



GARLAND

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland
Council Chambers, City Hall
200 North Fifth Street
Garland, Texas
February 7, 2017
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.

Garland City Hall and Council Chambers is wheelchair accessible. Special parking is available on the east side of City Hall and on Austin & State Street west of City Hall.

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 had the opportunity to review each of 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 January 17, 2017 Regular Meeting.
2. Consider approval of the following bids:
 - a. **Professional Engineering Services for Duck Creek WWTP Primary Clarifier Improvements** **Bid No. 0277-17**

Garver, LLC **\$318,668.00**

This request is to provide equipment assessment and develop design plans and construction documents for improvements to Duck Creek Wastewater Treatment Plant's four primary clarifiers.
 - b. **GP&L Dent Road 138 kV Transmission Line Certificate of Convenience and Necessity** **Bid No. 0310-17**

Burns & McDonnell **\$485,000.00**

This request is to provide engineering services to support the Certificate of Convenience and Necessity (CCN) application for a 138 kV transmission line from the Dent Road Substation to the Shelby Substation.

c. GP&L Apollo-East Richardson 138kV Transmission Line Construction Labor Bid No. 0178-17

Hargrave Power, Inc.	\$1,096,101.13
Optional Contingency	<u>\$110,000.00</u>
TOTAL	\$1,206,101.13

This request is to provide the construction labor associated with the GP&L Apollo-East Richardson 138 kV Transmission Line project. Due to the complex nature of the project, an Optional Contingency is included for any additional work that may be required.

d. Duck Creek Gravity Sanitary Sewer Interceptor Condition Assessment Bid No. 0293-17

Pipeline Analysis, LLC	\$275,720.00
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This request is to engage a professional engineer to evaluate 36,800 feet of gravity pipeline in the Duck Creek drainage basin from Buckingham to Oates Road.

e. Fleet Vehicles Bid No. 0327-17

Caldwell Country Ford	\$269,837.99
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This request is to purchase eleven vehicles to be used by City departments in their daily operations.

- 3. Consider an ordinance amending Chapter 2, Article 2, Division 5, Section 2.24 of the Garland Development Code (GDC) regarding Reasonable Accommodations; 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 an ordinance amending Chapter 2, Article 2, Division 5, Section 2.24 of the Garland Development Code (GDC) regarding Reasonable Accommodations.

- 4. Consider an ordinance amending Section 33.48 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, a Savings Clause, and a Severability Clause; and providing an effective date.**

Activities in Duck Creek Park result in parking along both sides of O'Banion Road. Due to the width of this road, passage by through vehicles is restricted. There is

also concern that emergency vehicles would have difficulty maneuvering this roadway due to the parking issues. This roadway is a major collector road for this neighborhood and therefore important for mobility into and from the area.

5. City Manager Employment Agreement

Council is requested to approve by minute action an employment agreement with Bryan L. Bradford to continue his employment in the position of City Manager.

6. City Attorney Employment Agreement

Council is requested to approve by minute action an employment agreement with Brad Neighbor to continue his employment as City Attorney.

7. City Auditor Employment Agreement

Council is requested to approve by minute action an employment agreement with Jedson Johnson to continue his employment as City Auditor.

8. Optional Redemption of Tax Notes

When Council approved the issuance of \$7,350,000 Tax Notes, Series 2016 on September 6, 2016, it was contemplated that the City would exercise the call provision to redeem the notes on March 1, 2017 prior to their scheduled maturity date of November 1, 2017. Staff requests Council consider approving an ordinance to redeem the Tax Notes, Series 2016 as contemplated.

9. Consider an ordinance ordering and providing notice of a General Election for the City of Garland, to be held on the 6th day of May, 2017 and providing an effective date.

In accordance with the Charter of the City of Garland and the laws of the State of Texas, Council is requested to order and provide notice of a General Election to be held on May 6, 2017 for the purpose of electing the Mayor and Council members for Districts 3, 6, 7 and 8.

10. Consider a resolution authorizing the City Manager to execute a single-stream recyclable materials transport, processing, and marketing agreement with Fomento De Construcciones Y Contratas, Inc.; and providing an effective date.

Staff presented a Verbal Briefing at the November 14, 2016 City Council Work Session meeting regarding the expiring Recyclable Materials Agreement between the City of Garland and Community Waste Disposal Services. A new agreement is required to avoid the disruption in the transporting, processing and marketing of recyclable materials from the City's Recycling Programs. Staff sought and received proposals from vendors to provide these services. A unanimous consensus from Council was rendered to Staff to proceed with accepting the Single Stream

Recyclable Materials Transport, Processing, and Marketing Services base proposal from FCC Environmental Services.

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.

11. Hold public hearings on:

- a. Consider the application of Kimley-Horn, requesting approval of 1) an amendment to Planned Development (PD) District 00-45, 2) a Detail Plan for a Restaurant, Drive-Through, and 3) a Specific Use Provision for a Restaurant, Drive-Through on property zoned Planned Development (PD) 00-45 for Community (Limited) Retail (CR) District Uses. This property is located at 1102 Northwest Highway. (File No. Z 16-43, District 5)**

Being a 2.48 acre tract, Lot 1RA, Block A, Meadow Creek Village Shopping Center Addition, an addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2001203, Page 12, Map Records of Dallas County, Texas. This site is located at 1102 Northwest Highway.

- b. Consider the application of HealthCap Partners, requesting approval of 1) an amendment to Planned Development (PD) District 84-73, 2) an amendment to a Concept Plan, and 3) a Detail Plan for Elder Care - Nursing/Convalescent facility with a Medical and Dental Office/Clinic use on a property zoned Planned Development (PD) District 84-73 for Office Uses. This property is located at the northwest corner of Shiloh Road and Campbell Road. (File No. Z 16-46, District 1)**

Being a 5.4048-acre tract of land situated in the City of Garland, Dallas County, Texas, out of the Delilah C. Manning Survey, Abstract No. 945 and being all of a 5.4048-acre tract of land conveyed to ERI-Garland, L.P. according to the deed recorded in Clerk's file number 200600270794, Deed Records, Dallas County, Texas. This property is located at northwest corner of Shiloh Road and Campbell Road.

- c. **Consider the application of 3K1 Consulting Services, LLC, requesting approval of a Specific Use Provision for a Car Wash, Automated/Rollover facility. This property is located at 646 East Centerville Road. (File No. Z 16-47, District 4)**

Being a 1.13-acre tract of land and identified as Lot 2 in Block 2, of Broadway Crossing, an addition to the City of Garland, Dallas County, Texas according to the Map or Plat thereof recorded in/under Volume 86250, Page 3248, Map/Plat Records, Dallas County, Texas. This property is located at 646 East Centerville Road.

- d. **Consider the application of Haitham Alatoon, requesting approval of a Change in Zoning from Community Retail (CR) District to Single-Family-10 (SF-10) District. This property is located at 3750 Zion Road. (File No. Z 17-01, District 3)**

Being a tract of land situated in the James Loving Survey, Abstract No. 791 and R. Bateman Survey, Abstract No. 89, in the City of Garland, Dallas County, Texas, and being the remainder of a called 36.5 acres tract (Tract 1) of land conveyed to George G. Brown Jr. and wife, Nettle Lou Brown by Deed recorded in Volume 3658, Page 434, Deed Records, Dallas County, Texas, Save and Except a called 0.241 acre tract of land recorded in Volume 5343, Page 372, Deed Records, Dallas County, Texas and a called 0.8934 acre tract of land recorded in Volume 83191, Page 4628, Deed Records, Dallas County, Texas. And the remainder of a tract of land (Tract 2) conveyed to George G. Brown Jr. and wife, Nettle Lou Brown by Deed recorded in Volume 68198, Page 73, Deed Records, Dallas County, Texas, Save and Except a called 0.0011 acre tract of land recorded in Volume 83212, Page 811, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds and containing 84,883 square feet or 1.9486 acres of land. The subject property is located at 3750 Zion Road.

- e. **Hold a public hearing to receive comment on the 2017 Proposed Capital Improvement Program (CIP).**

A public hearing will be held on the 2017 Proposed Capital Improvement Program (CIP). At the public hearing, all interested persons will be given the opportunity to be heard for or against the proposed program. The 2017 Proposed CIP is available for public inspection in the City's libraries, and the City Secretary's Office and has been on the City's website since January 18, 2017.

12. 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.

Council Member Anita Goebel

- Eric Stuyvesant - Citizens Environmental and Neighborhood Advisory Committee

13. 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.

14. Adjourn.

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



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 1.

Meeting Date: February 7, 2017

Item Title:

Summary of Request/Problem

Consider approval of the minutes of the January 17, 2017 Regular Meeting.

Recommendation/Action Requested and Justification

Attachments

Meeting Minutes

Minutes of the Garland City Council Regular Meeting

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, January 17, 2017, in the Council Chambers at City Hall, 200 North Fifth Street, Garland, Texas, with the following members present:

COUNCIL PRESENT:

Mayor Pro Tem	Scott LeMay
Council Member	David Gibbons
Council Member	Anita Goebel
Council Member	Stephen Stanley
Council Member	B. J. Williams
Council Member	Rich Aubin
Council Member	Lori Dodson
Council Member	James Cahill

STAFF PRESENT:

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

ABSENT:

Mayor	Douglas Athas
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CALL TO ORDER:

The meeting was called to order by Mayor Pro Tem LeMay. Council Member Gibbons led the pledge and invocation.

CONSENT AGENDA:

All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Mayor Pro Tem LeMay read those items into the record. Motion was made by Council Member Gibbons, seconded by Council Member Aubin, to approve items 1, 2a, 2b, 3a, 4, and 5. Motion carried, 8 ayes, 0 nays.

Items 6, 7, and 8 were pulled and discussed separately.

1. APPROVED**

Approval of the Minutes of the January 3, 2017 Regular Meeting.

2a. APPROVED**

Bid No. 0271-17 awarded to Mac Haik Dodge in the amount of \$137,500.00 for an Ambulance Chassis and Body Remount.

This request is to refurbish one existing ambulance body and remount it onto one new cab and chassis to be used by the Fire Department in their daily operations.

- 2b. APPROVED** Bid No. 0276-17 awarded to Altec Industries, Inc. in the amount of \$115,855.00, Freightliner of Austin in the amount of \$222,350.00, and Landmark Equipment in the amount of \$174,294.00 for a total bid of \$512,499.00 for GP&L Heavy Equipment.
- 3a. APPROVED** Ordinance No. 6880 amending the Garland Development Code of the City of Garland, by approving 1) an amendment to Planned Development (PD) District 13-14 and 2) a Detail Plan for Elder Care – Independent Living on a 4-acre tract of land zoned Planned Development (PD) District 13-14 for Multi-Family Uses (Elder Care – Independent Living) and located on the 5100 block of north George Bush Highway, west of 5101 N. George Bush Highway (Hyatt Place Hotel); 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 (File No. Z 16-39 Jay Jambor, District 1).
4. APPROVED** Resolution No. 10269 of the City of Garland supporting the reconstruction of the IH-635 East corridor from US Highway 75 to IH-30 and providing an effective date.
Council approved a resolution evidencing an official statement of position on the funding and scheduling of improvements to the IH-635 East corridor.
5. APPROVED** Resolution No. 10270 of the City of Garland in opposition to revenue caps and other legislative interference with the funding and provision of local services; and providing an effective date.
Council approved a resolution expressing its opposition to efforts now being pursued in the Texas Legislature that will impose arbitrary and unworkable revenue or appraisal caps or artificially low roll back rates or otherwise interfere with the funding and provision of local services.

ITEMS PULLED AND DISCUSSED SEPARATELY

6. APPROVED
- Resolution No. 10271 establishing a street funding policy and providing an effective date.
- PULLED AND DISCUSSED SEPARATELY
- Council approved a resolution that establishes a funding and operation policy for repairs of streets and alleys.
- Council Member Dodson reviewed the purpose for the resolution. Raymond Johnson registered a position in support and gave oral testimony. There were questions from the Council. Motion was made by Council Member Dodson to approve as presented, seconded by Council Member Aubin. Motion carried 8 ayes, 0 nays.
7. APPROVED
- Minute action authorizing the City Manager to sign the attached agreement with Garland Independent School District.
- PULLED AND DISCUSSED SEPARATELY
- Presently, a gate that provides access between the parking lot of Homer B. Johnson Stadium and the adjacent neighborhood is permanently barricaded to prevent unauthorized access. GISD has asked for this barricade to be removed and a gate with a Knox box (fire access day box) be added to enable the gate to be opened if an emergency necessitates the evacuation of the stadium. The staff report was presented by Paul Luedtke, Director of Transportation. Speakers on this item were: J. Pat. Lamb, Director of Security, GISD and Cliff Odenwald, GISD and Blane Owens, registering a position against the request. There were questions from the Council. Motion was made by Council Member Goebel to approve the agreement, seconded by Council Member Dodson. Motion carried 7 ayes, 1 nay (Council Member Stanley).
8. POSTPONED
- Minute action adopting the 2017 Rules of Order and Procedure and Council Policies.

PULLED AND
DISCUSSED
SEPARATELY

Section 9 of Article III of the Garland City Charter requires and empowers the City Council to establish rules of order and procedure governing its meetings and other official business. The City Council additionally has the inherent authority to adopt policies governing the operation of the City. For convenience of use, ease of reference, and in furtherance of transparency, the Council's rules of order have been combined with the Council's policies into one document. Various parts of the Council's policies have been referred to committee over the last several years for further study and recommendations, such as the Council's policies on the formation of committees, the appointment of members to the City's boards and commissions, Council business and travel expenses, and the use of debt funding. The results of those discussions have been incorporated into the attached draft. Unless the City Council has further changes, adoption of the attached rules of order and policies will place the annual adoption of such rules and policies on a calendar year adoption cycle, which should provide adequate time for incoming, newly-elected councilmembers to become familiar with the existing rules and policies and give them (and the incumbent members) time to suggest revisions or new rules and policies prior to the scheduled, annual re-adoption.

It was the consensus of the Council to pull this item and consider it at future Work Session.

ITEMS FOR INDIVIDUAL CONSIDERATION

9a. APPROVED

GDC Amendment: Reasonable Accommodations

Hold a public hearing to consider the amendments to Chapter 2, Article 2, Division 5, Section 2.24 of the Garland Development Code (GDC) regarding Reasonable Accommodations.

The staff report was presented by Brian England, Deputy City Attorney. There were questions from the Council. Motion was made by Council Member to Stanley to approve the GDC Amendment as recommended by the City Attorneys' office, seconded by Council Member Williams. Motion carried 8 ayes, 0 nays.

10. PRESENTED

Bryan Bradford, City Manager, formally presented the 2017 Proposed Capital Improvement Program (CIP) for the City Council's review and deliberation.

11. CITIZEN COMMENTS: Robert Bjelke

12. ADJOURN:

There being no further business to come before the City Council, Mayor Pro Tem LeMay adjourned the meeting at 8:02 p.m.

CITY OF GARLAND, TEXAS

APPROVED: _____

Scott LeMay, Mayor Pro Tem

ATTEST: _____

Eloyce René Dowl, City Secretary



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. a.

Meeting Date: February 7, 2017

Item Title: Professional Engineering Services for Duck Creek WWTP Primary Clarifier Improvements

Submitted By: Wes Kucera, Managing Director

PURCHASE JUSTIFICATION:

The purpose of this project is to provide equipment assessment and develop design plans and construction documents for improvements to Duck Creek Wastewater Treatment Plant's four (4) primary clarifiers. This equipment has been in operation for over 40 years and is in need of rehabilitation. Services include assessments of the clarifier drives, center column, baffles, weirs, rake mechanisms, walls, structure, and various underground piping.

AWARD RECOMMENDATION:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Garver, LLC			\$318,668.00
TOTAL:			\$318,668.00

Basis for Award: Most Qualified

Fiscal Impact

Total Project/Account:	\$1,200,000
Expended/Encumbered to Date:	126,732
Balance:	\$1,073,268
This Item:	318,668
Proposed Balance:	\$754,600
Account #:	230-4239-3402700-7101

Fund/Agency/Project – Description and Comments:

Wastewater Treatment CIP / Duck Creek WWTP Replacements/Modifications

Attachments

Bid Recap

Executive Summary

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2016

Document Location: Page WW18

Budget Director

Approval:

Ron Young

Approval Date:

01/18/2017

Purchasing Director

Approval:

Gary L. Holcomb

Approval Date:

01/17/2017

CITY OF GARLAND - BID RECAP SHEET OPENED: 06/28/2016 REQ. NO. PR 37411 BID NO. 0277-17 PAGE: 1 of 1 BUYER: Guy Trampe	Garver, L.L.C.			
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I T E M	QTY	U N I T	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	ea	Professional Engineering Svcs	\$318,668.00	\$318,668.00						

	TOTAL GROSS PRICE	\$318,668.00		
	CASH DISCOUNT			
	TOTAL NET PRICE	\$318,668.00		
	F.O.B.	DELIVERED	DELIVERED	DELIVERED
	DELIVERY			

NEXT LOW: \$0.00	0 # IonWave Notifications	All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. <u>The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.</u>
LOW: \$318,668.00	0 # IonWave HUBS	
SAVINGS: (\$318,668.00)	0 # Direct Contact HUBS	
	0 # HUBS Responded	



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 0277-17
Professional Engineering Services for
Duck Creek WWTP Primary Clarifier Improvements

Recommended Vendor:
Garver, LLC

Total Recommended Award:
\$318,668.00

Basis for Award:
Most Qualified

Purpose:
The purpose of this project is to provide equipment assessment and develop design plans and construction documents for improvements to Duck Creek Wastewater Treatment Plant's four (4) primary clarifiers. This equipment has been in operation for over 40 years and is in need of rehabilitation. Services include assessments of the clarifier drives, center column, baffles, weirs, rake mechanisms, walls, structure, and various underground piping.

Evaluation:
Garver, LLC, was selected as the most qualified firm for this project based on a short list of respondents evaluated and ranked by criteria published in Request for Qualifications 3617-13.

Recommendation:
Staff recommends awarding the project for professional engineering services to Garver, LLC.

Funding Information:
Wastewater Treatment CIP - 230-4239-3402700

Department Director:
Wes Kucera, Managing Director, Water & Wastewater Utilities, 972-205-3283



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. b.

Meeting Date: February 7, 2017

Item Title: GP&L Dent Road 138 kV Transmission Line Certificate of Convenience and Necessity

Submitted By: Ross Owen, Director of Transmission & Distr

PURCHASE JUSTIFICATION:

The purpose of this project is to provide engineering services to support the Certificate of Convenience and Necessity (CCN) application for a 138 kV transmission line from the Dent Road Substation to the Shelby Substation. Phase I of the project includes a conceptual design of the proposed transmission line and substation, a routing study, an environmental assessment, and submittal of the CCN application to the Public Utility Commission (PUC). Phase II of the project includes ongoing support and management from the point the CCN application is filed to final Public Utility Commission (PUC) approval.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Burns & McDonnell	All	\$485,000.00
TOTAL:		\$485,000.00

Basis for Award: Most Qualified

Fiscal Impact

Total Project/Account: \$500,000
Expended/Encumbered to Date: 0
Balance: \$500,000
This Item: 485,000
Proposed Balance: \$15,000
Account #: 210-3599-3143401-7111
Fund/Agency/Project – Description and Comments:

Attachments

Bid Recap
Executive Summary

Fiscal Reference:

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

Budget Director	Approval Date:
Approval:	01/19/2017
Ron Young	

Purchasing Director	Approval Date:
Approval:	01/18/2017
Gary L. Holcomb	



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 0310-17
GP&L Dent Road 138 kV Transmission Line
Certificate of Convenience and Necessity

Recommended Vendor:
Burns & McDonnell

Total Recommended Award:
\$485,000.00

Basis for Award:
Most Qualified

Purpose:
The purpose of this project is to provide engineering services to support the Certificate of Convenience and Necessity (CCN) application for a 138 kV transmission line from the Dent Road Substation to the Shelby Substation. Phase I of the project includes a conceptual design of the proposed transmission line and substation, a routing study, an environmental assessment, and submittal of the CCN application to the Public Utility Commission (PUC). Phase II of the project includes ongoing support and management from the point the CCN application is filed to final Public Utility Commission (PUC) approval.

Evaluation:
Burns & McDonnell was selected as the most qualified firm for this project based on a short list of respondents evaluated and ranked by criteria published in Request for Qualifications 5771-15.

Recommendation:
Staff recommends awarding the project for professional engineering services to Burns & McDonnell.

Funding Information:
210-3599-3143401-7111

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



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. c.

Meeting Date: February 7, 2017

Item Title: GP&L Apollo-East Richardson 138 kV Transmission Line Construction Labor

Submitted By: Ross Owen, Director of Transmission & Distr

PURCHASE JUSTIFICATION:

The purpose of this bid is to provide the construction labor associated with the GP&L Apollo-East Richardson 138 kV Transmission Line project. Due to the complex nature of the project, an Optional Contingency is included for any additional work that may be required.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Hargrave Power, Inc.	All	\$1,096,101.13
Optional Contingency		110,000.00
TOTAL:		\$1,206,101.13

Basis for Award: Best Value

Fiscal Impact

Total Project/Account: \$2,914,007
Expended/Encumbered to Date: 1,299,025
Balance: \$1,614,982
This Item: 1,206,101
Proposed Balance: \$408,881
Account #: 210-3599-3142901-7111
Fund/Agency/Project – Description and Comments:
 Electric CIP / Transmission Lines

Attachments

Bid Recap
Executive Summary

CITY OF GARLAND - BID RECAP SHEET OPENED: 12/22/16 REQ. NO. PR 37181 BID NO. 0178-17 PAGE: 1 of 1 BUYER: T. Smith		Hargrave Power, Inc.	Maslonka Power Services		
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ITEM	QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	Lt.	Bid Price for Evaluation	\$1,096,101.13	\$1,096,101.13	\$2,238,052.04	\$2,238,052.04				
			Evaluation Criteria:								
			Price	Maximum=30	30.00		15.00				
			Experience	Maximum=20	20.00		20.00				
			Qualifications	Maximum=20	20.00		13.00				
			Equipment	Maximum=10	5.00		10.00				
			Safety	Maximum=20	12.00		20.00				
			Total Score:	Maximum=100	87.00		78.00				

TOTAL GROSS PRICE		\$1,096,101.13		\$2,238,052.04		
CASH DISCOUNT						
TOTAL NET PRICE		\$1,096,101.13		\$2,238,052.04		
F.O.B.	DELIVERED		DELIVERED		DELIVERED	
DELIVERY						

NEXT LOW:	\$2,238,051.04	127 # IonWave Notifications	All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. <u>The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.</u>
LOW:	\$1,096,101.13	15 # IonWave HUBS	
SAVINGS:	\$1,141,949.91	16 # Direct Contact HUBS	
		0 # HUBS Responded	



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 0178-17
GP&L Apollo-East Richardson 138 kV Transmission Line Construction Labor

Recommended Vendor:
Hargrave Power, Inc.

Total Recommended Award:
\$1,206,101.13

Basis for Award:
Best Value

Purpose:
The purpose of this bid is to provide the construction labor associated with the GP&L Apollo-East Richardson 138 kV Transmission Line project.

Evaluation:
Requests for bids were issued in accordance with Purchasing procedures. Two (2) bids were received and evaluated on the published criteria of price, previous experience, qualifications, safety, and equipment. Hargrave Power, Inc., submitted the lowest bid and received the highest evaluated score, offering the best value for the City.

Recommendation:
Staff recommends awarding the bid to Hargrave Power, Inc.

Funding Information:
210-3599-3142901-7111

Department Director:
Ross Owen, Transmission & Distribution Director, 972-205-2667



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. d.

Meeting Date: February 7, 2017

Item Title: Duck Creek Gravity Sanitary Sewer Interceptor Condition Assessment

Submitted By: Wes Kucera, Managing Director

PURCHASE JUSTIFICATION:

The purpose of this project is to engage a professional engineer to evaluate 36,800 feet of gravity pipeline in the Duck Creek drainage basin from Buckingham to Oates Road. This will be accomplished by utilizing Closed Circuit Television, Sonar, and Laser to evaluate the 36" and 42" sewer lines.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Pipeline Analysis, LLC	All	\$275,720.00
TOTAL:		\$275,720.00

Basis for Award: Most Qualified

Fiscal Impact

Total Project/Account: \$463,220
Expended/Encumbered to Date: 39,354
Balance: \$423,866
This Item: 275,720
Proposed Balance: \$148,146
Account #: 231-4123-7111
Fund/Agency/Project – Description and Comments:
Wastewater Collection Operating Fund 231

Attachments

Bid Recap
Executive Summary

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2016-17

Document Location: Page 282

Budget Director Approval: Ron Young
Approval Date: 01/19/2017

Purchasing Director Approval: Gary L. Holcomb
Approval Date: 01/18/2017

CITY OF GARLAND - BID RECAP SHEET

OPENED: 01/04/2017
 REQ. NO. PR 37371
 BID NO. 0293-17
 PAGE: 1 of 1
 BUYER: Guy Trampe

Pipeline Analysis

I T E M	QTY	U N I T	DESCRIPTION	BIDDER 1		BIDDER 2		BIDDER 3		BIDDER 4	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	ea	Sanitary Sewer Interceptor Condition Assessment	\$275,720.00	\$275,720.00						

TOTAL GROSS PRICE	\$275,720.00			
CASH DISCOUNT				
TOTAL NET PRICE	\$275,720.00			
F.O.B.	DELIVERED	DELIVERED	DELIVERED	DELIVERED
DELIVERY				

NEXT LOW:
LOW: \$275,720.00
SAVINGS: **(\$275,720.00)**

- 0 # IonWave Notifications
- 0 # IonWave HUBS
- 0 # Direct Contact HUBS
- 0 # HUBS Responded

All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 0293-17
Duck Creek Gravity Sanitary Sewer Interceptor Condition Assessment

Recommended Vendor:
Pipeline Analysis, LLC

Total Recommended Award:
\$275,720.00

Basis for Award:
Most Qualified

Purpose:
The purpose of this project is to engage a professional engineer to evaluate 36,800 feet of gravity pipeline in the Duck Creek drainage basin from Buckingham to Oates Road. This will be accomplished by utilizing Closed Circuit Television, Sonar, and Laser to evaluate the 36" and 42" sewer lines.

Evaluation:
Pipeline Analysis, LLC, was selected as the most qualified firm for this project based on a short list of respondents evaluated and ranked by criteria published in Request for Qualifications 3617-13.

Recommendation:
Staff recommends awarding the project to Pipeline Analysis, LLC.

Funding Information:
Wastewater Collection Account 231-4123-7111

Department Director:
Wes Kucera, Director of Water and Wastewater, 972-205-3283



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. e.

Meeting Date: February 7, 2017

Item Title: Fleet Vehicles

Submitted By: Terry Anglin, Fleet Services Director

PURCHASE JUSTIFICATION:

The purpose of this recommendation is to purchase eleven (11) vehicles to be used by City departments in their daily operations. These vehicles are being provided by Caldwell Country Ford through the State of Texas BuyBoard Purchasing Cooperative Contract 521-16.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Caldwell Country Ford		\$269,837.99
	TOTAL:	----- \$269,837.99

Basis for Award: Cooperative Purchase

Fiscal Impact

Total Project/Account:	\$2,309,164
Expended/Encumbered to Date:	1,659,957
Balance:	\$649,207
This Item:	269,838
Proposed Balance:	\$379,369
Account #:	221-4032-9009, 221-4034-9009, 444-1403-9009, 444-1912-9009, 444-3111-9009, 444-3226-9009

Fund/Agency/Project – Description and Comments:

Water Department

221-4032-9009	\$19,687	(1) 2017 Ford Escape
221-4034-9009	\$65,445	(2) 2017 Ford Escapes and (1) 2017 Ford Explorer

Equipment Replacement Fund / Electric

444-3111-9009	\$19,687	(1) 2017 Ford Escape
---------------	----------	----------------------

444-3226-9009 \$68,439 (1) 2017 Ford Explorer and (1) 2017 Ford F-350 Extended Cab Truck

Equipment Replacement Fund / Engineering

444-1403-9009 \$49,498 (2) 2017 Ford F-150 Extended Cab Trucks

Equipment Replacement Fund / Environmental Health

444-1912-9009 \$46,682 (1) 2017 Ford Escape and (1) 2017 Ford F-150 Extended Cab Truck

Equipment Replacement Fund

BuyBoard Fee \$400

TOTAL \$269,838

Attachments

Bid Recap
Executive Summary

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2016-17

Document Location: Pages 94 and 124

Budget Director Approval: Ron Young
Approval Date: 01/18/2017

Purchasing Director Approval: Gary L. Holcomb
Approval Date: 01/17/2017

CITY OF GARLAND - BID RECAP SHEET

OPENED: 01/17/17
 REQ. NO. PR 37501
 BID NO. 327-17
 PAGE: 1 of 1
 BUYER: T. Smith

Caldwell Country Ford

I T E M	QTY	U N I T	DESCRIPTION								
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	5	ea.	2017 Ford Escape, S Model, FWD package, white, all options and features per quote.	\$19,687.00	\$98,435.00						
2	2	ea.	2017 Ford Explorer, FWD package, white, all options and features per quote.	\$26,071.00	\$52,142.00						
3	1	ea.	2017 Ford F-150 Extended Cab, Short bed, 4x2, V-8, half ton with all options and features per quote.	\$26,995.00	\$26,995.00						
4	2	ea.	2017 Ford F-150 Extended Cab, 4x2, 3.5L, FFV, V6, all options and features per quote.	\$24,749.00	\$49,498.00						
5	1	ea.	2017 Ford F-350 Extended Cab, 4x4, 6.2L, V8, Gas, 6 spd. automatic with Knapheide Body and all options and features per quote.	\$42,367.99	\$42,367.99						
6	1	ea.	BuyBoard Fee	\$400.00	\$400.00						
TOTAL GROSS PRICE				\$269,837.99							
CASH DISCOUNT											
TOTAL NET PRICE				\$269,837.99							
F.O.B.				DELIVERED		DELIVERED		DELIVERED		DELIVERED	
DELIVERY											

NEXT LOW: _____
LOW: _____
SAVINGS: \$0.00

n/a # lonWave Notifications
 n/a # lonWave HUBS
 n/a # Direct Contact HUBS
 n/a # HUBS Responded

All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.



**GARLAND
PURCHASING EXECUTIVE SUMMARY**

Bid 0327-17
Fleet Vehicles

Recommended Vendor:
Caldwell Country Ford

Total Recommended Award:
\$269,837.99

Basis for Award:
Cooperative Purchase

Purpose:
The purpose of this recommendation is to purchase eleven (11) vehicles to be used by City departments in their daily operations.

Evaluation:
These vehicles are being provided by Caldwell Country Ford through the State of Texas BuyBoard Purchasing Cooperative Contract 521-16.

Recommendation:
Staff recommends awarding the purchase of the vehicles to Caldwell Country Ford.

Funding Information:
221-4032-9009, 221-4034-9009, 444-1403-9009, 444-1912-9009, 444-3111-9009, and 444-3226-9009

Department Director:
Terry Anglin, Fleet Director, 972-205-3524



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 3.

Meeting Date: February 7, 2017

Item Title: Garland Development Code Amendment - Reasonable Accommodations

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Ordinance Garland Development Code Amendment - Reasonable Accommodations

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Attachments

Garland Development Code Amendment - Reasonable Accommodations Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 2.24, "REASONABLE ACCOMMODATIONS," OF THE GARLAND DEVELOPMENT CODE 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 2.24(B) of the Garland Development Code of the City of Garland, Texas, is hereby amended to read as follows:

"(B) Applicability.

(1) A person requesting a reasonable accommodation from a zoning regulation(s) in Chapter 2 of this GDC on the basis of a disability must file a written application for a reasonable accommodation with the Planning Director. The applicant shall not be charged a fee for the application. The application must expressly state the accommodation from the zoning regulation(s) requested and the basis for the request.

(2) If an applicant requests assistance to file a written application for reasonable accommodation due to a disability, the Planning Director shall provide assistance including, but not limited to, transcribing a verbal request into a written request.

(3) The Planning Director shall review the application, confer with the Office of the City Attorney, and issue a written decision on the request no later than 30 calendar days from the date the request is received. The written decision shall state the basis of the decision.

(4) If the Planning Director fails to render a written decision within 30 calendar days, the application shall be deemed granted.

(5) After receiving an application for a reasonable accommodation, the Planning Director may request additional information from the applicant consistent with the Federal Fair Housing Amendments Act and the American with Disabilities Act. The request shall specify the additional information that is needed from the applicant for the Planning Director to render a decision. In the event additional information is requested by the Planning Director, the 30 calendar day period to issue a decision is stayed until the applicant's response is received by the Planning Director.

(6) The applicant (or the person on whose behalf the applicant is requesting the accommodation) has the burden to present sufficient facts in the application that demonstrate:

(a) The applicant (or the person on whose behalf the applicant is requesting the accommodation) suffers from a handicap as defined by the Fair Housing Amendments Act; and

(b) The applicant (or the person on whose behalf the applicant is requesting the accommodation) demonstrates that the accommodation is both reasonable and necessary. An accommodation under this subsection section is "necessary" if without the accommodation the applicant (or the person on whose behalf the applicant is requesting the accommodation) will be denied an equal opportunity to obtain the housing of his or her choice;

(7) If the applicant demonstrates the matters set out in subsection (6) above, the request for reasonable accommodation shall be granted by the Planning Director, unless the Planning Director demonstrates that the accommodation requested would fundamentally alter the City's zoning regulations, or would pose an undue negative impact on the public health, safety or welfare.

(8) If the Planning Director finds that the requested accommodation would fundamentally alter the City's zoning regulations, or would pose an undue negative impact on the public health, safety, or welfare, the Planning Director shall determine whether an

alternative reasonable accommodation exists that would effectively meet the disability-related need."

Section 2

That Section 2.24(C) of the Garland Development Code of the City of Garland, Texas, is hereby amended to read as follows:

"(C) Appeals.

(1) An applicant may appeal the written decision to deny or to grant an alternative reasonable accommodation to the City Manager no later than 30 calendar days from the date the decision is mailed.

(2) If an applicant needs assistance appealing a written decision, the Planning Director shall provide assistance including, but not limited to, transcribing a verbal appeal into a written appeal.

(3) An appeal must be in writing and include the grounds for the appeal.

(4) An applicant is not required to pay a fee to appeal a written decision.

(5) The City Manager, or a person designated by the City Manager (other than the Planning Director or an official of the Planning Department), shall review the appeal and issue a written decision no later than 30 calendar days from the date the appeal is received. The written decision shall expressly state the basis of the decision.

(6) If the City Manager, or a person designated by the City Manager (other than the Planning Director or an official of the Planning Department), fails to render a written decision on the appeal within 30 calendar days from the date the appeal is received, the requested accommodation shall be deemed granted.

(7) Consideration of an appeal is subject to the same criteria set forth in subsection (B)(6) above."

Section 3

That Chapter 2 of the Garland Development Code 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. 1.07 of the Garland Development Code 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 _____, 2017.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 4.

Meeting Date: February 7, 2017

Item Title: Parking Restrictions on O'Banion Road

Submitted By: Paul Luedtke, Transportation Director

Summary of Request/Problem

Activities in Duck Creek Park result in parking along both sides of O'Banion Road. Due to the width of this road, passage by through vehicles is restricted. There is also concern that emergency vehicles would have difficulty maneuvering this roadway due to the parking issues.

This roadway is a major collector road for this neighborhood and therefore important for mobility into and from the area.

Recommendation/Action Requested and Justification

Approve the attached ordinance.

Attachments

O'Banion Road South Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 33.48 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, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Sec. 33.48(A) of Chapter 33, "Transportation" of the Code of Ordinances, City of Garland, Texas, is hereby amended by adding the following street or street segment(s):

<u>"Street</u>	<u>Extent</u>	<u>Side</u>
O'Banion Road	Valley Cove Drive to Meadow Hill Drive	South"

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 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 _____, 2017.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Published:



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 5.

Meeting Date: February 7, 2017

Item Title: City Manager Employment Agreement

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Council is requested to approve an employment agreement with Bryan L. Bradford to continue his employment in the position of City Manager.

Recommendation/Action Requested and Justification

Consider approving by minute action an employment agreement with Bryan L. Bradford to continue his employment as City Manager.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 6.

Meeting Date: February 7, 2017

Item Title: City Attorney Employment Agreement

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Council is requested to approve an employment agreement with Brad Neighbor to continue his employment in the position of City Attorney.

Recommendation/Action Requested and Justification

Consider approving by minute action an employment agreement with Brad Neighbor to continue his employment as City Attorney.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 7.

Meeting Date: February 7, 2017

Item Title: City Auditor Employment Agreement

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Council is requested to approve an employment agreement with Jedson Johnson in the position of City Auditor.

Recommendation/Action Requested and Justification

Consider approving by minute action an employment agreement with Jedson Johnson to continue his employment as City Auditor.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 8.

Meeting Date: February 7, 2017

Item Title: Optional Redemption of Tax Notes

Submitted By: Matt Watson, Finance Director

Summary of Request/Problem

When Council approved the issuance of \$7,350,000 Tax Notes, Series 2016 on September 6, 2016, it was contemplated that the City would exercise the call provision to redeem the notes on March 1, 2017 prior to their scheduled maturity date of November 1, 2017.

Staff requests Council consider approving an Ordinance to redeem the Tax Notes, Series 2016 as contemplated. A Written Briefing on this item was presented to Council at the January 17, 2017 Work Session.

Recommendation/Action Requested and Justification

Approve an Ordinance to call \$7,350,000 of Tax Notes, Series 2016.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 9.

Meeting Date: February 7, 2017

Item Title: May 6 General Election Ordinance

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

In accordance with the Charter of the City of Garland and the laws of the State of Texas, Council is requested to order and provide notice of a General Election to be held on May 6, 2017 for the purpose of electing the Mayor and Council members for Districts 3, 6, 7, and 8.

Recommendation/Action Requested and Justification

Approve an ordinance ordering and providing notice of a General Election for the City of Garland to be held on the 6th day of May 2017.

Attachments

General Election Notice - English Version

General Election Notice - Spanish Version

ORDINANCE NO.

AN ORDINANCE ORDERING AND PROVIDING NOTICE OF A GENERAL ELECTION FOR THE CITY OF GARLAND, TEXAS TO BE HELD ON THE 6th DAY OF MAY, 2017 AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

ELECTION ORDER FOR JOINT ELECTION AND NOTICE OF ELECTION

There is hereby ordered a general election to be participated in by the qualified voters of the City of Garland, Texas, to be held on the first Saturday in May, being the 6th day of May, 2017, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of electing a Mayor, who represents the City, at-large and for the purpose of electing one Councilmember each to respectively represent Districts 3, 6, 7 and 8.

Candidates for Districts 3, 6, 7 and 8 must reside in each respective District. Every qualified voter within Districts 3, 6, 7 and 8 may cast one vote for a candidate for the respective district within which such voter resides. Every qualified voter within the City may cast one vote for Mayor.

The candidate for each respective office who shall receive a majority of all votes cast for the office for which that person is a candidate shall be declared elected.

The election shall be held as a joint election pursuant to a joint election agreement by and between the City of Garland, Dallas County, and such other political subdivisions as may be participating in the joint election. Pursuant to the joint election agreement, the Dallas County Election Administrator shall serve as election administrator for the election and who shall appoint such election officials as may be required by law, according to the terms of the law and the joint election agreement.

Section 2

RUN-OFF ELECTION

In the event any candidate fails to receive a majority of all votes cast for the office for which that person is a candidate, a run-off election shall be held on the 10th day of June, 2017 between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of resolving the run-off for each office for which a candidate did not receive a majority of all votes cast at the general election.

Section 3
POSITIONS OF NAMES OF CANDIDATES ON BALLOTS

The positions of the names of the candidates for the general election and, if necessary, for the run-off election, shall be determined by lot in an open meeting to be held at the offices of the City Secretary located at Garland City Hall. The City Secretary shall notify each candidate of the time of the meeting to draw lots and shall preside at the drawing.

Section 4
POLLING PLACES

The polling places for the election shall be those established by the Dallas County Elections Administrator by virtue of the joint election agreement.

Section 5
EARLY VOTING

The main early voting place is the Dallas County Records Building, 509 Main Street, Dallas, Texas 75202. A voter lawfully registered to vote in Dallas County may vote at any authorized early voting location. Within the City of Garland, early voting by personal appearance shall be conducted locally at Richland College - Garland Campus, 675 W. Walnut Street, Garland, Texas 75040. Applications for ballot by mail shall be mailed to:

Toni Pippins-Poole, Early Voting Clerk
Dallas County Elections Department, 8th Floor
Health and Human Service Building
2377 N. Stemmons Freeway, Suite 820
Dallas, Texas 75207

Early Voting for the General Election:

Early voting by personal appearance for the general election shall be conducted on weekdays beginning on Monday, April 24, 2017 through Friday, April 28, 2017 between the hours of 8:00 a.m. and 5:00 p.m.; Saturday, April 29, 2017 between the hours of 8:00 a.m. and 5:00 p.m.; Sunday, April 30, 2017 between the hours of 1:00 p.m. and 6:00 p.m.; and Monday, May 1, 2017 through Tuesday, May 2, 2017 between the hours of 7:00 a.m. and 7:00 p.m. Applications for ballots by mail for the general election must be received no later than the close of business on April 25, 2017.

Early Voting for a Run-off Election:

Early voting by personal appearance for the run-off election, if a run-off election is necessary, shall be conducted on Monday, May 29, 2017 through Friday, June 2, 2017 between the hours of 8:00 a.m. and 5:00 p.m.; Saturday, June 3, 2017 between the hours of 8:00 a.m. and 5:00 p.m.; Sunday, June 4, 2017 between the hours of 1:00 p.m. and 6:00 p.m.; and Monday, through Tuesday, June 5-6, 2017 between the hours of 7:00 a.m. to 7:00 p.m.

Section 6

NOTICE OF ELECTION; PUBLICATION AND POSTING

This election order shall constitute a notice of election and this notice shall be:

(1) published at least once, not earlier than the 30th day or later than the 10th day before the general election day, which publication shall include a complete listing of all polling places; and

(2) posted on the bulletin board used for posting notices of the meetings of the City Council, which copy shall also include a complete listing of all polling places, not later than the 21st day before the general election.

PASSED AND APPROVED this the _____ day of February, 2017.

CITY OF GARLAND, TEXAS

Douglas Athas, Mayor

ATTEST:

Eloyce Rene Dowl, City Secretary

ORDENANZA NÚM.

UNA ORDENANZA ORDENANDO Y PROVEENDO AVISO DE UNA ELECCIÓN GENERAL PARA LA CIUDAD DE GARLAND, TEXAS, LLEVANDOSE A CABO EL DIA 6 DE MAYO DE 2017; Y ESTIPULANDO UNA FECHA VIGENTE.

ES ORDENADO POR EL CONSEJO MUNICIPAL DE LA CIUDAD DE GARLAND, TEXAS:

Sección 1

DECRETO PARA ELECCIÓN CONJUNTA Y AVISO DE ELECCIÓN

Que se decrete por este medio una elección general en la cual participaran los votantes calificados de la Ciudad de Garland, Texas, llevándose a cabo el primero Sábado de Mayo, dicho día 6 de Mayo de 2017, entra las horas de las 7:00 a.m. y las 7:00 p.m., con el fin de elegir a un Alcalde con un termino de dos (2) años y con el fin de elegir a un (1) Concejal Municipal para cada uno de los Distritos 3, 6, 7 y 8 por términos de dos (2) años.

Los candidatos de los Distritos 3, 6, 7 y 8 deben tener su domicilio en cada Distrito correspondiente. Todo votante calificado de votar dentro de los Distritos 3, 6, 7 y 8 podrán dar un (1) voto por el candidato para Concejal Municipal de su distrito particular dentro de cual el votante tenga su domicilio. Todo votante calificado de votar dentro de la Ciudad podrá dar un (1) voto para Alcalde.

El candidato de cada distrito particular, que reciba la mayoría de todos los votos contados entre todos los candidatos de dicho distrito, será declarado elegido.

La elección se llevara a cabo como una elección conjunta por virtud del Contrato de Elección Conjunta entre la Ciudad de Garland, el Condado de Dallas, y otras subdivisiones que participaran en la elección conjunta. Por virtud de el Contrato de Elección Conjunta, el Administrador de Elecciones del Condado de Dallas servirá como el Administrador Electoral para dichas elecciones y nombrara oficiales electorales según lo requiera la ley y conforme a las clausulas del convenio.

Sección 2

ELECCIÓN DE DESEMPATE

En el caso que ningún candidato reciba la mayoría de los votos dados para el cargo del cual él sea candidato, una elección de desempate se llevara a cabo el 10 de Junio de 2017 entre las horas de las 7:00 a.m. y las 7:00 p.m. con el fin de resolver el desempate para en cada oficina particular para cual el candidato no recibió la mayoría de votos que se dieron el la elección general como ordenado y citado en la Sección 1.

Sección 3
COLOCACIÓN DE NOMBRE DE CANDIDATOS EN LA BOLETA

La colocación de los nombres de los candidatos para la elección general y, si necesario, para la elección final, serán determinados por medio de un sorteo en una reunión abierta en la oficina de la Secretaria Municipal. La Secretaria Municipal avisará a cada candidato la hora de dicho sorteo y dirigirá durante el sorteo.

Sección 4
UBICACIONES DE VOTACION

Las ubicaciones de votación para la elección serán establecidas por el Administrador de Elecciones del Condado de Dallas por virtud del Contrato de Elección Conjunta.

Sección 5
VOTACIÓN ADELANTADA

El sitio principal para la votación adelantada esta ubicado en el Dallas County Records Building, 509 Main Street, Dallas, Texas 75202. Dentro de la Ciudad de Garland, la votación adelantada por aparecimiento personal será conducida localmente en Richland College – Garland Campus, 675 W. Walnut Street, Garland, Texas 75040. Cualquier votante calificado en la elección conjunta podrá votar por aparecimiento personal en el sitio principal o en cualquier otra ubicación de votar. Las solicitudes para boletas por correo se enviaron a:

Toni Pippins-Poole, Early Voting Clerk
Dallas County Elections Department, 8th Floor
Health and Human Service Building
2377 N. Stemmons Freeway
Dallas, Texas 75207

Votación Adelantada para la Elección General

La votación adelantada por aparecimiento personal para la elección general, ordenada por la Sección 1, será conducida entre semana empezando el Lunes, 24 de Abril de 2017 hasta el Viernes, 28 de Abril de 2017 entre las horas 8:00 a.m. a 5:00 p.m.; Sábado, 29 de Abril de 2017 entre las horas de 8:00 a.m., a 5:00 p.m.; Domingo, 30 de Abril de 2017 entre las horas de 1:00 p.m. a 6:00 p.m.; y Lunes, 1 de Mayo de 2017 y Martes, 2 de Mayo de 2017 entre las horas de 7:00 a.m. a 7:00 p.m. Las solicitudes para votar por correo para la elección general deben ser enviadas para que se reciban no mas tarde del cierre de negocio del día 25 de Abril de 2017.

Votación Adelantada para la Elección de Desempate

La votación adelantada por apareamiento personal para la elección de desempate, si lo es necesario, será conducida entre semana empezando el Lunes, 29 de Mayo de 2017 hasta el Viernes, 2 de Junio 2017 entre las horas 8:00 a.m. a 5:00 p.m.; Sábado, 3 de Junio de 2017 entre las horas de 8:00 a.m., a 5:00 p.m.; Domingo, 4 de Junio de 2017 entre las horas de 1:00 p.m. a 6:00 p.m.; y Lunes, 5 de Junio de 2017 y Martes, 6 de Junio de 2017 entre las horas de 7:00 a.m. a 7:00 p.m.

Sección 6 AVISO DE ELECCIÓN; PUBLICACIÓN Y COLOCACIÓN

Que esta orden de elección constituirá un aviso de elección y este aviso será:

(1) publicado por lo menos una vez, no más temprano que 30 días ni más tarde que 10 días antes del día de la elección general, que tal publicación incluirá un listado completo de todos los varios recintos de elección; y

(2) se fijará el aviso sobre el tablero de anuncios usado para contabilizar avisos de las reuniones del Consejo Municipal, incluirá también un listado completo de todos los varios recintos de elección, no más tarde que el 21 día antes de la elección general.

APROBADA Y ACEPTADA este día el _____de Febrero de 2017.

CIUDAD DE GARLAND, TEXAS

Douglas Athas, Alcalde

ATESTIGUA:

Eloyce Rene Dowl, Secretaria Municipal



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 10.

Meeting Date: February 7, 2017

Item Title: Resolution Authorizing City Manager to Execute a Single Stream Recyclable Materials Transport, Processing and Marketing Agreement with Fomento de Construcciones y Contratas, Inc., doing business as FCC Environmental Services

Submitted By: Lonnie Banks, Managing Director

Summary of Request/Problem

Staff presented a Verbal Briefing at the November 14, 2016 City Council Work Session meeting regarding the expiring Recyclable Materials Agreement between the City of Garland and Community Waste Disposal Services. A new agreement is required to avoid the disruption in the transporting, processing and marketing of recyclable materials from the City's Recycling Programs. Staff sought and received proposals from vendors to provide these services. A unanimous consensus from Council was rendered to Staff to proceed with accepting the Single Stream Recyclable Materials Transport, Processing, and Marketing Services base proposal from FCC Environmental Services.

Recommendation/Action Requested and Justification

Approve a Resolution authorizing the City Manager to execute a Single Stream Recyclable Material Transport, Processing and Marketing Services Agreement between the City of Garland and Fomento de Construcciones y Contratas, Inc. doing business as FCC Environmental Services at the February 7, 2017 City Council Regular Meeting. This is a term agreement with four (4) optional renewals. A term is defined as the annual period defined in the agreement by the listed expiration date. Subsequent renewals do not require additional City Council approval. If all optional renewals are exercised, there will be no added financial impact to the City over the life of the agreement. Expenditures will not exceed appropriated funds.

Attachments

Recyclables Resolution
Recyclables Agreement

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SINGLE-STREAM RECYCLABLE MATERIALS TRANSPORT, PROCESSING, AND MARKETING AGREEMENT WITH FOMENTO DE CONSTRUCCIONES Y CONTRATAS, INC; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the City Manager is hereby authorized to execute a single-stream recyclable materials transport, processing and marketing agreement with Fomento de Construcciones y Contratas, INC, in substantially the form and substance as attached hereto as Exhibit "A" and incorporated herein.

Section 2

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

PASSED AND APPROVED this the ____ day of _____, 2017.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

SINGLE-STREAM RECYCLABLE MATERIALS TRANSPORT, PROCESSING, AND MARKETING AGREEMENT
BETWEEN CITY OF GARLAND AND FCC ENVIRONMENTAL SERVICES

This Agreement (the "Agreement") is made and entered into this _____ day of _____, 2017 by the City of Garland, Texas, a home-rule municipality duly incorporated and existing under the constitution and laws of the State of Texas (hereinafter the "City"), and Fomento de Construcciones y Contratas, INC, a Spanish corporation authorized to transact business in this state (hereinafter called the "Contractor").

WITNESSETH:

WHEREAS, City issued Request for Proposal No. # 685-16 seeking proposals for the Transport, Processing, and Marketing of Single-Stream Program Recyclable Materials Collected by City Environmental Waste Services Department ("EWS") within the City and to perform such work as may be incidental thereto, which Request for Proposal is attached hereto as Exhibit "A" and incorporated herein in its entirety by reference for all purposes (the "RFP"); and

WHEREAS, Contractor timely submitted a proposal to provide services in response to the RFP, which is attached hereto as Exhibit "B" and incorporated herein in its entirety by reference for all purposes (the "Proposal"); and

WHEREAS, City has selected Contractor to provide the Transport, Processing, and Marketing of Single-Stream Program Recyclable Materials as sought in the RFP.

NOW, THEREFORE, in consideration of the following mutual agreements and covenants, it is understood and agreed by and between the Parties hereto as follows:

Section 1. Definitions.

- (a) Agreement Administrator means the City EWS Director, or his or her designee or designees, or such other person(s) designated by City, which shall represent City in the administration and supervision of the Agreement.
- (b) Applicable Law means all Federal, State, and local constitutions, statutes, laws, ordinances, regulations, rules, orders, judgments, decrees, permits, approvals, or other binding authority of any governmental agency in force on the Effective Date or is enacted, adopted, promulgated, issued or amended during the Agreement term, including the initial term or any optional renewal period, that relates to or affects City, Contractor, or the performance by a Party of its obligations hereunder.
- (c) Business Day means any day, Monday through Friday, from 8:00 AM, Central Time until 5:00 PM, Central Time, which is not a holiday designated as such in the Agreement.
- (d) City means the City of Garland, Texas.
- (e) Collect or Collection means the act of removing Single-Stream Program Recyclable Materials from the generator for delivery by EWS to the Drop-Off Recycling Center or Recycling Facility.
- (f) Commencement Date means the 1st day of January, 2017, the date Contractor is to begin providing services required by this Agreement.
- (g) Compactor means a stationary hydraulic mechanism provided by Contractor with a minimum capacity of seven (7) cubic yards designed to compress materials by a minimum ratio of 4:1 prior to placement in the attached Container.
- (h) Container means fully enclosed receptacle provided by Contractor with a capacity of forty (40) cubic yards designed to attach to the Compactor.

- (i) Contamination means material or substance on or contained in Program Recyclable Materials other than Recyclable Materials accepted at the Recycling Facility.
- (j) Contractor means the name of the potential contractor providing Single-Stream Recyclable Materials Transport, Processing and Marketing Services.
- (k) Contractor's Representative means the employee designated by Contractor as in charge of Contractor's operations and who is authorized to make decisions and act on Contractor's behalf as to the Agreement.
- (l) Dispose or Disposal means the deposit of any material at a disposal site authorized by the State to manage such waste and shall meet all local, State, and federal requirements.
- (m) Drop-Off Recycling Center means the City operated facility located at 1426 Commerce Street, Garland, Texas, where Program Recyclable Materials are temporarily stored.
- (n) Effective Date means the date set forth in the first sentence of this Agreement.
- (o) Load means all materials from a Container or a Collection vehicle hauled to and unloaded at the Recycling Facility.
- (p) Marketing means identification and development of end markets for Recovered Materials and the selling of Recovered Materials to end markets.
- (q) Party means Contractor or City.
- (r) Process, Processed or Processing means the recovery of Recyclable Materials from solid waste and treatment into Recovered Materials and marketing to end markets.
- (s) Program Recyclable Materials means Single-Stream Collection of the following:
 - i. Paper Products: cardboard, magazines, catalogs, office paper, newspaper, paperboard like paper towel rolls, chipboard, phone books, junk mail, and shredded paper in clear bags.
 - ii. Plastics: Plastic bottles and containers with #1 - #5 and #7 resin code, rigid plastics that will fit in the cart with lid closed; plastic tubs and buckets, plastic toys, plastic hangers, nursery pots, laundry baskets, etc.
 - iii. Metal Containers: Food, beverage and soft drink cans made of tin, steel aluminum or bi-metal; empty aerosol cans; all metal cooking pots, pans and utensils.
 - iv. Glass Containers: all colors of glass bottles, jars and containers.
- (t) Recovered Materials means Recyclable Materials which have been processed to market specifications.
- (u) Recyclable Materials means material that has been recovered or diverted from the nonhazardous waste stream for purposes of reuse, Recycling, or reclamation, a substantial portion of which is consistently used in the manufacture of products that may otherwise be produced using raw or virgin materials. Recyclable Material is not solid waste. However, Recyclable Material may become solid waste at such time, if any, as it is abandoned or disposed of rather than recycled, whereupon it will be solid waste with respect only to the party actually abandoning or disposing of the material.
- (v) Recycling means a process by which materials that have served their intended use or are scrapped, discarded, used, surplus, or obsolete are collected, separated, or Processed and returned to use in the form of raw materials in the production of new products.
- (w) Recycling Facility means the facility owned and operated by Contractor where recyclable materials are processed into Recovered Materials.
- (x) Recyclable Revenue Share means the portion of revenues from the sale of Recovered Materials that is payable to City.
- (y) Residuals means material accepted at Recycling Facility that is not captured by the Processing equipment for Marketing.
- (z) Single-Stream means Recyclable Materials that are commingled and that do not require the generator to subdivide the Recyclable Materials prior to Collection.

- (aa) Transport means but is not limited to the hauling of materials via Containers from the Drop-off Recycling Center to the Recycling Facility under this Agreement.
- (bb) Ton shall mean a unit of weight equal to 2,000 pounds.
- (cc) Unaccepted Load means a Load that is designated by Contractor and agreed to by City as an Unaccepted Load in accordance with the Agreement.

Section 2. Effective Date and Agreement Term.

- (a) Effective Date. Except as otherwise provided for herein, the obligations of the Parties shall take effect on the Effective Date.
- (b) Agreement Term. Unless earlier terminated pursuant to this Agreement, the term of this Agreement shall commence on _____ and shall remain in full force for a period of one (1) year from the Commencement Date (the "Term"). The term of this Agreement may be extended for up to four (4) additional one year renewal periods. Contractor may prohibit City from exercising an optional renewal periods by providing written notice to the Agreement Administrator of Contractor's election to reject a renewal on or before six (6) months preceding the scheduled date of expiration of the Initial period or the then current optional renewal period of this Agreement. If Contractor does not provide such written notice to the Agreement Administrator on or before six (6) months preceding the scheduled date of expiration of the initial term or the then current optional renewal term of this Agreement prohibiting City from exercising the optional renewal term, City may upon written notice to Contractor not later than one hundred twenty (120) calendar days preceding the scheduled date of expiration of the initial term or the then current optional renewal term of this Agreement exercise such optional renewal term by such notice. If City does not provide written notice to Contractor as required herein, the Agreement shall expire at the scheduled date of expiration of the then current initial term or renewal period unless agreed upon otherwise by both Parties in writing.

Section 3. City's Duties. During the Agreement Term the City shall allow Contractor access as necessary during normal business hours to the Drop-Off Recycling Center in order to Transport Containers from the Drop-Off Recycling Center to the Recycling Facility in accordance with this Agreement. Contractor will promptly notify the City and afford City employees at the Drop-Off Recycling Center a reasonable opportunity to provide the required access. City is under no obligation regarding the quantity or composition of the Program Recyclable Materials and makes no guarantee to Contractor of any minimum or maximum tonnage of Program Recyclable Materials.

Section 4. Contractor' Duties.

- (a) General Responsibilities. Contractor shall accept Program Recyclable Materials Collected by EWS. Contractor shall provide all technical and professional expertise, knowledge, management, equipment, and other resources required for accomplishing all aspects of the tasks and associate activities required under this Agreement.
- (b) Transport, Processing, and Marketing Services.
 - i. Transport Services. Contractor shall Transport all Containers with materials from Drop-off Recycling Center to the Recycling Facility. Contractor shall provide Transport services as to

ensure no more than four (4) Containers with materials are stored at the Drop-off Recycling Center at any time.

- ii. Processing. Contractor shall Process a minimum of ninety-five percent (95.0%), with the exception of glass, which shall be processed at seventy-five percent (75.0%), by weight of Program Recyclable Materials into Recovered Materials utilizing Processing subsystems at the Recycling Facility capable of fulfilling this requirement. In addition, Contractor shall utilize Processing subsystems at the Recycling Facility capable of complying with product specifications of secondary materials buyers including, but not limited to, product form, size, weight, density, and degree of Contamination.
 - iii. Marketing. Contractor accepts all responsibility for Marketing the Recovered Materials including, but not limited to, arranging for the transportation of the Recovered Materials to market.
- (c) Other Services.
- i. Provision of Compactors and Containers. Contractor shall provide the City with sufficient compactors (not less than two (2) compactors) at the Drop-Off Recycling Center. In addition, Contractor shall provide the City with sufficient Containers at the Drop-Off Recycling Center, but not less than six (6) total Containers at any time, to allow all materials Collected in one day to be placed in Containers prior to noon of the following calendar day.
 - ii. Disposition of Residual, Unacceptable, and Contamination Loads. Contractor shall be responsible for all costs, including but not limited to hauling and disposal, related to residuals, unacceptable, and contamination loads.

Section 5. Weighing and Truck Turn-Around Time. For Single-Stream Program Recyclable Materials Collected by EWS and delivered by EWS to the Drop-Off Recycling Center, Contractor shall weigh each vehicle Transporting Containers from the Drop-Off Recycling Center on City's scales at the Drop-off Recycling Facility prior to and after placing Container on the vehicle. For Single-Stream Program Recyclable Materials Collected by EWS and delivered by EWS to the Recycling Facility, Contractor shall weigh each vehicle Transporting Loads on Contractor's scales at the Recycling Facility prior to and after placing Container on the vehicle. Tare weights for vehicles can be used once established. Contractor shall maintain a vehicle turn-around time of less than fifteen (15) minutes at the Drop-Off Recycling Center and Recycling Facility. Vehicle turn-around time will be calculated from the initial weigh-in, barring any unique circumstances beyond Contractor's control to departure of such vehicle from the gates of the Drop-off Recycling Center or Recycling Facility.

Section 6. Recycling Facility Requirements.

- (a) Recycling Facility Locations and Alternative Recycling Facilities. Contractor shall maintain the Recycling Facility throughout the term of the Agreement. If Contractor is unable to maintain the Recycling Facility at the location designated herein, Contractor shall be solely responsible for the following:
 - i. Procuring an alternative Recycling Facility for accepting, Processing, and Marketing such Program Recyclable Materials; and
 - ii. Any and all increases in costs, including, but not limited to, transportation costs, Processing costs, capital costs, and operational costs incurred by City associated with accepting, Transporting, Processing, and Marketing such Program Recyclable Materials at the alternative Recycling Facility.

- (b) Recycling Facility Capacity. Contractor shall have and maintain during the term hereof, adequate capacity for accepting, Processing, and Marketing material pursuant to this Agreement for the term of this Agreement.
- (c) Scales and Computerized Recordkeeping. Contractor shall operate and maintain adequately sized truck scales and computerized recordkeeping systems at the Recycling Facility for weighing and recording all incoming and outgoing delivery vehicles. Contractor shall maintain a record containing the gross weight, tare weight, net weight, date, time, and vehicle identification of each vehicle entering and exiting the Recycling Facility utilizing equipment provided by Contractor. Contractor shall weigh, record, and tabulate materials from the Drop-off Recycling Center, EWS, and other sources separately. Contractor shall test the Recycling Facility scales as required by Applicable Law. At a minimum, Contractor shall test the Recycling Facility scales every six (6) months. If testing of the Recycling Facility scales indicates that a scale is reporting weights less than the actual weight by an amount greater than one percent (1.0%), then Contractor and City agree that the scale records for the preceding ninety (90) days shall be adjusted by the percentage the scale is inaccurate and payments to City shall be increased accordingly for such ninety (90) days. If the Recycling Facility scales are unavailable during hours of operation, Contractor shall use the average weight for the Load of the day from the previous calendar month. City may conduct random and periodic weight checks on the Loads containing materials Collected by EWS. Contractor may accompany City on such checks.
- (d) Receipt and Queuing. Contractor shall construct, maintain, and operate the Recycling Facility to ensure the Recycling Facility is capable of accepting any and all Program Recyclable Materials from City.
- (e) Storage. Contractor shall store Recyclable Materials to prevent degradation of Recyclable Materials, prevent negative impact to maneuvering of vehicles in Recycling Facility, and promote the safety of persons at the Recycling Facility. At a minimum, Contractor shall provide for storage of the amount of Materials delivered to the Recycling Facility over a period of three (3) consecutive Business Day(s).
- (f) Security. Contractor shall be solely responsible for security of the Recycling Facility and shall maintain adequate protective security at the Recycling Facility which, at a minimum, shall include locking of all access gates and building entrances as appropriate and use of security lighting.

Section 7. Schedule of Operation. Contractor shall provide the services contemplated under this Agreement on a daily basis Monday through Saturday during the hours as specified by the Agreement Administrator; provided, however that Contractor shall not be obligated to provide service on any day or hours Agreement Administrator and the Contractor's Representative mutually agree in writing services shall not be provided. Contractor shall transport materials during normal business hours on a consistent daily schedule that is satisfactory to City.

Section 8. Title and Risk of Loss. Title and risk of loss to all materials shall pass to Contractor at the time Contractor takes possession of the materials at the earlier of Drop-Off Recycling Center or Recycling Facility. After the risk of loss of Program Recyclable Materials passes to Contractor, if any such Program Recyclable Materials are lost, damaged, or scavenged, Contractor shall be liable to City for that sum of funds that would have been paid to City in accordance with the provisions of this Agreement if such materials had not been lost, damaged, or scavenged.

Section 9: Addition and Deletion of Recyclable Materials. City reserves the right to add other Program Recyclable Materials to the program or delete Recyclable Materials from the program if the Parties agree it is economically and technically feasible.

Section 10. Disposition of Program Recyclable Materials Prohibited. Contractor shall not dispose of any Program Recyclable Materials or Market Program Recyclable Materials to markets that Contractor knows or reasonably should have anticipated will dispose of the Program Recyclable Materials except when approved in writing by the Agreement Administrator. Disposal of any Program Recyclable Materials or Marketing Program Recyclable Materials to markets that Contractor knows or reasonably should have anticipated will Dispose of the Program Recyclable Materials, except when approved in writing by the Agreement Administrator, is a breach of this Agreement and may result in termination by City of this Agreement with Contractor.

Section 11. Performance Standards and Permits. Contractor represents and warrants that Contractor will fully and timely perform its obligations under this Agreement in a good and workmanlike manner in accordance with generally accepted industry standards and practices and in compliance with all Applicable Law. Contractor further warrants that Contractor has all necessary permits to perform the services under this Agreement. If requested by City, Contractor shall provide City with copies or evidence of the federal, state, or local permits applicable to the services of Contractor.

Section 12. Agreement Documents. The "Agreement Documents", as that term is used herein, shall include the following documents, and this Agreement does hereby expressly incorporate same herein as fully as if set forth verbatim in the Agreement:

- a. This Agreement (includes Attachments);
- b. The RFP attached hereto as Exhibit "A"; and
- c. The Proposal attached hereto as Exhibit "B".

This Agreement shall incorporate the terms of the Proposal in its entirety. In the event of a conflict between this Agreement and the other documents included in the Agreement Documents, the terms of this Agreement shall govern. In the event of a conflict between the RFP and the Proposal, the terms of the RFP shall govern.

Section 13. Administrative Charges and Compensation.

- a. Administrative Charges. Contractor understands that if Contractor does not timely perform its obligations pursuant to the terms of this Agreement or violates any provision of this Agreement, City will suffer damages which are difficult to determine and adequately specify. Contractor agrees, in addition to any other remedies available to the City, that the City may withhold payment from Contractor in the amounts specified below as administrative charges for failure of Contractor to fulfill its obligations. The following acts or omissions shall be considered a breach of the Contract:
 - i. Failure to Transport, accept, Process and Marketing of Single-Stream Program Recyclable Materials on or after the commencement date.
\$1,000 per calendar day
 - ii. Failure to provide Compactors and Containers as required.
\$250 per Compactor and \$100 per Container
 - iii. Failure to deliver accurate reports as required.
\$100 per day

- iv. Failure to submit an accurate accounting.
Non-payment until an accurate monthly accounting is submitted.
- v. Failure to maintain records in accordance with recordkeeping procedures.
\$100 per day
- vi. Failure to accept Single-Stream Program Recyclable Materials at Recycling Facility during Scheduled Operations.
\$250 per occurrence
- vii. Failure to achieve truck turn-around time in accordance with Agreement.
\$25 per occurrence
- viii. Failure to maintain scale in accordance with Agreement.
\$250 per day
- ix. Disposal of Program Recyclable Material
\$1,000 per occurrence

Contractor shall be liable for administrative charges amount(s) upon determination of the Agreement Administrator that performance has not occurred consistent with the provisions of the Agreement. The Agreement Administrator shall notify Contractor in writing or electronically of each act or omission in this Agreement reported or discovered. It shall be the duty of Contractor to take whatever steps or action may be necessary to remedy the cause of the complaint. For the purposes of this Contract, Contractor shall not be deemed to be liable for administrative charges where its inability to perform collection service is the result of conditions of Force Majeure as set forth in this Agreement.

- b. Service Fee. Subject to the limitations provided in Subsection (e) below, the City shall pay Contractor the following fees, the amounts of which are provided for in Attachment A:
 - i. Transport services fee per pull for each Container with materials transported by Contractor from the Drop-off Recycling Center to the Recycling Facility; and
 - ii. Processing and Marketing services fee per ton for each ton accepted by the Contractor at Recycling Facility.

The Contractor shall not receive payment for any fees other than those specifically identified in Attachment A. For materials collected by Contractor from the Drop-Off Recycling Center, the service fee shall be based on the outgoing net weight of the Container as reported by the scale at the Drop-Off Recycling Center. For materials delivered by the City directly to the Recycling Facility, the service fee shall be based on the incoming net weight of the Load reported by the scale at the Recycling Facility. The fee may be adjusted annually up to but not more than five percent (5.0%) at the beginning of any renewal term based on changes in most recent CPI-All Urban Consumers, Unadjusted 12 months ended October, Item: All items. In the event that Contractor desires an annual adjustment to the service fee, Contractor shall provide City written notice of the proposed new amount at least one hundred twenty (120) calendar days prior to the end of the current annual period. City shall not make any payments to Contractor or adjustments to fees except as explicitly authorized in this subsection.

- c. Revenue Sharing as a Percentage of Total Revenues. Contractor shall pay the City sixty percent (60%) of the net revenues derived from the sale of the Recovered Materials. Contractor shall receive forty percent (40%) of such net revenues derived from the sale of the Recyclable Material. The Recyclable Revenue Share shall be based on Attachment B.

- d. Calculation of Payments. Contractor shall compute the amount of any payment due the City on a monthly basis. Any payment due the City shall be computed as per Attachment B by taking the gross revenue received from the sale of Recyclable Material, and reducing said amount by the amount of the total fees charged to the City as provided for in Subsection (b) above. The remaining amount shall be the net revenues. The City's share of the net revenue shall be computed as provided for in Subsection (c) above. Any positive amount remaining is the payment due the City. Contractor shall not charge or receive any payments other than those explicitly authorized in the Agreement.
- e. Limitation on City's Payment. In the event that the revenue due the City pursuant to the calculation provided in Subsection (d) above is a negative amount, such deficit amount shall be carried forward to the next month until offset by positive revenue, the Agreement is terminated, or the Agreement expires. In the event that the negative revenue is never offset by positive revenue owing to the City, the City shall not be obligated to pay Contractor for any such amount and the potential deficit shall be the sole liability of Contractor.
- f. Processing of Payment or Invoice. Contractor shall remit any payment due the City within thirty (30) calendar days after the end of each month. The payment shall be accompanied by a report satisfactory to the City reflecting in detail how the payment was calculated. Contractor shall submit an invoice to the City along with the report requesting payment from the City for any amount which Contractor believes the City to be obligated.

Section 14. Recordkeeping and Reporting Requirement. Contractor shall create, maintain, and make available records as defined in and/or required by Applicable Law, and any reports reasonably necessary to:

- a. Document deliveries by date, truck number, ticket number and inbound and outbound weights, and other information as requested by Agreement Administrator.
- b. Document daily and monthly total of Recyclable Materials processed by commodity type
- c. Document proof of current market pricing and other information as requested by Agreement Administrator.
- d. Document revenue from the sale of Recyclable Materials and City share of revenues by commodity by month and other information as requested by Agreement Administrator.
- e. Document public education activities conducted by description of activity, date, time, number of persons who attended (excluding Contractor and staff), name of instructor, and other information as requested by Agreement Administrator.
- f. Document Program Recyclable Materials Characterization Audit and other information as requested by Agreement Administrator.
- g. Document any hours Contractor failed to accept materials during required hours of operations.
- h. Such other documents and reports as City or Agreement Administrator may reasonably require to verify compliance with the Agreement or to meet City's reporting requirements with the State.

All of Contractor's records shall be available to Agreement Administrator at reasonable times and places throughout the term of this Agreement and for a period of five (5) years after the date of Contractor's final monthly report is received by the City.

Contractor shall maintain an electronic database for reporting purposes which is approved by City. Monthly reports for the previous month's activities will be due to City by the tenth (10th) working day of each month. Annual reports will be due sixty (60) working days following Contractor's completed fiscal

year. Each monthly report shall be in a form satisfactory to City and shall, at a minimum, contain the information in Section 15 (a) through (d) above.

Section 15. Audits.

- (a) Characterization Audit by Contractor. Contractor and City agree that composition information derived from Characterization Audits shall be used for determination of Recyclable Revenue Share. Contractor shall conduct Characterization Audits in accordance with the protocol set forth in Attachment C.
- (b) Audit and Inspection by City. Contractor shall keep true, complete, and accurate books and records relation to the performance of its obligation under this Agreement. City shall have the right, upon reasonable notice and during business hours, to audit those books and records and inspect Contractor's equipment and facilities during the Term of this Agreement and extending five (5) years after the date of Contractor's final monthly report is received by City. City shall have the right to obtain copies of those books and records relevant to the audit at the expense of City. If City elects to inspect Contractor's equipment or facilities, Contractor shall provide City access to any and all equipment and facilities relating to the Agreement. City shall pay inspection costs incurred by third party inspectors retained by City and costs of City staff. Contractor agrees to provide reasonable assistance to City during any audit or inspection conducted under the Agreement, including answering questions and providing any requested records or information, within thirty (30) days of having received a written request. The cost of an audit pursuant to this section shall be borne by City.

Section 16. Insurance and Performance Bond.

- (a) Insurance. Contractor shall procure and keep in full force and effect throughout the Term of this Agreement all of the insurance policies specified in, and required by, the Agreement Documents.
- (b) Performance Bond. Upon Contractor's execution of this Agreement, Contractor shall make, execute, and deliver to City a good and sufficient Performance Bond in a form approved by City's legal counsel, to secure the full, complete and faithful performance of the terms and conditions herein. For the first Agreement year, Contractor shall make, execute, and deliver to City a good and sufficient Performance Bond in the amount equal to or greater than the estimated Service Fees pursuant to this Agreement from January 1, 2017 through June 30, 2017. For each Agreement year after the initial Agreement year, Contractor shall make, execute, and deliver to City a good and sufficient Performance Bond in the amount equal to or greater than the actual Processing Fees pursuant to this Agreement from January 1st through June 30th of the prior Agreement year. Contractor shall renew the Performance Bond in accordance with this Agreement each year throughout the term of the Agreement and any renewal periods. Contractor shall ensure the Performance Bond is signed by the President or authorized officer of Contractor, together with the signature of the corporate secretary and the imprint of the corporate seal. The surety shall be a surety company duly authorized to do business in the State, having an "A" or better rating by A. M. Best or Standard and Poor's, included on the list of surety companies approved by the Treasurer of the United States of America, and acceptable to City.

Section 17. Indemnity. Contractor agrees to indemnify, defend and hold harmless the City of Garland, Texas and all of its present, future and former agents, employees, officials and representatives in their official, individual and representative capacities from and against any and all claims, demands, causes of

action, judgments, liens and expenses (including attorney's fees, whether contractual or statutory), costs and damages (whether common law or statutory, and whether actual, punitive, consequential or incidental), of any conceivable character, due to or arising from injuries to persons (including death) or to property (both real and personal) created by, arising from or in any manner relating to the services or goods performed or provided by Contractor and expressly including those arising through strict liability, those arising under the constitutions of the United States and Texas, and those caused by the negligence or other fault of any indemnified party.

Section 18. Applicable Law. Except as specifically provided in the Agreement Documents, the parties agree that Contractor shall be subject to all Applicable Law, specifically including those ordinances of the City concerning noise, odors, effluent, and emissions, whether now existing or in the future arising.

Section 19. Authority to Execute. The individuals executing this Agreement on behalf of the respective parties below represent to each other and to others that all appropriate and necessary action has been taken to authorize the individual who is executing this Agreement to do so for and on behalf of the party for which his or her signature appears, that there are no other parties or entities required to execute this Agreement in order for the same to be authorized and binding agreement on the party for whom the individual is signing this Agreement and that each individual affixing his or her signature hereto is authorized to do so, and such authorization is valid and effective on the date hereof.

Section 20. Sovereign Immunity. To the extent allowed by Applicable Law, the parties agree that City has not waived its sovereign immunity by entering into and performing its obligations under this Agreement.

Section 21. Notice. Any and all notices provided or permitted to be given under this Agreement must be in writing and may be served by depositing same in the United States mail, addressed to the party to be notified, postage pre-paid and registered or certified with return receipt requested, or delivering the same in person to such party via a hand delivery service, Federal Express or any courier service that provides a return receipt showing the date of actual delivery of same to the addressee thereof. Notice given in accordance herewith shall be effective upon receipt at the address of the addressee. For purposes or notification, the addresses of the parties shall be as follows:

If to Contractor, to: NAME
 Address
 Address

If to City, to: City of Garland
 Attn: City Manager
 200 N. Fifth Street
 Garland, Texas 75040

Section 22. Non-Collusion. Contractor represents and warrants that it has not given, made, promised or paid, nor offered to give, make, promise or pay any gift, bonus, commission, money or other consideration to any person as an inducement to or in order to obtain the work to be provided to City under this Agreement. Contractor further agrees that Contractor shall not accept any gift, bonus, commission, money, or other consideration from any person (other than from City under this Agreement) for any of the services performed by Contractor under or related to this Agreement. If any such gift, bonus, commission, money, or other consideration is received by or offered to Contractor, Contractor shall immediately report that fact to City and, at the sole option of City, City may elect to accept the consideration for itself or to take the value of such consideration as a credit against the compensation otherwise owing to Contractor under this Agreement.

Section 23. Termination. This Agreement shall terminate upon any one of the following:

- a. The written agreement of the Parties.
- b. The expiration of the term(s) of this Agreement.

Upon occurrence of any of the following events in regard to Contractor, City may terminate this Agreement without liability to Contractor and pursue all of its legal, contractual, and equitable remedies for default by Contractor.

- a. The filing of a voluntary petition for bankruptcy relief by or on behalf of Contractor, or the filing of an involuntary petition for bankruptcy relief against Contractor, which is not dismissed or otherwise disposed of to City's satisfaction within thirty (30) days thereafter.
- b. The appointment of a receiver of all or any substantial part of its property, and the failure of such receiver to be discharged within sixty (60) days thereafter.
- c. Filing of a petition or an answer seeking bankruptcy, receivership, reorganization, or admitting the material allegations of a petition filed against it in any bankruptcy or reorganization proceeding.
- d. Committing an act of default of a provision of this Agreement.
- e. Failing to timely and fully pay any or all impositions pursuant to this Agreement.
- f. As otherwise provided by this Agreement.

Section 24. No Assignment. Neither party shall have the right to assign that party's duties under the Agreement or claims arising out of the Agreement without the prior written consent of the other party.

Section 25. Severability. If any term or provision of this Agreement is or becomes or is deemed to be illegal, invalid or unenforceable under Applicable Law, the legality, validity or enforceability of the remaining terms or provisions of this Agreement shall not be affected thereby, and in lieu of each such illegal, invalid or unenforceable term or provision, there shall be added automatically to this Agreement a legal, valid or enforceable term or provision as similar as possible to the term or provision declared illegal, invalid or unenforceable.

Section 26. Waiver. Either City or Contractor shall have the right to waive any requirement contained in this Agreement, which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended. No waiver of any breach or violation of any term of this Agreement shall be deemed or construed to constitute a waiver of any other breach or violation, whether concurrent or subsequent, and whether of the same or of a different type of breach or violation.

Section 27. Governing Law; Venue. This Agreement and all of the transactions contemplated herein shall be governed by and construed in accordance with the laws of the State of Texas. The provisions and obligations of this Agreement are performable in Dallas County, Texas such that exclusive venue for any action arising out of this Agreement shall be in Dallas County, Texas.

Section 28. Paragraph Headings; Construction. The paragraph headings contained in this Agreement are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the negotiation and preparation of this Agreement and this Agreement shall not be construed either more or less strongly against or for either party.

Section 29. Binding Effect. Except as limited herein, the terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, devisees, personal and legal representatives, successors and assigns.

Section 30. Gender. Within this Agreement, words of any gender shall be held and construed to include any other gender, and words in the singular number shall be held and construed to include the plural, unless the context otherwise requires.

Section 31. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument.

Section 32. Exhibits. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

Section 33. Entire Agreement. It is understood and agreed that this Agreement contains the entire agreement between the parties and supersedes any and all prior agreements, course of dealings, arrangements, or understandings between the parties relating to the subject matter. No oral understandings, statements, promises or inducements contrary to the terms of this Agreement exist. This Agreement cannot be changed or terminated orally and no written modification of this Agreement shall be effective unless executed by both parties.

Section 34. Relationship of Parties; No Third-Party Beneficiaries. Nothing contained in this Agreement shall be deemed or construed by the parties hereto or by any third party to create the relationship of principal and agent or of partnership or of joint venture or of any association whatsoever between the parties, it being expressly understood and agreed that no provision contained in this Agreement nor any act or acts of the parties hereto shall be deemed to create any relationship between the parties other than the relationship of independent parties contracting with each other solely for the purpose of effecting the provisions of this Agreement. There are no third-party beneficiaries to this Agreement and no third-party beneficiaries are intended by implication or otherwise.

Section 35. Dispute Resolution. In accordance with the provisions of Subchapter I, Chapter 271, Tex. Local Gov't Code, the parties agree that, prior to instituting any lawsuit or other proceeding arising from a dispute under this Agreement, the parties will first attempt to resolve the dispute by taking the following steps: (1) A written notice substantially describing the nature of the dispute shall be delivered by the dissatisfied party to the other party, which notice shall request a written response to be delivered to the dissatisfied party not less than 5 days after receipt of the notice of dispute. (2) If the response does not reasonably resolve the dispute, in the opinion of the unsatisfied party, the unsatisfied party shall give notice to that effect to the other party whereupon each party shall appoint a person having authority over the activities of the respective parties who shall promptly meet, in person, in an effort to resolve the dispute. (3) If those persons cannot or do not resolve the dispute, then the parties shall each appoint a person from the highest tier of managerial responsibility within each respective party, who shall then promptly meet, in person, in an effort to resolve the dispute.

Section 36. Disclosure of Business Relationships/Affiliations; Conflict of Interest Questionnaire. Contractor represents that it is in compliance with the applicable filing and disclosure requirements of Chapter 176 of the Texas Local Government Code.

Section 37. Force Majeure. Except for any payment obligation by either party, if City or Contractor is unable to perform, or is delayed in its performance of any of its obligations under this Agreement by reason of any event of Force Majeure, such inability or delay shall be excused at any time during which compliance therewith is prevented by such event and during such period thereafter as may be reasonably necessary for City or Contractor to correct the adverse effect of such event of ForceMajeure.

An event of "Force Majeure" shall mean the following events or circumstances to the extent that they delay City, City or Contractor from performing any of its obligations (other than payment obligations)

under this Contract:

- a. Acts of God, tornadoes, hurricanes, floods, sinkholes, fires, and explosions (except those caused by negligence of Contractor, its agents, and assigns), landslides, earthquakes, epidemics, quarantine and pestilence; and
- b. Acts of public enemy, acts of war, terrorism, effects of nuclear radiation, blockades, insurrection, riots, civil disturbances, or national or international calamities.

In order to be entitled to the benefit of this section, a party claiming an event of Force Majeure shall be required to give prompt written notice to the other party specifying in detail the event of Force Majeure and shall further be required to use its best efforts to cure the event of Force Majeure. The Parties agree that, as to this section, time is of the essence.

Section 38. Waiver. Failure or delay on the part of either party to exercise any right, power, privilege or remedy under this Agreement shall not constitute a waiver thereof. No modification or waiver by either party of any provision shall be deemed to have been made unless made in writing.

IN WITNESS, WHEREOF, we, the contracting parties, by our duly authorized agents, hereto affix our signatures and seals at _____, as of this the _____ day of _____, 2016.

City of Garland, Texas

By: _____
City Manager

Contractor

By: _____
Title

STATE OF TEXAS *

COUNTY OF DALLAS *

BEFORE ME, the undersigned authority on this day personally appeared _____ known to me to be the one of the persons whose names are subscribed to the foregoing instrument; he/she acknowledged to me he/she is the duly authorized representative for the CITY OF GARLAND, TEXAS and he/she executed said instrument for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF THIS OFFICE this _____ day of _____, 2016.

Notary Public in and for the State of Texas

My Commission Expires: _____

STATE OF TEXAS *

COUNTY OF DALLAS *

BEFORE ME, the undersigned authority on this day personally appeared _____ known to me to be the one of the persons whose names are subscribed to the foregoing instrument; he/she acknowledged to me he/she is the duly authorized representative for _____ and he/she executed said instrument for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF THIS OFFICE this _____ day of _____, 2016.

Notary Public in and for the State of Texas

My Commission Expires: _____

Attachment A
Service Fees

Service Fees:

Transport Services Fee	\$195.50	per pull
Processing and Marketing Services Fee	\$76.00	per ton

*The City is not obligated to pay contractor (ex. Transport Fee, Processing and Marketing Fee) in the event that the negative recyclable revenue share is never offset by positive recyclable revenue share owing the City.

Attachment B
Calculation of Payment due the City

Gross Recyclable Revenue from the sale of Recyclable Materials shall be based on the following:

- (a) Composition of Program Recyclable Materials according to the most recent characterization audit conducted pursuant to the Agreement; and
- (b) The recyclable revenue share basis index calculated each month in accordance with Table B-1 below. If a publication or grade identified in Table B-1 ceases to be published or is changed, the Parties shall mutually agree to an industry accepted market pricing publication or grade to be used for purposes of the Recyclable Revenue Share. Mill tickets will be required to be made available upon request as back-up for all actual sales price information.

Table B-1: Recyclable Revenue Share Basis and Index

Recyclable Materials	Revenue Share Basis
Newspaper	The greater of Pulp & Paper Week, _____, high-side, Southwest region, (1st issue of the month), Average Monthly Actual Sales Price, or zero
Old Corrugated Cardboard	The greater of Pulp & Paper Week, _____, high-side, Southwest region, (1st issue of the month), Average Monthly Actual Sales Price or zero
Chipboard	The greater of Pulp & Paper Week, _____, high-side, Southwest region, (1st issue of the month), Average Monthly Actual Sales Price or zero
Magazines, Catalog, and Phone Books	The greater of Pulp & Paper Week, _____, high-side, Southwest region, (1st issue of the month), Average Monthly Actual Sales Price or zero
Other Program Recyclable Material- Paper	The greater of Pulp & Paper Week, _____, high-side, Southwest region, (1st issue of the month), Average Monthly Actual Sales Price or zero
Plastic #1	The greater of RecyclingMarkets.net, Plastics PET Baled, Houston (Southcentral) region, (2nd business day of the month) regionally average price, Average Monthly Actual Sales Price or zero
Plastic #2 Natural	The greater of RecyclingMarkets.net, Plastics Natural HDPE Baled, Houston (Southcentral) region, (2nd business day of the month) regionally average price, Average Monthly Actual Sales Price or zero
Plastic #2 Colored	The greater of RecyclingMarkets.net, Plastics Colored HDPE Baled, Houston (Southcentral) region, (2nd business day of the month) regionally average price, Average Monthly Actual Sales Price or zero
Other Program Recyclable Material- Plastic	The greater of the Average Monthly Actual Sales Price, Verified Market Price, or zero
Aluminum	The greater of American Metal Market (AMM), Aluminum, (1st issue of the month), Average Monthly Actual Sales Price or zero
Steel/Tin	The greater of American Metal Market (AMM), Tin, (1st issue of the month), Average Monthly Actual Sales Price or zero
Other Program Recyclable Material- Metal	The greater of American Metal Market (AMM), Tin, (1st issue of the month), Average Monthly Actual Sales Price or zero
Glass	The greater of the Average Monthly Actual Sales Price, Verified Market Price, or zero
Residuals and Contamination	Zero

The calculation for the payment due the City shall be as follows:

$$\begin{aligned} & \text{Net Revenues} = \\ & \text{Gross Recyclable Revenue from sale of Recyclable Material} - \\ & (\text{Transport Service Fee accrued} + \text{Processing and marketing Fees accrued}) \\ & \text{Then} \\ \text{Recyclable Revenue Share} & = \text{Net Revenues} \times \text{Recyclable Revenue Share to City (\%)} \end{aligned}$$

Attachment C
Characterization Audit

The initial characterization audit shall be conducted prior to January 30, 2017. Unless agreed to via email or other writing by the City, subsequent recyclable commodities audits shall be conducted in January of each year. The City and the Contractor shall agree on an audit week. Audits will not be conducted immediately after a holiday or during inclement weather.

The Contractor shall train employees involved in recyclable commodities audit on the following protocol. The City may be present for such training if the City desires.

The Contractor, at the Contractor's sole expense, shall conduct recyclable commodities audits in accordance with the following:

- 1) Each audit will be monitored by the Contractor and the City if City desires. The City may take pictures and video prior to and during the audit.
- 2) Audits will evaluate the composition of material collected by EWS.
- 3) The Recycling Facility scales, including the vehicle and baler scales, shall be calibrated within ninety (90) calendar days of the audit. The Contractor shall provide documentation to the City of the scales calibration.
- 4) The City and the Contractor will agree in writing to the description of each Recyclable Material commodity and accepted Recyclable Materials in advance of the audit. Any Recyclable Material Marketed by the Recycling Facility shall be included in the description of Recyclable Material commodity and accepted Recyclable Materials.
- 5) The audit will be conducted based on four (4) Loads per day Monday through Friday and two (2) Loads per day Saturday unless more loads are agreed to by all Parties. The City and the Contractor will agree upon a day to randomly draw Loads from each day at least two (2) weeks in advance of the audit.
- 6) The Contractor will have a segregated area to store selected Loads ("Audit Loads"). The Contractor will have physical barriers in place to separate the segregated area from any other materials that are delivered to Recycling Facility.
- 7) The Contractor will empty, clean, and remove any and all materials from the segregated area prior to 7:00 AM, local time on Friday the week prior to the audit. The Contractor shall maintain such segregated area empty, clean, and free of any and all materials other than audit Loads.
- 8) Audit Loads will be stored at the Recycling Drop-off Center until the day of the audit. The Contractor shall transport the audit Loads from the Recycling Drop-off Center on the day of the audit but prior to the start time for Processing such audit Load (see item 10 below).
- 9) The Contractor shall weigh each vehicle delivering an audit Load when full and empty to capture the tare weight of the vehicle and the weight of the audit Load. On-file tare weights will not be acceptable during the audit.
- 10) The Contractor and the City shall agree as to the start time for Processing audit Loads at least two (2) weeks in advance of the audit. The audit start time shall not be before 7:00 AM, local time unless agreed to by all Parties. The Contractor shall not handle, including but not limited to remove or add materials, place, or Process, the audit Loads prior to the agreed upon start time.

- 11) The Contractor will ensure the number of employees available for the audit is appropriate to conduct the audit. For example, the number of employees utilized for sorting materials will be consistent with typical operations.
- 12) The Contractor shall Process audit Loads for each day the next Business Day and before processing any other materials (i.e. Friday and Saturday audit Loads processed Monday, Monday audit Loads processed on Tuesday, Tuesday audit Loads processed on Wednesday, Wednesday audit Loads processed on Thursday, and Thursday audit Loads processed on Friday). The Contractor and City agree to the following:
 - a. Immediately before Processing audit Loads, the Contractor will empty, clean and remove any and all debris from the system, including but not limited to the sort line, bunkers, balers, compactors, bins, and waste containers.
 - b. The Contractor shall place the materials from the audit Loads onto the system and run at normal processing speed (25-30 tons per hour, or as designed) or slower. The Contractor will process the materials into the agreed upon Recyclable Material commodity categories, Residual, and Contamination until a minimum of ninety-five percent (95.0%) by weight of accepted Recyclable Materials are processed into Recovered Materials.
 - c. The Contractor shall place the Residual and Contamination onto the system and run at normal processing speed (25-30 tons per hour, or as designed) or slower.
 - d. The Contractor will Process the audit Loads for each day separately from all other materials.
 - e. The Contractor will bale, City and Contractor shall weigh, and City shall record the weight of each material by Recyclable Material commodity categories and Residual/Contamination (for material that is not enough to make a full bale, Contractor will place the material in "Gaylord" type box or other container to fully account for 100% of each material type).
 - f. The Contractor will ensure that at least (i) 95% by weight of accepted Recyclable Materials are processed into Recovered Materials and (ii) 95% by net weight of audit Loads is accounted in the audit.
- 13) After removing the audit Loads from the prior day from the segregated area, the Contractor will empty, clean, and remove any and all materials from the segregated area and maintain such segregated area empty, clean, and free of any and all materials other than audit Loads.
- 14) The City will provide a report detailing the following:
 - a. Tonnage by Collection Day: Tare weights and net weights for all loads from material collected by EWS during a time period to be determined by City by collection day (i.e. Monday, Tuesday, Wednesday, Thursday, Friday, Saturday).
 - b. Composition by Collection Day: Composition (percentage) of total material Collected by EWS based on 14(a).
 - c. Tonnage by Audit Load: Truck tare weights and net weights by audit Load.
 - d. Audit Load Tonnage by Collection Day: Recyclable Material commodity and Residual/Contamination weights for audit Loads by collection day.
 - e. Audit Load Composition by Collection Day: Recyclable Material commodity and Residual/Contamination composition (i.e. percentage) for audit Loads by collection day.

- f. City-wide Estimated Composition: Estimated composition (i.e. percentage) of Recyclable Material commodity and Residual/Contamination for all loads from material Collected by EWS based on 18(d) and (e).
- 15) The Contractor and City agree the City-wide estimated composition discussed in 18(f) above shall be based on the composition by collection day discussed in 18(d) and audit Load composition by collection day discussed in 18(e). To calculate the City-wide estimated composition discussed in 18(f), the Contractor shall weight the audit Load composition by collection day discussed in 18(d) based on the composition by collection day discussed in 18(e).
- 16) The Contractor will use the estimated composition (i.e. percentage) of Recyclable Material commodity and Residual/Contamination for all Loads from material collected by EWS to calculate the percentage value of each Recyclable Material commodity used in calculating the Recyclable Revenue Share.



**GARLAND
PLANNING REPORT**

City Council Regular Session Agenda

Agenda Item 11. a.

Meeting Date: February 7, 2017

Item Title: Z 16-43 Kimley-Horn (District 5)

Submitted By: Isaac Williams, Development Planner

REQUEST

Approval of 1) an amendment to Planned Development (PD) District 00-45, 2) a Detail Plan for a Restaurant, Drive-Through, and 3) a Specific Use Provision for a Restaurant, Drive-Through on property zoned Planned Development (PD) 00-45 for Community (Limited) Retail (CR) District Uses.

OWNER

LG 1102 Northwest Hwy, LLC

PLAN COMMISSION RECOMMENDATION

On January 9, 2017 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of 1) an amendment to Planned Development (PD) District 00-45, 2) a Detail Plan for a Restaurant, Drive-Through, and 3) a Specific Use Provision for a Restaurant, Drive-Through on property zoned Planned Development (PD) 00-45 for Community (Limited) Retail (CR) District Uses.

STAFF RECOMMENDATION

Approval of 1) an amendment to Planned Development (PD) District 00-45, 2) a Detail Plan for a Restaurant, Drive-Through, and 3) a Specific Use Provision for a Restaurant, Drive-Through for a period of 40 years.

BACKGROUND

The subject site was originally designed as two adjoined but distinct tracts containing a dine-in Restaurant [China Star] and a Restaurant, Drive-Through [Taco Bell].

The applicant requests to amend Planned Development (PD) District 00-45 and provide a Detail Plan for the development of a Restaurant, Drive-Through in place of the China Star Restaurant. Because the Planned Development entitled the development specifically for the dine-in restaurant, the amendment is necessary to address the site and building development requirements of a drive-through.

SITE DATA

The Raising Cane's establishment will operate primarily from a 1.06-acre portion of the subject site. The overall site contains approximately 2.48 acres and has frontage of approximately 214 linear feet along Northwest Highway; the site currently contains dedicated access from Northwest Highway. The site will be redesigned to accommodate the drive-through circulation and will be accessible through an offsite mutual access drive through the adjacent Bank of America site from Northwest Highway.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) 00-45 District for (Limited) Community Retail Uses. The Planned Development limits the uses to those permitted within the Community Retail (CR) District but is specifically established for a dine-in Restaurant [China Star] and a [Taco Bell] Restaurant, Drive-Through [with a Specific Use Provision (SUP)] approved with the adoption of Planned Development (PD) District 00-45. Further, the Garland Development Code permits the Restaurant, Drive-Through use in the Community Retail (CR) District with Specific Use Provision (SUP) only.

CONSIDERATIONS

- 1. Detail Plan and Specific Use Provision:** The applicant requests to develop the subject site with a 3,575 square-foot Raising Cane's Restaurant, Drive-Through. The subject site was originally established as, and developed for a China Star dine-in restaurant. The existing building will be demolished and the site will be reconfigured to accommodate the Raising Cane's. The Detail Plan reflects that Raising Cane's will lease and primarily operate on 1.06 acres and the remaining 1.42 acres will function as additional parking and potential shared parking for adjacent establishments. The applicant has indicated that there are no immediate development plans for this portion of the site.
The Raising Cane's is predominately drive-thru in nature but will provide an area dedicated to indoor dining, and 443 square feet dedicated to outdoor dining. The hours of operation will be 10:00 a.m. to 12:00 a.m. Monday through Thursday and 10:00 a.m. to 2:00 a.m. Friday through Sunday.
- 2. Parking:** The original site was established for a dine-in Restaurant and utilized the entire 2.48 acres, and included the development of 141 parking spaces disbursed throughout the tract. However, the change in use and 2015 updated GDC parking regulations renders the site over-parked. Chapter 4, Article 2 requires one (1) parking space for every 100 square feet of gross floor area for Restaurant uses (including outdoor dining areas). The proposed use requires thirty-six (36) parking spaces; the Detail Plan reflects 111 parking spaces combining the parking area within the lease area for Raising Cane's and the remainder of the tract. As a condition of the request the applicant intends to incorporate the existing parking area with the parking within the leased area; all parking and landscaping will be maintained as part of the Raising Cane's establishment. As mentioned above, there is opportunity for shared parking for adjacent and future businesses.
- 3. Screening and Landscape:** The proposed Landscape Plan reflects approximately thirty-five (35) percent of the site is dedicated to landscaping including the required eight (8) large canopy trees and fifty-seven (57) shrubs within the fifteen (15) foot wide buffer along Northwest Highway. Additionally, twenty-four (24) percent of the parking area is dedicated to landscaping found within islands and peninsulas; the parking area is

screened from Northwest Highway with a continuous row of shrubs along the right-of-way. The perimeter screening intended to mitigate headlight glare from the site is integrated into the landscape buffer for a more coherent design. The site meets and exceeds the Screening and Landscape Standards established in Chapter 4, Article 3 of the Garland Development Code.

4. **Exterior Elevations:** The proposed facades consist of primarily masonry materials (brick veneer and stucco) with articulations in the form of façade projections and decorative awnings. The building utilizes varying material colors and styles coupled with wall articulations to create an aesthetic unique to the Raising Cane's brand. The application of the articulations, masonry materials and color provides visual depth and is consistent with the City's goal to create aesthetically pleasing and quality environments.
5. **Signage:** The existing Lucky China Buffet freestanding sign will be removed and the applicant proposes to install attached building signage, menu board signage, and freestanding signage all in accordance with Chapter 4, Article 5.
6. The applicant requests a Specific Use Provision for a period of 40 years.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject property. Community Centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses including retail, services, office use, multi-family residential, and entertainment.

Community Centers may be developed at the intersections of major arterial streets and along major arterials, highways, and turnpike corridors. This type of area is served by numerous roads and transit routes, providing a variety of connections between neighborhoods and community centers for pedestrians, bicycles, motorized vehicles, and transit.

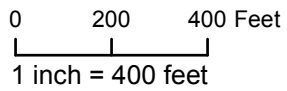
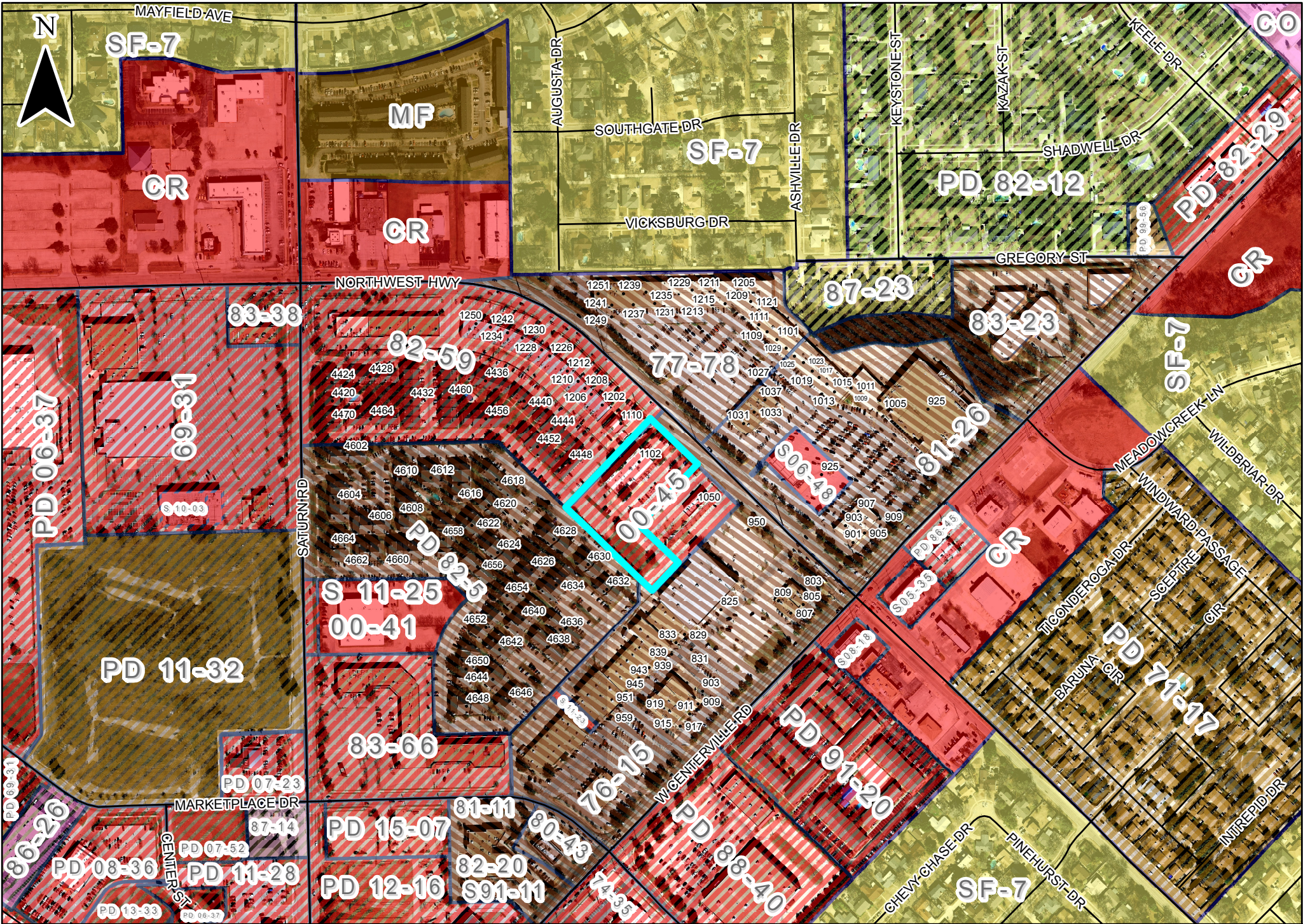
COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The area to the northeast of the subject property across Northwest Highway is zoned Planned Development (PD) District 77-78 for Mixed Uses. This site is developed with a multi-tenant building containing office, retail and other commercial uses. The property located to the northwest of the site is zoned Planned Development (PD) District 82-59 and is comprised of two distinct areas for retail and multi-family development. The retail portion is generally located along Northwest Highway; the multi-family development [Oak Glen] is tucked behind the commercial uses. A proposed mutual access drive from Northwest Highway will run alongside the common property line of the subject site and the adjacent retail and multi-family developments. The property to the southwest is developed with additional multi-family [Peachtree Square]. Immediately to the southeast is developed with a Taco Bell Restaurant, Drive-Through and is within the same Planned Development (PD) District as the subject site. The Taco Bell will remain unchanged and is not part of the request. Slightly further to the southeast is developed with retail, and restaurant uses within Planned Development (PD) District 76-15. The original design of this site was to establish a complimentary blend of casual sit-down and drive-through dining within an auto-oriented environment. Staff finds the proposed use consistent with the existing development pattern along Northwest Highway and compatible with the surrounding uses.

Attachments

Z 16-43 Kimley-Horn Attachments

Z 16-43 Kimley-Horn Responses



ZONING **Z 16-43**

 **INDICATES AREA OF REQUEST**

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 16-43

1102 Northwest Highway

- I. Statement of Purpose:** The purpose of this Planned Development District is to permit the development of a Restaurant, Drive-Through on the subject property 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 Community Retail (CR) District set forth in Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**
- A. Detail Plan: Development shall be in general conformance with the Detail Plan set forth in Exhibit C. In the event of a conflict between the Detail Plan and the following conditions, the conditions shall prevail.
- V. Specific Regulations:**
- A. Permitted Uses: No uses shall be permitted except for a Restaurant, Drive-Through.
- B. Parking: The subject site, consisting of Lot 1RA, Block A and Part of Lot 1RA Block A of Meadow Creek Village Shopping Center Addition, as shown on Exhibit C, shall provide parking as reflected on Exhibit C. Raising Cane's shall maintain parking on the leased and unleased portion of the site in accordance with Chapter 4, Article 2 of the Garland Development Code.
- C. Screening and Landscaping: Screening and landscaping shall be provided as reflected on Exhibit D. Raising Cane's shall maintain site landscaping on the leased and unleased portion of the site in accordance with Chapter 4, Article 3 of the Garland Development Code.
- D. Building Elevations and Structure: The building elevations and structure shall be in general conformance with Exhibit E.

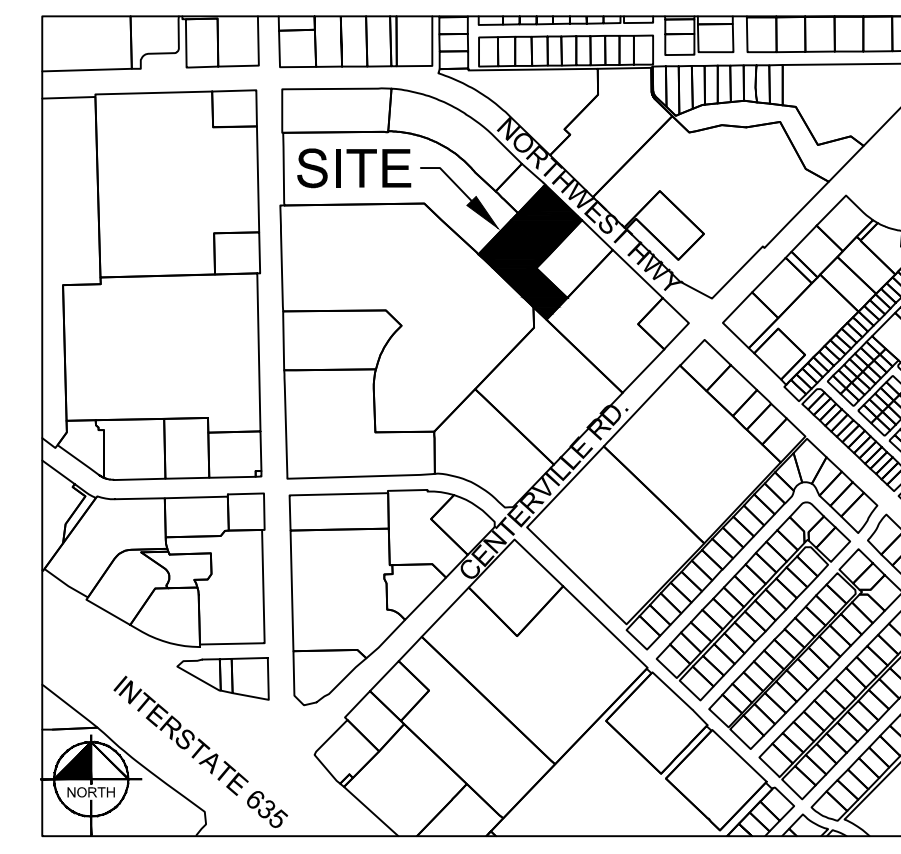
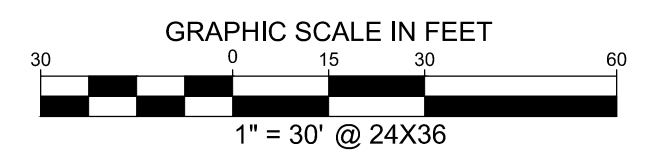
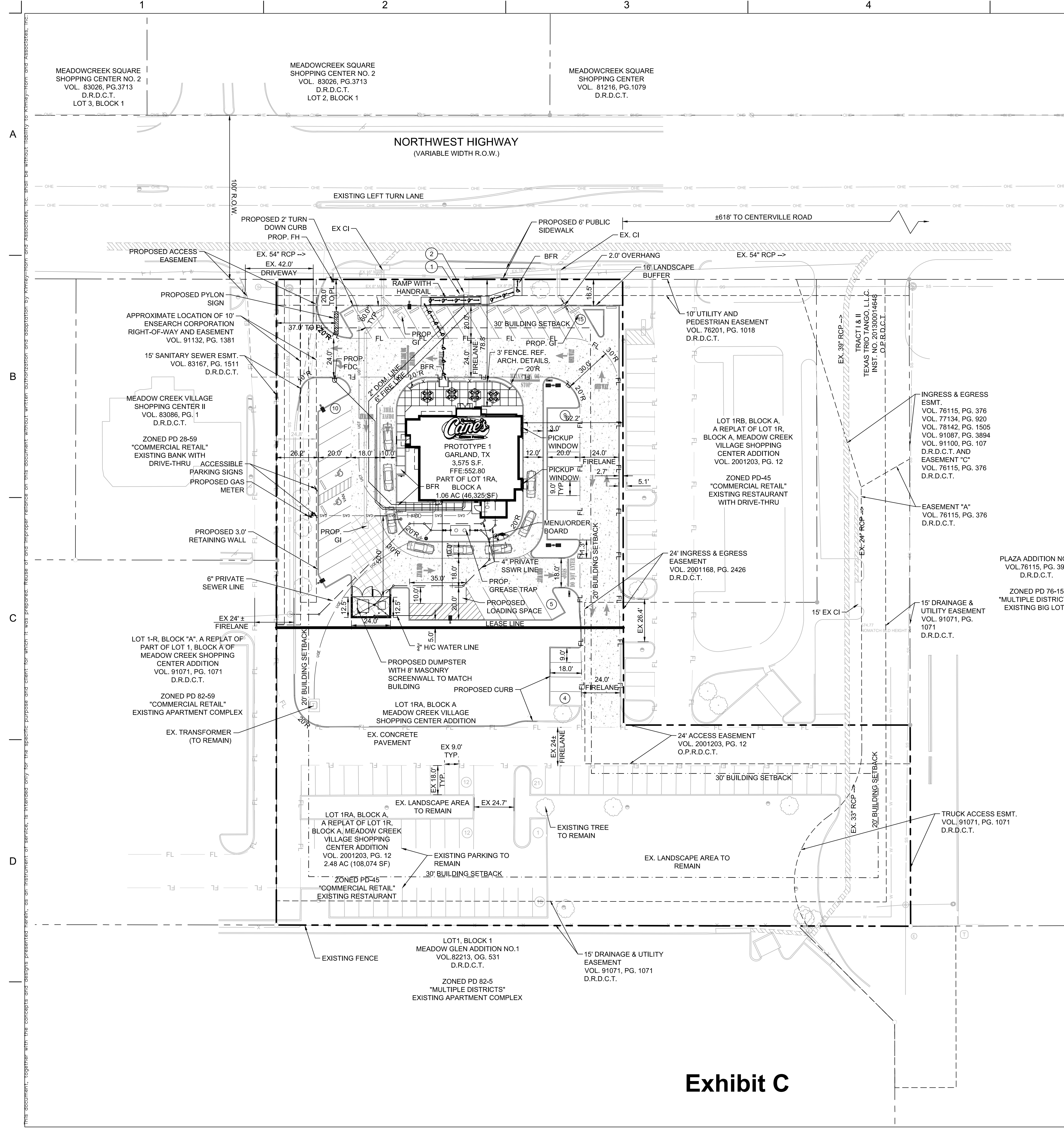
E. Signage: Attached signage shall be located as shown in Exhibit E. The development shall contain signage in conformance with Chapter 4, Article 5 of the Garland Development Code.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 16-43

1102 Northwest Highway

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to permit the development of Restaurant, Drive-Through.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Retail (CR) District set forth in Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Specific Regulations:**
- A. Specific Use Provision: The Specific Use Provision shall be effective for a period of 40 years.



NOTES

- THIS PLAN SHEET IS FOR PLANNING PURPOSES ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION. REFER TO CIVIL CONSTRUCTION SET FOR MORE DETAIL.
- ALL CURB RADII ARE 10' OR 2' UNLESS OTHERWISE NOTED.
- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- REFERENCE LANDSCAPE PLANS FOR PROPOSED BUFFERS, SCREENING, AND PLANTING.

LEGEND

- PROPERTY LINE
- RAISING CANE'S LEASE LINE
- ADJACENT PROPERTY LINE
- PROPOSED CONCRETE CURB
- EXISTING CURB
- PROPOSED PARKING COUNT
- EXISTING PARKING COUNT
- EXISTING FIRE LANE
- 5" STANDARD DUTY CONCRETE PAVEMENT
- 6" MEDIUM DUTY CONCRETE PAVEMENT
- 7" HEAVY DUTY CONCRETE PAVEMENT - DUMPSTER PAD
- ACCESSIBLE ROUTE (LOCATION PURPOSES ONLY, DO NOT PAINT)
- PROPOSED STORM SEWER
- EXISTING STORM SEWER
- GI GRATE INLET
- CI CURB INLET
- PROPOSED LIGHT POLE
- PROPOSED FENCE

EXISTING WATER METER & SEWER SCHEDULE

I.D.	TYPE	SIZE	NO.	SEWER
1	DOMESTIC	EX. 2"	1	6"
2	IRRIGATION	EX. 1.5"	1	-

SITE ANALYSIS TABLE

ZONING	MEADOW CREEK VILLAGE SHOPPING CENTER ADDITION		
	CANE'S	PROPOSED TOTAL LOT	EXISTING TOTAL LOT
USE	RESTAURANT W/ DRIVE-THRU	RESTAURANT W/ DRIVE-THRU	RESTAURANT
LOT AREA	1.06 AC/46,325 SF	2.48 AC/108,074 SF	2.48 AC/108,074 SF
BUILDING AREA	3,575 SF	-	10,920 SF
FLOOR AREA RATIO	0.08	-	0.10
BUILDING HEIGHT (MAX 35' ALLOWED)	24 FT	-	-
MINIMUM ALLOWED PARKING	36 SPACES	36 SPACES	110 SPACES
MAXIMUM ALLOWED PARKING (5%)	38 SPACES	38 SPACES	116 SPACES
PROVIDED PARKING (% EXCESS)	39 SPACES (6%)	111 SPACES (208%)	182 SPACES (65%)
PROVIDED PARKING AREA	8,311 SF	20,165 SF	22,896 SF
REQUIRED INTERIOR LANDSCAPING (5%)	454 SF	1,008 SF	-
REQUIRED INTERIOR LANDSCAPING (10%)	2,495 SF (30%)	6,529 SF (35%)	1,145 SF (5%)
REQUIRED TOTAL LANDSCAPING (10%)	4,633 SF	10,807 SF	-
PROVIDED TOTAL LANDSCAPING (SEE NOTE 4)	8,589 SF (20%)	29,892 SF (28%)	23,959 SF (22%)
TOTAL IMPERVIOUS AREA (% SITE)	35,241 SF (76%)	71,653 SF (66%)	82,970 SF (77%)

1. PARKING REQUIRED FOR DRIVE-THRU RESTAURANT IS 1 SPACE PER 100 SQUARE FEET OF FLOOR AREA.
 2. REQUIRED INTERIOR LANDSCAPING IS 5% OF PARKING AREA.
 3. TOTAL LANDSCAPING REQUIREMENT IS 10% OF LOT AREA. REQUIRED TOTAL LANDSCAPING DOES NOT INCLUDE AREA COUNTED TOWARDS INTERIOR LANDSCAPING REQUIREMENT.
 4. THIS SITE PLAN PROVIDES ADDITIONAL LANDSCAPING FOR EXCESS PARKING PER PAGE 3-42 OF GARLAND DEVELOPMENT CODE ON BOTH THE CANE'S LOT AND TOTAL LOT AS SHOWN ABOVE. REQUIRED LANDSCAPE AREA IS 10%, PROVIDED IS 20% AND 28% RESPECTIVELY. THEREFORE, EXCESS PARKING HAS BEEN MITIGATED PER CODE.

BENCHMARKS

CITY OF GARLAND MONUMENT NO. 239
 BRASS DISK STAMPED 239 LOCATED ON INLET TOP ON NORTHWEST HWY. APPROX. 43' N.E. OF W. NORTHWEST HWY. C/L APPROX 87' S.E. OF W. CENTERVILLE RD. C/L.
 ELEV. = 542.154'

BM #52 "X" SET ON BACK CENTER OF CURB INLET LOCATED ON SOUTH SIDE OF NORTHWEST HWY AND APPROX. 670' NORTHWEST OF CENTERVILLE ROAD.
 ELEV. = 546.49'

BM #53 "X" SET ON TOP OF CONCRETE CURB LOCATED IN SOUTHWEST CORNER OF TACO BELL PARKING LOT AND APPROX 270' SOUTHWEST OF NORTHWEST HWY.
 ELEV. = 554.00'

PD DETAILED PLAN AND SUP SITE PLAN

PROPOSED RAISING CANE'S MEADOW CREEK VILLAGE SHOPPING CENTER ADDITION
 LOT 1A, BLOCK A
 FILE # 16-43
 PRE-SUBMITTAL CASE # 160825-1
 APPLICANT: Raising Cane's
 DEVELOPER: Kimley-Horn

5750 Genesis Court
 Suite 200
 Frisco, Texas 75034
 Tel. No. 972-335-3580
 Fax No. 972-335-3719
 Contact: Lauren Nuffer, P.E.

Raising Cane's Restaurant, LLC
 6800 Bishop Road
 Plano, Texas 75024
 Tel. No. 972-769-3348
 Contact: Kristen Roberts



Store: **RAISING CANE'S**
 1102 NORTHWEST HWY
 GARLAND, TX 75041
Prototype 1 Store 303

Professional of Record:

 Engineer: LAUREN NUFFER
 P.E. No. 11810 Date: 10/28/16

Architect Information:

Architectural Solutions Group
 1101 Central Expressway
 Suite 220
 Allen, TX 75013
 PH. 469.619.1164
 E-MAIL: efields@pmdginc.com

Engineer's Information:

 2016 KIMLEY-HORN AND ASSOCIATES, INC.
 5750 GENESIS COURT, SUITE 200, FRISCO, TX 75034
 PHONE: 972-335-3580 FAX: 972-335-3719
 WWW.KIMLEY-HORN.COM
 TEXAS REGISTERED ENGINEERING FIRM F-928

Prototype Issue Date:
 Design Bulletin Updates:
 Date Issued: Bulletin Number:

FOR PERMIT

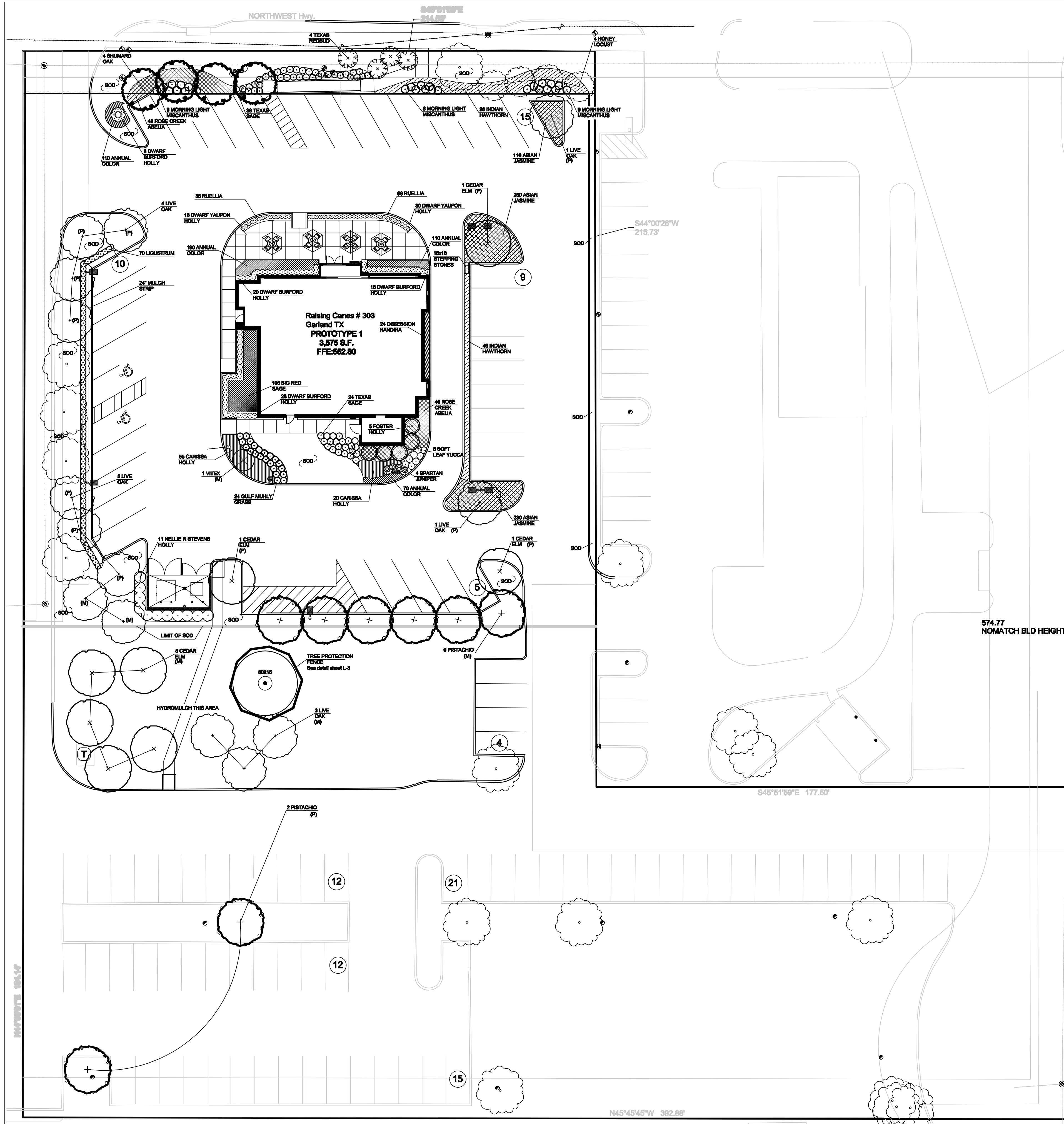
Revisions:

#	Date	Description

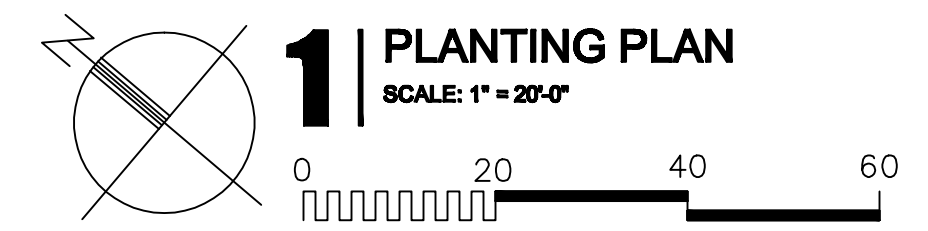
SITE PLAN

Date: 1/5/17
 Project Number: 69313245
 Drawn By: CAK/MJC
 Checked By: LAN
 Sheet Number:

Plotted By: Eserrano, Sheet: Sit-Kho, Layout: L-1 Planting Plan (3), December 30, 2016 11:38:01am, C:\Documents and Settings\eserrano\Desktop\CAD_2016\RC_303 Garland TX\02 L1.0 12-30-2016 RC_303 Garland TX Landscape Plan.dwg



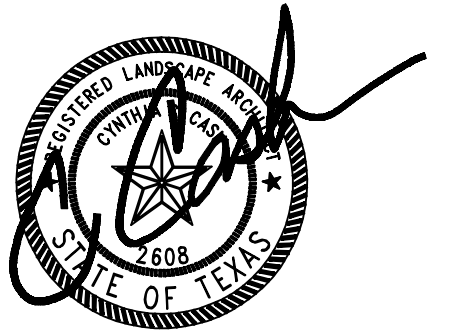
NOTE: SEE SHEET L.3.0 FOR PLANT SCHEDULE, LANDSCAPE CALCULATIONS AND DETAILS



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Tel: 972-769-3100 Fax: 972-769-5101

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Prototype 1
Store #303

Professional of Record:
PM DESIGN
Architectural
Solutions Group
1101 Central Expressway South
Suite 220
Allen, TX 75013
469.619.1164



Prototype Issue Date: -
Design Bulletin Updates:
Date Issued: 07.12.2016 Bulletin Number:

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Revisions:

#	Date	Description
01	12/01/2016	As per City comments
02	12/08/2016	As per City comments
03	12/30/2016	West side hedge added

Sheet Title:
Planting Plan
Date: 07/12/2016
Project Number: RAC16029.0
Drawn By: CCC/FJS 10/17/2016

Sheet Number:

L1.0

Exhibit D

Plotted By: Eserrano Sheet: Sit-Kno Layout: L-3 Planting Plan (2) December 30, 2016 11:39:31am C:\Documents and Settings\Eserrano\Desktop\CAD_2016\RC_303 Garland TX\02_L1.0_12-30-2016_RC_303 Garland TX Landscape Plan.dwg

LANDSCAPE CALCULATIONS

RC 303 Garland TX 12/1/2016

1 Tree Removed/ Preserved:

A. Trees Removed in inches:	Rep Ratio	Total	
80227	11	1:1	11 Live Oak
80228	9	0.5:1	4.5 Crape Myrtle MT
80229	12	1:1	12.0 Crape Myrtle MT
80230	9	0.5:1	4.5 Crape Myrtle MT
80231	8	0.5:1	4.0 Crape Myrtle MT
80232	9	0.5:1	4.5 Crape Myrtle MT
80237	10	0.5:1	5.0 Crape Myrtle MT
			46 Total Inches Removed

B. Trees Preserved in inches:

80216	13	Live Oak	
80217	13	Live Oak	
80218	13	Live Oak	
80223	13	Live Oak	
80226	13	Cedar Elm	
80233	25	Live Oak	
80234	10	Crape Myrtle MT	
80235	10	Crape Myrtle MT	
80236	12	Crape Myrtle MT	
80239	9	Crape Myrtle MT	
			131 Total Inches Preserved

LANDSCAPE CALCULATIONS

RC 303 Garland TX 12/21/2016

1 Parking Lot Trees (P):

Parking Area	111	Parking Spaces
Required 1 Trees/10 spaces	12	Trees Required
	9	Live Oak
	3	Cedar Elm
	2	Pistachio
Provided	12	Total

No parking space further than 65' from a tree.

2 Frontage:

Required: 1 Tree + 7 Shrubs @ 30'

Northwest Hwy	214 l.f.	
Trees Required	8	
Trees Provided	4	Honey Locust
	4	Shumard Oak
Total Trees		
	8	
Shrubs Required	57	
Shrubs Provided	140	Total Shrubs

3 Mitigation:

A. Mitigation Trees Provided:	Inches	Qty.	
	17.5	5	Ced Elm 3.5"
	18.0	6	Pistachio 3"
	12.0	3	Live Oak 4"
Mitigation		48	Total Inches

4 Site Analysis:

A. Total Site Area	s.f.	
	108,074	
B. Required Total Landscaping	10,807	10%
Provided	15,286	
C. Required Interior Landscaping	1,008	5%
Provided	1,458	

TREE TABLE RC 303 Garland TX 12/1/2016

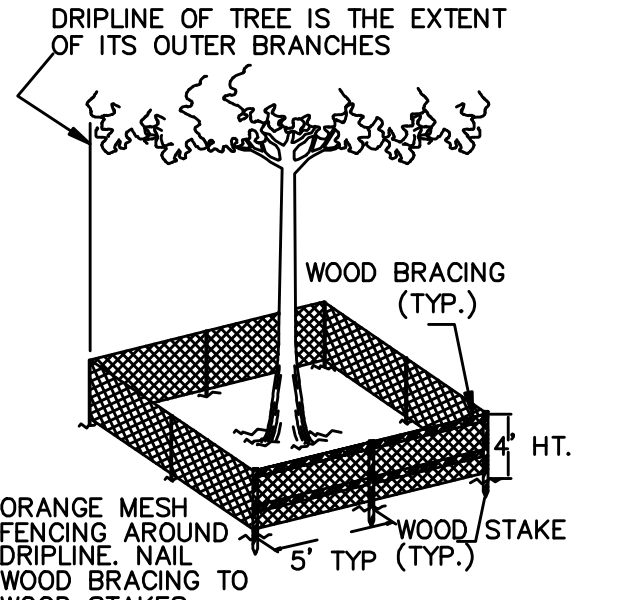
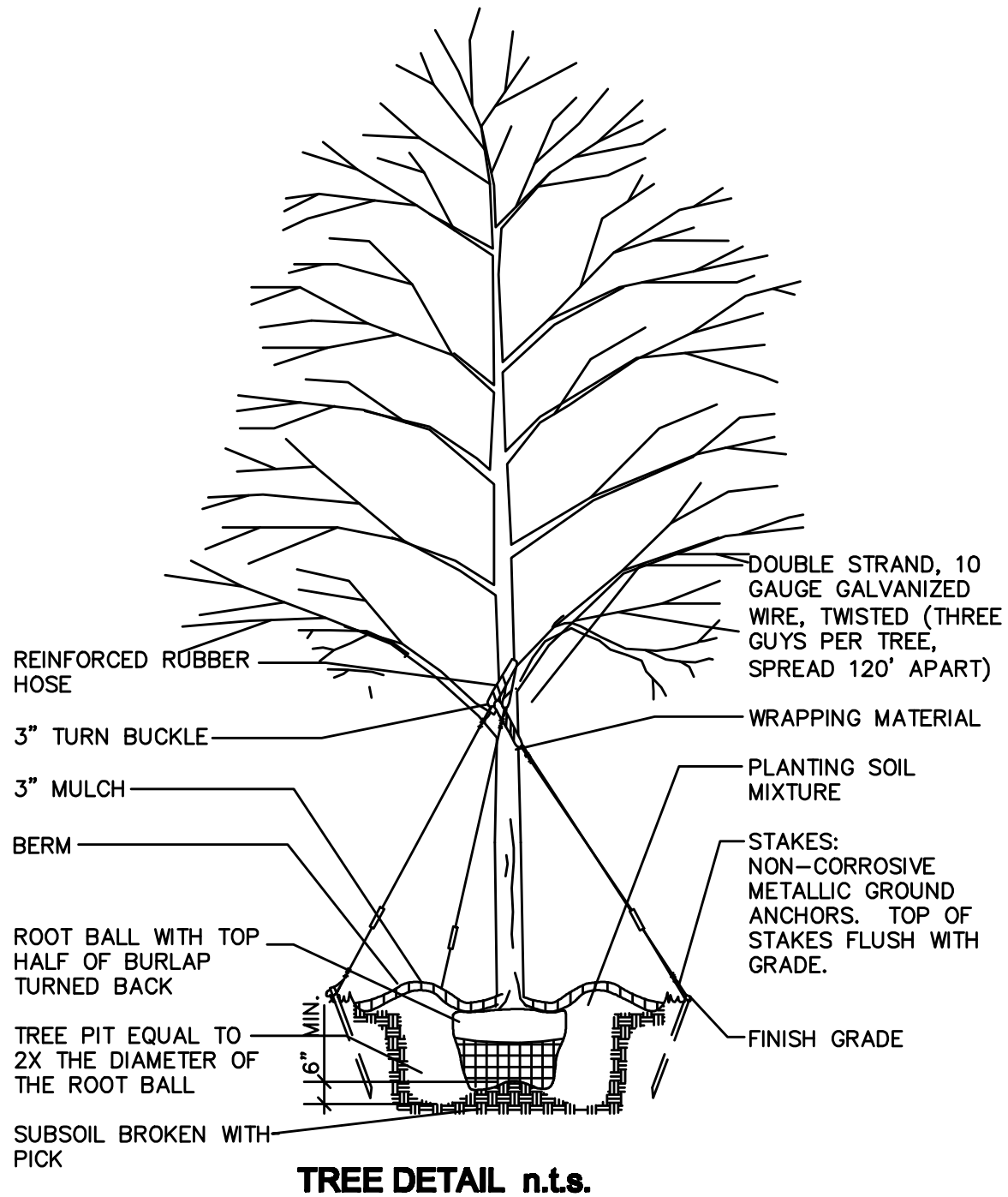
NO.	DESCRIPTION	Action
80215	27" LIVE OAK	REMAIN
80216	13" LIVE OAK	REMAIN
80217	13" LIVE OAK	REMAIN
80218	13" LIVE OAK	REMAIN
80219	12" HACKBERRY	REMAIN
80220	14" MULTI-TRUNK HACKBERRY	REMAIN
80221	7"HACKBERRY	REMAIN
80222	11" MULTI-TRUNK CHINABERRY	REMAIN
80223	13" LIVE OAK	REMAIN
80224	2" MULTI-TRUNK CREPE MYRTLE	REMAIN
80225	2" CREPE MYRTLE	REMAIN
80226	13" CEDAR ELM	REMAIN
80227	11" LIVE OAK	REMOVE
80228	9" MULTI-TRUNK CREPE MYRTLE	REMOVE
80229	12" MULTI-TRUNK CREPE MYRTLE	REMOVE
80230	9" MULTI-TRUNK CREPE MYRTLE	REMOVE
80231	8" MULTI-TRUNK CREPE MYRTLE	REMOVE
80232	9" MULTI-TRUNK CREPE MYRTLE	REMOVE
80233	25" LIVE OAK	REMAIN
80234	10" MULTI-TRUNK CREPE MYRTLE	REMAIN
80235	10" MULTI-TRUNK CREPE MYRTLE	REMAIN
80236	12" MULTI-TRUNK CREPE MYRTLE	REMAIN
80237	10" MULTI-TRUNK CREPE MYRTLE	REMOVE
80238	13" MULTI-TRUNK HOLLY	REMOVE
80239	9" MULTI-TRUNK CREPE MYRTLE	REMAIN

LANDSCAPE NOTES:

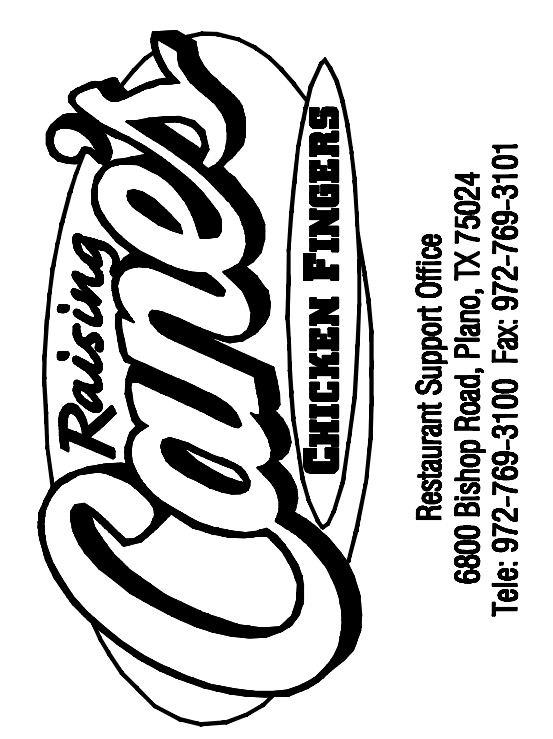
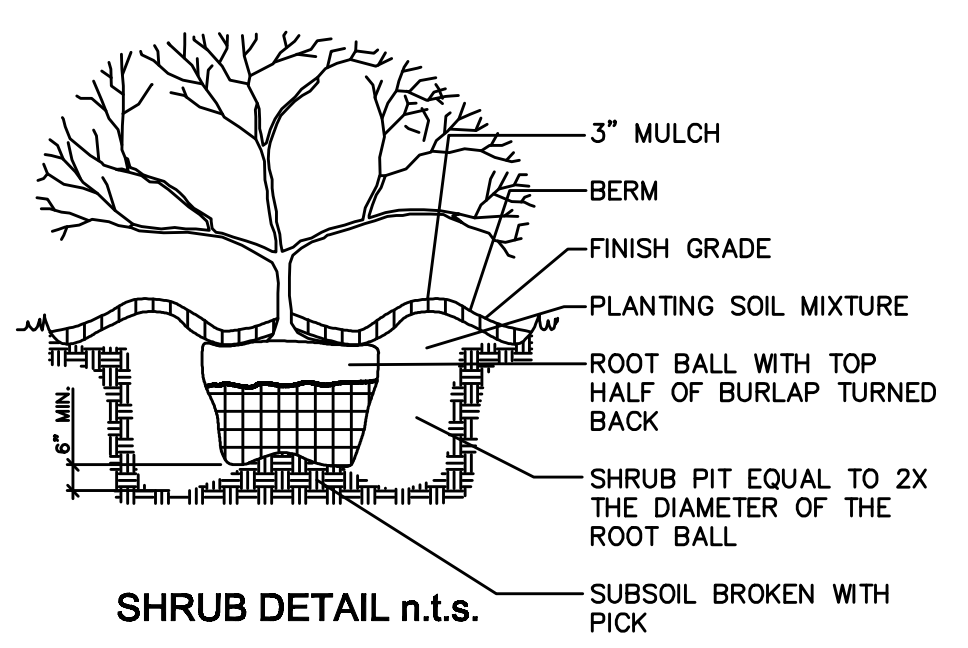
- INSTALL 4" MIN. TOP SOIL TO ALL SOD AND SEED AREAS. CONTRACTOR IS RESPONSIBLE FOR FINE GRADING OF SOD AND SEED AREAS. REMOVE STONES, STICKS, AND DEBRIS LARGER THAN 1".
- ALL SHRUB AREAS, UNLESS SPECIFIED AS OTHER, TO BE BED MULCHED WITH 3" DEPTH OF PARTIALLY DECOMPOSED HARDWOOD MULCH OVER WEED BARRIER.
- PLANTING SOIL SHALL CONSIST OF 50% SELECT LOAMY TOPSOIL, 25% PEAT MOSS, 25% PIT RUN SAND.
- GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE. MAKE ALL REPLACEMENTS PROMPTLY AS PER DIRECTION OF OWNER.
- MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMEN.
- WATER AND MAINTAIN ALL PLANT MATERIALS, SEED AND SOD UNTIL INITIAL ACCEPTANCE.
- REPAIR AT NO COST TO OWNER ALL DAMAGE TO PROPERTY RESULTING FROM LANDSCAPE WORK.
- CALL 811 TO NOTIFY UTILITY COMPANY FOR LOCATING ALL UNDERGROUND UTILITIES. AVOID DAMAGE TO UTILITIES DURING THE COURSE OF THE WORK. REPAIR ANY DAMAGE TO UTILITIES, SITE STRUCTURES, ETC., RESULTING FROM LANDSCAPE CONSTRUCTION.
- COORDINATE INSTALLATION WITH WORK OF OTHER SECTIONS.
- STAKING AND GUYING OF TREES PER NATIONAL NURSERYMANS STANDARDS.
- SWEEP AND WASH ALL PAVED SURFACES AND REMOVE ALL DEBRIS RESULTING FROM LANDSCAPE OPERATIONS.
- FIELD VERIFY SOD LIMITS PRIOR TO INSTALLATION.
- UNDERGROUND IRRIGATION SYSTEM PLANS DESIGNED BY A LICENSED IRRIGATOR WILL BE SUBMITTED WITH THE BUILDING PERMIT APPLICATION
- CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
- 15 OUT OF 17 SPECIES SELECTED ARE DROUGHT TOLERANT.
- DEPENDING ON THE GRADING CHANGES AROUND EXISTING OAK #80215 WE WILL TRY OUR BEST TO PRESERVE IT.

Plant Schedule RC# 303 Garland TX 12/30/2016

Qty	Common Name	Botanical Name	Size	Planting	Remarks
14	Live Oak	Quercus virginiana	4"	as shown	Full, container grown
4	Shumard Oak	Quercus falcata 'Shumardii'	3.5"	as shown	Full, container grown
4	Thornless Honeylocust	Gleditsia triacanthos 'Inermis'	3.5"	as shown	Full, container grown
8	Cedar Elm	Ulmus crassifolia	3.5"	as shown	Full, container grown
8	Pistachio	Pistachia chinensis	3"	as shown	Full, container grown
4	Texas Redbud	Cercis canadensis 'texensis'	2"	as shown	Full, specimen form, container grown
1	Abbeville Blue Vitex	Vitex agnus-castus 'Abbeville Blue'	6'	as shown	Full, specimen form, container grown
5	Foster's Holly	Ilex x attenuata 'Fosteri'	6'	as shown	Tree form, container grown
11	Nellie R. Stevens Holly	Ilex x 'Nellie R. Stevens'	6'	as shown	Full to Ground, container grown
4	Spartan Juniper	Juniperus chinensis 'Spartan'	5'	as shown	Full, container grown
75	Carissa Holly	Ilex cornuta 'Carissa'	3 gal	@ 20" o.c.	Full, container grown
54	Desperado Texas Sage	Leucophyllum frutescens 'Desperado'	3 gal	as shown	Full, container grown
72	Dwarf Burford Holly	Ilex cornuta 'Dwarf Burford'	3 gal	@ 22" o.c.	Full, container grown
46	Dwf Yaupon Holly	Ilex vomitoria 'Nana'	3 gal	as shown	Full, container grown
70	Ligustrum hedge	Ligustrum japonicum	24" ht	as shown	Full, container grown
26	Morning Light Miscanthus	Miscanthus sinensis 'Morning Light'	3 gal	as shown	Full, container grown
24	Gulf Muhly Grass	Muhlenbergia capillaris	3 gal	as shown	Full, container grown
82	Indian Hawthorn	Raphiolepis indica 'Clara'	3 gal	as shown	Full, container grown
88	Rose Creek Abelia	Abelia x 'Rose Creek'	3 gal	@ 16" o.c.	Full, container grown
8	Softleaf Yucca	Yucca recurvifolia	3 gal	as shown	Full, container grown
105	Big Red Sage	Salvia penstemonoides	1 gal	@ 16" o.c.	Full, container grown
102	Dwarf Purple Ruellia	Ruellia brittoniana 'Katie'	1 gal	@ 20" o.c.	Full, container grown
24	Obsession Nandina	Nandina domestica 'Seika'	1 gal	@ 15" o.c.	Full, container grown
590	Asian Jasmine	Trachelospermum asiaticum	4" pot	@ 12" o.c.	Full, container grown
480	Annual Color	Seasonal choice	4" pot	@ 8" o.c.	Full, container grown
185	Rock Bed	2 - 3" River Rocks w metal edging	sq. ft.	3 - 4" deep	Weed barrier fabric in bottom.



TREE PROTECTION FENCE n.t.s.
NOTE: NO BARBED WIRE IS PERMISSIBLE
TREE PROTECTION FENCE BY GENERAL CONTRACTOR FENCE TO BE INSTALLED ALL TIMES DURING CONSTRUCTION



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6800 Bishop Road, Plano, TX 75024
Tel: 972-769-3100 Fax: 972-769-5101

Store:
RAISING CANE'S
NorthWest Hwy.
Garland, TX
Prototype 1
Store #303

Professional of Record:
PM DESIGN
Architectural Solutions Group
1101 Central Expressway South
Suite 220
Allen, TX 75013
469.619.1164



Prototype Issue Date: -
Design Bulletin Updates:
Date Issued: 07.12.2016
Bulletin Number:

PERMIT

Revisions:

#	Date	Description
01	11/10/2016	As per City comments.
02	12/01/2016	As per City comments
03	12/08/2016	As per City comments
04	12/30/2016	As per City comments

Sheet Title:
Notes and Details
Date: 07/12/2016
Project Number: RAC16029.0
Drawn By: CCC/FJS 10/17/2016
Sheet Number:

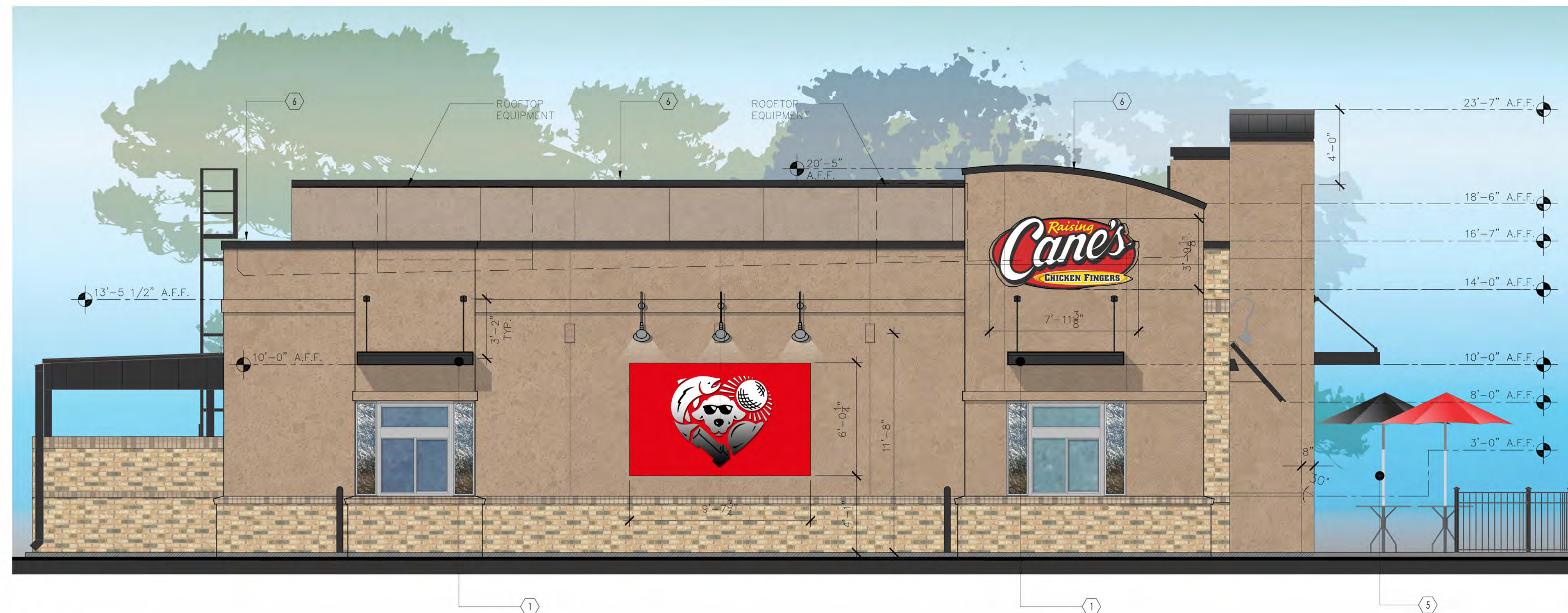
L 3.0



01 NORTH (FRONT) ELEVATION
 1/4" = 1'-0"
 01: A4.1

FACADE VERTICAL ARTICULATION:

- A. 20% OF THE BUILDING TOTAL FACADE FACING THE STREET = 14'-5". THE ACTUAL VERTICAL ARTICULATION ON THIS ELEVATION IS = 16'-0"
- B. BUILDING'S TOTAL STREET-FACING FACADE IS = 72'-0"
- C. REQUIRED HEIGHT ARTICULATION = 72' / 50' = 1.4 X 3 FT = 4.3'. PROPOSED HEIGHT ARTICULATION = 7'-1"
- D. BUILDING'S NON ARTICULATION HEIGHT IS = 16'-7" A.F.F.



02 EAST ELEVATION
 1/4" = 1'-0"
 02: A4.1

MATERIALS LEGEND	
	DESCRIPTION
	STANDING SEAM METAL ROOF MATTE BLACK
	METAL CAP FLASHING MATTE BLACK
	PRE-FAB METAL CANOPY MATTE BLACK
	ROOF GUTTER AND DOWN SPOUT MATTE BLACK
	STAINLESS STEEL COVER PANEL
	BRICK VENEER BORAL BRICK, MODULAR, ALAMO
	STUCCO FINISH DRYVIT HONEY TWIST #383
	ALUMINUM STOREFRONT KAWNEER TRIFAB 451 II ANODIZED
	PAINT TO MATCH DRYVIT HONEY TWIST #383

MATERIALS CALCULATIONS		
FRONT ELEVATION:		
MATERIAL	AREA (SQ. FT)	COVERAGE
STUCCO	546	55%
MASONRY	448	45%
---	---	---
TOTAL SF	994	100%
EAST ELEVATION:		
MATERIAL	AREA (SQ. FT)	COVERAGE
STUCCO	774	81%
MASONRY	178	19%
---	---	---
TOTAL SF	952	100%
SOUTH ELEVATION:		
MATERIAL	AREA (SQ. FT)	COVERAGE
STUCCO	895	78%
MASONRY	259	22%
---	---	---
TOTAL SF	1,154	100%
WEST ELEVATION:		
MATERIAL	AREA (SQ. FT)	COVERAGE
STUCCO	691	79%
MASONRY	183	21%
---	---	---
TOTAL SF	874	100%

- SECTION 4.83 NONRESIDENTIAL & MULTI-FAMILY BUILDING MATERIALS & DESIGN REQUIRED ARCHITECTURAL ELEMENTS:
- ① AWNINGS OR CANOPIES
 - 1. ALL ELEVATION DISPLAY AN AWNING OR CANOPY ABOVE EXISTING ENTRY & WINDOW.
 - ② DIVIDED LIGHT WINDOWS
 - 1. ON ELEVATIONS NORTH & WEST THE DIVIDED LIGHT WINDOW IS SHOWN UNDER THE CANOPY WINDOW NEXT TO ENTRY.
 - ③ TRANSOMS
 - 1. TRANSOM SHOWN ON FRONT ELEVATION ENTRY.
 - ④ RECESSED ENTRY
 - 1. LOCATED ON WEST ELEVATION ENTRY.
 - ⑤ BENCHES FOR OUTDOOR SEATING
 - 1. PATIO TABLES AND CHAIRS LOCATED AT FRONT ELEVATION. REFERENCE SITE SKETCH.
 - ⑥ VARIED ROOF HEIGHTS
 - 1. DIFFERENT ROOF HEIGHTS SHOWN ON ALL ELEVATIONS.



Store:
NW HIGHWAY & CENTERVILLE GARLAND, TX
 Prototype 1
 STORE RC303

Professional of Record:

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 469.619.1164

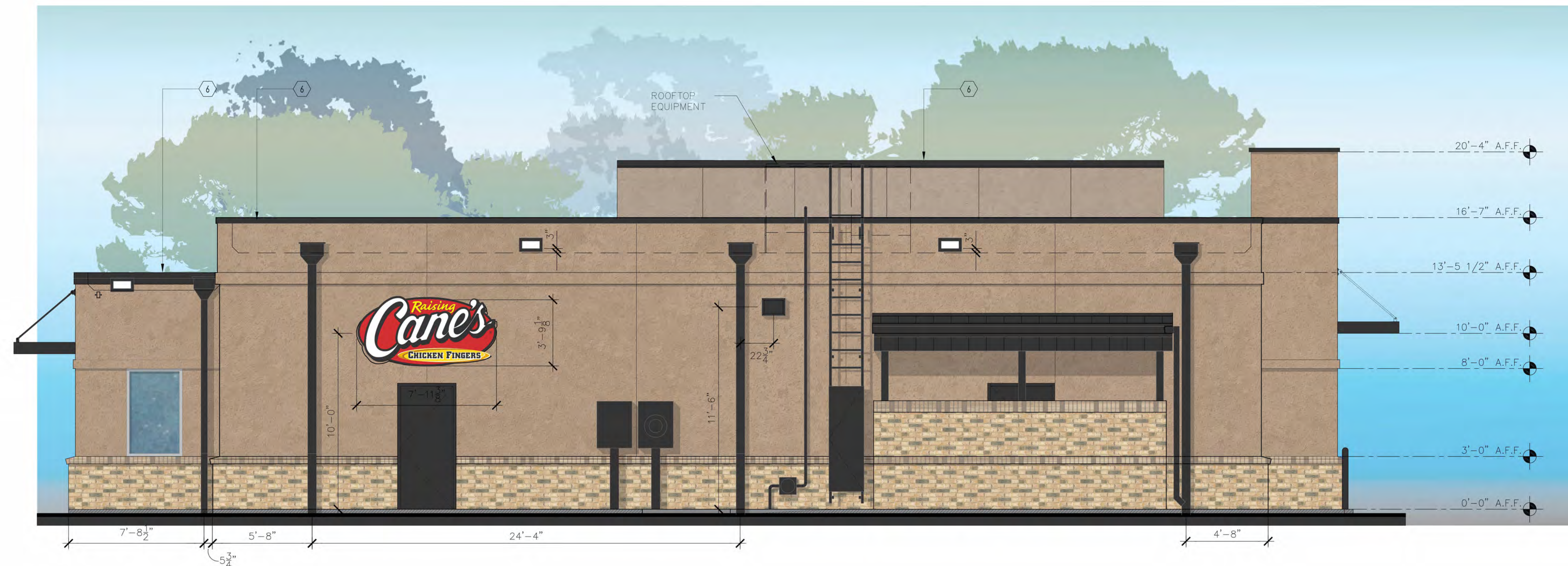
Prototype Issue Date: -
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 Date Issued: Bulletin Number:

Revisions:

#	Date	Description

Sheet Title:
EXTERIOR ELEVATIONS
 Date: ---
 Project Number: ---
 Drawn By: ---
 Sheet Number:

PR-A04.1



01 SOUTH ELEVATION
 1/4" = 1'-0"
 01: A4.2



02 WEST ELEVATION
 1/4" = 1'-0"
 02: A4.2

Exhibit E

MATERIALS LEGEND	
	DESCRIPTION
	STANDING SEAM METAL ROOF MATTE BLACK
	METAL CAP FLASHING MATTE BLACK
	PRE-FAB METAL CANOPY MATTE BLACK
	ROOF GUTTER AND DOWN SPOUT MATTE BLACK
	STAINLESS STEEL COVER PANEL
	BRICK VENEER BORAL BRICK, MODULAR, ALAMO
	STUCCO FINISH DRYVIT HONEY TWIST #383
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	PAINT TO MATCH DRYVIT HONEY TWIST #383

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MASONRY	448	45%
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MATERIAL	AREA (SQ. FT)	COVERAGE
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TOTAL SF	1,154	100%
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MATERIAL	AREA (SQ. FT)	COVERAGE
STUCCO	691	79%
MASONRY	183	21%
----	----	----
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 1. DIFFERENT ROOF HEIGHTS SHOWN ON ALL ELEVATIONS.



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Prototype 1 STORE RC303

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 1101 Central Expressway S.
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 469.619.1164

Prototype Issue Date: -
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 Project Number: ---
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 Sheet Number:

PR-A04.2



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Prototype 1
STORE RC303**

Professional of Record:



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Suite 220
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Prototype Issue Date: -

Design Bulletin Updates:

Date Issued: Bulletin Number:

Revisions:

#	Date	Description

Sheet Title:

DUMPSTER ENCLOSURE ELEVATIONS

Date: ---

Project Number: ---

Drawn By: ---

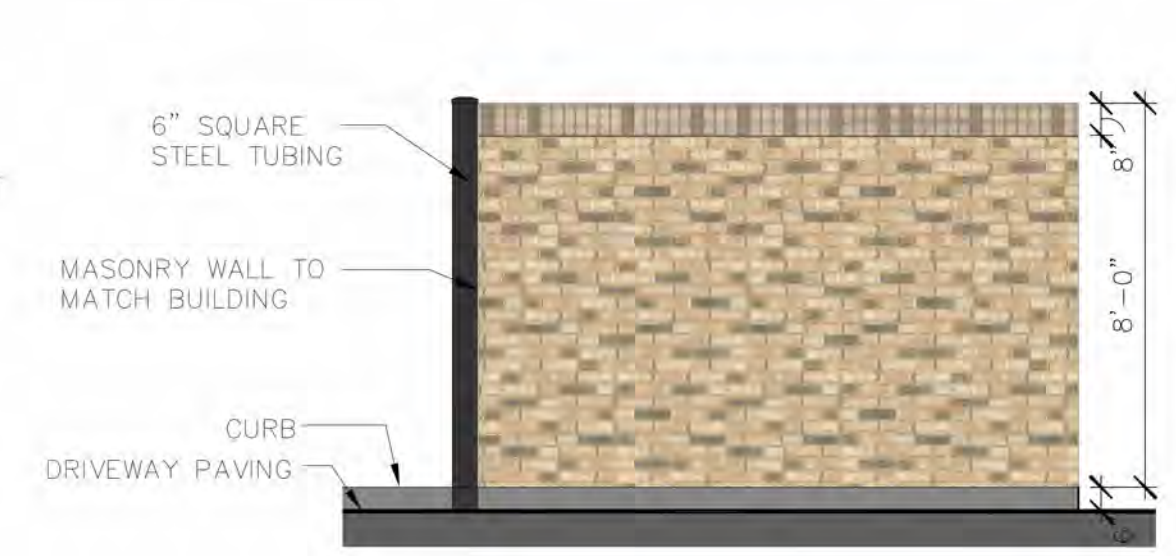
Sheet Number:

PR-A04.3

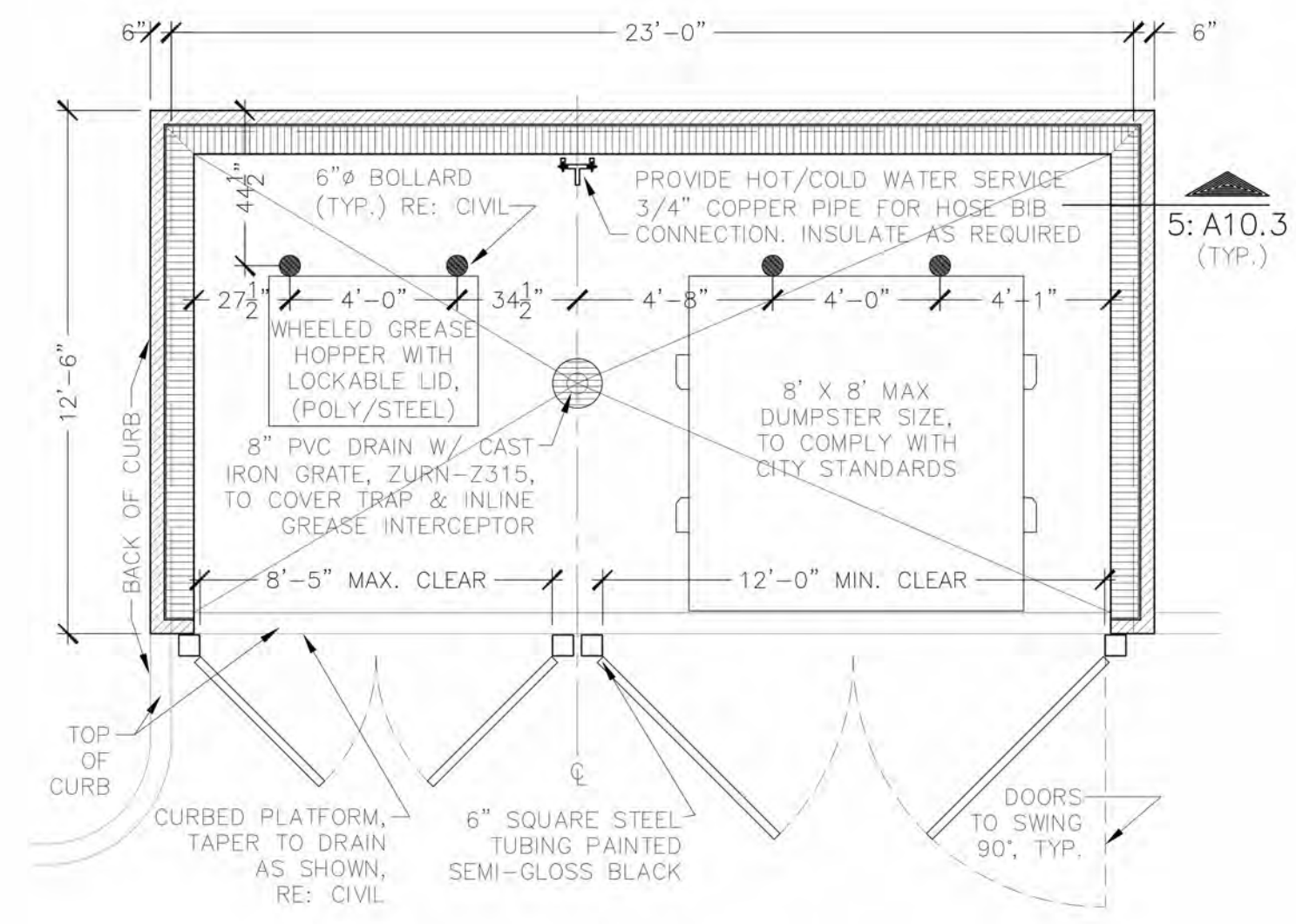
MATERIALS LEGEND	
	DESCRIPTION
	STANDING SEAM METAL ROOF MATTE BLACK
	METAL CAP FLASHING MATTE BLACK
	PRE-FAB METAL CANOPY MATTE BLACK
	ROOF GUTTER AND DOWN SPOUT MATTE BLACK
	STAINLESS STEEL COVER PANEL
	BRICK VENEER BORAL BRICK, MODULAR, ALAMO
	STUCCO FINISH DRYVIT HONEY TWIST #383
	ALUMINUM STOREFRONT KAWNEER TRIFAB 451 II ANODIZED
	PAINT TO MATCH DRYVIT HONEY TWIST #383

MATERIALS CALCULATIONS		
FRONT ELEVATION:		
MATERIAL	AREA (SQ. FT)	COVERAGE
STUCCO	546	55%
MASONRY	448	45%
---	---	---
TOTAL SF	994	100%
EAST ELEVATION:		
MATERIAL	AREA (SQ. FT)	COVERAGE
STUCCO	774	81%
MASONRY	178	19%
---	---	---
TOTAL SF	952	100%
SOUTH ELEVATION:		
MATERIAL	AREA (SQ. FT)	COVERAGE
STUCCO	895	78%
MASONRY	259	22%
---	---	---
TOTAL SF	1,154	100%
WEST ELEVATION:		
MATERIAL	AREA (SQ. FT)	COVERAGE
STUCCO	691	79%
MASONRY	183	21%
---	---	---
TOTAL SF	874	100%

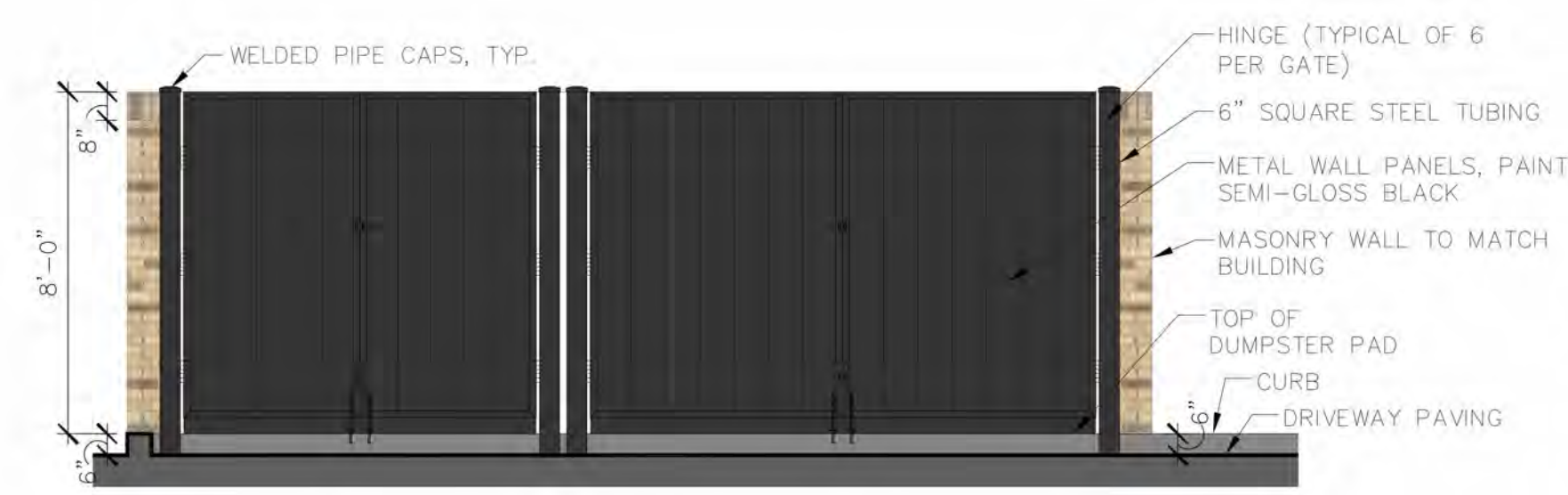
- SECTION 4.83 NONRESIDENTIAL & MULTI-FAMILY BUILDING MATERIALS & DESIGN REQUIRED ARCHITECTURAL ELEMENTS:**
- ① **AWNINGS OR CANOPIES**
 1. ALL ELEVATION DISPLAY A AWNING OR CANOPY ABOVE EXISTING ENTRY & WINDOW.
 - ② **DISPLAY WINDOW**
 1. DISPLAY WINDOW IS PRESENT ON THE NORTH ELEVATION AND WEST ELEVATION.
 - ③ **DIVIDED LIGHT WINDOWS**
 1. ON ELEVATIONS NORTH & WEST THE DIVIDED LIGHT WINDOW IS SHOWN UNDER THE CANOPY WINDOW NEXT TO ENTRY.
 - ④ **TRANSOMS**
 1. TRANSOM SHOWN ON FRONT ELEVATION ENTRY.
 - ⑤ **RECESSED ENTRY**
 1. LOCATED ON WEST ELEVATION ENTRY.
 - ⑥ **BENCHES FOR OUTDOOR SEATING**
 1. PATIO TABLES AND CHAIRS LOCATED AT FRONT ELEVATION. REFERENCE SITE SKETCH.
 - ⑦ **VARIED ROOF HEIGHTS**
 1. DIFFERENT ROOF HEIGHTS SHOWN ON ALL ELEVATIONS.



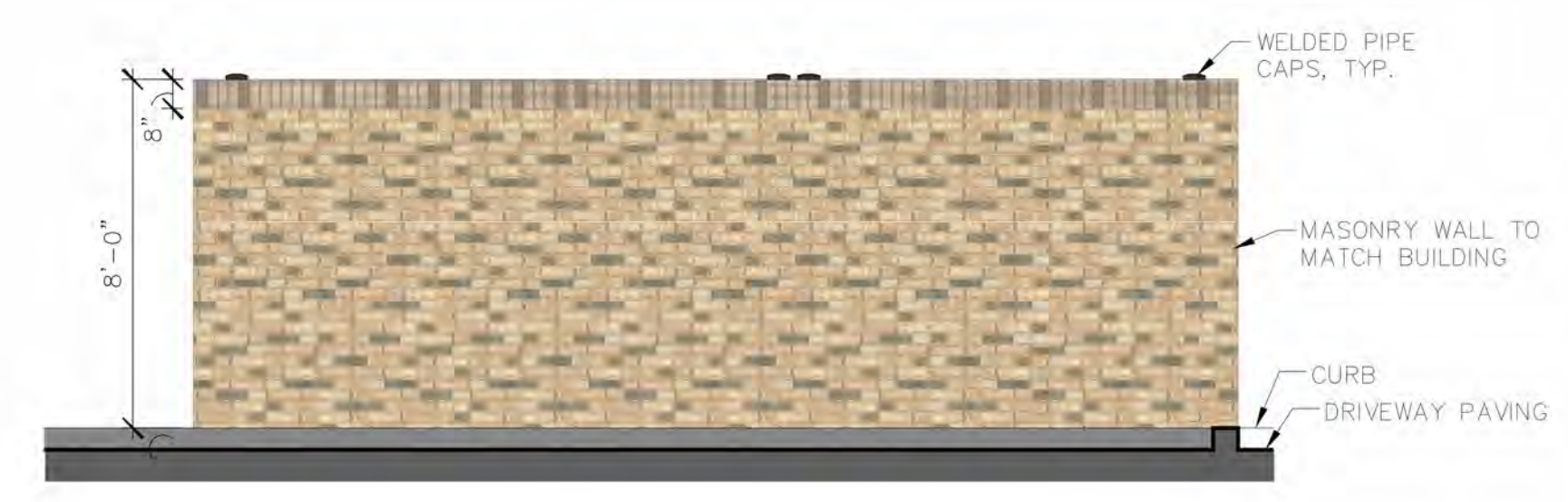
2 | DUMPSTER ENCLOSURE
1/4" = 1'-0"



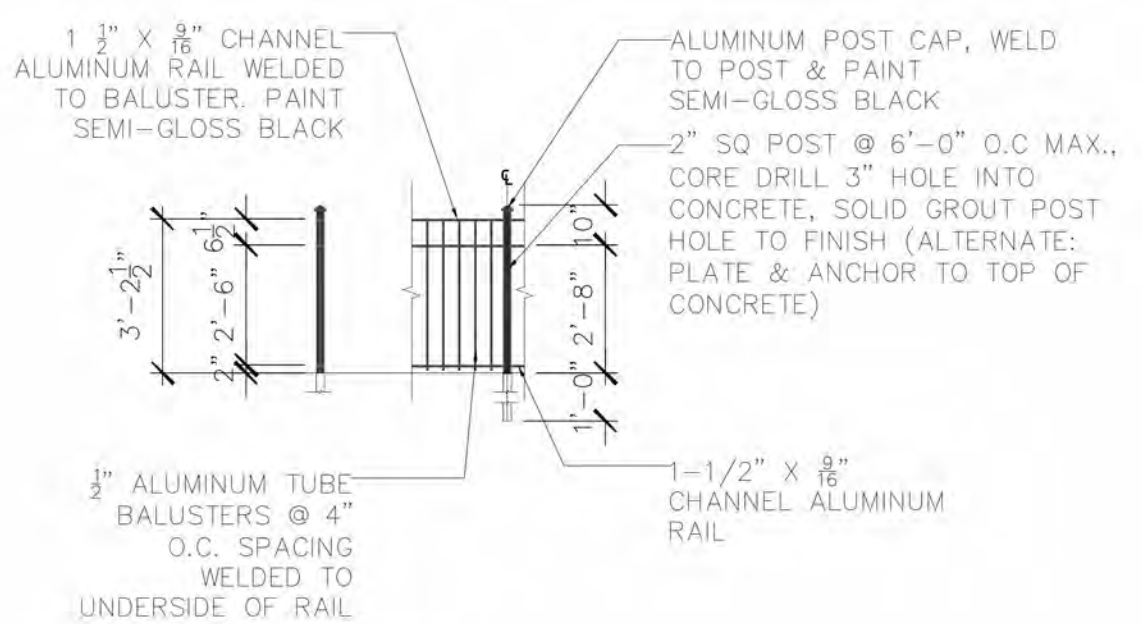
4 | DUMPSTER ENCLOSURE
1/4" = 1'-0"



1 | DUMPSTER ENCLOSURE
1/4" = 1'-0"



3 | DUMPSTER ENCLOSURE
1/4" = 1'-0"



5 | ALUM. FENCE DETAIL
1/4" = 1'-0"
1A1.1

REPORT & MINUTES

P.C. Meeting, January 9, 2017

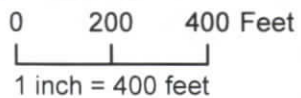
Consideration of the application of Kimley-Horn, requesting approval of 1) an amendment to Planned Development (PD) District 00-45, 2) a Detail Plan for a Restaurant, Drive-Through, and 3) a Specific Use Provision for a Restaurant, Drive-Through on property zoned Planned Development (PD) 00-45 for Community (Limited) Retail (CR) District Uses. This property is located at 1102 Northwest Highway. (District 5) (File Z 16-43) (This item was postponed from the December 12, 2016 Plan Commission meeting.)

Representing the applicant, Kristen Roberts, 6800 Bishop Road, Plano, TX, provided additional information regarding lighting, screening wall and signage style and location.

Motion was made by Commissioner Welborn, seconded by Commissioner Vera to approve the request per staff recommendation. **Motion carried: 8 Ayes, 0 Nays.**



O = IN FAVOR
X = AGAINST



ZONING Z 16-43



INDICATES AREA OF REQUEST



GARLAND

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

November 4 2016

HEARING DATE/TIME Plan Commission: November 14, 2016 – 7:00 PM

APPLICANT: Kimley-Horn

File: Z 16-43

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, November 14, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of Kimley-Horn, requesting approval of 1) an amendment to Planned Development (PD) District 00-45, 2) a Detail Plan for a Restaurant, Drive-Through, and 3) a Specific Use Provision for a Restaurant, Drive-Through on property zoned Planned Development (PD) 00-45 for Community Retail (CR) District Uses. The property is shown on the enclosed sketch and is described as follows:

BEING a 2.48 acre tract, Lot 1RA, Block A, MEADOW CREEK VILLAGE SHOPPING CENTER ADDITION, an addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2001203, Page 12, Map Records of Dallas County, Texas. This site is located at 1102 Northwest Highway. (District 5).

Note: The applicant requests approval to amend Planned Development (PD) District 00-45 for Community Retail and establish a Detail Plan with Specific Use Provision for the development of a 3,575 square-foot Restaurant, Drive-Through.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474. Should you have any questions, please contact Isaac Williams 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 Meadow Creek Square - Sabre Realty Management, Lnc.
 Printed Name _____
901-1251 Northwest Highway Garland, TX 75041
 Address _____ City, State _____ Zip _____

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

Signature [Signature] Title Senior Property Manager
 Date: 11/10/16



**GARLAND
PLANNING REPORT**

City Council Regular Session Agenda

Agenda Item 11. b.

Meeting Date: February 7, 2017

Item Title: Z 16-46 HealthCap Partners (District 1)

Submitted By: Kira Wauwie, Principal Development Planner

REQUEST

Approval of 1) an amendment to Planned Development (PD) District 84-73, 2) an amendment to a Concept Plan, and 3) a Detail Plan for Elder Care – Nursing/Convalescent facility with a Medical and Dental Office/Clinic use on a property zoned Planned Development (PD) District 84-73 for Office Uses.

OWNER

ERI – Garland, LP

PLAN COMMISSION RECOMMENDATION

On January 9, 2017 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of 1) an amendment to Planned Development (PD) District 84-73, 2) an amendment to a Concept Plan, and 3) a Detail Plan for Elder Care – Nursing/Convalescent facility with a Medical and Dental Office/Clinic use on a property zoned Planned Development (PD) District 84-73 for Office Uses.

STAFF RECOMMENDATION

Approval of 1) an amendment to Planned Development (PD) District 84-73, 2) an amendment to a Concept Plan, and 3) a Detail Plan for Elder Care – Nursing/Convalescent facility with a Medical and Dental Office/Clinic use on a property zoned Planned Development (PD) District 84-73 for Office Uses.

BACKGROUND

In 1992 City Council approved Planned Development (PD) 84-73 and a Concept Plan (Exhibit G; the subject site is Tract 1 shown in the red box in Exhibit G) to allow office development on the subject property. The applicant has brought forward a revised Concept Plan (Exhibit C) and a Detail Plan (Exhibit D) for the development of an Elder Care – Nursing/Convalescent Care facility and Medical and Dental Office/Clinic.

SITE DATA

The property consists of 6.73 gross acres. The site has approximately 300 feet of frontage along Shiloh Road and approximately 480 feet of frontage on Campbell Road. Street access is proposed for access to both Shiloh Road and Campbell Road.

USE OF PROPERTY UNDER CURRENT ZONING

Planned Development (PD) District 84-73 limits the permitted land uses to Office; however, approval of a Detail Plan through a public hearing process is required prior to any development.

CONSIDERATIONS

1. The applicant proposes three buildings in a campus style setting for the purpose of providing personalized medical management and restorative care to individuals of all ages who are catastrophically injured or ill and diagnosed with traumatic brain and/or spine injuries, pulmonary and/or neuromuscular disorders, or other medically complex conditions. This use is defined as an "Elder Care – Convalescent/Nursing Care" in the Garland Development Code (GDC). The GDC Specific Standards for Elder Care – Convalescent/Nursing Care include hospice service; however, the applicant is not proposing at this time to include hospice services at this facility.
2. The main building is a one-story, 27,100 square foot, 36-bed nursing facility for patients requiring advanced care and subacute services. This building provides nursing care 24 hours per day.

The secondary care building is one-story, 3,600 square feet with 6 beds for transitional care of patients. The transitional care provides services for recovery due to neurological injury specifically for patients learning skills and preparing for independent living in their own homes. The transitional care provides therapy and 24-hour per day care for the patients.

The third building is one-story, 2,000 square feet with no beds. The purpose of this building is that of an outpatient medical clinic for patients in need of recovery and therapy due to traumatic brain injury, spinal cord injury, or other medically complex conditions. The patients would not be limited to those of the other campus buildings and may reside off-campus. The GDC classifies this use as a Medical and Dental Office/Clinic; the application states that the use is a Medical Office. The overall density of the proposed facility is 7.77 units per acre. There is no maximum density established for Elder Care – Nursing/Convalescent Care facilities and the existing Planned Development (PD) District does not establish any density for this site.

3. While the operational hours of the campus would be seven days per week and twenty-four (24) hours per day, some of the operations and activities would be limited and thus lessen the potential impacts on the surrounding and nearby neighborhoods:
 - a. Nursing care staff: Daily - seven (7) days a week
 Twenty-four (24) hours per day
 Two (2), twelve (12) hour shifts
 - b. Visitors: Daily – seven (7) days a week
 8:00 am to 9:00 pm
 - c. Medical Office Monday through Saturday

7:00 am to 5:00 pm

4. On the campus, the main building would be the most visible from the external streets as it sits near the center of the site with two smaller buildings positioned to the west of the main building. Access to the site will be from drives on Shiloh Road and Campbell Road with circulation through the site to each of the buildings. The majority of the parking is situated away from the street, screened from the streets by the main building and from the adjacent residential development by landscape buffering as well as the two smaller buildings. Additional parking is proposed approximately seventy-five (75) feet north of Campbell Road and west of Shiloh Road in front of the main campus building. Parking adjacent to streets is required to be screened. Landscaping along the buffer and the distance from the street satisfy screening from the street. Reference: Section 2.52(A)(12)(e)(v)(b) of the GDC.
5. In conformance with Section 4.27 Administrative Approval of Alternative Compliance, the applicant has applied for an Administrative Compliance to allow parking greater than the maximum required by the GDC. This proposal is to provide forty-seven (47) parking spaces while twenty-nine (29) are required. Due to the nature of the facility with its campus setting and mix of uses the additional parking is justified. The type of medical and therapy care results in a higher staff to patient ratio (1:4) as compared to typical nursing care facilities (1:12). The GDC mitigation measure of Section 3.63(B) will be implemented as the west parking area is designed to allow storm water to naturally drain across the landscape area. In addition, the parking will be screened in conformance with the GDC from adjacent streets and residential areas. The parking setback of over 100 feet adds to the buffering intent of the GDC.
6. Section 2.52(A)(12)(f)(ii) of the GDC requires perimeter fencing and landscaping along property lines and access points to an Elder Care – Nursing/Convalescent Care facility. Perimeter fencing must have a minimum height of six (6) feet and be constructed of masonry or ornamental metal with masonry columns with a maximum of fifty (50) foot centers. In addition, in accordance with Article 3 in Chapter 4 of the GDC the perimeter fencing and screening/landscaping should be provided using one of the two following methods:
 - Masonry wall with one (1) large canopy tree for every twenty-five (25) linear feet of screening wall; or
 - Ornamental metal fence with masonry columns with a maximum of fifty (50) feet between the centers of each column plus continuous row of evergreen high-level screening shrubs along all portions of the fence that are not opaque masonry.

The applicant proposes a Planned Development (PD) condition to allow development without fencing. The following is proposed:

- West property line. A ten (10) foot landscape buffer with a continuous living screen is proposed along the west property line. The modification is justified due to site grade differences along the property line of two (2) to ten (10) feet difference. In addition, the application indicates that the neighboring property owners desire no change to the existing vegetation which naturally screens the properties. It should be noted that there is an existing twenty (20) foot wide utility easement located perpendicular to and approximately three hundred seventy (370) feet north of Campbell Road which precludes planting along the west property line.

- North property line. Along the north property line there is an existing six (6) foot high fence that separates the site from the adjacent single-family homes. Due to proposed site grading, the elevation difference between the properties will be increased by approximately five (5) feet creating a natural barrier. The residential development to the north will be at a higher grade level. A continuous living screen will be provided along the north property line for additional screening.
- East and South property lines. A twenty-five (25) foot front yard will be provided with a fifteen (15) foot landscape buffer on both frontages. Large canopy trees, shrubs, and ground cover will be planted in these areas which will create a natural buffer. There are existing trees in this area that would be disturbed with the installation of a perimeter fence; those trees are desired to be preserved.

Due to significant grading requirements of the site to prepare it for any development, many of the existing trees will be removed. However, the landscape plan shows that where feasible existing trees will be preserved along the south, southeast, north, and southwest property lines. Eastern Red Cedar trees with a characteristically dense habit form a solid screening along the north and west property line. The existing preserved trees will be maintained along the south side of the property adjacent to Campbell Road, and this area will be supplemented with a screening hedge consisting of Bradford Holly. Along Shiloh Road, new Live Oak trees will be provided. Additionally, per the GDC, the parking area will be screened with a hedge row.

7. The refuse container is placed at the southwest side of the site, along the drive lanes of the parking lot. The GDC offers direction regarding the placement of refuse containers. The building has two street frontages, and the design places the refuse container behind the building when viewed from Shiloh Road; the GDC offers little guidance regarding where the "rear" of a building is for properties with multiple frontages in regard to refuse container placement. The design of the refuse container and its containment wall meet the GDC screening requirements. The location as proposed facilitates ease of circulation for refuse collection.
8. Section 2.52(A)(12)(e)(ii)(a) of the GDC states that the maximum height is governed by the regulations of the zoning district in which the facility is located. In this case the subject property is governed by the base zoning Neighborhood Office (NO) District which establishes a maximum building height of twenty (20) feet. All three of the proposed buildings will be twenty (20) feet or less in height.
9. Section 2.52(A)(12)(e)(ii)(c) of the GDC states the exterior construction of all "Elder Care" facilities must be in compliance with all applicable standards provided in Chapter 4, Article 6 of the GDC. The elevations as proposed incorporate the following required elements:

The design of the building (Exhibit E) is required to comply with the following GDC development standards:

- 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 development standards.

10. Section 2.52(A)(12)(e)(iii)(b) of the GDC stipulates that indoor common or recreational areas must be provided at a ratio of at least 100 square feet of gross floor area per dwelling unit. Examples of common areas are: common living and sitting rooms, dining rooms, libraries, game rooms, exercise rooms, dance floors, arts and crafts rooms, music rooms, and other age appropriate indoor recreational facilities. With forty-two (42) dwelling units, the proposed Elder Care-Nursing/Convalescent facility requires 4,200 square feet of indoor common or recreational areas. This proposal conforms to the GDC indoor common or recreational area minimum; the indoor spaces include dining, library, and activity spaces.
11. Section 2.52(A)(12)(e)(iv)(a) Buildings are spaced forty (40) feet or more apart, in conformity with the required minimum twenty (20) foot separation between buildings.
12. Section 2.52(A)(12)(e)(iv)(b) states that buildings may be placed up to thirty (30) feet from the right-of-way of a public street. Furthermore, Section 2.52(A)(12)(e)(iv)(c)(ii) states that single-story buildings not exceeding thirty (30) feet in height must be set back a minimum of fifty (50) feet from the property line abutting residential district. The applicant proposes minimum setbacks as follows:
 - a. West property line - fifty (50) feet
 - b. North property line – fifty (50) feet
 - c. Along streets – thirty (30) feet

These setbacks are greater than the Neighborhood Office (NO) District setbacks of twenty (20) feet adjacent to residential districts, and twenty-five front and twenty foot side setbacks along streets. However, the proposed setbacks are less than the seventy-eight (78) foot setback required along the west property line in the existing PD 84-73.
13. Section 2.52(A)(12)(f)(i) of the GDC states that a minimum of forty (40) percent of the gross platted area of the site of an Elder Care – Nursing/Convalescent facility must be devoted to landscaping, open space areas, pools, and similar outdoor recreational activity areas. The site design results in sixty-seven (67) percent of the site devoted to landscaping, open space areas, and outdoor activity areas. Specifically, the outdoor activity areas include a gazebo and two courtyards.
14. Modification of sign standards is not proposed. The Detail Plan indicates locations for two monument signs on the property, one at the entrance from Shiloh Road and another at the entrance from Campbell Road. The monument sign elevation plan dimensions the sign with a maximum height of six (6) feet, eight (8) inches, and seven (7) feet in total width. The signs are placed within the landscape buffer. Although not shown on the landscape plan, space is available for the signs within the planting scheme of the buffer area. No other detached signage is proposed. Signage will conform to the regulations of the Garland Development Code.
15. Support Services and Accessory Uses for an Elder Care Living Facility, including Elder

Care – Nursing/Convalescent Care facilities, may include special facilities and services for its residents. This proposal includes dining rooms, laundry services, libraries, and outdoor courtyards in alignment with Section 2.52(A)(12)(h)(i). Also, Section 2.52(A)(12)(h)(ii) allows certain uses permitted with the facility to provide on-site goods and services for the use and benefit of residents. These are intended as accessory and secondary uses only for the exclusive use of the residents. Medical office use is one of these Support Services and Accessory Uses. The applicant desires the proposed medical office use to serve patients who do not reside at the Elder Care – Nursing/Convalescent Care facility on this property. Therefore, the application includes the GDC use “Medical and Dental Office/Clinic”. That use is comparable to the existing PD 84-73 Office use and is an acceptable use for this site.

Amendment to Planned Development (PD) District 84-37:

16. Planned Development (PD) District 84-73 restricts uses on the site to Office Uses. This application proposes to add the use “Elder Care – Nursing/Convalescent” facility and “Medical Office”. Comparatively, there are differences in these uses. The traffic and operational patterns of an office are typically Monday through Friday with hours being 8 am to 5 pm. The proposed medical office would operate in a similar fashion. However, due to the residential nature of the Elder Care– Nursing/Convalescent facility it is proposed to operate daily for twenty-four hours per day. The impacts of the Elder Care Nursing/Convalescent facility are tempered through the inclusion of the GDC Special Standards for the use; limits include the number of patients, and recognition of parking standards that are unique to the proposed recovery care facility’s operational characteristics. In addition, the expansion of the existing PD 84-73 uses is minor in nature, and includes only the specified uses accompanied by a Detail Plan as presented with this PD 16-46 application.
17. Planned Development (PD) District 84-73 restricted landscaping, west property line setbacks, screening, and building design. Exhibit F shows the proposed landscape design.
 - a. Landscaping was required at a rate of ten (10) percent of the site area. The GDC requires forty (40) percent landscape open spaces for Elder Care – Nursing/Convalescent facilities. The proposed Detail Plan shows sixty-seven (67) percent of the site as open landscaped area.
 - b. This proposal reduces the west property line setbacks from seventy-eight (78) feet to fifty (50) feet, although the minimum Neighborhood Office (NO) District setback adjacent to a residential district is twenty (20) feet. As a result of the revised Concept Plan the buildings along the setback line present shorter horizontal faces towards the west property line, and are individually off-set. This variation of wall and space between buildings creates a visually interesting setting and the perception of the distance from the property line is increased. The setback considerations are also reviewed in Consideration 12 above.
 - c. Along the west property line PD 84-37 requires a six (6) foot high screening of either a brick wall with trees or a berm landscaped with ground cover or grass, shrubs, and trees. The proposed PD 16-46 includes a row of trees.
 - d. PD 84-73 requires minimum masonry exterior of eighty (80) percent and architectural accent materials with no wood or metal wall sidings. This proposal includes eighty

(80) percent stucco and other masonry stone walls, per the elevation drawings in Exhibit E.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Traditional Neighborhoods which 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.

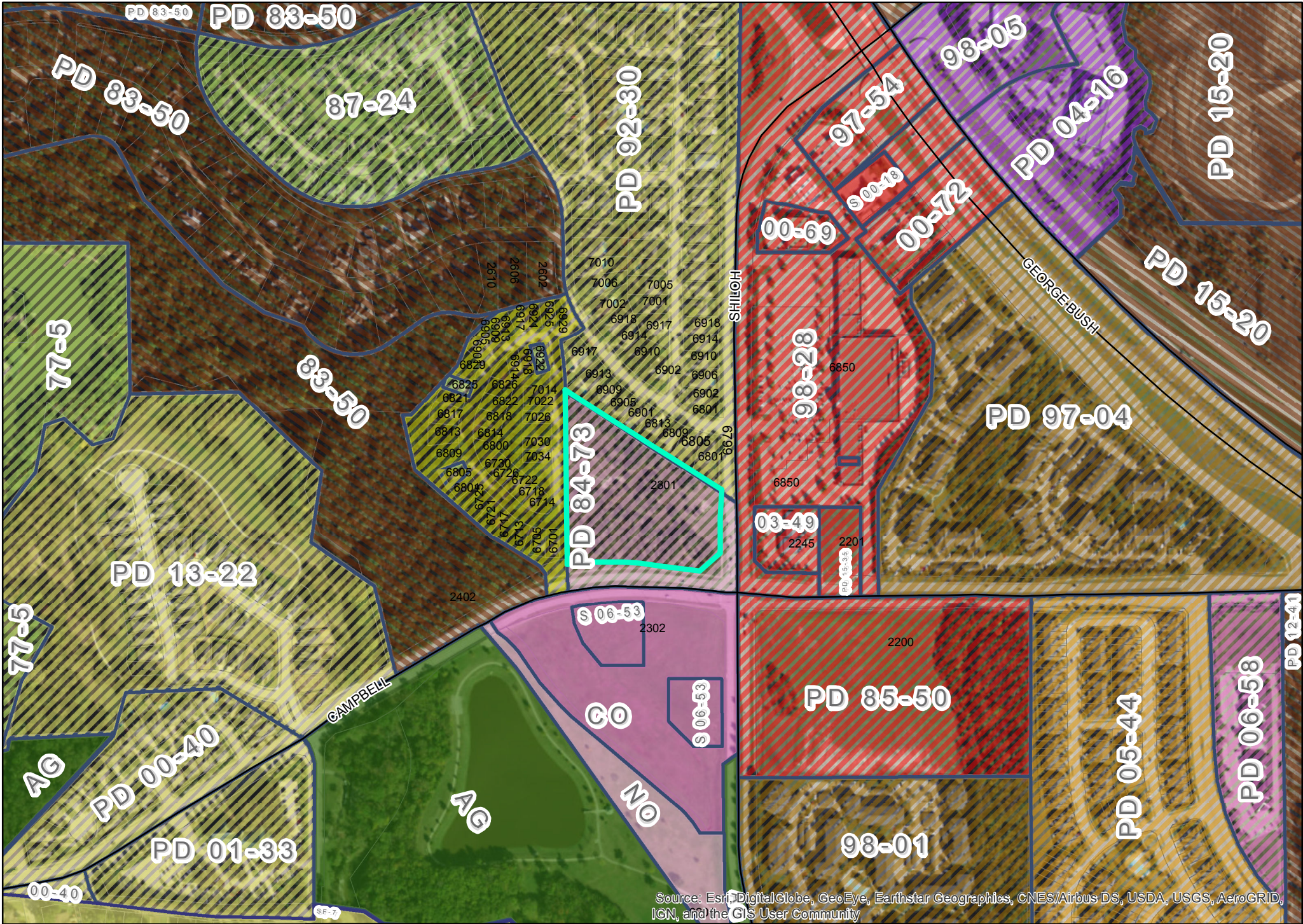
However, Traditional Neighborhoods also offer locations for alternative, non-single-family residential uses such as those that offer daily goods and services and other non-residential uses at the perimeter of the neighborhoods, while schools, parks, and churches are generally the only non-residential uses within the neighborhood interior. This site is at the edge of a residential neighborhood, with frontage on two major arterial streets. Without a street or pedestrian connection to the adjacent single-family residential neighborhood, it is located in a manner conducive to the alternative Traditional Neighborhoods uses.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

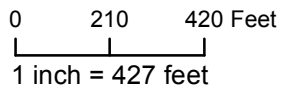
The proposed building height and site layout is compatible with the developments that have been constructed on the surrounding properties. The property slopes from the north and east towards the south and southwest. The proposed buildings are one-story in height. The proposed building height in combination with the site slope mitigate any building height impacts onto existing development from this proposed nursing/convalescent care facility. The use, while not a single-family residential development, is less impactful compared to higher intensity uses including the allowed office use.

Attachments

- Z 16-46 HealthCap Partners Attachments
 - Z 16-46 HealthCap Partners Responses
 - Z 16-46 HealthCap Partners Attachments
-



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



ZONING MAP Z 16-46

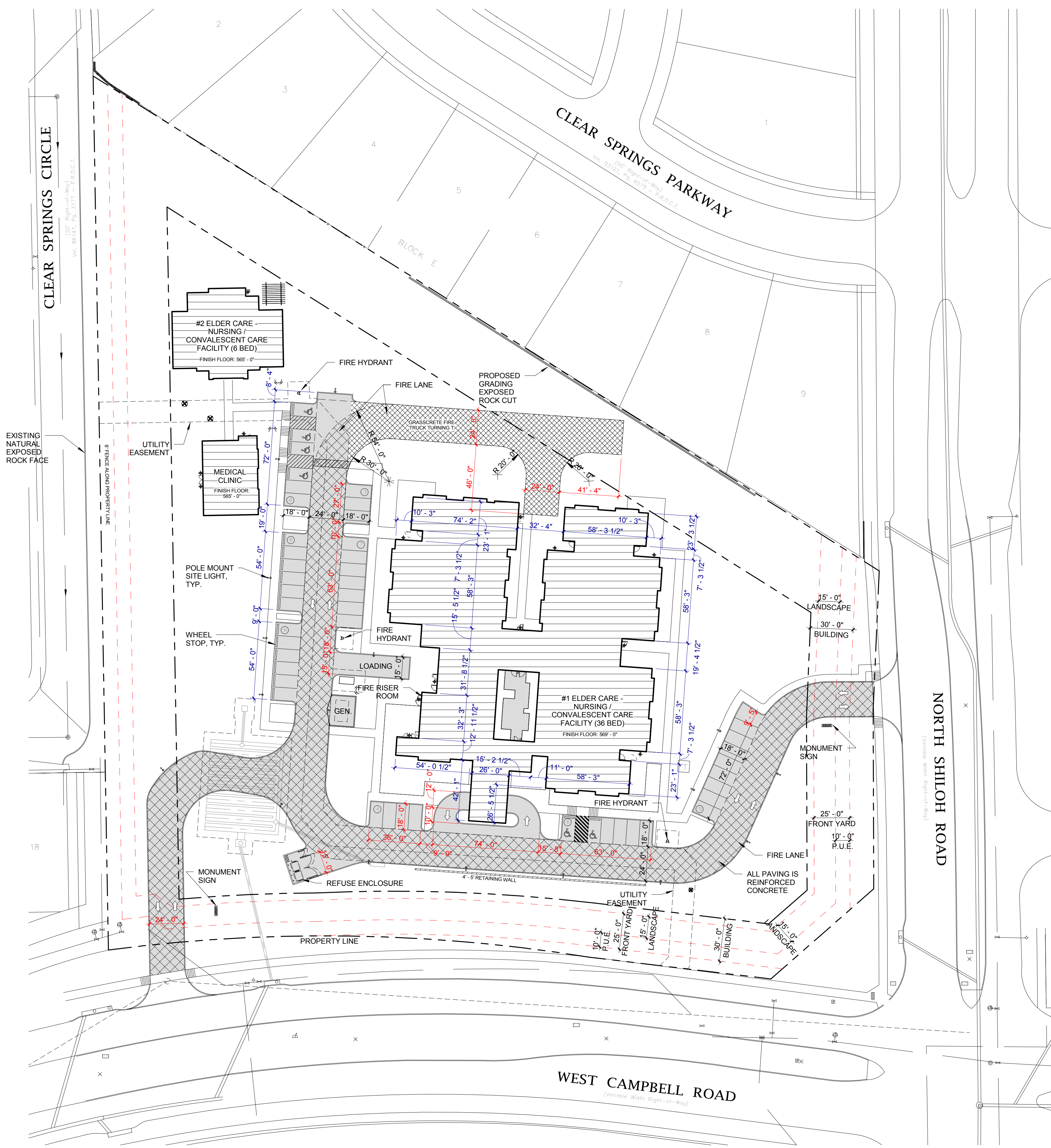
 INDICATES AREA OF INTEREST

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 16-46

- I. Statement of Purpose:** The purpose of this Planned Development is to permit the development of Elder Care-Nursing/Convalescent, Medical and Dental Office/Clinic, and Office Uses 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 Neighborhood Office (NO) District and Special Standards of the Elder Care - Nursing/Convalescent facilities as set forth in Chapter 2 and Site Development Standards as set forth in Chapter 4 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 set forth in Exhibit C; however, in the event of conflict between the Concept Plan and the written conditions, the written conditions shall apply.
- V. Detail Plan:** Development shall be in general conformance with the Detail Plan labeled Exhibit D. 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:** Only an Elder Care - Nursing/Convalescent facility, Medical and Dental Office/Clinic, and Office Uses shall be permitted on the subject property.
 - B. Setbacks**
 - a. A minimum setback for all buildings shall be provided as follows:
 - i. 50 feet (50') along the west property line
 - ii. 50 feet (50') along the north property line

- iii. 30 feet (30') along the frontage of thoroughfares of Shiloh Road and Campbell Road
- b. A twenty-five foot (25') front yard setback shall be provided along the frontage of thoroughfares of Shiloh Road and Campbell Road.
- C. Parking: Parking for the Elder Care - Nursing/Convalescent Care use to be set at 1 space per bed. All other parking shall be in accordance with Section 2.51: Land Use Matrix of the Garland Development Code.
- D. Elevations: Building elevations shall be in general conformance with the elevations labeled Exhibit E.
- E. Screening and Landscaping: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit F.
 - a. Screening having a minimum height of six feet (6') shall be provided along the west and north property lines. Said screening shall consist of a living screen, planted and maintained so as to form a continuous, mostly opaque visual screen that will be at least six feet (6') within two (2) years following installation. High-level screening shrubs per Table 4-3 in Division 7 of Article 3 of Chapter 4 of the Garland Development Code shall be used for the visual screen.
 - b. A fifteen foot (15') landscape buffer shall be provided along the frontage of thoroughfares of Shiloh Road and Campbell Road. A minimum of one (1) large canopy tree and seven (7) shrubs per 30 linear feet of landscape buffer shall be provided.
- F. Signage: Freestanding signage shall be limited to monument signs in conformance with Exhibit E (Elevations) and the horizontal placement shown on Exhibit D (Detail Plan). All other signage shall comply with the applicable standards in the Garland Development Code.



SITE PLAN NOTES:

EXISTING ZONING:	PD84-73
PROPOSED ZONING:	PD
PROPOSED USE:	ELDER CARE / MEDICAL CLINIC
GROSS LOT AREA:	6.73 ACRES (293,075 SF INCLUDES ROW TO CENTERLINE)
NET LOT AREA:	5.4048 ACRES (235,435 SF)
SITE DENSITY:	42 UNITS/5.4048 ACRES
	7.77 UNITS/ACRE
PROPOSED BUILDING AREA:	
#1 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY	27,100 SF
#2 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY	3,600 SF
MEDICAL CLINIC	2,000 SF
TOTAL PROPOSED BUILDING AREA:	32,700 SF
TOTAL BUILDING COVERAGE:	13.89%
FLOOR TO AREA RATIO (FAR):	0.14-1
IMPERVIOUS AREA:	77,173 SF
IMPERVIOUS PERCENTAGE (LOT COVERAGE):	32.78%
BUILDING HEIGHTS:	
#1 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY	
PERMITTED:	16'-0" AND 20'-0" PITCHED ROOFS
PROPOSED:	15'-6" (PARAPET); 20'-0" (PITCHED ROOF) - 1-STORY
#2 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY	
PERMITTED:	16'-0" AND 20'-0" PITCHED ROOFS
PROPOSED:	13'-6" (PARAPET); 19'-10" (PITCHED ROOF) - 1-STORY
MEDICAL CLINIC:	
PERMITTED:	16'-0" AND 20'-0" PITCHED ROOFS
PROPOSED:	11'-6" (PARAPET); 16'-0" (PITCHED ROOF) - 1-STORY

PARKING:

PARKING REQUIREMENT:			
USE	FACTOR# OF BEDS	PERMITTED PARKING	
#1 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY	0.50/BED	36	18
#2 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY	0.50/BED	6	3
MEDICAL CLINIC	1 / 250 SF	0	8
TOTAL PERMITTED:			29
PARKING PROVIDED:			
USE	FACTOR# OF BEDS	REQUIRED PARKING	
#1 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY	1.00/BED	36	36
#2 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY	0.50/BED	6	3
MEDICAL CLINIC	1 / 250 SF	0	8
TOTAL REQUIRED:			47
TOTAL PROVIDED:			47



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Consultant:

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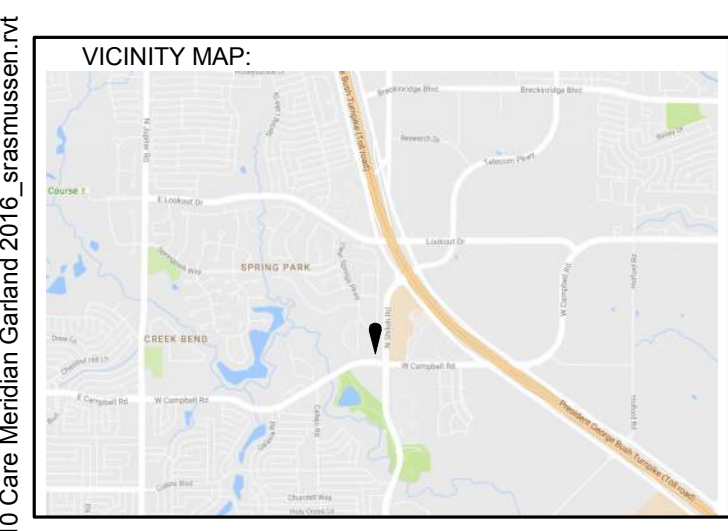
SKILLED NURSING FACILITY
CAREMERIDIAN
 NWC SHILOH AND CAMPBELL
 GARLAND, TX 75044

AUTHORITY HAVING JURISDICTION:
CITY OF GARLAND

AUTHORITY HAVING JURISDICTION'S PROJECT NO:
PRESUBMITTAL: 160791-1

FACILITY NUMBER:

AGENCY APPROVALS:



DATE: 11/17/16
 SCALE: As indicated
 DRAWN: SR
 REVIEWED: JWM
 JOB NUMBER: 80511

CONCEPT PLAN

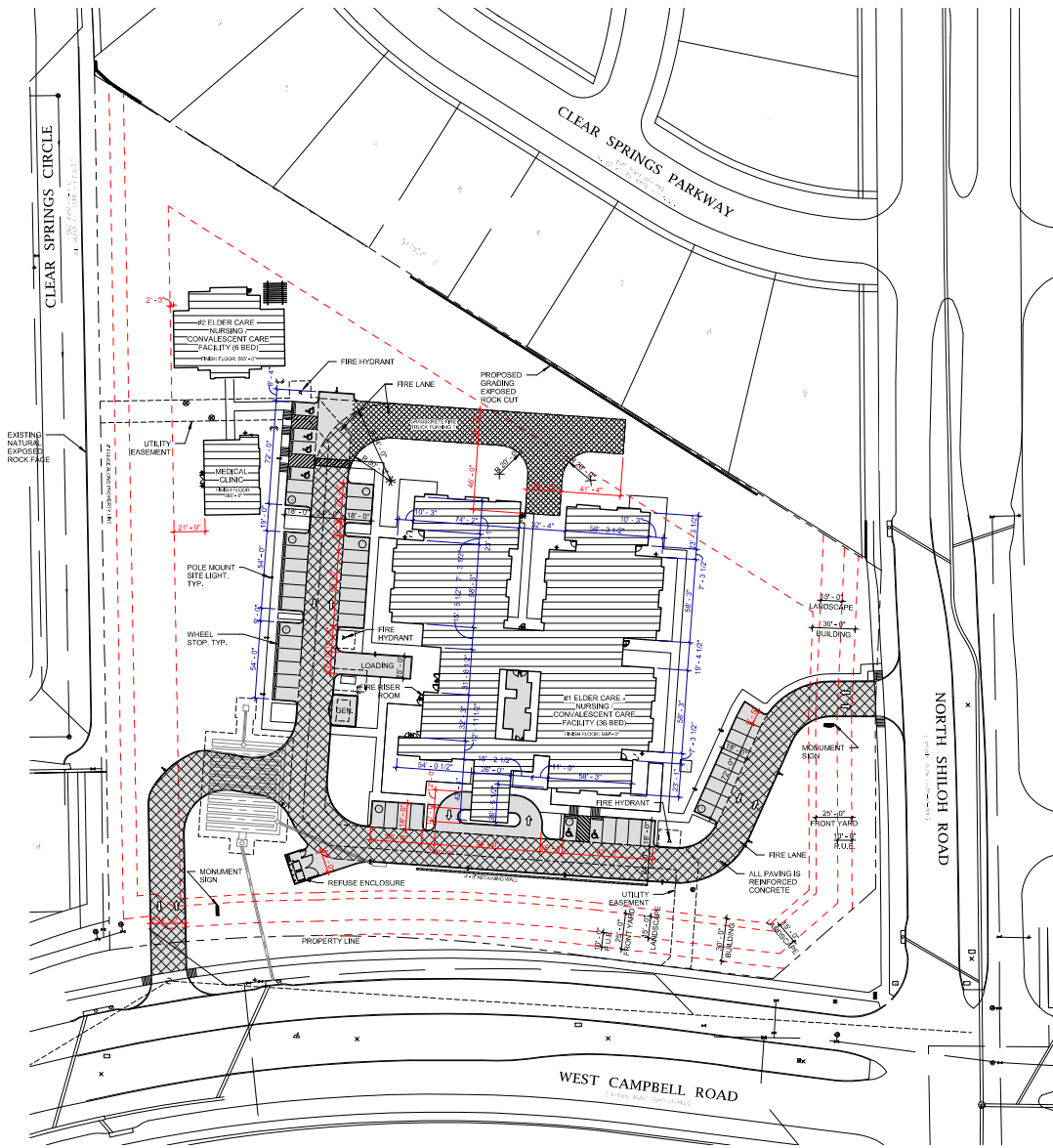
AS102

1 CONCEPT PLAN
 1" = 40'-0"



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EXHIBIT D



1 DETAIL PLAN
1" = 40'-0"

SITE PLAN NOTES:

EXISTING ZONING: PD54-73
 PROPOSED USE: ELDER CARE / MEDICAL CLINIC
 GROSS LOT AREA: 6.75 ACRES (283,075 SF INCLUDES ROW TO CENTERLINE)
 NET LOT AREA: 6,046 ACRES (265,435 SF)
 SITE DENSITY: 42 UNITS/65,404 ACRES
 7.77 UNITS/ACRE

PROPOSED BUILDING AREA:
 #1 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY 37,100 SF
 #2 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY 3,000 SF
 MEDICAL CLINIC 2,000 SF

TOTAL PROPOSED BUILDING AREA: 42,100 SF
 TOTAL BUILDING COVERAGE: 6.30%
 FLOOR TO AREA RATIO (FAR): 0.161
 IMPERVIOUS AREA: 71,173 SF
 IMPERVIOUS PERCENTAGE (LOT COVERAGE): 32.70%

BUILDING HEIGHTS:
 #1 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY
 PERMITTED: 16'-0" AND 20'-0" (PITCHED ROOF)
 PROPOSED: 19'-0" (PARAPET); 20'-0" (PITCHED ROOF) - 1-STORY

#2 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY
 PERMITTED: 16'-0" AND 20'-0" (PITCHED ROOF)
 PROPOSED: 13'-0" (PARAPET); 19'-10" (PITCHED ROOF) - 1-STORY

MEDICAL CLINIC:
 PERMITTED: 16'-0" AND 20'-0" (PITCHED ROOF)
 PROPOSED: 11'-0" (PARAPET); 16'-0" (PITCHED ROOF) - 1-STORY

PARKING:

USE	FACTOR OF BEDS	PERMITTED PARKING
#1 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY	0.50/BED	36
#2 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY	0.50/BED	6
MEDICAL CLINIC	1/250 SF	0
TOTAL PERMITTED:		39

USE	FACTOR OF BEDS	REQUIRED PARKING
#1 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY	1.00/BED	36
#2 ELDER CARE - NURSING/CONVALESCENT CARE FACILITY	0.50/BED	6
MEDICAL CLINIC	1/250 SF	0
TOTAL REQUIRED:		42

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Consultant:

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SKILLED NURSING FACILITY
 CAREMERIDIAN
 NWC SHILOH AND CAMPBELL
 GARLAND, TX 75044

AUTHORITY HAVING JURISDICTION:
 CITY OF GARLAND

AUTHORITY HAVING JURISDICTION'S PROJECT NO:
 PRESUBMITTAL 160791-1

FACILITY NUMBER:

AGENCY APPROVALS:



DATE: 11/16/16
 SCALE: As indicated
 DRAWN: JMS/RT
 REVIEWED: SCG/DM
 JOB NUMBER: 60511

DETAIL PLAN

AS101

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GENERAL NOTES:

EXTERIOR CONSTRUCTION: EXTERIOR CONSTRUCTION SHALL COMPLY WITH THE REGULATIONS FOUND IN ARTICLE 6 OF THE GARLAND DEVELOPMENT CODE. EXTERIOR FINISH MATERIALS ARE NOTED ON EACH ELEVATION. THE TOTAL SURFACE AREA AND PERCENTAGE OF EACH MATERIAL IS SHOWN IN A TABLE AT THE BOTTOM RIGHT OF EACH ELEVATION.

EXTERIOR WALLS: EXTERIOR WALLS SHALL HAVE A MINIMUM OF EIGHTY PERCENT MASONRY CONSTRUCTION AS DESCRIBED WITHIN ARTICLE 6, DIVISION 1, SECTION 4.82 (C) OF TO GDC.

MECHANICAL EQUIPMENT: ROOFTOP MECHANICAL UNITS HAVE BEEN LOCATED ON THE ROOF SUCH THAT WHEN VIEWED FROM THE PROPERTY LINE FROM A HEIGHT OF SIX FEET, THEY SHALL BE SCREEN COMPLETELY BY THE SLOPED ROOFING OF THE BUILDING.

ARCHITECTURAL ELEMENTS:

- #1 ELDER CARE - NURSING / CONVALESCENT CARE FACILITY (36 BED)
1. DIVIDED LIGHT WINDOWS
 2. DORMERS
 3. NOT USED
 4. ALCOVES/ PORTICOS
 5. RECESSED ENTRIES
 6. ORNAMENTAL WINDOW HEADERS/LINTELS
 7. PLANTERS
 8. BENCHES FOR OUTDOOR SEATING
 9. VARIED ROOF HEIGHTS
 10. DISTINCTIVE LIGHTING FEATURES

- #2 ELDER CARE - NURSING / CONVALESCENT CARE FACILITY (6 BED)
1. DIVIDED LIGHT WINDOWS
 2. RECESSED ENTRIES
 3. ORNAMENTAL WINDOW HEADERS/LINTELS
 4. BENCHES FOR OUTDOOR SEATING
 5. VARIED ROOF HEIGHTS
 6. NOT USED
 7. DISTINCTIVE LIGHTING FEATURES

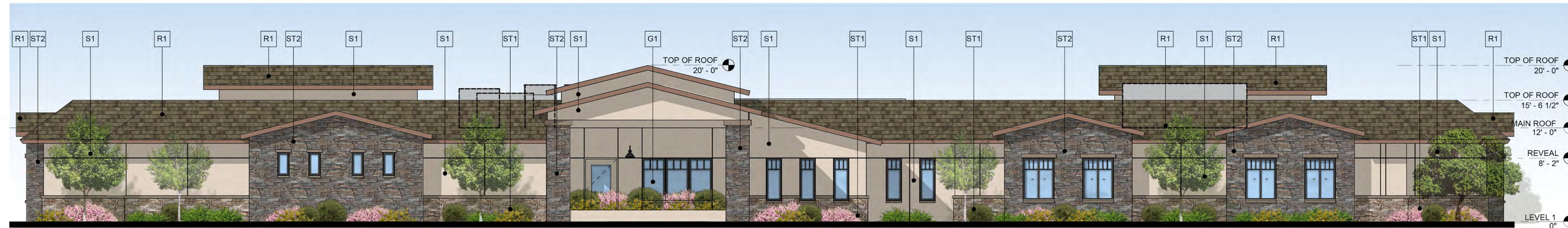
MEDICAL CLINIC

1. AWNINGS OR CANOPIES
2. DIVIDED LIGHT WINDOWS
3. SHUTTERS
4. ORNAMENTAL WINDOW HEADERS/LINTELS
5. BENCHES FOR OUTDOOR SEATING
6. DORMERS
7. VARIED ROOF HEIGHTS
8. DISTINCTIVE LIGHTING FEATURES

EXTERIOR FINISH LEGEND:

- | | | |
|-----|---------------|--|
| S1 | MANUFACTURER: | STO, STOTHERM CI 3 COAT STUCCO SYSTEM, OR APPROVED EQUAL |
| | COLOR: | MATCH SHERWIN WILLIAMS SW6140 MODERATE WHITE FINE GRAIN. |
| | TEXTURE: | |
| S2 | MANUFACTURER: | STO, STOTHERM CI 3 COAT STUCCO SYSTEM, OR APPROVED EQUAL |
| | COLOR: | MATCH CAREMERIDIAN LOGO COLOR |
| | TEXTURE: | FINE GRAIN |
| ST1 | MANUFACTURER: | ELDORADO STONE, OR APPROVED EQUAL |
| | STYLE: | STACKED STONE |
| | COLOR: | ALDERWOOD |
| ST2 | MANUFACTURER: | ELDORADO STONE, OR APPROVED EQUAL |
| | STYLE: | STACKED STONE |
| | COLOR: | SLATE GRAY |
| R1 | MANUFACTURER: | GAF |
| | STYLE: | TIMBERLINE ULTRA HD SHINGLES |
| | COLOR: | WEATHERED WOOD |
| G1 | MANUFACTURER: | VIRACON |
| | GLAZING TYPE: | VE1-2M |
| WD | MANUFACTURER: | MINWAX |
| | WOOD STAIN: | IPSWICH PINE 221 |

NOTE: EXTERIOR HOLLOW METAL DOORS AND FRAMES TO BE PAINTED TO MATCH ADJACENT FINISH



1 ELDER CARE - SOUTH (ENTRY)

1/8" = 1'-0"



2 ELDER CARE - WEST

1/8" = 1'-0"



3 ELDER CARE - NORTH

1/8" = 1'-0"



4 ELDER CARE - EAST

1/8" = 1'-0"



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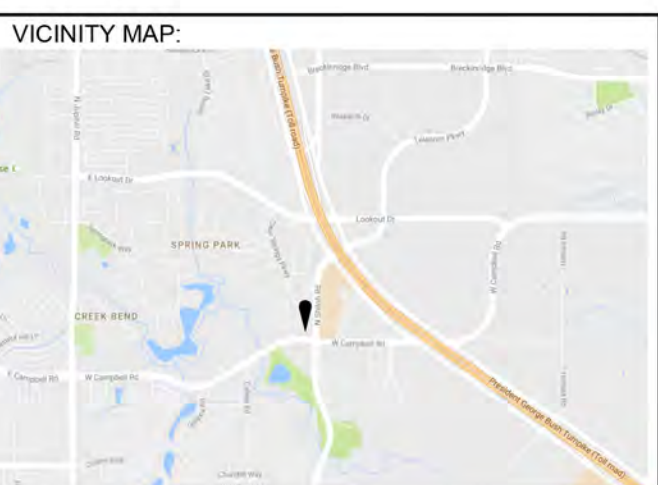
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FACILITY
CAREMERIDIAN**
NWC SHILOH AND CAMPBELL
GARLAND, TX 75044

AUTHORITY HAVING JURISDICTION:
CITY OF GARLAND

AUTHORITY HAVING JURISDICTION'S PROJECT NO:
PRESUBMITTAL: 160791-1

FACILITY NUMBER:

AGENCY APPROVALS:



DATE: 11/18/16
SCALE: 1/8" = 1'-0"
DRAWN: JMR/RT
REVIEWED: SCR/JWM
JOB NUMBER: 80511

**EXTERIOR
ELEVATIONS**

AE201

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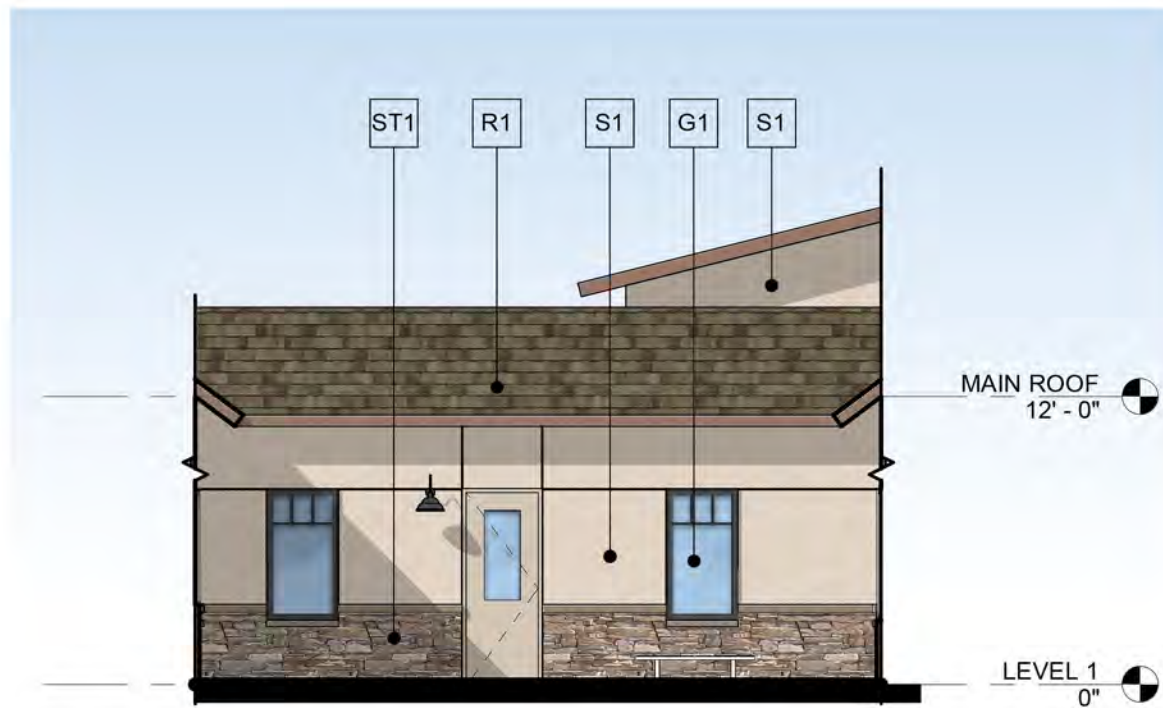
EXHIBIT E



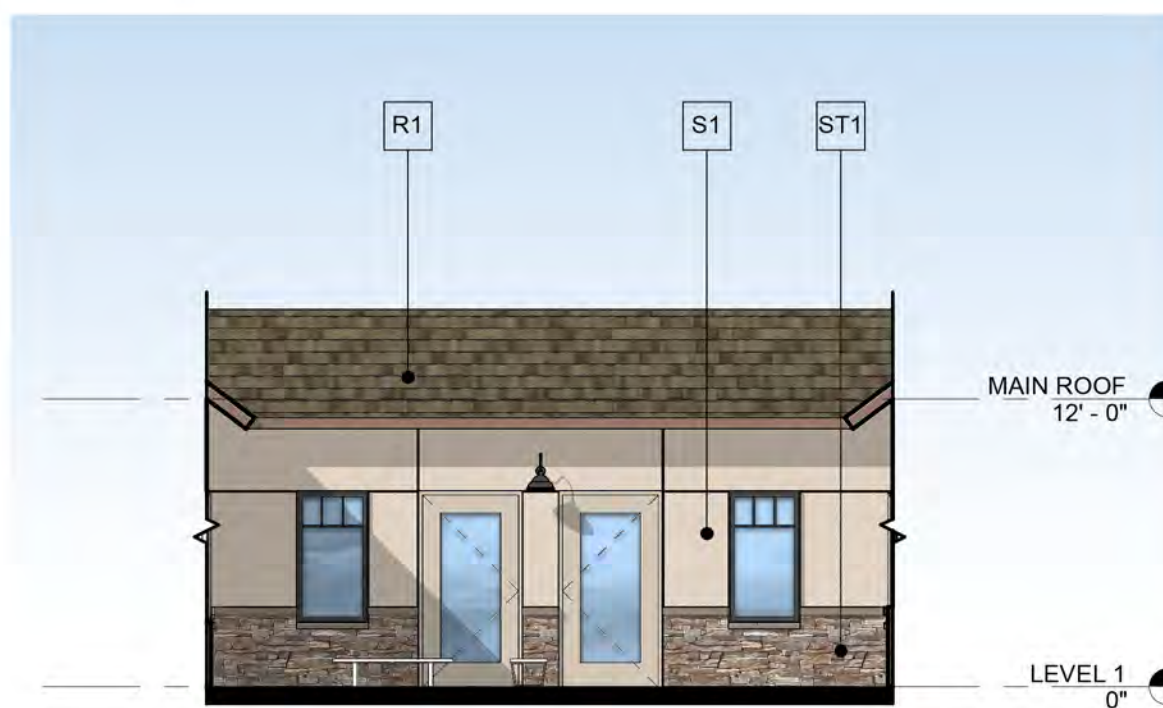
1 ELDER CARE - EAST PATIENT WING
1/8" = 1'-0"



2 ELDER CARE - WEST PATIENT WING
1/8" = 1'-0"



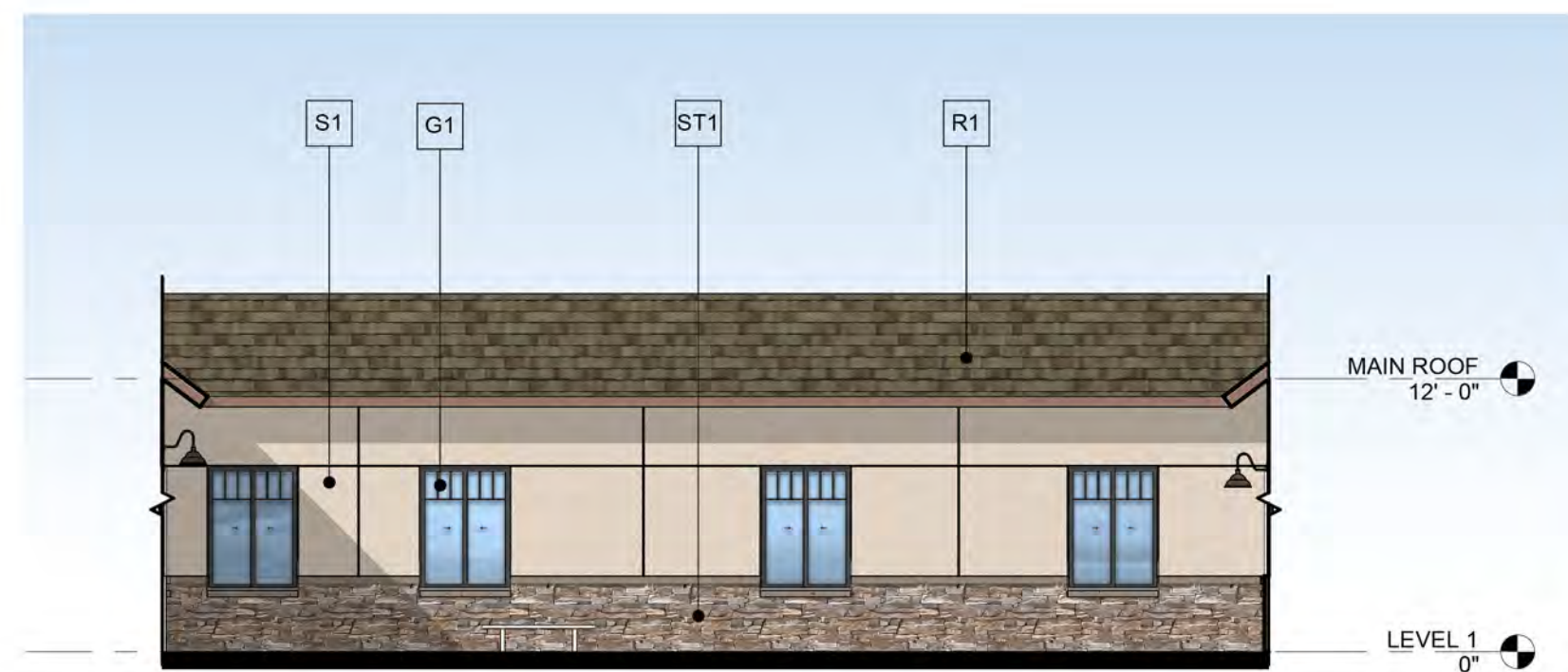
3 ELDER CARE - SOUTH COURTYARD
1/8" = 1'-0"



5 ELDER CARE - NORTH COURTYARD
1/8" = 1'-0"



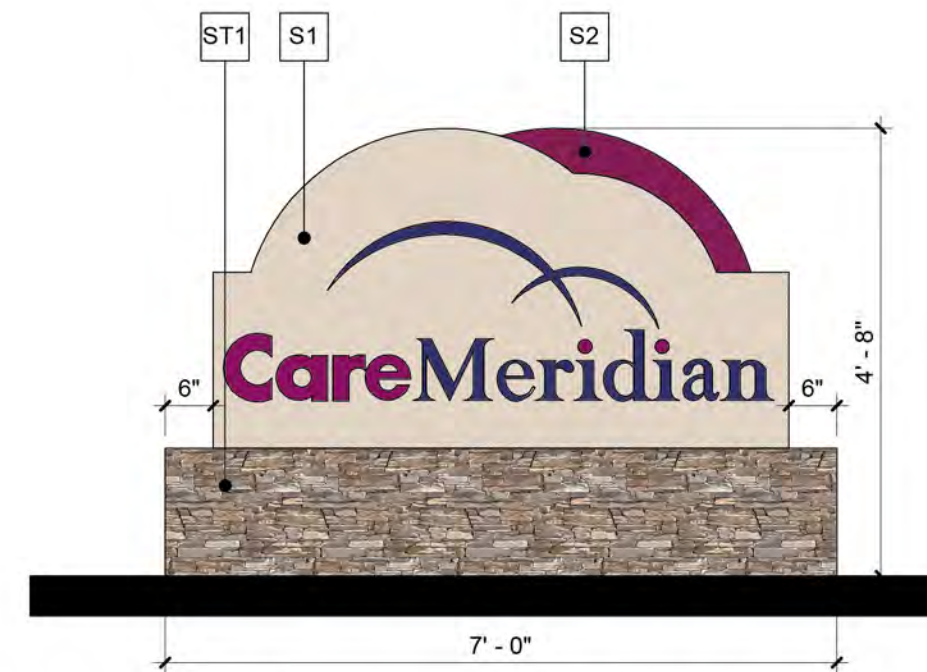
4 ELDER CARE - EAST COURTYARD
1/8" = 1'-0"



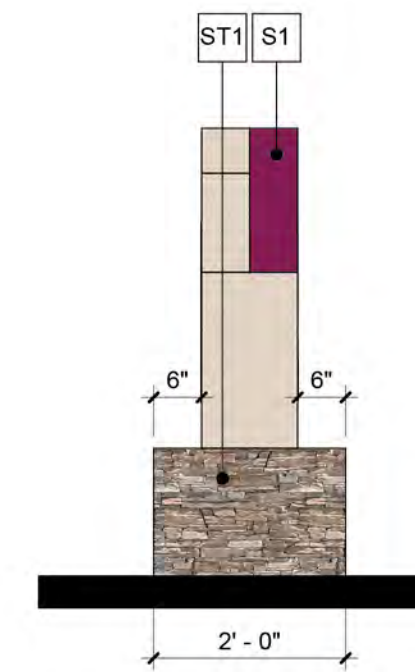
6 ELDER CARE - WEST COURTYARD
1/8" = 1'-0"



17 RETAINING WALL
1/4" = 1'-0"



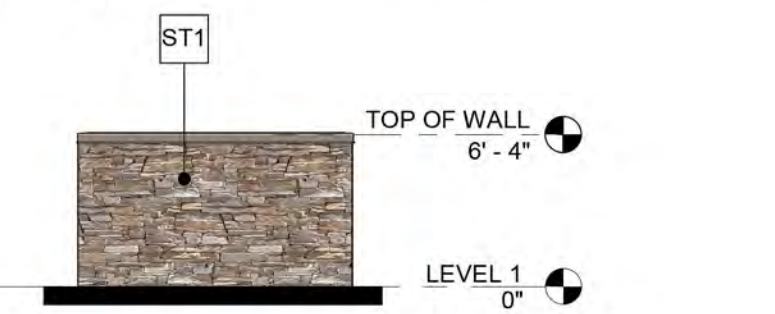
7 MONUMENT SIGN FRONT / BACK
1/2" = 1'-0"



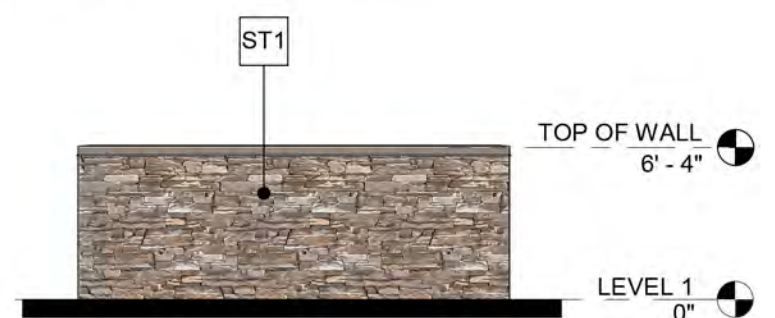
8 MONUMENT SIGN SIDE
1/2" = 1'-0"



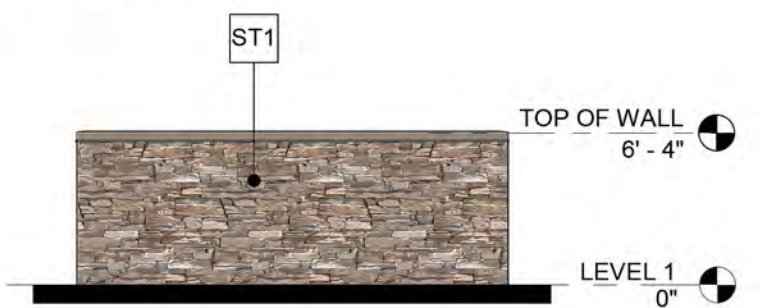
9 SOUTH REFUSE
1/8" = 1'-0"



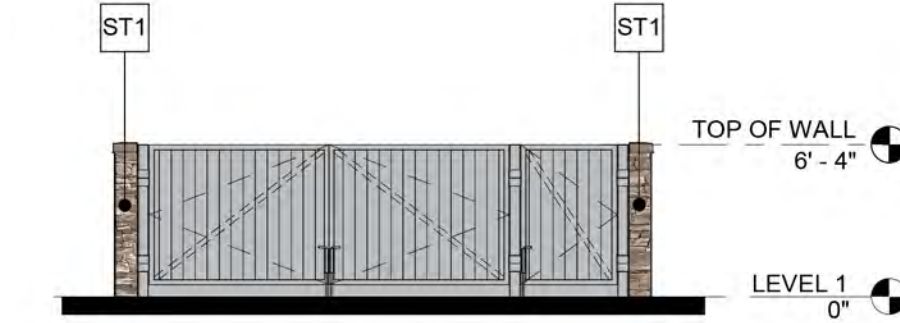
11 NORTH REFUSE
1/8" = 1'-0"



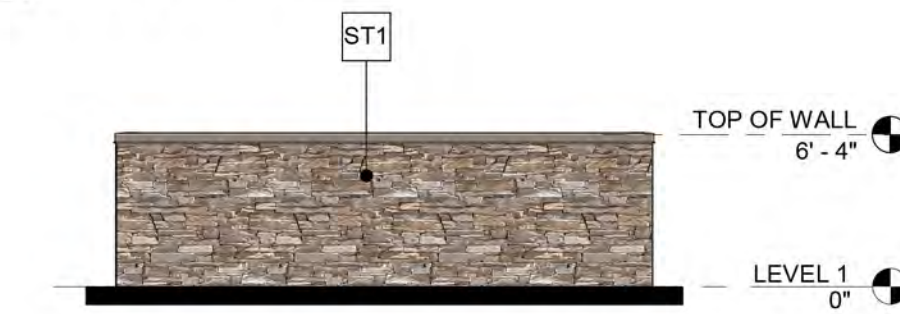
13 SOUTH GENERATOR
1/8" = 1'-0"



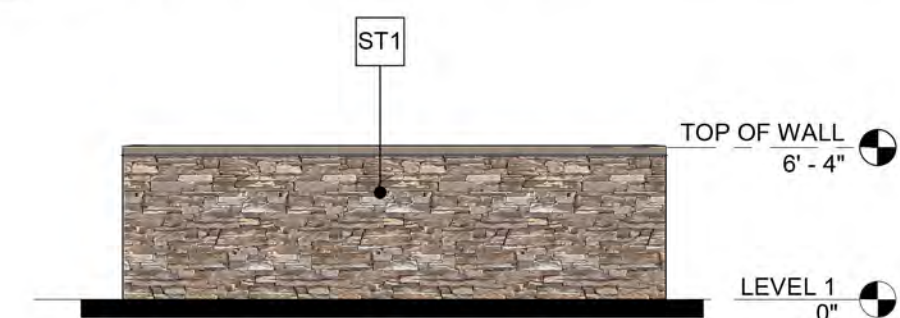
15 NORTH GENERATOR
1/8" = 1'-0"



10 EAST REFUSE
1/8" = 1'-0"



12 WEST REFUSE
1/8" = 1'-0"



14 EAST GENERATOR
1/8" = 1'-0"



16 WEST GENERATOR
1/8" = 1'-0"

ARCHITECTURAL ELEMENTS:

- #1 ELDER CARE - NURSING / CONVALESCENT CARE FACILITY (36 BED)
1. DIVIDED LIGHT WINDOWS
 2. DORMERS
 3. NOT USED
 4. ALCOVES/ PORTICOS
 5. RECESSED ENTRIES
 6. ORNAMENTAL WINDOW HEADERS/LINTELS
 7. PLANTERS
 8. BENCHES FOR OUTDOOR SEATING
 9. VARIED ROOF HEIGHTS
 10. DISTINCTIVE LIGHTING FEATURES
- #2 ELDER CARE - NURSING / CONVALESCENT CARE FACILITY (6 BED)
1. DIVIDED LIGHT WINDOWS
 2. RECESSED ENTRIES
 3. ORNAMENTAL WINDOW HEADERS/LINTELS
 4. BENCHES FOR OUTDOOR SEATING
 5. VARIED ROOF HEIGHTS
 6. NOT USED
 7. DISTINCTIVE LIGHTING FEATURES
- MEDICAL CLINIC
1. AWNINGS OR CANOPIES
 2. DIVIDED LIGHT WINDOWS
 3. SHUTTERS
 4. ORNAMENTAL WINDOW HEADERS/LINTELS
 5. BENCHES FOR OUTDOOR SEATING
 6. DORMERS
 7. VARIED ROOF HEIGHTS
 8. DISTINCTIVE LIGHTING FEATURES

GENERAL NOTES:

EXTERIOR CONSTRUCTION: EXTERIOR CONSTRUCTION SHALL COMPLY WITH THE REGULATIONS FOUND IN ARTICLE 6 OF THE GARLAND DEVELOPMENT CODE. EXTERIOR FINISH MATERIALS ARE NOTED ON EACH ELEVATION. THE TOTAL SURFACE AREA AND PERCENTAGE OF EACH MATERIAL IS SHOWN IN A TABLE AT THE BOTTOM RIGHT OF EACH ELEVATION.

EXTERIOR WALLS SHALL HAVE A MINIMUM OF EIGHTY PERCENT MASONRY CONSTRUCTION AS DESCRIBED WITHIN ARTICLE 6, DIVISION 1, SECTION 4.82 (C) OF TO GDC.

MECHANICAL EQUIPMENT: ROOFTOP MECHANICAL UNITS HAVE BEEN LOCATED ON THE ROOF SUCH THAT WHEN VIEWED FROM THE PROPERTY LINE FROM A HEIGHT OF SIX FEET, THEY SHALL BE SCREEN COMPLETELY BY THE SLOPED ROOFING OF THE BUILDING.

EXTERIOR FINISH LEGEND:

- | | | |
|-----|---------------|---|
| S1 | MANUFACTURER: | STO, STOTHERM CI 3 COAT STUCCO SYSTEM, OR APPROVED EQUAL. |
| | COLOR: | MATCH SHERWIN WILLIAMS SW6140 MODERATE WHITE FINE GRAIN. |
| | TEXTURE: | |
| S2 | MANUFACTURER: | STO, STOTHERM CI 3 COAT STUCCO SYSTEM, OR APPROVED EQUAL. |
| | COLOR: | MATCH CAREMERIDIAN LOGO COLOR. |
| | TEXTURE: | FINE GRAIN. |
| ST1 | MANUFACTURER: | ELDORADO STONE, OR APPROVED EQUAL STACKED STONE. |
| | STYLE: | |
| | COLOR: | ALDERWOOD. |
| ST2 | MANUFACTURER: | ELDORADO STONE, OR APPROVED EQUAL STACKED STONE. |
| | STYLE: | |
| | COLOR: | SLATE GRAY. |
| R1 | MANUFACTURER: | GAF. |
| | STYLE: | TIMBERLINE ULTRA HD SHINGLES WEATHERED WOOD. |
| | COLOR: | |
| G1 | MANUFACTURER: | VIRACON VE1-2M. |
| | GLAZING TYPE: | |
| WD | MANUFACTURER: | MINWAX IPSWICH PINE 221. |
| | WOOD STAIN: | |

NOTE: EXTERIOR HOLLOW METAL DOORS AND FRAMES TO BE PAINTED TO MATCH ADJACENT FINISH

Devenney GROUP

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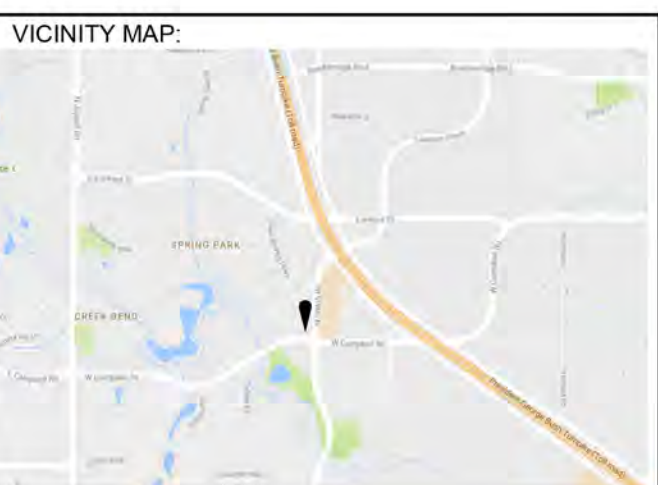
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AGENCY APPROVALS:



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EXTERIOR ELEVATIONS

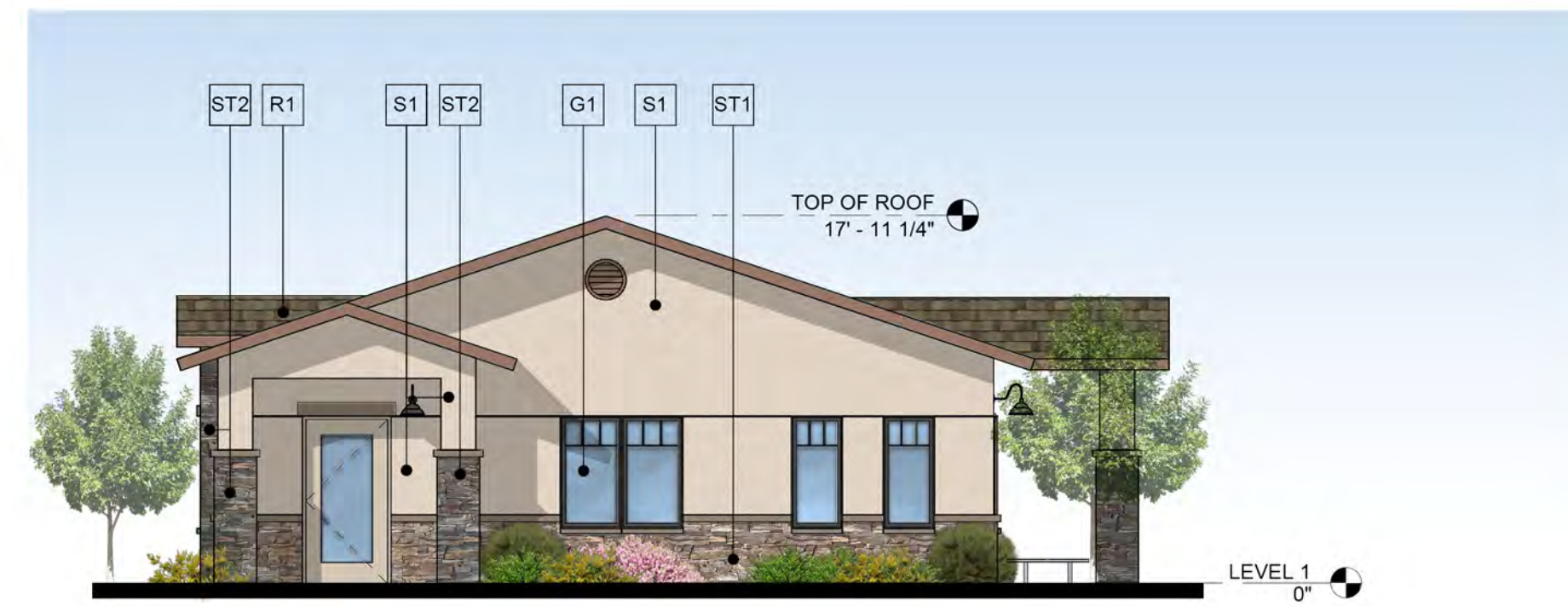
AE202

EXHIBIT E

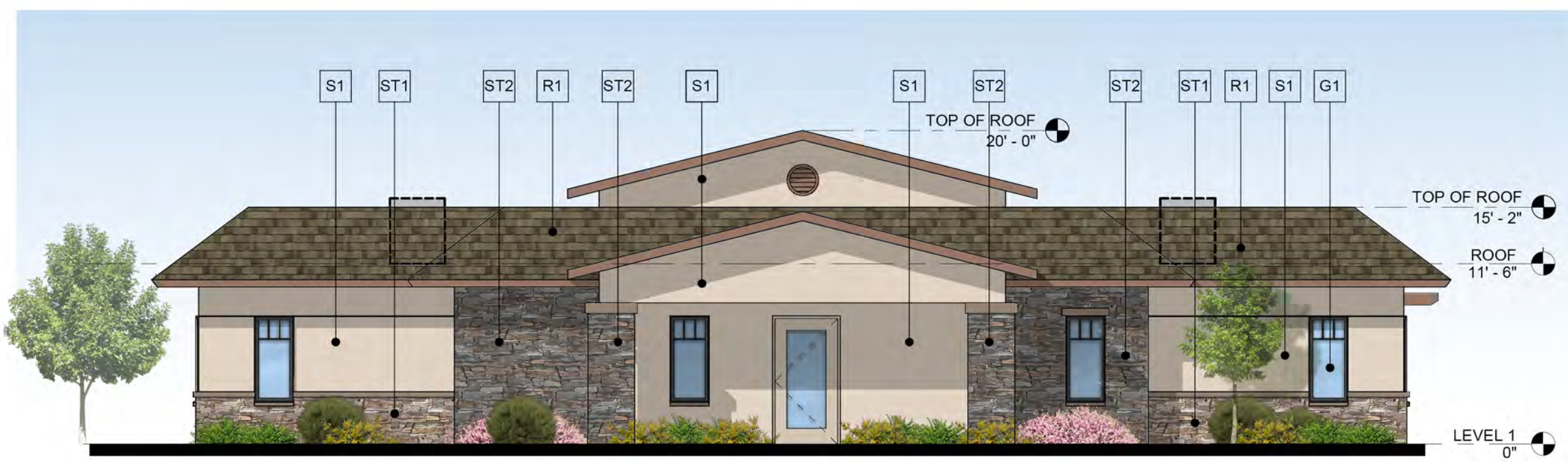
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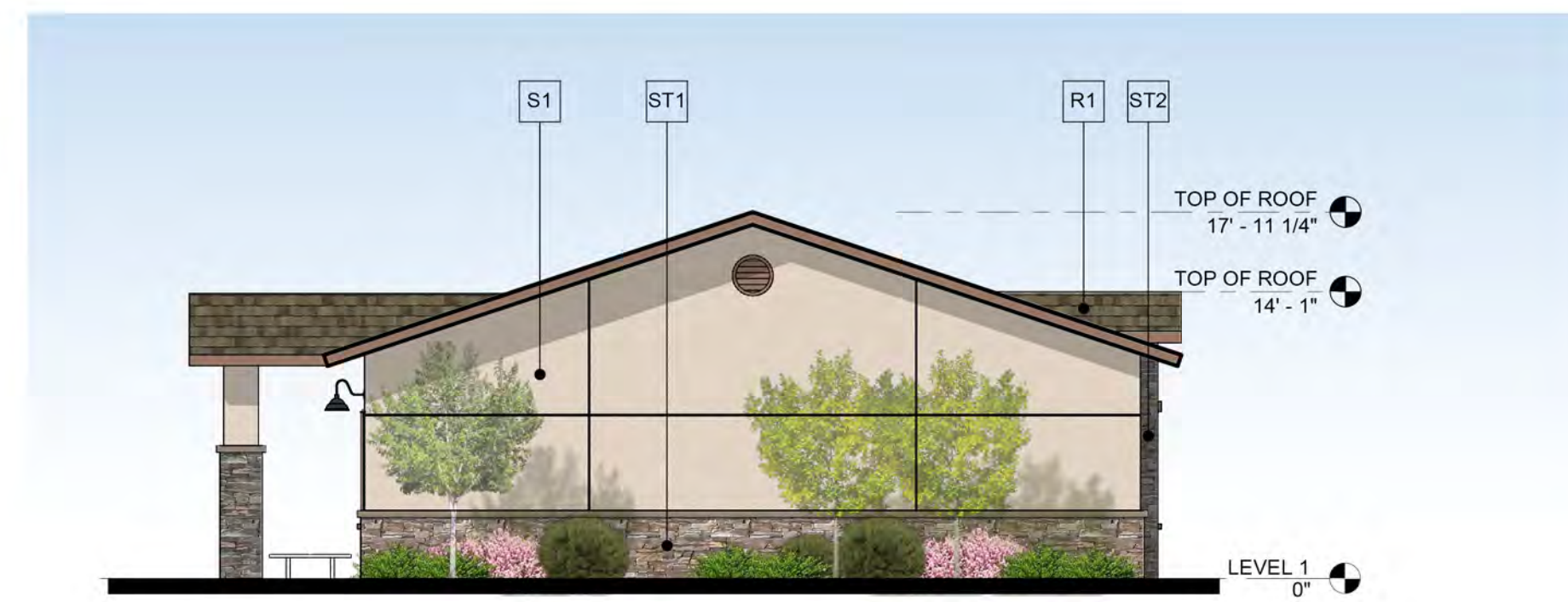
1 #2 ELDER CARE - NORTH ELEVATION
1/8" = 1'-0"



2 MEDICAL CLINIC - NORTH (ENTRY)
1/8" = 1'-0"



3 #2 ELDER CARE - SOUTH ELEVATION (ENTRY)
1/8" = 1'-0"



4 MEDICAL CLINIC - SOUTH
1/8" = 1'-0"



5 #2 ELDER CARE - EAST ELEVATION
1/8" = 1'-0"



6 MEDICAL CLINIC - EAST
1/8" = 1'-0"



7 #2 ELDER CARE - WEST ELEVATION
1/8" = 1'-0"



8 MEDICAL CLINIC - WEST
1/8" = 1'-0"

GENERAL NOTES:

EXTERIOR CONSTRUCTION: EXTERIOR CONSTRUCTION SHALL COMPLY WITH THE REGULATIONS FOUND IN ARTICLE 6 OF THE GARLAND DEVELOPMENT CODE. EXTERIOR FINISH MATERIALS ARE NOTED ON EACH ELEVATION. THE TOTAL SURFACE AREA AND PERCENTAGE OF EACH MATERIAL IS SHOWN IN A TABLE AT THE BOTTOM RIGHT OF EACH ELEVATION.

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EXTERIOR FINISH LEGEND:

- S1** MANUFACTURER: STO, STOTHERM CI 3 COAT STUCCO SYSTEM, OR APPROVED EQUAL
COLOR: MATCH SHERWIN WILLIAMS SW6140 MODERATE WHITE FINE GRAIN.
TEXTURE:
- S2** MANUFACTURER: STO, STOTHERM CI 3 COAT STUCCO SYSTEM, OR APPROVED EQUAL
COLOR: MATCH CAREMERIDIAN LOGO COLOR
TEXTURE: FINE GRAIN
- ST1** MANUFACTURER: ELDORADO STONE, OR APPROVED EQUAL STACKED STONE
STYLE:
COLOR: ALDERWOOD
- ST2** MANUFACTURER: ELDORADO STONE, OR APPROVED EQUAL STACKED STONE
STYLE:
COLOR: SLATE GRAY
- R1** MANUFACTURER: GAF
STYLE: TIMBERLINE ULTRA HD SHINGLES
COLOR: WEATHERED WOOD
- G1** MANUFACTURER: VIRACON
GLAZING TYPE: VE1-2M
- WD** MANUFACTURER: MINWAX
WOOD STAIN: IPSWICH PINE 221

NOTE: EXTERIOR HOLLOW METAL DOORS AND FRAMES TO BE PAINTED TO MATCH ADJACENT FINISH

ARCHITECTURAL ELEMENTS:

- #1 ELDER CARE - NURSING / CONVALESCENT CARE FACILITY (36 BED)**
1. DIVIDED LIGHT WINDOWS
 2. DORMERS
 3. NOT USED
 4. ALCOVES/ PORTICOS
 5. RECESSED ENTRIES
 6. ORNAMENTAL WINDOW HEADERS/LINTELS
 7. PLANTERS
 8. BENCHES FOR OUTDOOR SEATING
 9. VARIED ROOF HEIGHTS
 10. DISTINCTIVE LIGHTING FEATURES
- #2 ELDER CARE - NURSING / CONVALESCENT CARE FACILITY (6 BED)**
1. DIVIDED LIGHT WINDOWS
 2. RECESSED ENTRIES
 3. ORNAMENTAL WINDOW HEADERS/LINTELS
 4. BENCHES FOR OUTDOOR SEATING
 5. VARIED ROOF HEIGHTS
 6. NOT USED
 7. DISTINCTIVE LIGHTING FEATURES
- MEDICAL CLINIC**
1. AWNINGS OR CANOPIES
 2. DIVIDED LIGHT WINDOWS
 3. SHUTTERS
 4. ORNAMENTAL WINDOW HEADERS/LINTELS
 5. BENCHES FOR OUTDOOR SEATING
 6. DORMERS
 7. VARIED ROOF HEIGHTS
 8. DISTINCTIVE LIGHTING FEATURES



Devenney Group Ltd., Architects
3400 Carlisle Street, #440
Dallas, Texas 75204
T: 214.965.0333
F: 214.965.0275
www.devenneygroup.com

Consultant:

**PRELIMINARY
NOT FOR
CONSTRUCTION**

IF THESE PLANS DO NOT BEAR THE SEAL OF A REGISTERED ARCHITECT, THEY ARE TO BE CONSIDERED "PRELIMINARY" AND ARE NOT TO BE USED FOR CONSTRUCTION OR RECORDING. THESE PLANS ARE COPYRIGHTED AND ARE SUBJECT TO COPYRIGHT PROTECTION AS AN "ARCHITECTURAL WORK" UNDER SEC. 102 OF THE COPYRIGHT ACT, 17 U.S.C. AS AMENDED DECEMBER 1990 AND KNOWN AS ARCHITECTURAL WORKS COPYRIGHT PROTECTION ACT OF 1990. THE PROTECTION INCLUDES BUT IS NOT LIMITED TO THE OVERALL FORM AS WELL AS THE ARRANGEMENT AND COMPOSITION OF SPACES AND ELEMENTS OF THE DESIGN. UNDER SUCH PROTECTION UNAUTHORIZED USE OF THESE PLANS CAN LEGALLY RESULT IN THE CESSATION OF CONSTRUCTION OR BUILDINGS BEING SEIZED AND/OR MONETARY COMPENSATION TO DEVENNEY GROUP LTD.

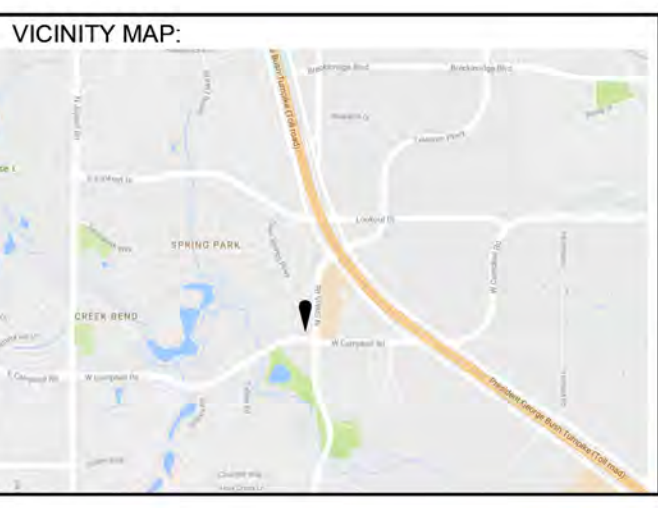
**SKILLED NURSING
FACILITY**
CAREMERIDIAN
NWC SHILOH AND CAMPBELL
GARLAND, TX 75044

AUTHORITY HAVING JURISDICTION:
CITY OF GARLAND

AUTHORITY HAVING JURISDICTION'S PROJECT NO:
PRESUBMITTAL: 160791-1

FACILITY NUMBER:

AGENCY APPROVALS:



DATE: 11/18/16
SCALE: 1/8" = 1'-0"
DRAWN: JMR/RT
REVIEWED: SCR/JWM
JOB NUMBER: 80511

**EXTERIOR
ELEVATIONS**

AE203

C:\Users\strasmussen\Documents\90510 Care Meridian Garland 2016_strasmussen.rvt 11/18/2016 9:26:45 AM



**CareMeridian
Skilled Nursing**

NWC N. SHILOH RD.
& W. CAMPBELL RD.
Garland, Texas

Project Number: 16124
Issue Date: 10.14.2016
Drawn By: APL
Checked By: KAH

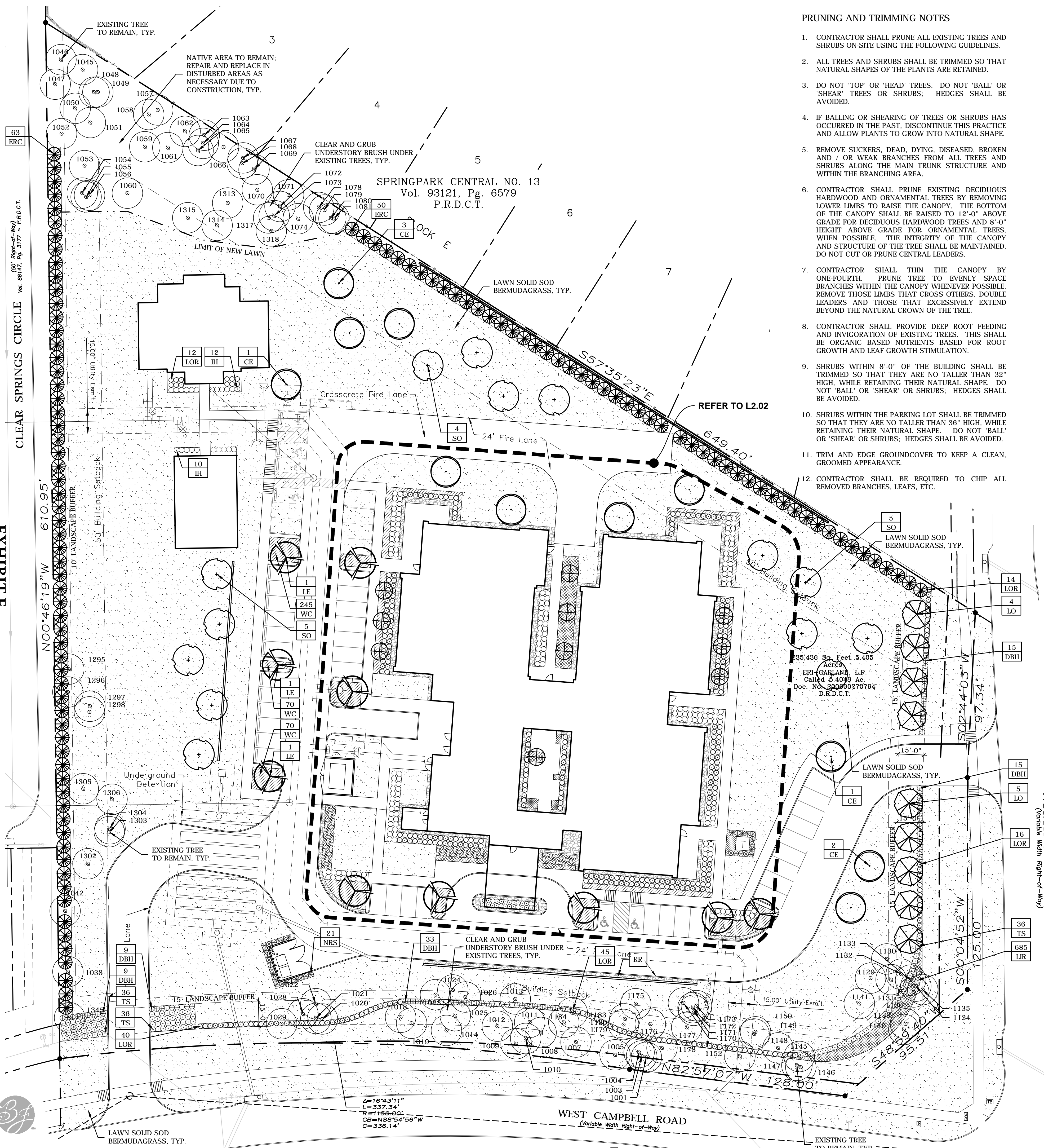
Revisions
No. Date: Detail:
11.18.16 CITY COMMENTS

Sheet Title:

**LANDSCAPE
PLAN**

Sheet Number:

L2.01



PRUNING AND TRIMMING NOTES

- CONTRACTOR SHALL PRUNE ALL EXISTING TREES AND SHRUBS ON-SITE USING THE FOLLOWING GUIDELINES.
- ALL TREES AND SHRUBS SHALL BE TRIMMED SO THAT NATURAL SHAPES OF THE PLANTS ARE RETAINED.
- DO NOT 'TOP' OR 'HEAD' TREES. DO NOT 'BALL' OR 'SHEAR' TREES OR SHRUBS; HEDGES SHALL BE AVOIDED.
- IF BALLING OR SHEARING OF TREES OR SHRUBS HAS OCCURRED IN THE PAST, DISCONTINUE THIS PRACTICE AND ALLOW PLANTS TO GROW INTO NATURAL SHAPE.
- REMOVE SUCKERS, DEAD, DYING, DISEASED, BROKEN AND / OR WEAK BRANCHES FROM ALL TREES AND SHRUBS ALONG THE MAIN TRUNK STRUCTURE AND WITHIN THE BRANCHING AREA.
- CONTRACTOR SHALL PRUNE EXISTING DECIDUOUS HARDWOOD AND ORNAMENTAL TREES BY REMOVING LOWER LIMBS TO RAISE THE CANOPY. THE BOTTOM OF THE CANOPY SHALL BE RAISED TO 12'-0" ABOVE GRADE FOR DECIDUOUS HARDWOOD TREES AND 8'-0" HEIGHT ABOVE GRADE FOR ORNAMENTAL TREES. WHEN POSSIBLE, THE INTEGRITY OF THE CANOPY AND STRUCTURE OF THE TREE SHALL BE MAINTAINED. DO NOT CUT OR PRUNE CENTRAL LEADERS.
- CONTRACTOR SHALL THIN THE CANOPY BY ONE-FOURTH PRUNE TREE TO EVENLY SPACE BRANCHES WITHIN THE CANOPY WHENEVER POSSIBLE. REMOVE THOSE LIMBS THAT CROSS OTHERS, DOUBLE LEADERS AND THOSE THAT EXCESSIVELY EXTEND BEYOND THE NATURAL CROWN OF THE TREE.
- CONTRACTOR SHALL PROVIDE DEEP ROOT FEEDING AND INVIGORATION OF EXISTING TREES. THIS SHALL BE ORGANIC BASED NUTRIENTS BASED FOR ROOT GROWTH AND LEAF GROWTH STIMULATION.
- SHRUBS WITHIN 8'-0" OF THE BUILDING SHALL BE TRIMMED SO THAT THEY ARE NO TALLER THAN 32" HIGH, WHILE RETAINING THEIR NATURAL SHAPE. DO NOT 'BALL' OR 'SHEAR' OR SHRUBS; HEDGES SHALL BE AVOIDED.
- SHRUBS WITHIN THE PARKING LOT SHALL BE TRIMMED SO THAT THEY ARE NO TALLER THAN 36" HIGH, WHILE RETAINING THEIR NATURAL SHAPE. DO NOT 'BALL' OR 'SHEAR' OR SHRUBS; HEDGES SHALL BE AVOIDED.
- TRIM AND EDGE GROUNDCOVER TO KEEP A CLEAN, GROOMED APPEARANCE.
- CONTRACTOR SHALL BE REQUIRED TO CHIP ALL REMOVED BRANCHES, LEAFS, ETC.

LANDSCAPE NOTES

- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
- CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
- CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
- ALL PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS, OR CURBS. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND CURBS.
- TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
- ALL LAWN AREAS SHALL BE SOLID SOD BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPIRATION (ET) WEATHER-BASED CONTROLLERS AND SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.
- CONTRACTOR SHALL PROVIDE BID PROPOSAL LISTING UNIT PRICES FOR ALL MATERIAL PROVIDED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.

MAINTENANCE NOTES

- THE OWNER, TENANT AND THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE.
- ALL LANDSCAPE SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING AND OTHER SUCH ACTIVITIES COMMON TO LANDSCAPE MAINTENANCE.
- ALL LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT PART OF THIS PLAN.
- ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR.
- ALL PLANT MATERIAL WHICH DIES SHALL BE REPLACED WITH PLANT MATERIAL OF EQUAL OR BETTER VALUE.
- CONTRACTOR SHALL PROVIDE SEPARATE BID PROPOSAL FOR ONE YEAR'S MAINTENANCE TO BEGIN AFTER FINAL ACCEPTANCE.

HYDROMULCH NOTES

- CONTRACTOR SHALL SCARIFY, RIP AND LOOSEN ALL AREAS TO BE HYDROMULCH TO A MINIMUM DEPTH OF 4" PRIOR TO TOPSOIL AND HYDROMULCH INSTALLATION.
- BERMUDAGRASS SEED SHALL BE EXTRA HULLED AND TREATED LAWN TYPE. SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL MEET STATE LAW REQUIREMENTS.
- FIBER SHALL BE ONE HUNDRED PERCENT (100%) WOOD CELLULOSE FIBER, DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AS MANUFACTURED BY 'CONWEB' OR EQUAL.
- FIBER TACK SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL BE 'TERRO-TACK ONE', AS MANUFACTURED BY GROWERS, INC. OR EQUAL.
- HYDROMULCH WITH BERMUDAGRASS SEED AT A RATE OF TWO (2) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.
- USE A 4'X8' BATTER BOARD AGAINST ALL BED AREAS.
- IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MAY 1, ALL HYDROMULCH AREAS TO BE WINTER RYEGRASS, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET. CONTRACTOR SHALL BE REQUIRED TO RE-HYDROMULCH WITH BERMUDAGRASS THE FOLLOWING GROWING SEASON AS PART OF THIS CONTRACT.
- ALL LAWN AREAS TO BE HYDROMULCHED SHALL HAVE ONE HUNDRED PERCENT (100%) COVERAGE PRIOR TO FINAL ACCEPTANCE.

GENERAL LAWN NOTES

- CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
- CONTRACTOR SHALL LEAVE LAWN AREAS 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED ON CIVIL PLANS. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
- ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
- CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT GLODS, STICKS, CONCRETE SPOILS, ETC. PRIOR TO PLACING TOPSOIL AND LAWN INSTALLATION.
- CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
- CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.

SOLID SOD NOTES

- PLANT SOD BY HAND TO COVER INDICATED AREAS COMPLETELY. ENSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
- ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
- WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
- IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, OVER-SEED BERMUDAGRASS SOD WITH WINTER RYEGRASS, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

LANDSCAPE TABULATIONS

THE CITY OF GARLAND, TEXAS
TOTAL LANDSCAPE AREA (Senior Living)

1. A min. 40% landscape area for senior living and related developments	Required	Provided
Total Site: 235,447 s.f.	94,179 s.f. (40%)	149,795 s.f. (64%)

LANDSCAPE BUFFERS

- 15' landscape buffer adjacent to thoroughfare Type A through D.
- One (1) tree and seven (7) shrubs per 30 l.f. in buffer areas adjacent to thoroughfare Type AA through D.
- 75% max. turf in landscape buffer areas.

North Shiloh Road (Type B Thoroughfare): 270 l.f.
Area: 3,721 s.f.
Required 15' landscape buffer (9) trees, 3' cal. (63) shrubs
Provided 15' landscape buffer (9) trees, 3' cal. (80) shrubs
2,791 s.f. max turf (75%) 2,449 s.f. (66%)

West Campbell Road (Type B Thoroughfare): 512 l.f.
Area: 6,959 s.f.
Required 15' landscape buffer (17) trees, 3' cal. (122) shrubs
Provided 15' landscape buffer (17) ex. trees, 3' cal. (201) shrubs
5,241 s.f. max turf (75%) 4,775 s.f. (68%)

PARKING AREA LANDSCAPING

- 5% of parking area covered in living landscape.
- One (1) large canopy tree within 65 feet of all parking spaces.
- One (1) large canopy tree per 10 spaces.
- Screen parking with a continuous row of shrubs.

Parking Area: 10,022 s.f.
Parking spaces: 41
Required 501 s.f. (5%) (4) trees, 3' cal.
Provided 3,020 s.f. (30%) (4) trees, 3' cal.

*All parking spaces are within 65 feet of a large canopy tree

PLANT LEGEND

SYMBOL	COMMON NAME
CE	Cedar Elm
CM	Crape Myrtle 'Natchez'
ERC	Eastern Red Cedar
LE	Lacobar Elm
LO	Live Oak
SO	Shumard Red Oak
AB	Glossy Abelia
DBH	Dwarf Burford Holly
IH	Indian Hawthorne 'Clara'
KO	Double Knock Out Rose
LIR	Liriope 'Big Blue'
LOR	Loropetalum 'Purple Diamond'
NRS	Nellie R. Stevens Holly
TS	Texas Sage 'Green Cloud'
WC	Wintercreeper
RR	Tan-Brown River Rock

REFER TO L2.02 FOR PLANT LIST

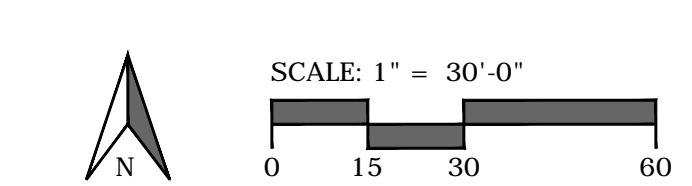
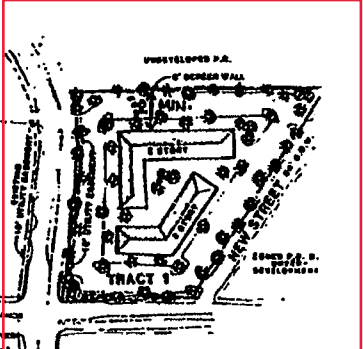
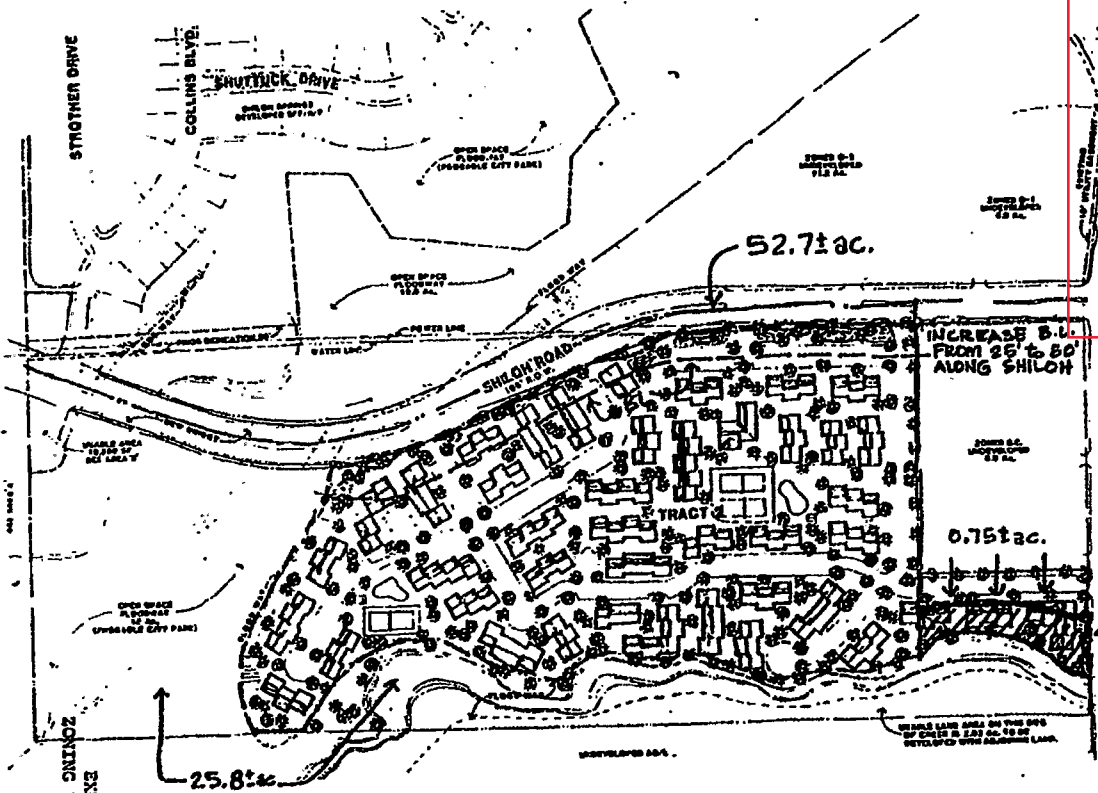


EXHIBIT G



REDUCE THIS AREA SO THAT A DRIVEWAY & LANDSCAPED ENTRY IS CREATED THAT IS 100' @ BIG SPRINGS & 80' TO THE REMAINDER & EXCL ANY APT. UNITS WITHIN THIS AREA.

DATA	
TRACT 1	TRACT 2
PROPOSED SQUARE FOOTAGE 2,211,000 SQ. FT.	PROPOSED SQUARE FOOTAGE 1,811,000 SQ. FT.
PROPOSED 112,000 SQ. FT. OF OFFICE SPACE	PROPOSED 112,000 SQ. FT. OF OFFICE SPACE
EXISTING SQUARE FOOTAGE 0	EXISTING SQUARE FOOTAGE 0

TRACT 1 & 2 THE BALDWIN CO.

AREA 'A'	
	CONSTRUCTION & LAND PLANNING AND THE DESIGN OF AN AREA OF 17.5 AC. OF LANDSCAPING BARLAIN, 1972 SCALE 1" = 40' SHEET NO. 4

EXHIBIT C
ZONING FILE #84-73

CONCEPT SITE PLAN
SCALE: 1" = 400'

REPORT & MINUTES

P.C. Meeting, January 9, 2017

Consideration of the application of HealthCap Partners, requesting approval of 1) an amendment to Planned Development (PD) District 84-73, 2) an amendment to a Concept Plan, and 3) a Detail Plan for Elder Care – Nursing/Convalescent facility with a Medical and Dental Office/Clinic on property zoned Planned Development (PD) District 84-73 for Office Uses. This property is located at the northwest corner of Shiloh Road and Campbell Road. (District 1) (File Z 16-46)

Representing the applicant, Jim Ashby, 18A Journey, Aliso, California, 92656 and Keith Underwood, 3217 E. Shea Blvd, #468, Phoenix, Arizona 85028, provided an overview of the proposed development, additional information on the use being requested and the proposed timetable for construction.

Commissioner Vera requested clarification regarding the request to increase the allowed parking.

Chairman Roberts questioned the location of the dumpster.

Residents who spoke in support of the request were:

Doug Albert, 7022 Clear Springs Circle, Garland, Texas
Ron Zucker 7030 Clear Springs Circle, Garland, Texas
Nancy Zucker, 7030 Clear Springs Circle, Garland, Texas
Jean Hart, 6714 Clear Springs Circle, Garland, Texas

Residents spoke in support of the request and the proposed landscaping and lighting.

Motion was made by Commissioner Dalton, seconded by Commissioner Moore to approve the request per staff recommendation. **Motion carried: 8 Ayes, 0 Nays.**



GARLAND

December 28, 2016

HEARING DATE/TIME: Plan Commission: January 9, 2017 – 7:00 PM

APPLICANT: HealthCap Partners

File: Z 16-46

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, January 9, 2017, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **HealthCap Partners**, requesting approval of 1) an amendment to Planned Development (PD) District 84-73, 2) an amendment to a Concept Plan, and 3) a Detail Plan for Elder Care – Nursing/Convalescent Care facility with a Medical and Dental Office/Clinic Use on property zoned Planned Development (PD) District 84-73 for Office Uses. The property is shown on the enclosed sketch and is described as follows:

Being a 5.4048-acre tract of land situated in the City of Garland, Dallas County, Texas, out of the Delilah C. Manning Survey, Abstract No. 945 and being all of a 5.4048-acre tract of land conveyed to ERI-Garland, L.P. according to the deed recorded in Clerk's file number 200600270794, Deed Records, Dallas County, Texas. This property is located at northwest corner of Shiloh Road and Campbell Road in Garland, Texas. (District 1).

Note: Approval of the request will allow for a development with three buildings providing nursing care, transitional recovery care, and recovery / therapy services on the subject property.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return that section using any of the following methods: mail to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**, fax to 972-205-2474, deliver to the Planning Department at 800 Main Street, Garland TX, or email Planning@Garlandtx.gov. It is important that your response include your property address, your name, and mailing address. Should you have any questions, please contact Kira Wauwie at 972-205-2445.

(Please Check One Below)

- I am in favor of the request.
- I am ^{strongly} opposed to the request.

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

The proposed development greatly increases the density and height limitations under the current zoning and will have a material adverse impact on SpringPark, particularly on the houses backing (over)

(Please complete the following information)

Your Property Address: 6917 Clear Springs Pkwy, Garland, TX 75044
Michael L McCoy
 Printed Name
6917 Clear Springs Pkwy, Garland, TX 75044
 Address City, State Zip

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

Michael L McCoy
Signature

Title

Date: 1-3-2017

Mailed & Day Response
JAN 6 2017 PM 2:39



GARLAND

December 28, 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 complete the following information)

Your Property Address: 6906 Woodsprings Dr. Garland
Miu Chan
Printed Name
6906 Woodsprings Dr. Garland TX 75044
Address City, State Zip

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

Miu Chan Signature Owner Title

Date: 1/2/17



GARLAND

December 28, 2016

HEARING DATE/TIME: Plan Commission: January 9, 2017 – 7:00 PM

APPLICANT: HealthCap Partners

File: Z 16-46

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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.

Would like to see business comply with current zone laws for this space

(Please complete the following information)

Your Property Address: *6813 Clear Springs Circle
Garland, TX 75044*

Printed Name *Donald L. Crabtree, JR*

Address City, State Zip

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

Signature *[Handwritten Signature]*

Title *Home Owner in Springs Park*

Date: *1/1/17*

Allmendinger, Tracy

From: Albert, Doug <Doug.Albert@philips.com>
Sent: Wednesday, January 04, 2017 9:24 AM
To: Planning Group
Subject: Planning commission request from 7022 Clear Springs Circle, Garland
Attachments: DOC.PDF

Hi, thank you for taking the time to read and submit this request at the Jan 9 planning commission meeting.

Please email back upon receipt for confirmation.

Best regards,

Doug Albert & Cristy Brenneman

Doug Albert CPIM, CSCP
Operations Manager
GBU Entertainment

10911 Petal Street | Dallas, TX | 75238
Tel: 214.647.7880, Mob: 214.717.8157
doug.albert@philips.com

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

From: Albert, Doug
Sent: Wednesday, January 04, 2017 8:10 AM
To: Albert, Doug
Subject: Scan from a Xerox WorkCentre

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.

Attachment File Type: PDF, Multi-Page

The information contained in this message may be confidential and legally protected under applicable law. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, forwarding, dissemination, or reproduction of this message is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original message.



GARLAND

December 28, 2016

HEARING DATE/TIME: Plan Commission: January 9, 2017 – 7:00 PM

APPLICANT: HealthCap Partners

File: Z 16-46

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Note: Approval of the request will allow for a development with three buildings providing nursing care, transitional recovery care, and recovery / therapy services on the subject property.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return that section using any of the following methods: mail to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**, fax to 972-205-2474, deliver to the Planning Department at 800 Main Street, Garland TX, or email Planning@Garlandtx.gov. It is important that your response include your property address, your name, and mailing address. Should you have any questions, please contact Kira Wauwie 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.

* WE DO NOT WANT A FENCE ALONG "CLEAR SPRINGS CIRCLE" STREET. THERE IS AN 8 FEET TALL RIDGE ALREADY THERE. A NATURAL BARRIER OF TREES & BUSHES IS STRONGLY SUPPORTED BY ALL NEIGHBORS ON CLEAR SPRINGS CIRCLE.

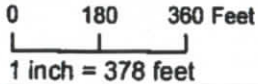
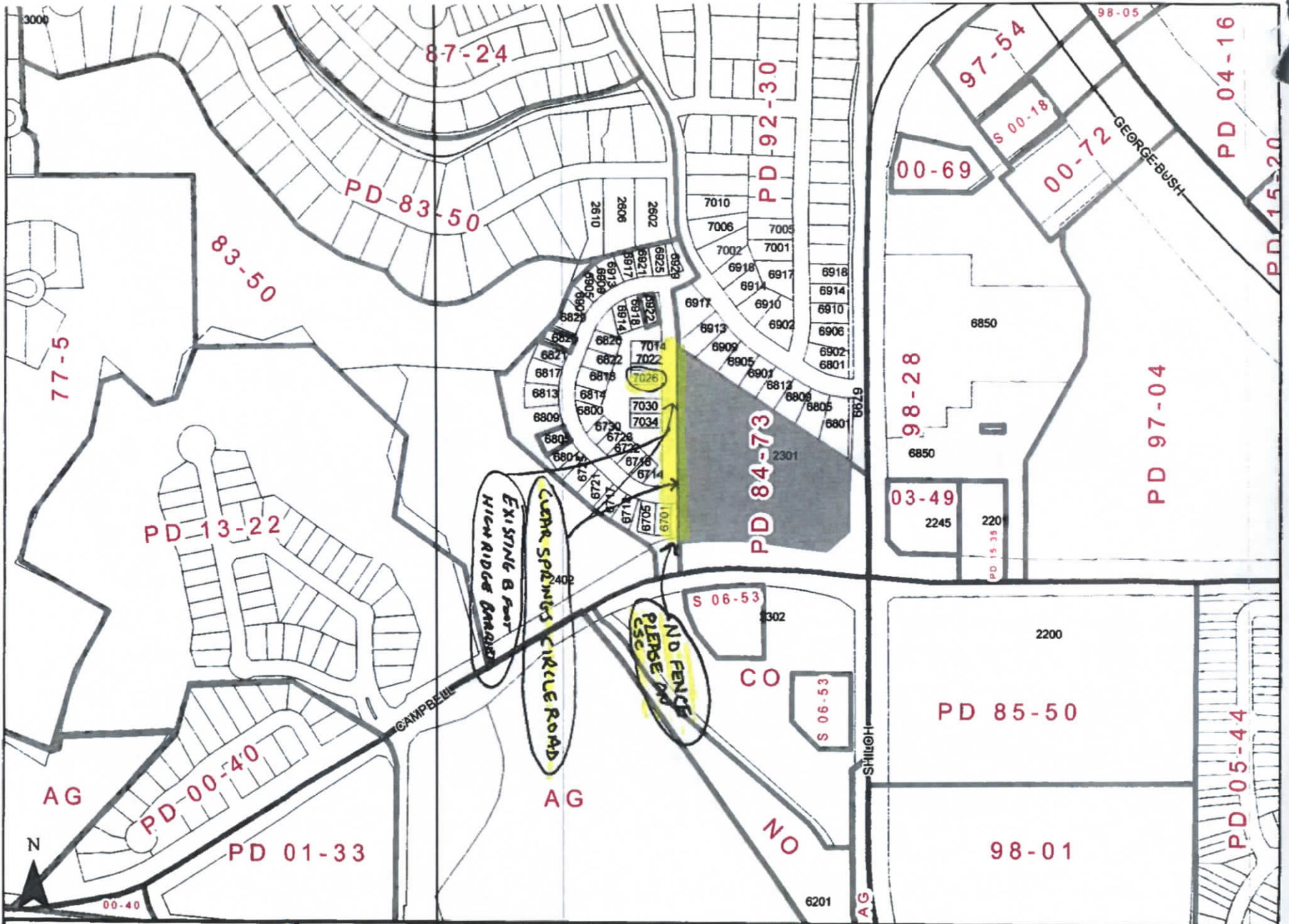
(Please complete the following information)

Your Property Address: 7022 CLEAR SPRINGS CIRCLE PROPERTY # 7026
PER ZONING MAP
DOUG ALBERT & CRISTY BRENNEMAN
 Printed Name
7022 CLEAR SPRINGS CIRCLE GARLAND, TX 75044
 Address City, State Zip

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

DAAD - (C) Brennen HOME OWNERS
 Signature Title

Date: 1/3/2017



ZONING MAP Z 16-46

INDICATES AREA OF INTEREST

Allmendinger, Tracy

From: Nash-Wnuk, Corinna <cmnash@mail.smu.edu>
Sent: Wednesday, January 04, 2017 11:49 AM
To: Planning Group
Subject: File: Z 16-46 Request
Attachments: IMG_1244.JPG

To Whom It May Concern,

Attached please find notation for my opposition to the HealthCap Partners request, File Z 16-46.

Corinna Nash-Wnuk
Associate Dean for Admissions & Enrollment Management SMU Meadows School of the Arts



GARLAND

December 28, 2016

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

HEARING DATE/TIME: Plan Commission: January 9, 2017 – 7:00 PM

APPLICANT: HealthCap Partners

File: Z 16-46

Dear Property Owner:

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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.

This development would negatively affect my property value.

(Please complete the following information)

Your Property Address: 6730 Clear Springs Circle
Corinna Nash-Wauk
Printed Name
6730 Clear Springs Cir Garland TX 75044
Address City, State Zip

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

Corinna Nash-Wauk Associate Dean, SMU
Signature Title

Date: 1/4/17

received
1-4-17 for



GARLAND

December 28, 2016

HEARING DATE/TIME: Plan Commission: January 9, 2017 – 7:00 PM

APPLICANT: HealthCap Partners

File: Z 16-46

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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.

Zoning of this location should not be changed to
accommodate a developers needs

(Please complete the following information)

Your Property Address: 7014 Clear Springs Circle
Ashley Cline
Printed Name
7014 Clear Springs Circle Garland, TX 75044
Address City, State Zip

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

Ashley Cline Property Owner
Signature Title

Date: 1-9-2017



CareMeridian[®]
Restoring Hope



GARLAND, TEXAS

CAREMERIDIAN

Since 1989, *CareMeridian* has provided a continuum of high quality, cost-effective post-acute care and rehabilitation options to people of all ages with brain, spinal cord and other life-altering injuries and medically-complex illnesses in a non-institutional setting.

Services Provided:

- Traumatic brain injury (TBI)
- Spinal cord injury (SCI)
- Pulmonary injuries (ventilator and tracheotomy weaning)
- Complex wound care (including burn care)
- Congenital disorders (including Cerebral Palsy and Spina Bifida)
- Neuromuscular disorders (including Guillain-Barre Muscular Dystrophy)
- Orthopedically Complex (including multiple trauma/fractures, external fixator care, and amputee care)



29 Facilities in 4 States



CAREMERIDIAN

- Vehicular Accidents
- Falls / Work Injuries
- Active Military and VA Patients



- Industry leading 1:4 staff-to-patient ratio / 1:1 therapy
- 24/7 specialized nursing care
- Non-institutional like environment

Accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) and recognized for meeting the Commission's healthcare quality and safety standards.



TRAUMATIC BRAIN INJURY (TBI)

According to the Brain Injury Association of America (“BIAA”), over 3.4 million people each year sustain a brain injury, many of which result in complex, life-long medical and/or behavioral issues that require specialized care. Many of these individuals are currently served in costly and often medically inappropriate care settings such as long-term acute care facilities and traditional nursing homes for elderly

\$82 billion

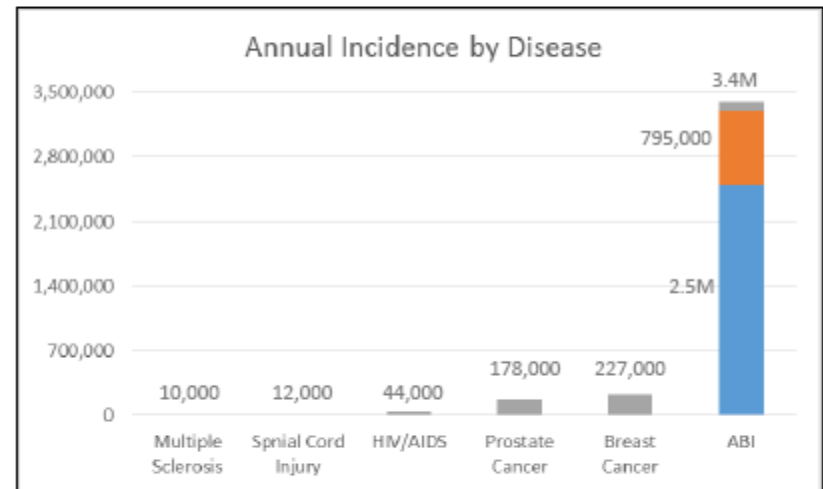
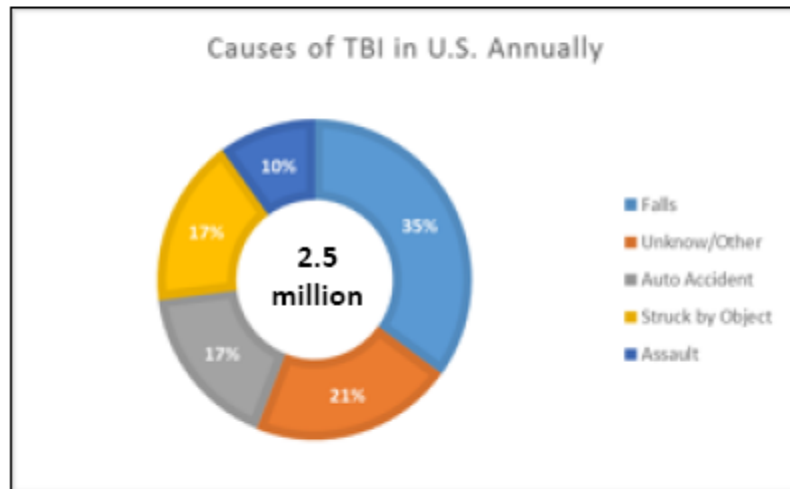
Annual cost to the U.S. in direct and indirect medical expenses and work loss cost

5,300,000

Americans living with long-term disability as a result of a TBI

\$10 billion

Spent each year on ABI rehabilitation in the U.S.



PROJECT CHARACTERISTICS

What We Are:

- LOW INTENSITY USE
- SINGLE STORY BUILDINGS
- RESIDENTIAL IN NATURE
- MINIMAL TRAFFIC
- SERVICE TO THE COMMUNITY
- STABLE OPERATOR WITH OVER 25 YEARS IN THE INDUSTRY

What We Are Not:

- Assisted living for elderly care
- Drug and/or alcohol rehabilitation
- High density office complex

NEIGHBORHOOD AERIAL

Current Zoning:

Planned Development (PD 84-73)

Neighborhood Office District

- Intended to create an appropriate setting for low intensity office and professional uses
- Transitional district
- One story height limit

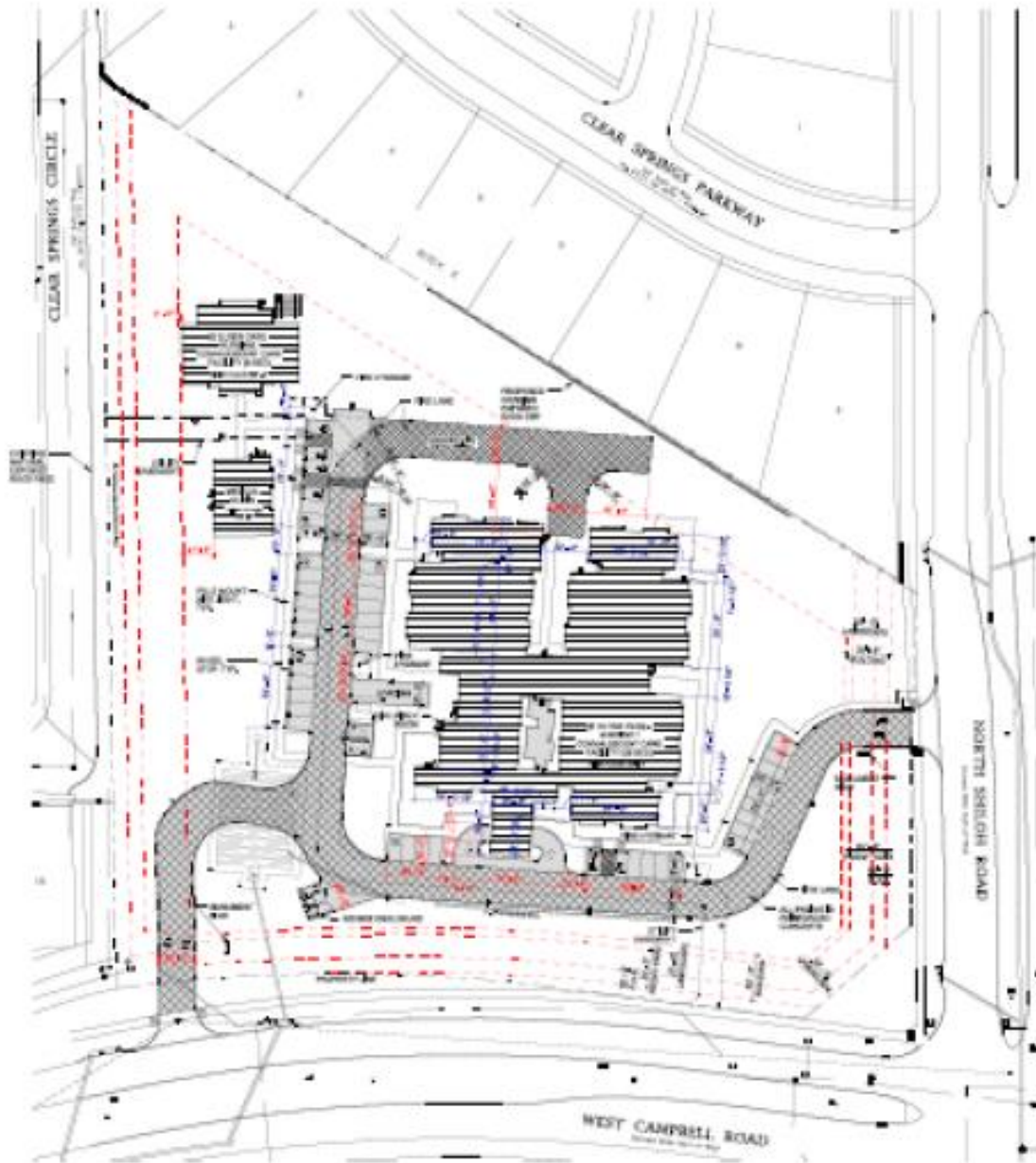


SITE PLAN



<u>PARKING:</u>		
Elder Care #1	1 per bed	36
Elder Care #2	1 per bed	6
Medical Dental	1 / 250 SF	8
		50
Total Provided:		47

DETAIL PLAN



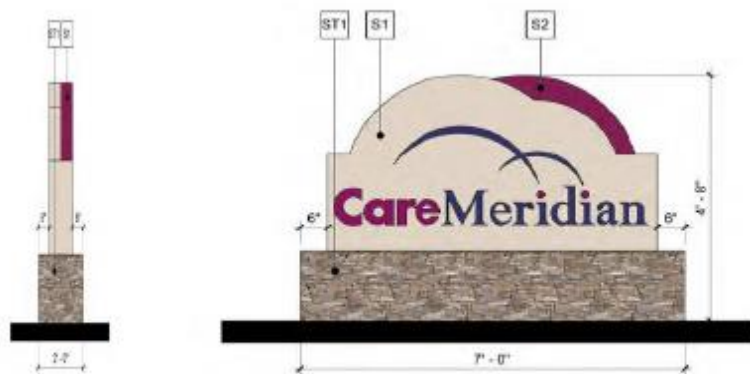
INPATIENT NURSING/ REHAB – 36 BEDS



#1 Elder Care - South (Entry)



#1 Elder Care - West



Monument Sign

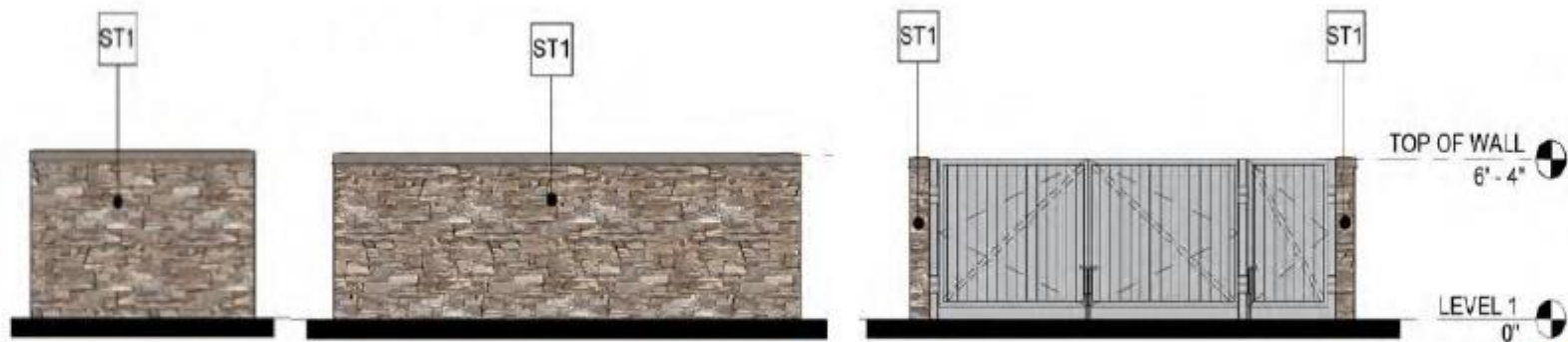
INPATIENT NURSING / REHAB – 36 BEDS



#1 Elder Care - North



#1 Elder Care - East

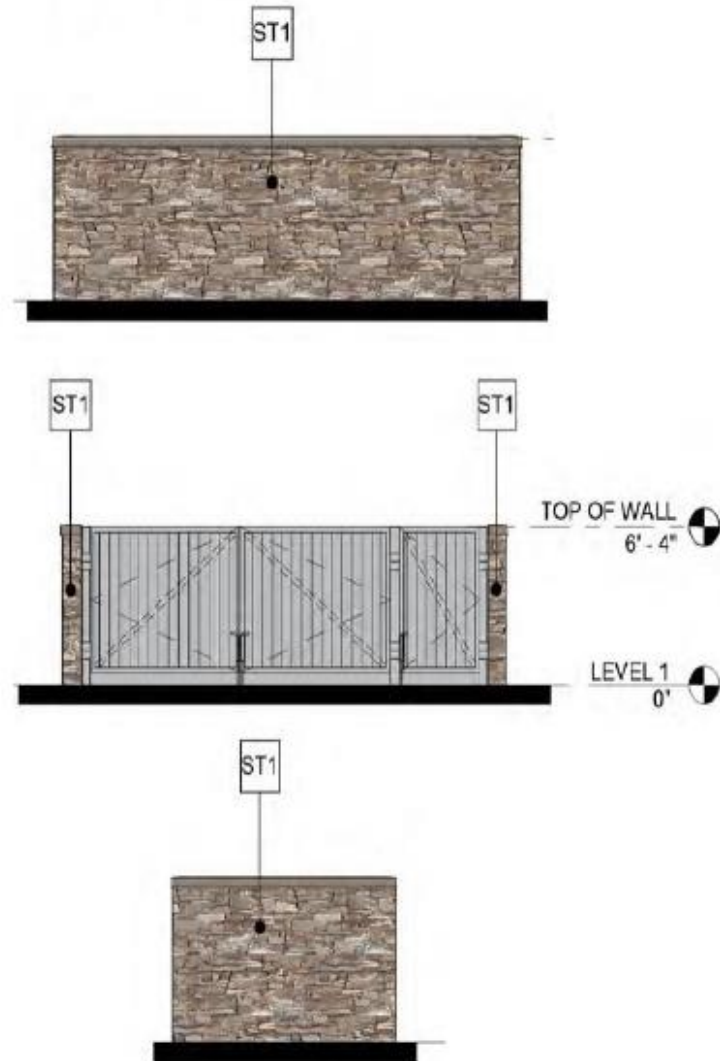


Site Enclosure Walls

TRASH ENCLOSURE



Nellie R. Stevens Holly
 Dense evergreen used for screening. Can grow to 20 ft, or pruned to create a solid hedge



INPATIENT NURSING / REHAB – FLOORPLAN



TRANSITIONAL CARE UNIT – 6 BEDS



#2 Elder Care – South (Entry)

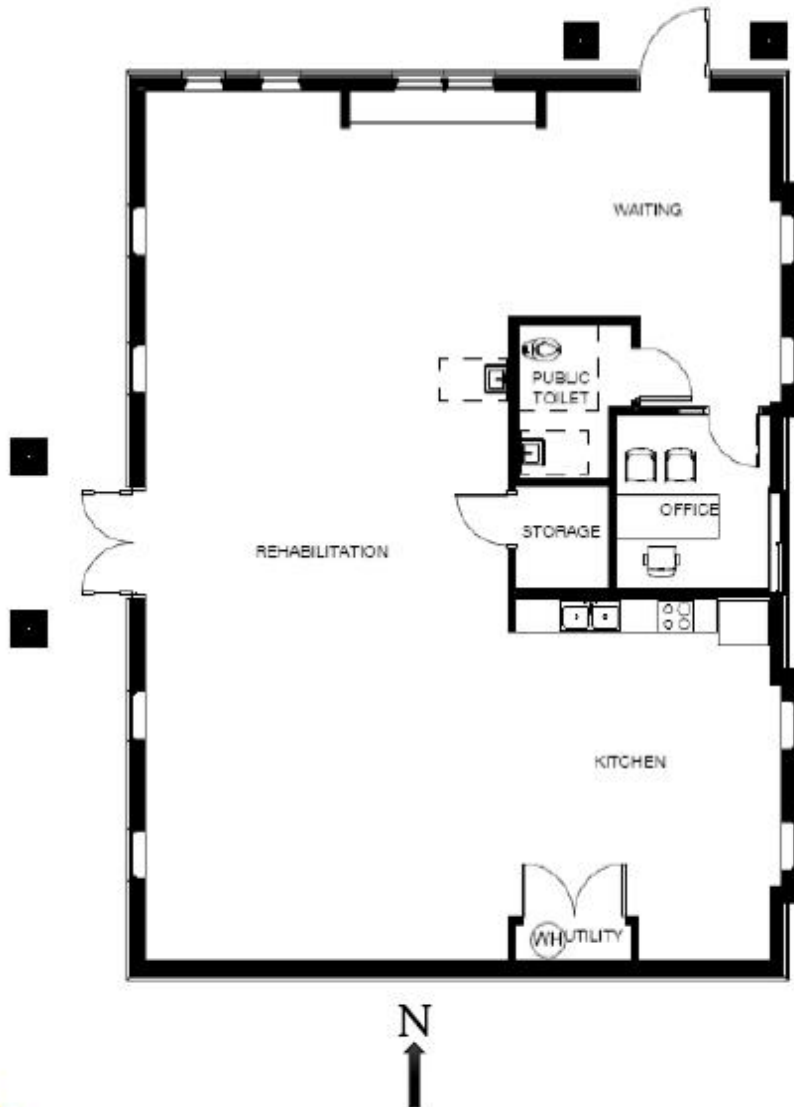


#2 Elder Care - West



#2 Elder Care - North

MEDICAL CLINIC



Medical Clinic – North (Entry)

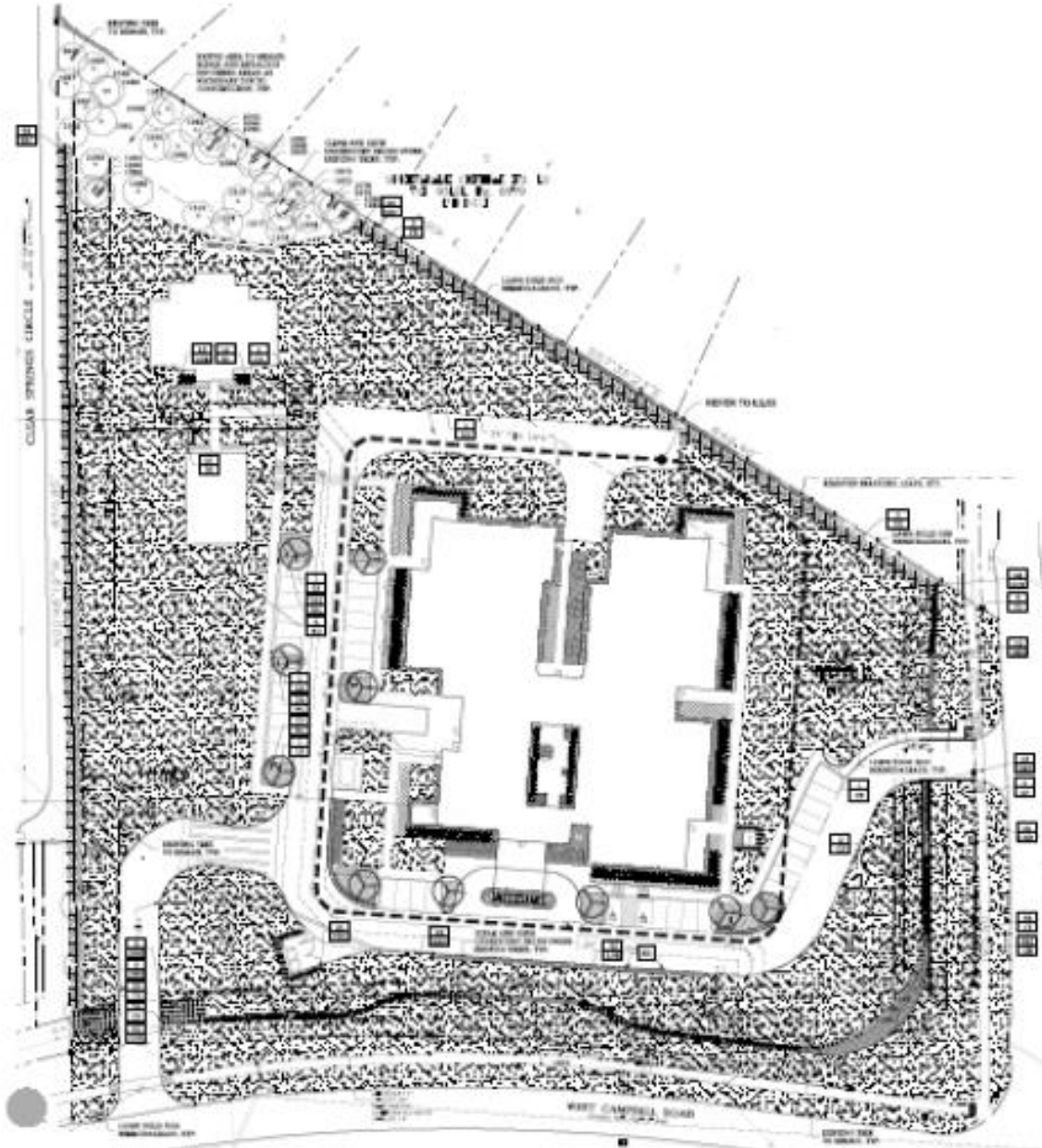


Medical Clinic – West

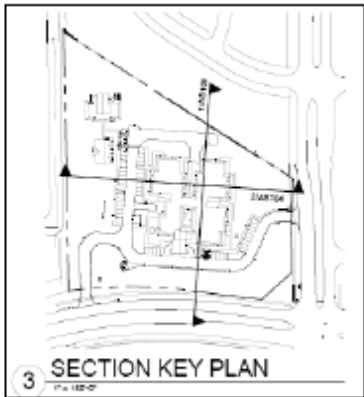
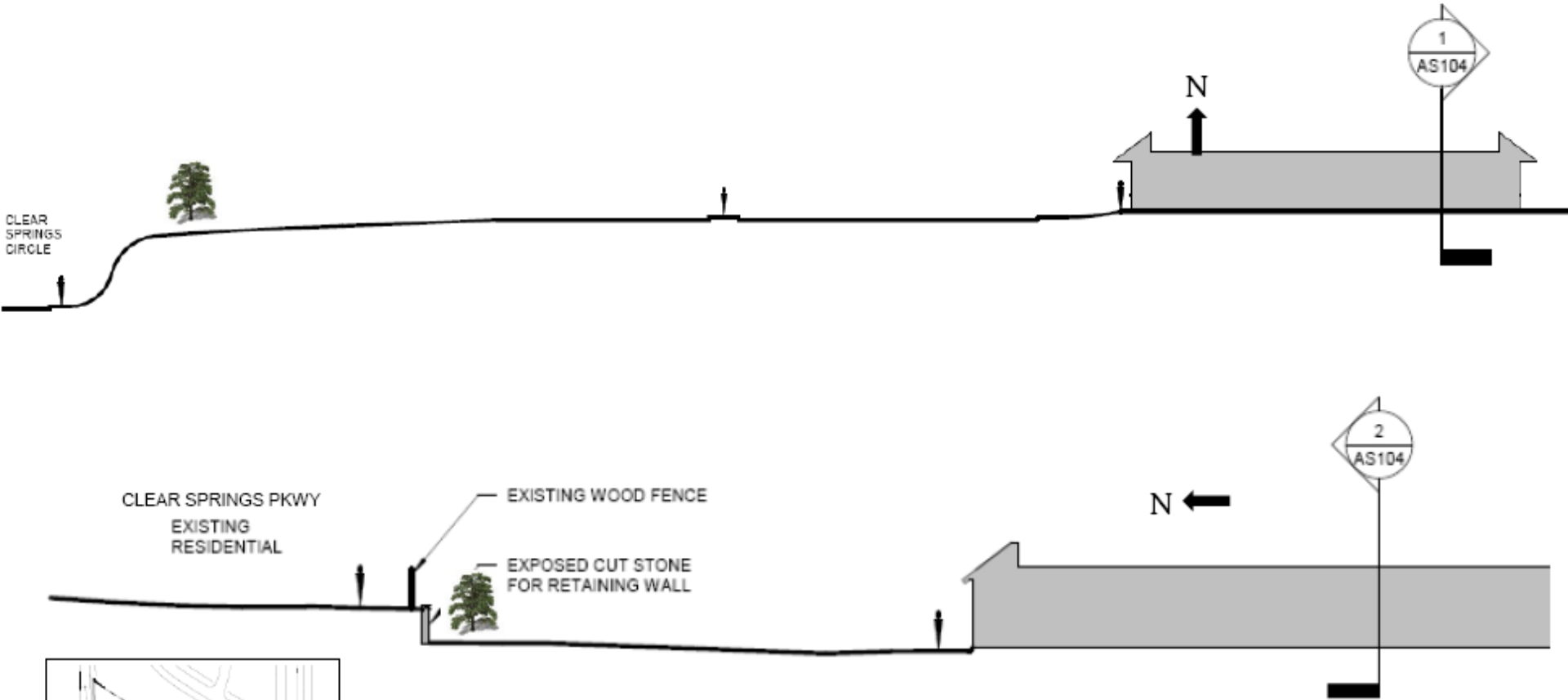


Medical Clinic – East

LANDSCAPE PLAN



SITE SECTIONS



CLEAR SPRINGS CIRCLE



SITE LIGHTING PLAN



SL3 Dark Sky compliant LED – 12' height



SL1 Dark Sky compliant LED

STREET VIEW – CAMPBELL RD.



Looking West from Campbell and Shiloh Intersection



Looking East from proposed drive entry

STREET VIEW – SHILOH RD.



Looking South to Campbell and Shiloh Intersection



Looking North from proposed drive entry



**GARLAND
PLANNING REPORT**

City Council Regular Session Agenda

Agenda Item 11. c.

Meeting Date: February 7, 2017

Item Title: Z 16-47 DRJO Enterprises, Inc. (District 4)

Submitted By: Isaac Williams, Development Planner

REQUEST

Approval of a Specific Use Provision for a Car Wash, Automated/Rollover facility

OWNER

3K1 Consulting

PLAN COMMISSION RECOMMENDATION

On January 9, 2017 the Plan Commission, by a vote of five (5) to three (3), approve of a Specific Use Provision for a Car Wash, Automated/Rollover facility.

STAFF RECOMMENDATION

Approval of a Specific Use Provision for Car Wash, Automated/Rollover for a period of twenty-five (25) years.

BACKGROUND

The applicant is seeking approval of a Specific Use Provision to convert the existing Car Wash, Full Service and Auto Repair, Minor [Oil lube] facility into a Car Wash, Automated/Rollover only facility. The previous use is no longer in operation and re-development will include the demolition of a detached oil lube building, a portion of the existing building which housed the car wash and the existing detached canopy. The applicant intends to construct a single building accommodating the car wash, vacuum mechanisms, and an office. The facility will not provide on-site detailing services.

In response to some of the concerns presented at the December 12, 2016 Plan Commission meeting, the applicant incorporated additional elements into the site design to further mitigate potential negative impacts. The additional elements include the following:

- An eight (8) foot tall masonry wall along the residential property line. Vegetation as reflected on the landscape plan will be of a species that can grow up to twenty (20) foot tall at maturity.
- The south building wall adjacent to the residential has been extended to provide additional screening and sound buffering at the entrance of the car wash.

- A drying system (Proto-vest 90N with Silencer Package) will be installed to mitigate dryer noise. A “drying chamber” has been added inside the tunnel near the exit to help further reduce noise generated by the drying system from exiting the entrance end of the tunnel.
- The applicant has reduced unwanted illumination from the site onto to the nearby residential properties by removing pole “site lights” near the property line. The applicant will provide rear illumination through landscape bollards designed to provide non-intrusive security lighting. The (lighting) wall packs shown on the building will be installed at a height of seven (7) feet and will provide a “down-shield” to direct light away from the adjacent properties. These lights are necessary for minimal security lighting but will be placed at seven (7) feet so that they are not visible from the neighboring property.

SITE DATA

The subject property is approximately 1.13 acres with approximately 241 feet of frontage along East Centerville Road and 161.64 feet of frontage along East Kingsley Road. The previous site layout included two access points from East Centerville Road and one from East Kingsley Road; as proposed it will reduce the total site accesses to two, a single point of access from each street.

USE OF PROPERTY UNDER CURRENT ZONING

The previous Car Wash, Full Service and Auto Repair, Minor [Oil lube] operation did not require a Specific Use Provision under previous regulations and essentially became a non-conforming use. However with the discontinuation of the previous operations the proposed Car Wash (Automated/Rollover) use requires Specific Use Provision approval within the Community Retail (CR) District. The subject property is zoned Community Retail (CR) District.

The Community Retail (CR) District accommodates a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration. The district may be used as a transition district between lower intensity retail or office uses and more intense uses. It is not uncommon to find Community Retail Districts adjacent to residential development as Community Retail (CR) Districts are generally appropriate along and at the intersection of major transportation corridors and residential developments are typically accessed from the same transportation corridors.

CONSIDERATIONS

1. The applicant requests approval of a Specific Use Provision to redevelop the existing 3,479 square-foot buildings into a Car Wash, Automated/ Rollover with an office space. The previous establishment utilized a detached canopy and oil lube building to accommodate the services provided. The oil lube building was located toward the southwest corner of the site adjacent to the single-family development; the entrance to the car wash was oriented toward the single-family development. The applicant intends to demolish the oil lube building and locate the “blowers” associated with the car wash closer to East Kingsley Road, further from the single-family residential development.
2. **Landscape and Screening:** The Landscape and Screening section in Chapter 4, Article 3 of the Garland Development Code (GDC) requires that “the expansion of the size of a single structure or building footprint, or the aggregate footprint of multiple buildings, by thirty percent or greater [...] requires full compliance with requirements of this Article 3.”

The scope of demolition and conversion of the existing buildings exceeds this threshold and thus requires full compliance with the Landscape and Screening regulations. The landscape plan reflects one large canopy tree and seven shrubs for every thirty feet within each landscape buffer. The development will provide seven (7) large canopy trees and 161 shrubs along West Centerville Road, and three (3) large canopy 121 shrubs along West Kingsley Road. The applicant has provided a landscape plan that provides the appropriate number of tree plantings within the landscape buffers and increases the site and parking area landscaping to exceed the minimum standards.

3. The applicant intends to provide an eight-foot tall masonry fence and vegetation in accordance with Section 4.39 (A) of the GDC along the property line common with the single-family development to the southeast. These properties are currently developed with eight-foot wooden fences. The combination of fencing and vegetation will provide a level of opacity and buffering that is consistent with the intent of the required screening from residential development, but will also mitigate potential negative impacts of the operation of the proposed use
4. **Building Elevations:** The proposed building meets the horizontal and vertical articulation requirements by utilizing mixed roof heights, and varying degrees of moldings and projections within the facades. The Building Elevation Plan reflects the incorporation of approved architectural design elements (e.g. varied roof heights, quoins, and ornamental façade trim) as set forth in Chapter 4, Article 6 of the GDC.

Each external building elevation contains a 100 percent masonry façade consisting of brick and stone. The applicant utilizes variations in masonry color and material textures to complete a more complimentary site aesthetic.

5. **Parking:** Chapter 2, Section 2.52 requires one (1) parking space for every 200 square feet of gross floor area for Car Wash, Automated/Rollover. The site currently provides twelve (12) parking spaces with a circular drive around the existing buildings. The proposed Car Wash, Automated/Rollover will redesign the driveway around the single building, while parking/vacuum stalls will be oriented “head-in” along East Centerville Road and Kingsley Road. The site plan reflects twenty-five (25) parking spaces to accommodate the use, satisfying the parking requirement.
6. Any signage will be subject to the regulations set forth in Chapter 4, Article 5 of the Garland Development Code.
7. The typical hours of operation will be 7:00 a.m. to 7:00 p.m. However, hours may vary during the summer months.
8. The applicant requests approval of the Specific Use Provision for a period of twenty-five (25) years.

COMPREHENSIVE PLAN

Neighborhood Centers provide a mix of retail, services and community gathering places. This Center should be appropriately scaled to adjacent residential areas. This type of Center is predominantly, but not exclusively, non-residential. Neighborhood Centers are served by local roads and transit routes.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

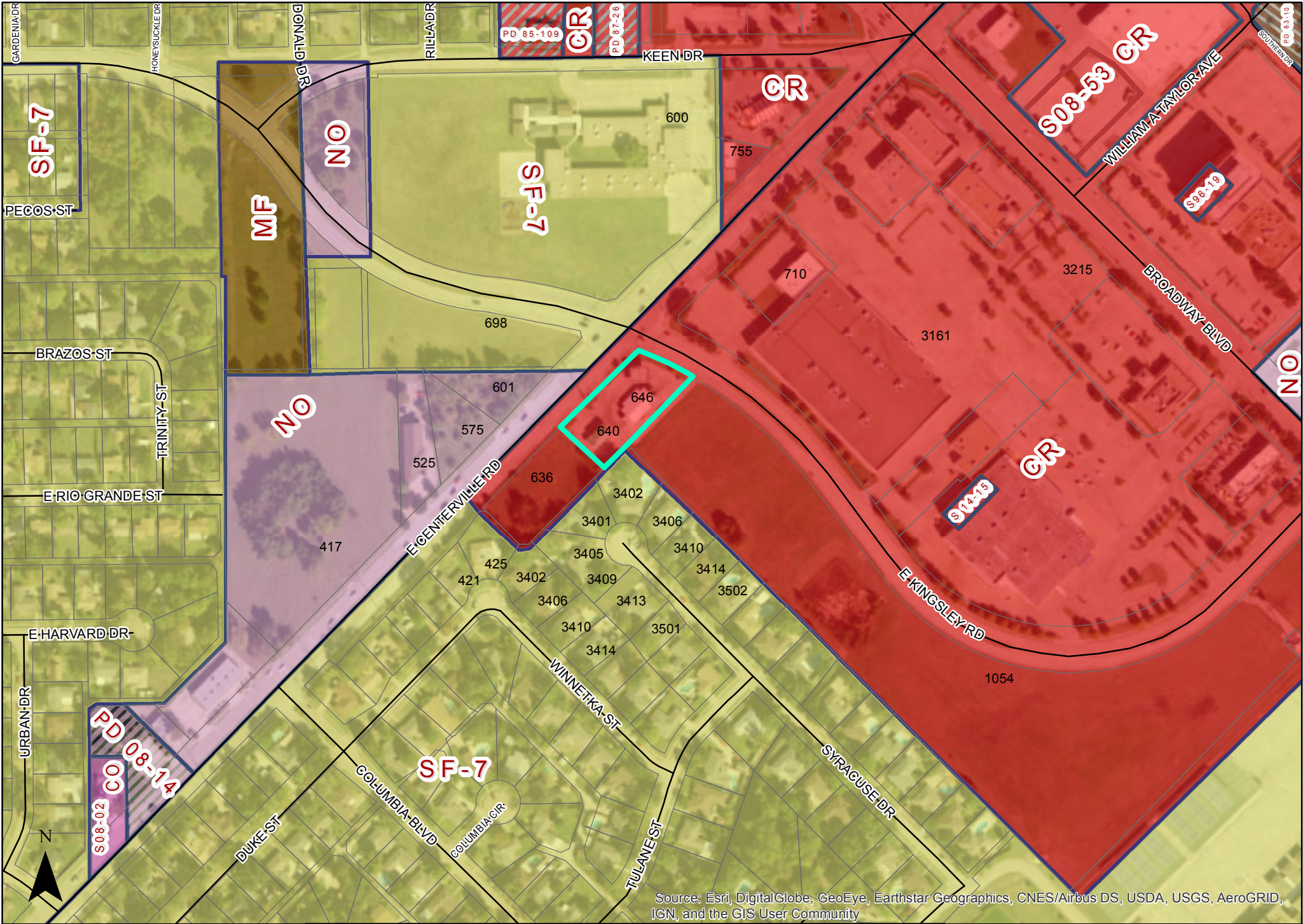
The land use pattern within the area surrounding the subject property is primarily developed as residential. Properties to the southeast and southwest are single –family dwellings within the Ridgewood Park Neighborhood, with intermittent non-residential [office] uses along East Centerville Road. Further to the northeast along East Centerville Road is a greater concentration of non-residential development consistent with uses found along and at the intersection of major thoroughfares, including drive-through restaurants and drive-through pharmacies.

The proposed use is similar in nature to the preceding Car Wash [full-service/detail] use. It is not anticipated that the redevelopment of the site with the proposed Car Wash, Automated/Rollover will generate traffic beyond what is typically expected for non-retail development at thoroughfare intersections.

The Community Retail (CR) District may be used as a transition district between lower intensity retail or office uses and more intense uses. The Community Retail (CR) District often interacts with residential development within the city, as the district typically offers goods and services that are generally compatible near a residential setting. However, when these districts abut, development must be sensitive to the context of the area. As such, the applicant has provided a site design that mitigates the possible negative impact of the operations including the incorporation of screening walls and vegetation aimed to dampen sound.

Attachments

- Z 16-47 DRJO Enterprises, Inc. Attachments
 - Z 16-47 DRJO Enterprises, Inc. Responses
 - Z 16-47 DRJO Enterprises, Inc. Responses
-



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

0 140 280 Feet
1 inch = 283 feet

ZONING Z 16-47

 INDICATES AREA OF REQUEST

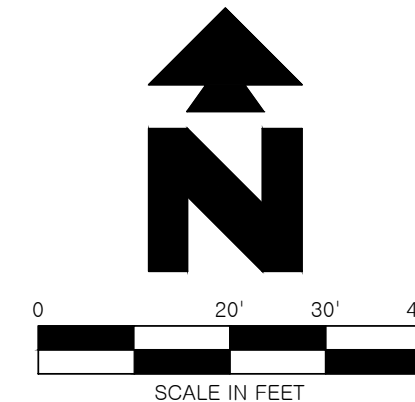
SPECIFIC USE PROVISION CONDITIONS

ZONING FILE 16-47

646 East Centerville Road

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Car Wash, Automated/Rollover subject to conditions.
- II. Statement of Effect:** This Specific Use Provision 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 (GDC) are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Specific Regulations:**
- A. Time Period: The Specific Use Provision shall be in effect for a time period of twenty-five (25) years.
 - B. Site Plan: Development shall be in conformance with the approved site plan (Exhibit C).
 - C. Landscape Plan: Development shall be in conformance with the approved landscape plan (Exhibit D).
 - D. Elevations: The building materials, articulations and architectural elements shall be in conformance with the approved elevations (Exhibit E).
 - E. Lighting: Site lighting shall be designed so as to encourage energy conservation, promote night time public safety, and reduce annoyance and inconvenience to property owners and vehicular traffic in accordance with Chapter 4, Article 8 of the GDC. Wall packs along the rear (south elevation) shall be placed no higher than seven (7) feet.

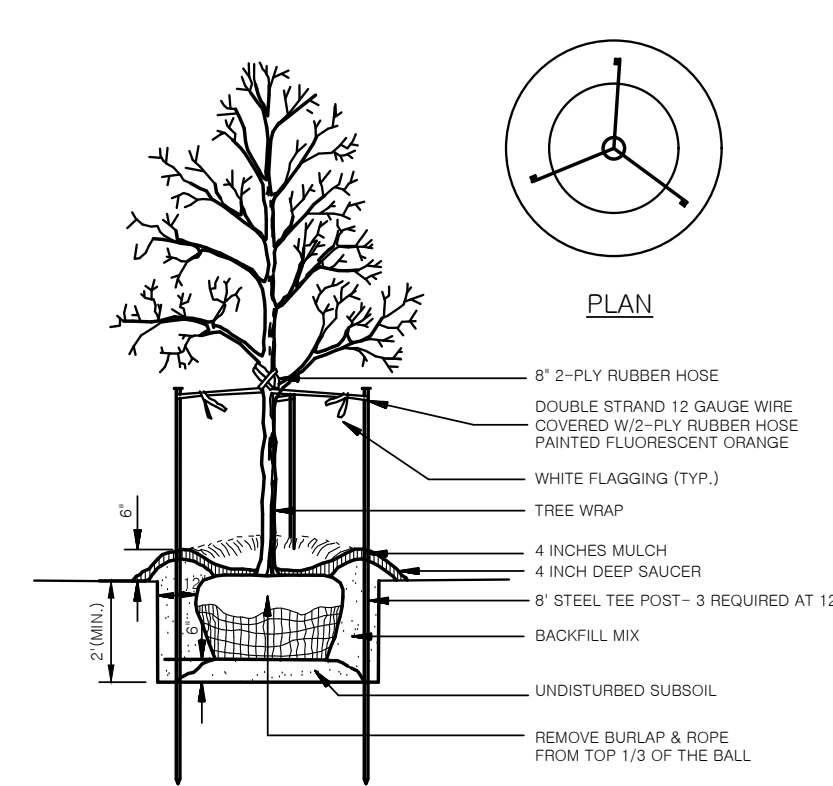
- F. Sound: Development shall not utilize loudspeakers or public address equipment to emit music, messages or other sounds that may generate adverse effects to adjacent developments and neighborhoods. Development shall utilize the Proto-vest 90N with Silencer Package drying system or equivalent system within the "drying chamber" as reflected on Exhibit F.
- G. Hours of Operation: The Car Wash, Automated/Rollover facility hours of operation shall be 7 a.m. to 7 p.m. every day of the week.



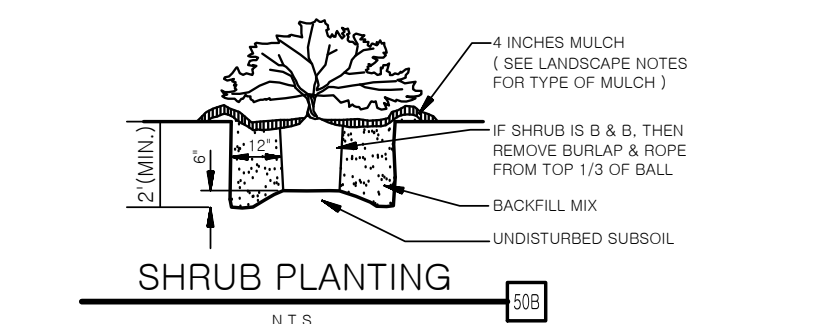
Know what's below. Call before you dig.

LEGEND

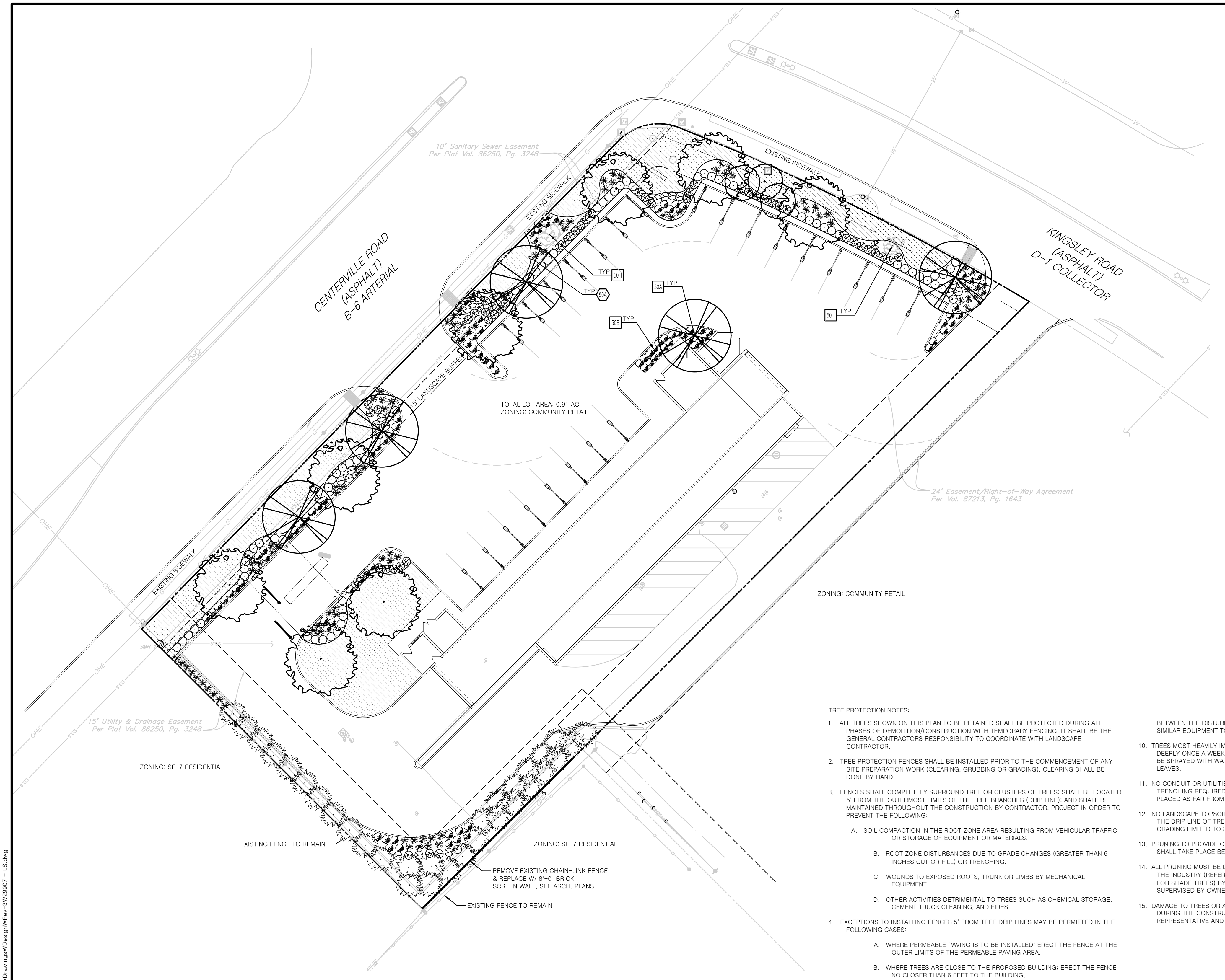
Table with columns for EXISTING and LANDSCAPE NOTES. Includes symbols for Property Line, Adjoining Property Line, Easement Line, Existing Building Line, Major Contour Line, Minor Contour Line, Wood Fence, Found rebar, Found Alum monument, Chiseled 'X', Set 5/8" Rebar w/ Cap, FIRM CEI T# 10194234, Clean out, Sewer manhole, Grate inlet (square), Grate inlet (circular), Fire hydrant, Water meter, Water valve, Gas meter, Electric meter, Guy wire, Ground Light, Light pole straight-2 lamps, Utility pole, Electrical vault, Fiber optic vault, Unknown manhole, Traffic signal 4 lamp, Traffic signal vault, Sign, Wheel stop, Chainlink Fence, Overhead Electric Line, Fiber Optic Line, Water Line, Underground Electric Line, Natural Gas Line, Sanitary Sewer Line, Flow Line, Deciduous tree, Existing Ground, Grade Break, Top bank, Flow line (Ditch), Top Back curb, Gutter, Edge of concrete, Existing concrete, Concrete sidewalk, Stripe solid, Stripe double solid, Sewer manhole, Deciduous tree, Building corner, Finish floor, Building canopy, Grate inlet-square, Americans w/ Disabilities Act, Polyvinyl Chloride Pipe, Vitrified Clay Pipe.



TREE PLANTING N.T.S.



SHRUB PLANTING N.T.S.



ZONING: COMMUNITY RETAIL

ZONING: SF-7 RESIDENTIAL

ZONING: SF-7 RESIDENTIAL

ZONING: SF-7 RESIDENTIAL

ZONING: SF-7 RESIDENTIAL

ZONING: SF-7 RESIDENTIAL

ZONING: SF-7 RESIDENTIAL

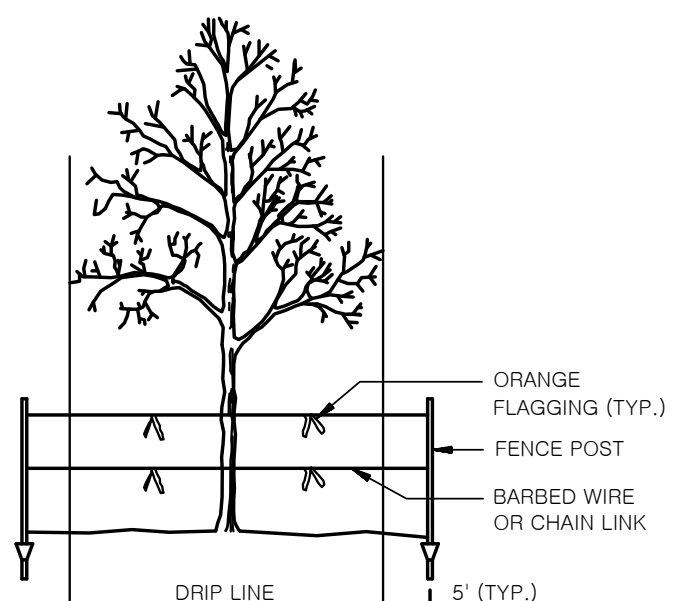
ZONING: SF-7 RESIDENTIAL

ZONING: SF-7 RESIDENTIAL

ZONING: SF-7 RESIDENTIAL

- TREE PROTECTION NOTES: 1. ALL TREES SHOWN ON THIS PLAN TO BE RETAINED SHALL BE PROTECTED DURING ALL PHASES OF DEMOLITION/CONSTRUCTION WITH TEMPORARY FENCING... 2. TREE PROTECTION FENCES SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF ANY SITE PREPARATION WORK... 3. FENCES SHALL COMPLETELY SURROUND TREE OR CLUSTERS OF TREES... 4. EXCEPTIONS TO INSTALLING FENCES 5' FROM TREE DRIP LINES MAY BE PERMITTED... 5. WHERE ANY OF THE ABOVE EXCEPTIONS RESULT IN A FENCE BEING CLOSER THAN 4 FEET TO A TREE TRUNK... 6. WHERE ANY OF THE ABOVE EXCEPTIONS RESULT IN AREAS OF UNPROTECTED ROOT ZONES... 7. ALL GRADING WITHIN PROTECTED ROOT ZONE AREAS SHALL BE DONE BY HAND... 8. ANY ROOTS EXPOSED BY CONSTRUCTION ACTIVITY SHALL BE PRUNED... 9. PRIOR TO EXCAVATION OR GRADE CUTTING WITHIN TREE DRIP LINES...

- BETWEEN THE DISTURBED AND UNDISTURBED ROOT ZONES WITH A ROCK SAW OR SIMILAR EQUIPMENT TO MINIMIZE DAMAGE TO REMAINING ROOTS. 10. TREES MOST HEAVILY IMPACTED BY CONSTRUCTION ACTIVITIES SHOULD BE WATERED DEEPLY ONCE A WEEK DURING PERIODS OF HOT, DRY WEATHER... 11. NO CONDUIT OR UTILITIES CAN BE INSTALLED WITHIN TREE PROTECTION AREAS... 12. NO LANDSCAPE TOPSOIL DRESSING GREATER THAN 4 INCHES SHALL BE PERMITTED WITHIN THE DRIP LINE OF TREES... 13. PRUNING TO PROVIDE CLEARANCE FOR STRUCTURES, VEHICULAR TRAFFIC AND EQUIPMENT SHALL TAKE PLACE BEFORE CONSTRUCTION BEGINS... 14. ALL PRUNING MUST BE DONE ACCORDING TO RECOGNIZED, APPROVED STANDARDS OF THE INDUSTRY... 15. DAMAGE TO TREES OR ANY NATURAL RESOURCE DUE TO CONTRACTOR'S NEGLIGENCE DURING THE CONSTRUCTION PHASE SHALL BE APPRAISED BY THE OWNERS REPRESENTATIVE...



TREE PROTECTION N.T.S.

LANDSCAPE REQUIREMENTS

Table with columns: AREA, REQUIREMENT, REQUIRED, PROVIDED. Rows include: OVERALL, PARKING LOT, LANDSCAPE BUFFER, PERIMETER SCREENING, PARKING AREA SCREENING.

Table with columns: KEY, QTY, COMMON NAME/BOTANICAL NAME, ROOT, SIZE, HEIGHT X SPREAD AT PLANTING, REMARKS/SPACING. Lists plants like American Beautyberry, Dwarf Chinese Holly, Red Yucca, Wax Myrtle, Indian Hawthorn, Gumbo Maple, Texas Redbud, Cedar Elm.

NOTE TO CONTRACTOR: 1. PUBLIC RIGHT OF WAY, EASEMENTS AND COMMON AREAS MUST BE STABILIZED WITH PERENNIAL VEGETATION COVER... 2. NO LANDSCAPING SUCH AS TREES, HEDGES, ABOVE UNDERGROUND STRUCTURES SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHT OF WAY WITHOUT APPROVED CITY'S REAL PROPERTY IMPROVEMENT AUTHORIZATION FORM OR CITY'S LICENSE AGREEMENT.

PRELIMINARY NOT FOR CONSTRUCTION

Engineering Associates, Inc. logo and contact info. Includes 'QUICK N CLEAN' logo and 'LANDSCAPE PLAN' title. Rev date 1/5/17, Rev 3, Sheet L1.

Exhibit D

 ACME BRICK
 WEATHERWOOD GRAY
 FIELD COLOR

 ELDORADO STONE
 STACKED MOUNTAIN BLEND
 WAINSCOT AND TOWER

 BENJAMIN MOORE
 RUBY RED
 ROOF AND AWNINGS

 ALUMINUM
 DARK BRONZE
 DOORS AND WINDOWS

**QUICK N CLEAN
 646 CENTERVILLE RD.**
 GARLAND, TX

CLIENT: LAND DEVELOPMENT CONSULTANTS
 11811 N TATUM BLVD SUITE 1051
 PHOENIX, ARIZONA 85028

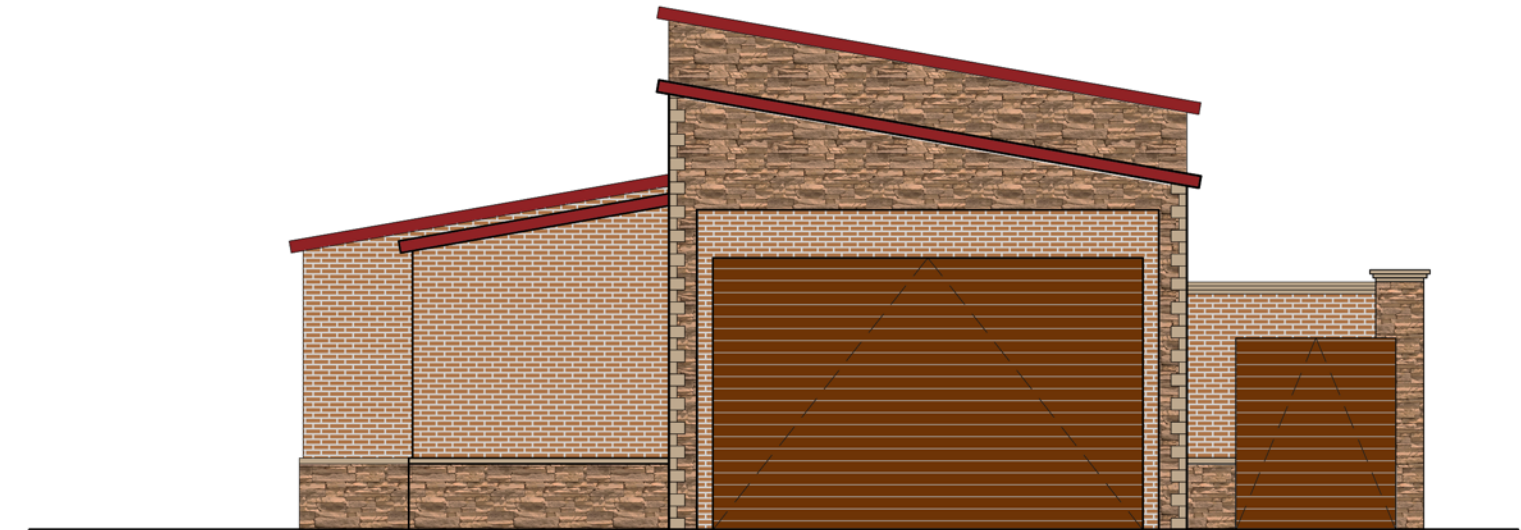
DATE	DESCRIPTION
7-26-2016	SITE LAYOUT

DATE	DESCRIPTION

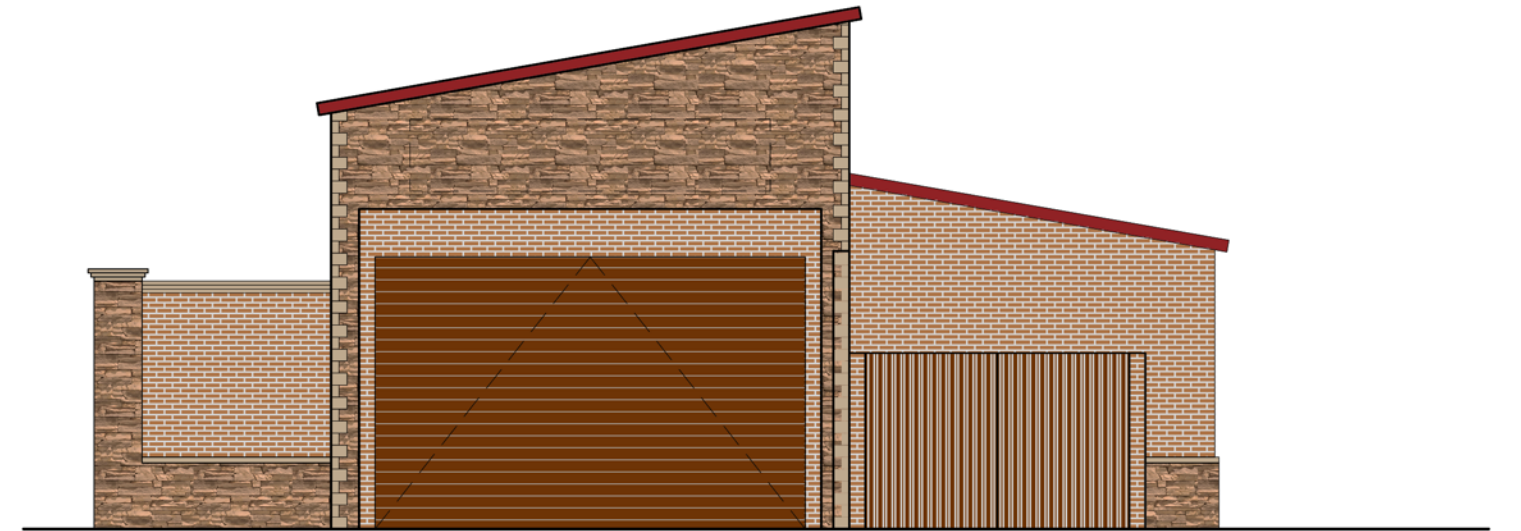
ELEVATIONS

A2.0

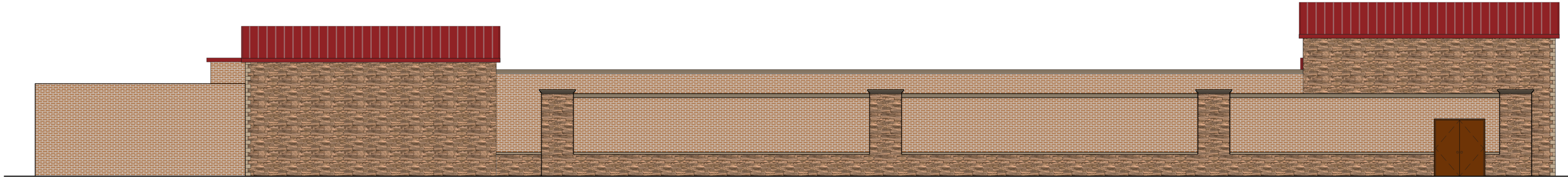
PROJECT NUMBER:



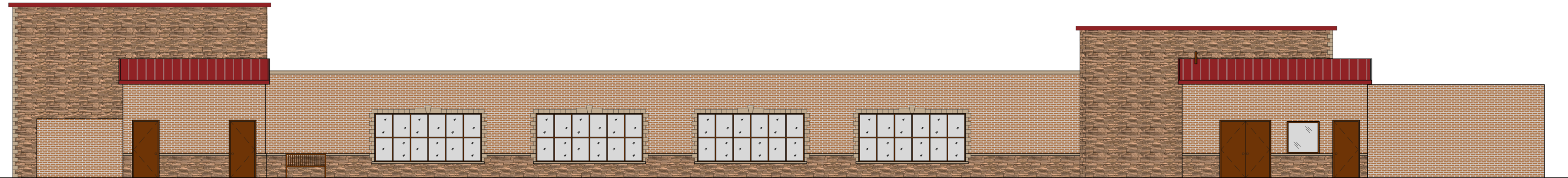
SOUTH ELEVATION 1
 1/8"=1'-0"



NORTH ELEVATION 2
 1/8"=1'-0"






EAST ELEVATION 3
 1/8"=1'-0"



WEST ELEVATION 4
 1/8"=1'-0"

Exhibit E

GENERAL NOTES	
1	ALL DIMENSIONS ARE SHOWN TO FACE OF CMU UNLESS NOTES OTHERWISE.
2	REFER TO FINISH SCHEDULE AND DETAILS FOR APPLIED FINISHES.
3	WALLS TO STRUCTURAL DECK MUST BE THOROUGHLY SEALED AROUND PENETRATIONS.

WALL LEGEND	
	FULL HEIGHT EXTERIOR CMU WALLS
	FULL HEIGHT EXTERIOR METAL STUD WALLS
	6" FULL HEIGHT PARTITION

**QUICK N CLEAN
 646 CENTERVILLE RD.**

GARLAND, TX
 CLIENT: LAND DEVELOPMENT CONSULTANTS
 11811 N. TATUM BLVD. SUITE 1051
 PHOENIX, ARIZONA 85028

DATE	DESCRIPTION
7-26-2016	SITE LAYOUT

DATE	DESCRIPTION

SHEET TITLE:
**DIMENSIONED
 FLOOR PLAN**

SHEET NUMBER:
A1.0

PROJECT NUMBER:

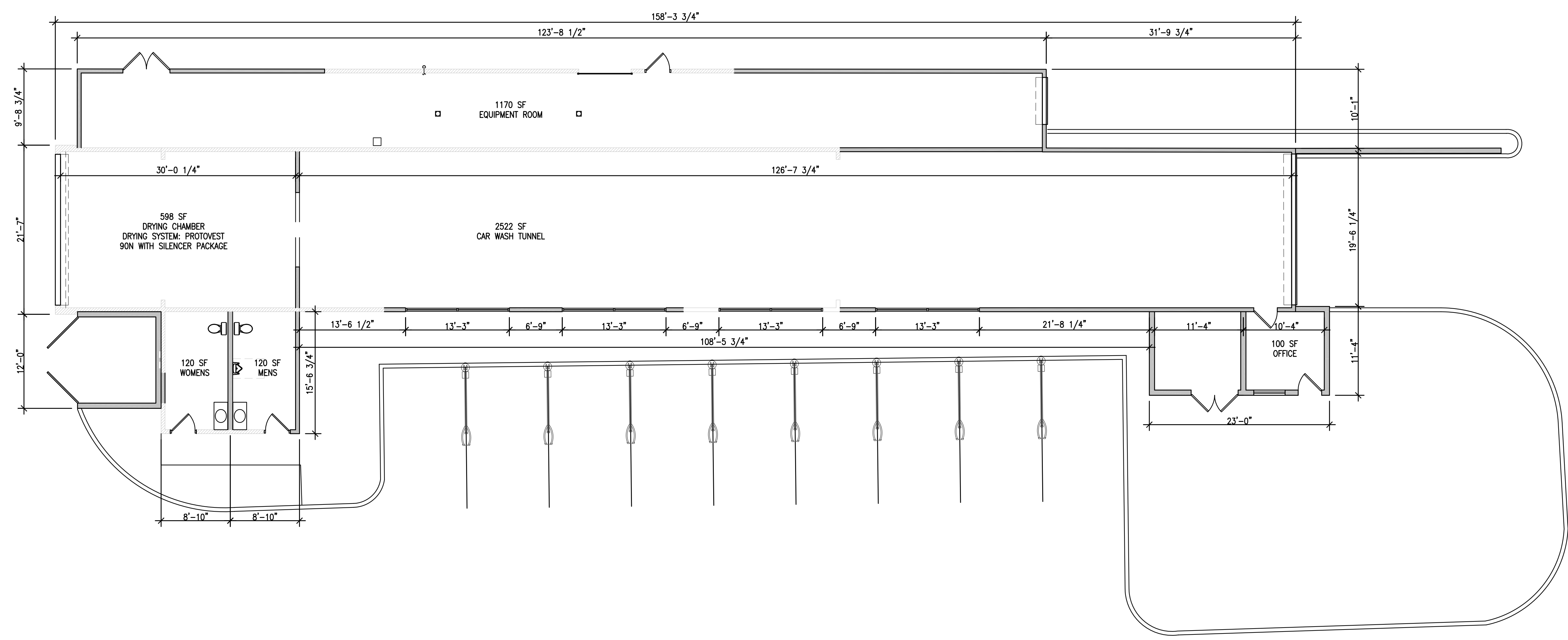
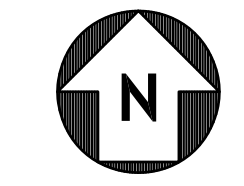


Exhibit F



REPORT & MINUTES

P.C. Meeting, January 9, 2017

Consideration of the application of 3K1 Consulting Services, LLC, requesting approval of a Specific Use Provision for a Car Wash, Automated/Rollover on property zoned Community Retail (CR) District. This property is located at 646 East Centerville Road. (District 4) (File Z 16-47) (This item was postponed from the December 12, 2016 Plan Commission meeting.)

Representing the applicant, Michael Scarbrough, 11811 N. Tatum Blvd, #1057, Phoenix, Arizona 85028 provided an overview of the request and detailed revisions to the request. He went on to provide additional details regarding fire lane access, decibel levels and screening wall height.

The applicant, Richard Karle, 12173 Bethel Drive, Frisco, TX provided a brief overview of the request and remained available for questions.

Residents who spoke in opposition were:

James Larsen, 3402 Syracuse Drive, Garland, TX
Kenneth Paul Stephens, 3401 Syracuse Drive, Garland, TX
Bill Davis, 414 Tulane, Garland, TX
David Mata, 3406 Syracuse Drive, Garland, TX

Nearby Residents that spoke in opposition were:

Seth Pendarvis, PE, 7917 Stonehaven Lane, Rowlett, TX

Residents registering their position as opposed were:

Michael Harris, 3405 Syracuse Drive, Garland, TX
Larry Splitter, 3602 Syracuse Drive, Garland, TX
Cindy Larsen, 3402 Syracuse Drive, Garland, TX

Concerns were raised regarding additional traffic, noise levels, drainage issues, possible contaminants in the soil, and potential development of surrounding properties.

Commissioner Dalton provided additional information and examples of various decibel levels.

There was discussion among Commissioners and staff regarding the additional height of the screening wall.

Motion was made by Commissioner O'Hara, seconded by Commissioner Ott to close the public hearing and open the case for discussion. **Motion carried: 8 Ayes, 0 Nays.**

Commissioner Dalton discussed acceptable levels of ambient decibel levels and spoke in support of the applicant's due diligence to address these levels.

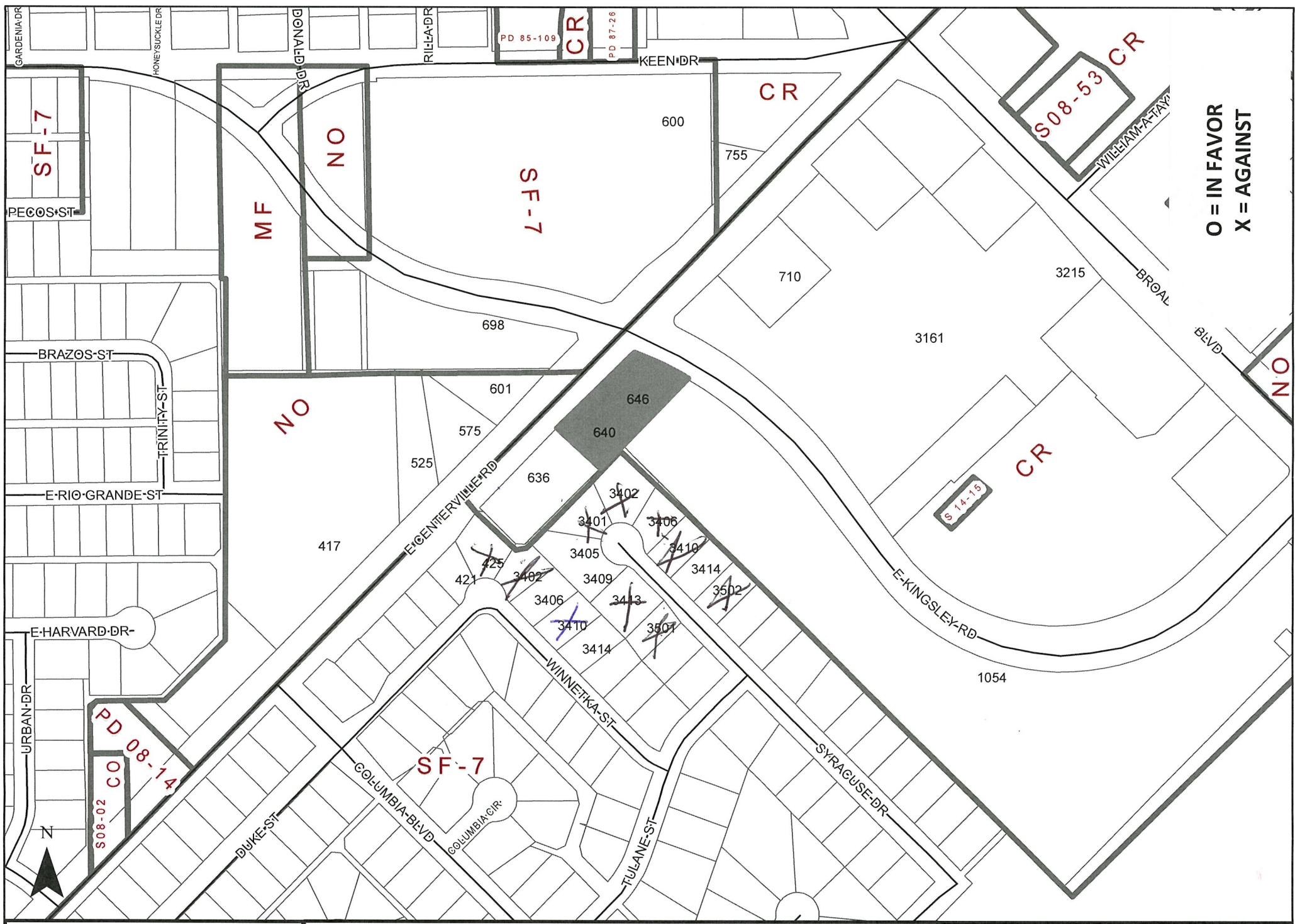
Commissioner Vera and Ott agreed with the comments stated by Commissioner Dalton.

Commissioner Moore and O'Hara agreed with the request, but have concerns regarding the location. Commissioner Moore also indicated he empathizes with the surrounding residents' concerns.

Chairman Roberts questioned whether the concern being raised is actually the decibel level or the nature of the noise.

Motion was made by Commissioner O'Hara, seconded by Commissioner Welborn to deny the application. **Motion failed:** 3 Ayes, 5 Nays from Chairman Roberts and Commissioner Dalton, Vera, Hedrick and Ott.

Motion was made by Commissioner Dalton, seconded by Commissioner Hedrick to approve the application as presented. **Motion carried:** 5 Ayes, 3 Nays from Commissioner Moore, O'Hara and Welborn.



ZONING Z 16-47

INDICATES AREA OF REQUEST

0 140 280 Feet
1 inch = 283 feet



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

GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 – 7:00 PM

APPLICANT: 3K1 Consulting Services

File: Z 16-47

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, December 12, 2016, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of 3K1 Consulting Services for a Specific Use Provision for a Car Wash (Automated/Rollover) facility. The property is shown on the enclosed sketch and is described as follows:

Being a 1.13 acre tract of land and identified as Lot 2 in Block 2, of Broadway Crossing, an addition to the City of Garland, Dallas County, Texas according to the Map or Plat thereof recorded in/under Volume 86250, Page 3248, Map/Plat Records, Dallas County, Texas. This property is located at 646 East Centerville Road in Garland, Texas. (District 4).

Note: Approval of the request will allow for the redevelopment of the site from a Car Wash (Full-Service) with Minor Automobile Repair into a Car Wash (Automated/Rollover) facility.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return that section using any of the following methods: mail to City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002, fax to 972-205-2474, deliver to the Planning Department at 800 East Main Street, Garland TX, or email Planning@Garlandtx.gov. It is important that your response include your property address, your name, and mailing address. Should you have any questions, please contact Isaac Williams 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.

My house backs up to this property and I'm concerned with the noise and traffic that this type of business will be generating.

(Please complete the following information)

Your Property Address: 425 Duke St Garland TX 75043

David and Frances Cole
Printed Name

425 Duke St Garland TX 75043
Address City, State Zip

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

[Signature]
Signature Title Medical Billing

Date: 12.29.16



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

GARLAND

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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.

*We don't want the added traffic or noise.
 We feel that sort of business does not belong
 adjacent to a residential area.*

(Please complete the following information)

Your Property Address: 3402 WINNETKA DR.

PERRY A. & CYNTHIA E. MOBLEY
 Printed Name

3402 WINNETKA DR. GARLAND, TEXAS 75043
 Address City, State Zip

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

Perry Mobley *Cynthia E. Mobley*
 Signatures Title

Date: _____



GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 – 7:00 PM

APPLICANT: 3K1 Consulting Services

File: Z 16-47

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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.

Traffic problems. Intruding into our neighborhood housing.
Any leaks in underground tanks will pollute ground
under homes nearby. Man requesting this has been fined for
failure to fix tanks in another car wash he owns.

Your Property Address: 3410 Winnetka DR 75043

Printed Name George A. Bailey

Address 3410 Winnetka DR GARLAND TX 75043
City, State Zip

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

Signature George & Holly Bailey Home owners
Title

Date: 1/3/2016

Allmendinger, Tracy

From: Paul Stephens <pstephens13@hotmail.com>
Sent: Thursday, December 08, 2016 7:02 PM
To: Planning Group
Subject: Regarding file Z16-47

I received the letter regarding the automated car wash and I am **OPPOSED** to another carwash going on this property, The previous/current location when operating was always noisy; there is another automated car wash of this type very close.

My property address is 3401 Syracuse Garland, TX 75043 and my name is Paul Stephens.

One additional question, what is going in at the old Target/Kmart/Steve and Barry's location? It appears to be a marketplace of some type. Several years ago the city council denied a use permit for that location to be used in such a manner.

Can you update me please?

Thanks

jim larsen

From: jim larsen <larsen.j@comcast.net>
Sent: Monday, December 06, 2004 12:23 PM
To: 'council4@ci.garland.tx.us'
Subject: ATTN: Council Member Bradley

December 6, 2004

Dear Mr. Bradley,

I have been writing and calling various offices in the City to get help in resolving a problem with storm water drainage directed to our property from a local business. Every time it rains heavily our back yard is flooded by the storm water drainage from the local business. This water nearly covers our entire yard, then runs into the pool, causes structure damage, and does the same to our neighbor's home.

I have spoken last to Donna Manhart in engineering; I was told that they would be surveying the area for installation of a drain to the local creek to relieve the runoff problem. That was in June and still nothing has been done.

I am asking for your assistance to help resolve this problem in our neighborhood. Your assistance is greatly appreciated. I included one of the emails that I sent to Donna Manhart for your information.

Sincerely,

James and Cindy Larsen
3402 Syracuse Drive
Garland, Texas 75043

LARSEN.J@COMCAST.NET

972-271-7442 Home
214-670-7999 Office

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

From: Larsen, Jim
Sent: Tuesday, June 08, 2004 2:55 PM
To: 'DMANHART@CI.GARLAND.TX.US'
Subject:

To: Donna Manhart
City of Garland, Texas

From: James and Cindy Larsen
3402 Syracuse Drive
Garland, Texas 75043

LARSEN.J@COMCAST.NET

972-271-7442 Home
214-670-7999 Office

I am writing to complain about the storm water run off from the car wash behind our home, Crystal Car Wash & Kwik Kar 10 Minute Oil Change, 646 East Centerville Road, Garland, TX 75041, (972) 864-0309. We have recently discovered that this car wash parking and concrete area at the rear of the car wash drains to the rear of the car wash property

then directly into our back yard. There does not appear to be any kind of storm water drain at the property exit point. When discovered I asked the owners to redirect the drainage and stop the flow of oil etc toward my back yard. They have assisted with digging a temporary drain channel, but this problem continues.

The complaint is that the car wash storm water from the rear of the car wash is all directed to and drains to my back yard;

This storm water carries motor oil, soaps and chemical residue from the vehicles parked and serviced in the rear of the building;

That the storm water and chemicals are running into and possibly contaminating my back yard;

That the excess storm water runs into my back yard, flooding the back yard;

That the car wash personnel had been pressure washing of the back parking lot with chemicals and soapy substance that drains to my back yard; This has been stopped with the cooperation of the car wash owners and the insistence of Code Enforcement.

That the point of storm water drainage seldom dries and is a breeding ground for mosquitoes and flies;

That garbage and chemical storage containers are left setting directly in the drainage area and frequently ends up in my back yard. This was a problem but has been cleared up with the cooperation of the car wash owners.

Would you please assist us in eliminating this problem? We take pride in our community and our home. But this problem recently discovered is very distressing and is becoming increasingly more difficult to maintain the garden atmosphere we enjoy.

I have attached photos taken this date to demonstrate the problem we have.

Your assistance is greatly appreciated.

Sincerely,

Jim Larsen



GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 – 7:00 PM

APPLICANT: 3K1 Consulting Services

File: Z 16-47

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, December 12, 2016, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of 3K1 Consulting Services for a Specific Use Provision for a Car Wash (Automated/Rollover) facility. The property is shown on the enclosed sketch and is described as follows:

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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.

See Attached Memo's & Exhibits.

Noise, Air Pollution, Stormwater from Commercial to Residential, operating hours

(Please complete the following information)

Your Property Address: 3402 SYRACUSE DRIVE, GARLAND, TX 75043

JAMES LARSEN
 Printed Name

3402 SYRACUSE DRIVE GARLAND TX 75043
 Address City, State Zip

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

James Larsen
 Signature

Resident Owner
 Title

Date: 1-9-2017

January 9, 2017

Sound Level Measurements

Jerry's Car Wash @ Jupiter and Arapaho

At the recommendation of the planning committee sound measurement were conducted at Jerry' Car Wash on Jupiter and Arapaho because it was conveyed that this was a location that was approved by both the City and the local residents.

Measurements were made with a Certified Sound level meter, Casella, CEL-246, Compliance with ANSI S1.4, S1.43, and IEC 61672, 60651, 60804.

Certificate of Calibration, ISO 9001 Certified attached.

Measurements were conducted at 4 locations around the car wash. Measurements were made at distances greater than the proposed location of 646 E. Centerville Road. Garland TX 75043 due to the entrance and exits of the wash traffic to and from would have been in the traffic lane.

The measurements were conducted on January 2, 2017, road noise from the surrounding area was minimal because of the distance and traffic was slow. The winds were light and all measurements were made with shielding from the wind.

The meter was calibrated with the provided calibration generator prior to each measurement.

- A. The entrance to the car wash power washers, made from a drive way directly in front of the entrance.
 1. A= 63.9 dba avg. @90 feet distance, at approx....4.25 p.m. on January 2, 2017 Entrance
- B. The exit from the dryer, made directly in front of the exit approximately 40 feet.
 2. B= 79.0 dba avg. @ 40 feet distance, at approx....1:00 p.m. on January 2, 2017 Exit
- C. The exit measured @45 degree from dryer @ approx. 30 feet Exit
 3. C= 78.7 dba avg. @ 30 feet distance, at approx....5:13 p.m. on January 2, 2017
- D. The vacuum hoses at residential side at 30 feet.
 4. D= 73.2 dba avg. @ 30 feet distance, at approx.... 12:47 p.m. on January 2, 2017
These residents have cause to complain.
- E. The ambient noise level in the adjoining residential property @3402 Syracuse Drive, Garland, TX 75043 behind the Crystal Car Wash site.
 5. E= 48.7 dba avg. @30 feet distance, at approx... 9:40 a.m. January 2, 2017
Site Drawings of each attached. Attachment 1 and 2.



Certificate of Calibration

ISO 9001 Certified

Certificate Number: 20162167 - 83501

Page 1

Issued To: ENVIRO-EQUIPMENT, INC.
11180 DOWNS ROAD
Pineville, NC 28134

Date Received: 10/13/2016

Date Issued: 10/13/2016

Valid Until: Oct 2017

Equipment: Manufacturer: CASELLA
Model Number: CEL-240
SerialNumber: 2533754

Test Conditions :

Temperature: 20.9 C

Humidity: 50.3 %

Barometric Pressure: 1023.4 mBar

Control #:

As Found:
FULLY FUNCTIONAL AND IN TOLERANCE.

As Returned:
FULLY FUNCTIONAL AND WITHIN TOLERANCE.

Special Conditions:
NONE

Work Performed:
CALIBRATED PER CALIBRATION PROCEDURE SL-001.

CALIBRATED TO: MANUFACTURERS

Device, Description, Report Number, Date Due

Reference Standards:

- 1004, QUEST QE-4170, 1" PRECISION MICROPHONE, 26827-1_10692, 9/30/2017
- 1010, HP 8903B, Audio Analyzer, 932899, 4/27/2017
- 1012, PTU200, Vaisala PTU200 environ standard w/HMP45D probe, 25223-2, 5/28/2017
- 1024, HP 3456A, PRECISION DIGITAL VOLTMETER, 932898, 4/26/2017
- 1051, 1800, TYPE 1 SOUND LEVEL METER, 20152437-78458, 1/31/2017
- 1052, OB-100, 1:1 OCTAVE BAND FILTER, 20152437-78459, 1/4/2017

Calibrated and Reviewed by

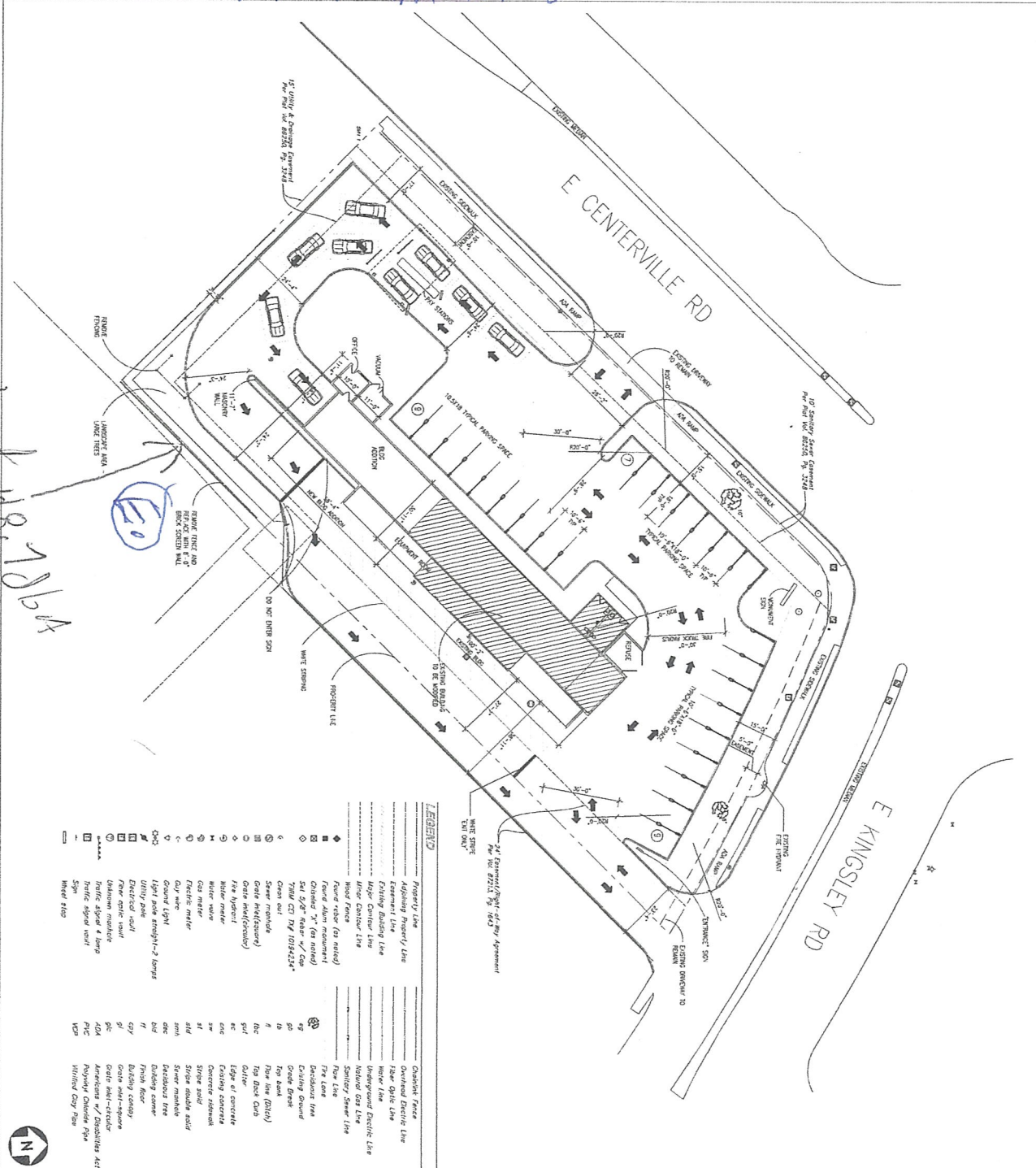
10/13/2016

Authorized Signature: Brian Stanhope

This report certifies that all calibration equipment used in the test is traceable to the National Institute of Standards (NIST) , and applies only to the unit identified under "Equipment" above. This report must not be reproduced except in it's entirety without express written approval.

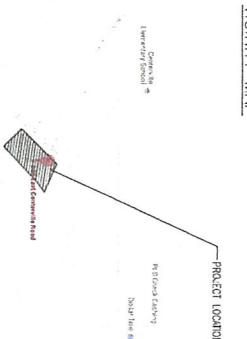
ATTACHMENT 2

Handwritten: Ambiorix 18.786A
 P00
 9:40 AM
 1-2-17



LEGEND

	Property Line		Gas Main
	Adjoining Property Line		Sewer Main
	Easement Line		Water Main
	Existing Building Line		Fire Hydrant
	Higher Center Line		Fire Alarm
	Lower Center Line		Fire Alarm (Secondary)
	Head Frame		Gas Meter
	Fire Alarm Equipment		Gas Meter (Secondary)
	Existing 3\"/>		Day Wire
	5/8\"/>		Ground Light
	7/8\"/>		Fire Alarm (Emergency)
	1\"/>		Fire Alarm (Normal)
	1 1/2\"/>		Fire Alarm (Secondary)
	2\"/>		Fire Alarm (Emergency)
	3\"/>		Fire Alarm (Normal)
	4\"/>		Fire Alarm (Secondary)
	6\"/>		Fire Alarm (Emergency)
	8\"/>		Fire Alarm (Normal)
	10\"/>		Fire Alarm (Secondary)
	12\"/>		Fire Alarm (Emergency)
	14\"/>		Fire Alarm (Normal)
	16\"/>		Fire Alarm (Secondary)
	18\"/>		Fire Alarm (Emergency)
	20\"/>		Fire Alarm (Normal)
	24\"/>		Fire Alarm (Secondary)
	30\"/>		Fire Alarm (Emergency)
	36\"/>		Fire Alarm (Normal)
	42\"/>		Fire Alarm (Secondary)
	48\"/>		Fire Alarm (Emergency)
	54\"/>		Fire Alarm (Normal)
	60\"/>		Fire Alarm (Secondary)
	66\"/>		Fire Alarm (Emergency)
	72\"/>		Fire Alarm (Normal)
	78\"/>		Fire Alarm (Secondary)
	84\"/>		Fire Alarm (Emergency)
	90\"/>		Fire Alarm (Normal)
	96\"/>		Fire Alarm (Secondary)
	102\"/>		Fire Alarm (Emergency)
	108\"/>		Fire Alarm (Normal)
	114\"/>		Fire Alarm (Secondary)
	120\"/>		Fire Alarm (Emergency)
	126\"/>		Fire Alarm (Normal)
	132\"/>		Fire Alarm (Secondary)
	138\"/>		Fire Alarm (Emergency)
	144\"/>		Fire Alarm (Normal)
	150\"/>		Fire Alarm (Secondary)
	156\"/>		Fire Alarm (Emergency)
	162\"/>		Fire Alarm (Normal)
	168\"/>		Fire Alarm (Secondary)
	174\"/>		Fire Alarm (Emergency)
	180\"/>		Fire Alarm (Normal)
	186\"/>		Fire Alarm (Secondary)
	192\"/>		Fire Alarm (Emergency)
	198\"/>		Fire Alarm (Normal)
	204\"/>		Fire Alarm (Secondary)
	210\"/>		Fire Alarm (Emergency)
	216\"/>		Fire Alarm (Normal)
	222\"/>		Fire Alarm (Secondary)
	228\"/>		Fire Alarm (Emergency)
	234\"/>		Fire Alarm (Normal)
	240\"/>		Fire Alarm (Secondary)
	246\"/>		Fire Alarm (Emergency)
	252\"/>		Fire Alarm (Normal)
	258\"/>		Fire Alarm (Secondary)
	264\"/>		Fire Alarm (Emergency)
	270\"/>		Fire Alarm (Normal)
	276\"/>		Fire Alarm (Secondary)
	282\"/>		Fire Alarm (Emergency)
	288\"/>		Fire Alarm (Normal)
	294\"/>		Fire Alarm (Secondary)
	300\"/>		Fire Alarm (Emergency)
	306\"/>		Fire Alarm (Normal)
	312\"/>		Fire Alarm (Secondary)
	318\"/>		Fire Alarm (Emergency)
	324\"/>		Fire Alarm (Normal)
	330\"/>		Fire Alarm (Secondary)
	336\"/>		Fire Alarm (Emergency)
	342\"/>		Fire Alarm (Normal)
	348\"/>		Fire Alarm (Secondary)
	354\"/>		Fire Alarm (Emergency)
	360\"/>		Fire Alarm (Normal)
	366\"/>		Fire Alarm (Secondary)
	372\"/>		Fire Alarm (Emergency)
	378\"/>		Fire Alarm (Normal)
	384\"/>		Fire Alarm (Secondary)
	390\"/>		Fire Alarm (Emergency)
	396\"/>		Fire Alarm (Normal)
	402\"/>		Fire Alarm (Secondary)
	408\"/>		Fire Alarm (Emergency)
	414\"/>		Fire Alarm (Normal)
	420\"/>		Fire Alarm (Secondary)
	426\"/>		Fire Alarm (Emergency)
	432\"/>		Fire Alarm (Normal)
	438\"/>		Fire Alarm (Secondary)
	444\"/>		Fire Alarm (Emergency)
	450\"/>		Fire Alarm (Normal)
	456\"/>		Fire Alarm (Secondary)
	462\"/>		Fire Alarm (Emergency)
	468\"/>		Fire Alarm (Normal)
	474\"/>		Fire Alarm (Secondary)
	480\"/>		Fire Alarm (Emergency)
	486\"/>		Fire Alarm (Normal)
	492\"/>		Fire Alarm (Secondary)
	498\"/>		Fire Alarm (Emergency)
	504\"/>		Fire Alarm (Normal)
	510\"/>		Fire Alarm (Secondary)
	516\"/>		Fire Alarm (Emergency)
	522\"/>		Fire Alarm (Normal)
	528\"/>		Fire Alarm (Secondary)
	534\"/>		Fire Alarm (Emergency)
	540\"/>		Fire Alarm (Normal)
	546\"/>		Fire Alarm (Secondary)
	552\"/>		Fire Alarm (Emergency)
	558\"/>		Fire Alarm (Normal)
	564\"/>		Fire Alarm (Secondary)
	570\"/>		Fire Alarm (Emergency)
	576\"/>		Fire Alarm (Normal)
	582\"/>		Fire Alarm (Secondary)
	588\"/>		Fire Alarm (Emergency)
	594\"/>		Fire Alarm (Normal)
	600\"/>		Fire Alarm (Secondary)



SITE SUMMARY

PROJECT DATA	646 E. CENTERVILLE RD
PROJECT SIZE	4,428 SQ FT
PROPOSED BUILDING	4,428 SQ FT
PROPOSED LOT COVERAGE	4.4%
PARKING DATA	
REQUIREMENT	1,000 (MINIMUM)
PROVIDED	25
DEFICIENCY	975
TOTAL PARKING SPACES	25
ACCESSIBLE PARKING SPACES	1
ZONING INFORMATION	CS
SETBACK INFORMATION	
FRONT SETBACK	10.0 FT
REAR SETBACK	10.0 FT
LEFT SIDE SETBACK	10.0 FT
RIGHT SIDE SETBACK	10.0 FT
ADJACENT SIDE SETBACK	10.0 FT
ORIGIN STATE PROJECT ID	11811

QUICK N CLEAN
646 CENTERVILLE RD.
 GARLAND, TX
 CLIENT: LAND DEVELOPMENT CONSULTANTS
 11811 N TATUM BLVD SUITE 1051
 PHOENIX, ARIZONA 85028

idstudio
 5737 NORTH 17TH STREET, SUITE 404
 PHOENIX, ARIZONA 85024
 TEL: 602.336.1432
 WWW.IDSTUDIO.COM

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

ARCHITECTURAL
 SITE PLAN
 OPTION 1
 SHEET NUMBER:
A0.3

January 9, 2017

The car wash proposal at 646 E. Centerville Road, Garland TX. 75043 place the facility next to two SF-7 residential zones.

One zone is unoccupied and probably does not realize what is happening, but needs to be protected as much as the rest of the neighborhood. The second residential zone is occupied by single family residences that have resided since the 1970's. The car wash was built probably approximately 1988 when notification was not necessary. As a result we have an unsightly set of empty (**thank goodness**) buildings that automatically generate interest only to be another car wash. Again thank goodness we have been blessed with a **noiseless business** for over a year, it has been the best of the last 14 years.

We and our neighbors are not in favor of having any carwash built in our back yard. We see no positive or any value added to our neighborhood or our surrounding community.

What we do not like about this project.

1. We believe that it will reduce the value of our properties because of the proximity to our homes. Who would want to have a carwash in their back yard?
2. The constant and uncontrollable changing noise that can be heard and the level of noise from 7am to 7pm, 365 days per year for the next 25 years.
 - a. Do not allow a time period for the SUP, this just allows the property to be sold, leased, closed and still maintain that it would be a car wash for 25 years.
 - b. If it closes the SUP expires, if utilities are disconnected the SUP expires, if any violation of ordinances, the SUP expires.
 - c. Limit the time period of being open only from 8 am. To 6 pm Monday thru Saturday and closed on Sundays. We want to be free of this nuisance for at least one day a week.
3. The water drainage problem that exists and the continued deposits hazardous materials of oil, gas, coolant, transmission fluid to name just a few. These hazardous materials leak from the thousands of vehicles passing within 30 feet of my property daily, and running directly to the storm water drainage and my back yard. This has been going on for the last 30 years. We can document since 2004. The developer must correct this problem and be signed off for satisfaction by all affected residences along the drainage channel. This cooperative arrangement has been removed from the most current filing.

Exhibit 5 and 6 and 7.

Section 3.88 Drainage Systems & Storm Sewers Construction Costs

The entire cost of the design and construction of storm sewers, drainage systems, or floodplain alterations within or abutting a subdivision shall be borne by the developer. This shall include all necessary off-site storm sewer extensions necessary to achieve free outfall flow including, but not limited to, easement acquisition.

4. That these hazardous wastes are currently allowed to drain into the storm water drain which is a temporary ditch running behind our homes to a drain to another drainage creek to Duck Creek. The

property owner/developer must soil test for contamination all along the drainage channel and correct the problem. This has been going on since this site was built.

5. That the cars intended to enter the carwash within 28 feet of our home will be dripping this hazardous waste without any controls.
6. That the air pollution will be extremely high and far greater than in the roadways at rush hour because of the vehicles driving within 28 feet of our property at an slow moving idle taking several minutes to pass continuously at up to 100 vehicles per hour for 12 hours a day, 365 days a year for twenty five years, exposing our persons and our children and grandchildren to excessive pollution caused by these vehicles. Compare this air pollution to the skunk smell at 28 feet on the other side of a fence, you may not see it but you sure know it's there. Unlike the CO₂ Carbon Dioxide and CO carbon monoxide that you cannot see or smell. The building position and prevailing winds, cause this to be directed to our properties. During stagnate air days this could be extremely deadly.
7. That this will cause great harm to our peacefully enjoyment of our home and continued devaluation of ours and our neighbors property. We've had to be involved in their business for 30 years, we don't want it anymore.
8. That we do not need another car wash in this vicinity since there is one, 9 tenths of a mile to the south on Centerville, REV car wash, and a little over a mile to the east on Broadway, Mighty Fine. Both of these are drive thru car washes. Another one will just hurt business at all of them. The existing one has continuously deteriorated for the last 30 years, there is no reason this one will not do the same. It is not a good fit for this location.
9. That all of the car washes reference to us are located in commercial shopping mall areas except for the one on Jupiter and Arapaho which somewhat adjacent to a residential area approximately 90 feet or about a 1/3 of a block, not the 28 feet that this one is proposed. The sound levels measured at Jupiter and Arapaho and at this location do not meet the standards set for it. These neighbors have a right to complain. Attached are the measurement of comparable site locations, distances are further due to traffic and the roadways.
10. That the majority of the surrounding Ridgeview neighbors are opposed to the request for zoning change and a car wash.
11. That the vacuum, entrance and drying locations do not have a defined maximum allowable dba. Level such as the one at Jupiter and Arapaho, for the entire facility. If we are forced to have to it, we don't want to know it's there. The maximum level should be **no more than 55 dba, measured at the property line** as it is in the Jupiter and Arapaho location. We are a third the distance away.
12. That the employees typically hired at these facilities most likely don't care about the adjacent neighborhood and most likely move on to a different job within a month or two. That these employees will not enforce any noise or pollution activities as they will probably not engage a customer for fear of retaliation or reprisal.
13. That we, as the hurt victims by the noise, the pollution, and hazardous waste and garbage are the ones that are left to attempt to get enforcement of the violations and to supply the evidence. The recent attempt to get a manhole cover to protect life safety at the current car wash location, took approximately 3 weeks just to get a temporary safety cover in place. This was a life safety issue. We know how long complaints will take to get rectified or enforced. **Attachment 3 and 4.** The city staff

responded immediately but the property owner did not. This seems to be typical of this owner. There is no telling what a different one would be like, trying to contact them in Arizona.

14. That we have had to put up with this for approximately 14 years without relief or very little relief
15. That the time period requested for an SUP of 25 years is excessive and should not have any time period at all. Twenty five years to have to be a car wash is unreasonable. It should be the same as any other business; they do not have guarantees to exist for any period of time. If the business closes and is closed for 30 days any SUP should expire, if the utilities are turned off the SUP expires along with the failure to meet any of the regulations and codes associated with that location.

ATTACH (3)



ATTACH (4)



Exhibit (5)

21 8:42 AM





29 9:42 AM



①





GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 – 7:00 PM

APPLICANT: 3K1 Consulting Services

File: Z 16-47

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, December 12, 2016, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **3K1 Consulting Services** for a Specific Use Provision for a Car Wash (Automated/Rollover) facility. The property is shown on the enclosed sketch and is described as follows:

Being a 1.13 acre tract of land and identified as Lot 2 in Block 2, of Broadway Crossing, an addition to the City of Garland, Dallas County, Texas according to the Map or Plat thereof recorded in/under Volume 86250, Page 3248, Map/Plat Records, Dallas County, Texas. This property is located at 646 East Centerville Road in Garland, Texas. (District 4).

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To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return that section using any of the following methods: mail to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**, fax to 972-205-2474, deliver to the Planning Department at 800 East Main Street, Garland TX, or email Planning@Garlandtx.gov. It is important that your response include your property address, your name, and mailing address. Should you have any questions, please contact Isaac Williams 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.

A high volume car wash with a capacity of washing 100 cars per hour is not compatible with neighborhood living. 12 hours a day of listening to the repetitive noises of the blowers, motors + vacuums is not respectful.

(Please complete the following information)

Your Property Address: 3402 Syracuse Dr.

Cynthia Larsen
Printed Name

3402 Syracuse Garland, Tx 75043
Address City, State Zip

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

Cynthia Larsen Owner
Signature Title

Date: 1/9/17

our rights as homeowners. I have lived with a car wash behind my back fence for 30 years. That is smaller than the one proposed. It is an intrusion on our quality of life and our tranquility and peace we might have by being in our own backyards.

The traffic is also an issue since the lines for the cars makes the entrance from Centerville during peak hours difficult and can back up traffic on Centerville - Have proper traffic studies been done?

Drainage has been an issue for a long time. The present car wash has drained into my yard. The into my neighbors yard for many years. The problem still persists.

Please try to find another type of business for this property. It doesn't need to continue to be a car wash - Repurpose it like you have for other business - A car wash of this kind needs to be in a space not surrounded by homes where it can make the noise it does and not bother the residents of a neighborhood and interfere with their quality of life.



GARLAND

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(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

2) - CHOSE MULTIFAMILY VERY RARE

3) LOUD MUSIC ECN's - LOUD VACUUM CLEANERS

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

MY HOME IS DIRECTLY IN BACK OF THE PROPOSED LOCATION. WITH THE PREVIOUS CAR WASH WE SUFFERED FLOODING AND DID NOT ENJOY THE LOUD MUSIC CONSTANTLY PLAYING.

(Please complete the following information)

Your Property Address: 3406 SYRACUSE DRIVE

Printed Name: DAVID NATA

Address: 3406 SYRACUSE DRIVE City, State: GARLAND, TX Zip: 75043

ELEVATIONS WATER FLOODING

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

Signature: *[Handwritten Signature]*

Title: *OWNER 7) REV CAR WASH*

Date: 12/12/16
DEC. 12TH, 2016

MORE YELLOW CARDS



GARLAND

December 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.

THE NIGHT MARES HAVE STARTED AGAIN JUST REMEMBERING THE
WATER PROBLEMS WE HAD WHEN THE OTHER CAR WASH WAS OPEN A FEW
YEARS AGO. THE NOISE AND PEOPLE PASSING THROUGH OUR BACK GATE
WAS VERY TROUBLING AS WELL. ALSO THE NOISE WAS VERY DISTURBING
(Please complete the following information) TO OUR BACKYARD.

Your Property Address: 3406 SYRACUSE DRIVE

DAVID MATA
Printed Name

3406 SYRACUSE DRIVE GARLAND, TX 75043
Address City, State Zip

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

[Signature]
Signature

OWNER
Title

Date: 1/9/17



GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 – 7:00 PM

APPLICANT: 3K1 Consulting Services

File: Z 16-47

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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.

Attached

(Please complete the following information)

Your Property Address: 3406 Syracuse Drive

Printed Name CONNIE MATA

Address Garland Tx City, State 75043 Zip

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

Signature [Handwritten Signature] Title OWNER

Date: 1/9/2017

January 9, 2017

Our Backyard is ALSO our living area
WE HOST FAMILY gatherings and our home is
the only house that fits all of our family
We enjoy the quiet neighborhood the peacefulness
of our backyard and that's why we purchased
our home. I believe to have heard from neighbors
that have lived in our neighborhood for many years
that the last car wash built was noisy & flooded
our homes when the car wash was busy it was
loud. This concerns me very much I have a grandson
that is a new born the noise will keep him
up and hinder his development.

As for the flooding we have a swimming pool and its
a year long upkeep I don't think the flood will help
with the added cost of upkeep each time it floods
Please do not allow this development to
Disrupt our home & our neighborhood.



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

GARLAND

December 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.

This would cause why so much nasty standing water that cause mosquitoes in our area

(Please complete the following information)

Your Property Address: 3410 Syracuse Dr Garland TX 75043

Printed Name Judy DESHAZER Garland TX 75043
 Address City, State Zip

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

Signature J. Deshazer Title MS

Date: 1/8/17



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

GARLAND

December 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.

AIR QUALITY AND NOISE PRODUCED FROM A FULL TIME CAR
WASH IS HIGHLY OBJECTIONABLE. IT IS MY OPINION
THAT WE, AS HOME OWNERS, HAVE TOO LARGE REDUCTIONS IN
INVESTMENT AND WOULD SUFFER NEEDLESSLY Thank You
(Please complete the following information)

Your Property Address: 3413 SYRACUSE DR

Printed Name

CHARLES D. WRIGHT

Address

GARLAND TX
City, State

75043
Zip

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

Signature

Charles D. Wright

Title

Date: 12-23-16



GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 – 7:00 PM

APPLICANT: 3K1 Consulting Services

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(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

(Please complete the following information)

Your Property Address: 3502 Syracuse Dr
Diane & Rudy Barron
Printed Name
3502 Syracuse Dr. Garland, TX 75043
Address City, State Zip

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

Diane Barron Rudy Barron
Signature Title

Date: 1-7-17



GARLAND

December 1, 2016

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File: Z 16-47

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(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

It would be too close to our houses.

(Please complete the following information)

Your Property Address: 3501 Syracuse Dr, Garland, Texas, 75043-2235

Printed Name Jerry L. Luper

Address 3501 Syracuse Dr. City, State Garland, Texas Zip 75043-2235

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

Signature Jerry L. Luper Title _____

Date: 12-5-16



GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 – 7:00 PM

APPLICANT: 3K1 Consulting Services

File: Z 16-47

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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.

Our neighborhood has been bombarded with continuous noise pollution. The shopping center has noise all night that interrupts our sleep. Adding any form of business effects the noise pollution in our area.

(Please complete the following information)

Your Property Address: 3610 Syracuse Dr., 75043

Liz Walkowicz
Printed Name

3610 Syracuse Dr. Garland, Tex 75043
Address City, State Zip

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

Liz Walkowicz
Signature Title

Date: 1-9-17



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

GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 – 7:00 PM

APPLICANT: 3K1 Consulting Services

File: Z 16-47

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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.

*THE NOISE ALONE, IN AN ESTABLISHED NEIGHBORHOOD
THAT HAS EXISTED QUIETLY FOR 40+ YEARS WILL
GREATLY AFFECT THE TRAD QUALITY & POSSIBLY
DEVALUE OUR PROPERTY*

(Please complete the following information)

Your Property Address: 3509 SYRACUSE DR.

JUDITH E. FORD
Printed Name

3509 SYRACUSE DR Garland TX 75043
Address City, State Zip

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

Judith E Ford
Signature

Title

Date: 1/9/2017

Outside the Notification Area



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

GARLAND

December 1, 2016

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File: Z 16-47

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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.

There have already been several car washes at this location. There have been several of them and we will be left again with equipment and mess to deal with. Over

(Please complete the following information)

Your Property Address: 3618 Syracuse Dr., Garland, TX 75043
 Printed Name: Raymond & Lucy TEREZ
 Address: 3618 Syracuse Dr. GARLAND, TEXAS City, State: 75043 Zip

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

Signature: *Raymond Terez* Title: _____
 Date: 1/7/17

Outside the Notification Area

There is also the issue of noise, the equipment necessary for this type of car wash operates quite a bit of noise. I believe it runs all the time. Constant noise creates a state of stress that has a negative effect on people's health. Why would you choose to expose us to this health hazard?

In addition, traffic patterns on Centerville road that there is very heavy use of this road at all times. At the times that people are going to work and home ~~it~~ can be a nightmare. Kingsley Rd. is much the same way. How will this issue be addressed?

There is also the issue of yammers from cars waiting for service.

With the same type of car wash available just down the street it seems redundant putting in another one.

Just of all, ask yourself this question, please: "Would I want this type of business behind my and my neighbors homes?"



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

GARLAND

December 1, 2016

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File: Z 16-47

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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.

PROPERTY SHOULD NOT BE SOLD UNTIL REMEDIATION IS DONE, NOISY, IMPACTS HOUSING VALUE AND OTHER CAR WASHES IN AREA.

(Please complete the following information)

Your Property Address: 414 TULANE STREET
 Printed Name: WILLIAM G. DAVIS, JR JAN MARIE DAVIS
 Address: 414 TULANE ST GARLAND TX 75043
 City, State Zip

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

Signature: *William G. Davis* Title: OWNERS
 Date: 1-9-2017

Outside the Notification Area



GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 – 7:00 PM

APPLICANT: 3K1 Consulting Services

File: Z 16-47

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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.

FEEL THIS NEW BUSINESS WOULD BE
DETRIMENTAL TO RESIDENTS BY
LOWERING PROPERTY VALUES

(Please complete the following information)

Your Property Address: 3626 SYRACUSE DR GARLAND, TX 75043

Printed Name ROBERT TUTTLE

Address 3626 SYRACUSE DR City, State GARLAND TX Zip 75043

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

Signature *Robert Tuttle*

Title

Date: 1/6/17

Outside the Notification Area



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

GARLAND

December 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.

*Zoning, traffic to & from Kingsly, Centerville & Broadway
 Noise. Always thought past car wash was too small of
 area. Did not notify city this & Sam Whitson of construction*
(Please complete the following information)

Your Property Address: *3505 Syracuse, Garland, Texas* our home is not included

Printed Name: *MR & MRS Sam Whitson*

Address: *3505 Syracuse* City, State: *Garland, Texas* Zip: *75043*

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

Signature: *Sam Whitson* Title: *Home owner*

Date: *Dec. 29, 2016*

Outside the Notification Area



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

GARLAND

December 1, 2016

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File: Z 16-47

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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.

wrong corner for extra traffic. Run off goes in swamp behind my house. Swamp does not dry out to prevent mosquitoes. After loss leader introductory pricing, risk of abandonment due to excess of car washes.
(Please complete the following information)

Your Property Address: 3602 Syracuse

Larry Splitter
Printed Name

3602 Syracuse Garland, Texas 75043
Address City, State Zip

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

Larry Splitter owner
Signature Title

Date: Jan 3, 2017

Outside the Notification Area



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

GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 – 7:00 PM

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File: Z 16-47

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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.

noise - traffic - imposition on current home owners - affecting value of homes in the area - environmental issues

(Please complete the following information)

Your Property Address: 422 Tulane St.

Barbara Crosthwait
Printed Name

422 Tulane St. Garland TX
Address City, State

75043
Zip

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

Barbara Crosthwait
Signature

Title

Date: 3 Jan 17

Outside the Notification Area



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

GARLAND

December 1, 2016

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File: Z 16-47

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(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

(Please complete the following information)

Your Property Address: 426 Tulane St.
Printed Name: H. Beckwith
Address: 426 Tulane St City, State: GARLAND TX Zip: 75043

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

Signature: [Handwritten Signature] Title: Property owner

Date: 1-2-2017

Outside the Notification Area



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

GARLAND

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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.

we are concerned about traffic & noise from such an endeavor & strongly oppose such redevelopment in this area.

(Please complete the following information)

Your Property Address: 3606 SYRACUSE DR
James H & Deborah J Bokman
 Printed Name
3606 SYRACUSE DR Garland TX 75043-2236
 Address City, State Zip

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

James H & Deborah J Bokman
 Signature Title

Date: 1/5/2017

Outside the Notification Area



GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 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.

Situation of noise + the addition of traffic. We live now up against neighbor's homes. There is enough of that already. No way to break the noise for the neighborhood. This has been a quiet neighborhood - Let's keep it that way!

Your Property Address: 3601 Dyracuse Dr

Printed Name: Garland, TX 75043

Address: DONES AS PROPERTY ADDRESS City, State: Garland, TX Zip: 75043

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

Signature: Don C. McGowan Title: Owners

Signature: Ruth C. McGowan Title: Owners

Date: 1 Jan '17

Outside the Notification Area



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

GARLAND

December 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.

POOR ACCESS FROM CENTERVILLE OR KINGSLEY; NOISE AND/OR LIGHT POLLUTION; ALREADY CAR WASHES @ CENTERVILLE AND OCEANON & BROADWAY AT ROSEHILL ROAD; UNCONTAINED RUNOFF

(Please complete the following information)

Your Property Address: 3602 COLUMBIA BLVD
BERNARD W WILCOX
 Printed Name
3602 COLUMBIA BLVD GARLAND, TX 75043
 Address City, State Zip

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

Bernard W Wilcox HOME OWNER
 Signature Title

Date: 01/05/17

Outside the Notification Area



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

GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 – 7:00 PM

APPLICANT: 3K1 Consulting Services

File: Z 16-47

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, December 12, 2016, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **3K1 Consulting Services** for a Specific Use Provision for a Car Wash (Automated/Rollover) facility. The property is shown on the enclosed sketch and is described as follows:

Being a 1.13 acre tract of land and identified as Lot 2 in Block 2, of Broadway Crossing, an addition to the City of Garland, Dallas County, Texas according to the Map or Plat thereof recorded in/under Volume 86250, Page 3248, Map/Plat Records, Dallas County, Texas. This property is located at 646 East Centerville Road in Garland, Texas. (District 4).

Note: Approval of the request will allow for the redevelopment of the site from a Car Wash (Full-Service) with Minor Automobile Repair into a Car Wash (Automated/Rollover) facility.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return that section using any of the following methods: mail to City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002, fax to 972-205-2474, deliver to the Planning Department at 800 East Main Street, Garland TX, or email Planning@Garlandtx.gov. It is important that your response include your property address, your name, and mailing address. Should you have any questions, please contact Isaac Williams 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.

• Noise pollution From Outside VACUUM; • Potential For Surface Run off; • Potential For Yet Another Failed business at this location; • Proximity of current car washes; Rev@ O'BANION # Centerville, Centerville and Broadway

(Please complete the following information)

Your Property Address: 3602 Columbia Blvd
Virginia L Wilcox
 Printed Name
3602 Columbia Blvd Garland, TX 75043
 Address City, State Zip

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

Virginia Wilcox
 Signature Title

Date: January 5, 2016

Outside the Notification Area



GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 – 7:00 PM

APPLICANT: 3K1 Consulting Services

File: Z 16-47

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, December 12, 2016, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **3K1 Consulting Services** for a Specific Use Provision for a Car Wash (Automated/Rollover) facility. The property is shown on the enclosed sketch and is described as follows:

Being a 1.13 acre tract of land and identified as Lot 2 in Block 2, of Broadway Crossing, an addition to the City of Garland, Dallas County, Texas according to the Map or Plat thereof recorded in/under Volume 86250, Page 3248, Map/Plat Records, Dallas County, Texas. This property is located at 646 East Centerville Road in Garland, Texas. (District 4).

Note: Approval of the request will allow for the redevelopment of the site from a Car Wash (Full-Service) with Minor Automobile Repair into a Car Wash (Automated/Rollover) facility.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return that section using any of the following methods: mail to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**, fax to 972-205-2474, deliver to the Planning Department at 800 East Main Street, Garland TX, or email Planning@Garlandtx.gov. It is important that your response include your property address, your name, and mailing address. Should you have any questions, please contact Isaac Williams 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.

Car Wash will be a problem with TRAFFIC XPCS. Location is too close to street and some of our neighbors there are 2 other great car washes in our area within a 1/4 MILE

(Please complete the following information)

Your Property Address: RALPH E ROBERTS 3510 SYRACUSE DR

Printed Name RALPH E ROBERTS

Address 3510 SYRACUSE DR City, State Garland TX Zip 75043

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

Signature Ralph E Roberts Title Owner

Date: 1-9-2017

Outside the Notification Area

Allmendinger, Tracy

From: Caroline Vornberg <cvornberg@icloud.com>
Sent: Monday, December 12, 2016 6:56 PM
To: Planning Group
Subject: No car wash!

Do not approve another car wash on Centerville. The newest one cut down an ancient tree and is failing. Do not approve this !

Caroline Vornberg , Ed D
972-342-4657

Outside the Notification Area

GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 - 1:30 PM

APPLICANT: 3K1 Consulting Services

File: **Z16-47**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 1:30 PM on Monday, December 12, 2016, in the Council Chambers of City Hall, 220 North Main Street, to consider the application of 3K1 Consulting Services for a Specific Use Provision for a Car Wash (Automated/Rotover) facility. The property is shown on the following sketch and is depicted as zoned:

Being a 1.12 acre tract of land and identified as Lot 2 in Block 2, of Wesley Crossing, an addition to the City of Garland, Dallas County, Texas according to the Map or Plat thereof recorded in Public Volume 66260, Page 3246, Map/Plat Records, Dallas County, Texas. This property is located at 1942 East Cartersville Road in Garland, Texas (District 4).

Note: Approval of the request will allow for the redevelopment of the site from a Car Wash (Full-Service) with Minor Automobile Repair into a Car Wash (Automated/Rotover) facility.

To convey any concerns or opinions regarding the aforementioned request, please complete the designated section and return that section using any of the following methods: mail to City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002, fax to 972-265-2074, deliver to the Planning Department at 800 East Main Street, Garland, TX, or email Planning@GarlandTX.gov. It is important that your response include your property address, your name and mailing address. Should you have any questions, please contact Isaac Williams at 972-265-2071.

(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 with space provided below.

ANOTHER CAR WASH IS NOT NEEDED IN THIS AREA.

(Please complete the following information)

Your Property Address: **314 XAVIER**

LINDA ROLEN

Printed Name

314 XAVIER DR

Address

GARLAND TX 75043

City, State

Zip

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

Signature

Date

Linda Rolan
12/12/16

Homeowner

Title



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

GARLAND

December 1, 2016

HEARING DATE/TIME: Plan Commission: December 12, 2016 – 7:00 PM

APPLICANT: 3K1 Consulting Services

File: Z 16-47

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, December 12, 2016, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of 3K1 Consulting Services for a Specific Use Provision for a Car Wash (Automated/Rollover) facility. The property is shown on the enclosed sketch and is described as follows:

Being a 1.13 acre tract of land and identified as Lot 2 in Block 2, of Broadway Crossing, an addition to the City of Garland, Dallas County, Texas according to the Map or Plat thereof recorded in/under Volume 86250, Page 3248, Map/Plat Records, Dallas County, Texas. This property is located at 646 East Centerville Road in Garland, Texas. (District 4).

Note: Approval of the request will allow for the redevelopment of the site from a Car Wash (Full-Service) with Minor Automobile Repair into a Car Wash (Automated/Rollover) facility.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return that section using any of the following methods: mail to City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002, fax to 972-205-2474, deliver to the Planning Department at 800 East Main Street, Garland TX, or email Planning@Garlandtx.gov. It is important that your response include your property address, your name, and mailing address. Should you have any questions, please contact Isaac Williams 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.

Too close to residences. Also, I also get a lot of litter from that operation. Making it bigger will increase litter.

(Please complete the following information)

Your Property Address: 600 E. Centerville Rd (AKA ^{636E} Centerville Rd)
 Printed Name: Paul B. Landfir

6333 Roundrock Rd Dallas, TX 75248
 Address City, State Zip

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

Paul B. Landfir Owner
 Signature Title

Date: 2/3/2017



**GARLAND
PLANNING REPORT**

City Council Regular Session Agenda

Agenda Item 11. d.

Meeting Date: February 7, 2017

Item Title: Z 17-01 Haitham Alatoon (District 3)

Submitted By: Kira Wauwie, Principal Development Planner

REQUEST

Approval of a Change in Zoning from Community Retail (CR) District to Single-Family-10 (SF-10) District.

OWNER

Yanine Portillo

PLAN COMMISSION RECOMMENDATION

On January 9, 2017, the Plan Commission by a vote of eight (8) to Zero (0) recommended approval of a Change in Zoning from Community Retail (CR) District to Single-Family-10 (SF-10) District.

STAFF RECOMMENDATION

Staff recommends approval of a Change in Zoning from Community Retail (CR) District to Single-Family-10 (SF-10) District.

BACKGROUND

The subject property is located at 3750 Zion Road and is currently zoned Community Retail (CR) District. The property is improved with a single-family residence, which the applicant desires to continue using for their personal residence. Historically the property has been used for this residence. The property is not proposed or intended for development with commercial uses.

The applicant requests approval of a Change in Zoning from Community Retail (C-R) District to Single-Family-10 (SF-10) District to conform the zoning to the site's existing use.

SITE DATA

The subject site contains approximately 1.9486 acres fronting 129.82 feet along Zion Road. The dwelling is accessible from Zion Road through an existing driveway along the northern property line.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Commercial (CR) District. The Commercial (CR) District is intended to accommodate a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration. However, the existing use and development with a single-family residence is not appropriate nor found in the Community Retail (CR) District. The use is more consistent with a residential district.

CONSIDERATIONS

1. The request is a traditional rezoning without a Planned Development (PD) District. These traditional requests do not require Concept Plan or Detail Plan to direct development. A traditional change in zoning will not contain Planned Development (PD) District special conditions, nor the provision of a Concept Plan and/or Detail Plan for more specific development guidance. Traditional zoning development is dependent on the standards set forth by the Garland Development Code (GDC) and the goals and policies established within the Envision Garland 2030 Comprehensive Plan. A change in zoning is intended to conform to the Garland Development Code. Accordingly the GDC requires careful consideration as to how closely the proposed district follows the policies of the Envision Garland 2030 Comprehensive Plan, and to what degree will the rezoning impact surrounding and future development.
2. The Single-Family (SF-10) District is intended to provide for development of primarily low-density detached, single-family residences on a variety of lot sizes, churches, schools, and public parks in logical, livable, and sustainable neighborhoods. The applicant proposes to maintain the existing single-family residence in conformity with the Single-Family (SF-10) District. The site contains approximately 84,883 square feet, or 1.9486 acres. Comparatively, the Single-Family-10 (SF-10) District requires a minimum lot size of 10,000 square feet.
3. The GDC provides the tools to ensure that development standards which promote efficient use of land and resources and which are supportive of the policies of the Comprehensive Plan are incorporated into site development, including but not limited to building and site design.
4. The intent of the request is the continuation of the existing use. The request is consistent with the Land Use Goals and Policies of Envision Garland 2030 Comprehensive Plan.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland 2030 Comprehensive Plan designates the subject property Regional Centers. Regional Centers are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. The Regional Centers designation is more closely representative of the non-residential area associated with Harbor Point. Regional Centers are grouped in the Activity Centers Building Block. Residential uses are not prohibited in this building block.

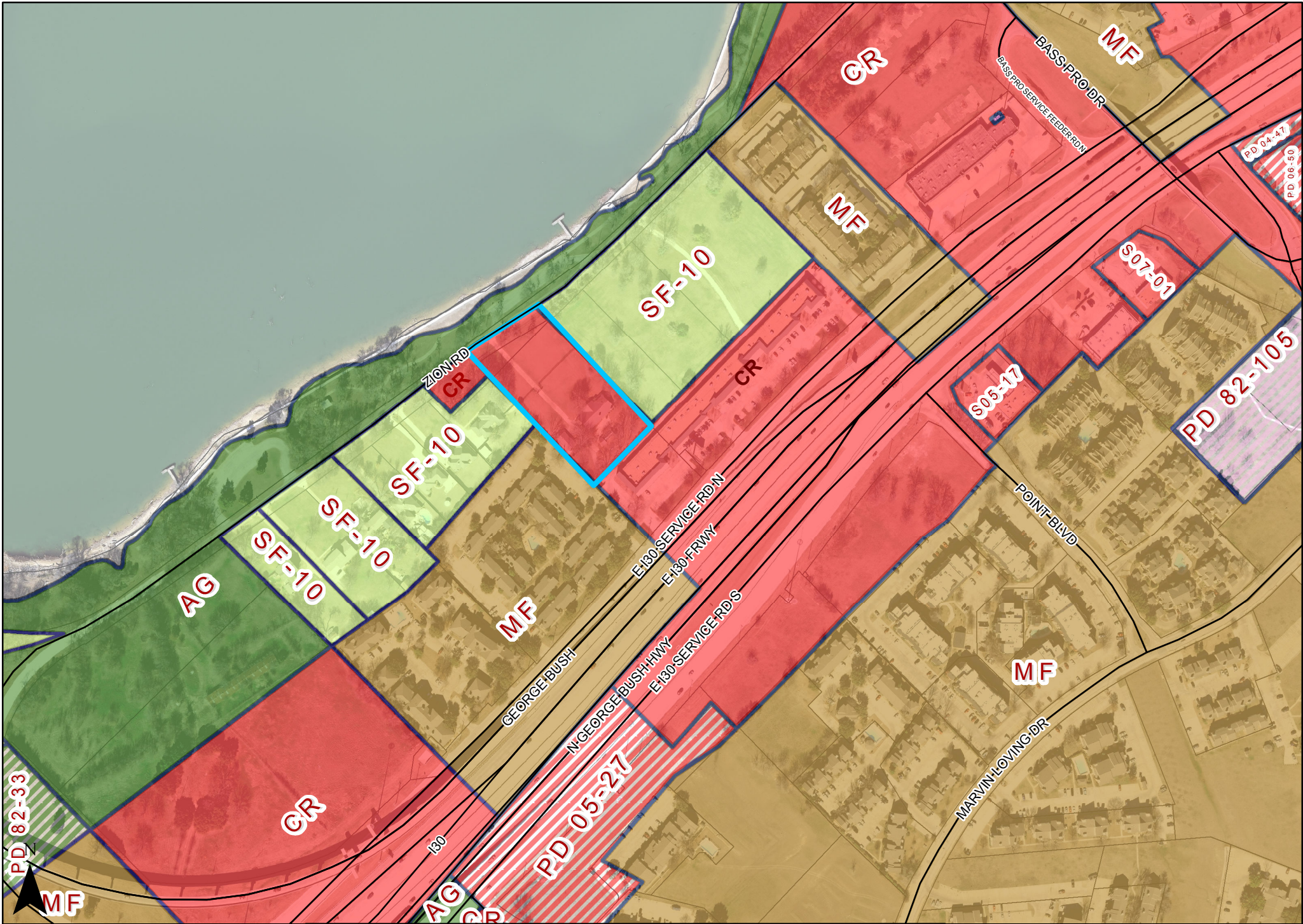
COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The immediate adjacent properties mostly consist of residential uses. To the east, properties are developed with single-family residential uses within the Single-Family-10 (SF-10) District. The property immediately south of the site is developed with commercial uses zoned Community Retail (CR) District. North across Zion Road is land dedicated to the shoreline and trail of John Paul Jones Park along Lake Ray Hubbard. A majority of the property west and southwest of the site is zoned Single-Family-10 (SF-10) District and a lesser amount of the adjoining property is Multi-Family (MF) District. The subject site is adjacent to an existing Single-Family (SF-10) District; therefore, the request would not introduce any new uses that may be incompatible with the surrounding area.

Attachments

Z 17-01 Haitham Alatoon Attachments

Z 17-01 Haitham Alatoon Notification Responses



0 150 300 Feet
 1 inch = 310 feet

ZONING MAP Z 17-01

 INDICATES AREA OF REQUEST

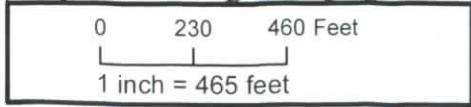
REPORT & MINUTES

P.C. Meeting, January 9, 2017

Consideration of the application of Haitham Alatoon, requesting a Change in Zoning from Community Retail (CR) District to Single-Family-10 (SF-10) District. The subject property is located at 3750 Zion Road. (District 3) (File Z 17-01)

The applicant was available for questions. There were no questions of this applicant.

Motion was made by Commissioner Dalton, seconded by Commissioner Moore to close the public hearing and approve the request per staff recommendation. **Motion carried: 8 Ayes, 0 Nays.**



ZONING MAP Z 17-01

INDICATES AREA OF REQUEST

We did not receive any responses for this case.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 11. e.

Meeting Date: February 7, 2017

Item Title: 2017 Proposed CIP Public Hearing

Submitted By: Ron Young, Budget Director

Summary of Request/Problem

A public hearing will be held on the 2017 Proposed Capital Improvement Program (CIP). At the public hearing, all interested persons will be given the opportunity to be heard for or against the Proposed program. The 2017 Proposed CIP is available for public inspection in the City's libraries and the City Secretary's Office and has been on the City's website since January 18, 2017.

Recommendation/Action Requested and Justification

Receive public comment.



GARLAND

City Council Regular Session Agenda

Meeting Date: February 7, 2017

Item Title:

Submitted By: Elisa Morales, Management Services Coordinator , Administration

Summary:

Council Member Anita Goebel

- Eric Stuyvesant - Citizens Environmental and Neighborhood Advisory Committee
-

Attachments

Eric Stuyvesant - Citizens Environmental and Neighborhood Advisory Committee



GARLAND

TEXAS MADE HERE

CITY OF GARLAND
RECEIVED
JAN 23 2017

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Please Type or Print Clearly:

Date: 23 Jan 2017

Name: Eric Stuyvesant Phone: _____ (Home)

Address: _____ Phone: _____ (Other)

City, State, Zip: Garland, TX 75040 Email: _____

Resident of Garland for 8 years Resident of Texas for 8 years

Dallas County Voter Registration Number _____ Garland City Council District Number 2

Have you ever been convicted of a felony? Yes No

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

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

Former CENAC Board Member

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

Yes. CENAC mo ISO TIME

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

South Garland Little League Coach, Garland Marsenic Lodge, Dallas Scottish Rite CENAC, Precinct Chair

What is your educational background?

SR in college

What is your occupational experience?

Landscaping

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

[Signature]

Board or Commission of first, second, and third choice:

- Board of Adjustment
- Building and Fire Codes Board
- Citizens Environmental and Neighborhood Advisory Committee
- Community Multicultural Commission
- Electrical Board
- Garland Cultural Arts Commission
- Garland Youth Council **
- Property Standards Board
- Library Board
- Parks and Recreation Board
- Plan Commission *
- Plumbing and Mechanical Codes Board
- Senior Citizens Advisory Committee

* Plan Commission members must live in district

** Garland Youth Council has a separate application

Return completed application to:

City Secretary's Office
200 North Fifth Street
Garland, TX 75040
Fax: 972-205-2504
Email: rdowl@GarlandTx.gov

Utilities: current MS
Taxes: current MS 1/23/17
Claims: none MS 01/23/17