

ORDINANCE NO. 7509

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING (1) A SPECIFIC USE PROVISION FOR A RESTAURANT, DRIVE-THROUGH USE AND (2) A DETAIL PLAN FOR A RESTAURANT, DRIVE-THROUGH USE ON A 1.071-ACRE TRACT OF LOCATED AT 4680 NORTH SHILOH ROAD AND ZONED PLANNED DEVELOPMENT (PD) DISTRICT 20-35; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 8th day of January 2024, the Plan Commission did consider and make recommendations on a certain request for (1) a Specific Use Provision for a Restaurant, Drive-Through Use and (2) a Detail Plan for a Restaurant, Drive-Through Use on a property zoned Planned Development (PD) District 20-35 made by **Ofi Chito**; 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

The Garland Development Code is hereby amended by approving (1) a Specific Use Provision for a Restaurant, Drive-Through Use and (2) a Detail Plan for a Restaurant, Drive-Through Use on a property zoned Planned Development (PD) District 20-35 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 the Garland Development Code.

Section 3

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

Section 4

NOTICE OF CONDITIONS OF COMPLIANCE: Notwithstanding the provisions of any other ordinance of the City, the full, complete, and continuing compliance with all the conditions, restrictions, and regulations of this Ordinance is a condition to the issuance and continuation of any permit, approval, authorization or consent by the City, including without limitation the issuance or continuation of any certificate of occupancy for any building or structure located on any portion of the property described in Exhibit "A". All promises, representations, obligations and undertakings made or assumed by the applicant to the City Council at any public presentation in connection with the granting of this Ordinance are hereby incorporated into and made a part of this Ordinance as if expressly set forth herein at length. No substantial deviation from any material portion of the conditions, restrictions, and regulations contained within this Ordinance are allowed except as may be provided by the City Council after a public hearing.

Section 5

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

Section 6

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 7

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

FILE NO. Z 23-44

PASSED AND APPROVED this 20th day of February 2024.

THE CITY OF GARLAND, TEXAS

Mayor

ATTEST:

Deputy City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 23-44

All that certain tract or parcel of land located in T. G. Montgomery Survey, Abstract No. 962, City of Garland, Dallas County, Texas, and being a part of Lot 3, Block 1, of the Garland Shiloh Addition as shown by plat, recorded in Document No. 202300154069 in the Official Public Records of Dallas County, Texas, same being a part of that land as described by deed from Seven Investments Company to Shiloh Arapaho Partners, Ltd. recorded in Document No. 202100197412 in said Official Public Records and being more particularly described as follows:

BEGINNING at 1/2-inch iron rod "WINDROSE" (found) for the northwest corner of the above referenced Lot 3, same being the southwest corner of Lot 2R, Block 1 of said Addition and being in the east right of way line of Shiloh Road, and being South 00 deg. 51 min. 41 sec. East a distance of 106.96 feet from an "X" scribed in concrete (found) for an angle corner in the west line of said Lot 2R;

THENCE North 89 deg. 21 min. 20 sec. East with the north line of said Lot 3 and the south line of said Lot 2R, a distance of 258.89 feet to a 1/2 inch iron rod "WINDROSE" (found) for the northeast corner of said Lot 3 and the southeast corner of said Lot 2R and being in the west line of Lot 1, Block 1 of the Jain Temple Addition as shown by plat, recorded in Document No. 200900217124 in said Official Public Records and being South 00 deg. 51 min. 22 sec. East a distance of 377.87 feet from a 1/2 inch iron rod "WINDROSE" (found) for the northeast corner of said Lot 2R in the south right of way line of Arapaho Road;

THENCE South 00 deg. 51 min. 22 sec. East with the east line of said Lot 3 and the west line of said Lot 1, a distance of 180.13 feet to a 1/2-inch iron rod "SUMMIT" (set) for corner in same;

EXHIBIT A

ZONING FILE NUMBER Z 23-44

THENCE South 89 deg. 21 min. 20 sec. West across said Lot 3, a distance of 258.87 feet to an "X" scribed in concrete (set) for corner in the west line of said Lot 3 and being in the east right of way line of said Shiloh Road;

THENCE North 00 deg. 51 min. 41 sec. West with the west line of said Lot 3 and with said right of way line, a distance of 180.13 feet to the PLACE OF BEGINNING, containing 1.071 acres (46,631 sq. ft.) of land.

EXHIBIT A

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 23-44

4680 North Shiloh Road

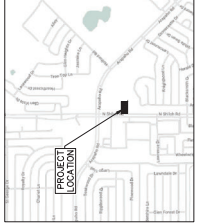
- I. Statement of Purpose:** The purpose of this Planned Development (PD) is to allow and regulate the development of a Restaurant, Drive-Through land use.
- II. Statement of Effect:** This Planned Development (PD) shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Planned Development (PD) District 20-35 and Neighborhood Office (NO) District and Site Development Standards as set forth in Chapter 2 and 4 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 is to be in conformance with the approved Detail Plan labeled Exhibit C to Exhibit E. In the event of conflict between the conditions and Detail Plan, the conditions listed below are to apply.
- V. Detail Plan:**
- A. Site Layout: The site shall be in conformance to the site layout reflected on Exhibit C.
- B. Screening and Landscaping: Screening and landscaping shall be in conformance to the layout reflected on Exhibit D.
- C. Building Elevations: Building elevations shall be in conformance to the elevations as approved on Exhibit E.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-44

4680 North Shiloh Road

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a 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 Planned Development (PD) District 20-35 and Neighborhood Office (NO) District and Site Development Standards as set forth in Chapter 2 and 4 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. Time Period: The Specific Use Provision shall have a twenty-five year time period.



DESIGN CONSULTANT: LANGAN
 2224 COLLESMOUTH STREET
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GENERAL CONTRACTOR: ARFAPO PARTNERS LTD.
 444 JAMES LANE, SUITE #25
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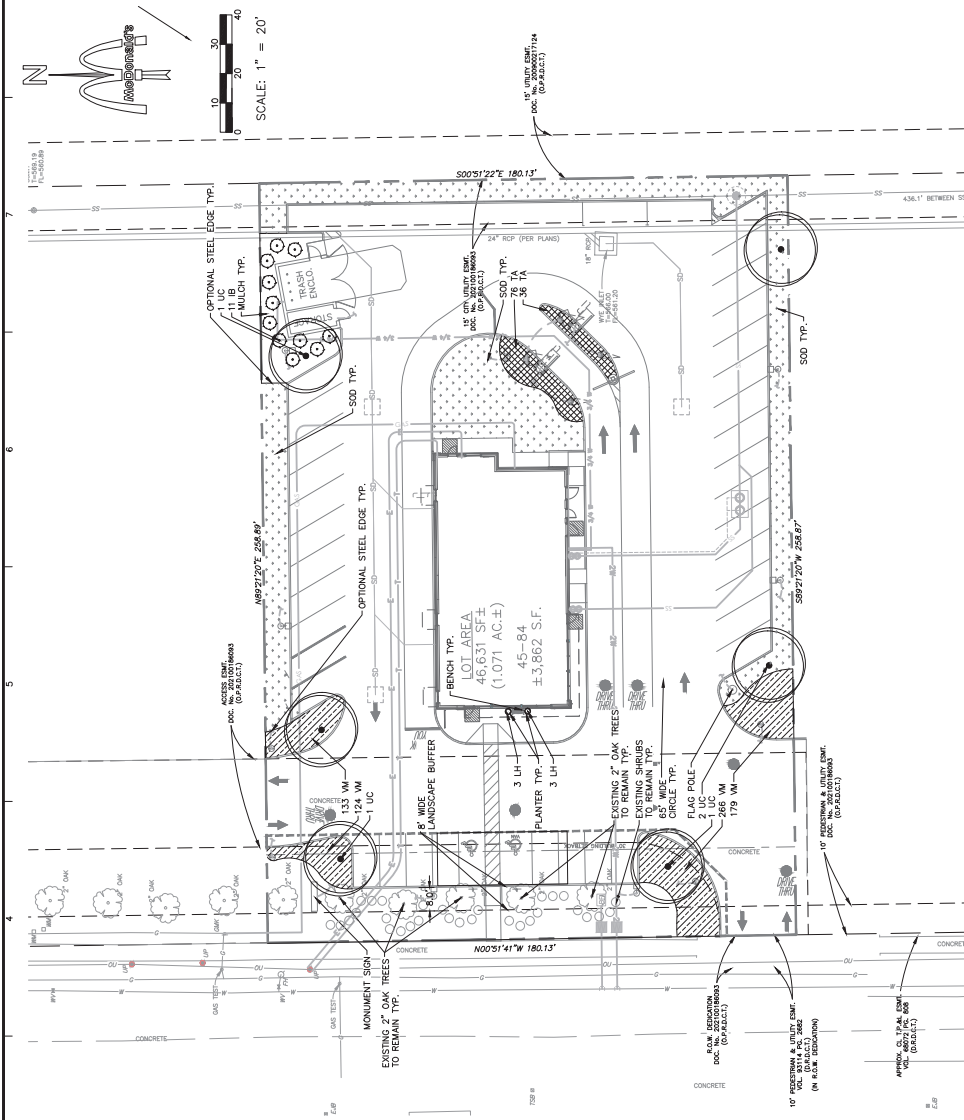
McDonald's USA, LLC
 These drawings and specifications are the combined work of the Architect and the Landscape Architect. The Contractor shall be held responsible for the accuracy of the information provided and shall be held responsible for the accuracy of the information provided. The Contractor shall be held responsible for the accuracy of the information provided. The Contractor shall be held responsible for the accuracy of the information provided.

McDonald's Restaurant
 L/C #423441
 N SHILOH RD
 GARLAND
 DALLAS COUNTY
 Drawing Title: **LANDSCAPE PLAN**

Project No. 520063901
 Date: 1/27/2023
 Drawn By: DH
 Checked By: AWB

Drawing No. **L1.0**

Sheet 12 of 12



PLANT SCHEDULE

KEY	QTY	BOTANICAL / COMMON NAME	SIZE	ROOT	HEIGHT / SPREAD
UC	6	ULMUS CRASSIFOLIA / CEDAR ELM	3" CAL B&B	40-60" H X 40-60" W	
IB	11	ILEX CORNUTA 'BURFORDI NANA' / DWARF BURFORD HOLLY	5 GAL	CONTAINER	6-8" H X 6-8" W
LH	6	LANTANA X 'NEW GOLD' / NEW GOLD LANTANA	1 GAL	CONTAINER	1-2" H X 1-2" W
TA	112	TRACHELOSPERMIUM ASAIUMI / ASIATIC JASMINE	1 GAL	CONTAINER	1" H X 2" W
VM	702	VINCA MAJOR / LARGE PERENNIAL	1 GAL	CONTAINER	1-3" H X 1-2" W

EXISTING SHRUBS: ILEX CORNUTA 'BURFORDI NANA' / DWARF BURFORD HOLLY, LANTANA X 'NEW GOLD' / NEW GOLD LANTANA, TRACHELOSPERMIUM ASAIUMI / ASIATIC JASMINE, VINCA MAJOR / LARGE PERENNIAL

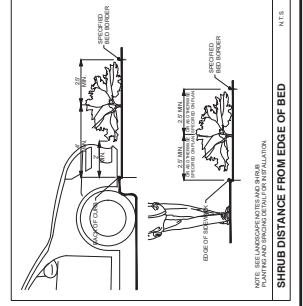
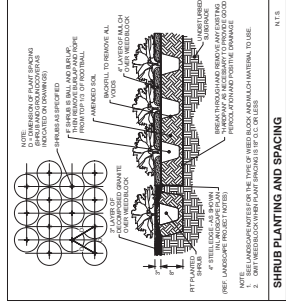
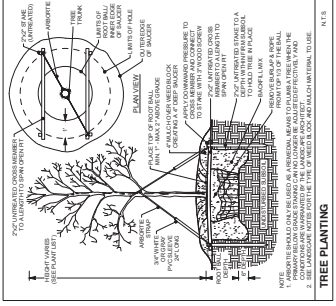
GROUND COVERS: LANTANA X 'NEW GOLD' / NEW GOLD LANTANA, TRACHELOSPERMIUM ASAIUMI / ASIATIC JASMINE, VINCA MAJOR / LARGE PERENNIAL

SHRUBS: ILEX CORNUTA 'BURFORDI NANA' / DWARF BURFORD HOLLY, LANTANA X 'NEW GOLD' / NEW GOLD LANTANA, TRACHELOSPERMIUM ASAIUMI / ASIATIC JASMINE, VINCA MAJOR / LARGE PERENNIAL

TREES: ULMUS CRASSIFOLIA / CEDAR ELM

LANDSCAPE ORDINANCE COMPLIANCE CHART

ORDINANCE SECTION	DESCRIPTION	REQUIRED/PROVIDED	COMPLIANCE
Section 4.34 (A)	Landscape Materials must cover a minimum of 90% of the total site area.	REQUIRED: 96,292 SQ FT (1.0) = 4,863.2 SQ FT PROVIDED: 10,188,252 SQ FT (91.8%)	COMPLIES
Section 4.34 (B)(2)	A minimum of a 10' wide landscape buffer along FLOW.	REQUIRED: 10' wide buffer PROVIDED: 10' wide buffer	COMPLIES
Section 4.34 (3)(B)	For every fifty linear feet of FLOW one canopy tree is required.	REQUIRED: 161.67' (1) = 3.5 canopy trees PROVIDED: 4 Existing Trees	COMPLIES
Section 4.35 (A)(1)	Canopy trees must cover at least 5% of parking lot.	REQUIRED: 7,817.50 SQ FT (0.08) = 339.84 SQ FT PROVIDED: 301.8 SQ FT (11.5%)	COMPLIES
Section 4.35 (A)(2)	Landscape Island must be located at the center of each parking lot and contain one canopy tree.	REQUIRED: One tree in all parking islands at the center of each parking lot and contain one canopy tree. PROVIDED: One tree in all parking islands at the center of each parking lot and contain one canopy tree.	COMPLIES
Section 4.35 (B)	Must be a minimum of one large canopy tree every parking space.	REQUIRED: One large canopy tree within 60' of every parking space. PROVIDED: One large canopy tree within 60' of every parking space.	COMPLIES
Section 4.35 (C)	One large canopy tree every 10 parking spaces.	REQUIRED: 30 parking spaces (1) = 3.0 large canopy trees PROVIDED: 6 large parking lot trees	COMPLIES



LANDSCAPE PROJECT NOTES

Refer to Sheetwork for information needed for landscape work.

1. ALL TREES SHALL BE PLANTED WITH A MINIMUM OF 10% SOIL AMENDMENT.

2. ALL TREES SHALL BE PLANTED WITH A MINIMUM OF 10% MULCH.

3. ALL TREES SHALL BE PLANTED WITH A MINIMUM OF 10% IRRIGATION.

4. ALL TREES SHALL BE PLANTED WITH A MINIMUM OF 10% WATERING.

5. ALL TREES SHALL BE PLANTED WITH A MINIMUM OF 10% MAINTENANCE.

SOD PROJECT NOTES

1. ALL SOD SHALL BE PLANTED WITH A MINIMUM OF 10% SOIL AMENDMENT.

2. ALL SOD SHALL BE PLANTED WITH A MINIMUM OF 10% MULCH.

3. ALL SOD SHALL BE PLANTED WITH A MINIMUM OF 10% IRRIGATION.

4. ALL SOD SHALL BE PLANTED WITH A MINIMUM OF 10% WATERING.

5. ALL SOD SHALL BE PLANTED WITH A MINIMUM OF 10% MAINTENANCE.

STEEL EDGE TERMINATION

1. ALL STEEL EDGES SHALL BE PLANTED WITH A MINIMUM OF 10% SOIL AMENDMENT.

2. ALL STEEL EDGES SHALL BE PLANTED WITH A MINIMUM OF 10% MULCH.

3. ALL STEEL EDGES SHALL BE PLANTED WITH A MINIMUM OF 10% IRRIGATION.

4. ALL STEEL EDGES SHALL BE PLANTED WITH A MINIMUM OF 10% WATERING.

5. ALL STEEL EDGES SHALL BE PLANTED WITH A MINIMUM OF 10% MAINTENANCE.

