

**ORDINANCE NO. 7538**

**AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING (1) A CHANGE IN ZONING FROM INDUSTRIAL (IN) DISTRICT TO A PLANNED DEVELOPMENT (PD) DISTRICT FOR INDUSTRIAL USES AND (2) A DETAIL PLAN TO ALLOW AN EQUIPMENT LEASING/RENTAL, OUTDOOR USE AT THE EXISTING DEVELOPMENT ON A 2.97-ACRE TRACT OF LAND LOCATED AT 2916 AND 3002 NATIONAL DRIVE PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A 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 10th day of June 2024, the Plan Commission did consider and make recommendations on a certain request for (1) a Change in Zoning from Industrial (IN) District to a Planned Development (PD) District for Industrial Uses and (2) a Detail Plan to allow an Equipment Leasing/Rental, Outdoor Use at the existing development by **2916 National, LP**; 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, THEREFOR, 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 Change in Zoning from Industrial (IN) District to a Planned Development (PD) District for Industrial Uses and Outside Storage, which being more particularly described in Exhibit "A," attached hereto and made a part hereof.

**Section 2**

The City Council hereby approves the Detail Plan attached hereto as Exhibit "C" and incorporated herein by reference, to be made part of this Planned Development District.

**Section 3**

Development shall be in conformance with the conditions, restrictions, and regulations set forth in the Garland Development Code.

**Section 4**

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 5**

**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 6**

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 7**

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.

FILE NO. Z 24-15

**Section 8**

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

**PASSED AND APPROVED** this 16th day of July 2024.

**THE CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

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

**Published:**

**EXHIBIT A**

**LEGAL DESCRIPTION**

**Zoning File Z 24-15**

BEING Lots 1 and 2, Block 1 of National Properties Addition being a Replat of Revised Kingsley Road Properties Industrial District No. 2, Lot 2, Block C, an Addition to the city of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2004091, Page 64, Map and or/Plat records, Dallas County, Texas, being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found in the East line of National Drive, a 60-foot public right-of-way, also being the Southwest corner of a tract of land conveyed to Seba Chelo Garland LLC in a deed recorded under Instrument 202100138506 Deed Records, Dallas County, Texas (D.R.D.C.T.), also being the Northwest corner of said Lot 1;

THENCE South 89 degrees 50 minutes 28 seconds East leaving the East line of National Drive, along the North line of Lot 1 a distance of 391.00 feet to a PK nail found in the interior corner of the Seba Chelo Garland LLC tract, also being the Northeast corner of said Lot 1;

THENCE South 00 degrees 09 minutes 32 seconds West passing the Southeast corner of said Lot 1 and the Northeast corner of said Lot 2 a distance of 149.76 feet to a PK nail found, continuing along the east line of said Lot 2 a total distance of 330.76 feet to a PK nail found for the

ZONING FILE NUMBER Z 24-15

Southeast corner of said Lot 2, also being the Southwest corner of the Seba Chelo Garland LLC tract, also being in the North line of a tract of land conveyed to LBL 2809 LLC in a deed recorded under Instrument 201600086835 D.R.D.C.T., also being the Southeast corner of Lot 2;

North 89 degrees 50 minutes 28 seconds West along the south line of said Lot 2, passing the Northwest corner of said LBL 2809 LLC tract, continuing along the north line of a tract of land conveyed to Cambell Enterprises Non Michigan Properties LLC in a deed recorded under Instrument 200900147196 D.R.D.C.T., a distance of 391.00 feet to a 1/2-inch iron rod found for the Northwest corner of said Cambell Enterprises Non Michigan Properties LLC, also being in the East line of said National Drive, also being the Southeast corner of Lot 2;

THENCE North 00 degrees 09 minutes 32 seconds East along the East line of said National Drive, a distance of 330.76 feet to the POINT OF BEGINNING and containing 2.9686 acres or 129,312.7 square feet, more or less.

**PLANNED DEVELOPMENT CONDITIONS**

**ZONING FILE Z 24-15**

**2916 and 3002 National Drive**

**I. Statement of Purpose:** The purpose of this Planned Development is to approve an Equipment Leasing/Rental, Outdoor Use.

**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 Industrial (IN) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.

**IV. Development Plans:**

Detail Plan: Development shall be in general conformance with the Detail Plan labeled Exhibit C through Exhibit E. In the event there is conflict between the approved Detail Plan and the Specific Regulations below, the Specific Regulations shall apply.

**V. Specific Conditions:**

**A. Permitted Use:**

(1) Except as provided for in subsection (2) below, all land uses that are permitted in the Industrial (IN) District are allowed within this PD. Additionally, the Equipment Leasing/Rental, Outdoor Use shall be permitted by right.

(2) Equipment Leasing/Rental, Outdoor is hereby expressly prohibited.

(3) The Outside Storage shall be the primary use on Lot 2.

**B. Site Plan:** The site layout, building placement,

parking, walking paths, and other development proposed shall be in general conformance with the approved Site Plan labeled Exhibit C.

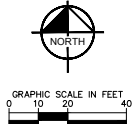
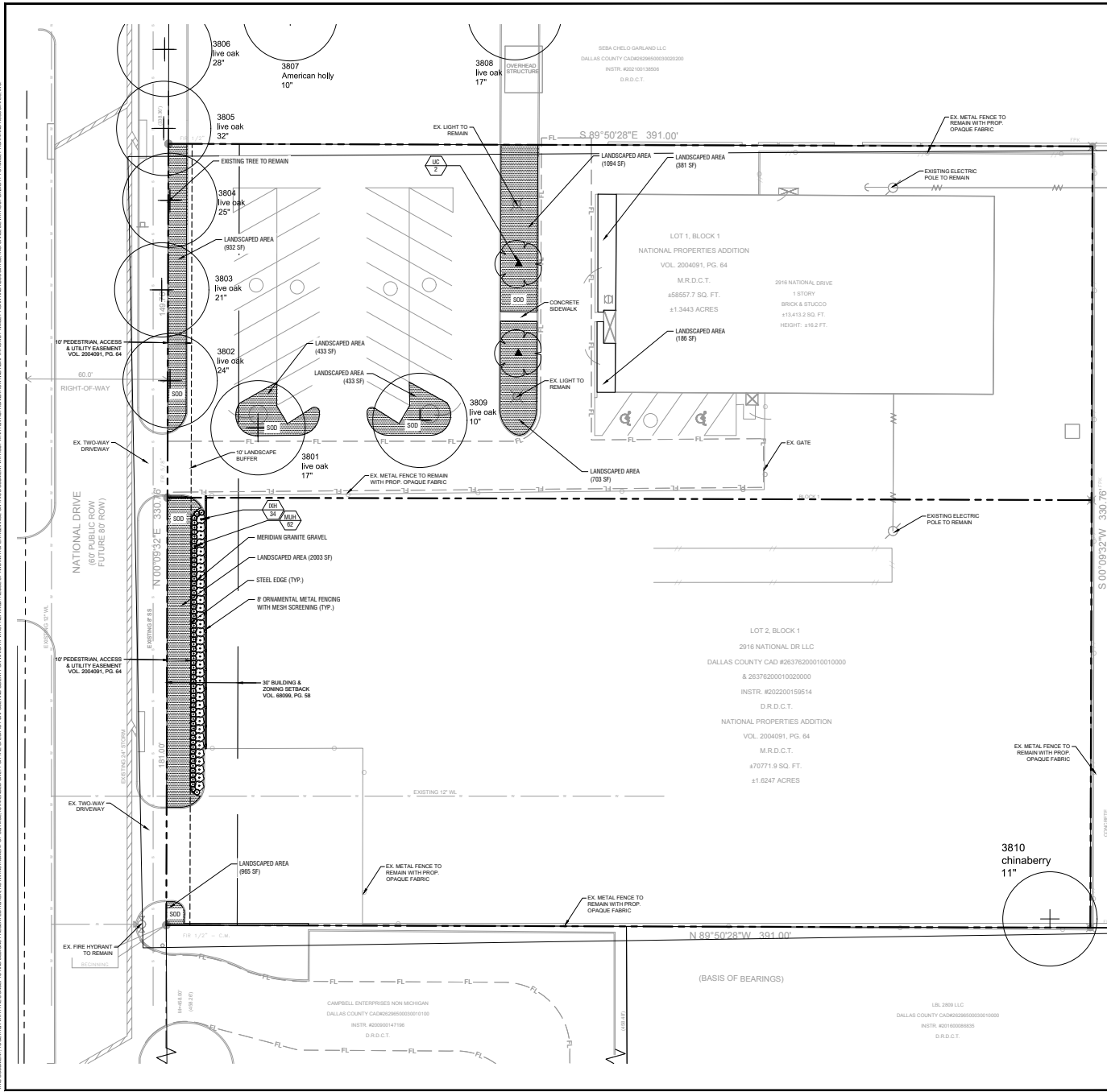
- C. Height: Materials stored outside shall not be stacked higher than eight (8) feet.
  - D. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D. An eight (8)-foot ornamental fence shall be proposed along National Drive. The existing chain-link fence shall remain on the remaining perimeters of the property as reflected in Exhibit D. Opaque fabric shall be installed on all side fences enclosing the outside storage.
  - E. Landscaping must be regularly maintained in a healthy, growing condition and in compliance with this PD Ordinance, the Garland Development Code, the Code of Ordinances of the City of Garland, and the landscaping plan attached hereto at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all plantings as needed. All exposed ground surfaces
    - on or within the premises shall be properly improved, covered with screening or other approved solid material, or protected with a vegetative growth that prevents soil erosion and ameliorates objectionable dust conditions.
1. Any plant or vegetation that dies must be replaced with another approved plant variety that complies with the approved landscape plan within sixty (60) days after receipt of written notification from the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.
  2. Screening and paving must be regularly maintained

in compliance with this PD Ordinance, the Garland Development Code, and the Code of Ordinances of the City of Garland at all times. The property owner is responsible for regular maintenance of all screening and paving as needed. In the event the property owner fails to remedy a violation of any screening or paving maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.

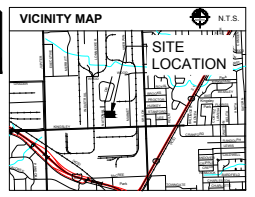


**EXHIBIT D**

THIS DOCUMENT, TOGETHER WITH THE CONTRACT AND ORDINANCE, IS AN INSTRUMENT OF SERVICE. IT IS THE PROPERTY OF KIMLEY-HORN AND ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.



**NOTES**  
 1. EXISTING ZONING IS "I" INDUSTRIAL DISTRICT. PROPOSED ZONING IS "I" PLANNED DEVELOPMENT.  
 CITY CASE NO. 23-0225-1



**PLANT SCHEDULE**

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	REMARKS
TREES					
UC	2		ULMUS CRASSIFOLIA / CEDAR ELM	3" CAL. 14' HT. 6" SPR	FULL, STRAIGHT, SINGLE LEADER
SHRUBS					
DO1	34		ILEX X 'NELLIE R. STEVENS' / NELLIE R. STEVENS HOLLY	38" HT. 24" SPL. 48" OC	FULL AND MATCHING, 38" HT MIN. AT PLANTING (8-8 MATURE)
GRASSES					
MUH	62		MULLEBERGIA CAPILLARIS / PINK MILKMOSS	24" HT. 38" OC	FULL AND MATCHING
GROUND COVERS					
SOD	5057	507	CYNODON DACTYLON / COMMON BERMOUDA GRASS	NA	SOD TO HAVE TIGHT, SAND FILLED JOINTS AND BE FREE OF WEEDS.

**CITY OF GARLAND, TX DEVELOPMENT CODE**  
 CHAPTER 4 - SITE DEVELOPMENT  
 ARTICLE 3, DIVISION 4 - LANDSCAPING DESIGN REQUIREMENTS

Required - IN	Proposed PD Requirements	Provided
4.34) Nonresidential Development - Site & Perimeter Landscaping	(A) Landscape materials must cover a minimum of 10% of the total site area. Net Site Area: 129,229.6 SF 129,229.6 x 0.1 = 12,922.96 SF (B) Required a landscape buffer that is 10 feet wide from property line (B.3) For every thirty (30) lineal feet of landscape buffer one (1) large canopy tree is required. 330.78 LF / 30 = 11.02 Trees	12,933 SF (9.9%) 7130 SF (5.5%) 7107 SF (5.5%) 10' 11 TREES 3 TREES 3 TREES
4.35) Nonresidential Development - Parking Area Landscaping	(A) Landscaping must cover a minimum of five percent of the total parking lot area. 16,280.14 SF x 0.05 = 814 SF (B) A landscaped island must be located at terminus of each parking row and contain one large canopy tree. 4 Islands = 4 Trees (C) Minimum of one large canopy tree within sixty-five feet of every parking space (C.1) Minimum of one large canopy tree per every ten parking spaces 38 Spaces / 10 = 3.8 Trees	814 SF 814 SF 1,787 SF 4 TREES 2 TREES 2 TREES 4 TREES 2 TREES 2 TREES YES YES NO
4.39) Perimeter Screening between residential, multi-family, single-family developments	(A-2) A minimum five foot tall ornamental metal fence with masonry columns, spaced with a maximum of fifty feet between the centers of each column, is required along common property line with a continuous row of evergreen screening shrubs along the fence on the developer's side YES	A minimum five foot tall chain link fence with opaque screening is required along common property line with a continuous row of evergreen screening shrubs along the fence on the developer's side YES A minimum five foot tall chain link fence with opaque screening is required along common property line with a continuous row of evergreen screening shrubs along the fence on the developer's side YES

**Alterra Garland - Tree Inventory**  
 Garland, Dallas County, Texas

TAG #	DBH	COMMON NAME	SCIENTIFIC NAME	CONDITION	MULTIPLE-TREEMED
3801	16.6	live oak	Quercus virginiana	Healthy	Multi
3802	23.9	live oak	Quercus virginiana	Healthy	Multi
3803	21.2	live oak	Quercus virginiana	Healthy	Multi
3804	24.6	live oak	Quercus virginiana	Healthy	Multi
3805	32.1	live oak	Quercus virginiana	Healthy	Multi
3806	28.2	live oak	Quercus virginiana	Healthy	Multi
3807	9.6	American holly	Ilex opaca	Healthy	Multi
3808	16.7	live oak	Quercus virginiana	Healthy	Single
3809	10.5	live oak	Quercus virginiana	Healthy	Single
3810	11.3	chinaberry	Melia azadirach	Healthy	Multi

Kimley-Horn red tag series 3801-3810. Trees measuring 6-inches and larger DBH were tagged in accordance with the City of Garland Ordinance.

**OWNER:** NATIONAL PARTNERS, LLC  
 2916 NATIONAL DRIVE, SUITE 700  
 GARLAND, TEXAS 75042  
 TEL: 214-687-8839  
 CONTACT: LAM SULLIVAN

**CIVIL ENGINEER:** KIMLEY-HORN AND ASSOCIATES, INC.  
 851 CHASE ST., SUITE 1200, WAXAHACH, TX 75090  
 TEL: 972-775-1343  
 CONTACT: JENNIFER G. DANSON, P.E.

**LANDSCAPE ARCHITECT:** KIMLEY-HORN AND ASSOCIATES, INC.  
 851 CHASE ST., SUITE 1200, WAXAHACH, TX 75090  
 TEL: 972-775-1343  
 CONTACT: JOHN A. FLEBER, PLA

**PRELIMINARY**  
 FOR REVIEW ONLY  
 NOT TO BE USED FOR CONSTRUCTION

**Kimley-Horn**  
 CONSULTING ENGINEERS

PROJECT NO. 000000000  
 DATE: MAY 2024  
 SCALE: AS SHOWN  
 DESIGNED BY: EGB  
 DRAWN BY: ALS  
 CHECKED BY: JAF

**ALTERRA GARLAND**  
 3002 NATIONAL DRIVE,  
 GARLAND TX  
 CASE NO. 230118-2

**LANDSCAPE PLANS**

SHEET NUMBER  
**L-01**

DATE: \_\_\_\_\_  
 REVISIONS: \_\_\_\_\_