

ORDINANCE NO. 7592

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING (1) A SPECIFIC USE PROVISION (SUP) FOR FUEL PUMPS, RETAIL USE ON PROPERTY ZONED COMMUNITY RETAIL (CR) DISTRICT AND (2) A CONCEPT PLAN FOR THE EXISTING FUEL PUMPS, RETAIL USE ON A 21,060 SQUARE FEET LOT ADDRESSED AS 3420 W. WALNUT STREET; 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 May 2025, the Plan Commission did consider and make recommendations on a certain request for (1) a Specific Use Provision (SUP) for Fuel Pumps, Retail use on property zoned Community Retail (CR) District and additional landscaping be added on site per staff's recommendation and (2) a Concept Plan for the existing Fuel Pumps, Retail use by **Trak Group 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**

The Garland Development Code is hereby amended by approving (1) a Specific Use Provision (SUP) for Fuel Pumps, Retail use on property zoned Community Retail (CR) District for a period of one year and additional landscaping be added on site as identified on the Concept Plan and 2) a Concept Plan as shown in "Exhibit C" for the existing Fuel Pumps, Retail use on a 21,060 square feet lot addressed as 3420 W. Walnut Street 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, except as otherwise specified by the

conditions identified in Exhibit "B", attached hereto and made a part hereof.

### **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 24-02

**PASSED AND APPROVED** this 17th day of June 2025.

**THE CITY OF GARLAND, TEXAS**

  
\_\_\_\_\_  
Mayor

**ATTEST:**

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



Published: 7-14-2025  
7-16-2025

# Exhibit A

(Legal Description)

BEING a part of LOT 4, BLOCK 1 of WALNUT CREEK CENTER NO. 2, an Addition to the City of Garland, Dallas County, Texas according to the map thereof recorded in Volume 83034, Page 2957 of the Map Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 60d nail set for corner in the South Right of Way line of West Walnut Street (100 foot Right of Way), being the Northwest corner of Lot 2, Block 1 of Walnut Creek Center, an addition to the City of Garland, Dallas County, Texas according to the map thereof recorded in Volume 82140, Page 2179 of the map Records of Dallas County, Texas and being the Northeast corner of said Lot 4, said point being in a curve to the right having a radius of 1860.33 feet;

THENCE, South 00 degrees 44 minutes 40 seconds East, passing a 1/2 inch yellow-capped iron rod set for reference at a distance of 130.00 feet, continuing a total distance of 140.00 feet to a point for corner in a North line of Lot 3, Block 1 of said Walnut Creek Center.

THENCE North 87 degrees 09 minutes 15 seconds West, a distance of 150.00 feet to a point for corner in the East Right of Way line of Jupiter Road (120 foot Right of Way);

THENCE North 00 degrees 44 minutes 40 seconds West, passing an 'X' set for reference at a distance of 20.00 feet, continuing a total a total distance of 130.00 feet to an 'X' set for corner.

THENCE North 44 degrees 58 minutes 21 seconds East, a distance of 13.96 feet to a 1/2 inch yellow-capped iron rod set for corner in the said South Right of Way line of West Walnut Street and said curve to the right.

THENCE in an Easterly direction along said curve to the right, an arc Length of 140.04 feet, a chord bearing of South 87 degrees 00 minutes 01 seconds East, a chord distance of 140.01 feet and a central angle of 04 degrees 18 minutes 47 seconds, to the PLACE OF BEGINNING and containing 21,060 square feet or 0.483 of an acres of land.

**SPECIFIC USE PROVISION CONDITIONS**

**ZONING FILE Z 24-02**

**3420 W. Walnut Street**

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Fuel Pumps, Retail use.
- 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 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. Concept Plan:**

Concept Plan: The site shall be in general conformance with the approved Concept Plan. The concept plan shall be used to represent the general idea of the proposed land use and site elements. The concept plan shall not supersede, and shall be subordinate to, the standards, requirements, and conditions of the GDC, Technical Standard Manual (TSM), a, City code, or the approved SUP.

- I. Abandonment:** In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the PD, GDC, federal, and state law.

For the purposes of this Specific Use Provision, Abandonment is any of the following acts:

- A. A failure to apply for a site or building permit on the premises, where applicable, within 180 days of the effective date of this SUP;
- B. A failure to obtain a certificate of occupancy for the Land use within 730 days of the effective date of this SUP;

**EXHIBIT B**

- C. A failure to commence operating the Land Use on the premises within 90 days of receiving a final certificate of occupancy for the Land Use;
- D. Discontinuance of the Land Use for a period of 180 days;
- E. Applying for, and receiving, a new Certificate of Occupancy for a use other than the Land Use; or
- F. Operating a use on the premises, whether as a primary or secondary use, that is not allowed within the PD District, by the GDC, or by state or federal law.

The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

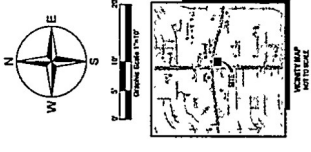
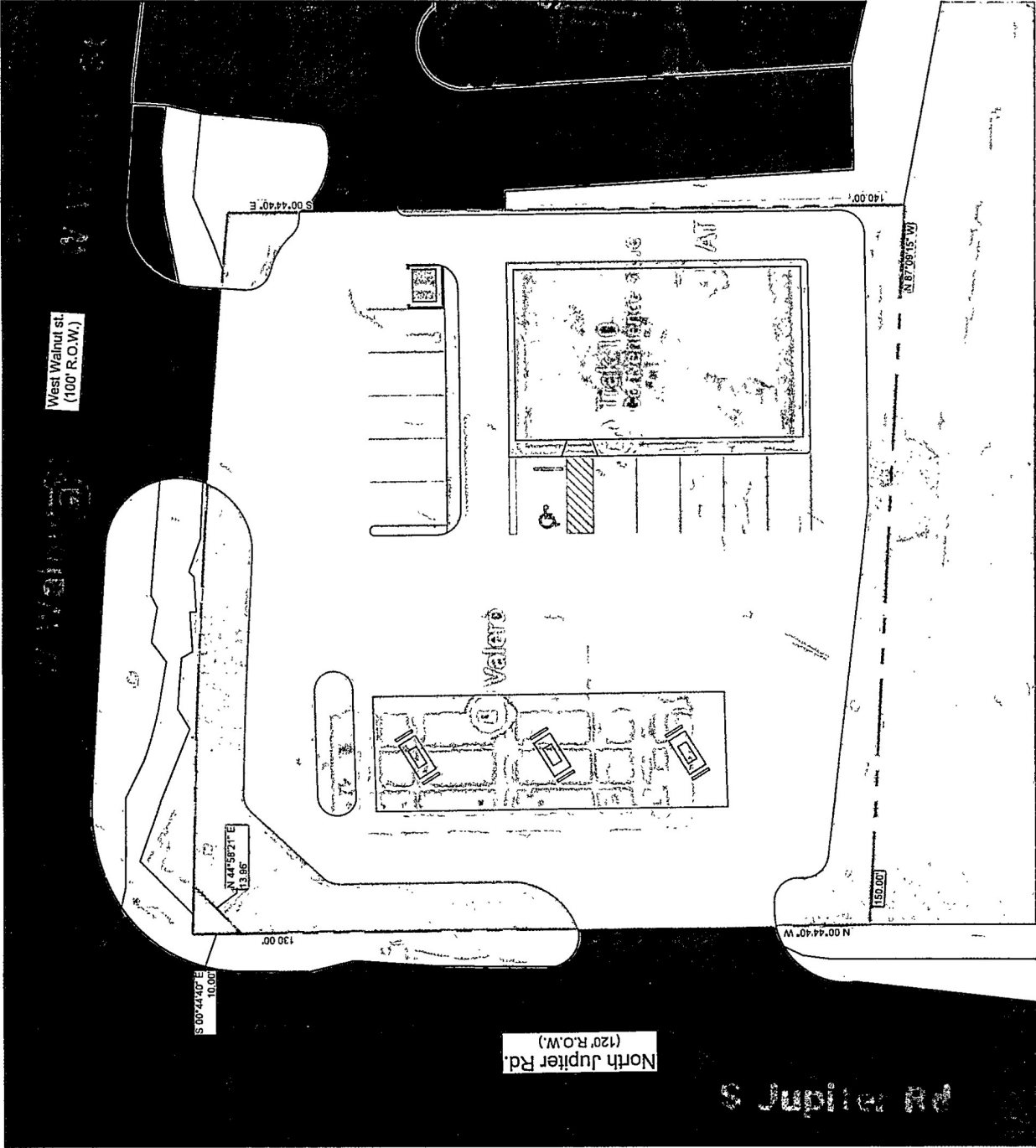
**V. Specific Regulations:**

- A. SUP Time Period: The Specific Use Provision for a Fuel Pumps, Retail Use shall be in effect for a period of one (1) years.

A. Additional Landscaping:

- (1) There shall be a continuous row of shrubs planted on the south side of the site in the existing landscape median. The plants shall originate from the City's Approved Plant List.
- (2) A screening row of shrubs is required along at least 50% of each street frontage along South Jupiter Road and West Walnut Street.
- (3) Shrubs that are of a "dwarf" or "miniature" variety must be a minimum of one foot in planted height at time of installation unless that particular variety and size of shrub is typically less than one foot in planted height in North Central Texas.
- (4) All landscaping shall be installed within 60 days of approval of this ordinance.
- (5) All landscaping shall be maintained in accordance with Section 4.33 of the Garland Development Code.

# Exhibit C

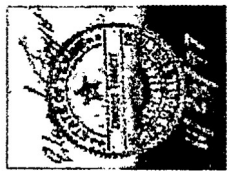


SITE DATA TABLE	
LAND AREA	0.483 ACRES (21060 SQ.FT)
EXISTING ZONING	COMMERCIAL
EXISTING LAND USE	COMMERCIAL

**NOTE:**  
 SITE DESIGN AND CONSTRUCTION PLANS SHALL CONFORM TO ALL REQUIREMENTS OF THE GARLAND DEVELOPMENT CODE (GDC), TECHNICAL STANDARD MANUAL (TSM), AND CITY CODES UNLESS AN APPROVED PD NARRATIVE CONDITION EXPRESSLY PROVIDES OTHERWISE. THE CONCEPT PLAN SHALL BE USED TO REPRESENT THE GENERAL IDEA OF THE PROPOSED LAND USE AND SITE ELEMENTS. THE CONCEPT PLAN SHALL NOT SUPERSEDE, AND SHALL BE SUBORDINATE TO, THE STANDARDS, REGULATIONS, AND CONDITIONS OF THE GDC, TSM, CITY CODE, OR THE APPROVED PD.

### LEGEND

- PROPERTY LINE
- CONVENIENT STORE
- 3 NOS. FUEL DISPENSER
- EXISTING SIDEWALK
- EXISTING DUMPSTER
- EXISTING PAVEMENT
- ADDITIONAL LANDSCAPE TO BE ADDED
- EXISTING OFFSITE LANDSCAPE
- OFFSITE PAVEMENT
- OFFSITE SIDEWALK
- OFFSITE CHANNEL (KEEN CREEK)



OWNER: TRAK GROUP INC.  
 NAME OF APPLICANT: KHALID REZWAN  
 PLAN PREPARER: KHALID REZWAN  
 COMPANY NAME: TRAK GROUP INC.

SITE PLAN  
 PROJECT NAME: TRANK TEN  
 3420 W. WALNUT ST., GARLAND TX, 75042  
 DEVELOPMENT SERVICES