

**ORDINANCE NO. 7554**

**AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A CHANGE IN ZONING FROM INDUSTRIAL (IN) DISTRICT TO COMMUNITY RETAIL (CR) DISTRICT ON A 1.766-ACRE TRACT OF LAND LOCATED AT 1010 NORTH SHILOH ROAD; 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 12th day of August 2024, the Plan Commission did consider and make recommendations on a certain request for a Change in Zoning from Industrial (IN) District to Community Retail (CR) District by **Moin Muhammad**; 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 a Change in Zoning from Industrial (IN) District to Community Retail (CR) District 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 24-27

**PASSED AND APPROVED** this 17th day of September 2024.

**THE CITY OF GARLAND, TEXAS**

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Mayor

**ATTEST:**

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City Secretary

**Published:**

**EXHIBIT A**

**LEGAL DESCRIPTION**

**Zoning File Z 24-27**

Being a 1.766-acre tract or parcel of land situated in the John W. Keen survey. Abstract number 738. In the city of Garland, Dallas County, Texas. And being a portion of lot 1, Block 1 of Garland Cr. An addition to the city of Garland as recorded in instrument number 201100022643. Official public records, Dallas County, Texas. More particularly described by metes and bounds as follows.

Commencing at a ½-inch iron rod with pink cap stamped "x" found for the southwest corner of said lot 1, Block 1 and the northwest corner of lot 2a, Block 1 of the replat of Pinner Addition. An addition to the city of Garland, Texas as recorded in volume 97180, page 1557, Deed records, Dallas County, Texas. And said point being in the east line of North Shiloh Road (a 100-foot-wide public right-of-way).

Thence north 00°22'37" west following the west line of said lot 1, Block 1 and the east line of said North Shiloh Road for a distance of 91.46 feet to a set 5/8-inch iron rod with a 2" aluminum cap stamped "survey works firm 10194157" at the point of beginning for the southwest corner of the herein described tract.

Thence continuing north 00°22'37" west following the west line of said lot 1, Block 1 and the east line of said North Shiloh Road for a distance of 208.47 feet to a found chiseled "x" in concrete at the northwest corner of said lot 1, Block 1 and a western corner of lot 2, Block 1, of Garland Cr. For the northwestern corner of the herein described tract/

Thence following the common line between said lot 1 and lot 2, Block 1, Garland Cr the following three (3) courses and distances

1. North 44°18'59" east a distance of 14.18 feet to a found ½-inch iron rod with pink plastic cap stamped "survey works".

2. North  $71^{\circ}36'51''$  east a distance of 39.98 feet to a found  $\frac{1}{2}$ -inch iron rod with pink plastic cap stamped "survey works". And

3. North  $89^{\circ}37'44''$  east a distance of 39.61 feet to a calculated point in said common line.

Thence departing said common line over and across said lot 1. Block 1. Garland CR the following seven (7) courses and distances:

1. North  $85^{\circ}25'47''$  east a distance of 215.86 feet to a set mag nail and washer stamped "survey works". For the northeast corner of the herein described tract.

2. South  $04^{\circ}53'23''$  east a distance of 281.22 feet to a set  $\frac{5}{8}$ -inch iron rod with pink plastic cap stamped "survey works firm 10194157" for the southeast corner of the herein described tract.

3. South  $85^{\circ}12'08''$  west a distance of 214.76 feet to a set  $\frac{5}{8}$ -inch iron rod with pink plastic cap stamped "Survey works firm 10194157" at the beginning of a tangent curve to the right.

4. Continuing in a northwesterly direction along said curve to the right having an arc length of 30.08 feet. A radius of 90.00 feet. A central angle of  $19^{\circ}09'09''$  and a chord who bears north  $85^{\circ}13'18''$  west. 29.94 feet to a set  $\frac{5}{8}$ -inch iron rod with pink plastic cap stamped "survey works firm 10194157."

5. North  $75^{\circ}38'43''$  west a distance of 67.44 feet to a set  $\frac{5}{8}$ -inch iron rod with pink plastic cap stamped "survey works firm 10194157" at the beginning of a tangent curve to the left.

6. Continuing in a northwestern direction along said curve to the left having an arc length of 29.98 feet. A radius of 110.00 feet. A central angle of  $14^{\circ}43'54''$  and a chord who bears north  $83^{\circ}00'40''$  west 28.21 feet to a set  $\frac{5}{8}$ -inch iron rod with pink plastic cap stamped "survey works firm 10184157" for corner, and

7. South  $89^{\circ}37'23''$  west a distance of 76.05 feet to the point of beginning and containing 1.766 acres of land more or less