



AGENDA

REGULAR MEETING OF THE CITY COUNCIL

**City of Garland
Council Chambers, City Hall
200 North Fifth Street
Garland, Texas
December 3, 2013
7:00 p.m.**

The City Council extends to each visitor a sincere welcome. We value your interest in your community and your participation in the meetings of this governing body. Regular meetings of the City Council are held the 1st and 3rd Tuesdays of each month, beginning at 7:00 p.m.; the City Council meets regularly in work sessions at 6:00 p.m. the Monday preceding each regular meeting.

The Garland City Hall and Council Chambers are wheelchair accessible. Special parking is available on the north side of City Hall and the building may be accessed by a sloped ramp from the parking area to the door facing Fifth Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services must contact the City Secretary's Office at (972) 205-2404 at least two working days prior to the meeting so that appropriate arrangements can be made. **BRILLE IS NOT AVAILABLE.**

CITY COUNCIL GOALS 2020

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

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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

CONSENT AGENDA

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

1. Consider approval of the minutes of the November 18, 2013 Special City Council Meeting and the November 19, 2013 City Council Regular Meeting.

2. Consider approval of the following bids:

- a. Transmission and Distribution Reconstruction Bid No. 3947-14

Techline, Inc.	\$670,346.25
Optional Contingency	<u>69,000.00</u>
TOTAL	<u>\$739,346.25</u>

This request is to provide steel monopoles and associated apparatus required for the relocation of Transmission and Distribution services associated with the Shiloh Road Improvements Project. A contingency fee is included due to the complexity of the project. This is a GP&L Capital Improvement Project.

b. Dairy Road Improvements

Bid No. 3347-13

Tri-Con Services, Inc.

\$2,959,016.50

This request is to provide for concrete improvements along Dairy Road including curb-and-gutter pavement, sidewalks and driveways, water and sewer mains, storm sewer, and box culvert. The project also provides for lowering of multiple water line sections and associated tasks including sodding, pavement marking, and fence replacement. Funding was approved in the 2013 Capital Improvement Program.

c. Concrete Finish Work

Bid No. 4017-14

Jerusalem Corporation

\$1,481,900.00

This request is to provide for the removal and replacement of failed concrete pavement on arterial and collector streets as part of the Street Department's Infrastructure Construction Program. Funding is provided through the 2013-14 Operating Budget.

3. Public hearings were previously conducted for the following zoning cases.

a. Zoning File No. 13-38, Ed Seghers

Consider and ordinance amending the zoning laws of the City of Garland, by approving a Change in zoning from Multi-Family (MF-12) District to Planned Development (PD) District for Office-1 (O-1) Uses on a 0.895-acre tract of land located at 800 South Sixth Street, east of South Sixth Street and south of West Avenue G.

b. Zoning File No. 13-43, Douglas Properties

Consider an ordinance amending the zoning laws of the City of Garland, by approving a change in zoning from Planned Development (PD) District 70-52 for Apartment, Retail, and Townhouses to a Planned Development (PD) District for Commercial – 1 (C-1) Uses (Self Storage Units), on a 13.51-acre tract of land located on the east side of East Centerville Road, approximately 1,350 linear feet north of the intersection of East Miller Road and East Centerville Road.

4. Consider an ordinance appointing Rick Schimmel as an Associate Judge of the Municipal Court of the City of Garland and providing an effective date.

This item was scheduled for consideration by Council at the December 3, 2013 Work Session.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

Anyone wishing to speak for, against, or on agenda items must fill out a speaker card and give it to the City Secretary before speaking (cards located at the entrance to the Council Chambers). The Mayor will recognize speakers; he may impose a time limit and may provide for rebuttal. All comments and testimony are to be presented from the podium.

5. Hold a public hearing on the following zoning case:

Consider the application of Apartment Development Services, requesting approval of 1) a change in zoning from Agriculture (AG) District to Planned Development (PD) District for Multi-Family Uses, 2) a Concept Plan and 3) a variance to Section 34.19(D) of the IH 30 Development Standards regarding building placement. The property is located at the northwest intersection of Bobtown Road and Waterhouse Boulevard. (District 3) (File 13-35)

The applicant has requested to postpone the public hearing until December 17, 2013.

6. 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.

7. Adjourn.

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

The City Council of the City of Garland, Texas convened in special session at 5:30 p.m. on Monday, November 18, 2013, in the Council Work Session Room at City Hall with the following members present:

Mayor	Douglas Athas
Mayor Pro Tem	Lori Barnett Dodson
Councilmember	Marvin 'Tim' Campbell
Councilmember	Anita Goebel
Councilmember	Stephen W. Stanley
Councilmember	B.J. Williams
Councilmember	John Willis
Councilmember	Scott LeMay
Councilmember	Jim Cahill

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

CALL TO ORDER: The meeting was called to order by Mayor Douglas Athas.

1. Councilman Cahill, seconded by Mayor Pro Tem Dodson, moved to approve Ordinance No. 6660 canvassing the returns of a Special Election held for the purpose of adopting or rejecting a proposition relating to an increase in the ad valorem tax rate in the amount of two cents per hundred dollars of assessed value for the purpose of funding the refurbishment of existing streets in the City of Garland, such election having been held on November 5, 2013; and declaring results of that election.

The total number of votes cast in all districts is 5,923 and the total of number of votes cast for or against the proposition is as follows: Garland Dallas County residents- voter turnout was 5.6%. Results were 4,040 in favor (68.36%) and 1,870 against (31.64%). Garland Collin County residents – voter turnout was 9.4% . Results were 6 in favor (46.15%) and 7 against (53.85%).

Total Results for Proposition No. 1:

IN FAVOR: 4,046
AGAINST: 1,877

“Shall the ad valorem tax rate of the City of Garland, Texas be increased in the amount of 2 cents per hundred dollars of assessed value, the revenue of such increase to be dedicated to the refurbishment of existing streets within the City?”

A vote was cast and the motion carried with 9 ayes, and 0 nays.

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 5:32 p.m.

CITY OF GARLAND

Signed:

Mayor

Attest:

City Secretary

The City Council of the City of Garland, Texas convened in regular session at 7:00 p.m. on Tuesday, November 19, 2013, in the Council Chambers at City Hall with the following members present:

Mayor	Douglas Athas
Mayor Pro Tem	Lori Barnett Dodson
Councilmember	Marvin 'Tim' Campbell
Councilmember	Anita Goebel
Councilmember	Stephen W. Stanley
Councilmember	B.J. Williams
Councilmember	John Willis
Councilmember	Scott LeMay
Councilmember	Jim Cahill

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

CALL TO ORDER: The meeting was called to order by Mayor Douglas Athas. District 8 Councilman Jim Cahill led the Invocation and Pledge of Allegiance.

CEREMONIALS: 1) Mayor Athas recognized Tiger Scout Troop No. 1978 in attendance this evening. 2) Mayor Athas presented a proclamation to Mary McLennan representing the American Diabetes Association acknowledging Diabetes Awareness Month in the City of Garland. 3) Mayor Athas recognized Director of Public and Media Affairs Dorothy White and staff and presented a first place trophy from the Texas Association of Telecommunications Officers & Advisors (TATO) in the Special Audience category for producing Fight the Bite!, a fun video intended to teach elementary school students about West Nile Virus and how to protect themselves. TATO recognized the video during its annual conference and programming awards event in October.

ANNOUNCEMENTS: Mayor Athas commented on the following: 1) Garland is working in partnership with Google to help Garland businesses develop their online presence and take advantage of those marketing opportunities. More details are available on the City's website, GarlandTx.gov; 2) The City will pause to remember the assassination of President John F. Kennedy this Friday at noon. Join us on the Downtown Garland Square and post your thoughts on the City of Garland Facebook page; and 3) Mark your calendars to join us all for our official tree-lighting and much more at Christmas on the Square, Thursday

December 5th from 5:30 to 9:30 p.m. More information is available at ChristmasontheSquare.com

CONSENT AGENDA:

All items marked with asterisks (**) on the Consent Agenda were voted on in a single motion at the beginning of the meeting. A motion was made by Councilman Cahill, seconded by Councilwoman Goebel, to approve Items: 1, 2a, 2b, 3, 4, 5, and 6. A vote was cast and the motion carried with 9 Ayes; 0 Nays.

1. APPROVED**

City Council minutes of the November 5, 2013, 2013 Regular Meeting.

2a. APPROVED**

Award of Bid No. 4002-14 in the amount of \$164,566 to Holt Caterpillar to provide a Caterpillar 312EL Excavator for the Street Department for use in their daily operations.

2b. APPROVED**

Award of Bid No. 4003-14 in the amount of \$286,430 to Freightliner Austin to purchase a 2014 Freightliner Cab with mounted Vac-Con Hydro Excavator to be used by the Water Department in their daily operations.

3. APPROVED**

Minute action authorizing the City Manager to execute Change Order No. 1 in the amount of \$32,957 to PO 21408 to Techline, Inc.

4. APPROVED**

Minute action authorizing the City Manager to execute the proposed contract with Civil Associates, Inc. in the amount of \$377,610.

5. APPROVED**

Resolution No. 10124 approving the City of Garland Investment Policy and Investment Strategy, as amended.

6. APPROVED**

Resolution No., 10125 amending the City of Garland authorized representatives for purpose of participation in the Texas Local Government Investment Pool.

7a. HELD & APPROVED

Director of Planning & Development Anita Russelmann provided background information regarding the application of Ed Seghers, requesting approval of a change in zoning from Multi-Family (MF-12) District to Planned Development (PD) District for Office-1 (O-1) Uses. The property is located at 800 South Sixth Street, east of South Sixth Street and south of West Avenue G. (Zoning File No. 13-38)

Mayor Athas opened the public hearing and the following persons provided comment in favor of the request: Tom Trenary, Jenny Williams, Barbara Burton, and Ed Seghers.

Councilwoman Goebel made a motion, seconded by Councilman Cahill, to close the public hearing and to approve the request as presented. Staff will prepare an ordinance and bring forth for formal approval at a future meeting. A vote was cast and the motion carried with 9 ayes, 0 nays.

7b. HELD & APPROVED

Director of Planning and Development Anita Russelmann provided background information regarding the application of Douglas Properties, requesting approval of a change in zoning from Planned Development (PD) District 70-52 for Apartments, Retail, and Townhouses to a Planned Development (PD) District for Commercial (C-1) Uses (Self Storage Units). The property is located on the east side of East Centerville Road, approximately 1,350 linear feet north of the intersection of East Miller Road and East Centerville Road. (Zoning File No. 13-43)

Mayor Athas opened the public hearing to invite citizen input. The following persons representing the applicant spoke in favor of the application: Jim Douglas and Bob Reid.

Councilwoman Goebel moved to close the public hearing and to approve, seconded by Mayor Pro Tem Dodson, the request as presented. Staff will prepare an ordinance and bring forth for formal approval at a future meeting. A vote was cast and the motion carried with 8 ayes, 1 nay (Williams).

8. HELD

Mayor Athas opened the public hearing to accept citizen input regarding the possible location of the historic Pace and Lyles houses to either the Central Library Parking Lot or to Central Park. The following persons spoke: Jerry Flook, against relocation to Central Park; Bill Homes, in favor of move to Library; Bettye Haynes, against move to Library; Lula Hester, against Central Park location; Karen Nixon; against Central Park location and concern for spending public funds on preservation of homes; Aaron Gaddis, interested in using homes for non-profit office space; and Louis Moore, in favor of Library location. The following persons submitted cards registering a position: Ron Leslie, in favor of move to Library; Wayne Everett, in favor of move to Central Park; Julius Irozuru; Jackie and Ted Mumaw in favor of move to Library;

David Baker; Tori Baker; Kendra Walden; Nancy Ghirla; Cleo Holden; and Michael Hayslip.

9. CITIZEN COMMENTS: The following person spoke: Stanley Winterbauer, thanked participants attending the Optimist's Club Golf Tournament. .

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 9:00 p.m.

CITY OF GARLAND

Signed:

Mayor

Attest:

City Secretary



Purchasing Report

TRANSMISSION AND DISTRIBUTION RECONSTRUCTION OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide steel monopoles and associated apparatus required for the relocation of Transmission and Distribution services associated with the Shiloh Road Improvements Project. Due to the complexity of the project, an optional contingency is included for unforeseen changes in the requirements. This is an approved GP&L Capital Improvement project. Expenditures will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Techline, Inc.	All	\$670,346.25
Optional Contingency		69,000.00
	TOTAL:	<u>\$739,346.25</u>

BASIS FOR AWARD:

Straight Low Bid

Submitted by:

 Gary L. Holcomb, CPPO, C.P.M.

 Director of Purchasing

Reviewed by:

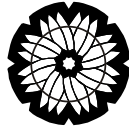
 William E. Dollar

 City Manager

Date: 11/25/13

Date: 11/26/13

<u>FINANCIAL SUMMARY:</u>			
Total Project/Account: \$	<u>1,638,535</u>	Operating Budget:	<input type="checkbox"/>
Expended/Encumbered to Date:	<u>51,964</u>	CIP:	<input checked="" type="checkbox"/>
Balance: \$	<u>1,586,571</u>	Year:	<u>2013</u>
This Item:	<u>739,346</u>	Document Location:	<u>Page E08</u>
Proposed Balance: \$	<u>847,225</u>	Account #:	217-3599-3141701-6051 \$369,885.86
Trent Schulze	11/25/13		217-3599-3141801-6051 118,808.34
Budget Analyst	Date		217-3599-3141901-6051 153,298.25
Ron Young	11/25/13		215-3293-3149101-6051 97,353.80
Budget Director	Date	Fund/Agency/Project – Description:	Electric CIP – Distribution Lines - Overhead
		Comments:	Provides steel monopoles and associated apparatus for the relocation of T&D services associated with the Shiloh Road Improvements project. An optional contingency is included for unforeseen changes. Expenditures will not exceed appropriations.



GARLAND

PURCHASING

Executive Summary **Bid 3947-14** **Transmission & Distribution Reconstruction**

Recommended Vendor:

Techline, Inc.

Total Recommended Award:

\$739,346.25

Basis for Award:

Straight Low Bid

Purpose:

The purpose of this contract is to provide steel monopoles and associated apparatus required for the relocation of Transmission and Distribution services associated with the Shiloh Road Improvements Project.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures. Techline, Inc. submitted a base bid as well as an alternate bid for consideration. Techline Inc.'s base bid was evaluated and determined to be within budget and met all requirements of the specifications.

Recommendation:

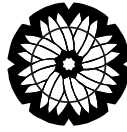
Staff recommends awarding the materials contract to Techline, Inc. as the straight low bidder meeting all requirements of the specifications.

Funding Information:

This contract will be funded from the following CIP projects:
\$369,885.86 217-3599-3141701-6051 Shiloh - McCree PH II 138 kV at Shiloh Road
\$118,808.34 217-3599-3141801-6051 Raytheon - Oakland 69 kV at Oakland Street
\$153,298.25 217-3599-3141901-6051 Oakland - McCree 69 kV at McCree Road
\$ 97,353.80 215-3293-3149101-6051 Utility Relocation for Street Projects

Department Director:

Tommy Weathersbee, Interim Transmission & Distribution Director, 972-205-3532



GARLAND

PURCHASING

Executive Summary **Bid 3347-13** **Dairy Road Improvements**

Recommended Vendor:

Tri-Con Services, Inc.

Total Recommended Award:

\$2,959,016.50

Basis for Award:

Lowest Responsible Bid

Purpose:

The purpose of this project is to provide for concrete improvements along Dairy Road including curb-and-gutter pavement, sidewalks and driveways, water and sewer mains, storm sewer, and box culvert. This project also provides for lowering of multiple water line sections and associated tasks including sodding, pavement marking, and fence replacement.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures. Six (6) paper bids were received and evaluated. While Tri-Con Services, Inc. was not low on every line item, they submitted the lowest overall bid for the project.

Recommendation:

Staff recommends that Tri-Con Services be awarded the contract for Dairy Road Improvements.

Funding Information:

227-4049-3019000-9213, 237-4149-3215700-9305, 624-1409-1426304-9001

Department Director:

Michael C. Polocek, P.E., Director of Engineering, 972-205-2178



Purchasing Report

CONCRETE FINISH WORK TERM CONTRACT

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide for the removal and replacement of failed concrete pavement on arterial and collector streets as part of the Street Department's Infrastructure Construction Program. The unit price quantities are estimated and may be more or less based on actual needs. Pricing and contract renewals will be in accordance with the City of Plano's Contract. Funding is provided through the 2013-14 Operating Budget.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Jerusalem Corporation	All	\$1,481,900.00
TOTAL:		\$1,481,900.00

BASIS FOR AWARD:

Interlocal Agreement

Submitted by:

Gary L. Holcomb, CPPO, C.P.M.

 Director of Purchasing

Reviewed by:

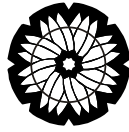
William E. Dollar

 City Manager

Date: 11/25/13

Date: 11/26/13

FINANCIAL SUMMARY:			
Total Project/Account:	\$ <u>N/A</u>	Operating Budget:	<input checked="" type="checkbox"/> CIP: <input type="checkbox"/> Year: <u>2013-14</u>
Expended/Encumbered to Date:	<u>N/A</u>	Document Location:	<u>Pages 262-263</u>
Balance:	\$ <u>N/A</u>	Account #:	451-6999 (831-4693-7111)
This Item:	<u>1,481,900</u>	Fund/Agency/Project – Description:	Term Contract – Concrete Finish Work
Proposed Balance:	\$ <u>N/A</u>	Comments:	Term Contract sets price but does not commit funds. Expenses will be charged to accounts as incurred.
Matt Monedero	<u>11/25/13</u>		
Budget Analyst	Date		
Ron Young	<u>11/25/13</u>		
Budget Director	Date		



GARLAND

PURCHASING

Executive Summary **Bid 4017-14** **Term Contract for Concrete Finish Work**

Recommended Vendor:

Jerusalem Corporation

Total Recommended Award:

\$1,481,900.00

Basis for Award:

Interlocal Agreement

Purpose:

This purpose of this contract is to provide for the removal and replacement of failed concrete pavement on arterial and collector streets as part of the Street Department's infrastructure construction program.

Evaluation:

These services are being provided by Jerusalem Corporation through an Interlocal Agreement with the City of Plano.

Recommendation:

Staff recommends awarding the contract for concrete finish work to Jerusalem Corporation.

Funding Information:

451-6999

Department Director:

Steven L. Oliver, P.E., Director of Streets, 972-205-3558



City Council Item Summary Sheet

Work Session

Date: December 3, 2013

Agenda Item

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 13-38 Ed Seghers

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Submitted By:

Neil Montgomery
Senior Managing Director of
Development Services

Approved By:

William E. Dollar
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A CHANGE IN ZONING FROM MULTI-FAMILY (MF-12) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT FOR OFFICE-1 (O-1) USES ON A 0.895-ACRE TRACT OF LAND LOCATED AT 800 SOUTH SIXTH STREET, EAST OF SOUTH SIXTH STREET AND SOUTH OF WEST AVENUE G; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 28th day of October, 2013, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Ed Seghers**, and

WHEREAS, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

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

Section 1.

Ordinance No. 4647 is hereby amended by approving a change in zoning from Multi-Family (MF-12) District to Planned Development (PD) District for Office-1 (O-1) Uses, on a 0.895-acre tract of land located at 800 South Sixth Street, east of South Sixth Street and south of West Avenue G, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2.

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

Section 3.

Ordinance No. 4647, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

Section 4.

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

Section 5.

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

PASSED AND APPROVED this _____ day of _____, 2013.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 13-38

BEING all of Lots 2, 3 and a portion of Lot 4, Block 31, Town of Embree, an addition in the City of Garland, Texas, Dallas County, containing approximately 0.895 acres, according to the plat recorded in Volume 77, Page 441, Map Records, Dallas County, Texas. This property is located at 800 South Sixth Street, east of South Sixth Street and South of West Avenue G.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE 13-38

800 South Sixth Street, east of South Sixth Street and South of West Avenue G

- I. **Statement of Purpose:** The purpose of this Planned Development is to allow for office uses subject to conditions.
- II. **Statement of Effect:** This Planned Development (PD) District shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Office-1 (O-1) District set forth in Section 20 and 32 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Specific Regulations:**
 - A. Permitted Uses:
 - Church
 - Kindergarten, Preschool or Child Care Center*
 - Medical Office/Clinic
 - * Allowed by Specific Use Permit only.
 - ** Allowed as a Secondary Use only.
 - B. Site Plan: Development shall be conformance with the Site Plan labeled as Exhibit C.
 - C. Floor Plan: The medical office shall occupy the existing building as shown on the Floor Plan labeled as Exhibit D and be limited to no more than 5,300 square feet. Only five (5) exams rooms shall be permitted.
 - D. Landscape Plan: Screening from adjacent residential districts is not required. Additionally, the parking lot is not required to be landscaped with the exception of the required screening of the parking areas from residential districts and public streets as shown on the Site Plan labeled Exhibit C.

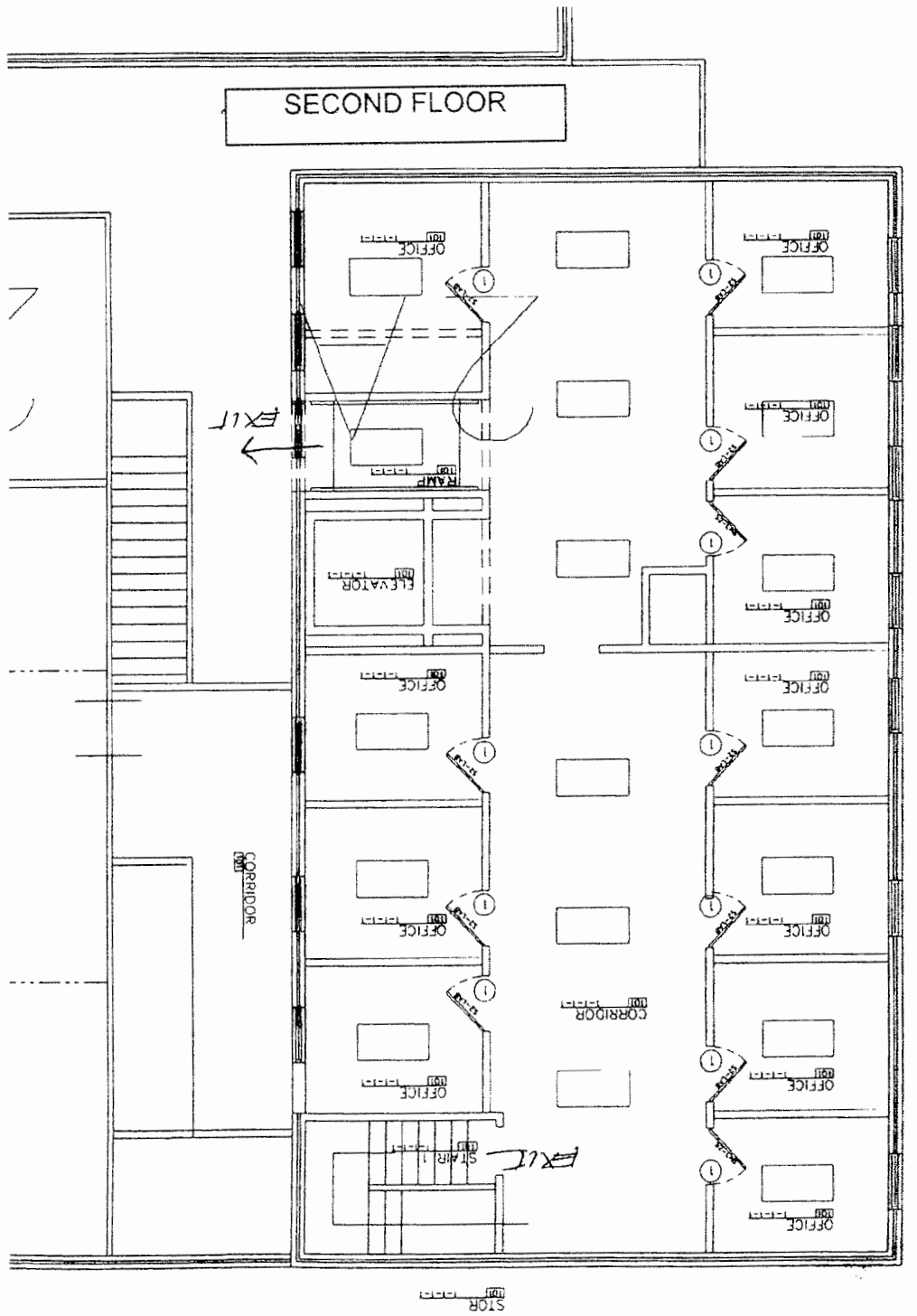


EXHIBIT D



City Council Item Summary Sheet

Work Session

Date: December 3, 2013

Agenda Item

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 13-43 Douglas Properties

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Submitted By:

**Neil Montgomery
Senior Managing Director of
Development Services**

Approved By:

**William E. Dollar
City Manager**

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A CHANGE IN ZONING FROM PLANNED DEVELOPMENT (PD) DISTRICT 70-52 FOR APARTMENTS, RETAIL, AND TOWNHOUSES TO A PLANNED DEVELOPMENT (PD) DISTRICT FOR COMMERCIAL-1 (C-1) USES (SELF STORAGE UNITS), ON A 13.51-ACRE TRACT OF LAND LOCATED ON THE EAST SIDE OF EAST CENTERVILLE ROAD, APPROXIMATELY 1,350 LINEAR FEET NORTH OF THE INTERSECTION OF EAST MILLER ROAD AND EAST CENTERVILLE ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 28th day of October, 2013, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Douglas Properties, Inc.**; and

WHEREAS, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

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

Section 1.

Ordinance No. 4647 is hereby amended by approving a change in zoning from Planned Development (PD) District 70-52 For Apartments, Retail, and Townhouses to a Planned Development (PD) District for Commercial-1 (C-1) Uses (Self Storage Units), on a 13.51-acre tract of land located on the east side of East Centerville Road, approximately 1,350 linear feet north of the intersection of East Miller Road and East Centerville Road, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2.

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

Section 3.

Ordinance No. 4647, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

FILE NO. 13-43

Section 4.

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

Section 5.

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

PASSED AND APPROVED this _____ day of _____, 2013.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 13-43

BEING a tract of land situated in the Edward Mills Survey, Abstract No. 952, Dallas County, Texas and being a portion of a tract of land conveyed to 2900 Centerville, LLC by instrument number 2008-0304422 filed September 19, 2008 in the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at northwest corner of the of the subject trac, said point also being on the east right-of-way line of Centerville Raad (a 100' R.O.W.), said point further being the southwest corner of a tract of land conveyed to the City of Garland;

THENCE, N 89°11'40" E, leaving said east right-of-way line of Centerville Road a distance of 586.15 feet to a point for corner;

THENCE, along the south line of the City of Dallas take line the following:

S 46°22'51" E, a distance of 350.75 feet to a point for corner;

S 19°26'04" E, a distance of 282.03 feet to a point for corner;

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

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

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

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

THENCE, N 86°35'47" W, a distance of 96.19 feet to a point on the east line of said Centerville Road (a 100' R.O.W.)

THENCE, along said east right-of-way line of Centerville Road (a 100' R.O.W.) the following:

N 01°30'47" E, a distance of 234.13 feet;

Around a tangent curve to the left having a central angle of 1°42'50", a radius of 5,779.58 feet, and an arc distance of 172.77 feet with a chord bearing of N 00°39'20" E-172.77 feet, to a point for corner;

N 00°11'59" W, a distance of 456.53 feet to the Place of Beginning and containing 13.51 acres of land. This property is located on the east side of East Centerville Road, approximately 1,350 linear feet north of the intersection of East Miller Road and East Centerville Road.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE 13-43

On the east side of East Centerville Road, approximately 1,350 linear feet north of the intersection of East Miller Road and East Centerville Road

- I. **Statement of Purpose:** The purpose of this Planned Development District is to permit the development of Self Storage Units subject to conditions.
- II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Comprehensive Zoning Ordinance. Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Commercial 1 (C-1) District set forth in Sections 26 and 32 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as specified in this ordinance
- IV. **Development Plans:**

Detail Plan: Prior to development on the subject property or portion thereof, a Detail Plan and conditions shall be approved through the public hearing process.
- V. **Specific Regulations:**
 - A. Permitted Uses: Only Self Storage Units shall be permitted.
 - B. Outdoor Storage: No outdoor storage shall be allowed.
 - C. Closed Municipal Solid Waste Landfill: The subject property appears to include areas that constitute a closed municipal solid waste landfill within the meaning of Rule 330.951, Texas Administrative Code. The applicant is required to provide all necessary documentation with the Detail Plan submittal to demonstrate compliance with the requirements of Subchapter T, Chapter 330, Texas Administrative Code.



City Council Item Summary Sheet

Work Session

Date: 12/03/13

Agenda Item

Appointment of Associate Judge of Municipal Court

Summary of Request/Problem

This item was scheduled for consideration at the December 3, 2013 Work Session.

Recommendation/Action Requested and Justification

Consider an ordinance appointing Rick Schimmel as an Associate Judge of the Municipal Court of the City of Garland.

Submitted By:

Approved By:

William E. Dollar
City Manager

ORDINANCE NO.

AN ORDINANCE; APPOINTING RICK SCHIMMEL AS AN ASSOCIATE JUDGE OF THE MUNICIPAL COURT OF THE CITY OF GARLAND, TEXAS AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Rick Schimmel is hereby appointed as an associate judge of the Municipal Court of the City of Garland, Texas for a term of office of two years commencing December 3, 2013.

Section 2

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

PASSED AND APPROVED this the _____ day of _____, 2013.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary