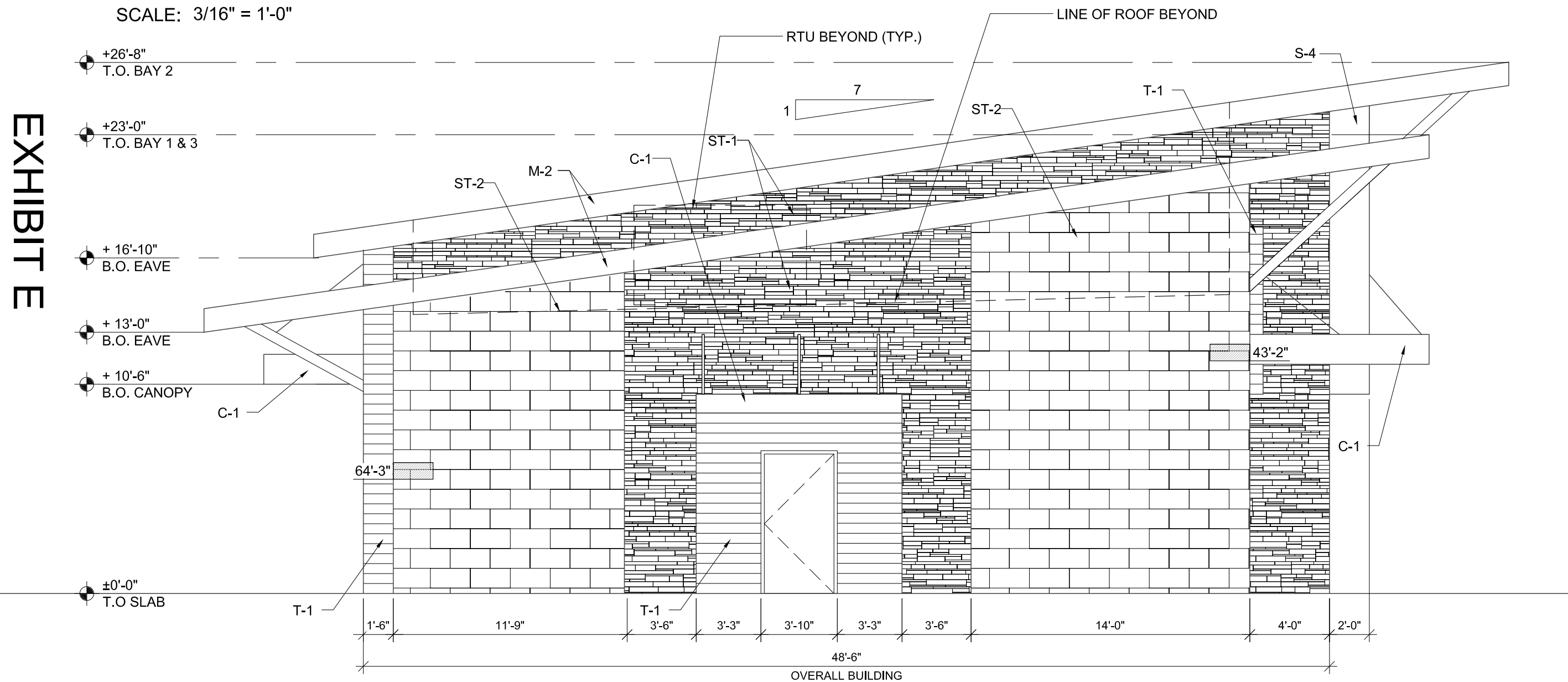
| ARCHITECTURAL DESIGN ELEMENTS |                                 |
|-------------------------------|---------------------------------|
| NO.                           | DESCRIPTION                     |
| 1.                            | AWNINGS / CANOPIES              |
| 2.                            | DISTINCTIVE LIGHTING FEATURES:  |
| 3.                            | PLANTERS (SEE LANDSCAPE PLANS)  |
| 4.                            | OUTDOOR SEATING (SEE SITE PLAN) |
| 5.                            | VARIED ROOF HEIGHTS             |
| 6.                            | RECESSED ENTRIES                |

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1 WEST ELEVATION

SCALE: 3/16" = 1'-0"



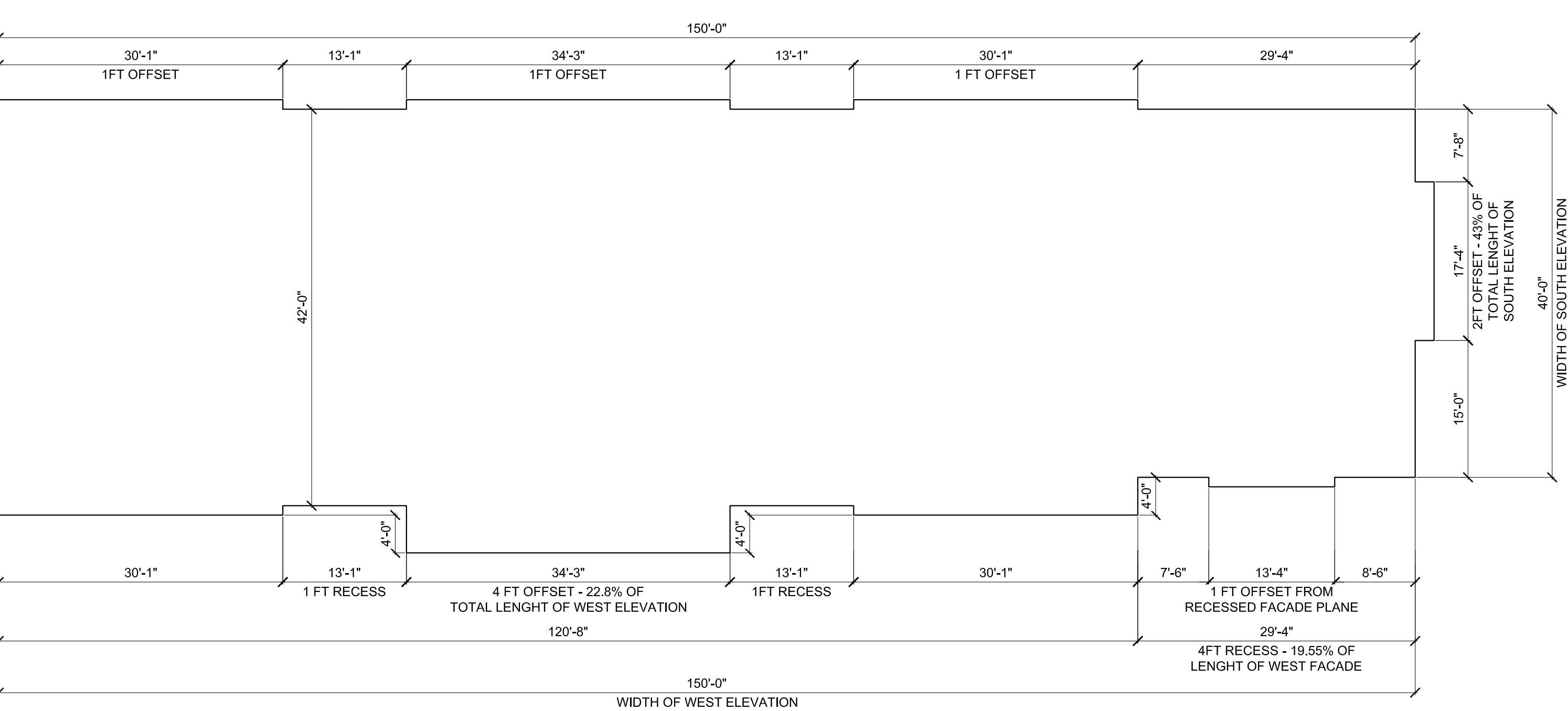
2 NORTH ELEVATION

SCALE: 3/16" = 1'-0"



3 SOUTH ELEVATION

SCALE: 3/16" = 1'-0"



4 HORIZONTAL FACADE ARTICULATION

SCALE: 3/32" = 1'-0"



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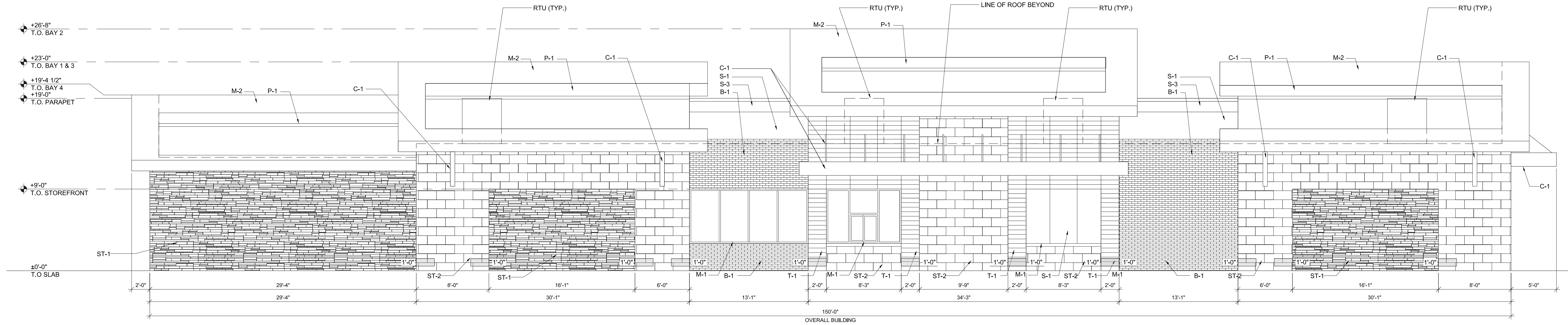
EXTERIOR ELEVATIONS

RETAIL DEVELOPMENT  
3036 BROADWAY RD.  
GARLAND, TEXAS 75041

PROJECT No: 13095  
DATE: 06/07/2016  
DRAWN BY: CMT  
CHECKED BY: AM

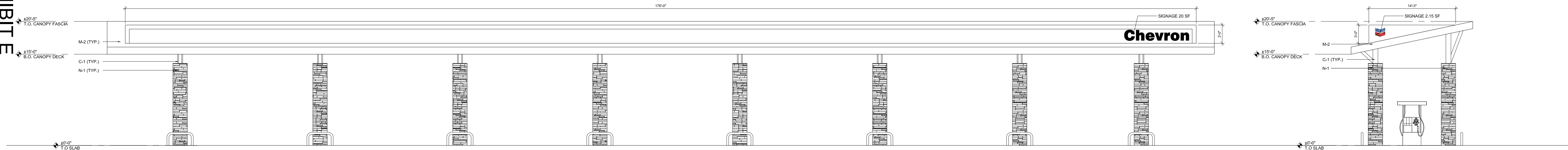
THESE PLANS ARE INSTRUMENTS OF PROFESSIONAL SERVICE AND ARE PROTECTED BY COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS INCLUDING COPYRIGHT. THEY MAY NOT BE REPRODUCED OR USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF THE DIMENSION GROUP.





## 1 EAST ELEVATION

SCALE: 3/16" = 1'-0"



## 2 GAS CANOPY WEST ELEVATION

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

## 3 GAS CANOPY SOUTH ELEVATION

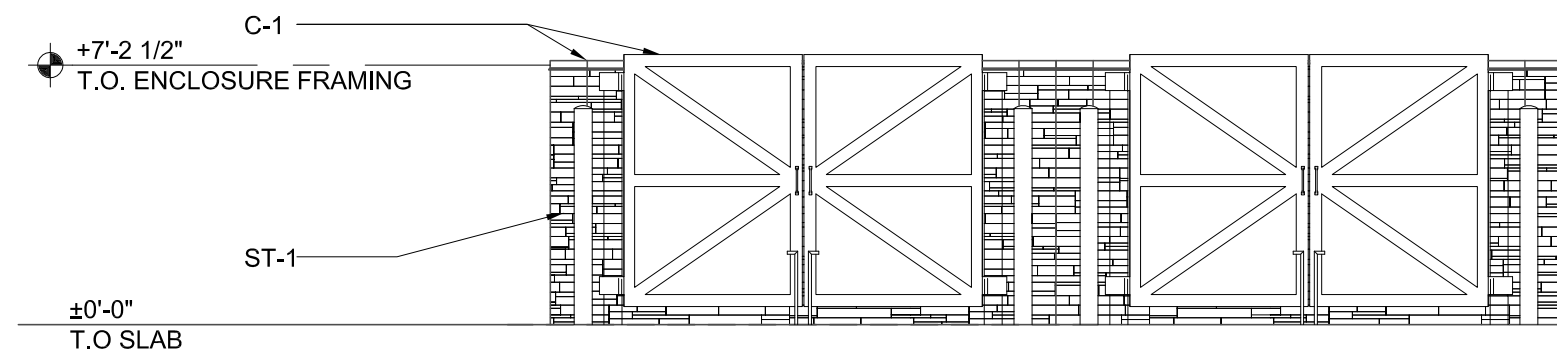
SCALE: 1/8" = 1'-0"

| EXTERIOR MATERIAL CALCULATIONS |                                 |                                 |                                     |
|--------------------------------|---------------------------------|---------------------------------|-------------------------------------|
| ELEVATION                      | TOTAL ELEVATION AREA (SF AND %) | MASONRY CONSTRUCTION PERCENTAGE | NON-MASONRY CONSTRUCTION PERCENTAGE |
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| LEFT SIDE ELEVATION (NORTH)    | 985 (100%)                      | 985 (100%)                      | 0 (0%)                              |
| REAR ELEVATION (EAST)          | 2,052 (100%)                    | 2,052 (100%)                    | 0 (0%)                              |
| RIGHT SIDE ELEVATION (SOUTH)   | 799 (100%)                      | 799 (100%)                      | 0 (0%)                              |

| EXTERIOR MATERIAL SCHEDULE |                    |  |
|----------------------------|--------------------|--|
| NO.                        | MATERIAL           | DESCRIPTION  |
| M-1                        | ALUMINUM FRAME     | MANUFACTURER: KANWEER, FINISH: CLEAR ANODIZED                                  |
| M-2                        | MTL. STANDING SEAM | MCBSI, SIGNATURE 300 - TERRA COTTA   |
| ST-1                       | MANUFACTURED STONE | MANUFACTURER: CORONADO STONE - LEDGE SERIES- PIRLEDGE - DAKOTA BROWN           |
| ST-2                       | MANUFACTURED STONE | MANUFACTURER: CORONADO STONE - CLASSIC SERIES- FRENCH LIMESTONE - FRENCH WHITE |
| B-1                        | THIN BRICK         | MANUFACTURER: ACHIE BRICK - HEATHERWOOD GRAY                                   |
| T-1                        | EXTERIOR TILE      | MANUFACTURER: TBD WALNUT WOOD LOOKING TILE                                     |
| S-1                        | PAINTED STUCCO     | PAINT MANUFACTURER: TBD COLOR: BEIGE (TBD)                                     |
| S-2                        | PAINTED STUCCO     | PAINT MANUFACTURER: TBD COLOR: PURPLE (TBD)                                    |
| S-3                        | PAINTED STUCCO     | PAINT MANUFACTURER: TBD COLOR: GREEN (TBD)                                     |
| S-4                        | PAINTED STUCCO     | PAINT MANUFACTURER: TBD COLOR: ORANGE (TBD)                                    |
| P-1                        | PAIN               | MANUFACTURER: TBD - COLOR TO MATCH THE MTL. ROOF                               |
| C-1                        | PREFINISHED METAL  | MANUFACTURER: TBD COLOR: DARK BRONZE   |

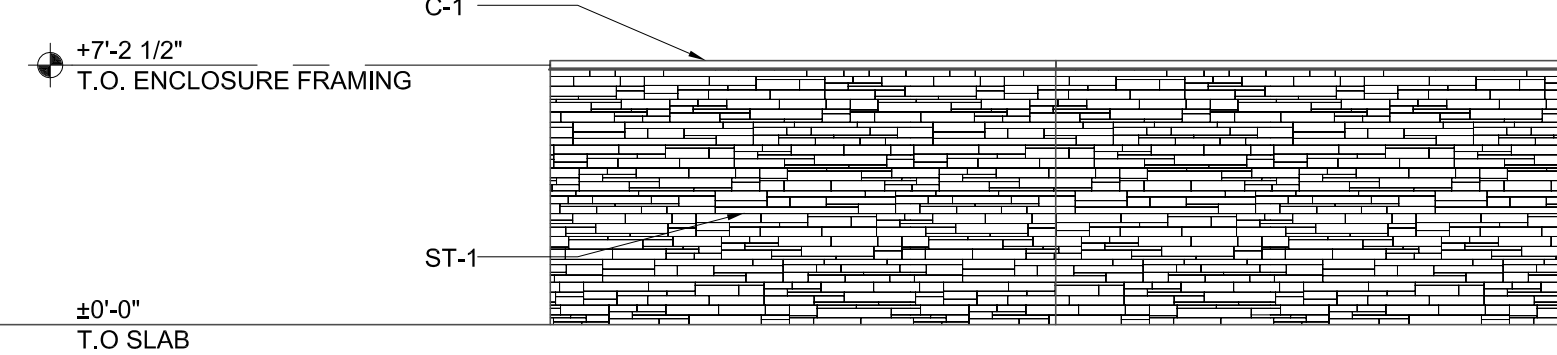
| CANOPY SIGNAGE CALCULATIONS  |                 |                  |
|------------------------------|-----------------|------------------|
| ELEVATION                    | ALLOWED SIGNAGE | PROVIDED SIGNAGE |
| FRONT ELEVATION (WEST)       | 25 SF           | 20 SF            |
| RIGHT SIDE ELEVATION (SOUTH) | 2.15 SF         | 2.15 SF          |

| ARCHITECTURAL DESIGN ELEMENTS |                                 |
|-------------------------------|---------------------------------|
| NO.                           | DESCRIPTION                     |
| 1.                            | AWNINGS / CANOPIES              |
| 2.                            | DISTINCTIVE LIGHTING FEATURES:  |
| 3.                            | PLANTERS (SEE LANDSCAPE PLANS)  |
| 4.                            | OUTDOOR SEATING (SEE SITE PLAN) |
| 5.                            | VARIED ROOF HEIGHTS             |
| 6.                            | RECESSED ENTRIES                |



## 4 DUMPSTER ENCLOSURE SOUTHEAST ELEVATION

SCALE: 3/16" = 1'-0"



## 5 DUMPSTER ENCLOSURE SOUTHWEST ELEVATION

SCALE: 3/16" = 1'-0"

| NO. | DATE | DESCRIPTION | BY |
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**GARLAND  
CITY COUNCIL ITEM SUMMARY SHEET**

**City Council Regular Session Agenda**

**Agenda Item 4.**

**Meeting Date:** July 19, 2016

**Item Title:** School Related Traffic Issue

**Submitted By:** Paul Luedtke, Transportation Director

---

**Summary of Request/Problem**

The Transportation Department periodically conducts school safety studies to respond to identified problems. This year, these studies indicate that changes to traffic controls are needed on Hayman Drive for students attending Lakeview Centennial High School.

The following changes are proposed:

Install a school zone on Hayman Drive 200 feet north to 1475 feet north of Waterhouse Blvd.

**Recommendation/Action Requested and Justification**

Adopting the proposed school traffic control changes will enhance the safety of school children, parents, and motorists in the vicinity of Lakeview Centennial High School.

---

**Attachments**

School Zone Ordinance

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## ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 33.28(C) OF CHAPTER 33, "TRANSPORTATION", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

## Section 1

That Section 33.28(C), "Prima Facie Maximum Speed Limit-School Zones" of Article III, "Speed Regulations" of Chapter 33, "Transportation", of the Code of Ordinances of the City of Garland, Texas, is hereby amended in part by *adding* the following designated area to read as follows:

"Hayman Drive 200 feet north of Waterhouse  
Boulevard to 1475 feet north of Waterhouse  
Boulevard"

## Section 2

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

### Section 3

That Section 33.28, "Prima Facie Maximum Speed Limit-School Zones" of Article III, "Speed Regulations" of Chapter 33, "Transportation", of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

## Section 4

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

**Section 5**

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

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2015.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

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



**GARLAND**  
**CITY COUNCIL ITEM SUMMARY SHEET**

**City Council Regular Session Agenda**

**Agenda Item 5.**

**Meeting Date:** July 19, 2016

**Item Title:** Appointment to the Texas Municipal Power Agency

**Submitted By:** Rene Dowl, City Secretary

---

**Summary of Request/Problem**

The Texas Municipal Power Agency (TMPA) notified the City that James Ratliff's term as a member of the TMPA Board of Directors expires on July 18, 2016. The City will need to reappoint Mr. Ratliff or appoint a new member to serve for the two-year term of July 19, 2016 to July 18, 2018.

The position was posted for a 14-day period and no other candidates have applied.

**Recommendation/Action Requested and Justification**

Consider by minute action the appointment of James Ratliff to the Texas Municipal Power Agency Board of Directors.

---



**GARLAND  
CITY COUNCIL ITEM SUMMARY SHEET**

**City Council Regular Session Agenda**

**Agenda Item 6.**

**Meeting Date:** July 19, 2016

**Item Title:** Appointment of a Mayor Pro Tem

---

**Summary of Request/Problem**

Council is requested to appoint a Mayor Pro Tem from among its members. In accordance to Article III, Section 4 of the City Charter (relating to the appointment of a mayor pro tem).

**Recommendation/Action Requested and Justification**

Appoint a Mayor Pro Tem.

---



## **GARLAND PLANNING REPORT**

### **City Council Regular Session Agenda**

### **Agenda Item 7. a.**

**Meeting Date:** July 19, 2016

**Item Title:** Z 16-11 Tailim Song

**Submitted By:** Will Guerin, Planning Director

---

### **REQUEST**

Approval of 1) a Detail Plan for Fuel Pumps, Retail; Convenience Store; Restaurant and Retail Store on a property zoned Planned Development (PD) District 03-40/41 for Heavy Commercial Uses and 2) an amendment to Planned Development (PD) District 03-40/41.

On July 5, 2016 City Council postponed the request above to the July 19, 2016 City Council meeting to allow the applicant time to revise the setback, height and sign area of the proposed pole sign.

### **OWNER**

Malhotra Brij Mohanlal &  
Premvada Malhotra

### **PLAN COMMISSION RECOMMENDATION**

On June 13, 2016 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of 1) a Detail Plan for Fuel Pumps, Retail; Convenience Store; Restaurant; and Retail Store and 2) an amendment to Planned Development (PD) District 03-40/41 to allow the freestanding pole sign to be located no closer than 4 feet from any property line, to allow a maximum pole sign height of 22 feet and a maximum pole sign area of 150 square feet.

### **STAFF RECOMMENDATION**

Approval of 1) a Detail Plan for Fuel Pumps, Retail; Convenience Store; Restaurant; and Retail Store.

Denial of 2) an amendment to Planned Development (PD) District 03-40/41 to allow the freestanding pole sign to be located no closer than 4 feet from any property line, and to allow a maximum pole sign height of 22 feet and a maximum pole sign area of 150 square feet. Upon closer examination, staff has concerns over a freestanding sign at the corner of Casalita and South First Avenue due to the proximity of existing utility poles at that location. It was also the intent of the original PD, which covers multiple properties along the east side of South First Avenue, to reduce sign clutter. While locating a pole sign near the northwest corner of the subject property would be acceptable to the Transportation Department, the GDC does not allow pole signs to be located within 150 feet of another pole sign including on an adjacent

property. Staff recommends the applicant follow the regulations for signage set in the existing PD.

## **BACKGROUND**

The subject property was developed in 1964 with a convenience store and gas station. The applicant is proposing to remove the existing structures and redevelop the site with a two-tenant building and a gas station.

## **SITE DATA**

The subject property contains approximately 0.76 acres, with approximately 175 lineal feet of frontage along South First Street and 190 lineal feet of frontage along Casalita Drive. The site will be accessed from both South First Street and Casalita Drive.

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

Planned Development (PD) 03-40/41 allows a limited number of land uses typically permitted in the Heavy Commercial (HC) District. Fuel Pumps, Retail; Convenience Store; Restaurant; and Retail Store are land uses that are permitted by right. Approval of a Detail Plan is required for new development on any tract or portion thereof within Planned Development (PD) District 03-40/41.

## **CONSIDERATIONS**

### Detail Plan

1. The applicant has brought forward a Detail Plan as part of a request to approve the development of a gas station on the subject property. The gas station will consist of a 3,862 square-foot two-tenant building and a 2,304 square-foot canopy over four (4) fuel pumps. The building will have 2,959 square feet dedicate to a convenience store and 903 square feet for a restaurant (with no drive-through) or retail.
2. With the exception of the landscape buffer widths which are permitted to be reduced to 6 feet per Planned Development (PD) 03-40/41, the proposed landscape and screening layout complies with the applicable screening and landscape regulations in Chapter 4 of the Garland Development Code.
3. The Garland Development Code establishes a parking ratio of 1 parking space for every 250 square feet of Convenience Store Use and Retail Store Use gross floor area and 1 parking space for every 100 square feet of Restaurant Use gross floor area. The proposed development requires a minimum of 21 parking spaces and the Detail Plan provides 22 parking spaces.
4. The design of the building is required to comply with the following Garland Development Code requirements:
  - All building elevations are required to consist of at least eighty percent masonry per Section 4.83(A).
  - At least two different exterior construction materials must be applied on facades visible from the streets per Section 4.83(A).



- At least six of the twelve architectural elements listed in Section 4.83(B) must be incorporated into the design of the building.
- Street-facing elevations should be horizontally and vertically articulated in accordance with Section 4.83(C).

The building design complies with the aforementioned design requirements.

5. Detailed information on the proposed attached signage on the building and canopy were not provided by the applicant; however, the applicant has indicated that all attached signage will comply with the applicable regulations in the Garland Development Code.

#### Amendment to Planned Development (PD) District 03-40/41

6. Planned Development (PD) District 03-40/41 establishes a minimum setback of 10 feet measured from the street right-of-way to any portion of a freestanding pole sign and limits the height to 10 feet and sign area to 75 square feet. The purpose of these limitations was to minimize the visual impact a pole sign can have on the public right-of-way and residential properties that are in close proximity considering the allowed reduced setback (a 20-foot setback is required by the GDC). The applicant seeks approval of an amendment to Planned Development (PD) District 03-40/41 and proposes a different setback, height and sign area for the pole sign. The applicant proposes one pole sign near the intersection of South First Street and Casalita Drive and seeks approval of an amendment to Planned Development (PD) District 03-40/41 to allow the proposed pole sign to be 4 feet from the property lines, to have a maximum height of 22 feet and a maximum sign area of 150 square feet. The applicant asserts that highly visible signage is key for drivers to readily identify the site as a gas station.

The proposed pole sign height and pole sign area would be consistent with the maximum height and maximum sign area permitted by the Garland Development Code.

### **COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland Plan recommends Neighborhood Centers for the subject property. Neighborhood Centers serve the needs of the nearby residents and are compatible in a neighborhood setting. They offer a mix of shops, services, amenities and gathering places, are primarily non-residential uses, but may include a small proportion of residential use in a vertical mixed-use development. The overall area, scale and architectural style should blend with adjacent residential areas and should strive to incorporate mobility options: by foot, bicycle, transit and private automobile.

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

The properties to the north along South First Street and the property immediately to the east are within Planned Development (PD) District 03-40/41; these properties create a corridor developed with auto related businesses, a church, a pawn shop and dwelling units. The properties in the larger surrounding area are mostly zoned for Single-Family Uses; these properties are developed as residential neighborhoods.

The purpose and intent in creating and adopting Planned Development (PD) 03-40/41 was to accommodate and support redevelopment and infill development within this older commercial corridor that is compatible with adjacent residential neighborhoods and enhances community appearance. The approval of the request will allow the redevelopment of a property whose existing dilapidated structures have had a negative visual impact on the surrounding area and on First Street. In addition to realizing the intent and goal of Planned Development (PD) 03-40/41, the proposed redevelopment will be highly compatible with the surrounding area by design and scale while providing valuable services that will be appropriately and conveniently located along a major thoroughfare and near residential neighborhoods.

---

### **Attachments**

Z 16-11 Tailim Song Attachments

Z 16-11 Tailim Song Responses


---





0 100 200 Feet  
1 inch = 200 feet

**ZONING Z 16-11**

 INDICATES AREA OF REQUEST



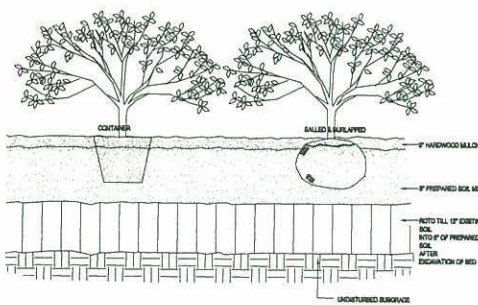
## **PLANNED DEVELOPMENT CONDITIONS**

### **ZONING FILE Z 16-11**

- I. Statement of Purpose:** The purpose of this Planned Development is to permit the development of Fuel Pumps, Retail; Convenience Store; Restaurant; and Retail Store subject to conditions.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Heavy Commercial (HC) District as set forth in Chapter 2 of the Garland Development Code and Planned Development (PD) District 03-40/41 are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Detail Plan:** Development shall be in general conformance with the Detail Plan labeled Exhibit C. In the event there is conflict between the approved Detail Plan and the Specific Regulations below, the Specific Regulations shall apply.
- V. Specific Regulations:**
- A. Permitted Uses: As permitted in Planned Development (PD) District 03-40/41.
- B. Screening and Landscaping: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D.
- All applicable screening and landscape regulations in the Garland Development Code shall be met; however, the width of the landscape buffers is permitted to be reduced to no less than 6 feet.
- C. Elevations: Building elevations shall be in general conformance with the elevations labeled Exhibit E.
- D. Signage: Freestanding signage and attached signage shall comply with the applicable regulations in the Garland Development Code, except that the freestanding signage is permitted to be located no

less than 4 feet from the property line along the streets.

[illegible]



shrub planting detail

NTS

## planting notes

- USE 3/4\"
- USE 4\"
- ALL THE LAWN AREAS TO BE HYDROMULCHED BERMUDA GRASS. REPLACE ALL THE DAMAGED EXISTING LAWN AREAS AS NEEDED.
- TOP DRESS ALL THE PLANTING BED AREAS WITH 2\"
- THE SITE WILL BE IRRIGATED WITH BELLOW GRADE AUTOMATIC IRRIGATION SYSTEM WITH FREEZE SENSOR, THAT IS CAPABLE OF PROVIDING THE PROPER AMOUNT OF WATER FOR PARTICULAR TYPE OF PLANT MATERIAL USED.

## landscape area

TOTAL SITE AREA: 33,113 SF (0.76 AC).  
OPEN AREA PROVIDED: 4,034 SF (12 % OF SITE AREA).  
TOTAL IMPERVIOUS AREA: 28,978 SF (INCLUDING BLDG. AREA).  
TOTAL NUMBER OF PARKING SPACES: 22.  
PARKING AREA LANDSCAPE 5% MIN.  
PROVIDED 26% (1,060 SF)

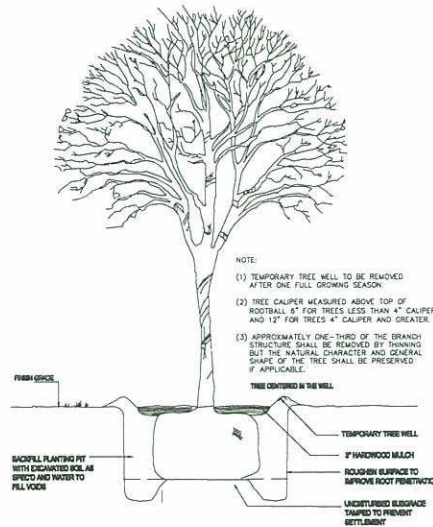
## planting requirement

FIRST STREET (173 LF FRONTAGE)  
LANDSCAPE BUFFER PLANTING:  
LARGE TREES REQUIRED: 6 - 3\"

CASALITA DRIVE (180 LF FRONTAGE)  
LARGE TREES REQUIRED: 7 - 3\"

SURFACE PARKING LOT LANDSCAPING (22 SPACES)  
LARGE TREE REQUIRED: 3 - 3\"

PROVIDED PARKING LOT SCREENING.



tree planting detail

NTS

## tree mitigation

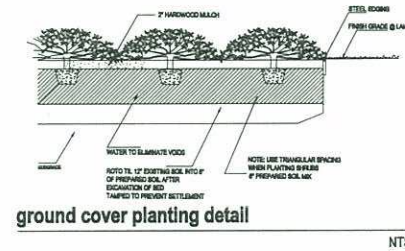
### existing tree listing

| COMMON NAME               | CAL. SIZE | MITIGATION RATIO |
|---------------------------|-----------|------------------|
| 01 COTTON WOOD (P)        | 12\"      | 26:1 = 3\"       |
| 02 ASH (P)                | 8\"       | 1:1 = 8\"        |
| 03 COTTON WOOD (P)        | 12\"      | 26:1 = 3\"       |
| 04 AMERICAN ELM (P)       | 34\"      | 2:1 = 48\"       |
| 05 COTTON WOOD (P)        | 18\"      | 26:1 = 4.8\"     |
| 06 COTTON WOOD (P)        | 14\"      | 26:1 = 3.2\"     |
| 07 COTTON WOOD, shade (P) | 34\"      | -                |
| 08 COTTON WOOD (P)        | 12\"      | 26:1 = 3\"       |
| 09 COTTON WOOD (P)        | 10\"      | 26:1 = 2.6\"     |
| 10 AMERICAN ELM (P)       | 12\"      | 1:1 = 12\"       |

TOTAL MITIGATION REQUIRED: 87.5 CAL. INCHES.  
PROVIDED: 64 CAL. INCHES.

## plant schedule

| QTY                             | COMMON NAME           | SCIENTIFIC NAME            | SIZE   | REMARKS  |
|---------------------------------|-----------------------|----------------------------|--------|--|
| <b>TREES</b>                    |                       |                            |        |  |
| 3                               | Texas Red Oak         | Quercus shumardii 'Texana' | 4\"    | Caliper 12-14\" ht., 6-7\" sp., full matching  |
| 4                               | Lac bark Elm          | Ulmus parviflora           | 4\"    | Caliper 10-12\" ht., 5-6\" sp., full matching  |
| 1                               | Live Oak              | Quercus virginiana         | 4\"    | Caliper 12-14\" ht., 5-6\" sp., full matching  |
| 3                               | Chinkapiin Oak        | Quercus muhlenbergii       | 4\"    | Caliper 10-12\" ht., 5-6\" sp., full matching  |
| 5                               | Chinese Pistache      | Pistacia chinensis         | 4\"    | Caliper 8-10\" ht., 5-6\" sp., full matching   |
| 3                               | Crape Myrtle (red)    | Lagerstroemia indica       | 4\"    | Caliper 8-10\" ht., multi trunk, full matching |
| <b>SHRUBS</b>                   |                       |                            |        |  |
| 35                              | Abelia                | Abelia grandiflora         | 5 gal. | 34\" ht. full pot, well rooted, 36\" O.C.      |
| 31                              | Burford Holly         | Ilex burfordi              | 5 gal. | 24\" ht. full pot, well rooted, 36\" O.C.      |
| 11                              | NRS Holly             | Ilex 'Nelle R. Stevens'    | 5 gal. | 36\" ht. full pot, well rooted, 48\" O.C.      |
| 96                              | Mexican Feather Grass | Nassella tenuissima        | 1 gal. | full pot, well rooted, 24\" O.C.               |
| 9                               | Indian Hawthorn       | Raphiolepis indica         | 3 gal. | full pot, well rooted.                         |
| 15                              | Salvia Greggii (red)  | Salvia Greggii             | 1 gal. | full pot, well rooted.                         |
| <b>GROUNDCOVERS, &amp; LAWN</b> |                       |                            |        |  |
|                                 | Burmudagrass          | Cynodon dactylon           |        | hydromulched                                   |

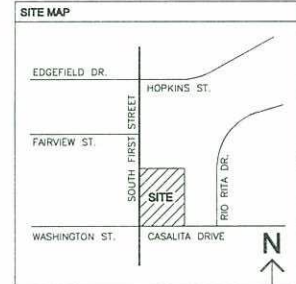


ground cover planting detail

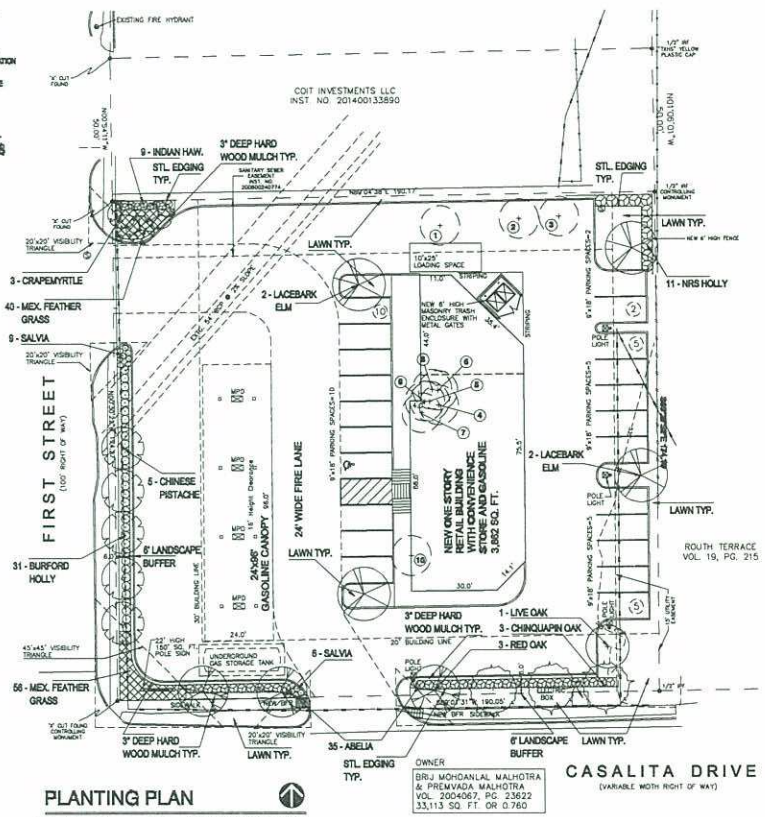
NTS

## legend

EXISTING TREE REMOVE (R)



TREE SURVEYOR  
PEISER & MANKIN SURVEYING, LLC  
623 E. DALLAS ROAD  
GRAPEVINE, TX. 76051, 817. 481.1806  
matthew@peisersurveying.com



PLANTING PLAN

SCALE: 1\"

aroids

landscape architects  
6001 Indian Hills drive • fortland • tenn 37054 • 214.403.3554

JB - MART

EXHIBIT D

| revision | date          |
|----------|---------------|
| 1        | MAY. 20, 2016 |
| 2        |               |
| 3        |               |
| 4        |               |
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LP.01

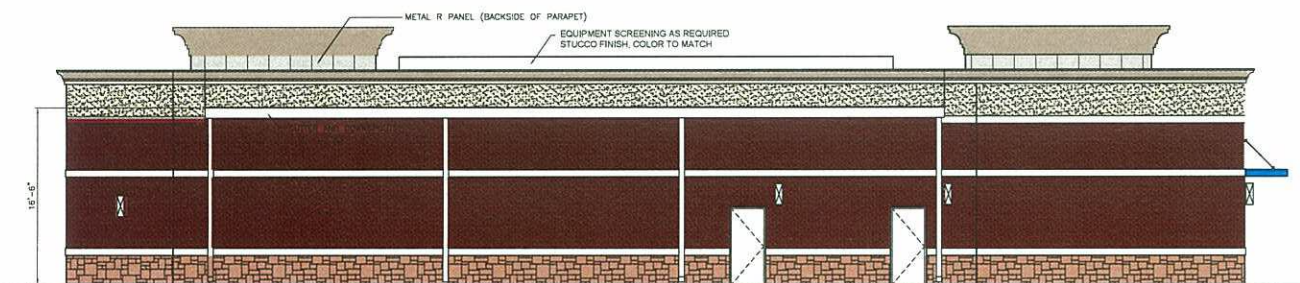




- ARCHITECTURAL ELEMENTS USED:**
1. METAL AWNINGS
  2. DISPLAY WINDOWS
  3. TRANSOMS
  4. ORNAMENTAL WINDOW HEADERS
  5. VARIED ROOF HEIGHTS
  6. ORNAMENTAL FACADE TRIMS

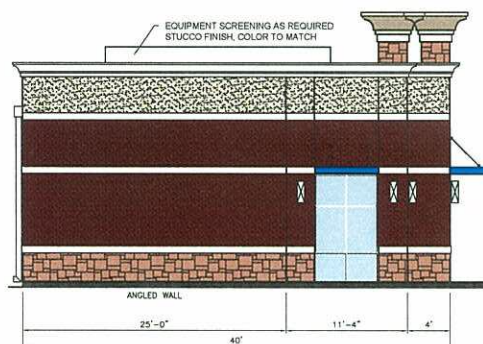
| WEST ELEVATION MASONRY PERCENTAGE: |     |
|------------------------------------|-----|
| 1. STOREFRONT DOOR AND WINDOWS     | 32% |
| 2. STONE FINISH                    | 14% |
| 3. BRICK FINISH                    | 23% |
| 4. STUCCO FINISH                   | 21% |
| 5. ORNAMENTAL STUCCO FINISH        | 5%  |
| 6. SMOOTH FINISH CAST BRICK        | 5%  |

**01 WEST ELEVATION (LOOKING FROM FIRST STREET)**  
Scale: 3/16"=1'-0"

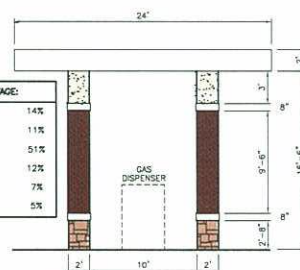


| EAST ELEVATION MASONRY PERCENTAGE: |     |
|------------------------------------|-----|
| 1. STONE FINISH                    | 21% |
| 2. BRICK FINISH                    | 48% |
| 3. STUCCO FINISH                   | 18% |
| 4. ORNAMENTAL STUCCO FINISH        | 6%  |
| 5. SMOOTH FINISH CAST BRICK        | 7%  |

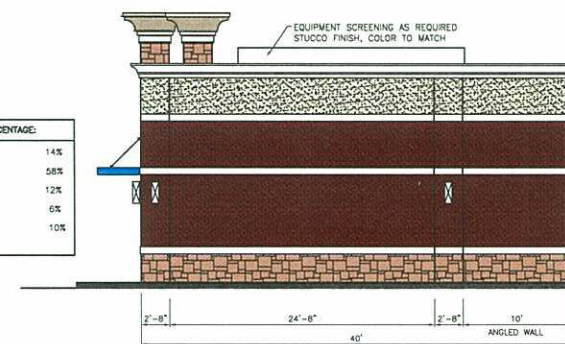
**02 EAST ELEVATION (LOOKING FROM REAR OF BUILDING)**  
Scale: 3/16"=1'-0"



| NORTH ELEVATION MASONRY PERCENTAGE: |     |
|-------------------------------------|-----|
| 1. STOREFRONT DOOR AND WINDOWS      | 14% |
| 2. STONE FINISH                     | 11% |
| 3. BRICK FINISH                     | 51% |
| 4. STUCCO FINISH                    | 12% |
| 5. ORNAMENTAL STUCCO FINISH         | 7%  |
| 6. SMOOTH FINISH CAST BRICK         | 5%  |



| SOUTH ELEVATION MASONRY PERCENTAGE: |     |
|-------------------------------------|-----|
| 1. STONE FINISH                     | 14% |
| 2. BRICK FINISH                     | 58% |
| 3. STUCCO FINISH                    | 12% |
| 4. ORNAMENTAL STUCCO FINISH         | 6%  |
| 5. SMOOTH FINISH CAST BRICK         | 10% |



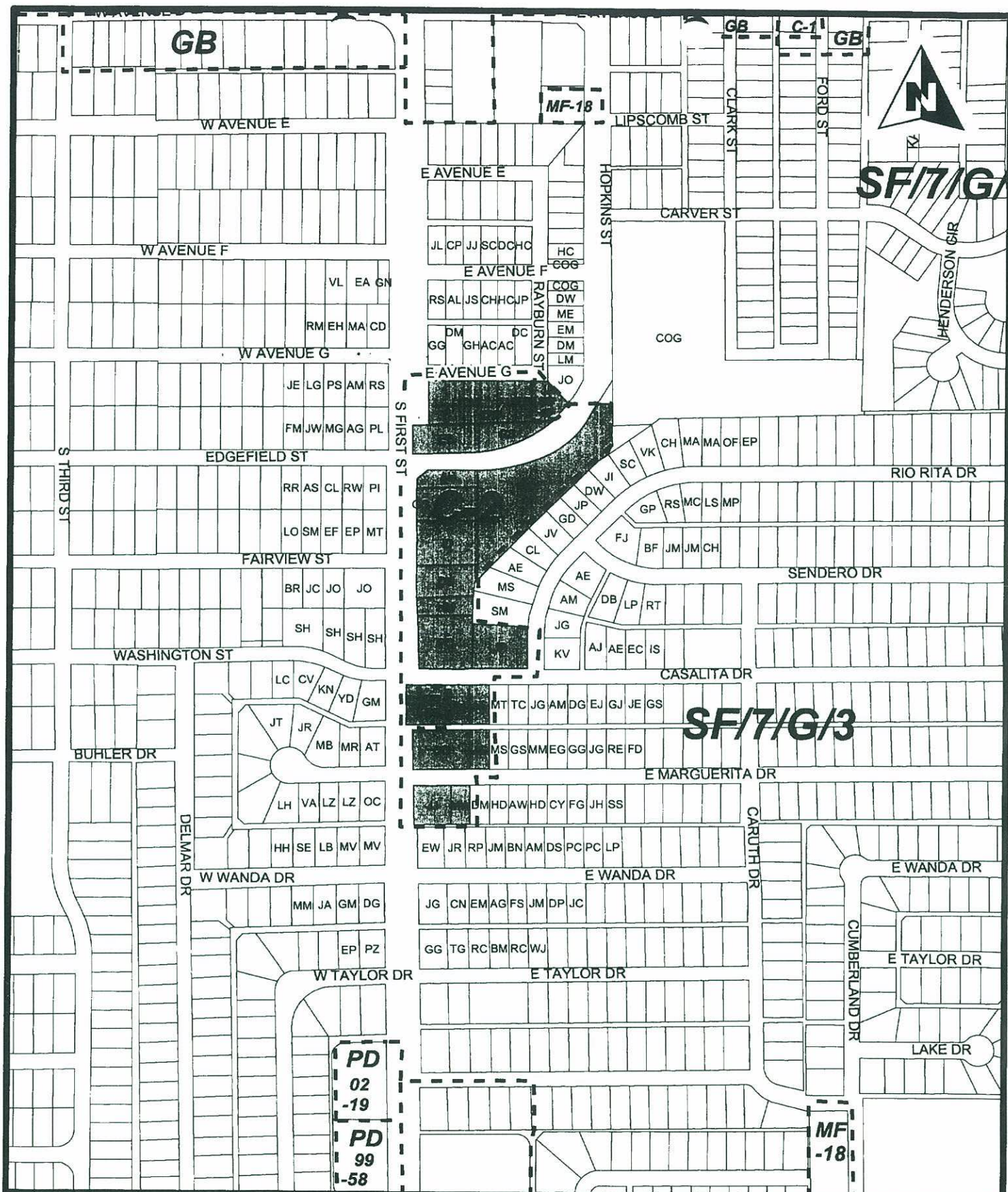
**04 SOUTH ELEVATION (LOOKING FROM CASALITA)**  
Scale: 3/16"=1'-0"

**03 NORTH ELEVATION**  
Scale: 3/16"=1'-0"

| PROJECT | DATE | DESCRIPTION |
|---------|------|-------------|
|         |      |             |
|         |      |             |
|         |      |             |
|         |      |             |

|               |                         |
|---------------|-------------------------|
| DEVELOPER     | CATALINA CORP/DAK, INC. |
| SHEET NAME    | EXTERIOR ELEVATIONS     |
| DRAWN BY      |                         |
| CHECKED BY    |                         |
| PROJECT NO.   |                         |
| DATE          | 4.4.2016                |
| REVISION DATE |                         |
| SHEET         |                         |
| OF            |                         |





SCALE IN FEET

0 200 400

1" = 400'

7b-14



INDICATES

AREA OF REQUEST

ZONING FILE  
Z 03-40 / 41

## REPORT & MINUTES

**P.C. Meeting, June 13, 2016 (7 Members Present)**

**Consideration of the application Tailim Song, requesting approval of 1) a Detail Plan for Fuel Pumps, Retail; Convenience Store; Restaurant; and Retail Store on a property zoned Planned Development (PD) District 03-40/41 for Heavy Commercial Uses and 2) an amendment to Planned Development (PD) District 03-40/41. This property is located at 1012-1020 South First Street. (District 2) (File Z 16-11) (This item was postponed from the May 23, 2016 Plan Commission meeting).**

Representing that applicant, Amy Hsu, 13140 Coit Rd, #350, Dallas, TX 75240, was available for questions. There were no questions of this applicant.

**Motion** was made by Commissioner Moore, seconded by Commissioner Ott to close the Public Hearing and **approve** the request per staff recommendation. **Motion carried: 7 Ayes, 0 Nay.**



O = IN FAVOR  
X = AGAINST

EDGEFIELD-ST

FAIRVIEW-ST

SF-7

WASHINGTON-ST

W-MARGUERITA-DR

DELMAR-DR

S-FIRST-ST

HOPKINS-ST

PD 03-40/41

PD 11-29

S09-24

1020

S 77-58

1104

E-MARGUERITA-DR

CASALITA-DR

RIO-RITA-DR

SENDERO-DR

CARUTH-DR

0 90 180 Feet  
1 inch = 200 feet

ZONING

Z 16-11

INDICATES AREA  
OF REQUEST



# GARLAND

May 12, 2016

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

**HEARING DATE/TIME:** Plan Commission: May 23, 2016 – 7:00 PM

**APPLICANT:** Tailim Song

**File Z 16-11**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, May 23, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Tailim Song**, requesting approval of 1) a Detail Plan for Fuel Pumps, Retail; Convenience Store; Restaurant and Retail Store on a property zoned Planned Development (PD) District 03-40/41 for Heavy Commercial Uses 2) an amendment to Planned Development (PD) District 03-40/41 and 3) a variance to Section 4.78 of the Garland Development Code regarding the location of freestanding signage. The property is shown on the enclosed sketch and is described as follows:

BEING a 0.76 acre parcel of land situated in the City of Garland, County of DALLAS, State of Texas, and being a part of the W.R. CARTER SURVEY, ABSTRACT No. 323. This property is located at 1012/1020 South First Street. (District 2)

**Note: The applicant proposes to redevelop the property with a gas station and a two-tenant building with a convenience store and a restaurant or retail.**

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

(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

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

(Please complete the following information)

Your Property Address

J. Guadalupe Compeán  
Printed Name

1108 Rio Rita Dr. Garland, TX  
Address City, State

75040  
Zip

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

J. Guadalupe Compeán  
Signature  
Date: 5-19-16

Title

MAY 23 2016 PM 2:04





# GARLAND

May 12, 2016

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

**HEARING DATE/TIME:** Plan Commission: May 23, 2016 – 7:00 PM

**APPLICANT:** Tailim Song

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(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

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

*I'm for this because it will be a positive step to the community & provide more potential customers to my Barber Shop.*

(Please complete the following information)

Your Property Address

*108 CasaLita*

Printed Name

*Ricky Smith / Rick's Barber Shop*

Address

*Garland*

City, State *Texas*

Zip *75040*

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

*Ricky Smith*

*Barber Shop (owner)*

Signature

Title

Date:

*5/28/2016*



## GARLAND PLANNING REPORT

### City Council Regular Session Agenda

### Agenda Item 7. b.

**Meeting Date:** July 19, 2016

**Item Title:** Z 16-08 Charles Hicks

**Submitted By:** Will Guerin, Planning Director

---

#### REQUEST

Approval of 1) a zoning change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-5 (SF-5) Uses, and 2) a Concept Plan for Dwelling, Single-Family Detached.

#### OWNER

Charles & Michelle Shannon

#### PLAN COMMISSION RECOMMENDATION

On June 27, 2016, the Plan Commission by a vote of eight (8) to zero (0) recommended denial of 1) a zoning change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-5 (SF-5) Uses, and 2) a Concept Plan for Dwelling, Single-Family Detached.

#### STAFF RECOMMENDATION

Staff recommendation is to approve the zoning change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-5 (SF-5) and a Concept Plan for Dwelling, Single-Family.

#### BACKGROUND

The subject property is currently undeveloped and zoned Agriculture (AG) District. The applicant seeks approval of a zoning change and a Concept Plan.

This case was postponed at the April 11, 2016 Plan Commission meeting. The applicant and neighbors met, with staff in attendance, on April 26, 2016. The results of that meeting are summarized in the table below. At the May 9, 2016 Plan Commission hearing, the case was postponed to the May 23, 2016 Plan Commission hearing. The item was heard on May 23, 2016 and postponed to June 27, 2016. This report has been updated to include the following revisions proposed by the applicant, including a revised concept plan (attached):

| <u>Standard</u> | <u>Previously April 11th</u> | <u>Previously May 23rd</u> | <u>Plan Commission June 27</u> |
|-----------------|------------------------------|----------------------------|--------------------------------|
| Lot Area        | 5,500 square feet            | 6,000 square feet          | 6,000 square feet              |
| Number of Lots  | 29                           | 27                         | 25                             |

|           |                    |                    |                    |
|-----------|--------------------|--------------------|--------------------|
| Density   | 2.9 units per acre | 2.7 units per acre | 2.5 units per acre |
| Lot Width | 50 feet            | 55 feet            | 55 feet            |

The applicant also proposed revisions to the PD Conditions, clarifying that tree removal would be limited to diseased or dying trees for trees located in the area of the creek close to the Hills of Breckinridge subdivision; the 30-foot distance is measured from the south bank of the creek as related to the tree preservation along the creek; and iron fences will be provided on the perimeter of the lots adjacent to the open space/flood plain area delineated on the Concept Plan.

## **SITE DATA**

The site has an area of 9.7 acres. It has approximately 1,181 feet of frontage along Campbell Road and 925 feet of frontage along Brand Road. The site has 867 feet of contiguous property line with The Hills of Breckinridge Replat to the north.

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

The Agriculture (AG) District is intended for vacant land which is not yet ready for development; land which is used for agricultural or open space purposes; and land which due to its topography or location within a floodplain or other undevelopable area is not anticipated to be developed for more intense uses. The proposed Single-Family-5 Uses are not permitted by right in the Agriculture (AG) District; therefore, a zoning change is required for the proposed uses. The applicant has proposed rezoning to a Planned Development (PD) District for Single-Family 5 (SF-5) Uses.

## **CONSIDERATIONS**

1. The applicant proposes a zoning change and a Concept Plan. The Concept Plan consists of one property and this proposal would allow a minimum 2,500 square-foot single-family detached dwellings on minimum 6,000 square-foot lots.
2. Consideration should be given to the compatibility of the single-family use proposed with the surrounding developed land. The subdivided properties located to the southeast are developed with single-family residences. These subdivisions are developed with average lot sizes ranging from 10,000 to 12,500 square feet. Abutting the subject site to the north is another platted subdivision, The Hills of Breckinridge Replat, and all of the subject site's north property line abuts common open space or private street frontage in that subdivision. The lots in The Hills of Breckinridge Replat average approximately 20,000 square feet in size. To the west is undeveloped property and one single-family residence. To the southwest is the Oaks at Firewheel subdivision which consists of, on average, 6,000 square foot lots.
3. The site is separated from existing development by major thoroughfares and a floodplain. The development to the south is separated from the subject property by Campbell Road, a planned 100-foot wide right-of-way median-divided street with landscaping along both sides. The property to the west is separated from the subject property by Brand Road, a planned 100-foot wide right-of-way median-divided street, with landscaping along both sides. The floodplain separates the buildable area of the subject site from the property to the north. The floodplain width is variable, and at its narrowest point along the shared property line it is approximately 60 feet in width.

4. Consideration should also be given to any site constraints that limit development on the subject site. The Concept Plan shows the site with a 100-year floodplain comprising approximately half of the site. The floodplain constrains the site development potential, thus reducing the developable area. As a result, the Planned Development (PD) District is applicable due to the need for flexible zoning. The site constraints present the potential for the clustering of lots to afford protection of the environmental conditions of the floodplain area. The clustering of lots would result in lot sizes smaller than that of the surrounding area as this project proposes Single-Family 5 (SF-5) District as a base zoning. However, the development would have a similar density as found in the development to the south. The applicant desires to yield 25 lots, resulting in 2.5 units per acre. The properties to the south are developed at approximately 2.8 units per acre. The property to the north, which is separated from the proposed development by the floodplain, is built with approximately 1.2 units per acre. The proposed PD conditions include that the development shall have a maximum of 25 lots.
5. This proposal would result in lots clustered onto the southern portion of the site with preservation of floodplain area on the north side of the property. The Single-Family-5 (SF-5) district standards proposed in this Planned Development (PD) District maintain the standard lot width of 55 feet.
6. The Detail Plan elements will be reviewed in a future application and include refined plan for street improvements, compatibility of screening walls along East Campbell Road, trail location, results of flood boundary study, tree preservation, and design features. The developer has indicated that alleys will not be included in this project. Alley widths may constrain the property as the developable width of the site is narrow. Staff recognizes the site limitations. However, it is better addressed with the Detail Plan analysis.

## **COMPREHENSIVE PLAN**

The Envision Garland Plan designates the site as Traditional Neighborhoods and Parks and Open Space (Public & Private).

Parks and Open Spaces consist of a variety of public/private parks, plazas, and natural areas for passive and active recreation, as well as informal gathering places, including development that contributes to their desirability.

Traditional Neighborhoods offer residential areas of typical suburban density within a conventional neighborhood setting. Development in Traditional Neighborhoods includes single-family detached homes arranged on conventional collector and neighborhood streets. Typical density of Traditional Neighborhoods ranges from one to six units per acre.

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

The properties to the north and southeast are zoned Planned Development (PD) Single-Family Uses and developed with single-family dwelling units. The property to the west is zoned Agriculture (AG) District and is mostly undeveloped with one large lot single-family residence.

The proposed uses are compatible with the surrounding development. More refined details of the proposed lots and perimeter treatment will be included with the Detail Plan to ensure the subject property is developed in a manner that is sensitive to the surrounding natural areas and



land uses.

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**Attachments**

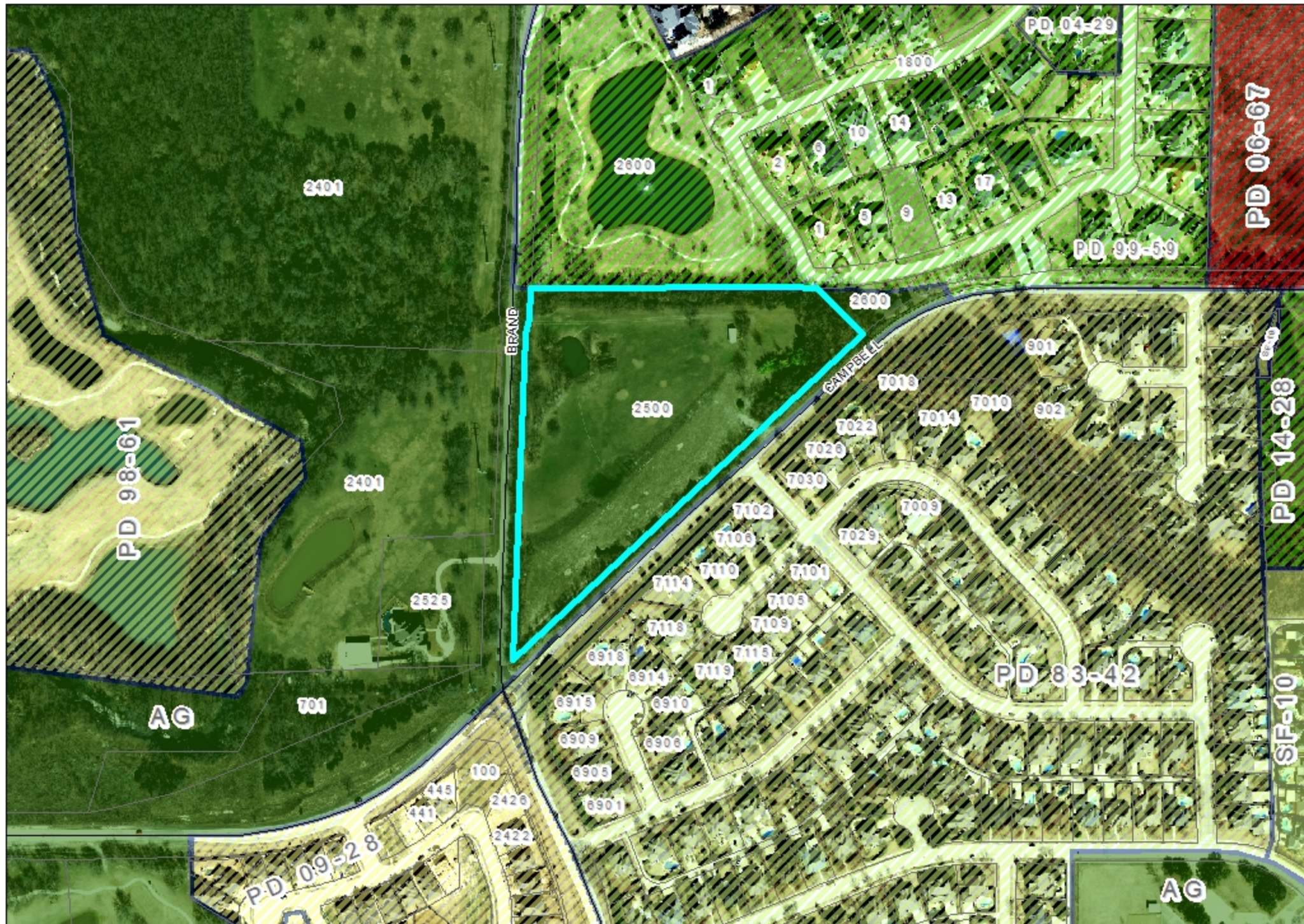
Z 16-08 Charles Hicks Attachments

Z 16-08 Charles Hicks Resplies

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0 150 300 Feet  
1 inch = 300 feet

**ZONING**

**Z 16-08**

 INDICATES AREA  
OF REQUEST



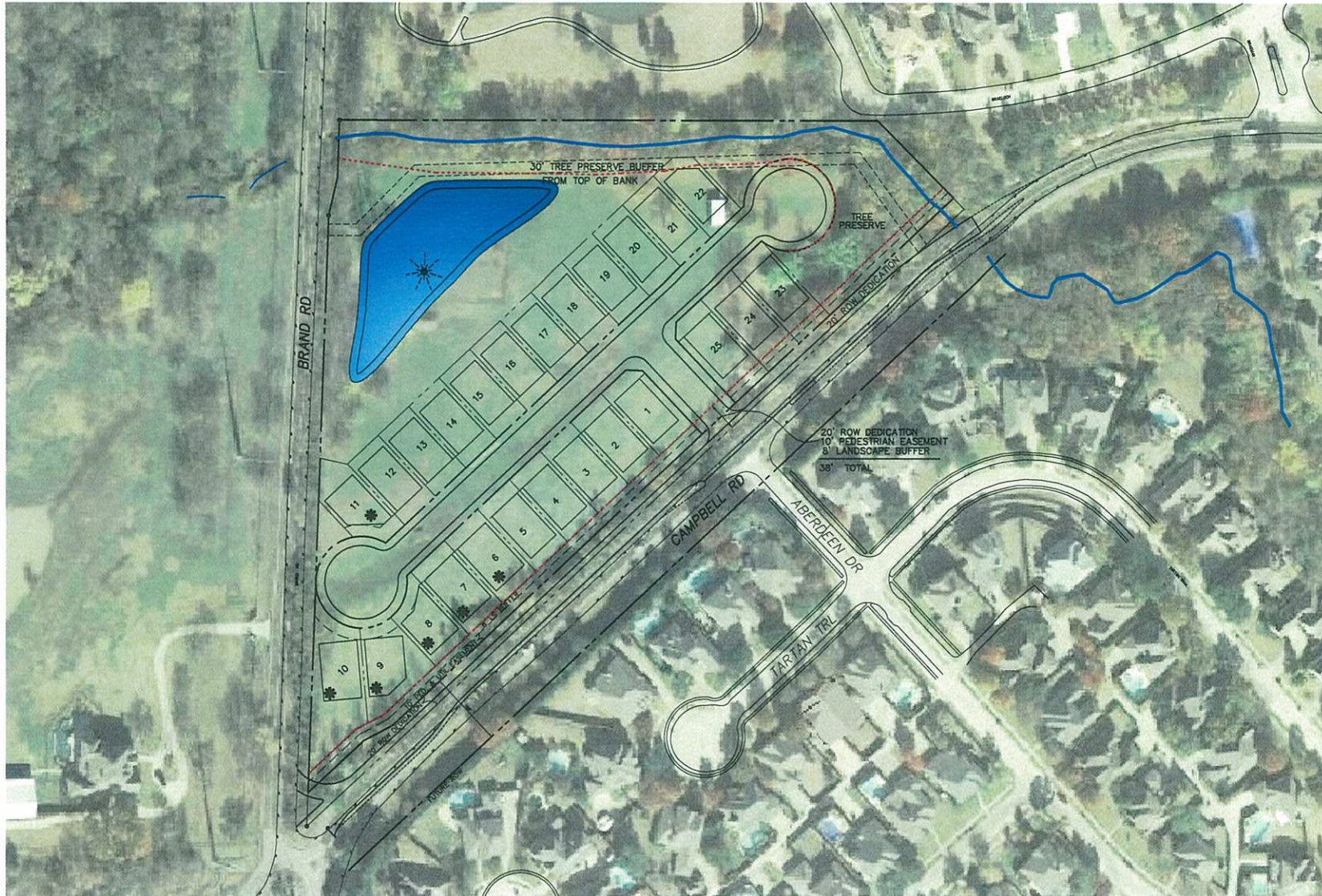
## PLANNED DEVELOPMENT CONDITIONS

### ZONING FILE Z 16-08

#### Northeast Corner of Brand Road and Campbell Road

- I. **Statement of Purpose:** The purpose of this Planned Development is to permit the development of Single-Family Uses.
- II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Single-Family 5 (SF-5) District as 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. **Concept Plan:** Development shall be in general conformance with the Concept Plan labeled Exhibit C. In the event there is conflict between the approved Concept Plan and the Specific Regulations below, the Specific Regulations shall apply.
- V. **Detail Plan:** Approval of a Detail Plan is required prior to any development on the property reflected in the Concept Plan.
- V. **Specific Regulations:**
  - A. Permitted Uses: Only Single-Family detached dwelling units shall be permitted.
  - B. Number of Lots: The maximum number of lots is 25.
  - C. Dwelling Unit Size: Minimum dwelling unit size is 2,500 square feet.
  - D. Lot Area: The minimum lot area is 6,000 square feet.
  - E. Lot Width: The minimum lot width is 55 feet.
  - F. Setback: Except as provided in this section, setbacks shall comply with SF-5 standards of the Garland Development Code. The minimum rear yard setback for lots that back towards Campbell Road shall be 15 feet.
  - G. Tree Preservation and Mitigation:
    - a. Preservation. The development shall preserve existing trees in the area extending from the site's north and northeast property line, contiguous to the Hills of Breckinridge subdivision, to a point measured 30 feet south and southwest from the top creek bank as the creek exists prior to any improvements made as a result of the development. However, diseased or dying trees, as determined by the city, may be removed from that preservation zone between

- the top of the creek bank and a line 30 feet south and southwest of the creek bank. Those trees shall be replaced with trees that will provide growth characteristics that will maintain the visual screen between the property and the Hills of Breckinridge subdivision.
- b. **Protection.** Preserved trees shall be protected during construction in accordance with the Garland Development Code Tree Preservation and Mitigation requirements, which may require a protection zone greater than 30 feet specified in G. Tree Preservation and Mitigation (a) Preservation.
  - c. **Tree Species and Characteristic.** In addition to tree species required in G. Tree Preservation and Mitigation (a) Preservation, any new trees shall consist of species that can tolerate typical soil conditions characteristic of the planting area.
- H. **Retaining Walls:** Retaining walls shall be structurally engineered to City of Garland standards and specifications. Gabion walls shall be prohibited.
- I. **Perimeter Walls:** Perimeter walls constructed within the landscape easement along Campbell Road and within that portion of the landscape easement adjacent to dwelling unit lots along Brand Road shall be compatible with the walls at the Oaks at Firewheel and The Greens No. 5 Subdivisions. The walls shall conform to the construction standards of the City of Garland.
- J. **Fencing:** Iron fences shall be provided on the perimeter of the lots adjacent to the open space/floodplain area delineated on Exhibit C.
- K. **Ingress and Egress:** The ingress and egress point on Campbell Road into the property shall align with Aberdeen Drive.
- L. **Entry Area Improvements:** Entry area improvements shall be compatible with entry area improvements at The Greens No 5 and the Oaks at Firewheel subdivisions. Development shall not be gated.
- M. **Façade Design:** Dwelling unit facades shall consist of a minimum of 80 percent masonry, as defined in the Garland Development Code.



SINGLE FAMILY DETACHED LOTS : 25



SINGLE FAMILY DETACHED LOTS : 6  
TYPICAL SF LOT SIZE: 60'x112'  
PAD SIZE 50'x75'

SINGLE FAMILY DETACHED LOTS : 19  
TYPICAL SF LOT SIZE: 55'x110'  
PAD SIZE 45'x75'



Marshall Gage LLC  
207 E. Virginia, Suite 216  
McKinney, Texas  
(214) 986-9018

## CONCEPT PLAN K

9.2 ± acres - Garland, Texas

1"=60'

5-25-16



## REPORT & MINUTES

### P.C. Meeting, June 27, 2016 (8 Members Present)

**Consideration of the application for Charles Hicks, requesting approval of 1) a zoning change from Agriculture (AG) District to Planned Development (PD) for Single-Family-5 (SF-5) Uses and 2) a Concept Plan for Dwelling, Single-Family Detached. This property is located at the northeast corner of Brand Road and Campbell Road. (District 1) (File Z 16-08) (This item was postponed from the May 23, 2016 Plan Commission meeting).**

Representing that applicant, Audra Buckley, 416 S. Ervay, St. Dallas, TX 75201, provided additional information regarding their request as a result of their continued work with the surrounding homeowner associations in regards to added language regarding iron fencing, perimeter wall standards and entry area, tree preservation, and ingress/egress realignment.

Residents who spoke in opposition were:

Sydan Gordon – 6 Dunrobin, Garland, TX, 75044  
John Plata – 7022 Tartan Trail, Garland, TX  
Aileen Nguyen – 1 Dunrobin, Garland, TX, 75044  
Keith Black – 6 Kilchurn, Garland, TX, 75044

Residents present and registering their position as opposed were:

Khalid and Naghma Iqbal – 14 Dunrobin, TX 75044  
Sherry Hansford – 2, Lochleven, Richardson, TX  
Julianna Black – 6 Kulchurn, Garland, TX 75044  
Bob Blesi – 2 Brae Loch, Garland, TX 75044  
Don Gordon – 6 Dunrobin, Garland, TX 75044  
Ken M Kirkland – 7010 Tartan Trail, Garland, TX

Residents expressed concern regarding compatibility with the surrounding neighborhoods, the proposed lot size, tree preservation, existing flood plain, home values, and compatibility with Envision Garland.

The applicant Charles Hicks, 11825 Forest Lakes Lane, Dallas, TX reiterated their attempts to work with the surrounding homeowner associations.

**Motion** was made by Commissioner Luckie, seconded by Commissioner Ott to close the Public Hearing and open the case for discussion. **Motion carried: 8 Ayes, 0 Nays.**

Commissioner Luckie and Ott expressed their opposition with this request. Chairman Roberts thanked both sides on their efforts to work together.

**Motion** was made by Commissioner Luckie, seconded by Commissioner Ott to **deny** the request. **Motion carried: 8 Ayes, 0 Nays.**

O = IN FAVOR  
X = AGAINST

PD 98-61

AG

PD 09-28

701

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FARRINGTON

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KINNERTON

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# GARLAND

April 1, 2016

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

**HEARING DATE/TIME:** Plan Commission: April 11, 2016 – 7:00 PM

**APPLICANT:** Charles Hicks  
**File 16-08**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 11, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Charles Hicks**, requesting approval of 1) a zoning change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-5 Uses and 2) a Concept Plan for Dwelling. Single-Family Detached. The property is shown on the enclosed sketch and is described as follows:

BEING part of the C. A. Lovejoy Survey, Abstract No. 832, being all of a called 9.7637 acre tract conveyed to Charles P. Shannon by deed recorded in Volume 2004236, Page 2472 of the Deed Records of Dallas County, Texas. This property is bounded by East Brand Road to the west, East Campbell Road to the southeast, and The Hills of Breckinridge Replat to the north. (District 1)

**Note: The applicant seeks approval of a zoning change and a Concept Plan, to develop the site with a single family subdivision.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474**. Should you have any questions, please contact Kira Wauwie at 972-205-2456.

(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

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

*I owned 2525 Prior & would love to purchase a new home on this land or mine to be developed*

(Please complete the following information)

Your Property Address *2401 + 2601 Brand Rd.*

Printed Name *Mar' Sue M. Haffner Garland, TX*

Address City, State Zip

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

Signature  
Date:

*Mar' Sue M. Haffner*  
*4/15/2016*

Title

*owner*

*I will buy here 972-9892737*



# GARLAND

April 1, 2016

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APPLICANT: Charles Hicks

File 16-08

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(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

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

Your Property Address

(Please complete the following information)

Printed Name

Address

City, State

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

Signature

Title

Date

*Jerry Feagin*  
 7101 TARTAN TRL GARLAND, TX 75044  
*[Signature]* Owner  
 4-12-16



# GARLAND

April 1, 2016

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

**HEARING DATE/TIME:** Plan Commission: April 11, 2016 – 7:00 PM

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**File 16-08**

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(Please Check One Below)

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

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

ASSURING SAME OR BETTER QUALITY AS  
ADJACENT DEVELOPMENT.

(Please complete the following information)

Your Property Address

6505 SHAMROCK CT

Printed Name

JEFF CROWE

GARLAND TX.

75044

Address

City, State

Zip

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

Signature

Title

Date:

4/4/16

APR 11 2016 2:23





# GARLAND

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

April 1, 2016

HEARING DATE/TIME: Plan Commission: April 11, 2016 - 7:00 PM

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(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

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

*Over the past 5 to 7 years the area of Campbell and Brand has become increasingly congested with traffic. ~~often~~ At times it can take more than 5 minutes to get out of our subdivision in the morning. The number of homes and density of the proposed zoning change will only add to the congestion.*

(Please complete the following information)

Your Property Address

*13 Brae Loch*

Printed Name

*VINCE FUDZIE* *Garland, TX* *75044*

Address

City, State

Zip

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

Signature

Date

*4/7/16*

Title

*property/home owner*



# GARLAND

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

April 1, 2016

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(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

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

please see the points raised in our attached  
letter regarding the Flood plain lines, retaining walls,  
safety and value of our home. Thank you!

(Please complete the following information)

Your Property Address

ALLEEN & TAM NGUYEN

Printed Name

1 DUNROBIN GARLAND

Address

TEXAS

City, State

75044

Zip

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

Alleen Nguyen

Signature

SR. DIRECTOR, TAX

Title

Date:

4/7/2016

Tam C. and Aileen P. Nguyen  
1 Dunrobin  
Garland, TX 75044

April 7, 2016

Via Fax 972 205 2474  
Mr. Will Guerin  
Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: E. Brand Road at Campbell. Charles Hicks, File 16-08. Pre-submittal meeting case #151229-2

Dear Mr. Guerin,

I have received the notice for hearing from the city of Garland regarding the application of Mr. Charles Hicks regarding (1) the zoning change from Agriculture District (AG) to Planned Development (PD) for Single Family Use, and (2) a Concept Plan for Dwelling for the lot as indicated in the back of the notice.

We opposed to the request for the following reasons:

1. Based on our knowledge, a flood study has not been performed for the above referenced property. Based on our research, a large part of that property is within the Existing Flood zone, where the Existing Flood Plain line runs through the center of the proposed houses on the north side of the street. **We request that a formal Flood study must be done before the city of Garland grants the approval to this application.**
2. Based on the map that the developer sent to several residents, but not us, the Proposed Flood Plain line would require the construction of a very high retaining wall for these houses. The height of the retaining walls and the stability of the lots and the house foundation is a great concern for us, for safety reasons and the impacts that it could have on the Flood line and thus the safety of the houses of the Hills of Breckenridge. Our house is next to the pond and the creek; therefore, this is a great concern for us. The developer proposed to use concrete, rip rap, or rip rap-like materials. **We hereby request that the retaining walls have to be mortared stone and not concrete and rip rap materials.**



3. We were told that the minimum square footage of the dwelling would be only 2,000sq ft with lot size around 5,500 square feet. We are concerned that the smaller homes and lot will not only bring down the value of the home in our neighborhood, but also may create a negative impact to the budget of the city. Please see the attached analysis. Thus, we request that the minimum square footage of the lots should be 7500 , and the minimum dwelling size should be 3,000 square feet. At this size, the City may be able to break-even or have surplus.

The smaller home and the rip rap retaining walls will definitely bring down the value of our homes. We are a long term residents and diligent taxpayers of the City of Garland. Like the city, we would like to see more development projects that will increase the tax base thus generate more revenue for the city which can be used to improve the quality of life for the residents of Garland. However, we would strongly oppose to those projects that create negative impacts on our home safety and values and the budget of the City.

We believe that the Board of the Hills of Breckinridge Homeowners Association has submitted the opposition on behalves of its residents and the requests for the development/building criteria that will uphold the safety and environmental standards for us as well as the values of our homes.

We are looking forward to discussing this application further at the hearing to be held by the Plan Commission of the City of Garland at 7:00 P.M. on Monday April 11, 2016.

Thank you for your consideration.

Yours truly,



Aileen P. Nguyen

ANALYSIS OF PROPERTY TAX REVENUE/EXPENSE FOR THE 29 HOMES FROM THE CONCEPT PLAN

IF MINIMUM HOME SIZE IS 2,000 SQFT AND LOTS SIZE IS 5,500SQFT

|                             | Proposed<br>Number of<br>Homes | Avg. sq.ft. per<br>home | Avg. price per<br>sqft. | Est. Avg Home<br>Price w/o Land | Land Value | Avg price home<br>price | Tax rate (A) | Prop. Tax on Each<br>Home (B) | Total Prop. Tax      |
|-----------------------------|--------------------------------|-------------------------|-------------------------|---------------------------------|------------|-------------------------|--------------|-------------------------------|----------------------|
| Estimated City Property Tax | 29                             | 2700                    | 105                     | \$ 283,500                      | \$ 55,000  | \$ 338,500              | 0.7046%      | \$ 2,385.07                   | \$ 69,167            |
| Estimated GISD Property Tax | 29                             | 2700                    | 105                     | \$ 283,500                      | \$ 55,000  | \$ 338,500              | 1.3533%      | \$ 4,580.92                   | \$ 132,847           |
| Total                       |                                |                         |                         |                                 |            |                         |              | <u>\$ 6,965.99</u>            | <u>\$ 202,013.75</u> |

Note (A): Based on 2015 tax rate published by DCAD.

Note (B): assumed no homestead exemption

Per a research posted by Ballotpedia November 17, 2014, GISD's expenditures per student was \$8,280. This figure didnot include the estimated cost of busing the student as \$930 per child per year. Thus each home has one student, the city of Garland will have a negative budget of (\$65,105) per year (\$8,280+930-6,965 = \$2,245 X 29)

IF MINIMUM HOME SIZE IS 3,000 SQFT AND LOTS SIZE IS 7,500SQFT

|                             | Proposed<br>Number of<br>Homes | Avg. sq.ft. per<br>home | Avg. price per<br>sqft. | Est. Avg Home<br>Price w/o Land | Land Value | Avg price home<br>price | Tax rate (A) | Prop. Tax on Each<br>Home (B) | Total Prop. Tax      |
|-----------------------------|--------------------------------|-------------------------|-------------------------|---------------------------------|------------|-------------------------|--------------|-------------------------------|----------------------|
| Estimated City Property Tax | 20                             | 3500                    | 110                     | \$ 385,000                      | \$ 75,000  | \$ 460,000              | 0.7046%      | \$ 3,241.16                   | \$ 64,823            |
| Estimated GISD Property Tax | 20                             | 3500                    | 110                     | \$ 385,000                      | \$ 75,000  | \$ 460,000              | 1.3533%      | \$ 6,225.18                   | \$ 124,504           |
| Total                       |                                |                         |                         |                                 |            |                         |              | <u>\$ 9,466.34</u>            | <u>\$ 189,326.80</u> |

At this minimum home and lot size, the propert taxes generated from each home will break-even or surpass the cost per student for GISD.

Please note that this analysis does not consider other costs that the City may have to spend on the new community.



# GARLAND

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

April 1, 2016

HEARING DATE/TIME: Plan Commission: April 11, 2016 – 7:00 PM

APPLICANT: Charles Hicks  
File 16-08

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 11, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Charles Hicks**, requesting approval of 1) a zoning change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-5 Uses and 2) a Concept Plan for Dwelling, Single-Family Detached. The property is shown on the enclosed sketch and is described as follows:

BEING part of the C. A. Lovejoy Survey, Abstract No. 832, being all of a called 9.7637 acre tract conveyed to Charles P. Shannon by deed recorded in Volume 2004236, Page 2472 of the Deed Records of Dallas County, Texas. This property is bounded by East Brand Road to the west, East Campbell Road to the southeast, and The Hills of Breckinridge Replat to the north. (District 1)

**Note: The applicant seeks approval of a zoning change and a Concept Plan, to develop the site with a single family subdivision.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474**. Should you have any questions, please contact Kira Wauwie at 972-205-2456.

(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

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

*The creek area on this property already floods badly; we object to changing the flood plain line. We object to the lot sizes, which should be minimum 7500sf. Horse size should be 3000sf min. And masonry retaining walls.*

Your Property Address

*6 Dunrebin*

Printed Name

*Don + Sydna Gordon*

*Garland, TX*

*75044*

Address

City, State

Zip

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

*Sydna Gordon*

*Property owner + resident*

Signature

Title

Date: *4/7/16*

# *The Hills of Breckinridge Homeowners Association, Inc.*

Professionally Managed by SBB Management Company  
An Accredited Association Management Company  
8360 LBJ Freeway, Suite 300  
Dallas, Texas 75243  
(972) 960-2800 Fax (972) 991-6642

May 20, 2016

Garland Plan Commission  
800 Main Street  
Garland, Texas 75040

Via email to [KWauwie@garlandtx.gov](mailto:KWauwie@garlandtx.gov)

Re: File No. Z 16-08/District 1

Dear Plan Commission Members:

The Hills of Breckinridge continues its opposition to the above referenced rezoning application.

1. We oppose the rezoning until a Final Flood Study is obtained. Based on the discussion of the plans at the meeting between homeowners and the developer on April 26<sup>th</sup>, without a flood study the viability of the proposed development and its impact on the floodplain and the surrounding neighborhoods is impossible to determine.
2. We oppose front entry garages.
3. We would support 60 foot wide lots.
4. We support preservation of the existing trees within a minimum of 30 feet from the bank of the creek, not from the center of the creek as specified in PD Specific Regulation G c. We oppose permitting the removal or damaging of these trees in exchange for mitigation by replacing them with new plantings.
5. The attached Concept Plan A, presented by the developer to a homeowners meeting on April 26, 2016, cannot be executed without destruction of the existing trees at the east end of the property. Construction of the houses on lots labeled 24-28 will destroy the existing trees and the screening these trees provide. It would be impossible to protect the trees if the floodplain were raised as projected and houses on lots 24-28 were built.
6. We oppose approval of 27 lots.
7. We oppose rezoning of this property as SF-5. We would support SF-7 zoning.
8. The PD Specific Regulation does not require iron fencing. Providing for iron fencing "where feasible" is not acceptable. Therefore, we oppose the fencing regulations as proposed.

Yours truly,



Sydna Gordon, HOA Board Member  
Hills of Breckinridge Maintenance Association, Inc.

cc: Charles Hicks  
Mayor Douglas Athas  
Councilmember David Gibbons

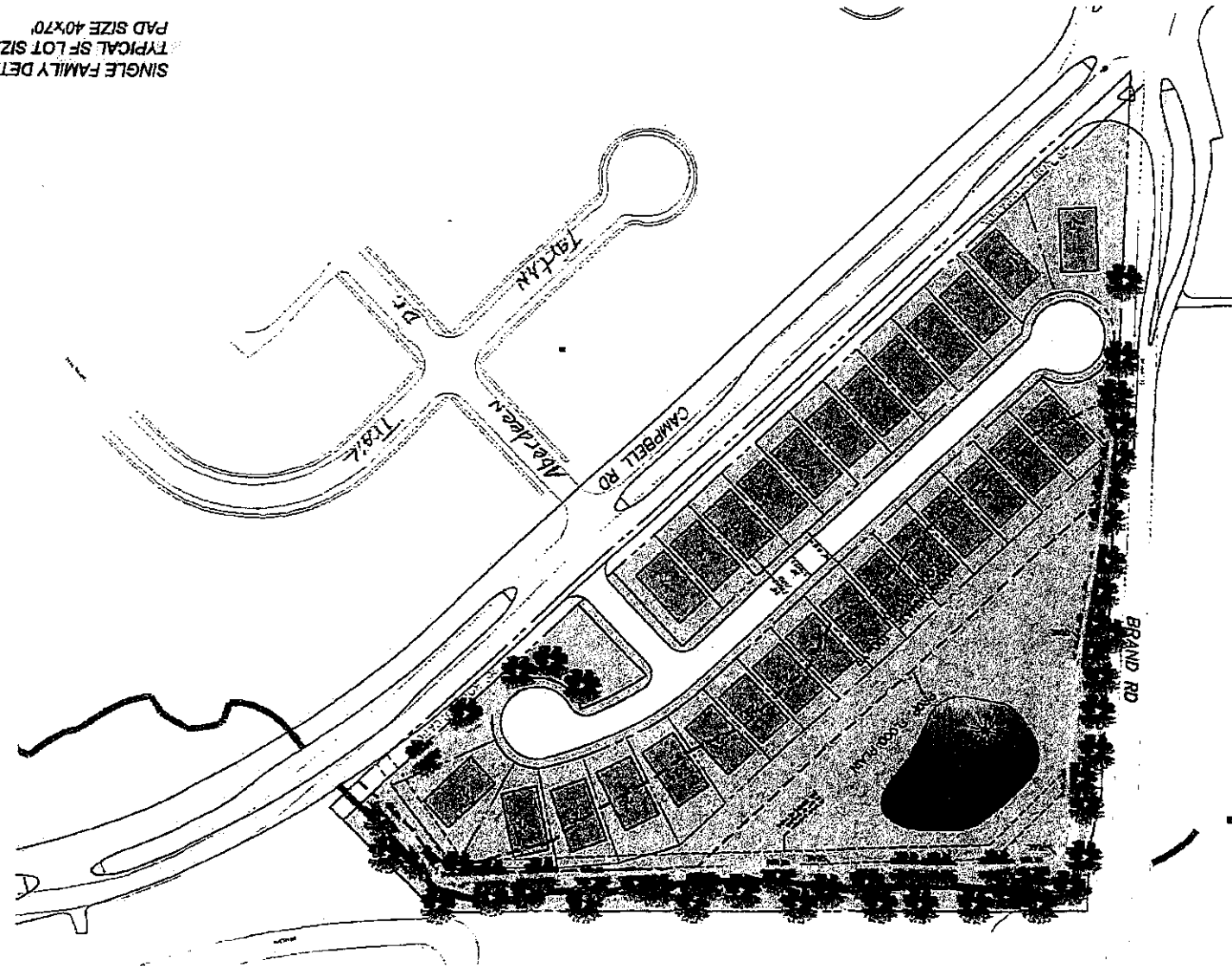
# CONCEPT PLAN A

9.2 ± acres - Garland, Texas

12-28-15

1"=50'

SINGLE FAMILY DETACHED LOTS : 28  
 TYPICAL SF LOT SIZE: 50x110'  
 PAD SIZE 40x70'





# GARLAND

April 1, 2016

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

**HEARING DATE/TIME:** Plan Commission: April 11, 2016 – 7:00 PM

**APPLICANT:** Charles Hicks  
**File 16-08**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 11, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Charles Hicks**, requesting approval of 1) a zoning change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-5 Uses and 2) a Concept Plan for Dwelling, Single-Family Detached. The property is shown on the enclosed sketch and is described as follows:

BEING part of the C. A. Lovejoy Survey, Abstract No. 832, being all of a called 9.7637 acre tract conveyed to Charles P. Shannon by deed recorded in Volume 2004236, Page 2472 of the Deed Records of Dallas County, Texas. This property is bounded by East Brand Road to the west, East Campbell Road to the southeast, and The Hills of Breckinridge Replat to the north. (District 1)

**Note: The applicant seeks approval of a zoning change and a Concept Plan, to develop the site with a single family subdivision.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002** or by fax to **972-205-2474**. Should you have any questions, please contact Kira Wauwie at 972-205-2456.

(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

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

*The creek area on this property already floods badly; we object to changing the flood plain line. We object to the lot sizes, which should be minimum 7500 sf. Horse size should be 3000 sf min. And masonry retaining walls.*

Your Property Address

*6 Dunrobin*

Printed Name

*Don + Sydna Gordon*

Address

*Garland, TX*

City, State

*75044*

Zip

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

*Sydna Gordon*

Signature

*Property owner + resident*

Title

Date: *4/7/16*



## Allmendinger, Tracy

---

**From:** Wauwie, Kira  
**Sent:** Monday, June 27, 2016 1:44 PM  
**To:** Allmendinger, Tracy  
**Cc:** Guerin, Will  
**Subject:** FW: File No. Z 16-08/District 1  
**Attachments:** 2016-06-27 Ltr to Plan Commission.pdf

Tracy,  
This is for tonight's Plan Commission meeting.  
-Kira

**From:** Sydna Gordon [mailto:dgsg64@outlook.com]  
**Sent:** Monday, June 27, 2016 1:37 PM  
**To:** Wauwie, Kira <KWauwie@garlandtx.gov>  
**Cc:** scottr@cr-ar.com; Gibbons, Councilman David <DGibbons@garlandtx.gov>; Mayor <mayor@garlandtx.gov>; Guerin, Will <WGuerin@garlandtx.gov>; Keith Black <tkeithblack@gmail.com>; Haroon Rasheed <hrasheed@hotmail.com>; ssuzyq646 <ssuzyq646@tx.rr.com>; RWBlesi@tx.rr.com; krkL98@aol.com; j-plata@ti.com; chash43@aol.com  
**Subject:** File No. Z 16-08/District 1

Dear Ms. Wauwie,

Attached is The Hills of Breckinridge's letter in opposition to the above referenced agenda item for tonight's Plan Commission meeting.

If you will not be able to include the letter in the Commissioners' packets for tonight's meeting, please advise me at once.

Thank you,

Sydna Gordon  
214-549-3330

# *The Hills of Breckinridge Homeowners Association, Inc.*

Professionally Managed by SBB Management Company

An Accredited Association Management Company

8360 LBJ Freeway, Suite 300

Dallas, Texas 75243

(972) 960-2800 Fax (972) 991-6642

June 27, 2016

Garland Plan Commission  
800 Main Street  
Garland, Texas 75040

Via email to [KWauwie@garlandtx.gov](mailto:KWauwie@garlandtx.gov)

Re: File No. Z 16-08/District 1

Dear Plan Commission Members:

The Hills of Breckinridge, the only contiguous landowner to the subject tract, continues its opposition to the above reference rezoning application. .

**1. The proposed rezoning is not the highest and best use of this tract of land.**

- The proposed rezoning does not protect the character, scale, and function of the surrounding stable neighborhood. This is a goal set forth in *Envision Garland* in HN Policy 1.1.
- 6000 square foot lots, only 55 feet wide, with 2500 square foot minimum house size, are incompatible with the only contiguous development, The Hills of Breckinridge. The lot sizes in The Hills of Breckinridge average 20,000 square feet.
- The 6000 square foot lots, only 55 feet wide, are also incompatible with The Greens, southeast of this property. The Greens average lot sizes range from 10,000 to 12,500 square feet.
- SF-5 is incompatible and inconsistent with The Hills of Breckinridge and with The Greens.
- The highest and best use would include:
  - i. No encroachment on existing floodplain.
  - ii. Lots equal to, or greater than, The Greens' one-quarter acre lots.
  - iii. Resulting in homes that sell in the mid-\$600k range, and thereby resulting in a development of 10-12 homes.
  - iv. No trees disturbed on the north and east side of the resulting green belt.

**2. 25 narrow, shallow lots crowded onto the south side of the tract are incompatible with the only contiguous neighborhood, The Hills of Breckinridge.**

- The small lots and the allowed minimum house size will not protect the character and scale of the surrounding neighborhoods nor will it protect the investment already made by the owners in The Hills of Breckinridge and The Greens.
- "For newer neighborhoods not facing infrastructure and market decline, there must be an effort to protect the investment the owners have made." *Envision Garland*, page ii.
- The Hills of Breckinridge is a newer neighborhood *not facing infrastructure and market decline*, and *the City must make an effort to protect the investments we have made*. Allowing 25 narrow, shallow lots crowded onto one side of the property will not protect our investment.
- The houses will have extremely small front and back yards, incompatible with The Hills of Breckinridge and The Greens.
- Front entry garages are not compatible with The Hills of Breckinridge or with The Greens developments.

**3. The trees along the creek contiguous to The Hills of Breckinridge cannot be protected, as shown by the Concept Plan in Exhibit C.**

- The changes in the floodplain will require extensive excavation for the large retention pond and use of the excavated dirt to build up the thirteen lots and construct the circle on the east end.
- It is inconceivable that this can be accomplished while protecting the trees.
- One of the lots as well as the circle itself extend into the thirty foot tree preservation buffer.

**4. We continue to oppose the rezoning until a Final Flood Study is obtained.**

As we have stated at three previous Plan Commission meetings and at meetings with the developer, we are not opposed to the development of this property, but we oppose this rezoning and concept plan.

Yours truly,



Sydna Gordon

Treasurer, The Hills of Breckinridge Homeowners Association, Inc.

## **Allmendinger, Tracy**

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**From:** Wauwie, Kira  
**Sent:** Friday, June 24, 2016 7:56 AM  
**To:** Allmendinger, Tracy  
**Subject:** Z 14-08 PC 6-27 Hearing FW: Our telephone conversation this morning

**From:** Sydna Gordon [mailto:dgsg64@outlook.com]  
**Sent:** Thursday, June 23, 2016 1:51 PM  
**To:** chash43@aol.com  
**Cc:** Gibbons, Councilman David <DGibbons@garlandtx.gov>; scottr@cr-ar.com; Wauwie, Kira <KWauwie@garlandtx.gov>; Guerin, Will <WGuerin@garlandtx.gov>; Mayor <mayor@garlandtx.gov>; Keith Black <tkeithblack@gmail.com>; RWBlesi@tx.rr.com; Haroon Rasheed <hrasheed@hotmail.com>; ssuzyq646 <ssuzyq646@tx.rr.com>; krkL98@aol.com; j-plata@ti.com  
**Subject:** Re: Our telephone conversation this morning

Dear Mr. Hicks,

The conversation between you and me this morning in no way alters the Hills of Breckinridge's June 14, 2016 written response to you, and this is the position we will go forward with at the Plan Commission on Monday.

Yours truly,  
Sydna H. Gordon

# *The Hills of Breckinridge Homeowners Association, Inc.*

Professionally Managed by SBB Management Company  
An Accredited Association Management Company  
8360 LBJ Freeway, Suite 300  
Dallas, Texas 75243  
(972) 960-2800 Fax (972) 991-6642

June 14, 2016

Via email *chash43@aol.com*

Mr. Charles Hicks, President  
Hicks III Investments, Inc.  
11825 forest Lakes lane  
Dallas, Texas 75230

Dear Mr. Hicks:

This is in response to the Concept Plans you sent in your June 4, 2016 email.

After careful review and consultation with our homeowners, the Hills of Breckinridge HOA cannot support your rezoning request.

The proposed zoning change with the artificially created, narrow, shallow lots in the current floodplain results in a development incompatible with existing developments, particularly The Hills of Breckinridge and The Greens.

We are joined in opposition to the rezoning by members of The Greens.

We will communicate our opposition to the Plan Commission.

Yours truly,



Sydna Gordon  
Board Member  
The Hills of Breckinridge Homeowners Association, Inc.





# GARLAND

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

April 1, 2016

**HEARING DATE/TIME:** Plan Commission: April 11, 2016 – 7:00 PM

**APPLICANT:** Charles Hicks  
**File 16-08**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 11, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Charles Hicks**, requesting approval of 1) a zoning change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-5 Uses and 2) a Concept Plan for Dwelling, Single-Family Detached. The property is shown on the enclosed sketch and is described as follows:

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**Note: The applicant seeks approval of a zoning change and a Concept Plan, to develop the site with a single family subdivision.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474**. Should you have any questions, please contact Kira Wauwie at 972-205-2456.

(Please Check One Below)

\_\_\_\_\_ I am in favor of the request.

\_\_\_\_\_ I am opposed to the request.

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

---

---

---

(Please complete the following information)

Your Property Address

Printed Name

Address

City, State

Zip

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

Signature

Title

Date: \_\_\_\_\_

April 7, 2016

HAND DELIVERED

Mr. Will Guerin  
Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: 2500 E. Brand Road at Campbell  
Pre-submittal meeting case #151229-2

Dear Mr. Guerin:

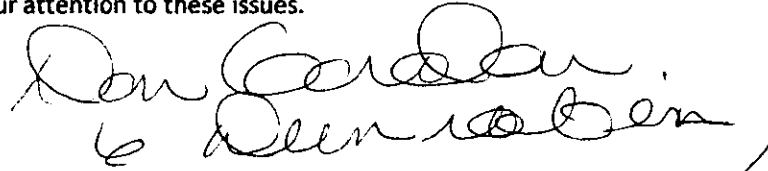
The Hills of Breckinridge Homeowners Association hereby submit our requests for the proposed Concept Plan under consideration referenced above.

1. A flood study should be completed prior to approval.
2. Retaining walls should be mortared stone not concrete, rip rap, or rip rap-like construction or materials.
  - From a map the developer sent to several residents, the Existing Flood Plain line runs through the center of the proposed houses on the north side of the street.
  - The Proposed Flood Plain line would require the construction of very high retaining walls for these houses. The height of the retaining walls and the stability of the lots and the house foundations is of great concern; thus, we ask for the specific requirement for mortared stone retaining walls.
3. A tree study should be required for review prior to approval indicating which trees will be preserved and which removed. We ask for protection of the mature trees along the watershed/creek area in the flood plain. The tree study should include consideration of the impact of the proposed alteration in the Flood Plain line if such change requires a larger, deeper retaining pond and the trees' critical root zone be invaded, thus damaging the trees.
4. The minimum square footage of the lots should be 7500 sq. ft.
5. The minimum dwelling size should be 3000 sq. ft.
6. The exterior masonry requirements for home exteriors, excluding Durock or other cement boards, should be specified.
7. Lots backing up the "park"/flood plain area should be required to use wrought iron fencing.

8. There should be a masonry entry feature with the name of the subdivision at the entry.
9. There should be a requirement for a yearly maintenance fee to be paid by the proposed development to the Hills of Breckinridge HOA to defray costs of maintenance of the common fence. Changes in the flow rate, volume, or path the water will take due to changes in the flood plain will lead to additional erosion and necessary fence repair

We appreciate your attention to these issues.

Thank you,

  
HOA Member

President, Hills of Breckinridge Homeowners Association

\_\_\_\_\_  
Member, Board of Directors

\_\_\_\_\_  
Member, Board of Directors

\_\_\_\_\_  
Member, Board of Directors

April 7, 2016

Mr. Will Guerin  
Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: 2500 E. Brand Road at Campbell  
Pre-submittal meeting case #151229-2

Dear Mr. Guerin:

We have several requests and concerns about this proposed development.

1. This Concept Plan PD request should be postponed until a Flood Study is completed because (1) the proposal is based on a significant change in the Flood Plain Line, (2) houses will be built on lots where over one-half of the lot will be fill dirt, and (3) there is no information provided as to the height of the retaining walls or the construction methods or materials.
  - From a map the developer sent to several residents, the Existing Flood Plain line runs through the middle of the proposed houses on the north side of the street. These lots will have to be filled in. This will change the flood plain as well as the channel the water follows after heavy rains, so a Flood Study should be required prior to approval.
2. The retaining walls should be of masonry and engineered to withstand repeated heavy and deep running water after heavy rains.
3. The area along this Flood Plain already has significant flooding issues. A Flood Study should be completed prior to approval.
4. Protection of the mature trees along the watershed/creek area in the flood plain should be mandated in the Concept Plan prior to approval.
  - If the alteration in the Flood Plain line requires a larger, deeper retaining pond, the trees' critical root zones should be protected, and this should be mandated.
5. The minimum square footage should be 3000 sq. ft.
6. The width of the lots should be at least 60 ft.

We appreciate your attention to these issues.

Thank you,  
Concerned Citizens

DALE Grounds  
*Dale Grounds*

April 7, 2016

Mr. Will Guerin  
Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: 2500 E. Brand Road at Campbell  
Pre-submittal meeting case #151229-2

Dear Mr. Guerin:

We have several requests and concerns about this proposed development.

1. This Concept Plan PD request should be postponed until a Flood Study is completed because (1) the proposal is based on a significant change in the Flood Plain Line, (2) houses will be built on lots where over one-half of the lot will be fill dirt, and (3) there is no information provided as to the height of the retaining walls or the construction methods or materials.
  - From a map the developer sent to several residents, the Existing Flood Plain line runs through the middle of the proposed houses on the north side of the street. These lots will have to be filled in. This will change the flood plain as well as the channel the water follows after heavy rains, so a Flood Study should be required prior to approval.
2. The retaining walls should be of masonry and engineered to withstand repeated heavy and deep running water after heavy rains.
3. The area along this Flood Plain already has significant flooding issues. A Flood Study should be completed prior to approval.
4. Protection of the mature trees along the watershed/creek area in the flood plain should be mandated in the Concept Plan prior to approval.
  - If the alteration in the Flood Plain line requires a larger, deeper retaining pond, the trees' critical root zones should be protected, and this should be mandated.
5. The minimum square footage should be 3000 sq. ft.
6. The width of the lots should be at least 60 ft.

We appreciate your attention to these issues.

Thank you,  
Concerned Citizens





April 7, 2016

Mr. Will Guerin  
Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: 2500 E. Brand Road at Campbell  
Pre-submittal meeting case #151229-2

Dear Mr. Guerin:

We have several requests and concerns about this proposed development.

1. This Concept Plan PD request should be postponed until a Flood Study is completed because (1) the proposal is based on a significant change in the Flood Plain Line, (2) houses will be built on lots where over one-half of the lot will be fill dirt, and (3) there is no information provided as to the height of the retaining walls or the construction methods or materials.
  - From a map the developer sent to several residents, the Existing Flood Plain line runs through the middle of the proposed houses on the north side of the street. These lots will have to be filled in. This will change the flood plain as well as the channel the water follows after heavy rains, so a Flood Study should be required prior to approval.
2. The retaining walls should be of masonry and engineered to withstand repeated heavy and deep running water after heavy rains.
3. The area along this Flood Plain already has significant flooding issues. A Flood Study should be completed prior to approval.
4. Protection of the mature trees along the watershed/creek area in the flood plain should be mandated in the Concept Plan prior to approval.
  - If the alteration in the Flood Plain line requires a larger, deeper retaining pond, the trees' critical root zones should be protected, and this should be mandated.
5. The minimum square footage should be 3000 sq. ft.
6. The width of the lots should be at least 60 ft.

We appreciate your attention to these issues.

Thank you, *Amelia H. and William A. Martin*  
Concerned Citizens

April 7, 2016

HAND DELIVERED

Mr. Will Guerin  
Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: 2500 E. Brand Road at Campbell  
Pre-submittal meeting case #151229-2

Dear Mr. Guerin:

The Hills of Breckinridge Homeowners Association hereby submit our requests for the proposed Concept Plan under consideration referenced above.

1. A flood study should be completed prior to approval.
2. Retaining walls should be mortared stone not concrete, rip rap, or rip rap-like construction or materials.
  - From a map the developer sent to several residents, the Existing Flood Plain line runs through the center of the proposed houses on the north side of the street.
  - The Proposed Flood Plain line would require the construction of very high retaining walls for these houses. The height of the retaining walls and the stability of the lots and the house foundations is of great concern; thus, we ask for the specific requirement for mortared stone retaining walls.
3. A tree study should be required for review prior to approval indicating which trees will be preserved and which removed. We ask for protection of the mature trees along the watershed/creek area in the flood plain. The tree study should include consideration of the impact of the proposed alteration in the Flood Plain line if such change requires a larger, deeper retaining pond and the trees' critical root zone be invaded, thus damaging the trees.
4. The minimum square footage of the lots should be 7500 sq. ft.
5. The minimum dwelling size should be 3000 sq. ft.
6. The exterior masonry requirements for home exteriors, excluding Durock or other cement boards, should be specified.
7. Lots backing up the "park"/flood plain area should be required to use wrought iron fencing.

8. There should be a masonry entry feature with the name of the subdivision at the entry.
9. There should be a requirement for a yearly maintenance fee to be paid by the proposed development to the Hills of Breckinridge HOA to defray costs of maintenance of the common fence. Changes in the flow rate, volume, or path the water will take due to changes in the flood plain will lead to additional erosion and necessary fence repair

We appreciate your attention to these issues.

Thank you,

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President, Hills of Breckinridge Homeowners Association

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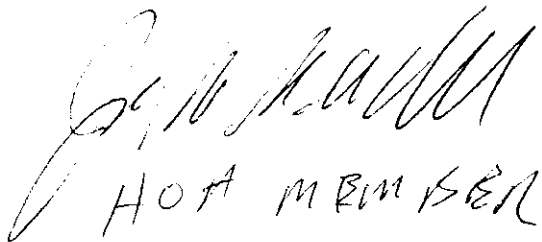
Member, Board of Directors

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Member, Board of Directors

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Member, Board of Directors

  
HOA MEMBER



# GARLAND

April 1, 2016

HEARING DATE/TIME: Plan Commission: April 11, 2016 – 7:00 PM

APPLICANT: Charles Hicks  
File 16-08

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

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 11, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Charles Hicks**, requesting approval of 1) a zoning change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-5 Uses and 2) a Concept Plan for Dwelling, Single-Family Detached. The property is shown on the enclosed sketch and is described as follows:

BEING part of the C. A. Lovejoy Survey, Abstract No. 832, being all of a called 9.7637 acre tract conveyed to Charles P. Shannon by deed recorded in Volume 2004236, Page 2472 of the Deed Records of Dallas County, Texas. This property is bounded by East Brand Road to the west, East Campbell Road to the southeast, and The Hills of Breckinridge Replat to the north. (District 1)

Note: The applicant seeks approval of a zoning change and a Concept Plan, to develop the site with a single family subdivision.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474. Should you have any questions, please contact Kira Wauwie at 972-205-2456.

(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

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

The development will change the flood plain which could potential cause flooding. The proposed lots are only 50ft. instead of 60ft. The homes are not minimum of 3000 sq. ft.

Your Property Address

Diana J. Harter

Printed Name

22222222, Richardson, TX 75082 (in the hills of Breckinridge)

Address

City, State

Zip

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

Signature of Harter

Date: 04/07/2016

Property owner

Title

outside notification  
area

April 11, 2016

Mr. Will Guerin  
Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: 2500 E. Brand Road at Campbell  
File No: Z 16-08/District 1

Dear Mr. Guerin:

The Hills of Breckinridge Maintenance Association ("HOB") is the homeowners association of the Hills of Breckinridge. The Board of Directors of HOB hereby submits its opposition to (1) the proposed zoning change and (2) the Concept Plan submitted pursuant to the above referenced file.

The Hills of Breckinridge is the only contiguous landowner to the subject tract.

We oppose the application for these reasons:

1. **The proposed re-zoning does not protect the character, scale, and function of the surrounding stable neighborhood, a goal set forth in *Envision Garland* in HN Policy 1.1.**
  - SF-5 minimum dwelling unit size is 1500 sf. This is incompatible and inconsistent with the size of the homes not only in the Hills of Breckinridge but also in The Greens and The Oaks at Firewheel.
  - "For newer neighborhoods not facing infrastructure and market decline, there must be an effort to protect the investment owners have made." *Envision Garland*, page ii. The allowed minimum in SF-5 of 1500 sf will not protect the character and scale of the surrounding neighborhoods and nor will it protect the investment the owners in the surrounding neighborhoods have made.
  - A minimum dwelling unit size of at least 3,000 sf should be required for this tract to protect the character, scale and function of the surrounding stable neighborhoods and the investments of these homeowners.
2. **The Concept Plan is inadequate.**
  - Exhibit C, the Concept Plan, is merely the outline of the tract with the flood plain line.
  - The purpose of a Concept Plan for a Planned Development District is to provide a general layout of the proposed development prior to a more specific Detail Plan's being submitted. This Concept Plan fails to meet this purpose because it contains no information at all except the outline of the tract.
  - We oppose the Concept Plan due to its complete lack of information.



**3. Alteration/reclamation of the floodplain raises many issues, none of which are addressed in the Concept Plan or the Specific Regulations in Exhibit B.**

- *Flooding.*  
There have been three flooding events within the last 12 months. In late 2015 a young father lost his life in the flood waters on Brand Road.
- *Flood Study.*  
The results of a Flood Study will impact everything about this proposed development, including: the amount of land available for building; the height of retaining walls, the flow of the water during heavy rains; the impact on the contiguous properties including Brand Road; the preservations of trees and vegetation along the creek; the aesthetics regarding the retaining wall, existing trees and vegetation. Many of these issues can and should be addressed in the Concept Plan.
- *Maintenance Costs.*  
Changes in the flow rate, volume, or path the water will take due to changes in the floodplain will lead to additional erosion and necessary fence repair.  
The yearly cost of maintaining the floodplain can be significant depending on the frequency and severity of flooding. There should be specific regulations in the PD Concept Plan for an HOA with maintenance responsibility for the open space/retention pond/floodplain. Because the Hills of Breckinridge maintains the fence between the properties, there should be a requirement for a yearly maintenance fee to be paid by the proposed development to the Hills of Breckinridge Maintenance Association to defray costs of maintenance of the common fence.
- *Uncertainty due to lack of a Flood Study prior to a zoning change.*  
It is premature to approve this zoning change without knowing the full impact of alteration/reclamation of the floodplain.

**4. The 5500 sf minimum lot size and 50' width are not compatible with the HOB or The Greens, the two closest existing neighborhoods.**

- The minimum lot size should be 7500 sf with a minimum 60' width.
- The flood plain, which currently includes approximately 1/2 of the tract, will require the clustering of the lots along the Campbell Road boundary. This does not, however, necessitate 5500 sf lots.
- We ask that the minimum lot size be 7500 sf.

**"Garland's neighborhoods are the primary land use throughout the City and the heart of the community."** *Envision Garland*, page ii, first sentence.

Throughout *Envision Garland*, the importance of stable neighborhoods is a constant theme. We support this vision and ask the Plan Commission to table or postpone action on this rezoning request to give the neighborhoods that will be permanently impacted by the re-zoning time to get some answers and to work with the developer.

Yours truly,  
The Hills of Breckinridge Maintenance Association

By:

Keith Black, President – HOB HOA

Address: 6 Kilchurn, Garland, TX

*Outside notification area*

APR 11 2016 10:55

Outside the Notification Area

Suzetta Stule 26 Dunrobin Garland, TX.  
Board Member, Hills of Breckinridge Maintenance Association

Outside the Notification Area

RWBlein 21 BRAE LOCH, GARL-TX.  
Board Member, Hills of Breckinridge Maintenance Association

Sydna Gordon 6 Dunrobin Garland, Texas  
Board Member, Hills of Breckinridge Maintenance Association (noted)

**Detailed Description  
2500 E Brand Road  
Pre-Submittal Meeting Case #151229-2**

The subject site consists of 9.7 acres that is currently undeveloped and unplatted. It is an odd-shaped parcel currently zoned Agriculture containing a creek and floodplain area. Approximately 2.6 acres will remain undeveloped and will serve as common area for the proposed residential development. The area surrounding the subject site consists of single-family residential neighborhoods; therefore, the proposed development would be compatible for this area.

Due to the creek and existing floodplain, a comprehensive flood study is currently being conducted. This study will be required as part of the future platting and zoning processes. The primary purpose of the study is to determine the extent of the watershed affecting this property and the flowage rates into and out of the study area. It further serves to establish the manner in which the property may be developed, and assuring that neighboring properties upstream and downstream are not adversely affected by the proposed development. Other items to be addressed through the zoning and platting processes include joint efforts with the city of Garland regarding future improvements to Campbell and Brand Roads as well as other infrastructure improvements.

***Planned Development District Request:***

Due to the floodplain areas, much of the property will not be suitable for development; therefore, the lot sizes have been adjusted to maximize remaining land. Planned lot dimensions are 50' X 110' for those lots backing up to the common area adjacent to the floodplain area, and 50' X 120' for those lots backing up to Campbell Road. The minimum lot size for the 29 lot single-family (detached) development will be approximately 5500 sq. ft. and the minimum dwelling size will be approximately 2000 sq. ft. After a review of the Garland Development Code, the minimum lot width for SF districts is 55'. A planned development district is requested in order to accommodate the planned 50' lot widths. Additionally, the proposed development as shown on the conceptual land plan included with this request does not appear to warrant the use of alleys to access the lots.

A neighborhood meeting was held on February 4<sup>th</sup> to discuss the project with neighboring homeowner associations. One of the items requested at that meeting was the assurance that the screening wall along East Campbell Road would be compatible with other subdivision perimeter walls in the area. That design standard has been incorporated into this request.

***Comprehensive Plan Compatibility:***

Envision Garland states that, "Envision Garland aims to protect and strengthen existing single-family neighborhoods, but also to allow new neighborhoods for residents desiring different types of homes, features, and experiences. Garland can be home to both the traditional, family friendly, established neighborhoods and also to more urban, diverse, and transportation accessible residential districts."

Garland faces “build-out” in that nearly all of the vacant land in the city has already been developed. The subject site is one of a few developable areas left within the city for new home construction. According to the city’s comprehensive plan, approximately 60% of homes were constructed prior to 1989. Demand for new single-family homes is projected to increase by 3500 units by 2030 and this proposal would assist in that endeavor.

Examples of the goals and policies contained in Chapter 5 that align with the proposed project are as follows:

Goal 1: Protect and revitalize existing stable neighborhoods.

HN Policy 1.1: Protect the character, scale, and function of stable neighborhoods through land use regulations, development standards, code enforcement, and other tools available to the City and local residents.

Goal 2: Encourage a community of vital, livable neighborhoods that meet the needs and preferences of current and future Garland residents.

HN Policy 2.3: Support public and private improvements that enhance homes and neighborhoods by integrating these principles into all public project planning, development standards, and City services and by encouraging best practices in private development.

Goal 6: Support new development and redevelopment that enhances neighborhood stability, and desired development patterns and furthers community revitalization.

HN Policy 6.1: Utilize major renovation projects, redevelopment, or infill development to take advantage of opportunities to reestablish or strengthen desirable traditional development patterns and stabilize neighborhoods and activity centers within the area.

HN Policy 6.2: Ensure that new infill development and major redevelopment projects are integrated into and compatible with surrounding development patterns and types, and support or enhance the character of the immediate area and community as a whole.

## PLANNED DEVELOPMENT CONDITIONS

ZONING FILE \_\_\_\_\_

East of Brand Road and north of East Campbell Road


- I. Statement of Purpose: The purpose of this Planned Development is to permit the development of Single-Family Uses.
- II. Statement of Effect: This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations: All regulations of the Single-Family-5 (SF-5 ) District, as 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. Development Plans:

Concept Plan: Development shall be in general conformance with the Concept Plan; however, in the event of conflict between the Concept Plan and the written conditions, the written conditions shall apply.

Detail Plan: Approval of a Detail Plan is required prior to any development on the property reflected on the Concept Plan.
- V. Specific Regulations:
  - A. Permitted Uses: Dwelling, Single-Family detached.
  - B. Screening: Screening along East Campbell Road must be constructed of masonry materials.
  - C. Lot width shall be a minimum of 50 feet.
  - D. Alleys shall not be required.



[illegible]

GRAPHIC SCALE:  
  
 1 IN PRINT = 100 FT

[illegible]

**ZONING EXHIBIT**  
**CREEKS AT CAMPBELL**

|                   |       |
|-------------------|-------|
| CHARLES P SHANNON | OWNER |
|-------------------|-------|

CHARLES L. HIGGS \_\_\_\_\_ DEVELOPER

WELCH FORMS, LAMAR LANE  
DALLAS, TX 75235

**MARSHALL GAGE, LLC**  
207 E. MICHIGAN ST. SUITE 210  
ANN ARBOR MI 48106-1018  
(214) 588-1818  
MARSHALL GAGE

Texts: Physics and Engineering (1993), p. 333.

## Allmendinger, Tracy

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**To:** Wauwie, Kira  
**Subject:** RE: Charles Hicks Z 16-08 Community Correspondence FW: Meritage Homes examples

### Tracy Allmendinger

Department Coordinator II  
Planning & Community Development  
P: 972-205-2445 | F: 972-205-2474

---

**From:** Audra Buckley [<mailto:permitteddevelopment@tx.rr.com>]  
**Sent:** Wednesday, March 30, 2016 5:34 PM  
**To:** Wauwie, Kira  
**Subject:** FW: Meritage Homes examples

Hi Kira:

Good to chat with you this afternoon. The attached and below is what I sent Ms. Gordon.

Audra Buckley, Land Planner/Project Manager

[Permitted Development](#)

416 S Ervay Street

Dallas, TX 75201

214-686-3635

<http://www.permitteddevelopmentdfw.com>

---

**From:** Audra Buckley [<mailto:permitteddevelopment@tx.rr.com>]  
**Sent:** Wednesday, March 30, 2016 5:19 PM  
**To:** 'chash43@aol.com'; 'dgsg64@outlook.com'  
**Subject:** RE: Meritage Homes examples

*Outside modification  
area*

Ms. Gordon:

I can answer some of your questions and I've attached the SF-5 zoning regulations and our PD conditions for your review. We will be following SF-5 zoning with the exception of lot width and those items listed in the last section of the conditions. As far as lot sizes, square footage of those lots, etc. those will comply with SF-5. As far as retaining walls, the trail's location and the flood study – those items can't be addressed by anybody until the flood study is complete. It is in process but we're several weeks out from completion. Tree preservation will follow Garland's development code – we're not requesting any changes with that.

This initial zoning is merely to allow single-family development – as indicated by the attached zoning exhibit. However, there will be a follow up zoning process. A detailed development plan application and all of its requirements will be submitted once this portion is complete and all of the design questions you have will be answered at that time. As you probably know, that process does require a public hearing. Those documents will go to P&Z and Council.

I have some things to attend to this evening but I will be available tomorrow afternoon after 2:00 for a phone conversation. Let me know a good time. In the meantime, please contact our city planner Kira Wauwie with the city of Garland 972-205-2456 for more information on our current application and the various processes.

Audra Buckley, Land Planner/Project Manager

[Permitted Development](#)

416 S Ervay Street

Dallas, TX 75201  
214-686-3635  
<http://www.permitteddevelopmentdfw.com>

-----Original Message-----

From: Sydna Gordon <[dgsg64@outlook.com](mailto:dgsg64@outlook.com)>  
To: chash43 <[chash43@aol.com](mailto:chash43@aol.com)>  
Sent: Wed, Mar 30, 2016 2:23 pm  
Subject: Re: Meritage Homes examples

Dear Mr. Hicks,

There are so many questions I have, as do others, that a continuation of emails seems counterproductive. What about the retaining walls, the entrance requirements, the walking trail, the preservation of trees, the flood study, the square footage, lot sizes, the actual elevations rather than "desired product", just to mention a few.

Perhaps your zoning consultant could enlighten us as to many of these issues by the use of a Detail Plan for this PD.

Thank you,  
Sydna Gordon

## **Allmendinger, Tracy**

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**From:** Wauwie, Kira  
**Sent:** Monday, May 23, 2016 10:17 AM  
**To:** 'Audra Buckley'; chash43@aol.com; Guerin, Will; Allmendinger, Tracy  
**Subject:** FW: Zoning File #Z 16-08/District 1 Campbell and Brand

[Additional Correspondence for Z 16-08, today's Plan Commission Hearing May 23<sup>rd</sup>](#)

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**From:** todd meyer [mailto:toddmeyer02@yahoo.com]  
**Sent:** Monday, May 23, 2016 9:19 AM  
**To:** Wauwie, Kira; amy624@we.com  
**Subject:** Zoning File #Z 16-08/District 1 Campbell and Brand

L"Kira,

My name is Todd Meyer. I'm a property owner (21 Dunrobin) in the Hills of Breckinridge.

As a Garland resident and tax payer I'm strongly opposed to the above referenced Zoning Request for a number of reasons.

- 1.) The property vales of my home in HOB and the adjacent neighborhoods (north of Brand and east of Campbell) will be negatively impacted by the new community. The proposed lot size/configurations, and square footage requirements as proposed, will result in a high density property that will not be consistent with adjoining communities. I hope the commission will support proper restrictions (those requested by HOB) on the project to protect he EXISTING neighborhoods.
- 2.) The current proposal for tree removal is unacceptable. At a minimum, trees within 30 feet of the creek Bank need to be preserved. One of the truly unique aspects of living in the Firewheel area is our abundant native trees. Let's ensure this valuable asset is protected.
- 3.) In my opinion, the proposed project should not move forward without a full and proper Flood Plain Study and Survey. This entire area is plagued by flooding. Over a hundreds homes and hundreds of thousands of dollars in property tax could be negatively impacted if we don't proceed with caution.

Please share my concerns with the members on the commission.

Thank you for your consideration.

Todd and Martha Meyer  
21 Dunrobin

[Sent from Yahoo Mail for iPad](#)



April 7, 2016

Mr. Will Guerin  
Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: 2500 E. Brand Road at Campbell  
Pre-submittal meeting case #151229-2

Dear Mr. Guerin:

We have several requests and concerns about this proposed development.

1. This Concept Plan PD request should be postponed until a Flood Study is completed because (1) the proposal is based on a significant change in the Flood Plain Line, (2) houses will be built on lots where over one-half of the lot will be fill dirt, and (3) there is no information provided as to the height of the retaining walls or the construction methods or materials.
  - From a map the developer sent to several residents, the Existing Flood Plain line runs through the middle of the proposed houses on the north side of the street. These lots will have to be filled in. This will change the flood plain as well as the channel the water follows after heavy rains, so a Flood Study should be required prior to approval.
2. The retaining walls should be of masonry and engineered to withstand repeated heavy and deep running water after heavy rains.
3. The area along this Flood Plain already has significant flooding issues. A Flood Study should be completed prior to approval.
4. Protection of the mature trees along the watershed/creek area in the flood plain should be mandated in the Concept Plan prior to approval.
  - If the alteration in the Flood Plain line requires a larger, deeper retaining pond, the trees' critical root zones should be protected, and this should be mandated.
5. The minimum square footage should be 3000 sq. ft.
6. The width of the lots should be at least 60 ft.

We appreciate your attention to these issues.

Thank you,  
Concerned Citizens

DALE Grounds  
Dale Grounds



April 7, 2016

Mr. Will Guerin  
Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: 2500 E. Brand Road at Campbell  
Pre-submittal meeting case #151229-2

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Thank you,  
Concerned Citizens



April 7, 2016

Mr. Will Guerin  
Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: 2500 E. Brand Road at Campbell  
Pre-submittal meeting case #151229-2

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5. The minimum square footage should be 3000 sq. ft.
6. The width of the lots should be at least 60 ft.

We appreciate your attention to these issues.

Thank you, *Samuel H. and William A. Merten*  
Concerned Citizens

April 7, 2016

HAND DELIVERED

Mr. Will Guerin  
Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: 2500 E. Brand Road at Campbell  
Pre-submittal meeting case #151229-2

Dear Mr. Guerin:

The Hills of Breckinridge Homeowners Association hereby submit our requests for the proposed Concept Plan under consideration referenced above.

1. A flood study should be completed prior to approval.
2. Retaining walls should be mortared stone not concrete, rip rap, or rip rap-like construction or materials.
  - From a map the developer sent to several residents, the Existing Flood Plain line runs through the center of the proposed houses on the north side of the street.
  - The Proposed Flood Plain line would require the construction of very high retaining walls for these houses. The height of the retaining walls and the stability of the lots and the house foundations is of great concern; thus, we ask for the specific requirement for mortared stone retaining walls.
3. A tree study should be required for review prior to approval indicating which trees will be preserved and which removed. We ask for protection of the mature trees along the watershed/creek area in the flood plain. The tree study should include consideration of the impact of the proposed alteration in the Flood Plain line if such change requires a larger, deeper retaining pond and the trees' critical root zone be invaded, thus damaging the trees.
4. The minimum square footage of the lots should be 7500 sq. ft.
5. The minimum dwelling size should be 3000 sq. ft.
6. The exterior masonry requirements for home exteriors, excluding Durock or other cement boards, should be specified.
7. Lots backing up the "park"/flood plain area should be required to use wrought iron fencing.

8. There should be a masonry entry feature with the name of the subdivision at the entry.
9. There should be a requirement for a yearly maintenance fee to be paid by the proposed development to the Hills of Breckinridge HOA to defray costs of maintenance of the common fence. Changes in the flow rate, volume, or path the water will take due to changes in the flood plain will lead to additional erosion and necessary fence repair

We appreciate your attention to these issues.

Thank you,

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President, Hills of Breckinridge Homeowners Association

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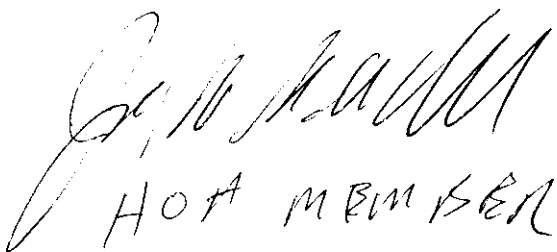
Member, Board of Directors

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Member, Board of Directors

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Member, Board of Directors

  
HOA MEMBER



# GARLAND

April 1, 2016

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

**HEARING DATE/TIME:** Plan Commission: April 11, 2016 – 7:00 PM

**APPLICANT:** Charles Hicks  
**File 16-08**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 11, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Charles Hicks**, requesting approval of 1) a zoning change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-5 Uses and 2) a Concept Plan for Dwelling, Single-Family Detached. The property is shown on the enclosed sketch and is described as follows:

BEING part of the C. A. Lovejoy Survey, Abstract No. 832, being all of a called 9.7637 acre tract conveyed to Charles P. Shannon by deed recorded in Volume 2004236, Page 2472 of the Deed Records of Dallas County, Texas. This property is bounded by East Brand Road to the west, East Campbell Road to the southeast, and The Hills of Breckinridge Replat to the north. (District 1)

**Note: The applicant seeks approval of a zoning change and a Concept Plan, to develop the site with a single family subdivision.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002** or by fax to **972-205-2474**. Should you have any questions, please contact Kira Wauwie at 972-205-2456.

(Please Check One Below)

☒ I am in favor of the request. \*

☐ I am opposed to the request.

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

\* Developer needs to provide entrances on both Campbell & Brand. There are too many additional cars from development added to that busy intersection from Campbell.  
(Please complete the following information)

Your Property Address

~~901 Glen Meadow Ct.~~ Greg & Bonnie McMurdie  
Printed Name

~~Greg~~ 901 Glen Meadow Ct Garland TX 75044  
Address City, State Zip

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

Signature Bonnie McMurdie Title \_\_\_\_\_  
Date: July 2016

Outside notification area



April 7, 2016

Mr. Will Guerin  
Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: 2500 E. Brand Road at Campbell  
Pre-submittal meeting case #151229-2

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1. This Concept Plan PD request should be postponed until a Flood Study is completed because (1) the proposal is based on a significant change in the Flood Plain Line, (2) houses will be built on lots where over one-half of the lot will be fill dirt, and (3) there is no information provided as to the height of the retaining walls or the construction methods or materials.
  - From a map the developer sent to several residents, the Existing Flood Plain line runs through the middle of the proposed houses on the north side of the street. These lots will have to be filled in. This will change the flood plain as well as the channel the water follows after heavy rains, so a Flood Study should be required prior to approval.
2. The retaining walls should be of masonry and engineered to withstand repeated heavy and deep running water after heavy rains.
3. The area along this Flood Plain already has significant flooding issues. A Flood Study should be completed prior to approval.
4. Protection of the mature trees along the watershed/creek area in the flood plain should be mandated in the Concept Plan prior to approval.
  - If the alteration in the Flood Plain line requires a larger, deeper retaining pond, the trees' critical root zones should be protected, and this should be mandated.
5. The minimum square footage should be 3000 sq. ft.
6. The width of the lots should be at least 60 ft.

We appreciate your attention to these issues.

Thank you,  
Concerned Citizens

*Myrtle Gifford*  
*26 Brae Loch*

*Outside notification  
area*

April 7, 2016

Mr. Will Guerin  
Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: 2500 E. Brand Road at Campbell  
Pre-submittal meeting case #151229-2

Dear Mr. Guerin:

We have several requests and concerns about this proposed development.

1. This Concept Plan PD request should be postponed until a Flood Study is completed because (1) the proposal is based on a significant change in the Flood Plain Line, (2) houses will be built on lots where over one-half of the lot will be fill dirt, and (3) there is no information provided as to the height of the retaining walls or the construction methods or materials.
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We appreciate your attention to these issues.

Thank you,  
Concerned Citizens

*Steve & Kim Schott*  
29 Dunrobin  
Garland, TX 75044

*Outside  
notification area*

April 7, 2016

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Director of Planning  
City of Garland  
800 Main Street  
Garland, Texas 75040

Re: 2500 E. Brand Road at Campbell  
Pre-submittal meeting case #151229-2

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We appreciate your attention to these issues.

Thank you,  
Concerned Citizens

Outside  
modification area

Suzette Steele  
26 Dunrobin  
Garland, TX





# GARLAND

April 1, 2016

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

**HEARING DATE/TIME:** Plan Commission: April 11, 2016 – 7:00 PM

**APPLICANT:** Charles Hicks

**File 16-08**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, April 11, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Charles Hicks**, requesting approval of 1) a zoning change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-5 Uses and 2) a Concept Plan for Dwelling, Single-Family Detached. The property is shown on the enclosed sketch and is described as follows:

BEING part of the C. A. Lovejoy Survey, Abstract No. 832, being all of a called 9.7637 acre tract conveyed to Charles P. Shannon by deed recorded in Volume 2004236, Page 2472 of the Deed Records of Dallas County, Texas. This property is bounded by East Brand Road to the west, East Campbell Road to the southeast, and The Hills of Breckinridge Replat to the north. (District 1)

**Note: The applicant seeks approval of a zoning change and a Concept Plan, to develop the site with a single family subdivision.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002** or by fax to **972-205-2474**. Should you have any questions, please contact Kira Wauwie at 972-205-2456.

(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

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

*Would prefer number of homes be reduced to 20-23 instead of 28 due to traffic & overcrowding concerns.*

(Please complete the following information)

Your Property Address

*7010 Jarton Trail*

Printed Name

*Ken & Nancy Kirkland*

City, State

*Garland, TX*

Zip

*75044*

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

Signature

Date:

*Nancy Kirkland*  
*4/7/16*

Title

*Outside notification area*



# GARLAND

April 1, 2016

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

**HEARING DATE/TIME:** Plan Commission: April 11, 2016 – 7:00 PM

**APPLICANT:** Charles Hicks  
**File 16-08**

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(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request *unless two outlets are provided*

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

*This development will increase the already high traffic on Campbell Rd. - must have 2 outlets, one on Campbell Rd and one for Brand Rd.*  
(Please complete the following information)

Your Property Address

*CINDY & WALTER JORDAN*

Printed Name

*902 GLEN MEADOW CT, GARLAND, TX 75044*

Address

City, State

Zip

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

*Cynthia Jordan Walt Jordan* Title *Homeowners*

Signature

Date: *4-7-16*

*\* Our opinion is based on personal experience getting out of Glen Meadow onto Campbell Rd. during morning and evening rush hour traffic.*

*Outside notification area*



## ZONING PROTEST PETITION

### Zoning Case Being Protested:


Zoning Case File No. Z 16-08 / District 1 a change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-5 (SF-5) Uses.

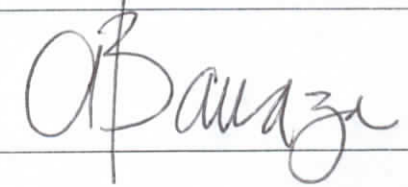
### Location of the Property:


The property is bounded by Brand Road to the west, The Hills of Breckinridge Replat to the north, and Campbell Road to the southeast.

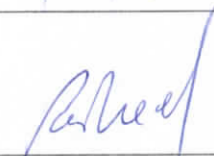
We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described City of Garland Zoning Case. **We own property within 200 feet of the property the subject of this zoning case.** This protest is made pursuant to Texas Local Government Code Section 211.006(d), and the Garland Development Code. By signing below, we hereby represent that we are the owners or are authorized to sign this protest on behalf of the identified owners.

### Protestors Names and Property Description:

|  |  |
|--|--|
| Keith Black, President<br>Hills of Breckinridge Maintenance<br>Association, Inc.<br>Printed Name | Signature  |
| 2600 Kinloch (north and east<br>of zoning case property)<br>Address of property within 200 feet  | Date 5-4-16  |

|  |  |
|--|--|
| ART BARRAZA<br>5 BRAE LOCH<br>GARLAND TX 75044<br>Printed Name | Signature  |
| Address of property within 200 feet                            | Date 5-4-16  |

|  |  |
|--|--|
| Printed Name <b>BRANDON DINH</b>   | Signature  |
| <b>9 BRAE LOCH</b><br><b>GARLAND TX 75044</b><br>Address of property within 200 feet | Date <b>5/6/16</b>   |

|  |   |
|--|---|
| Printed Name <b>Haroon Rasheed</b>   | Signature <b>5/23/16</b>  |
| <b>1 Brae Loch</b><br><b>Garland TX 75044</b><br>Address of property within 200 feet | Date  |

|                                     |           |
|-------------------------------------|-----------|
| Printed Name                        | Signature |
| Address of property within 200 feet | Date      |

|                                     |           |
|-------------------------------------|-----------|
| Printed Name                        | Signature |
| Address of property within 200 feet | Date      |

|                                     |           |
|-------------------------------------|-----------|
| Printed Name                        | Signature |
| Address of property within 200 feet | Date      |

## ZONING PROTEST PETITION

### Zoning Case Being Protested:


Zoning Case File No. Z 16-08 / District 1 a change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-5 (SF-5) Uses.


### Location of the Property:

The property is bounded by Brand Road to the west, The Hills of Breckinridge Replat to the north, and Campbell Road to the southeast.

We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described City of Garland Zoning Case. **We own property within 200 feet of the property the subject of this zoning case.** This protest is made pursuant to Texas Local Government Code Section 211.006(d), and the Garland Development Code. By signing below, we hereby represent that we are the owners or are authorized to sign this protest on behalf of the identified owners.

### Protestors Names and Property Description:

|   |   |
|---|---|
| Shawn Cox<br>Printed Name                                     | <br>Signature |
| 7026 Calm Meadow Court<br>Address of property within 200 feet | 6 May 16<br>Date  |

|  |   |
|--|---|
| Autumn Cox<br>Printed Name   | <br>Signature |
| 7026 Calm Meadow Ct<br>Garland TX 75044<br>Address of property within 200 feet | May 6 <sup>th</sup> 2016<br>Date  |

|  |                         |
|--|-------------------------|
| Printed Name Kathy K Moore                               | Signature Kathy K Moore |
| 6915 Shamrock Ct.<br>Address of property within 200 feet | Date 5/6/16             |

|   |                       |
|---|-----------------------|
| Printed Name James Boone  | Signature James Boone |
| 7106 Tartan Trl, Garland<br>Address of property within 200 feet | Date 5/6/16           |

|   |                        |
|---|------------------------|
| Printed Name DAVE JACKSON                               | Signature Dave Jackson |
| 7118 TARTAN TRI.<br>Address of property within 200 feet | Date 5-6-16            |

|  |                          |
|--|--------------------------|
| Printed Name KEN + NANCY KIRKLAND  | Signature Ken M Kirkland |
| 7010 TARTAN TRAIL<br>GARLAND TX 75044<br>Address of property within 200 feet | Date 5-6-16              |

|   |                              |
|---|------------------------------|
| Printed Name John + Cindy PLATA   | Signature John + Cindy Plata |
| 7022 TARTAN TRAIL<br>GARLAND, TX 75044<br>Address of property within 200 feet | Date 5-7-16                  |

## ZONING PROTEST PETITION

### Zoning Case Being Protested:

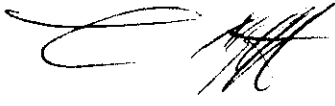
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We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described City of Garland Zoning Case. **We own property within 200 feet of the property the subject of this zoning case.** This protest is made pursuant to Texas Local Government Code Section 211.006(d), and the Garland Development Code. By signing below, we hereby represent that we are the owners or are authorized to sign this protest on behalf of the identified owners.

### Protestors Names and Property Description:

|  |   |
|--|---|
| <i>Trevor Marzluff</i><br>Printed Name   | <br>Signature |
| <i>7102 Tartan Trl<br/>Garland TX 75044</i><br>Address of property within 200 feet | <i>5/6/16</i><br>Date   |
| <i>Derrick L Reed</i><br>Printed Name  | <i>Derrick L Reed</i><br>Signature  |
| <i>1114 Tartan Trl</i><br>Address of property within 200 feet                      | <i>Garland TX 75044</i><br>Date   |



|  |                                      |
|--|--------------------------------------|
| <i>Rhonda Manessier</i><br>Printed Name                  | <i>Rhonda Manessier</i><br>Signature |
| 7018 Tartan Trail<br>Address of property within 200 feet | 5-6-14<br>Date                       |

|  |                               |
|--|-------------------------------|
| <i>Ron Green</i><br>Printed Name                         | <i>Ron Green</i><br>Signature |
| 7014 Tartan Trail<br>Address of property within 200 feet | 5-6-16<br>Date                |

|   |                                    |
|---|------------------------------------|
| <i>Lurtis Culwell</i><br>Printed Name                 | <i>Lurtis Culwell</i><br>Signature |
| 7030 Tartan Tr<br>Address of property within 200 feet | 5-6-16<br>Date                     |

|  |                                 |
|--|---------------------------------|
| <i>PHILIP BILSKY</i><br>Printed Name                   | <i>Philp Bilet</i><br>Signature |
| 7026 TARTAN TRL<br>Address of property within 200 feet | 5-6-16<br>Date                  |

|   |                                     |
|---|-------------------------------------|
| <i>Bonnie McMurdie</i><br>Printed Name                      | <i>Bonnie McMurdie</i><br>Signature |
| 901 Glen Meadows Ct.<br>Address of property within 200 feet | 5/7/14<br>Date                      |