JUNE 12, 2019 CITY COUNCIL AGENDA
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated June 12, 2019. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

T.C. Broadnax
City Manager

5/31/2019
Date

M. Elizabeth Reich

5-31-19

Elizabeth Reich
Chief Financial Officer

Date

RECEIVED
2019 MAY 31 PM 2:16
CITY SECRETARY
DALLAS, TEXAS

City of Dallas

1500 Marilla Street
Dallas, Texas 75201

COUNCIL AGENDA

June 12, 2019

(For General Information and Rules of Courtesy, Please See Opposite Side.)
(La Información General Y Reglas De Cortesía Que Deben Observarse
Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

If you need interpretation in Spanish language, please contact the City Secretary's Office at 214-670-3738 with a 48 hour advance notice.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-3738 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. ***The Council agenda is available in alternative formats upon request***.

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Información General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 5:00 pm del último día hábil anterior a la reunión. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Si necesita interpretación en idioma español, por favor comuníquese con la oficina de la Secretaria del Ayuntamiento al 214-670-3738 con notificación de 48 horas antes.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-3738 (aparato auditivo V/TDD). La Ciudad de Dallas está comprometida a cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilties Act*. ***La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita***.

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesía

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben de abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*pagers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben de obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistol oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

AGENDA
CITY COUNCIL MEETING
WEDNESDAY, JUNE 12, 2019
ORDER OF BUSINESS

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

2:00 p.m.	**INVOCATION AND PLEDGE OF ALLEGIANCE**	
	OPEN MICROPHONE	
	MINUTES	Item 1
	CONSENT AGENDA	Items 2 - 61
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 2:15 p.m.		Items 62 - 67
	PUBLIC HEARINGS AND RELATED ACTIONS	
6:00 p.m.		Items 68 - 86

NOTE: A revised order of business may be posted prior to the date of the council meeting if necessary.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. 19-770 Approval of Minutes of the May 22, 2019 City Council Meeting

CONSENT AGENDA

City Attorney's Office

2. 19-839 Authorize settlement of the lawsuit styled Three Expo Events, LLC v. City of Dallas, Cause No. 3:16-CV-00513, subject to a settlement agreement approved by the City Attorney's Office - Not to exceed $650,000.00 - Financing: Risk Management Funds

City Auditor's Office

3. 19-841 Authorize a budget estimate of the needs and requirements of the City Auditor's Office for Fiscal Year 2019-20 in the amount of $3,422,840 (subject to final citywide funding adjustments for decisions that will be made on a citywide basis for items such as staff benefits, insurance, Communication and Information Services chargebacks, and other items that may affect all City departmental budgets) - Financing: No cost consideration to the City

Department of Dallas Animal Services

4. 19-703 Authorize the **(1)** acceptance of a grant from Petco Foundation for the Petco Foundation Grant Lifesaving Investment, to create operations, programs, and partnerships that reduce the number of animals in shelters and provide additional lifesaving opportunities in the amount of $150,000.00 for the period June 12, 2019 through August 31, 2020; **(2)** receipt and deposit of grant funds in an amount not to exceed $150,000.00 in the Petco Foundation Grant 19-20 Fund; **(3)** establishment of appropriations in an amount not to exceed $150,000.00 in the Petco Foundation Grant 19-20 Fund; and **(4)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed $150,000.00 - Financing: Petco Foundation Grant Funds

Department of Public Works

5. 19-754 Authorize **(1)** a Contribution in Aid of Construction Agreement with the North Texas Municipal Water District (NTMWD) for funding participation in the partial paving and drainage improvements of the alley between Barnes Bridge Road and Bon Park Court/Drummond Drive from Cotillion Drive to Ferguson Road; **(2)** the receipt and deposit of funds from NTMWD in an amount not to exceed $63,000.00 for NTMWD's share of the project costs in the Capital Projects Reimbursement Fund; and **(3)** an increase in appropriations in an amount not to exceed $63,000.00 in the Capital Projects Reimbursement Fund - Not to exceed $63,000.00 - Financing: Capital Projects Reimbursement Fund

6. 19-295 Authorize a professional services contract with Dannenbaum Engineering Company - Dallas, LLC for the engineering design of Street Reconstruction Group 17-1410 (list attached to the Agenda Information Sheet) - Not to exceed $275,373.55 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

7. 19-137 Authorize a professional services contract with Dikita Enterprises, Inc. for the engineering design of Street Reconstruction Group 17-2009 (list attached to the Agenda Information Sheet) - Not to exceed $202,665.26 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($190,465.26) and Water Utilities Capital Construction Funds ($12,200.00)

8. 19-289 Authorize a professional services contract with Walter P. Moore and Associates, Inc. for the engineering design of Street Reconstruction Group 17-8001 (list attached to the Agenda Information Sheet) - Not to exceed $118,878.99 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($116,053.99) and Water Construction Fund ($2,825.00)

9. 19-528 Authorize a construction contract for the construction of thoroughfare improvements for South Hampton Road from Crow Creek Drive to north of West Ledbetter Drive - DDM Construction Corporation, lowest responsible bidder of five - Not to exceed $1,826,950.00 - Financing: Street and Transportation Improvements Fund (2012 Bond Funds)

10. 19-714 Authorize an increase in the construction services contract with Texas Standard Construction, Ltd. for additional storm drainage work, water main lowering, and wastewater lateral adjustment construction on Fordham Road from Bonnie View Road to Illinois Avenue - Not to exceed $112,186.81, from $3,196,267.75 to $3,308,454.56 - Financing: Street and Transportation Improvements Fund (2012 Bond Funds)

11. 19-634 Authorize an increase in the construction services contract with Pavecon Public Works, LP for additional work associated with the construction of a drainage channel and the installation of light emitting diode street lighting for Chalk Hill Road from Davis Street to 800 feet south of Interstate Highway 30 - Not to exceed $171,054.30, from $10,332,248.64 to $10,503,302.94 - Financing: Street and Transportation Improvements Fund (2006 Bond Funds)

12. 19-631 Authorize an increase in the construction services contract with Jeske Construction Company to remove various concrete panels found underneath the roadway and add eight-inch flex-base material, and add permanent traffic signs and pavement markings along South Ewing Avenue from Galloway Avenue to Genoa Avenue - Not to exceed $149,693.90, from $2,082,956.00 to $2,232,649.90 - Financing: Street and Transportation Improvements Fund (2012 Bond Funds)

Department of Sanitation Services

13. 19-795 A resolution authorizing the City Manager to ratify an emergency construction contract and authorize the City Manager to execute the contract with Hammett Excavation, Inc. for soil hauling, earthwork and all-weather roadway improvements at the McCommas Bluff landfill located at 5555 Youngblood Road - Not to exceed $900,308.20 - Financing: Sanitation Capital Improvement Funds

14. 19-817 An ordinance amending Chapter 18, "Municipal Solid Wastes," of the Dallas City Code, by amending Sections 18-2, 18-4, and 18-9; **(1)** clarifying and adding definitions; **(2)** adding restrictions to the placement of brush and bulky trash; **(3)** providing a limitation on the quantity of brush and bulky trash collections; **(4)** providing regulations on oversized brush and bulky trash collections; **(5)** providing that fees for excessive and non-compliant brush and bulky trash service will be adopted with the 2019-2020 fee ordinance; and **(6)** providing that construction debris will be collected for a fee as part of a non-compliant brush and bulky trash collection or as a cost plus rate - Financing: No cost consideration to the City (see Fiscal Information)

Department of Sustainable Development and Construction

15. 19-567 Authorize acquisition from Curtis Seastrunk, of approximately 7,308 square feet of land located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $5,000.00 ($2,517.00, plus closing costs and title expenses not to exceed $2,483.00) - Financing: Water Construction Fund

16. 19-472 Authorize acquisition from Dora Jean Gayler, of approximately 37,827 square feet of land located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $16,026.00 ($13,026.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund

17. 19-473 Authorize acquisition from Lawrence Schmitz, of approximately 7,944 square feet of land improved with a single-family dwelling located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $48,000.00 ($45,000.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund

18. 19-114 Authorize acquisition from North Texas Municipal Water District, of approximately 13,197 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $13,500.00 ($10,065.00, plus closing costs and title expenses not to exceed $3,435.00) - Financing: Water Construction Fund

19. 19-519 Authorize acquisition from Maria Barba, of approximately 7,802 square feet of land with a single-family dwelling located near the intersection of Pontiac and Morrell Avenues for the Cadillac Heights Phase II Project - Not to exceed $80,000.00 ($76,500.00, plus closing costs and title expenses not exceed $3,500.00) - Financing: Land Acquisition in Cadillac Heights Fund (2006 Bond Funds)

20. 19-638 Authorize moving expense and replacement housing payments for Maria Gloria DeLeon as a result of an official written offer of just compensation to purchase real property at 2926 McGowan Street for the Cadillac Heights Phase II Project - Not to exceed $64,900.00 - Financing: Land Acquisition in Cadillac Heights Fund (2006 Bond Funds)

21. 19-612 A resolution authorizing the conveyance of approximately 9,203 square feet of City-owned land to the State of Texas located in Collin County near the intersection of State Highway 205 and John King Boulevard - Revenue: $2,588.00

22. 19-611 A resolution authorizing the conveyance of a tract of land and Drainage Easement for a total of approximately 9,308 square feet of City-owned land to the State of Texas located in Collin County near the intersection of State Highway 205 and John King Boulevard - Revenue: $2,712.00

23. 19-194 An ordinance abandoning a portion of an alley to 75218 Property Company, the abutting owner, containing approximately 8,893 square feet of land, located near the intersection of Harter Road and Lake Highlands Drive; and authorizing the quitclaim - Revenue: $151,181.00, plus the $20.00 ordinance publication fee

24. 19-475 An ordinance abandoning a portion of a sanitary sewer easement to 2015 Prairie LLC, the abutting owner, located near the intersection of Prairie Avenue and Monarch Street - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

25. 19-549 Authorize an amendment to an existing license agreement with American Towers LLC, d/b/a American Texas Towers LLC to **(1)** install additional antennas at the Premises; **(2)** increase monthly license payments; and **(3)** provide for a one-time "Capital Contribution Fee" representing the City's contribution for costs associated with tower modifications required to accommodate the installation of the City's equipment for approximately 14,895 square feet of land and tower space located at 2833 Remond Drive to be used for Police and Fire radio channels for the period August 1, 2019 through March 10, 2024 - Not to exceed $41,085.00, from $869,938.36 to $911,023.36 - Financing: Communication Service Fund ($19,880.00) (subject to annual appropriations) and 2018 Master Lease Equipment Fund ($21,205.00)

26. 19-812 Authorize a boundary adjustment agreement with the City of Grand Prairie on property located east of Hardy Road and Cardiff Street and north of Kiest Boulevard to allow more efficient delivery of city services - Financing: This action has no cost consideration to the City

Department of Transportation

27. 19-647 Authorize payment to the Texas Department of Transportation for cost overruns related to intersection and traffic signal improvements at the following five locations: Lombardy Lane and Brockbank Drive, Illinois Avenue and Vernon Avenue, Ferguson Road and Maylee Boulevard/Shiloh Road, Cedar Springs Road and Douglas Avenue, Olive Street and San Jacinto Street in the amount of $162,321.47 - Financing: General Fund

28. 19-642 Authorize **(1)** the receipt and deposit of funds in an amount not to exceed $12,800.00 from HCBeck, LTD on behalf of AT&T, Inc. for material, equipment and labor provided by the City related to the construction of a traffic signal upgrade at Griffin and Wood Streets; and **(2)** an increase in appropriations in an amount not to exceed $12,800.00 in the Capital Projects Reimbursement Fund - Not to exceed $12,800.00 - Financing: Capital Projects Reimbursement Funds

29. 19-725 Authorize **(1)** the acceptance of a grant from the U.S. Department of Transportation Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Surface Transportation Block Grant (Agreement No. CSJ 0918-47-072, CFDA No. 20.205) in the amount of $1,791,508.00 as federal share in the total project cost estimate of $2,418,411.00 (includes Federal and State participation of $1,955,406.00) for costs related to the installation of safety measures at several railroad/roadway crossing locations in East Dallas along the Kansas City Southern Railway corridor for the establishment of a Quiet Zone; **(2)** the establishment of appropriations in the amount of $1,791,508.00 in the Surface Transportation Block Grant Project Fund; **(3)** the receipt and deposit of funds in the amount of $1,791,508.00 in the Surface Transportation Block Grant Project Fund; **(4)** a required local match in the amount of $463,005.00 from 2017 Bond Funds; **(5)** disbursement of a portion of local match funds in the amount of $15,128.00 to be issued as warrant checks to TxDOT for State construction costs and other State direct costs related to the project (includes $5,988.00 initial payment and $9,140.00 payment prior to construction); and **(6)** execution of the Local Project Advance Funding Agreement with TxDOT in the approximate amount of $2,418,411.00 and all terms, conditions, and documents required by the agreement - Total amount of $2,418,411.00 - Financing: Texas Department of Transportation Grant Funds ($1,955,406.00) and Street and Transportation (A) Fund (2017 Bond Funds) ($463,005.00) (see Fiscal Information)

Equipment and Fleet Management Department

30. 19-813 An ordinance amending Chapter 15D, "Emergency Vehicles", of the Dallas City Code, by amending Sections 15D-15 and 15D-53 to **(1)** revise the definition of Emergency Wrecker Service to include City-owned vehicles; and **(2)** include the addition of City-owned vehicles to the rapid response program - Estimated amount of $149,994 - Financing: Various Funds (see Fiscal Information)

Fire-Rescue Department

31. 19-708 Authorize **(1)** the receipt and deposit of funds in an amount not to exceed $375,188.00 in the DCCCD El Centro Fund; **(2)** an increase in appropriations in an amount not to exceed $375,188.00 in the DCCCD El Centro Fund; and **(3)** a two-year interlocal contract with El Centro College of the Dallas County Community College District for reimbursement of City of Dallas Fire-Rescue Department training costs for the period September 1, 2019 through August 31, 2021 - Revenue: $375,188.00

Housing & Neighborhood Revitalization

32. 19-819 Authorize amendments to the City of Dallas Comprehensive Housing Policy, previously approved on May 9, 2018, by Resolution No. 18-0704, as amended, to amend and restate the low income housing tax credit (HTC) policy for evaluating proposals submitted by developers requesting resolutions of support or no objection from the City for multi-family rental housing development projects (Projects) seeking HTC through the Texas Department of Housing and Community Affairs (TDHCA) to: **(1)** adjust the calendar for applications to allow applications to be received quarterly; **(2)** add threshold criteria that will be applied to all Projects seeking a resolution; **(3)** adjust the evaluation criteria; **(4)** add a glossary; **(5)** provide that a 9% HTC Project that is recommended for a resolution of support will also be recommended to receive a nominal $500.00 funding commitment from the City; and **(6)** allow the City Manager to update and publish the application calendar annually and to amend the service description categories and point allocations on an annual basis - Financing: No cost consideration to the City (see Fiscal Information for future cost)

Library

33. 19-777 Authorize **(1)** the acceptance of a grant from Arts Midwest on behalf of National Endowment for the Arts (NEA) (Grant No. 00024062/Federal ID No. 1844334-52-C-18, CFDA No. 45.024) in the amount of $15,000.00 to support the implementation of the NEA Big Read Program for the City of Dallas for the period September 1, 2019 through June 30, 2020; **(2)** the establishment of appropriations in an amount not to exceed $15,000.00 in the NEA Big Read Grant 19-20 Fund; **(3)** the receipt and deposit of grant funds from Arts Midwest on behalf of National Endowment for the Arts in an amount not to exceed $15,000.00 in the NEA Big Read Grant 19-20 Fund; **(4)** a required local match in an amount not to exceed $24,735.00 from the General Fund; **(5)** an in-kind match in the amount of $4,306.00; and **(6)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total not to exceed $44,041.00 - Financing: Arts Midwest Grant Funds ($15,000.00), In-Kind ($4,306.00) and General Fund ($24,735.00)

Office of Budget

34. 19-822 Authorize **(1)** final adoption of the FY 2019-20 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of $29,896,688 for the following programs and estimated amounts: **(a)** Community Development Block Grant (CDBG) in the amount of $14,697,642; **(b)** HOME Investment Partnerships Program (HOME) in the amount of $5,427,679; **(c)** Emergency Solutions Grant in the amount of $1,256,675; **(d)** Housing Opportunities for Persons with AIDS in the amount of $7,058,692; and **(e)** estimated Program Income in the amount of $1,456,000, comprised of $456,000 for CDBG and $1,000,000 for HOME; and **(2)** final adoption of the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24 - Financing: No cost consideration to the City

Office of Cultural Affairs

35. 19-661 A resolution authorizing and establishing the ArtsActivate 2020 program, which consolidates and updates two existing Cultural Support Programs within the Office of Cultural Affairs, to further the goals of the *Dallas Cultural Plan 2018* and support cultural services in the City of Dallas, and approving the program guidelines - Financing: This action has no cost consideration to the City (see Fiscal Information)

36. 19-823 Authorize a contract with Brad Oldham International, Inc. for the composition of public artwork at Hillcrest Village Green Park located at 6959 Arapaho Road - Not to exceed $144,985.00 - Financing: Park and Recreation Facilities Fund (2006 Bond Funds) ($61,665.60) and Park and Recreation Facilities (B) Fund (2017 Bond Funds) ($83,319.40)

37. 19-818 Authorize the Third Amendment to the Lease Agreement with the Dallas Theater Center (DTC) for a five-year term to enable the DTC to continue to lease, occupy, manage, and operate the Kalita Humphreys Theater and Annex Building located at 3636 Turtle Creek Boulevard for the period June 12, 2019 through June 1, 2024 - Revenue: $5.00

38. 19-641 Authorize an amendment to the Cultural Facilities Program, which provides funding for long-term improvements, renovations or major repairs of cultural facilities, previously approved on April 12, 2017, by Resolution No. 17-0594, to amend the ownership, legal status and unrestricted use requirements to allow lessees to qualify for the program - Financing: No cost consideration to the City

Office of Economic Development

39. 19-578 Authorize the extension and amendment of the Public/Private Partnership Program Guidelines and Criteria, previously approved on December 12, 2018, by Resolution No. 18-1861 for the period July 1, 2019 through December 31, 2019 - Financing: No cost consideration to the City

Office of Procurement Services

40. 19-471 Authorize a three-year service price agreement for event equipment rental services for the Park & Recreation Department - Texas Tent, LLC, most advantageous proposer of four - Not to exceed $609,952 - Financing: General Fund (subject to annual appropriations)

41. 19-724 Authorize a three-year service contract for subscription to LinkedIn for the Department of Human Resources and Civil Service with Carahsoft through the Department of Information Resources cooperative agreement - Not to exceed $236,362.80 - Financing: General Fund (subject to annual appropriations)

42. 19-821 Authorize the purchase of twenty-nine pieces of service shop equipment to be used by the Equipment and Fleet Management Department with Reeder Distributors, Inc. through the Texas Association of School Boards cooperative agreement - Not to exceed $289,395 - Financing: Master Lease-Equipment Fund

43. 19-558 Authorize the purchase of replacement bunker golf course sand to be utilized at the Tenison Park Golf Course for the Park & Recreation Department - Texas Sports Sand, Inc., lowest responsible bidder of two - Not to exceed $97,572 - Financing: Golf Improvement Trust Fund

44. 19-764 Authorize the sale of one track loader through a public auction on March 29, 2019 to A&S Recycling in the amount of $21,800, highest bidder - Revenue: $21,800

45. 19-718 Authorize a two-year master agreement for furniture, floor covering, modular walls, high density storage shelving, and related support services with Allsteel, Arcadia, Coalese, Davis, Encore, Environmanics, Geiger, Groupe Lacasse, Haworth, Inc., Herman Miller, Inc., Hon Office Furniture, Human Scale, Interface, Just Ergonomics, KI, Knoll, Inc., Krug, Miliken & Company, Mohawk Industries, National Office Furniture, Patcraft, Peter Pepper Products, Inc., Shaw Industries, SitOnIt, Spacesaver, Steelcase, Texas Correctional Industries, Varidesk, Virco, Inc. and their associated distributors through the BuyBoard National Purchasing Cooperation, General Services Administration, National Intergovernmental Purchasing Alliance, National Joint Powers Association, The Cooperative Purchasing Network, Texas Multiple Award Schedules, and U.S. Communities Government Purchasing Alliance cooperative agreements, as specifically described in Exhibit A - Estimated amount of $6,000,000 - Financing: General Fund ($4,844,795), Dallas Water Utilities Fund ($504,428), Data Services Fund ($278,907), Aviation Fund ($227,670), Convention and Event Services Fund ($105,653), and Sanitation Services Fund ($38,547)

46. 19-564 Authorize a three-year master agreement for propane and propane cylinders - Ferrellgas, LP in the amount of $156,976.91 and Northwest Butane Gas Co. dba Northwest Propane Gas Co. in the amount of $325.00, lowest responsible bidders of two - Total not to exceed $157,301.91 - Financing: General Fund ($133,452.12), Convention and Event Services Fund ($12,918.41), Data Services Fund ($4,919.21), Dallas Water Utilities Fund ($3,586.42), Sanitation Services Fund ($1,366.76), and Aviation Fund ($1,058.99)

47. 19-548 Authorize a three-year master agreement for concrete and asphalt saw blades - Simba Industries in an estimated amount of $316,241.37, Kirby-Smith Machinery, Inc. in an estimated amount of $119,344.16, Diteq Corporation in an estimated amount of $80,208.12, and Mavich LLC in an estimated amount of $5,119.17, lowest responsible bidders of four - Total estimated amount of $520,912.82 - Financing: General Fund ($325,085.23), Aviation Fund ($132,979.00), and Dallas Water Utilities Fund ($62,848.59)

48. 19-723 Authorize a five-year master agreement for law enforcement badges for the Police Department - V.H. Blackinton, Inc., lowest responsible bidder of two - Estimated amount of $366,898.25 - Financing: General Fund

Office of Welcoming Communities & Immigrant Affairs

49. 19-840 Authorize a Safe Network Agreement with the Vera Institute of Justice, Inc. (Vera) committing **(1)** the City to remit $100,000.00 in funding to Vera for representation of Dallas residents before the Executive Office of Immigration Review; **(2)** Vera to remit a matching catalyst grant of $100,000.00 to the selected non-profit legal service provider; and **(3)** Vera to provide in-kind support including the selection of a non-profit legal services provider in Dallas recognized to practice before the Immigration Court, training and technical assistance, data collection, reporting, program monitoring, and communications assistance - Not to exceed $100,000.00 - Financing: General Fund

Park & Recreation Department

50. 19-765 Authorize a contract for the construction of the DeGolyer House West Wing Envelope Repair at the Dallas Arboretum located at 8525 Garland Road - Phoenix I Restoration and Construction, Ltd., lowest responsible bidder of two - Not to exceed $675,000.00 - Financing: Park and Recreation Facilities Fund (2006 Bond Funds)

51. 19-778 Authorize a contract for the construction of the Hall of State Chiller Replacement Project located at 3939 Grand Avenue in Fair Park - METCO Engineering, Inc., lowest responsible bidder of four - Not to exceed $511,999.00 - Financing: Fair Park Improvements (C) Fund (2017 Bond Funds)

52. 19-766 Authorize a contract for the construction of the Phase 2 Aquatic Facilities Project at Bahama Beach Waterpark Expansion located at 1895 Campfire Circle, Exline Neighborhood Aquatic Center located at 2430 Eugene Street, and Harry Stone Neighborhood Aquatic Center located at 2403 Millmar Drive - Big Sky Construction Co., Inc., best value proposer of five - Not to exceed $14,580,000.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

Water Utilities Department

53. 19-433 Authorize a professional services contract with Halff Associates, Inc., for the engineering design of Storm Drainage Contract No. 2 (list attached to the Agenda Information Sheet) - Not to exceed $965,165.00 - Financing: Storm Drainage Management Capital Construction Fund

54. 19-604 Authorize a professional services contract with Garver, LLC for the engineering design of Storm Drainage Contract No. 3 (list attached to the Agenda Information Sheet) - Not to exceed $886,940.13 - Financing: Storm Drainage Management Capital Construction Fund

55. 19-608 Authorize a professional services contract with Jacobs Engineering Group, Inc. to provide engineering services required for the investigation, preliminary design, development of construction plans and specifications, bid phase services, construction administration and start-up associated with aeration improvements at the Central Wastewater Treatment Plant - Not to exceed $3,474,000.00 - Financing: Sewer Construction Fund

56. 19-500 Authorize a professional services contract with Freese and Nichols, Inc. to provide construction management services for construction contracts related to improvements at the Elm Fork Water Treatment Plant, the East Side Water Treatment Plant, the Bachman Water Treatment Plant, and the Walnut Hill Pump Station - Not to exceed $7,042,700.00 - Financing: Water Capital Improvement Fund

57. 19-600 Authorize an increase in the construction services contract with MWH Constructors, Inc. for additional work associated with water quality and miscellaneous improvements at the Bachman Water Treatment Plant - Not to exceed $203,201.70, from $48,736,051.75 to $48,939,253.45 - Financing: Water Capital Improvement Fund

58. 19-614 Authorize an increase in the construction services contract with Oscar Renda Contracting, Inc. for additional work associated with improvements at three meter vaults (list attached to the Agenda Information Sheet) - Not to exceed $482,106.00, from $4,000,000.00 to $4,482,106.00 - Financing: Water Capital Improvement Fund

59. 19-620 Authorize an increase in the construction services contract with BAR Constructors, Inc. for additional work associated with the construction of a new pump station to replace the existing Pump Station No. 1 at the Elm Fork Water Treatment Plant - Not to exceed $644,091.87, from $50,090,500.00 to $50,734,591.87 - Financing: Water Capital Improvement Fund

60. 19-568 Authorize Supplemental Agreement No. 1 to the professional services contract with JQ Infrastructure, LLC to provide additional engineering services required for the investigation, preliminary design, development of construction plans and specifications, bid phase services, construction administration and start-up of rehabilitation improvements for influent piping and equipment at the Central Wastewater Treatment Plant - Not to exceed $708,681.00, from $1,095,000.00 to $1,803,681.00 - Financing: Wastewater Capital Improvement Fund

61. 19-555 Authorize Supplemental Agreement No. 1 to the professional services contract with HDR Engineering, Inc. to provide additional engineering services for corrosion prevention design of three priority water transmission pipeline locations - Not to exceed $325,710.00, from $1,644,038.00 to $1,969,748.00 - Financing: Water Capital Improvement Fund

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

62. 19-771 Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

Mayor and City Council Office

63. 19-779 Authorize the naming of the Texas Buckeye Trail to the Ned and Genie Fritz Texas Buckeye Trail - Financing: This action has no cost consideration to the City (see Fiscal Information)

64. 19-660 A resolution requesting the Board of Adjustment to authorize compliance proceedings for the Club Linares Bar located at 1101 South Haskell Avenue, Dallas, Texas - Financing: No cost consideration to the City (via Councilmembers Felder, Deputy Mayor Pro Tem Medrano, Kingston, Narvaez, and Arnold)

Office of Economic Development

65. 19-755 Authorize an Interlocal Agreement with the Dallas County Community College District on behalf of Cedar Valley College (CVC) to support the CVC Heating Ventilation Air Conditioning (HVAC) Center of Excellence and create an expanded workforce training program for commercial HVAC technicians for the period July 1, 2019 through June 30, 2021 - Not to exceed $100,000.00 - Financing: Public/Private Partnership Fund

66. 19-756 Authorize **(1)** a development agreement with the Dallas County Heritage, Society Inc., in an amount not to exceed $650,000.00, payable from exiting and/or future Cedars TIF District Funds, to support restoration of the Park Avenue House and Rall House to be used as co-working office space at the Dallas Heritage Village located at 1515 South Harwood Street; and **(2)** an increase in appropriations in an amount not to exceed $650,000.00 in the Cedars TIF District Fund - Not to exceed $650,000.00 - Financing: Cedars TIF District Fund (subject to appropriation from existing and future tax increment)

ITEMS FOR FURTHER CONSIDERATION

Office of Homeless Solutions

67. 19-836 Authorize **(1)** the acceptance of a Continuum of Care ("CoC") Grant (Grant No. TX0236L6T001810 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project in an amount not to exceed $739,943.00, to provide project-based rental assistance and case management for single chronically homeless persons for the period October 1, 2019 through September 30, 2020; **(2)** an assignment of the CoC Grant to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas under the grant agreement; and **(3)** execution of any and all documents required for the grant and grantee substitution - Financing: No cost consideration to the City (This item was deferred on May 22, 2019)

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Sustainable Development and Construction

ZONING CASES - CONSENT

68. 19-798 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract 2 within Planned Development District No. 812, on the northwest corner of Fran Way and Compton Street
Recommendation of Staff and CPC: Approval, subject to a perimeter fence and gated streets plan
Z178-300(SM)

69. 19-799 A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property zoned Subdistrict 1 within Planned Development District No. 621 and Planned Development District No. 442, north of the intersection of North Stemmons Freeway Service Road and Slocum Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z178-314(CY)

70. 19-800 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1339 for an open enrollment charter school on property zoned an R-7.5(A) Single Family District, on the northwest corner of Rylie Road and Tufts Road
Recommendation of Staff and CPC: Approval, subject to a revised site plan, revised traffic management plan and conditions
Z189-171(CY)

71. 19-801 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing on property zoned an RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the north corner of South Harwood Street and Coombs Street
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions
Z189-173(JM)

72. 19-802 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a public library on property zoned an MF-2(A) Multifamily District on the north line of Park Lane, between Greenville Avenue and Ridgecrest Road
Recommendation of Staff and CPC: Approval for a permanent period, subject to a site plan and conditions
Z189-181(PD)

73. 19-803 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an MU-1 Mixed Use District and a CS Commercial Service District, on the east line of Dickerson Street, north of Ronnie Drive
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z189-184(SM)

74. 19-804 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the south line of Lake June Road, between Hawley Lane and Oak Hill Circle
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z189-212(CT)

ZONING CASES - INDIVIDUAL

75. 19-805 A public hearing to receive comments regarding a City Council authorized hearing to determine proper zoning on property zoned Subdistricts S-1a, S-1b, S-2a, S-2b, S-9, and S-10 in the South Zone of Planned Development No. 521 with consideration being given to appropriate zoning for the areas including use, development standards, and other appropriate regulations on property generally on: (1) the west side of Mountain Creek Parkway from I-20 to West Camp Wisdom Road (S-1b); (2) the southwest corner of Mountain Creek Parkway and West Camp Wisdom Road (S-1a); (3) the southwest corner of West Camp Wisdom Road and Eagle Ford Drive (S-2b); (4) the north side of West Camp Wisdom Road at the terminus of Eagle Ford Drive (S-2a); and (5) the south side of West Camp Wisdom Road from west of Timberbrook Lane to Clark Road (S-9, S-10) and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval of amendments to Planned Development District No. 521

Z156-325(NW)

76. 19-806 A public hearing to receive comments regarding an application for and an ordinance granting **(1)** an amendment to Planned Development District No. 944 from R-5(A) Single Family District uses to MU-1 Mixed Use District uses; and **(2)** an expansion of Planned Development District No. 944, on property zoned Planned Development District No. 944, an IR Industrial Research District, and an IM Industrial Manufacturing District in an area bounded by Duluth Street and Singleton Boulevard to the north, Borger Street to the east, Pablo Street to the south, and Vilbig Road to the west

Recommendation of Staff: Approval, subject to a revised conceptual plan, a cross section for the shared access area in Subareas B and C, a cross section for a 53-foot right-of-way, a cross section for an 80-foot right-of-way, and staff's recommended conditions

Recommendation of CPC: Approval, subject to a revised conceptual plan, a cross section for the shared access area in Subareas B and C, a cross section for a 53-foot right-of-way, a cross section for an 80-foot right-of-way, and conditions

Z178-271(JM)

77. 19-807 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and an expansion of Planned Development District No. 372 on property zoned Planned Development District No. 372 and Planned Development Subdistrict No. 6 within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area generally bounded by McKinney Avenue to the east, Lemmon Avenue East to the north, Oak Grove Avenue to the west, and Lemmon Avenue to the south
Recommendation of Staff: Approval, subject to a revised development plan, a revised landscape plan, and staff's recommended conditions
Recommendation of CPC: Approval, subject to a revised development plan, a revised landscape plan, and conditions
Z189-141(JM)

78. 19-808 A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast
Recommendation of Staff: Denial
Recommendation of CPC: Approval
Z189-149(JM)

79. 19-809 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial motor vehicle parking use on property zoned an IM Industrial Manufacturing District, on the northeast line of South Central Expressway, between McCommas Bluff Road and Youngblood Road
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions
Z189-186(CT)

80. 19-810 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the southwest corner of Great Trinity Forest Way (Loop 12) and Murdock Road
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions
Z189-193(JM)

81. 19-811 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the northeast corner of Murdock Road and Elkton Circle, southwest of C.F. Hawn Freeway
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions
Z189-211(PD)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

82. 19-740 A public hearing to receive comments regarding an application for and **(1)** an ordinance granting an amendment to Tract 6 for LO-1(A) Limited Office District uses; and **(2)** an ordinance terminating Specific Use Permit No. 610 for a health center, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508, on property bounded by Bickers Street, Holystone Street, and Greenleaf Street
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, development plan, landscape plan, traffic management plan, and conditions; and approval of the termination of Specific Use Permit No. 610 for a health center use
Z178-260(SM)
Note: This item was deferred by the City Council before opening the public hearings on February 27, 2019, April 10, 2019, and May 8, 2019, and is scheduled for consideration on June 12, 2019

83. 19-654 A public hearing to receive comments regarding an application for the renewal of Specific Use Permit No. 2229 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the northeast corner of Great Trinity Forest Way and North Jim Miller Road
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Recommendation of CPC: Denial without prejudice
Z178-377(PD)
Note: This item was deferred by the City Council before opening the public hearings on February 27, 2019 and April 24, 2019, and is scheduled for consideration on June 12, 2019

FLOODPLAIN APPLICATIONS

Water Utilities Department

84. 19-774 A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.1 acres of the current 2.975 acres of land located at 4144 Cochran Chapel Road, within the floodplain of Bachman Branch, Fill Permit 17-10 - Financing: No cost consideration to the City

MISCELLANEOUS HEARINGS

Office of Economic Development

85. 19-758 A public hearing to receive comments concerning the renewal and expansion of the South Side Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code (the "Act"), for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the closing of the public hearing authorize **(1)** a resolution renewing the District for a period of seven years, from 2020-2026; **(2)** expansion of the District's boundary; **(3)** the District's Service Plan for 2020-2026 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(4)** a management contract with South Side Quarter Development Corporation, a Texas non-profit corporation, as the management entity for the District - Financing: No cost consideration to the City (see Fiscal Information)

86. 19-759 A public hearing to receive comments concerning the renewal of the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing authorize **(1)** a resolution renewing the District for a period of seven-years, from 2020 to 2026; **(2)** the District's Service Plan for 2020-2026 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with Uptown Dallas, Inc., a Texas non-profit corporation as the management entity for the District - Financing: No cost consideration to the City (see Fiscal Information)

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]

2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]

3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]

4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]

5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]

6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]

7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

Agenda Date: June 12, 2019

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	N/A	V	N/A	N/A	Approval of Minutes of the May 22, 2019 City Council Meeting
2.	N/A	C	ATT	$650,000.00	Authorize settlement of the lawsuit styled Three Expo Events, LLC v. City of Dallas, Cause No. 3:16-CV-00513, subject to a settlement agreement approved by the City Attorney's Office - Not to exceed $650,000.00 - Financing: Risk Management Funds
3.	All	C	AUD	NC	Authorize a budget estimate of the needs and requirements of the City Auditor's Office for Fiscal Year 2019-20 in the amount of $3,422,840 (subject to final citywide funding adjustments for decisions that will be made on a citywide basis for items such as staff benefits, insurance, Communication and Information Services chargebacks, and other items that may affect all City departmental budgets) - Financing: No cost consideration to the City
4.	All	C	DAS	GT	Authorize the (1) acceptance of a grant from Petco Foundation for the Petco Foundation Grant Lifesaving Investment, to create operations, programs, and partnerships that reduce the number of animals in shelters and provide additional lifesaving opportunities in the amount of $150,000.00 for the period June 12, 2019 through August 31, 2020; (2) receipt and deposit of grant funds in an amount not to exceed $150,000.00 in the Petco Foundation Grant 19-20 Fund; (3) establishment of appropriations in an amount not to exceed $150,000.00 in the Petco Foundation Grant 19-20 Fund; and (4) execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed $150,000.00 - Financing: Petco Foundation Grant Funds
5.	9	C	PBW	GT	Authorize (1) a Contribution in Aid of Construction Agreement with the North Texas Municipal Water District (NTMWD) for funding participation in the partial paving and drainage improvements of the alley between Barnes Bridge Road and Bon Park Court/Drummond Drive from Cotillion Drive to Ferguson Road; (2) the receipt and deposit of funds from NTMWD in an amount not to exceed $63,000.00 for NTMWD's share of the project costs in the Capital Projects Reimbursement Fund; and (3) an increase in appropriations in an amount not to exceed $63,000.00 in the Capital Projects Reimbursement Fund - Not to exceed $63,000.00 - Financing: Capital Projects Reimbursement Fund
6.	14	C	PBW	$275,373.55	Authorize a professional services contract with Dannenbaum Engineering Company - Dallas, LLC for the engineering design of Street Reconstruction Group 17-1410 (list attached to the Agenda Information Sheet) - Not to

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					exceed $275,373.55 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
7.	1, 2	C	PBW	$202,665.26	Authorize a professional services contract with Dikita Enterprises, Inc. for the engineering design of Street Reconstruction Group 17-2009 (list attached to the Agenda Information Sheet) - Not to exceed $202,665.26 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($190,465.26) and Water Utilities Capital Construction Funds ($12,200.00)
8.	8	C	PBW	$118,878.99	Authorize a professional services contract with Walter P. Moore and Associates, Inc. for the engineering design of Street Reconstruction Group 17-8001 (list attached to the Agenda Information Sheet) - Not to exceed $118,878.99 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($116,053.99) and Water Construction Fund ($2,825.00)
9.	3, 4	C	PBW	$1,826,950.00	Authorize a construction contract for the construction of thoroughfare improvements for South Hampton Road from Crow Creek Drive to north of West Ledbetter Drive - DDM Construction Corporation, lowest responsible bidder of five - Not to exceed $1,826,950.00 - Financing: Street and Transportation Improvements Fund (2012 Bond Funds)
10.	4	C	PBW	$112,186.81	Authorize an increase in the construction services contract with Texas Standard Construction, Ltd. for additional storm drainage work, water main lowering, and wastewater lateral adjustment construction on Fordham Road from Bonnie View Road to Illinois Avenue - Not to exceed $112,186.81, from $3,196,267.75 to $3,308,454.56 - Financing: Street and Transportation Improvements Fund (2012 Bond Funds)
11.	6	C	PBW	$171,054.30	Authorize an increase in the construction services contract with Pavecon Public Works, LP for additional work associated with the construction of a drainage channel and the installation of light emitting diode street lighting for Chalk Hill Road from Davis Street to 800 feet south of Interstate Highway 30 - Not to exceed $171,054.30, from $10,332,248.64 to $10,503,302.94 - Financing: Street and Transportation Improvements Fund (2006 Bond Funds)
12.	4	C	PBW	$149,693.90	Authorize an increase in the construction services contract with Jeske Construction Company to remove various concrete panels found underneath the roadway and add eight-inch flex-base material, and add permanent traffic signs and pavement markings along South Ewing Avenue from Galloway Avenue to Genoa Avenue - Not to exceed $149,693.90, from $2,082,956.00 to $2,232,649.90 - Financing: Street and Transportation Improvements Fund (2012 Bond Funds)
13.	8	C	SAN	$900,308.20	A resolution authorizing the City Manager to ratify an emergency construction

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					contract and authorize the City Manager to execute the contract with Hammett Excavation, Inc. for soil hauling, earthwork and all-weather roadway improvements at the McCommas Bluff landfill located at 5555 Youngblood Road - Not to exceed $900,308.20 - Financing: Sanitation Capital Improvement Funds
14.	All	C	SAN	NC	An ordinance amending Chapter 18, "Municipal Solid Wastes," of the Dallas City Code, by amending Sections 18-2, 18-4, and 18-9; (1) clarifying and adding definitions; (2) adding restrictions to the placement of brush and bulky trash; (3) providing a limitation on the quantity of brush and bulky trash collections; (4) providing regulations on oversized brush and bulky trash collections; (5) providing that fees for excessive and non-compliant brush and bulky trash service will be adopted with the 2019-2020 fee ordinance; and (6) providing that construction debris will be collected for a fee as part of a non-compliant brush and bulky trash collection or as a cost plus rate - Financing: No cost consideration to the City (see Fiscal Information)
15.	Outside	C	DEV	$5,000.00	Authorize acquisition from Curtis Seastrunk, of approximately 7,308 square feet of land located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $5,000.00 ($2,517.00, plus closing costs and title expenses not to exceed $2,483.00) - Financing: Water Construction Fund
16.	Outside	C	DEV	$16,026.00	Authorize acquisition from Dora Jean Gayler, of approximately 37,827 square feet of land located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $16,026.00 ($13,026.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund
17.	Outside	C	DEV	$48,000.00	Authorize acquisition from Lawrence Schmitz, of approximately 7,944 square feet of land improved with a single-family dwelling located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $48,000.00 ($45,000.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund
18.	Outside	C	DEV	$13,500.00	Authorize acquisition from North Texas Municipal Water District, of approximately 13,197 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $13,500.00 ($10,065.00, plus closing costs and title expenses not to exceed $3,435.00) - Financing: Water Construction Fund
19.	4	C	DEV	$80,000.00	Authorize acquisition from Maria Barba, of approximately 7,802 square feet of land with a single-family dwelling located near the intersection of Pontiac

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					and Morrell Avenues for the Cadillac Heights Phase II Project - Not to exceed $80,000.00 ($76,500.00, plus closing costs and title expenses not exceed $3,500.00) - Financing: Land Acquisition in Cadillac Heights Fund (2006 Bond Funds)
20.	4	C	DEV	$64,900.00	Authorize moving expense and replacement housing payments for Maria Gloria DeLeon as a result of an official written offer of just compensation to purchase real property at 2926 McGowan Street for the Cadillac Heights Phase II Project - Not to exceed $64,900.00 - Financing: Land Acquisition in Cadillac Heights Fund (2006 Bond Funds)
21.	Outside	C	DEV	REV $2,588.00	A resolution authorizing the conveyance of approximately 9,203 square feet of City-owned land to the State of Texas located in Collin County near the intersection of State Highway 205 and John King Boulevard - Revenue: $2,588.00
22.	Outside	C	DEV	REV $2,712.00	A resolution authorizing the conveyance of a tract of land and Drainage Easement for a total of approximately 9,308 square feet of City-owned land to the State of Texas located in Collin County near the intersection of State Highway 205 and John King Boulevard - Revenue: $2,712.00
23.	9	C	DEV	REV $151,181.00	An ordinance abandoning a portion of an alley to 75218 Property Company, the abutting owner, containing approximately 8,893 square feet of land, located near the intersection of Harter Road and Lake Highlands Drive; and authorizing the quitclaim - Revenue: $151,181.00, plus the $20.00 ordinance publication fee
24.	2	C	DEV	REV $5,400.00	An ordinance abandoning a portion of a sanitary sewer easement to 2015 Prairie LLC, the abutting owner, located near the intersection of Prairie Avenue and Monarch Street - Revenue: $5,400.00, plus the $20.00 ordinance publication fee
25.	1	C	DEV	$41,085.00	Authorize an amendment to an existing license agreement with American Towers LLC, d/b/a American Texas Towers LLC to (1) install additional antennas at the Premises; (2) increase monthly license payments; and (3) provide for a one-time “Capital Contribution Fee” representing the City’s contribution for costs associated with tower modifications required to accommodate the installation of the City’s equipment for approximately 14,895 square feet of land and tower space located at 2833 Remond Drive to be used for Police and Fire radio channels for the period August 1, 2019 through March 10, 2024 - Not to exceed $41,085.00, from $869,938.36 to $911,023.36 - Financing: Communication Service Fund ($19,880.00) (subject to annual appropriations) and 2018 Master Lease Equipment Fund

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					($21,205.00)
26.	3	C	DEV	NC	Authorize a boundary adjustment agreement with the City of Grand Prairie on property located east of Hardy Road and Cardiff Street and north of Kiest Boulevard to allow more efficient delivery of city services - Financing: This action has no cost consideration to the City
27.	1, 2, 4, 6, 9, 14	C	TRN	$162,321.47	Authorize payment to the Texas Department of Transportation for cost overruns related to intersection and traffic signal improvements at the following five locations: Lombardy Lane and Brockbank Drive, Illinois Avenue and Vernon Avenue, Ferguson Road and Maylee Boulevard/Shiloh Road, Cedar Springs Road and Douglas Avenue, Olive Street and San Jacinto Street in the amount of $162,321.47 - Financing: General Fund
28.	14	C	TRN	GT	Authorize (1) the receipt and deposit of funds in an amount not to exceed $12,800.00 from HCBeck, LTD on behalf of AT&T, Inc. for material, equipment and labor provided by the City related to the construction of a traffic signal upgrade at Griffin and Wood Streets; and (2) an increase in appropriations in an amount not to exceed $12,800.00 in the Capital Projects Reimbursement Fund - Not to exceed $12,800.00 - Financing: Capital Projects Reimbursement Funds
29.	9	C	TRN	$463,005.00	Authorize (1) the acceptance of a grant from the U.S. Department of Transportation Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Surface Transportation Block Grant (Agreement No. CSJ 0918-47-072, CFDA No. 20.205) in the amount of $1,791,508.00 as federal share in the total project cost estimate of $2,418,411.00 (includes Federal and State participation of $1,955,406.00) for costs related to the installation of safety measures at several railroad/roadway crossing locations in East Dallas along the Kansas City Southern Railway corridor for the establishment of a Quiet Zone; (2) the establishment of appropriations in the amount of $1,791,508.00 in the Surface Transportation Block Grant Project Fund; (3) the receipt and deposit of funds in the amount of $1,791,508.00 in the Surface Transportation Block Grant Project Fund; (4) a required local match in the amount of $463,005.00 from 2017 Bond Funds; (5) disbursement of a portion of local match funds in the amount of $15,128.00 to be issued as warrant checks to TxDOT for State construction costs and other State direct costs related to the project (includes $5,988.00 initial payment and $9,140.00 payment prior to construction); and (6) execution of the Local Project Advance Funding Agreement with TxDOT in the approximate amount of $2,418,411.00 and all terms, conditions, and documents required by the agreement - Total amount of $2,418,411.00 -

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Financing: Texas Department of Transportation Grant Funds ($1,955,406.00) and Street and Transportation (A) Fund (2017 Bond Funds) ($463,005.00) (see Fiscal Information)
30.	N/A	C	EFM	$149,994.00	An ordinance amending Chapter 15D, "Emergency Vehicles", of the Dallas City Code, by amending Sections 15D-15 and 15D-53 to (1) revise the definition of Emergency Wrecker Service to include City-owned vehicles; and (2) include the addition of City-owned vehicles to the rapid response program - Estimated amount of $149,994 - Financing: Various Funds (see Fiscal Information)
31.	N/A	C	DFD	REV $375,188.00	Authorize (1) the receipt and deposit of funds in an amount not to exceed $375,188.00 in the DCCCD El Centro Fund; (2) an increase in appropriations in an amount not to exceed $375,188.00 in the DCCCD El Centro Fund; and (3) a two-year interlocal contract with El Centro College of the Dallas County Community College District for reimbursement of City of Dallas Fire-Rescue Department training costs for the period September 1, 2019 through August 31, 2021 - Revenue: $375,188.00
32.	All	C	HOU	NC	Authorize amendments to the City of Dallas Comprehensive Housing Policy, previously approved on May 9, 2018, by Resolution No. 18-0704, as amended, to amend and restate the low income housing tax credit (HTC) policy for evaluating proposals submitted by developers requesting resolutions of support or no objection from the City for multi-family rental housing development projects (Projects) seeking HTC through the Texas Department of Housing and Community Affairs (TDHCA) to: (1) adjust the calendar for applications to allow applications to be received quarterly; (2) add threshold criteria that will be applied to all Projects seeking a resolution; (3) adjust the evaluation criteria; (4) add a glossary; (5) provide that a 9% HTC Project that is recommended for a resolution of support will also be recommended to receive a nominal $500.00 funding commitment from the City; and (6) allow the City Manager to update and publish the application calendar annually and to amend the service description categories and point allocations on an annual basis - Financing: No cost consideration to the City (see Fiscal Information for future cost)
33.	All	C	LIB	$24,735.00	Authorize (1) the acceptance of a grant from Arts Midwest on behalf of National Endowment for the Arts (NEA) (Grant No. 00024062/Federal ID No. 1844334-52-C-18, CFDA No. 45.024) in the amount of $15,000.00 to support the implementation of the NEA Big Read Program for the City of Dallas for the period September 1, 2019 through June 30, 2020; (2) the establishment of appropriations in an amount not to exceed $15,000.00 in

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					the NEA Big Read Grant 19-20 Fund; (3) the receipt and deposit of grant funds from Arts Midwest on behalf of National Endowment for the Arts in an amount not to exceed $15,000.00 in the NEA Big Read Grant 19-20 Fund; (4) a required local match in an amount not to exceed $24,735.00 from the General Fund; (5) an in-kind match in the amount of $4,306.00; and (6) execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total not to exceed $44,041.00 - Financing: Arts Midwest Grant Funds ($15,000.00), In-Kind ($4,306.00) and General Fund ($24,735.00)
34.	N/A	C	BMS	NC	Authorize (1) final adoption of the FY 2019-20 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of $29,896,688 for the following programs and estimated amounts: (a) Community Development Block Grant (CDBG) in the amount of $14,697,642; (b) HOME Investment Partnerships Program (HOME) in the amount of $5,427,679; (c) Emergency Solutions Grant in the amount of $1,256,675; (d) Housing Opportunities for Persons with AIDS in the amount of $7,058,692; and (e) estimated Program Income in the amount of $1,456,000, comprised of $456,000 for CDBG and $1,000,000 for HOME; and (2) final adoption of the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24 - Financing: No cost consideration to the City
35.	N/A	C	OCA	NC	A resolution authorizing and establishing the ArtsActivate 2020 program, which consolidates and updates two existing Cultural Support Programs within the Office of Cultural Affairs, to further the goals of the Dallas Cultural Plan 2018 and support cultural services in the City of Dallas, and approving the program guidelines - Financing: This action has no cost consideration to the City (see Fiscal Information)
36.	12	C	OCA	$144,985.00	Authorize a contract with Brad Oldham International, Inc. for the composition of public artwork at Hillcrest Village Green Park located at 6959 Arapaho Road - Not to exceed $144,985.00 - Financing: Park and Recreation Facilities Fund (2006 Bond Funds) ($61,665.60) and Park and Recreation Facilities (B) Fund (2017 Bond Funds) ($83,319.40)
37.	14	C	OCA	REV $5.00	Authorize the Third Amendment to the Lease Agreement with the Dallas Theater Center (DTC) for a five-year term to enable the DTC to continue to lease, occupy, manage, and operate the Kalita Humphreys Theater and Annex Building located at 3636 Turtle Creek Boulevard for the period June 12, 2019 through June 1, 2024 - Revenue: $5.00

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
38.	N/A	C	OCA	NC	Authorize an amendment to the Cultural Facilities Program, which provides funding for long-term improvements, renovations or major repairs of cultural facilities, previously approved on April 12, 2017, by Resolution No. 17-0594, to amend the ownership, legal status and unrestricted use requirements to allow lessees to qualify for the program - Financing: No cost consideration to the City
39.	All	C	ECO	NC	Authorize the extension and amendment of the Public/Private Partnership Program Guidelines and Criteria, previously approved on December 12, 2018, by Resolution No. 18-1861 for the period July 1, 2019 through December 31, 2019 - Financing: No cost consideration to the City
40.	All	C	POM	$609,952.00	Authorize a three-year service price agreement for event equipment rental services for the Park & Recreation Department - Texas Tent, LLC, most advantageous proposer of four - Not to exceed $609,952 - Financing: General Fund (subject to annual appropriations)
41.	All	C	POM	$236,362.80	Authorize a three-year service contract for subscription to LinkedIn for the Department of Human Resources and Civil Service with Carahsoft through the Department of Information Resources cooperative agreement - Not to exceed $236,362.80 - Financing: General Fund (subject to annual appropriations)
42.	All	C	POM	$289,395.00	Authorize the purchase of twenty-nine pieces of service shop equipment to be used by the Equipment and Fleet Management Department with Reeder Distributors, Inc. through the Texas Association of School Boards cooperative agreement - Not to exceed $289,395 - Financing: Master Lease-Equipment Fund
43.	2	C	POM	$97,572.00	Authorize the purchase of replacement bunker golf course sand to be utilized at the Tenison Park Golf Course for the Park & Recreation Department - Texas Sports Sand, Inc., lowest responsible bidder of two - Not to exceed $97,572 - Financing: Golf Improvement Trust Fund
44.	N/A	C	POM	REV $21,800.00	Authorize the sale of one track loader through a public auction on March 29, 2019 to A&S Recycling in the amount of $21,800, highest bidder - Revenue: $21,800
45.	All	C	POM	$6,000,000.00	Authorize a two-year master agreement for furniture, floor covering, modular walls, high density storage shelving, and related support services with Allsteel, Arcadia, Coalese, Davis, Encore, Environmanics, Geiger, Groupe Lacasse, Haworth, Inc., Herman Miller, Inc., Hon Office Furniture, Human Scale, Interface, Just Ergonomics, KI, Knoll, Inc., Krug, Miliken & Company, Mohawk Industries, National Office Furniture, Patcraft, Peter Pepper

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Products, Inc., Shaw Industries, SitOnIt, Spacesaver, Steelcase, Texas Correctional Industries, Varidesk, Virco, Inc. and their associated distributors through the BuyBoard National Purchasing Cooperation, General Services Administration, National Intergovernmental Purchasing Alliance, National Joint Powers Association, The Cooperative Purchasing Network, Texas Multiple Award Schedules, and U.S. Communities Government Purchasing Alliance cooperative agreements, as specifically described in Exhibit A - Estimated amount of $6,000,000 - Financing: General Fund ($4,844,795), Dallas Water Utilities Fund ($504,428), Data Services Fund ($278,907), Aviation Fund ($227,670), Convention and Event Services Fund ($105,653), and Sanitation Services Fund ($38,547)
46.	All	C	POM	$157,301.91	Authorize a three-year master agreement for propane and propane cylinders - Ferrellgas, LP in the amount of $156,976.91 and Northwest Butane Gas Co. dba Northwest Propane Gas Co. in the amount of $325.00, lowest responsible bidders of two - Total not to exceed $157,301.91 - Financing: General Fund ($133,452.12), Convention and Event Services Fund ($12,918.41), Data Services Fund ($4,919.21), Dallas Water Utilities Fund ($3,586.42), Sanitation Services Fund ($1,366.76), and Aviation Fund ($1,058.99)
47.	All	C	POM	$520,912.82	Authorize a three-year master agreement for concrete and asphalt saw blades - Simba Industries in an estimated amount of $316,241.37, Kirby-Smith Machinery, Inc. in an estimated amount of $119,344.16, Diteq Corporation in an estimated amount of $80,208.12, and Mavich LLC in an estimated amount of $5,119.17, lowest responsible bidders of four - Total estimated amount of $520,912.82 - Financing: General Fund ($325,085.23), Aviation Fund ($132,979.00), and Dallas Water Utilities Fund ($62,848.59)
48.	All	C	POM	$366,898.25	Authorize a five-year master agreement for law enforcement badges for the Police Department - V.H. Blackinton, Inc., lowest responsible bidder of two - Estimated amount of $366,898.25 - Financing: General Fund
49.	All	C	WCI	$100,000.00	Authorize a Safe Network Agreement with the Vera Institute of Justice, Inc. (Vera) committing (1) the City to remit $100,000.00 in funding to Vera for representation of Dallas residents before the Executive Office of Immigration Review; (2) Vera to remit a matching catalyst grant of $100,000.00 to the selected non-profit legal service provider; and (3) Vera to provide in-kind support including the selection of a non-profit legal services provider in Dallas recognized to practice before the Immigration Court, training and technical assistance, data collection, reporting, program monitoring, and communications assistance - Not to exceed $100,000.00 - Financing:

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					General Fund
50.	9	C	PKR	$675,000.00	Authorize a contract for the construction of the DeGolyer House West Wing Envelope Repair at the Dallas Arboretum located at 8525 Garland Road - Phoenix I Restoration and Construction, Ltd., lowest responsible bidder of two - Not to exceed $675,000.00 - Financing: Park and Recreation Facilities Fund (2006 Bond Funds)
51.	7	C	PKR	$511,999.00	Authorize a contract for the construction of the Hall of State Chiller Replacement Project located at 3939 Grand Avenue in Fair Park - METCO Engineering, Inc., lowest responsible bidder of four - Not to exceed $511,999.00 - Financing: Fair Park Improvements (C) Fund (2017 Bond Funds)
52.	3, 7, 9	C	PKR	$14,580,000.00	Authorize a contract for the construction of the Phase 2 Aquatic Facilities Project at Bahama Beach Waterpark Expansion located at 1895 Campfire Circle, Exline Neighborhood Aquatic Center located at 2430 Eugene Street, and Harry Stone Neighborhood Aquatic Center located at 2403 Millmar Drive - Big Sky Construction Co., Inc., best value proposer of five - Not to exceed $14,580,000.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)
53.	9, 10, 11	C	DWU	$965,165.00	Authorize a professional services contract with Halff Associates, Inc., for the engineering design of Storm Drainage Contract No. 2 (list attached to the Agenda Information Sheet) - Not to exceed $965,165.00 - Financing: Storm Drainage Management Capital Construction Fund
54.	1, 4, 5	C	DWU	$886,940.13	Authorize a professional services contract with Garver, LLC for the engineering design of Storm Drainage Contract No. 3 (list attached to the Agenda Information Sheet) - Not to exceed $886,940.13 - Financing: Storm Drainage Management Capital Construction Fund
55.	4	C	DWU	$3,474,000.00	Authorize a professional services contract with Jacobs Engineering Group, Inc. to provide engineering services required for the investigation, preliminary design, development of construction plans and specifications, bid phase services, construction administration and start-up associated with aeration improvements at the Central Wastewater Treatment Plant - Not to exceed $3,474,000.00 - Financing: Sewer Construction Fund
56.	6, Outside	C	DWU	$7,042,700.00	Authorize a professional services contract with Freese and Nichols, Inc. to provide construction management services for construction contracts related to improvements at the Elm Fork Water Treatment Plant, the East Side Water Treatment Plant, the Bachman Water Treatment Plant, and the Walnut Hill Pump Station - Not to exceed $7,042,700.00 - Financing: Water Capital

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Improvement Fund
57.	6	C	DWU	$203,201.70	Authorize an increase in the construction services contract with MWH Constructors, Inc. for additional work associated with water quality and miscellaneous improvements at the Bachman Water Treatment Plant - Not to exceed $203,201.70, from $48,736,051.75 to $48,939,253.45 - Financing: Water Capital Improvement Fund
58.	6, Outside	C	DWU	$482,106.00	Authorize an increase in the construction services contract with Oscar Renda Contracting, Inc. for additional work associated with improvements at three meter vaults (list attached to the Agenda Information Sheet) - Not to exceed $482,106.00, from $4,000,000.00 to $4,482,106.00 - Financing: Water Capital Improvement Fund
59.	Outside	C	DWU	$644,091.87	Authorize an increase in the construction services contract with BAR Constructors, Inc. for additional work associated with the construction of a new pump station to replace the existing Pump Station No. 1 at the Elm Fork Water Treatment Plant - Not to exceed $644,091.87, from $50,090,500.00 to $50,734,591.87 - Financing: Water Capital Improvement Fund
60.	4	C	DWU	$708,681.00	Authorize Supplemental Agreement No. 1 to the professional services contract with JQ Infrastructure, LLC to provide additional engineering services required for the investigation, preliminary design, development of construction plans and specifications, bid phase services, construction administration and start-up of rehabilitation improvements for influent piping and equipment at the Central Wastewater Treatment Plant - Not to exceed $708,681.00, from $1,095,000.00 to $1,803,681.00 - Financing: Wastewater Capital Improvement Fund
61.	2, 5, 7, 9, 10, 11	C	DWU	$325,710.00	Authorize Supplemental Agreement No. 1 to the professional services contract with HDR Engineering, Inc. to provide additional engineering services for corrosion prevention design of three priority water transmission pipeline locations - Not to exceed $325,710.00, from $1,644,038.00 to $1,969,748.00 - Financing: Water Capital Improvement Fund
62.	N/A	I	SEC	NC	Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
63.	All	I	MCC	NC	Authorize the naming of the Texas Buckeye Trail to the Ned and Genie Fritz Texas Buckeye Trail - Financing: This action has no cost consideration to the City (see Fiscal Information)
64.	7	I	MCC	NC	A resolution requesting the Board of Adjustment to authorize compliance

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					proceedings for the Club Linares Bar located at 1101 South Haskell Avenue, Dallas, Texas - Financing: No cost consideration to the City (via Councilmembers Felder, Deputy Mayor Pro Tem Medrano, Kingston, Narvaez, and Arnold)
65.	All	I	ECO	$100,000.00	Authorize an Interlocal Agreement with the Dallas County Community College District on behalf of Cedar Valley College (CVC) to support the CVC Heating Ventilation Air Conditioning (HVAC) Center of Excellence and create an expanded workforce training program for commercial HVAC technicians for the period July 1, 2019 through June 30, 2021 - Not to exceed $100,000.00 - Financing: Public/Private Partnership Fund
66.	2	I	ECO	$650,000.00	Authorize (1) a development agreement with the Dallas County Heritage, Society Inc., in an amount not to exceed $650,000.00, payable from exiting and/or future Cedars TIF District Funds, to support restoration of the Park Avenue House and Rall House to be used as co-working office space at the Dallas Heritage Village located at 1515 South Harwood Street; and (2) an increase in appropriations in an amount not to exceed $650,000.00 in the Cedars TIF District Fund - Not to exceed $650,000.00 - Financing: Cedars TIF District Fund (subject to appropriation from existing and future tax increment)
67.	All	I	OHS	NC	Authorize (1) the acceptance of a Continuum of Care ("CoC") Grant (Grant No. TX0236L6T001810 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project in an amount not to exceed $739,943.00, to provide project-based rental assistance and case management for single chronically homeless persons for the period October 1, 2019 through September 30, 2020; (2) an assignment of the CoC Grant to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas under the grant agreement; and (3) execution of any and all documents required for the grant and grantee substitution - Financing: No cost consideration to the City (This item was deferred on May 22, 2019)
68.	4	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract 2 within Planned Development District No. 812, on the northwest corner of Fran Way and Compton Street Recommendation of Staff and CPC: Approval, subject to a perimeter fence and gated streets plan Z178-300(SM)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
69.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property zoned Subdistrict 1 within Planned Development District No. 621 and Planned Development District No. 442, north of the intersection of North Stemmons Freeway Service Road and Slocum Street Recommendation of Staff and CPC: Approval, subject to conditions Z178-314(CY)
70.	8	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1339 for an open enrollment charter school on property zoned an R-7.5(A) Single Family District, on the northwest corner of Rylie Road and Tufts Road Recommendation of Staff and CPC: Approval, subject to a revised site plan, revised traffic management plan and conditions Z189-171(CY)
71.	7	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing on property zoned an RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the north corner of South Harwood Street and Coombs Street Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions Z189-173(JM)
72.	13	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a public library on property zoned an MF-2(A) Multifamily District on the north line of Park Lane, between Greenville Avenue and Ridgecrest Road Recommendation of Staff and CPC: Approval for a permanent period, subject to a site plan and conditions Z189-181(PD)
73.	12	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an MU-1 Mixed Use District and a CS Commercial Service District, on the east line of Dickerson Street, north of Ronnie Drive Recommendation of Staff and CPC: Approval for a ten-year period with

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions Z189-184(SM)
74.	5	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the south line of Lake June Road, between Hawley Lane and Oak Hill Circle Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions Z189-212(CT)
75.	3	PH	DEV	NC	A public hearing to receive comments regarding a City Council authorized hearing to determine proper zoning on property zoned Subdistricts S-1a, S-1b, S-2a, S-2b, S-9, and S-10 in the South Zone of Planned Development No. 521 with consideration being given to appropriate zoning for the areas including use, development standards, and other appropriate regulations on property generally on: (1) the west side of Mountain Creek Parkway from I-20 to West Camp Wisdom Road (S-1b); (2) the southwest corner of Mountain Creek Parkway and West Camp Wisdom Road (S-1a); (3) the southwest corner of West Camp Wisdom Road and Eagle Ford Drive (S-2b); (4) the north side of West Camp Wisdom Road at the terminus of Eagle Ford Drive (S-2a); and (5) the south side of West Camp Wisdom Road from west of Timberbrook Lane to Clark Road (S-9, S-10) and an ordinance granting the amendments Recommendation of Staff and CPC: Approval of amendments to Planned Development District No. 521 Z156-325(NW)
76.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting (1) an amendment to Planned Development District No. 944 from R-5(A) Single Family District uses to MU-1 Mixed Use District uses; and (2) an expansion of Planned Development District No. 944, on property zoned Planned Development District No. 944, an IR Industrial Research District, and an IM Industrial Manufacturing District in an area bounded by Duluth Street and Singleton Boulevard to the north, Borger Street to the east, Pablo Street to the south, and Vilbig Road to the west Recommendation of Staff: Approval, subject to a revised conceptual plan, a cross section for the shared access area in Subareas B and C, a cross

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					section for a 53-foot right-of-way, a cross section for an 80-foot right-of-way, and staff's recommended conditions Recommendation of CPC: Approval, subject to a revised conceptual plan, a cross section for the shared access area in Subareas B and C, a cross section for a 53-foot right-of-way, a cross section for an 80-foot right-of-way, and conditions Z178-271(JM)
77.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and an expansion of Planned Development District No. 372 on property zoned Planned Development District No. 372 and Planned Development Subdistrict No. 6 within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area generally bounded by McKinney Avenue to the east, Lemmon Avenue East to the north, Oak Grove Avenue to the west, and Lemmon Avenue to the south Recommendation of Staff: Approval, subject to a revised development plan, a revised landscape plan, and staff's recommended conditions Recommendation of CPC: Approval, subject to a revised development plan, a revised landscape plan, and conditions Z189-141(JM)
78.	2	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast Recommendation of Staff: Denial Recommendation of CPC: Approval Z189-149(JM)
79.	8	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial motor vehicle parking use on property zoned an IM Industrial Manufacturing District, on the northeast line of South Central Expressway, between McCommas Bluff Road and Youngblood Road Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions Z189-186(CT)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
80.	8	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the southwest corner of Great Trinity Forest Way (Loop 12) and Murdock Road Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions Z189-193(JM)
81.	8	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the northeast corner of Murdock Road and Elkton Circle, southwest of C.F. Hawn Freeway Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions Z189-211(PD)
82.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and (1) an ordinance granting an amendment to Tract 6 for LO-1(A) Limited Office District uses; and (2) an ordinance terminating Specific Use Permit No. 610 for a health center, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508, on property bounded by Bickers Street, Holystone Street, and Greenleaf Street Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, development plan, landscape plan, traffic management plan, and conditions; and approval of the termination of Specific Use Permit No. 610 for a health center use Z178-260(SM) Note: This item was deferred by the City Council before opening the public hearings on February 27, 2019, April 10, 2019, and May 8, 2019, and is scheduled for consideration on June 12, 2019

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
83.	8	PH	DEV	NC	A public hearing to receive comments regarding an application for the renewal of Specific Use Permit No. 2229 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the northeast corner of Great Trinity Forest Way and North Jim Miller Road Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions Recommendation of CPC: Denial without prejudice Z178-377(PD) Note: This item was deferred by the City Council before opening the public hearings on February 27, 2019 and April 24, 2019, and is scheduled for consideration on June 12, 2019
84.	13	PH	DWU	NC	A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.1 acres of the current 2.975 acres of land located at 4144 Cochran Chapel Road, within the floodplain of Bachman Branch, Fill Permit 17-10 - Financing: No cost consideration to the City
85.	2	PH	ECO	NC	A public hearing to receive comments concerning the renewal and expansion of the South Side Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code (the "Act"), for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the closing of the public hearing authorize (1) a resolution renewing the District for a period of seven years, from 2020-2026; (2) expansion of the District's boundary; (3) the District's Service Plan for 2020-2026 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (4) a management contract with South Side Quarter Development Corporation, a Texas non-profit corporation, as the management entity for the District - Financing: No cost consideration to the City (see Fiscal Information)
86.	14	PH	ECO	NC	A public hearing to receive comments concerning the renewal of the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing authorize (1) a resolution renewing the

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					District for a period of seven-years, from 2020 to 2026; (2) the District's Service Plan for 2020-2026 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) a management contract with Uptown Dallas, Inc., a Texas non-profit corporation as the management entity for the District - Financing: No cost consideration to the City (see Fiscal Information)

TOTAL $45,248,651.96

Agenda Information Sheet

File #: 19-770 **Item #:** 1.

SUBJECT

Approval of Minutes of the May 22, 2019 City Council Meeting

Agenda Information Sheet

File #: 19-839 **Item #:** 2.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso

SUBJECT

Authorize settlement of the lawsuit styled Three Expo Events, LLC v. City of Dallas, Cause No. 3:16-CV-00513, subject to a settlement agreement approved by the City Attorney's Office - Not to exceed $650,000.00 - Financing: Risk Management Funds

BACKGROUND

On February 10, 2016, the City Council directed the City Manager not to enter into a contract with Three Expo Events, LLC, ("Three Expo") for the lease of the Dallas Convention Center for an adult entertainment event. On February 24, 2016, Three Expo filed a lawsuit in federal district court against the City of Dallas alleging that the City violated Three Expo's rights under the First Amendment, the Equal Protection Clause, and the Bill of Attainder Clause of the U.S. Constitution when it did not contract with Three Expo. In the lawsuit, Three Expo sought damages and injunctive relief. The district court denied Three Expo's motion for injunctive relief and granted the City's motion to dismiss the lawsuit based on lack of standing. Three Expo appealed, and the Fifth Circuit Court of Appeals reversed the ruling of the district court and remanded the case to the district court for further action. The City and Three Expo have agreed to settle the lawsuit subject to City Council approval.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council was briefed in Executive Session on February 17, 2016, March 2, 2016, April 6, 2016, August 3, 2016, May 24, 2017, March 20, 2019, and May 15, 2019.

City Council was briefed by memorandum on April 5, 2019 and April 18, 2019.

FISCAL INFORMATION

Funding for this item is budgeted in the current fiscal year.

Risk Management Funds - $650,000.00

June 12, 2019

WHEREAS, a lawsuit styled Three Expo Events, LLC v. City of Dallas, Cause No. 3:16-CV-00513, was filed in federal district court by Three Expo Events, LLC, alleging the City violated its rights under the First Amendment Clause, the Equal Protection Clause, and the Bill of Attainder Clause of the U. S. Constitution by declining to enter into a contract with Three Expo Events, LLC, for the lease of the Dallas Convention Center for an adult entertainment event; and

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay Three Expo Events, LLC; Roger Albright, LP; and all other persons having an interest in the settlement proceeds, the total amount of $650,000.00; and

WHEREAS, it is in the best interest of the City to settle this lawsuit.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the proposed settlement of the lawsuit styled Three Expo Events, LLC v. City of Dallas, Cause No. 3:16-CV-00513, in an amount not to exceed $650,000.00, is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Three Expo Events, LLC; Roger Albright, LP; and all other persons having an interest in the settlement proceeds, the total amount of $650,000.00, from Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor CTORM001.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

City of Dallas

1500 Marilla Street
Dallas, Texas 75201

Agenda Information Sheet

File #: 19-841 **Item #:** 3.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of City Auditor

EXECUTIVE: Mark S. Swann

SUBJECT

Authorize a budget estimate of the needs and requirements of the City Auditor's Office for Fiscal Year 2019-20 in the amount of $3,422,840 (subject to final citywide funding adjustments for decisions that will be made on a citywide basis for items such as staff benefits, insurance, Communication and Information Services chargebacks, and other items that may affect all City departmental budgets) - Financing: No cost consideration to the City

BACKGROUND

The Dallas City Charter, Chapter IX establishes the City Auditor's Office as an independent audit function with the primary responsibility of serving at the direction of the City Council.

Proposition 5 (Approved on 11-4-2014) amended the Dallas City Charter Chapter XI, Sec. 2 to require the City Auditor to furnish a budget estimate of the needs and requirements of the City Auditor's Office for the coming year directly to the City Council, to be approved by the City Council, and then consolidated with the City Manager's annual budget estimate. (Amendment of 11-8-2005, Proposition Number 13; Amendment of 11-4-2014, Proposition Number 5)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Government Performance & Financial Management Committee on June 3, 2019.

FISCAL INFORMATION

No cost consideration to the City.

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June 12, 2019

WHEREAS, on June 3, 2019, the Office of the City Auditor will seek to obtain a vote of approval from the Government Performance & Financial Management Committee of the City Auditor's Office budget estimate of $3,422,840, subject to final citywide adjustments, and move forward to full City Council for inclusion in the City Manager's annual budget estimate for Fiscal Year 2019-20.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Auditor's Office budget estimate of $3,422,840, subject to final citywide funding adjustments for decisions that will be made on a citywide basis for items such as staff benefits, insurance, Communication and Information Services chargebacks, and other items that may affect all City departmental budgets be included in the City Manager's annual budget estimate for Fiscal Year 2019-20.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-703 **Item #:** 4.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	June 12, 2019
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Department of Dallas Animal Services
EXECUTIVE:	Nadia Chandler-Hardy

SUBJECT

Authorize the **(1)** acceptance of a grant from Petco Foundation for the Petco Foundation Grant Lifesaving Investment, to create operations, programs, and partnerships that reduce the number of animals in shelters and provide additional lifesaving opportunities in the amount of $150,000.00 for the period June 12, 2019 through August 31, 2020; **(2)** receipt and deposit of grant funds in an amount not to exceed $150,000.00 in the Petco Foundation Grant 19-20 Fund; **(3)** establishment of appropriations in an amount not to exceed $150,000.00 in the Petco Foundation Grant 19-20 Fund; and **(4)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed $150,000.00 - Financing: Petco Foundation Grant Funds

BACKGROUND

The Petco Foundation is a nonprofit organization based in San Diego, CA dedicated to supporting and encouraging the work of organizations in an effort to create a nation where no animal is needlessly euthanized, where domestic animals can be trained to provide service to people and organizations in need, and where all domestic animals can be healthy and find lifelong homes and lifesaving medical care.

Dallas Animal Services (DAS) is engaging Dallas citizens in our efforts, educating residents about responsible pet ownership and spay/neuter, and implementing programs to help keep pets in loving homes; however, we realize that there are simply not enough kennels in our facility or homes in our community to accommodate all the animals that are in need. Utilizing industry formulas, DAS has analyzed the capacity of the shelter and have approximately 200 too few dog kennels to feasibly sustain a 90 percent live release rate goal.

DAS is receiving this Lifesaving Impact Award from the Petco Foundation in the amount of $150,000.00 to develop a transport program to transport animals to shelters and rescue partners in other states for adoption. DAS has made it a priority to secure a large transport vehicle capable of making these trips on a regular basis, which will display the Petco Foundation logo along with the DAS logo. This investment will allow DAS to take advantage of these valuable relationships and relocate adoptable animals to communities where they will easily find loving homes.

This program will be the lifesaving gift that keeps on giving, allowing DAS to continue to save thousands of additional lives.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on June 10, 2019.

FISCAL INFORMATION

Petco Foundation Grant Funds - $150,000.00

WHEREAS, the Petco Foundation has awarded the City of Dallas grant funds to develop a transport program to transport animals to shelters and rescue partners in other states for adoption. Dallas Animal Services (DAS) has made it a priority to secure a large transport vehicle capable of making these trips on a regular basis, which will display the Petco Foundation logo along with the DAS logo; and

WHEREAS, it is recommended that the City Manager be authorized to accept the grant funds in an amount not to exceed $150,000.00 for the period June 12, 2019 through August 31, 2020.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to accept a grant from Petco Foundation for the Petco Foundation Grant Lifesaving Investment to create operations, programs, and partnerships that reduce the number of animal in shelters and provide additional life-saving opportunities for animals at Dallas Animal Services in the amount of $150,000.00 for the period June 12, 2019 through August 31, 2020; and execute the grant agreement and all terms, conditions, and documents required by the grant agreement, approved as to form by the City Attorney.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $150,000.00 into the Petco Foundation Grant 19-20 Fund, Fund P133, Department DAS, Unit 4475, Revenue Code 8411.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $150,000.00 into the Petco Foundation Grant 19-20 Fund, Fund P133, Department DAS, Unit 4475, Object 4740.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $150,000.00 from the Petco Foundation Grant 19-20 Fund, Fund P133, Department DAS, Unit 4475, Object 4740.

SECTION 5. That the City Manager is hereby authorized to reimburse to the granting agency any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all final Petco Foundation monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. DAS-2019-00010254.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-754 **Item #:** 5.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize **(1)** a Contribution in Aid of Construction Agreement with the North Texas Municipal Water District (NTMWD) for funding participation in the partial paving and drainage improvements of the alley between Barnes Bridge Road and Bon Park Court/Drummond Drive from Cotillion Drive to Ferguson Road; **(2)** the receipt and deposit of funds from NTMWD in an amount not to exceed $63,000.00 for NTMWD's share of the project costs in the Capital Projects Reimbursement Fund; and **(3)** an increase in appropriations in an amount not to exceed $63,000.00 in the Capital Projects Reimbursement Fund - Not to exceed $63,000.00 - Financing: Capital Projects Reimbursement Fund

BACKGROUND

In February 2018, the NTMWD substantially completed construction on their Casa View Pump Station Control Structure Improvements and Ground Storage Tank Project. Consistent with the City of Dallas' storm drainage permitting process, NTMWD was required to design and construct a detention pond and flume to capture rainfall from the project site and discharge into the alley. All of the improvements made were within NTMWD's property. The flume, which meets all City of Dallas permit requirements, causes higher localized instantaneous flow to the alley that resulted in multiple complaints from residents in the area to the City of Dallas and NTMWD.

The instantaneous flows do not cause any flooding to the adjacent properties, but they do give the appearance of having higher volume of flows. To alleviate the residents' concerns, the City of Dallas approached NTMWD to see if they were willing to participate on a City of Dallas partial paving and drainage improvements project. While the alley is an asset that belongs solely to the City of Dallas, in the spirit of cooperation, NTMWD agreed to assist the City of Dallas.

On March 28, 2019, the NTMWD Board of Directors approved Consent Agenda Item No.19-03-04, attached as Exhibit "A", for funding as a Contribution in Aid of Construction for the City of Dallas' use for partial paving and drainage improvements of the alley between Barnes Bridge Road and Bon Park Court/Drummond Drive from Cotillion Drive to Ferguson Road.

This action will authorize the City to invoice NTMWD for their Contribution in Aid of Construction funding for use in the City's partial paving and drainage project.

The total estimated project cost for construction is $126,000.00 of which $63,000.00 is to be funded by NTMWD and $63,000.00 is to be funded by the City of Dallas. The City of Dallas is responsible for design and construction of the partial paving and drainage improvements.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	July 2019
Complete Construction	October 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Capital Projects Reimbursement Fund - $63,000.00

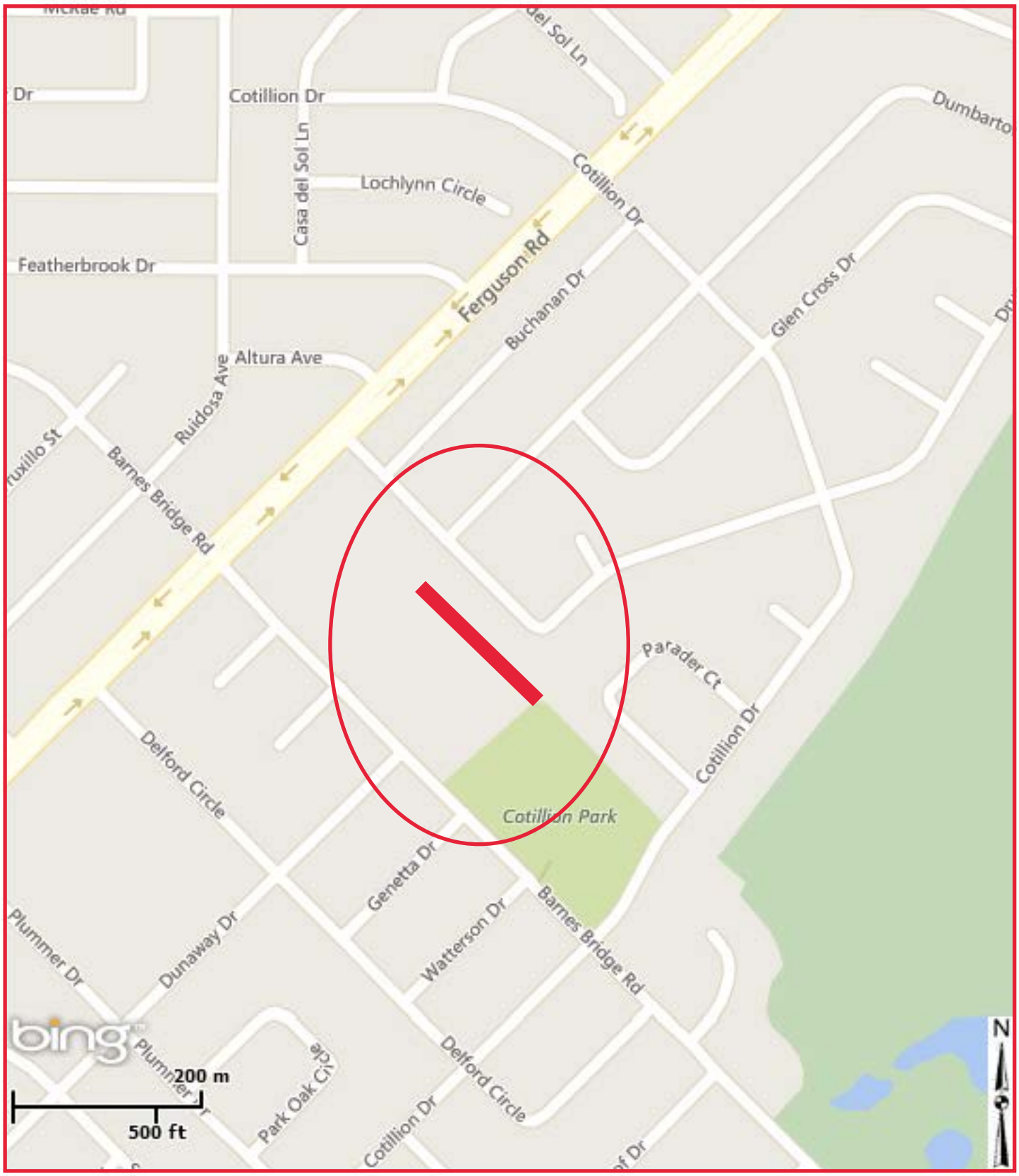
Estimated Future Cost - Construction - $63,000.00

MAP

Attached

powered by Legistar™

ALLEY BETWEEN BARNES BRIDGE ROAD AND BON PARK COURT/DRUMMOND DRIVE FROM COTILLION DRIVE TO FERGUSON ROAD



COUNCIL DISTRICT 9

June 12, 2019

WHEREAS, in February 2018, the North Texas Municipal Water District (NTMWD) substantially completed construction on their Casa View Pump Station Control Structure Improvements and Ground Storage Tank Project. Consistent with the City of Dallas' storm drainage permitting process, NTMWD was required to design and construct a detention pond and flume to capture rainfall from the project site and discharge into the alley. All the improvements made were all within NTMWD's property. The flume, which meets all City of Dallas permit requirements, causes higher localized instantaneous flow to the alley that resulted in multiple complaints from residents in the area to the City of Dallas and the North Texas Municipal Water District; and

WHEREAS, the instantaneous flows do not cause any flooding to the adjacent properties, but they do give the appearance of having higher volume of flows. To alleviate the residents' concerns, the City of Dallas approached NTMWD to see if they were willing to participate on a City of Dallas partial paving and drainage improvements project. While the alley is an asset that belongs solely to the City of Dallas, in the spirit of cooperation, NTMWD agreed to assist the City of Dallas; and

WHEREAS, on March 28, 2019, the NTMWD Board of Directors approved Consent Agenda Item No. 19-03-04, attached as Exhibit "A", for funding as a Contribution in Aid of Construction for the City of Dallas' use for partial paving and drainage improvements of the alley between Barnes Bridge Road and Bon Park Court/Drummond Drive from Cotillion Drive to Ferguson Road; and

WHEREAS, the City of Dallas is responsible for design and construction of the partial paving and drainage improvements of the alley between Barnes Bridge Road and Bon Park Court/Drummond Drive from Cotillion Drive to Ferguson Road; and

WHEREAS, it is now necessary to authorize a Contribution in Aid of Construction Agreement with NTMWD for funding participation in the partial paving and drainage improvements of the alley between Barnes Bridge Road and Bon Park Court/Drummond Drive from Cotillion Drive to Ferguson Road, and the receipt and deposit of funds from NTMWD, in an amount not to exceed $63,000.00 for NTMWD's share of the project costs.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a Contribution in Aid of Construction Agreement with the North Texas Municipal Water District, approved as to form by the City Attorney, for funding participation in the partial paving and drainage improvements of the alley between Barnes Bridge Road and Bon Park Court/Drummond Drive from Cotillion Drive to Ferguson Road, to be performed by city contractors.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed $63,000.00 from the North Texas Municipal Water District in the Capital Projects Reimbursement Fund, Fund 0556, Department PBW, Unit W436, Revenue Code 6526.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $63,000.00 in the Capital Projects Reimbursement Fund, Fund 0556, Department PBW, Unit W436, Object 4510.

SECTION 4. That this contract is designated as Contract No. PBW-2019-00010168.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

NORTH TEXAS MUNICIPAL WATER DISTRICT

Exhibit "A"

Regional. Reliable. Everyday.

April 12, 2019

Mr. Ali Hatefi, P.E., CFM
Senior Program Manager
Construction and ROW Management
City of Dallas
320 Jefferson Blvd., Room 321
Dallas, Texas 75203

Re: Casa View Pump Station Drainage Improvements
Project No. 101-0326-13
Contribution in Aid of Construction

Dear Mr. Hatefi:

In March 2019, the Board of Directors of North Texas Municipal Water District authorized the disbursement of $63,000 to the City of Dallas as contribution in the aid of construction. This funding is intended to be directed to paving and drainage improvements to the alley adjacent to the NTMWD Casa View Pump Station. Attached please find a copy of the Consent Agenda Item from the March, 2019 approved Board packet, related to this topic. To facilitate the payment process, please send an invoice in the above amount to Travis Markham, P.E., Program Manager, at the address below. If you have any questions about the process, please call Mr. Markham at (469) 626-4724. We appreciate the on-going cooperation on this matter.

Sincerely,

Cesar Baptista, P.E.
Assistant Deputy Director

CB/jl

Enclosure

NORTH TEXAS MUNICIPAL WATER DISTRICT

MARCH 2019 CONSENT AGENDA ITEM NO. 19-03-04

REGIONAL WATER SYSTEM
CASA VIEW PUMP STATION
CONTROL STRUCTURE IMPROVEMENTS AND GROUND STORAGE TANK
PROJECT NO. 101-0326-13

DRAINAGE IMPROVEMENTS
AUTHORIZATION FOR CONTRIBUTION IN AID OF CONSTRUCTION

PURPOSE OF THIS ACTION

Authorize contribution in aid of construction for drainage improvements associated with storm water discharge from the Casa View Pump Station site.

RECOMMENDATION

The Executive Director and NTMWD staff recommend the Board of Directors authorize a contribution to the City of Dallas for aid in construction as follows:

Recipient: City of Dallas

Scope: Drainage Improvements downstream of NTMWD pump station site

Project: No. 101-0326-13 Casa View Pump Station Control Structure Improvements and Ground Storage Tank

Amount: $63,000

DRIVER(S) FOR THIS PROJECT

☐ Regulatory Compliance	☐ Asset Condition
☐ Capacity	☐ Redundancy/Resiliency
☐ Relocation or External Requests	☐ Operational Efficiency
☐ Safety	☒ Administrative
☐ Policy	☐ Other

BACKGROUND

PROJECT PURPOSE

- The Casa View Pump Station Control Structure Improvements and Ground Storage Tank project was substantially completed in February 2018. The scope of the project included site improvements, including a storm water retention pond required by the City of Dallas to manage storm water runoff patterns leaving the site, which were altered by the work under the project.

- While the improvements at the site did not significantly alter the volume of site runoff, the new pond outfall flume concentrates the discharge to the City-owned alley adjacent to the Casa View site.
- The pond and outfall design was approved and permitted by the City of Dallas.
- While the concentrated flume discharge is not, in total, greater than the pre-existing runoff flow, it produced a higher localized instantaneous flow that resulted in multiple complaints to NTMWD and the City of Dallas by the residents in the area.

PROPOSED REIMBURSEMENT

- The City of Dallas will construct new storm sewer and repave the alley to mitigate the drainage issues.
- The City will be responsible for design and construction of the new facilities.
- Based on the project impact to the localized drainage patterns and in good faith to its neighbors, and to the City of Dallas, the Executive Director and NTMWD staff recommend a contribution of $63,000, which equates to approximately 50% of the costs of the improvements.

SUMMARY OF REIMBURSEMENT

Description	Amount
Storm Utility Quote	$55,512.50
Pavement Improvements Quote	$70,470.00
Total Improvements Cost	$125,982.50
NTMWD Contribution	**$63,000.00**

FUNDING

FUND(S): Regional Water System Capital Improvement Fund

Agenda Information Sheet

File #: 19-295 **Item #:** 6.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Dannenbaum Engineering Company - Dallas, LLC for the engineering design of Street Reconstruction Group 17-1410 (list attached to the Agenda Information Sheet) - Not to exceed $275,373.55 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond Projects. The consulting firm, Dannenbaum Engineering Company - Dallas, LLC, was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

This action will authorize a professional services contract with Dannenbaum Engineering Company - Dallas, LLC for the engineering design of three street reconstruction thoroughfare projects as Street Reconstruction Group 17-1410. The street reconstruction projects will include replacing the existing deteriorating concrete streets with reinforced concrete pavement, curb, gutter, sidewalk, driveway approaches, pavement marking, and possible replacement of the drainage system.

Following are the locations and design costs for each project:

Street Reconstruction - Thoroughfares - Improvements

Project	Council District	Amount
North Munger Boulevard from Junius Street to Gaston Avenue	14	$91,791.18
North Munger Boulevard from Tremont Street to Worth Street	14	$91,791.19

North Munger Boulevard from Worth Street to Junius Street	14	$91,791.18

ESTIMATED SCHEDULE OF PROJECT

Begin Design	July 2019
Complete Design	July 2020
Begin Construction	December 2020
Complete Construction	December 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $275,373.55

Estimated Future Cost - Construction - $1,719,016.76

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$275,373.55	Architectural & Engineering	25.66%	25.69%	$70,750.00
• This contract exceeds the M/WBE goal.				

OWNER

Dannenbaum Engineering Company - Dallas, LLC

Johan Petterson, P.E. Vice President for North Texas

MAPS

Attached

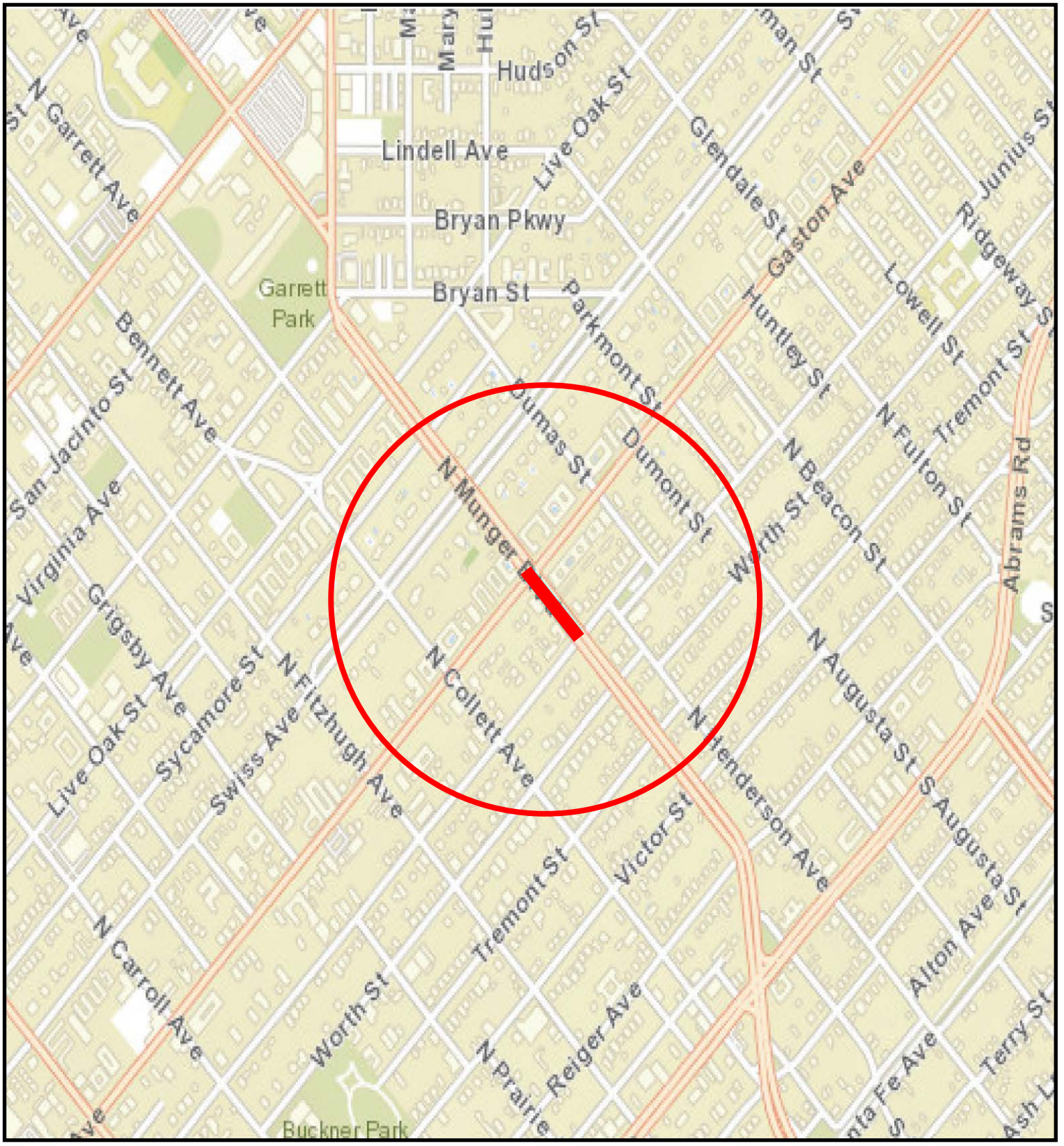
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Street Reconstruction Group 17-1410

Street Reconstruction - Thoroughfares - Improvements

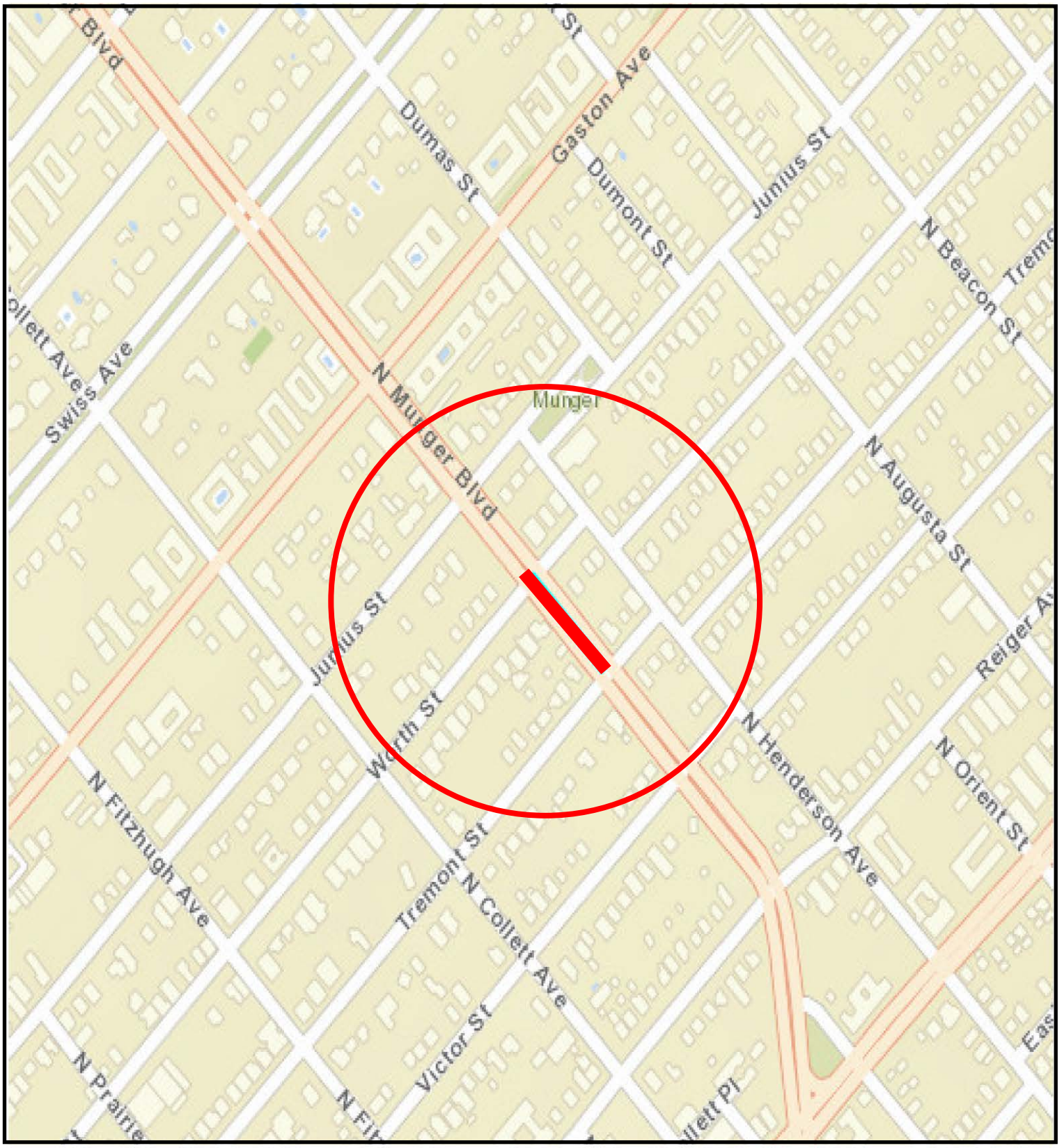
Project	Council District
North Munger Boulevard from Junius Street to Gaston Avenue	14
North Munger Boulevard from Tremont Street to Worth Street	14
North Munger Boulevard from Worth Street to Junius Street	14

STREET RECONSTRUCTION
NORTH MUNGER BOULEVARD FROM JUNIUS STREET TO GASTON AVENUE



COUNCIL DISTRICT 14

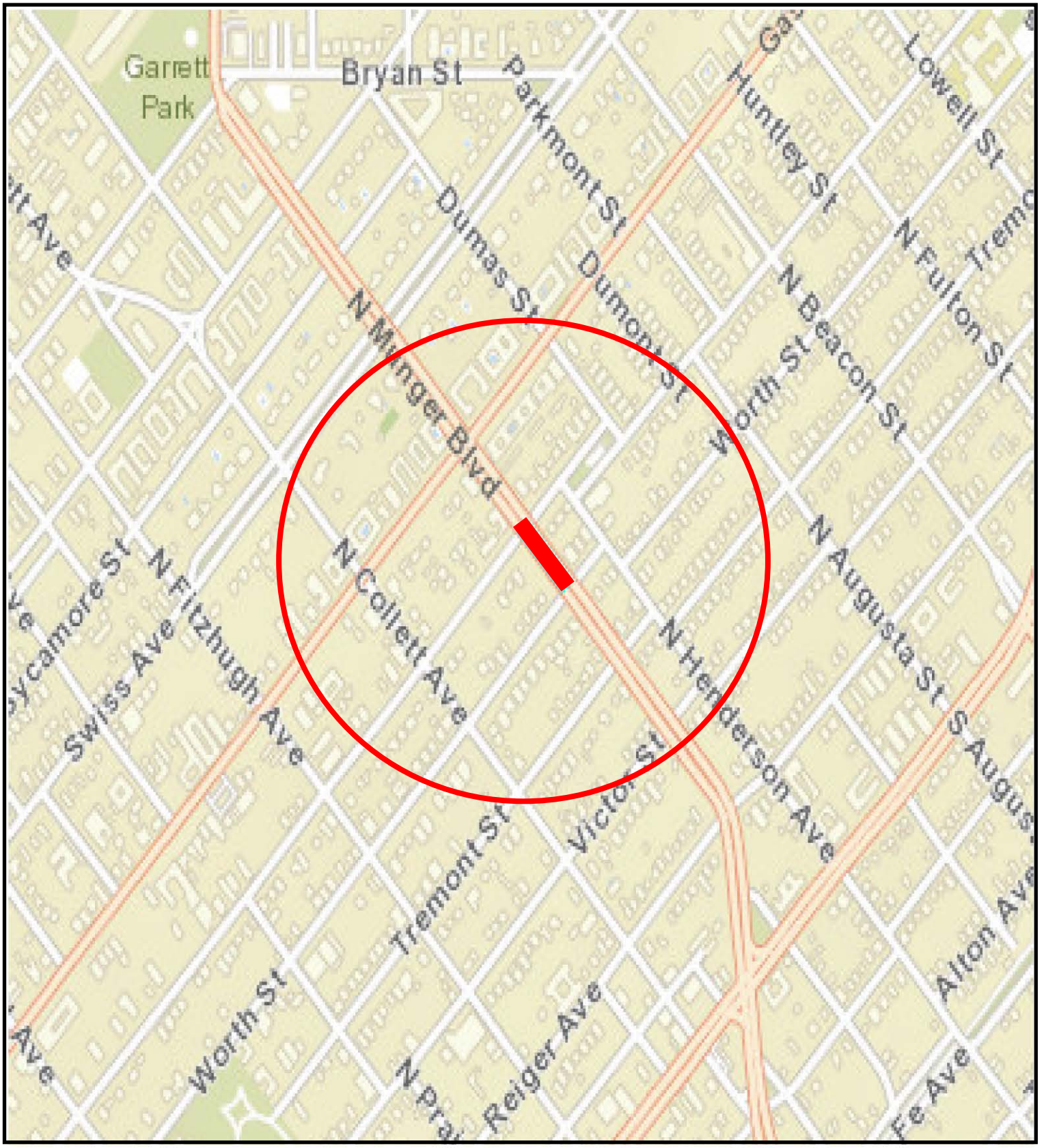
STREET RECONSTRUCTION
NORTH MUNGER BOULEVARD FROM TREMONT STREET TO WORTH STREET



COUNCIL DISTRICT 14

STREET RECONSTRUCTION

NORTH MUNGER BOULEVARD FROM WORTH STREET TO JUNIUS STREET



COUNCIL DISTRICT 14

June 12, 2019

WHEREAS, Dannenbaum Engineering Company - Dallas, LLC was selected to provide engineering design for Street Reconstruction Group 17-1410.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a professional services contract with Dannenbaum Engineering Company - Dallas, LLC, approved as to form by the City Attorney, for engineering design services for the indicated projects, in an amount not to exceed $275,373.55.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $275,373.55 in accordance with the terms and conditions of the contract:

Dannenbaum Engineering Company - Dallas, LLC for the engineering design of three street reconstruction thoroughfare projects on: North Munger Boulevard from Junius Street to Gaston Avenue; North Munger Boulevard from Tremont Street to Worth Street; and North Munger Boulevard from Worth Street to Junius Street:

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V301, Activity SREC Object 4111, Program PB17V301 Encumbrance/Contract No. CX-PBW-2019-00009469 Vendor VS0000024822	$ 91,791.18
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V300, Activity SREC Object 4111, Program PB17V300 Encumbrance/Contract No. CX-PBW-2019-00009469 Vendor VS0000024822	$ 91,791.19
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V319, Activity SREC Object 4111, Program PB17V319 Encumbrance/Contract No. CX-PBW-2019-00009469 Vendor VS0000024822	$ 91,791.18
Total amount not to exceed	$275,373.55

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-137 **Item #:** 7.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 1, 2

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Dikita Enterprises, Inc. for the engineering design of Street Reconstruction Group 17-2009 (list attached to the Agenda Information Sheet) - Not to exceed $202,665.26 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($190,465.26) and Water Utilities Capital Construction Funds ($12,200.00)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond Projects. The consulting firm, Dikita Enterprises, Inc., was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

This action will authorize a professional services contract with Dikita Enterprises, Inc. for the engineering design of four street reconstruction projects of local streets as Street Reconstruction Group 17-2009. The street reconstruction projects will include replacing the existing deteriorating concrete streets with reinforced concrete pavement, curb, gutter, sidewalk, driveway approaches, paving marking, possible replacement of the drainage system, and water and wastewater improvements.

Following are the locations and design costs for each project:

Street Reconstruction - Local Streets - Improvements

Project	Council District	Amount
Hay Street from Ring Street to End of Pavement	2	$26,958.21
South Patton Avenue from East 10th Street to East Jefferson Boulevard	1	$45,875.57

Murray Street from Main Street to Canton Street	2	$77,835.99
North Walton Street from Elm Street to End of Pavement	2	$51,995.49

ESTIMATED SCHEDULE OF PROJECT

Begin Design	August 2019
Complete Design	August 2020
Begin Construction	January 2021
Complete Construction	July 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $190,465.26
Water Utilities Capital Construction Funds - $12,200.00

Estimated Future Cost - Construction - $1,301,490.33

Council District	Amount
1	$ 45,875.57
2	$156,789.69
Total	$202,665.26

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$202,665.26	Architectural & Engineering	25.66%	100.00%	$202,665.26
• This contract exceeds the M/WBE goal.				

OWNER

Dikita Enterprises, Inc.

Evalynn A. Williams, President and Chief Executive Officer

MAPS

Attached

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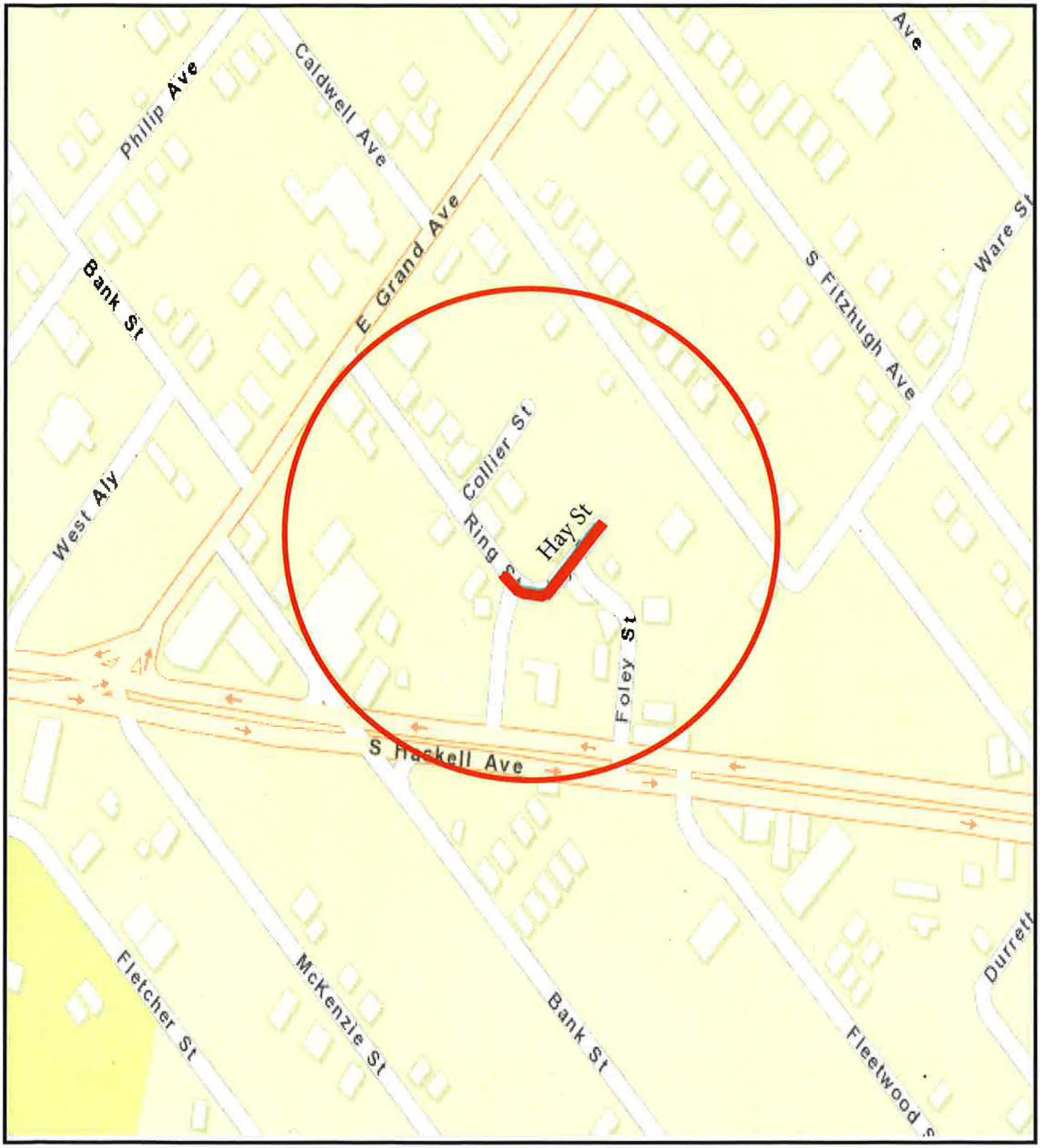
Street Reconstruction Group 17-2009

Street Reconstruction - Local Streets - Improvements

Project	**Council District**
Hay Street from Ring Street to End of Pavement	2
South Patton Avenue from East 10th Street to East Jefferson Boulevard	1
Murray Street from Main Street to Canton Street	2
North Walton Street from Elm Street to End of Pavement	2

STREET RECONSTRUCTION

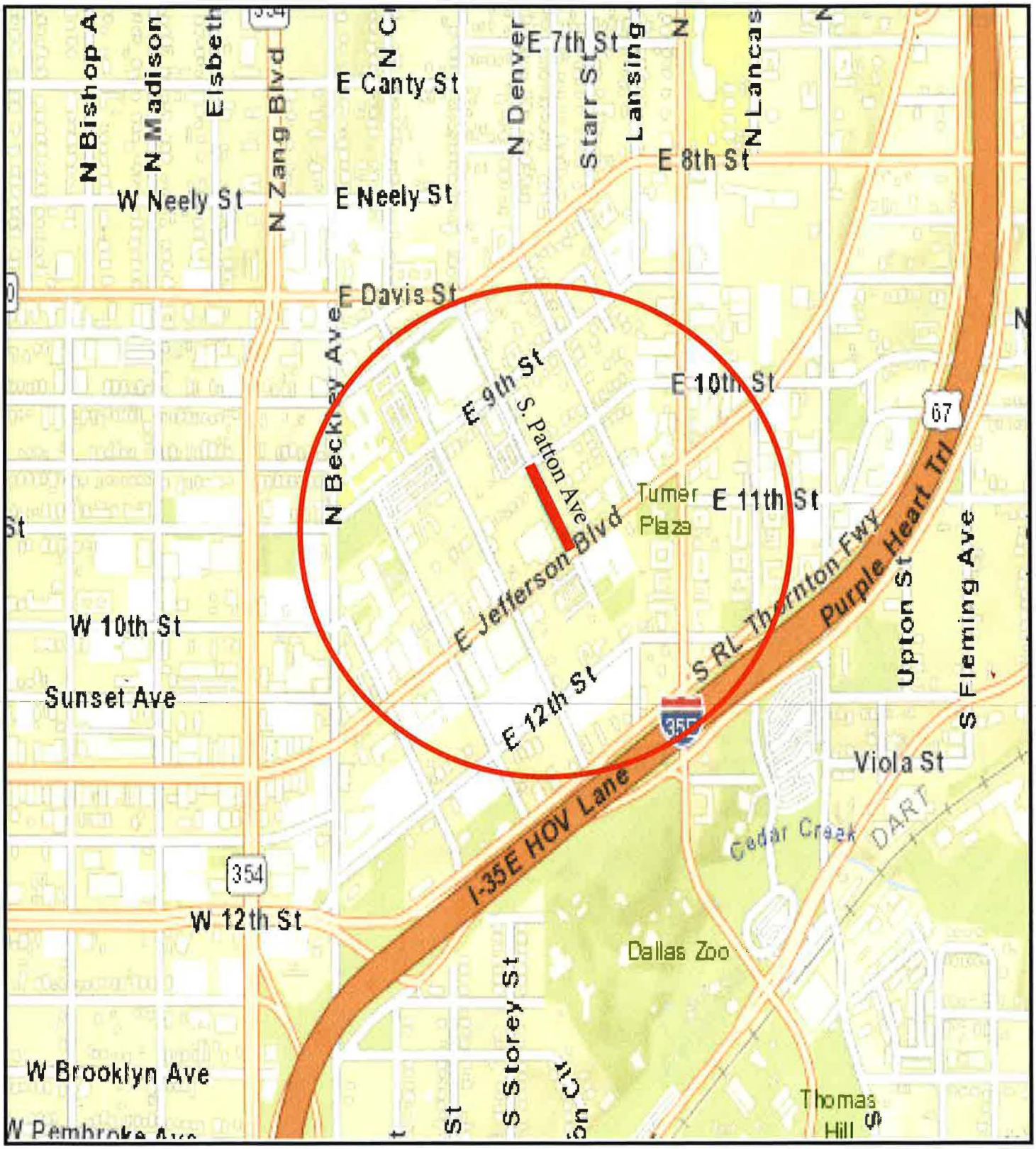
HAY STREET FROM RING STREET TO END OF PAVEMENT



COUNCIL DISTRICT 2

STREET RECONSTRUCTION

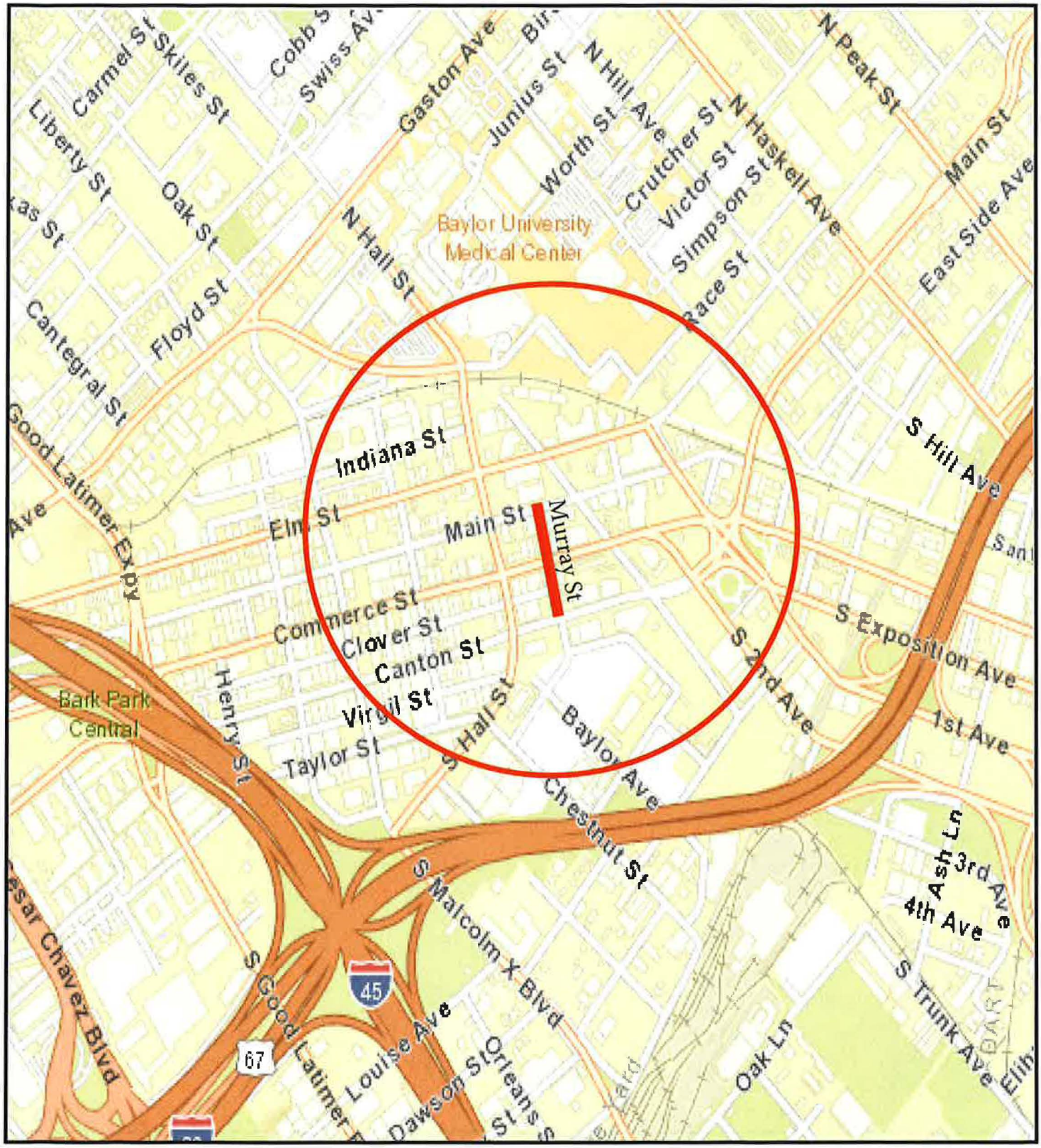
SOUTH PATTON AVENUE FROM EAST 10TH STREET TO EAST JEFFERSON BOULEVARD



COUNCIL DISTRICT 1

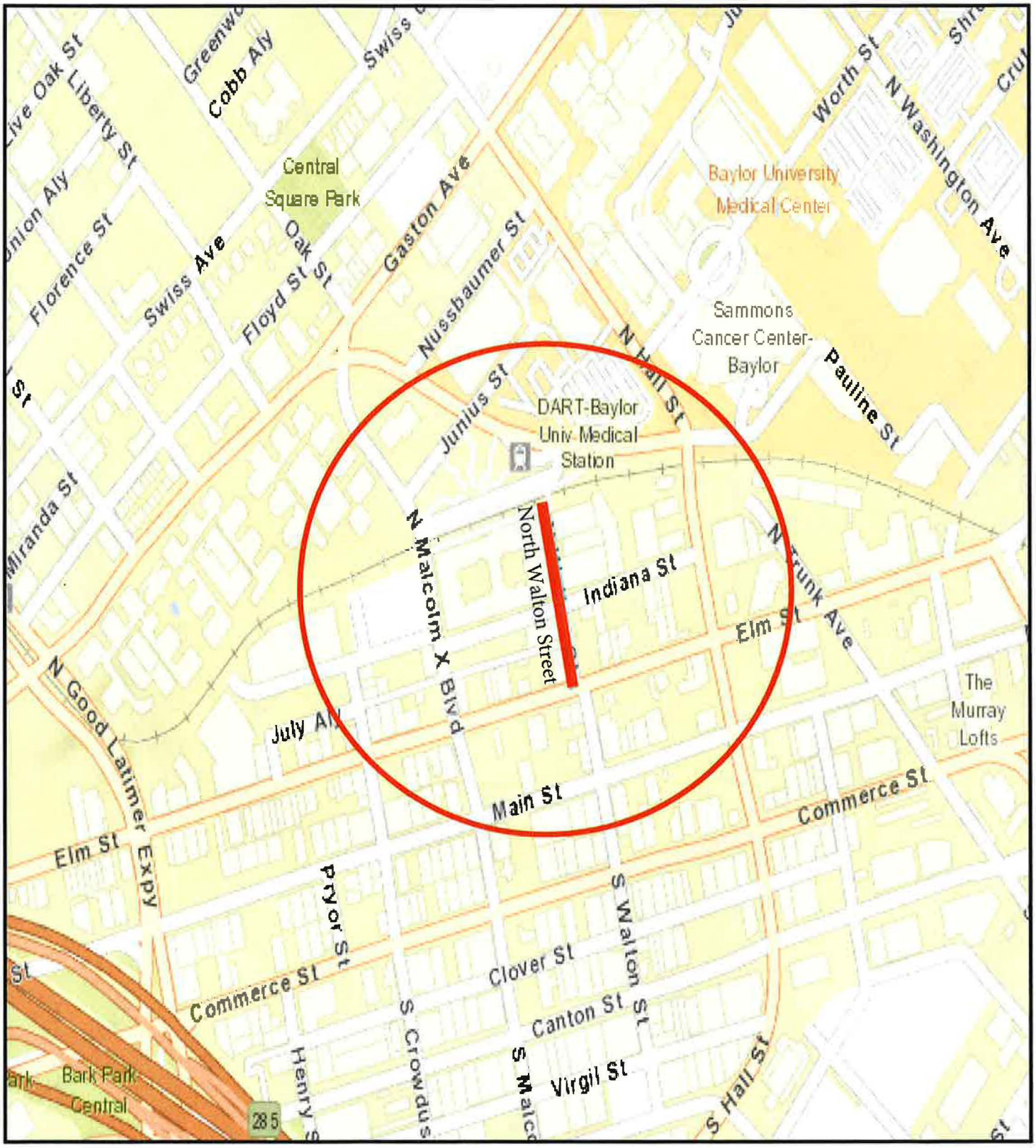
STREET RECONSTRUCTION

MURRAY STREET FROM MAIN STREET TO CANTON STREET



COUNCIL DISTRICT 2

STREET RECONSTRUCTION
NORTH WALTON STREET FROM ELM STREET TO END OF PAVEMENT



COUNCIL DISTRICT 2

June 12, 2019

WHEREAS, Dikita Enterprises, Inc. was selected to provide engineering design for Street Reconstruction Group 17-2009.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a professional services contract with Dikita Enterprises, Inc., approved as to form by the City Attorney, for engineering design services for the indicated projects, in an amount not to exceed $202,665.26.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $202,665.26 in accordance with the terms and conditions of the contract:

Dikita Enterprises, Inc. for the engineering design of four street reconstruction projects of local streets on: Hay Street from Ring Street to End of Pavement; South Patton Avenue from East 10th Street to East Jefferson Boulevard; Murray Street from Main Street to Canton Street; North Walton Street from Elm Street to End of Pavement:

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V239, Activity SREC Object 4111, Program PB17V239 Encumbrance/Contract No. CX-PBW-2019-00009457 Vendor VS0000076529	$26,958.21
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V190, Activity SREC Object 4111, Program PB17V190 Encumbrance/Contract No. CX-PBW-2019-00009457 Vendor VS0000076529	$45,875.57
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V241, Activity SREC Object 4111, Program PB17V241 Encumbrance/Contract No. CX-PBW-2019-00009457 Vendor VS0000076529	$65,635.99
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V242, Activity SREC Object 4111, Program PB17V242 Encumbrance/Contract No. CX-PBW-2019-00009457 Vendor VS0000076529	$51,995.49

SECTION 2. (continued)

Water Construction Fund Fund 0102, Department DWU, Unit CW42 Object 4111, Program 719435 Encumbrance/Contract No. CX-PBW-2019-00009457 Vendor VS0000076529	$ 7,320.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Object 4111, Program 719436 Encumbrance/Contract No. CX-PBW-2019-00009457 Vendor VS0000076529	$ 4,880.00
Total amount not to exceed	$202,665.26

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-289 **Item #:** 8.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Walter P. Moore and Associates, Inc. for the engineering design of Street Reconstruction Group 17-8001 (list attached to the Agenda Information Sheet) - Not to exceed $118,878.99 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($116,053.99) and Water Construction Fund ($2,825.00)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond Projects. The consulting firm, Walter P. Moore and Associates, Inc., was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

This action will authorize a professional services contract with Walter P. Moore and Associates, Inc. for the engineering design of four local street reconstruction projects as Street Reconstruction Group 17-8001. The scope will include replacing the existing deteriorating streets with reinforced concrete pavement, asphalt pavement, curb, gutter, sidewalk, driveway approaches, and water improvements.

Following are the locations and design costs for each project:

Street Reconstruction - Local Streets - Improvements

Project	Council District	Amount
Laurel Hill Drive from Budeudy Drive to End of Pavement	8	$ 7,224.50
Laurel Hill Drive from Kleberg Road to Budeudy Drive	8	$41,285.33

Oak Plaza Place from Kleberg Road to End of Pavement	8	$46,742.33
Park Manor Drive from Simpson Stuart Road to Happy Canyon Drive	8	$23,626.83

ESTIMATED SCHEDULE OF PROJECT

Begin Design	August 2019
Complete Design	August 2020
Begin Construction	November 2020
Complete Construction	November 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $116,053.99
Water Construction Fund - $2,825.00

Estimated Future Cost - Construction - $1,027,263.60

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$118,878.99	Architectural & Engineering	25.66%	24.04%	$28,574.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

OWNER

Walter P. Moore and Associates, Inc.

Ernest L. Fields, P.E., Managing Director/Principal

MAPS

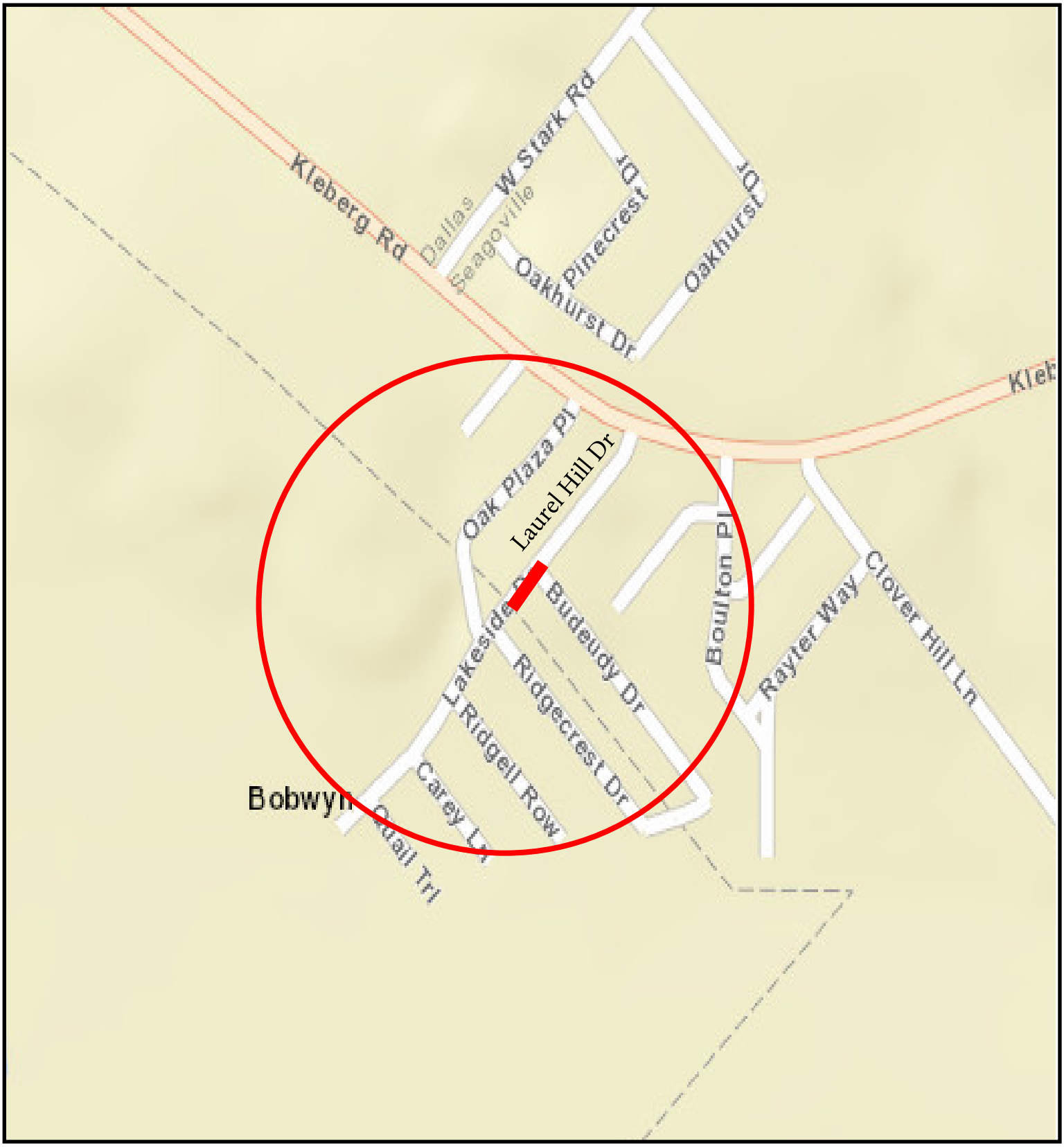
Attached

Street Reconstruction Group 17-8001

Street Reconstruction - Local Streets - Improvements

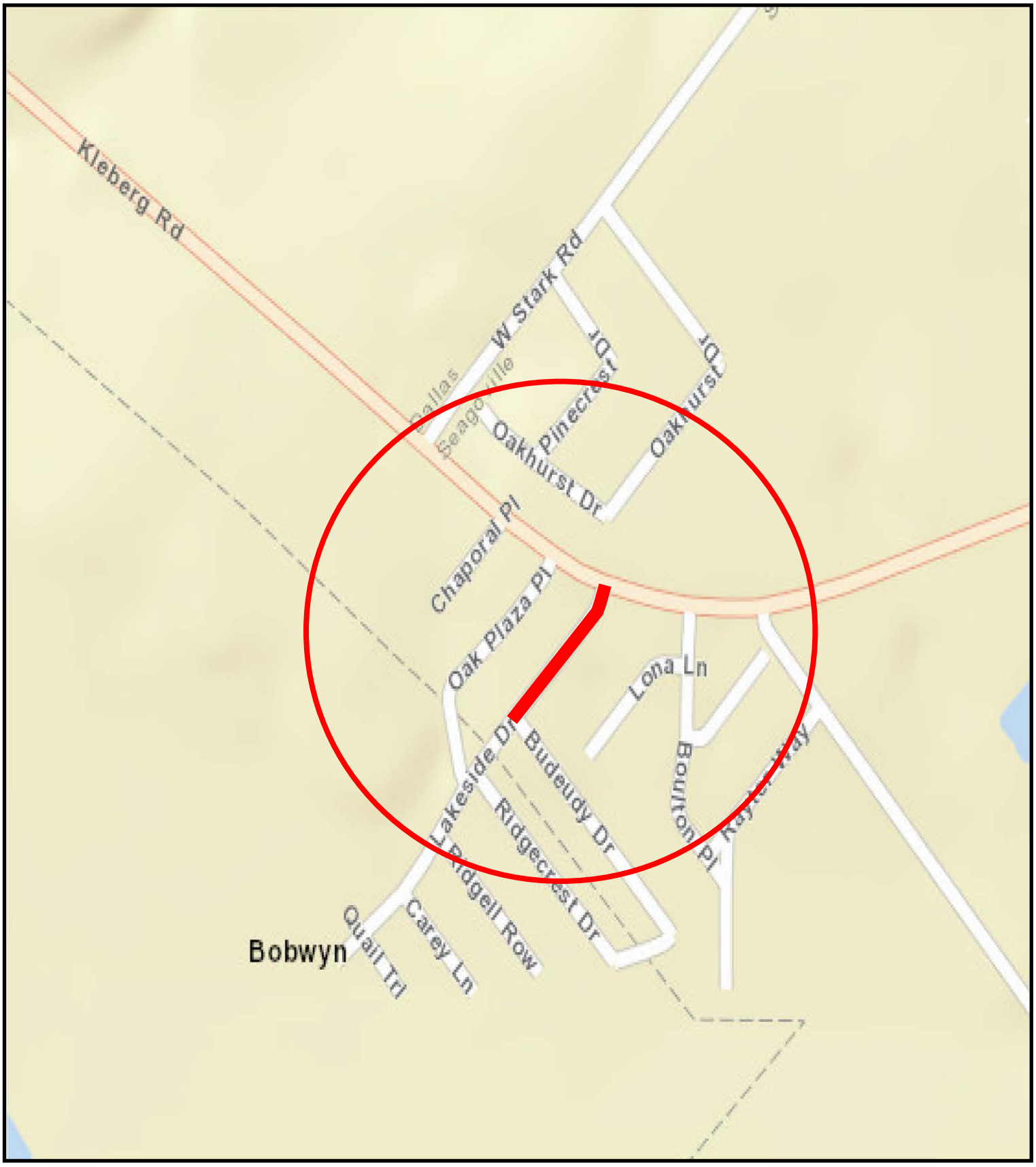
Project	Council District
Laurel Hill Drive from Budeudy Drive to End of Pavement	8
Laurel Hill Drive from Kleberg Road to Budeudy Drive	8
Oak Plaza Place from Kleberg Road to End of Pavement	8
Park Manor Drive from Simpson Stuart Road to Happy Canyon Drive	8

STREET RECONSTRUCTION
LAUREL HILL DRIVE FROM BUDEUDY DRIVE
TO END OF PAVEMENT



COUNCIL DISTRICT 8

STREET RECONSTRUCTION
LAUREL HILL DRIVE FROM KLEBERG ROAD
TO BUDEUDY DRIVE



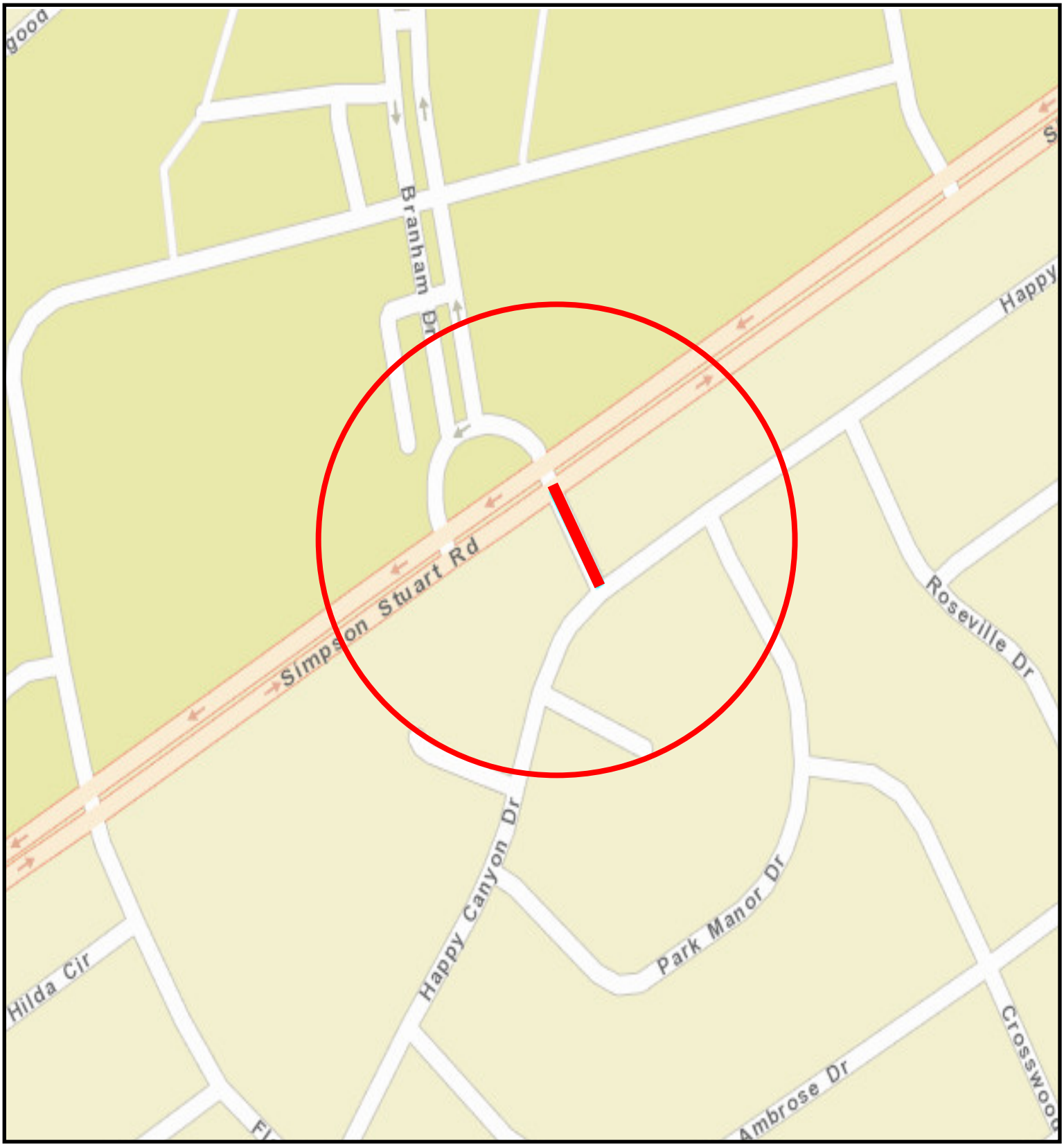
COUNCIL DISTRICT 8

STREET RECONSTRUCTION
OAK PLAZA PLACE FROM KLEBERG ROAD
TO END OF PAVEMENT



COUNCIL DISTRICT 8

STREET RECONSTRUCTION
PARK MANOR DRIVE FROM SIMPSON STUART ROAD TO HAPPY CANYON DRIVE



COUNCIL DISTRICT 8

WHEREAS, Walter P. Moore and Associates, Inc. was selected to provide engineering design for Street Reconstruction Group 17-8001.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a professional services contract with Walter P. Moore and Associates, Inc., approved as to form by the City Attorney, for engineering design services for the indicated projects, in an amount not to exceed $118,878.99.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $118,878.99 in accordance with the terms and conditions of the contract:

Walter P. Moore and Associates, Inc. for the engineering design of street reconstruction projects of local streets on: Laurel Hill Drive from Budeudy Drive to End of Pavement; Laurel Hill Drive from Kleberg Road to Budeudy Drive; Oak Plaza Place from Kleberg Road to End of Pavement; and Park Manor Drive from Simpson Stuart Road to Happy Canyon Drive:

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V264, Activity SREC Object 4111, Program PB17V264 Encumbrance/Contract No. CX-PBW-2019-00010310 Vendor 501930	$ 7,224.50
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V211, Activity SREC Object 4111, Program PB17V211 Encumbrance/Contract No. CX-PBW-2019-00010310 Vendor 501930	$ 41,285.33
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V213, Activity SREC Object 4111, Program PB17V213 Encumbrance/Contract No. CX-PBW-2019-00010310 Vendor 501930	$ 46,742.33

SECTION 2. (continued)

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V265, Activity SREC Object 4111, Program PB17V265 Encumbrance/Contract No. CX-PBW-2019-00010310 Vendor 501930	$ 20,801.83
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Object 4111, Program 719431 Encumbrance/Contract No. CX-PBW-2019-00010310 Vendor 501930	$ 2,825.00
Total amount not to exceed	$118,878.99

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-528 **Item #:** 9.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 3, 4

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a construction contract for the construction of thoroughfare improvements for South Hampton Road from Crow Creek Drive to north of West Ledbetter Drive - DDM Construction Corporation, lowest responsible bidder of five - Not to exceed $1,826,950.00 - Financing: Street and Transportation Improvements Fund (2012 Bond Funds)

BACKGROUND

On September 25, 2013, City Council authorized a professional services contract with Lina T. Ramey & Associates for the engineering design of South Hampton Road from Crow Creek Drive to north of West Ledbetter Drive by Resolution No. 13-1731.

This action will authorize a construction contract with DDM Construction Corporation, for the construction of thoroughfare improvements for South Hampton Road from Crow Creek Drive to north of West Ledbetter Drive. The improvements on South Hampton Road consist of upgrading the existing six-lane divided pavement with asphalt overlay, concrete base repairs, curbs, sidewalks, drive approaches, barrier free ramps, pavement markings, and light emitting diode street lights.

DDM Construction Corporation has had no contractual activities with the City of Dallas within the past three years.

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2013
Completed Design	February 2019
Begin Construction	July 2019
Complete Construction	May 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 25, 2013, City Council authorized a professional services contract with Lina T. Ramey & Associates for the engineering design of thoroughfare improvements by Resolution No. 13-1731.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Street and Transportation Improvements Fund (2012 Bond Funds) - $1,826,950.00

Design	$ 272,575.00
Construction (this action)	$1,826,950.00
Total Project Cost	$2,099,525.00

Council District	Amount
3	$ 913,475.00
4	$ 913,475.00
Total	$1,826,950.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,826,950.00	Construction	25.00%	29.25%	$534,374.20
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

The following five bids were received and opened on March 1, 2019:

*Denotes lowest responsible bidder

Bidders	Bid Amount
*DDM Construction Corporation 4004 Belt Line Road, Suite 112 Addison, Texas 75001	$1,826,950.00
Vescorp Construction LLC	$2,289,070.82
Jeske Construction Co.	$2,318,802.00
Pavecon, Ltd	$2,596,087.07
Tiseo Paving Co.	$6,101,034.70

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OWNER

DDM Construction Corporation

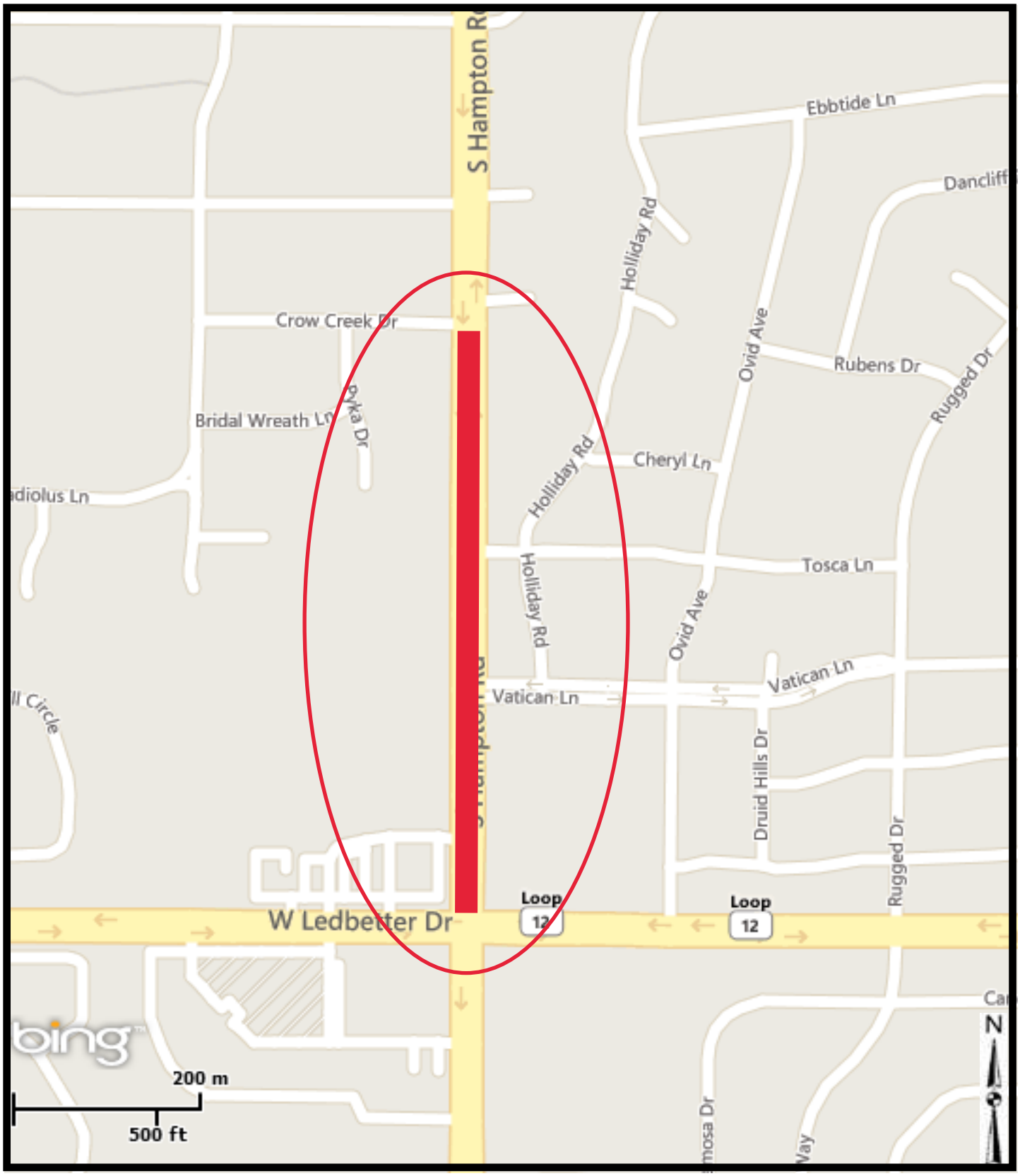
David Markwardt, President

MAP

Attached

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SOUTH HAMPTON ROAD FROM CROW CREEK DRIVE TO NORTH OF WEST LEDBETTER DRIVE



COUNCIL DISTRICTS 3 & 4

June 12, 2019

WHEREAS, on September 25, 2013, City Council authorized a professional services contract with Lina T. Ramey & Associates for the engineering design of street reconstruction thoroughfare projects on South Hampton Road from Crow Creek Drive to north of West Ledbetter Drive, in an amount not to exceed $272,575.00, by Resolution No. 13-1731; and

WHEREAS, on March 1, 2019, bids were received for the construction of thoroughfare improvements for South Hampton Road from Crow Creek Drive to north of West Ledbetter Drive as follows:

Bidders	**Amount**
DDM Construction Corporation	$1,826,950.00
Jeske Construction Co.	$2,318,802.00
Vescorp Construction, LLC	$2,289,070.82
Pavecon, Ltd	$2,596,087.07
Tiseo Paving Co.	$6,101,034.70

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a construction contract with DDM Construction Corporation, approved as to form by the City Attorney, for the construction of thoroughfare improvements for South Hampton Road from Crow Creek Drive to north of West Ledbetter Drive, in an amount not to exceed $1,826,950.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,826,950.00 to DDM Construction Corporation, in accordance with the terms and conditions of the contract, as follows:

Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S313, Activity SREC Object 4510, Program PB12S313 Encumbrance/Contract No. CX-PBW-2019-00009773 Vendor VS97675	$1,160,333.31
Street and Transportation Improvements Fund Fund 4U22, Department PBW, Unit S313, Activity SREC Object 4510, Program PB12S313 Encumbrance/Contract No. CX-PBW-2019-00009773 Vendor VS97675	$ 666,616.69
Total amount not to exceed	$1,826,950.00

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-714 **Item #:** 10.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an increase in the construction services contract with Texas Standard Construction, Ltd. for additional storm drainage work, water main lowering, and wastewater lateral adjustment construction on Fordham Road from Bonnie View Road to Illinois Avenue - Not to exceed $112,186.81, from $3,196,267.75 to $3,308,454.56 - Financing: Street and Transportation Improvements Fund (2012 Bond Funds)

BACKGROUND

Fordham Road from Bonnie View Road to Illinois Avenue was included in the 2012 Bond Program as a thoroughfare project.

On April 25, 2018, City Council authorized a contract with Texas Standard Construction, Ltd. for the reconstruction of street paving, storm drainage and water and wastewater main improvements for Bonnie View Road from Overton Road to Springview Avenue and Fordham Road from Bonnie View Road to Illinois Avenue by Resolution No. 18-0601.

This action will authorize Change Order No. 2 to the contract with Texas Standard Construction, Ltd. for additional construction services to lower the existing 8-inch water main and adjust the existing wastewater laterals not being replaced that conflict with the proposed storm drain pipe. Also, due to field conditions, it is necessary to re-align the proposed 36-inch storm water pipe as needed to facilitate the storm drainage construction on Fordham Road from Bonnie View Road to Illinois Avenue.

ESTIMATED SCHEDULE OF PROJECT

Began Design	February 2014
Completed Design	January 2018
Began Construction	June 2018
Complete Construction	December 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 25, 2013, City Council authorized a professional services contract with Dannenbaum Engineering Company - Dallas, LLC for engineering design services of street reconstruction thoroughfare projects for Bonnie View Road from Overton Road to Springview Avenue and Fordham Road from Bonnie View Road to Illinois Avenue by Resolution No. 13-1731.

On April 25, 2018, City Council authorized a construction contract with Texas Standard Construction, Ltd. for the reconstruction of street paving, storm drainage, and water and wastewater main improvements for Bonnie View Road from Overton Road to Springview Avenue and Fordham Road from Bonnie View Road to Illinois Avenue by Resolution No. 18-0601.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Street and Transportation Improvements Fund (2012 Bond Funds) - $112,186.81

Construction Contract	
Paving and Drainage (PBW)	$2,527,001.39
Water and Wastewater (DWU)	$ 669,266.36
Change Order No. 1	$ 0.00
Change Order No. 2 (this action) (PBW)	$ 112,186.81
Total Construction Cost	$3,308,454.56

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$112,186.81	Construction	25.00%	31.00%	$34,777.91
• This contract exceeds the M/WBE goal.				
• Change Order No. 2 - 31.00% Overall M/WBE participation				

OWNER

Texas Standard Construction, Ltd.

Ronald H. Dalton, President

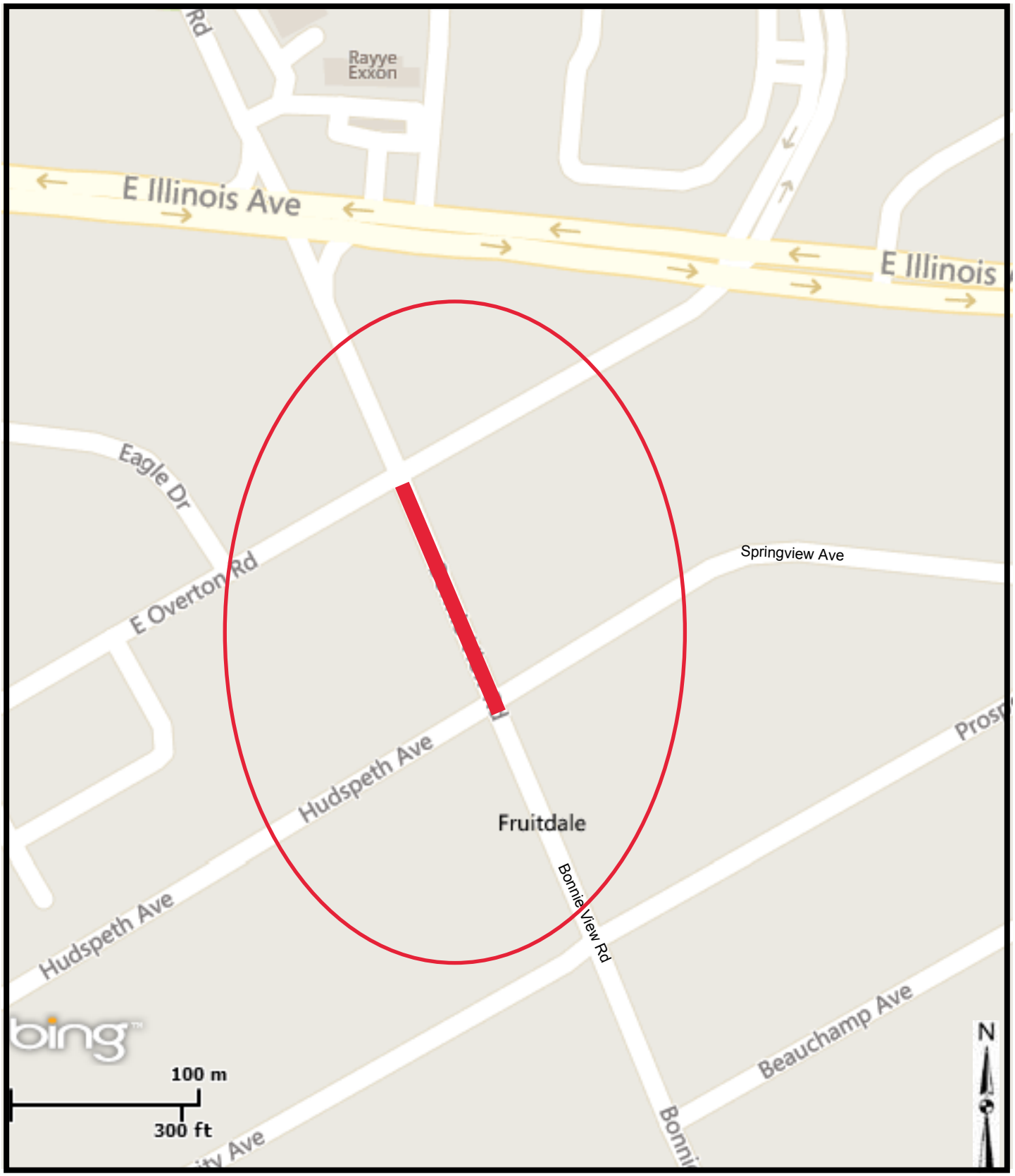
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MAPS

Attached

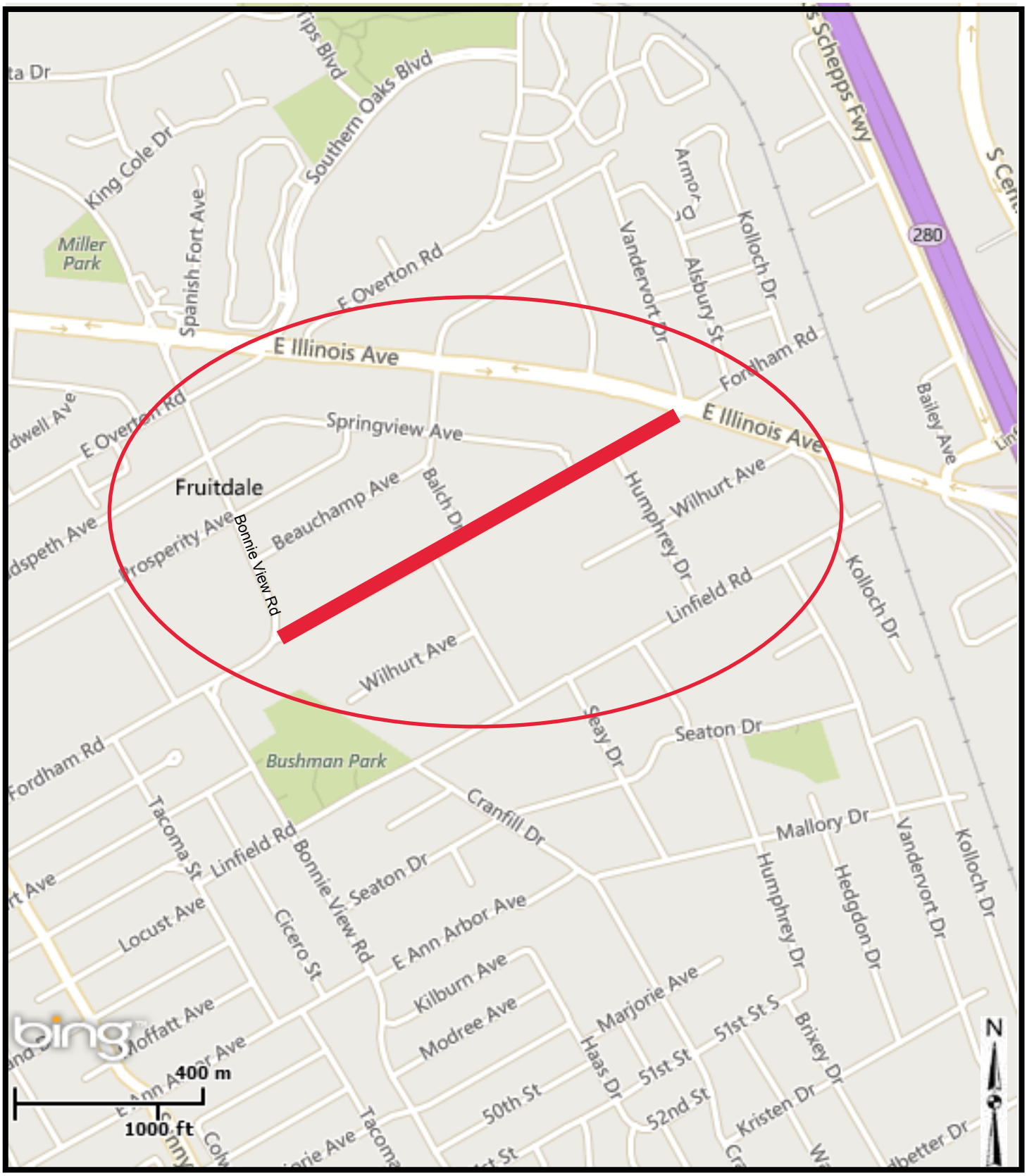
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BONNIE VIEW ROAD FROM OVERTON ROAD TO SPRINGVIEW AVENUE



COUNCIL DISTRICT 4

FORDHAM ROAD FROM BONNIE VIEW ROAD TO ILLINOIS AVENUE



COUNCIL DISTRICT 4

WHEREAS, on September 25, 2013, City Council authorized a professional services contract with Dannenbaum Engineering Company - Dallas, LLC for the engineering design of street reconstruction thoroughfare projects for Bonnie View Road from Overton Road to Springview Avenue and Fordham Road from Bonnie View Road to Illinois Avenue, in an amount not to exceed $279,884.25, by Resolution No. 13-1731; and

WHEREAS, on April 25, 2018, City Council authorized a contract with Texas Standard Construction, Ltd., for the reconstruction of street paving, storm drainage, and water and wastewater main improvements for Bonnie View Road from Overton Road to Springview Avenue and Fordham Road from Bonnie View Road to Illinois Avenue, in an amount not to exceed $3,196,267.75, by Resolution No. 18-0601; and

WHEREAS, on February 11, 2019, Administrative Action No. 19-0134 authorized Change Order No. 1 to the construction contract with Texas Standard Construction, Ltd. For additional water main construction services on Bonnie View Road from Overton Road to Springview Avenue and Fordham Road from Bonnie View Road to Illinois Avenue, a zero-dollar amount change order, not increasing the contract amount of $3,196,267.75; and

WHEREAS, it is now necessary to authorize Change Order No. 2 to the construction services contract with Texas Standard Construction, Ltd. for additional storm drainage work, water main lowering, and wastewater lateral adjustment construction on Fordham Road from Bonnie View Road to Illinois Avenue, in an amount not to exceed $112,186.81, increasing the contract amount from $3,196,267.75 to $3,308,454.56.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That an increase in the construction services contract with Texas Standard Construction, Ltd. (Change Order No. 2) is authorized for additional storm drainage work, water main lowering, and wastewater lateral adjustment construction on Fordham Road from Bonnie View Road to Illinois Avenue, in an amount not to exceed $112,186.81, increasing the contract amount from $3,196,267.75 to $3,308,454.56.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $112,186.81 in accordance with the terms and conditions of the contract to Texas Standard Construction, Ltd. from Street and Transportation Improvements Fund, Fund 3U22, Department PBW, Unit S312, Activity SREC, Object 4510, Program PB12S312, Encumbrance/Contract No. CX-PBW-2018-00005426, Vendor 508379.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-634 **Item #:** 11.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an increase in the construction services contract with Pavecon Public Works, LP for additional work associated with the construction of a drainage channel and the installation of light emitting diode street lighting for Chalk Hill Road from Davis Street to 800 feet south of Interstate Highway 30 - Not to exceed $171,054.30, from $10,332,248.64 to $10,503,302.94 - Financing: Street and Transportation Improvements Fund (2006 Bond Funds)

BACKGROUND

Chalk Hill Road from Davis Street to 800 feet south of Interstate Highway 30 (IH-30) was funded in the 2006 Bond Program for thoroughfare improvement.

On November 10, 2015, City Council authorized a construction contract with Pavecon Public Works, LP for street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of IH-30, by Resolution No. 15-2130.

This action will authorize Change Order No. 7 to the construction services contract with Pavecon Public Works, LP for additional work associated with the construction of a drainage channel and the installation of light emitting diode (LED) street lights including poles, fixtures, and wiring for Chalk Hill Road from Davis Street to 800 feet south of IH- 30, in an amount not to exceed $171,054.30, increasing the contract amount from $10,332,248.64 to $10,503,302.94. The extra drainage work is needed to construct a concrete flume to minimize erosion damage to the roadway embankment due to storm drain run-off at the south end of the project near Davis Street. Also, it is necessary to install LED street lighting per the new City of Dallas policy to own and maintain LED street lights.

ESTIMATED SCHEDULE OF PROJECT

Began Design	February 2008
Completed Design	August 2015
Began Construction	March 2016
Complete Construction	November 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 23, 2008, City Council authorized a professional services contract with PB Americas, Inc. for the design of thoroughfares projects for Chalk Hill Road from IH-30 frontage road to Singleton Boulevard and Chalk Hill Road from Davis Street to 800 feet south of IH-30, by Resolution No. 08-0324.

On May 26, 2010, City Council authorized approval of the proposed alignment for Chalk Hill Road from West Davis Street to 800 feet south of IH-30 eastbound frontage road and Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard, from its current alignment to the proposed alignment by Resolution No. 10-1330.

On December 8, 2010, City Council authorized Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for additional engineering and survey services on Chalk Hill Road from West Davis Street to 800 feet south of IH-30 eastbound frontage road by Resolution No. 10-3076.

On December 8, 2010, City Council authorized Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for additional engineering and survey services on Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard by Resolution No. 10-3077.

On September 22, 2015, City Council authorized street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of IH-30; and a benefit assessment hearing to be held on November 10, 2015, to receive comments by Resolution No. 15-1772.

On November 10, 2015, a benefit assessment hearing was held to receive comments on street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of IH-30; and at the close of the hearing, City Council authorized an ordinance levying benefit assessments and a construction contract with Pavecon Public Works, LP by Resolution No. 15-2130.

On November 10, 2015, City Council authorized a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of IH-30, by Resolution No. 15-2131.

On December 9, 2015, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering services for Chalk Hill Road from West Davis Street to 800 feet south of IH-30 eastbound frontage road and Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard by Resolution No. 15-2221.

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On September 14, 2016, City Council authorized Change Order No. 1 to the construction contract with Pavecon Public Works, LP for additional work associated with the construction of a 12-foot-wide bicycle facility that will connect the Chalk Hill Road project's dedicated on-street bicycle lanes with the planned Chalk Hill Trail Project by Resolution No. 16-1458.

On January 11, 2017, City Council authorized Supplemental Agreement No. 4 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering design of the precast concrete panel retaining wall and the associated drainage modification needed for Chalk Hill Road from Davis Street to 800 feet south of IH-30, by Resolution No. 17-0082.

On March 28, 2018, City Council authorized Change Order No. 4 to the construction services contract with Pavecon Public Works, LP for additional work associated with the construction of precast concrete retaining wall, reinforced concrete sidewalk retaining wall, drainage channel and 12-inch water main relocation for Chalk Hill Road from Davis Street to 800 feet south of IH-30, by Resolution No. 18-0426.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Street and Transportation Improvements Fund (2006 Bond Funds) - $171,054.30

Construction	
Paving & Drainage - PBW	$ 7,676,673.42
Water & Wastewater - DWU	$ 1,422,988.82
Material Testing	$ 90,924.50
Change Order No. 1	$ 357,142.86
Change Order No. 2	$ 0.00
Change Order No. 3	$ 0.00
Change Order No. 4	$ 875,443.54
Change Order No. 5	$ 0.00
Change Order No. 6	$ 0.00
Change Order No. 7 (this action)	$ 171,054.30
Total	$10,594,227.44

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$171,054.30	Construction	25.00%	0.00%	$0.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				
• Change Order No. 7 - 28.76% Overall M/WBE participation				

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OWNER

Pavecon Public Works, LP

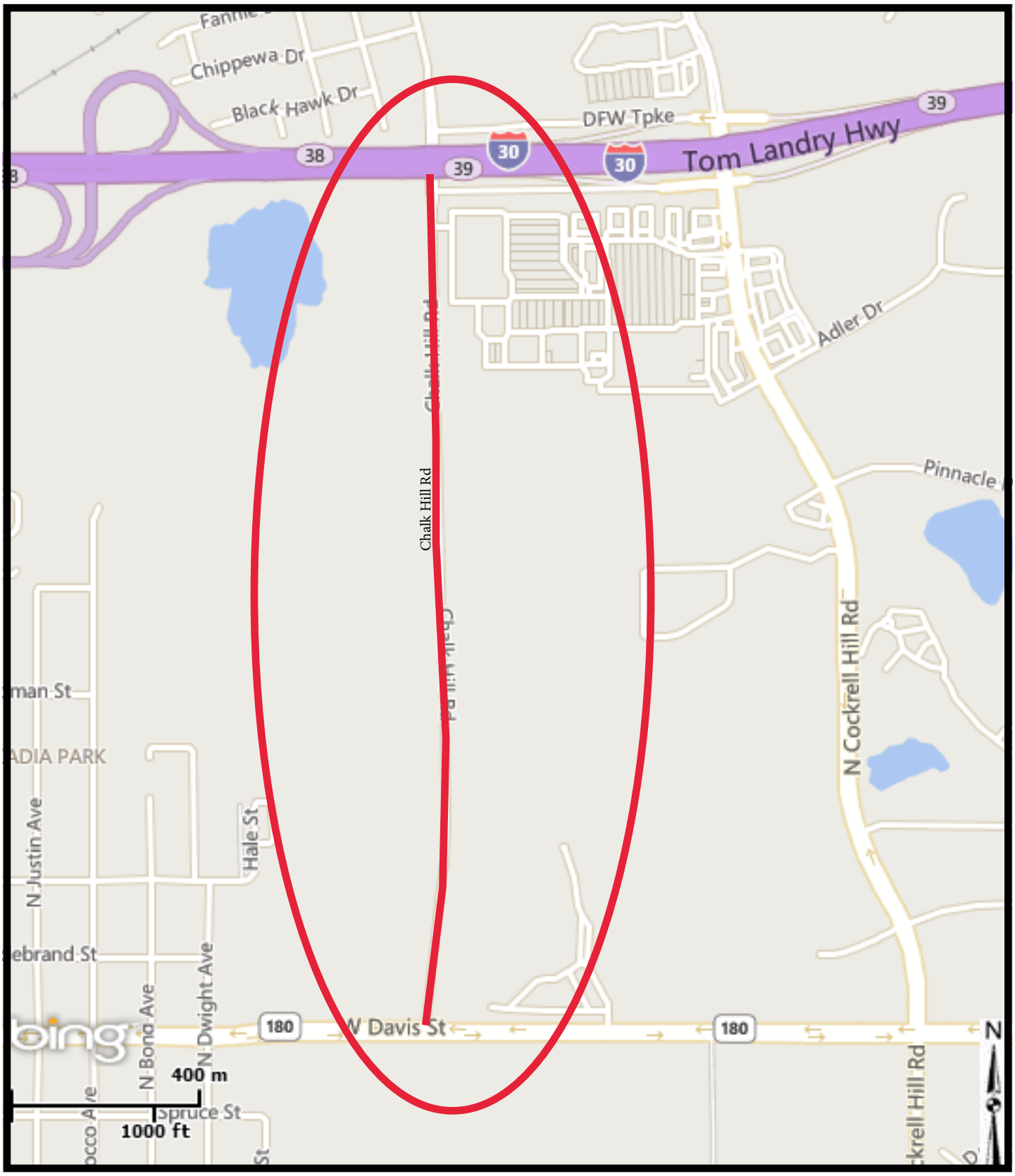
Brian Cottle, Vice President

MAP

Attached

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CHALK HILL ROAD
FROM DAVIS STREET TO 800 FEET SOUTH OF IH-30



COUNCIL DISTRICT 6

WHEREAS, on January 23, 2008, City Council authorized a professional services contract with PB Americas, Inc. for the design of thoroughfares projects for Chalk Hill Road from Interstate Highway 30 (IH-30) frontage road to Singleton Boulevard and Chalk Hill Road from Davis Street to 800 feet south of IH-30, in an amount not to exceed $971,714.50, by Resolution No. 08-0324; and

WHEREAS, on May 26, 2010, City Council authorized approval of the proposed alignment for Chalk Hill Road from West Davis Street to 800 feet south of IH-30 eastbound frontage road and Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard, from its current alignment to the proposed alignment by Resolution No. 10-1330; and

WHEREAS, on December 8, 2010, City Council authorized Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for additional engineering and survey services on Chalk Hill Road from West Davis Street to 800 feet south of IH-30 eastbound frontage road, in an amount not to exceed $54,551.50, from $464,096.20 to $518,647.70, by Resolution No. 10-3076; and

WHEREAS, on December 8, 2010, City Council authorized Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for additional engineering and survey services on Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard, in an amount not to exceed $181,486.30, from $507,618.30 to $689,104.60, by Resolution No. 10-3077; and

WHEREAS, Resolution Nos. 10-3076 and 10-3077 should have been authorized as Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc. for additional engineering and survey services under the same action, in an amount not to exceed $236,037.80, from $971,714.50 to $1,207,752.30; and

WHEREAS, on September 4, 2015, bids were received for street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of IH-30 eastbound frontage road; and

WHEREAS, on September 22, 2015, City Council authorized street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of IH-30; and a benefit assessment hearing to be held on November 10, 2015, to receive comments by Resolution No. 15-1772; and

WHEREAS, on November 10, 2015, a benefit assessment hearing was held to receive comments on street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of IH-30; and at the close of the hearing, City Council authorized an ordinance levying benefit assessments and a construction contract with Pavecon Public Works, LP, in an amount not to exceed $9,099,662.24, by Resolution No. 15-2130; and

WHEREAS, on November 10, 2015, City Council authorized a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of the IH-30, in an amount not to exceed $90,924.50, by Resolution No. 15-2131; and

WHEREAS, on December 9, 2015, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering services for Chalk Hill Road from West Davis Street to 800 feet south of the IH-30 eastbound frontage road and Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard, in an amount not to exceed $94,000.70, from $518,647.70 to $612,648.40, by Resolution No. 15-2221; and

WHEREAS, Resolution No. 15-2221 should have authorized Supplemental Agreement No. 2 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering services for Chalk Hill Road from West Davis Street to 800 feet south of IH-30 and Chalk Hill Road from IH-30 westbound frontage road to Singleton Boulevard, in an amount not to exceed $94,000.70, from $1,207,752.30 to $1,301,753.00; and

WHEREAS, on September 13, 2016, Administrative Action No. 16-6617 authorized Supplemental Agreement No. 3 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering services on Chalk Hill Road from Davis Street to IH-30 frontage road, in an amount not to exceed $42,857.14, from $1,301,753.00 to $1,344,610.14; and

WHEREAS, on September 14, 2016, City Council authorized Change Order No. 1 to the construction contract with Pavecon Public Works, LP for additional work associated with the construction of a 12-foot-wide bicycle facility that will connect the Chalk Hill Road project's dedicated on-street bicycle lanes with the planned Chalk Hill Trail Project, in an amount not to exceed $357,142.86, from $9,099,662.24 to $9,456,805.10, by Resolution No. 16-1458; and

WHEREAS, on April 24, 2017, Administrative Action No. 17-0464 authorized Change Order No. 2 to the construction contract with Pavecon Public Works, LP for additional construction items related to street paving for Chalk Hill Road (South) from Davis Street to IH-30 frontage road, a zero-dollar amount change order, not increasing the contract amount of $9,458,805.10; and

WHEREAS, on July 13, 2017, Administrative Action No. 17-0794 authorized Change Order No. 3 to the construction contract with Pavecon Public Works, LP for additional construction items related to street paving for Chalk Hill Road (South) from Davis Street to IH-30 frontage road, a zero-dollar amount change order, not increasing the contract amount of $9,456,805.10; and

WHEREAS, on January 11, 2017, City Council authorized Supplemental Agreement No. 4 to the professional services contract with Parsons Brinckerhoff, Inc. for additional engineering design of the precast concrete panel retaining wall and the associated drainage modification needed for Chalk Hill Road from Davis Street to 800 feet south of IH-30, in an amount not to exceed $86,039.14, from $1,344,610.14 to $1,430,649.28, by Resolution No. 17-0082; and

WHEREAS, on March 28, 2018, City Council authorized Change Order No. 4 to the construction services contract with Pavecon Public Works, LP for additional work associated with the construction of precast concrete retaining wall, reinforced concrete sidewalk retaining wall, drainage channel and 12-inch water main relocation for Chalk Hill Road from Davis Street to 800 feet south of IH-30, in an amount not to exceed $875,443.54, from $9,456,805.10 to $10,332,248.64, by Resolution No. 18-0426; and

WHEREAS, on June 11, 2018, Administrative Action No. 18-0405 authorized Change Order No. 5 to the construction contract with Pavecon Public Works, LP for additional construction items related to street paving for Chalk Hill Road (South) from Davis Street to IH-30 frontage road, a zero-dollar amount change order, not increasing the contract amount of $10,332,248.64; and

WHEREAS, on January 9, 2019, Administrative Action No. 19-0122 authorized Change Order No. 6 to the construction contract with Pavecon Public Works, LP for additional construction items related to street paving for Chalk Hill Road (South) from Davis Street to IH-30 frontage road, a zero-dollar amount change order, not increasing the contract amount of $10,332,248.64; and

WHEREAS, it is now necessary to authorize Change Order No. 7 to the construction services contract with Pavecon Public Works, LP for additional work associated with the construction of a drainage channel and the installation of light emitting diode street lighting for Chalk Hill Road from Davis Street to 800 feet south of IH 30, in an amount not to exceed $171,054.30, increasing the contract amount from $10,332,248.64 to $10,503,302.94.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That an increase in the construction services contract with Pavecon Public Works, LP (Change Order No. 7) is authorized for additional work associated with the construction of a drainage channel and the installation of light emitting diode street lighting for Chalk Hill Road from Davis Street to 800 feet south of IH- 30, in an amount not to exceed $171,054.30, increasing the contract amount from $10,332,248.64 to $10,503,302.94.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $171,054.30 in accordance with the terms and conditions of the contract to Pavecon Public Works, LP from Street and Transportation Improvements Fund, Fund 2T22, Department PBW, Unit U781, Activity THRF, Object 4510, Program PB06U781, Encumbrance CT-PBW06U781B1, Vendor VS89455.

SECTION 3. That this contract is designated as Contract No. PBW-2016-00001075.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-631 **Item #:** 12.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an increase in the construction services contract with Jeske Construction Company to remove various concrete panels found underneath the roadway and add eight-inch flex-base material, and add permanent traffic signs and pavement markings along South Ewing Avenue from Galloway Avenue to Genoa Avenue - Not to exceed $149,693.90, from $2,082,956.00 to $2,232,649.90 - Financing: Street and Transportation Improvements Fund (2012 Bond Funds)

BACKGROUND

South Ewing Avenue from Galloway Avenue to Genoa Avenue was included in the 2012 Bond Program as a Thoroughfare Project.

On June 14, 2017, City Council authorized a benefit assessment hearing to receive comments on street paving, drainage, and water and wastewater main improvements for South Ewing Avenue from Genoa Avenue to Galloway Avenue; and at the close of the hearing, authorized an ordinance levying benefit assessments, and a construction contract with Jeske Construction Company by Resolution No. 17-0987.

This action will authorize Change Order No. 1 to the construction services contract with Jeske Construction Co. to remove concrete panels that were encountered underneath the existing asphalt roadway pavement during construction, including under several driveway approaches. The scope of this project is being modified by adding new items and increasing the quantities for some existing items in the contract. The contractor is required to remove these panels and fill the areas with eight-inch flex-base material to fill the voids prior to the installation of the new reinforced concrete pavement. This action also includes adding several permanent traffic signs and pavement markings in response to a request from the Department of Transportation.

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2013
Completed Design	October 2015
Began Construction	November 2017
Complete Construction	July 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 10, 2017, City Council authorized street paving, drainage, water and wastewater main improvements and a benefit assessment hearing for South Ewing Avenue from Genoa Avenue to Galloway Avenue by Resolution No. 17-0748.

On June 14, 2017, City Council authorized a benefit assessment hearing to receive comments on street paving, drainage, and water and wastewater main improvements for South Ewing Avenue from Genoa Avenue to Galloway Avenue; and at the close of the hearing, authorized an ordinance levying benefit assessments, and a construction contract with Jeske Construction Company by Resolution No. 17-0987.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Street and Transportation Improvements Fund (2012 Bond Funds) - $149,693.90

Construction Contract

Paving and Drainage (PBW)	$1,615,151.00
Water and Wastewater (DWU)	$ 467,805.00
Change Order No. 1 (this action) (PBW)	$ 149,693.90
Total Construction Cost	$2,232,649.90

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$149,693.90	Construction	25.00%	25.58%	$38,287.00
• This contract exceeds the M/WBE goal.				
• Change Order No. 1 - 25.42% Overall M/WBE participation				

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OWNER

Jeske Construction Company

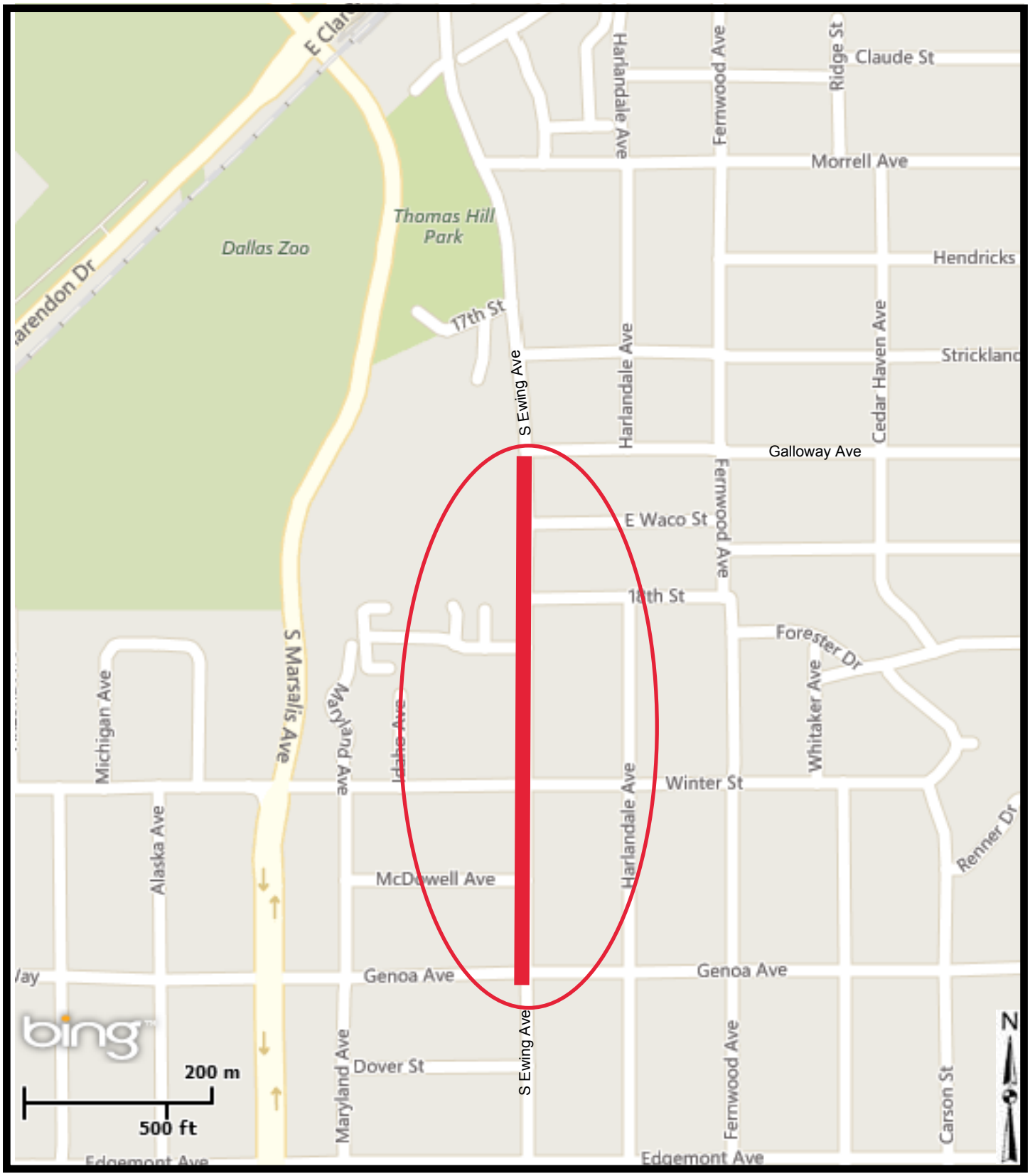
Steve Jeske, President

MAP

Attached

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SOUTH EWING AVENUE FROM GALLOWAY AVENUE TO GENOA AVENUE



COUNCIL DISTRICT 4

June 12, 2019

WHEREAS, on May 10, 2017, City Council authorized street paving, drainage, water and wastewater main improvements and a benefit assessment hearing by Resolution No. 17-0748; and

WHEREAS, on June 14, 2017, City Council authorized a benefit assessment hearing to receive comments on street paving, drainage, and water and wastewater main improvements for South Ewing Avenue from Genoa Avenue to Galloway Avenue; and at the close of the hearing, authorized an ordinance levying benefit assessments, and a construction contract with Jeske Construction Company, in an amount not to exceed $2,082,956.00, by Resolution No. 17-0987; and

WHEREAS, it is now necessary to authorize Change Order No. 1 to the construction services contract with Jeske Construction Company to remove various concrete panels found underneath the roadway and add eight-inch flex-base material, and add permanent traffic signs and pavement markings along South Ewing Avenue from Galloway Avenue to Genoa Avenue. The scope of this project is being modified by adding new items and increasing the quantities for some existing items in the contract, in an amount not to exceed $149,693.90, increasing the contract amount from $2,082,956.00 to $2,232,649.90.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That an increase in the construction services contract with Jeske Construction Company (Change Order No. 1) is authorized to remove various concrete panels found underneath the roadway and add eight-inch flex-base material, and add permanent traffic signs and pavement markings along South Ewing Avenue from Galloway Avenue to Genoa Avenue, in an amount not to exceed $149,693.90, increasing the contract amount from $2,082,956.00 to $2,232,649.90.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $149,693.90 in accordance with the terms and conditions of the contract to Jeske Construction Co. from Street and Transportation Improvements Fund, Fund 3U22, Department PBW, Unit S311, Activity SREC, Object 4510, Program PB12S311, Encumbrance CT-STS12S311I1, Vendor 083791.

SECTION 3. That this contract is designated as Contract No. STS-2017-00001867.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-795 **Item #:** 13.

STRATEGIC PRIORITY:	Quality of Life
AGENDA DATE:	June 12, 2019
COUNCIL DISTRICT(S):	8
DEPARTMENT:	Department of Sanitation Services
EXECUTIVE:	Joey Zapata

SUBJECT

A resolution authorizing the City Manager to ratify an emergency construction contract and authorize the City Manager to execute the contract with Hammett Excavation, Inc. for soil hauling, earthwork and all-weather roadway improvements at the McCommas Bluff landfill located at 5555 Youngblood Road - Not to exceed $900,308.20 - Financing: Sanitation Capital Improvement Funds

BACKGROUND

Over the last nine months, from August 9, 2018 to May 19, 2019, the McCommas Bluff landfill received over 71 inches of rain. During the timeframe of April 6, 2019 to May 19, 2019, the landfill received over 21 inches of rain. The normal annual precipitation amount for Dallas is approximately 36 inches. Additionally, the National Weather Service's Climate Prediction Center has forecasted that this year's El Nino event has a 70 percent chance of lasting through the summer and bringing continued wet conditions to this region.

The recent historic rainfall has created significant operational challenges for the landfill's excavation, earthwork and daily soil hauling/waste cover crews. Some of the challenges include flooded soil borrow areas that have been inaccessible at times, saturated soil conditions that have limited excavation and hauling capacity/efficiency, increased consistent roadway and tipping pad maintenance, and increased erosion and site drainage maintenance needs.

Landfill staff is working diligently, often seven days a week, but under the current conditions cannot catch up with the earthwork and soil hauling needs. The landfill is currently in the process of double filling five additional heavy equipment operators to assist with these ongoing maintenance needs, but filling these positions may take a couple of months. With current and forecasted conditions to remain difficult, the landfill now requires the assistance of additional resources to catch up and meet daily soil hauling and cover needs that are part of the site's regulatory obligations. Additionally, development of all-weather roadways and access to additional soil borrow areas is needed to allow soil hauling operations to continue in extremely wet conditions.

Hammett Excavation, Inc. (Hammett) is currently completing a new 52-acre waste cell at the McCommas Bluff Landfill. Hammett has excavation, earthwork and soil hauling crews on site at the landfill as part of the waste cell construction project. Since Hammett is on site, familiar with landfill operations, can bring in additional resources, and doesn't have to incur the time and costs of mobilization and staging, utilizing their services provides the most immediate and cost-effective assistance.

This item will ratify an emergency construction contract with Hammett Excavation, Inc. for soil hauling and earthwork at the McCommas Bluff landfill located at 5555 Youngblood Road.

ESTIMATED SCHEDULE OF PROJECT

Began Construction May 2019
Complete Construction August 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life, Arts & Culture Committee on June 10, 2019.

FISCAL INFORMATION

Sanitation Capital Improvement Funds - $900,308.20

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$900,308.20	Emergency Construction	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to emergency ratification contracts.				

OWNER

Hammett Excavation, Inc.

Gaylon Hammett, President

June 12, 2019

WHEREAS, from August 9, 2018 to May 13, 2019, the McCommas Bluff Landfill received almost 66 inches of rain and from April 6, 2010 through May 13, 2019 the landfill received over 16 inches of rain; and

WHEREAS, recent historic rainfall amounts have created significant operational challenges due to the inability to consistently access soil borrow areas, inefficiencies of performing earthwork in constant saturated soil conditions, and significantly increased maintenance and repair needs associated with roadways, tipping pad areas, and site drainage features; and

WHEREAS, landfill crews are working seven days a week and are often unable to keep up with the demand for earthwork and soil hauling caused by the recent historic rainfall and now require the assistance of additional resources to meet daily operational maintenance needs and site regulatory requirements; and

WHEREAS, Hammett Excavation, Inc. is currently completing a new 52-acre waste cell at the McCommas Bluff Landfill and has excavation, earthwork and soil hauling crews on site as part of the waste cell construction project; and

WHEREAS, Hammett Excavation, Inc. is onsite, familiar with landfill operations, will incur no additional time and costs of mobilization and staging, and can immediately assist with landfill earthwork and soil hauling needs; and

WHEREAS, it is now necessary to ratify an emergency construction contract with Hammett Excavation, Inc. for soil hauling and earthwork at the McCommas Bluff Landfill located at 5555 Youngblood Road.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to ratify an emergency construction contract with Hammett Excavation, Inc. for soil hauling and earthwork at the McCommas Bluff Landfill located at 5555 Youngblood Road, in an amount not to exceed $900,308.20, in the Sanitation Capital Improvement Fund, Fund 0593, Department SAN, Unit P309, Object 3210.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $900,308.20 to Hammett Excavation, Inc. from the Sanitation Capital Improvement Fund, Fund 0593, Department SAN, Unit P309, Object 3210, Encumbrance/Contract No. SAN-2019-00010450, Vendor VS0000075903.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-817 **Item #:** 14.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Sanitation Services

EXECUTIVE: Joey Zapata

SUBJECT

An ordinance amending Chapter 18, "Municipal Solid Wastes," of the Dallas City Code, by amending Sections 18-2, 18-4, and 18-9; **(1)** clarifying and adding definitions; **(2)** adding restrictions to the placement of brush and bulky trash; **(3)** providing a limitation on the quantity of brush and bulky trash collections; **(4)** providing regulations on oversized brush and bulky trash collections; **(5)** providing that fees for excessive and non-compliant brush and bulky trash service will be adopted with the 2019-2020 fee ordinance; and **(6)** providing that construction debris will be collected for a fee as part of a non-compliant brush and bulky trash collection or as a cost plus rate - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

Over the last several years, the Department of Sanitation Services has faced increasing annual collection tonnage and drastic swings in monthly collection volumes. Recently, the department has been collecting over 170,000 tons of brush and bulk waste annually and monthly volume ranged from 7,000 tons to over 20,000 tons. In contrast to other major Texas cities, Dallas collects around two to three times more brush and bulky waste per household annually. The increased volumes and large monthly fluctuations require additional overtime, stress resources, cause collection delays, and have negative impacts on neighborhood cleanliness.

Previously, the Department of Sanitation Services hired a solid waste consultant to evaluate our current program, programs of other large Texas cities, and practical alternatives. The goals for developing new program alternatives included 1) meeting residents' needs with reasonable collection frequency and limits; 2) increasing diversion or re-use of brush and yard waste material as outlined in the City's Zero Waste plan; and 3) improving efficiency and consistency of service and reduce the amount of time that material is out for collection (i.e., improving neighborhood appearance). The consultant recommended various possible alternatives for Dallas to consider. These recommendations were briefed to the Quality of Life, Arts & Culture Committee and full City Council.

In January and February of this year, staff briefed the Quality of Life, Arts & Culture Committee and full City Council on an incremental approach to program changes. This approach proposed to make changes gradually and in phases, focus on reinforcing program guidelines, establish limits, provide significant outreach and education about the program and any changes, and allow for pursuit of pilot programs in the future. Based on direction received at the February City Council briefing, the Department of Sanitation Services was directed to develop an action item related to new program restrictions, volume limits and fees for collection of non-compliant set outs. The Department of Sanitation Services was also directed to develop an implementation plan that provides for a lengthy transition of changes and includes a robust outreach and education program.

This action item, amending Chapter 18 "Municipal Solid Wastes", of the Dallas City Code, includes the following key changes to the City's Brush and Bulky Trash collection program:

- Refines and adds definitions for clarity
  - Defining construction debris
  - Clarity on the restriction of loose or non-containerized waste
- Updates language regarding allowable materials and set-out placement
  - Not allowed near utility infrastructure, vehicles, fences and power lines
  - Not allowed in the alley, on vacant lots or in front of businesses
- Adds monthly volume restrictions (effective July 1, 2020)
  - Establishes a 10 cubic yard monthly limit
  - Allows for one of the 12 annual collections to be "Oversized"
    - Requested via 311 prior to collection week
  - Define an "Oversized" collection
    - Up to 20 cubic yards, of which no more than 10 cubic yards of bulk
- Adds regulations for collection of excessive and/or non-compliant set-outs (effective July 1, 2020)
  - New "Clean Curb" approach
  - Unless a set out includes hazardous waste or chemicals, the Department of Sanitation Services will proceed with collection and bill residents on the service unit's water bill
  - Fees established as part of the FY 2019-20 budget process

Along with amendments to Chapter 18 of the Dallas City Code, the Department of Sanitation Services has developed an implementation plan that will be implemented as outlined in Attachment A.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Quality of Life, Arts, & Culture Committee was briefed on the potential program changes to the Brush and Bulky Waste collection program on January 14, 2019.

City Council was briefed on the recommended program changes to the Brush and Bulky Waste collection program on February 6, 2019.

The Quality of Life, Arts & Culture Committee will be briefed by memorandum regarding this matter on May 31, 2019.

FISCAL INFORMATION

No cost consideration to the City. Collection fees for excessive or non-compliant set-outs may generate additional revenues to the City effective July 1, 2020.

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Attachment A

BRUSH AND BULKY TRASH – COLLECTION CHANGES

PROGRAM COMPLIANCE AND VOLUME LIMITS

☐ Revise City Code related to brush and bulky trash collection

- Refine program definitions
- Clarify program restrictions (materials, placement, loose waste)
- Establish monthly volume set-out limit – 10 cubic yards
    - Allow for 1 set-out annually to be "oversized" (20 CY) – must be requested via 311 SR
- Clarify placement guidelines (away from vehicles, fences, gas meters, and power lines)
- Create "Clean Curb" program
    - Provide for collection of set outs that exceed volume limits or that are non-compliant
    - Establish ordinance language to allow excessive volume and non-compliant collection fees to be billed on a dwelling units water bills
    - Fees established as part of budget process

IMPLEMENTATION AND OUTREACH APPROACH

☐ Four phase implementation approach

- Official Code revisions related to brush and bulk program changes (June 12, 2019)
- "Soft Launch" – Spend 6 months getting the word out on upcoming changes
- Spring 2020 - Begin stricter program compliance enforcement (e.g., improper materials and loose waste)
- Summer 2020 - Begin enforcing volume limits and implement "Clean Curb" collection and fees

☐ Develop outreach material for multiple outreach and education methods, such as:

- New "Dallas Resident's Guide for Waste and Recycling" mailer
    - Information on new brush and bulk collection – how to use the program, program compliance, restrictions and limits
    - Guidelines on using residential waste and recycling services
    - Updates on Council adopted program fees
    - Information of use of regional disposal facilities
    - Information on Recycling and Household Hazardous Waste
- Consider professional marketing campaign
- DWU billing inserts
- Social Media
- Community Meetings
- Library and Recreation Centers – Community Information Centers
- Email distribution

Attachment A

BRUSH AND BULKY TRASH - COLLECTION CHANGES

IMPLEMENTATION PLAN AND TIMELINE

2019 Calendar Year

- ☐ August/September – Council consideration of Sanitation fees related to "Clean Curb" collection program
  - Council consideration as part of the FY 2019-20 budget adoption process.
- ☐ July - September
  - Develop "Residents Guide" format and information to be included
  - Develop outreach material related to brush and bulk collection changes for multiple formats
- ☐ October to December – Outreach and education efforts related to brush and bulk program changes
- ☐ December – Mail out "Residents Guide" to residential customers

2020 Calendar Year

- ☐ January to June – Continued outreach and education efforts related to brush and bulk program changes
- ☐ March 1st – Begin stricter enforcement of brush and bulk program compliance
- ☐ July 1st – Begin enforcing volume limitations and implement "Clean Curb" collection with fees

5/29/19

ORDINANCE NO. _____

An ordinance amending Chapter 18, "Municipal Solid Wastes," of the Dallas City Code, by amending Sections 18-2, 18-4, and 18-9; clarifying and adding definitions; adding restrictions to the placement of brush and bulky trash; providing a limitation on the quantity of brush and bulky trash collections; providing regulations on oversized brush and bulky trash collections; providing that fees for excessive and non-compliant brush and bulky trash service will be adopted with the 2019-2020 fee ordinance; providing that construction debris will be collected for a fee as part of a non-compliant brush and bulky trash collection or as a cost plus rate; providing a penalty not to exceed $500; providing a saving clause; providing a severability clause; and providing an effective date.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 18-2, "Definitions," of Article I, "Collection and Disposal," of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code, is amended to read as follows:

"**SEC. 18-2. DEFINITIONS.**

For the purpose of this chapter, the following words and phrases have the meanings respectively ascribed to them by this section:

(1) ALLEY. Any public way, generally of less width than a street, used for public utility purposes and right-of-way and as an alternate secondary or emergency route for vehicular and pedestrian traffic, generally situated at the rear of or alongside a tier of lots.

(2) APARTMENT HOUSE. Apartment house as defined by the building code.

(3) BRUSH <u>AND BULKY TRASH</u>. <u>Brush and bulky trash originating from the dwelling unit (residence or duplex) being serviced by sanitation services.</u>

(A) BRUSH. Cuttings or trimmings, individual pieces not exceeding eight [~~six~~] inches in diameter or 10 feet in length, from trees, shrubs, or lawns and similar materials, which also may include yard trash consisting of bagged leaves, twigs, and other similar objects.

(B) BULKY TRASH. Furniture, appliances (freon removed, if applicable), mattresses, small household trash that is bagged or containerized, and other household objects too large for routine placement in normal compaction-type collection vehicles via the provided rollcart. This definition does not include household garbage (bagged or un-bagged), wet solid waste, construction debris, automotive parts, soil, rocks, stones, tires, electronics, household hazardous waste (e.g. chemicals, paints, fuel), or other items designated in writing by the director of sanitation.

[~~, further categorized as:~~

~~(A) OVERSIZE BRUSH. Brush of lengths exceeding five feet.~~

~~(B) SIZED BRUSH. Brush of lengths not exceeding five feet.~~

~~(C) BUNDLED BRUSH. Sized brush tied in bundles, not exceeding 50 pounds in weight.~~

~~(D) CONTAINERIZED BRUSH. Sized brush in containers not exceeding a combined weight of 50 pounds.~~]

(4) BUILDING. A structure used or intended for supporting or sheltering any use or occupancy.

(5) BUILDING CODE. The Dallas Building Code, as amended.

(6) CITY. The city of Dallas, Texas.

(7) CODE. The Dallas City Code, as amended.

(8) COMMERCIAL ESTABLISHMENT. Any structure intended or used for the purpose of conducting a commercial business enterprise.

(9) CONSTRUCTION DEBRIS. Those materials resulting from the alteration, construction, destruction, rehabilitation, remodeling, or significant repair of any manmade physical structure including houses, buildings, industrial or commercial facilities, and roadways. This includes but is not limited to brick, concrete, other masonry materials, stone, glass, drywall, framing and finishing lumber, roofing materials, plumbing fixtures, HVAC equipment such as heating and air conditioning equipment and ductwork, insulation, and wall-to-wall carpeting. This definition does not include incidental waste from small home repairs (e.g. replacing a toilet, sink, small amounts of carpet or lumber, fence panels, or doors).

(10) CONTAINER. A receptacle for the deposit of solid waste, including garbage and recyclable materials (meeting the requirements of Section 18-3 for containers).

(11[~~10~~]) DESIGNATED ALLEY. An alley that is not paved to city standard with concrete or asphalt, that has a right-of-way less than 12 feet in width, that deadends, that serves a dual use as a lined drainage channel, or that involves other unusual conditions and which has been designated by the director of sanitation.

(12[~~11~~]) DIRECTOR OF SANITATION. The head of the department of sanitation services of the city or any authorized representative.

(13[~~12~~]) DOWNTOWN AREA. The area within the Dallas city limits bounded by the west line of Houston Street, the south line of all properties on the south side of Young Street, the east line of Pearl Street, and the south line of Gaston-Pacific extension.

(14[~~13~~]) DRIVE-IN SERVICE. Service involving city sanitation service employees driving in on private property to collect garbage or recyclable materials.

(15[~~14~~]) DRY SOLID WASTE. Trash (or rubbish), as defined in this section.

(16[~~15~~]) DUPLEX. A structure intended for the use and occupancy as two family dwelling units.

(17[~~16~~]) DWELLING UNIT. Dwelling unit has the meaning assigned in Section 51A-2.102 of the Dallas Development Code, as amended.

(18[~~17~~]) FOOD ESTABLISHMENT. Cafe, restaurant, or other similar establishment serving food or food products, including quick service drive-ins where food is prepared or served.

(19[~~18~~]) GARBAGE. Solid waste consisting of putrescible animal and vegetable waste materials resulting from the handling, preparation, cooking, and consumption of food, including waste materials from markets, storage facilities, handling and sale of produce, and other food products.

(20[~~19~~]) ILLEGALLY DUMPED SOLID WASTE. Any solid waste placed on property with or without the consent of the owner or person in control.

(21[~~20~~]) INDUSTRIAL SOLID WASTE. Solid waste resulting from or incidental to any process of industry or manufacturing, or mining or agricultural operations.

(22[~~21~~]) INSTITUTION OR INSTITUTIONAL. Any church, church building, or structure housing any charitable or philanthropic undertaking, or any school.

(23[~~22~~]) MANAGER. The person in charge of real estate used for apartment, institutional, or commercial purposes.

(24[~~23~~]) MANUAL COLLECTION. The service rendered in collecting municipal solid waste, including recyclable materials, in bags or from containers where sanitation workers pick up the bags and containers manually instead of by mechanical means.

(25[~~24~~]) MOBILE HOME PARK. Six or more mobile home type dwelling units or mobile home parking spaces that are:

(A) all located on one lot under single ownership; and

(B) only accessible by a private road.

(26[~~25~~]) MULCH. Cutting grass, weeds, and similar vegetation into fine particles.

(27[~~26~~]) MULTIFAMILY SITE RECYCLING COLLECTION SERVICE. The business of removing recyclable material, for processing, from a multifamily site for compliance with Section 18-5.1 of this code.

(28[~~27~~]) MULTIFAMILY SITE. Multifamily site means eight or more dwelling units on a lot.

(29[~~28~~]) MUNICIPAL SOLID WASTE. Solid waste resulting from or incidental to municipal, community, commercial, and recreational activities, including garbage, trash (or rubbish), ashes, street cleanings, dead animals, and all other solid waste other than industrial solid waste.

(30[~~29~~]) OCCUPANT. A person living on premises or in control of premises.

(31[~~30~~]) OWNER. A person or the person's agent, including a condominium or homeowner's association, jointly or severally, with an ownership interest in a commercial establishment, multifamily site, residence, or duplex.

(32) OVERSIZED BRUSH AND BULKY TRASH COLLECTION. A collection of brush and bulky trash greater in volume than the standard limit of 10 cubic yards.

(33[~~31~~]) PACKOUT SERVICE. Service involving city sanitation service employees walking in on private property or walking in to a point that is not immediately adjacent to a location reasonably accessible to the standard city garbage or recycling truck by route of a public right-of-way to collect garbage or recyclable materials. Brush and bulky trash collection will not be rendered as a pack out service.

(34[~~32~~]) PARKWAY. The area ordinarily intervening between the curb line of a street and the adjacent property line, or the sidewalk if a sidewalk exists.

(35[~~33~~]) PERMITTEE. Any person licensed by the city of Dallas to contract to collect, remove, or dispose of solid waste.

(36[~~34~~]) PERSON. Any individual, corporation, organization, partnership, association, or any other legal entity.

(37[~~35~~]) PROPERTY LINE. The peripheral boundary of real estate.

(38[~~36~~]) PUBLIC UTILITY EASEMENT. A right-of-way used or dedicated to be used by any public utility, including but not limited to services such as electricity, telephone, gas, solid waste collection, water, sewer, and drainage.

(39[~~37~~]) PUBLIC WAY. Any street, alley, easement, or other right-of-way.

(40[~~38~~]) RECYCLING. The process of collecting, sorting, cleansing, treating, and reconstituting recyclable materials for the purpose of using the altered form in the manufacture of a new product.

(41[~~39~~]) RECYCLABLE MATERIAL. Any material or product designated in writing by the director of sanitation as being suitable for re-use and/or recycling.

(42[~~40~~]) RESIDENCE. A structure intended for use and occupancy as a one family dwelling unit, including a mobile type dwelling unit that is not part of a mobile home park.

(43[~~41~~]) ROLLCART. A plastic receptacle, which is furnished by the city for the collection of residential refuse and recyclable materials, that:

(A) has two wheels and a lid;

(B) is designed to be lifted and emptied mechanically;

(C) is too large for handling by manual means; and

(D) is from 48 to 96 gallons.

(44[~~42~~]) ROLLCART SERVICE. The service rendered in collecting municipal solid waste, including recyclable materials, by mechanical means from rollcart containers furnished by the city.

(45[~~43~~]) SANITARY LANDFILL. A method of disposing of municipal solid waste on land without creating a nuisance or hazard to public health or safety by utilizing the principles of engineering to confine the solid waste to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with a layer of earth at appropriate periodic intervals.

(46[~~44~~]) SANITATION SERVICES. The department of the city that is responsible for the operation of the city's solid waste collection and disposal utility, including, but not limited to, the collection, removal, disposal, and processing of municipal solid waste (including recyclable materials).

(47[~~45~~]) STREET. Any public roadway for the passage of vehicular and pedestrian traffic.

(48[~~46~~]) TRASH (OR RUBBISH). Municipal solid wastes other than garbage and further categorized as:

(A) BRUSH AND BULKY TRASH. Has the meaning as defined in Section 18-2(3) of this chapter [~~Furniture, appliances, tree trunks, and other similar objects too large for routine placement in normal compaction-type collection vehicles~~].

(B) YARD TRASH. Consisting of bagged l[~~L~~]eaves, grass, twigs, and other similar objects.

(C) HOUSEHOLD TRASH. Paper, wood, glass, metal, cans, rags, cartons, rubber, plastic, and other similar materials.

(D) CONTAINERIZED TRASH. Household or yard trash in containers not exceeding a combined weight of 50 pounds.

(49[~~47~~]) UNPAVED ALLEY. Any alley not paved with concrete or asphalt.

(50[~~48~~]) VEGETATION. Any plant growth.

(51[~~49~~]) VEHICLES. Every wheeled conveyance or any other device in, or by which any property may be transported or drawn upon a public street or highway, including devices used exclusively on stationary rails or tracks.

(52[~~50~~]) WALKWAY. Any area, paved or unpaved, normally used as a pedestrian right-of-way.

(53[~~51~~]) WET SOLID WASTE. Any putrescible animal or vegetable waste materials, other than waterborne waste material, resulting from the handling, preparation, cooking, or consumption of food, including waste material from markets, storage facilities, or the handling or sale of produce or other food products."

SECTION 2. That Subsection (e), "Placement of Oversize Brush and Bulky Trash," of Section 18-4, "Regulating the Collection of Solid Waste Materials From Residences and Duplexes," of Article I, "Collection and Disposal," of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code, is amended to read as follows:

"(e) Placement of [~~oversize~~] brush and bulky trash. [~~Oversize~~] B[~~b~~]rush and bulky trash must be placed just behind the curb line of the street abutting the property from which the brush and trash originated, or as otherwise designated by the director of sanitation, but must not be placed:

(1) in the street, on the sidewalk, or in any manner that will interfere with vehicular or pedestrian traffic or with solid waste collection service; [~~or~~]

(2) out for collection earlier than the Thursday preceding the collection week or later than 7:00 a.m. on the Monday of the collection week;

(3) within five feet from a rollcart, mailbox, fence or wall, water meter, telephone connection box, or parked cars;

(4) under low hanging tree limbs or power lines;

(5) in an alley either paved or unpaved; or

(6) in front of a vacant lot or business."

SECTION 3. That Subsection (f), "Placement of Bundled or Containerized Brush and Yard or Household Containerized Trash," of Section 18-4, "Regulating the Collection of Solid Waste Materials From Residences and Duplexes," of Article I, "Collection and Disposal," of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code, is amended to read as follows:

"(f) Allowable quantity of brush and bulky trash.

(1) The quantity of brush and bulky trash set out during a collection week may not exceed 10 cubic yards, unless the service unit has designated their monthly collection as their one time per year oversized collection.

(2) Limits may be temporarily lifted at the discretion of the director of sanitation for matters concerning public health and safety. [~~Placement of bundled or containerized brush and yard or household containerized trash. Bundled or containerized brush and yard or household containerized trash must be placed adjacent to the normal place for collection of garbage or as designated by the director of sanitation, but must not be placed in the street, on the sidewalk, or in any manner that will interfere with vehicular or pedestrian traffic or with solid waste collection service.~~

~~(1) Where the quantity of brush set out for collection is excessive, the director of sanitation shall determine the amount of brush to be collected at any one time, the day of its collection, and any other matters pertaining to brush collection in order not to disrupt normal service to other premises.~~

~~(2) Rubbish or trash consisting of small, loose items must be placed in an approved container as specified in Section 18-3(a).~~

~~(3) Bulky trash and oversized brush may not be placed out for collection in an alley, whether paved or unpaved, but must be placed at the street as specified in this section.~~

~~(4) All boxes and cartons must be broken down and bundled where specified by the director of sanitation, and no bundle may exceed 50 pounds in weight for collection by sanitation services crews of the city.~~

~~(5) Brush or trash collection service may not be rendered as a packout collection service.~~]"

SECTION 4. That Section 18-4, "Regulating the Collection of Solid Wastes," of Article I, "Collection and Disposal," of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code, is amended by adding a new Subsection (g), "Oversized Brush and Bulky Trash Collection," to read as follows:

"(g) Oversized brush and bulky trash collection.

(1) In general. The occupant of a residence or duplex may request one oversized brush and bulky trash collection per year to occur during one of their normal collection months. This oversized collection will take the place of one of the 12 monthly brush and bulky trash collections.

(2) Dimensions. An oversized collection may not exceed 20 cubic yards or consist of more than 10 cubic yards of bulky trash.

(3) Request. An occupant of a residence or duplex must submit, either online or by phone, an oversized collection service request through the city's 311 services requests systems before the beginning of an occupant's normally scheduled collection week in order to avoid an excessive volume service fee.

(4) Fee. Where the quantity of the oversized brush and bulky trash set out for collection exceeds 20 cubic yards, the set out may be collected and a fee will be assessed on the dwelling unit's water bill pursuant to a fee schedule that will be adopted in the 2019-2020 fee ordinance."

SECTION 5. That Section 18-4, "Regulating the Collection of Solid Wastes," of Article I, "Collection and Disposal," of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code, is amended by adding a new Subsection (h), "Excessive and Non-Compliant Brush and Bulky Trash Service Fees," to read as follows:

"(h) Excessive and non-compliant brush and bulky trash service fees.

(1) Excessive brush and bulky trash service fees. Where the quantity of brush and bulky trash set out for collection exceeds 10 cubic yards and a request for an oversized brush and bulky trash collection was not submitted, the set out may be collected and a fee will be assessed on the dwelling unit's water bill pursuant to a fee schedule that will be adopted in the 2019-2020 fee ordinance.

(2) Non-complaint brush and bulky trash service fees. A dwelling unit is subject to a service charge for a collection of a non-complaint brush and bulky trash set out which contains excluded items as defined in Section 18-2(3), that are with or on top of the set out, or if such items are placed so close to the set out pile that the items cannot reasonably be removed from the pile to be collected. A service charge will be placed on the dwelling unit's water bill pursuant to a fee schedule that will be adopted in the 2019-2020 fee ordinance.

(3) Violations. Nothing in this subsection prevents the city from issuing a citation for a violation described in this section."

SECTION 6. That Subsection (c), "Schedule of Service Charges," of Section 18-9, "Specifying Charges for Sanitation Service," of Article I, "Collection and Disposal," of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code, is amended by adding a new Paragraph (11) to read as follows:

"(11) Construction debris may be collected for a fee as part of a non-compliant brush and bulky trash collection as outlined in Section 18-4(h)(2) or as a cost plus rate as outlined in Section 18-9(c)(5). Loose or small construction debris such as roofing materials, shingles, brick, concrete, stone, drywall, insulation, glass, masonry materials, and other materials designated in writing by the director of sanitation will not be collected by the department of sanitation services."

SECTION 7. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance is, upon conviction, punishable by a fine not to exceed $500.

SECTION 8. That Chapter 18 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 10. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 11. That Sections 3, 4, and 5 of this ordinance shall take effect July 1, 2020, and the remainder of the ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By_____
Assistant City Attorney

Passed_____

Agenda Information Sheet

File #: 19-567 **Item #:** 15.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	June 12, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize acquisition from Curtis Seastrunk, of approximately 7,308 square feet of land located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $5,000.00 ($2,517.00, plus closing costs and title expenses not to exceed $2,483.00) - Financing: Water Construction Fund

BACKGROUND

This item authorizes the acquisition from Curtis Seastrunk, of approximately 7,308 square feet of land located in Hunt County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal. There are no relocation benefits associated.

This acquisition is part of the right-of-way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, Texas and then to the Eastside Water Treatment Plant located in Sunnyvale, Texas. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Water Construction Fund - $5,000.00 ($2,517.00, plus closing costs and title expenses not to exceed $2,483.00)

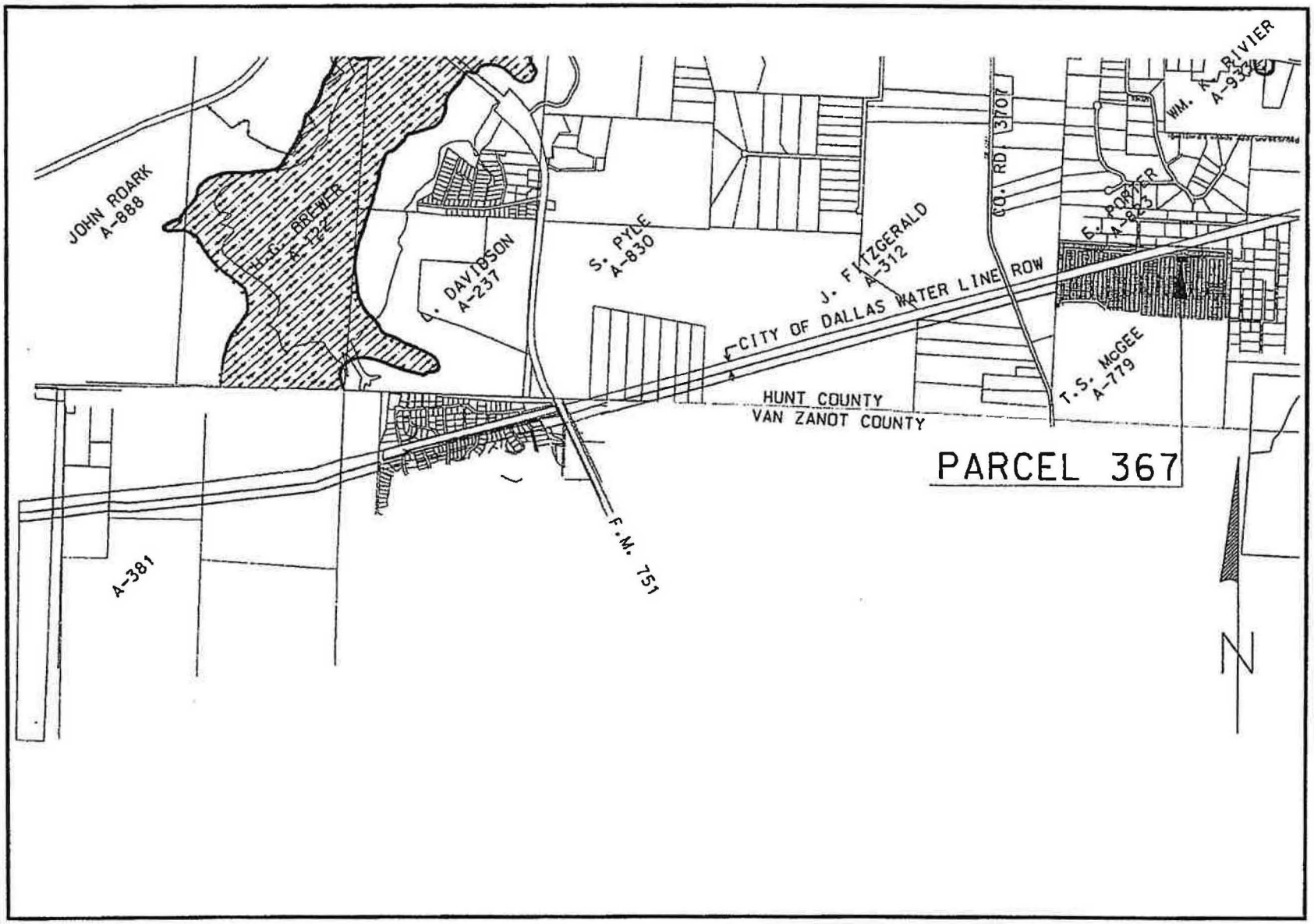
OWNER

Curtis Seastrunk

MAP

Attached

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VICINITY MAP
APPROXIMATE SCALE 1"= 2000'

P:\0513-LakeTawakoni\Parcels\ParcelsMap_367.dgn Plotted on 4/27/2015 at 2:29:15 PM By: Jason Projects\City Of Bonus Plat Drivers dwg\printer.plt\fg PenTables\tbl.tbl

Submitted to City Attorney
022

June 12, 2019

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 7,308 square feet of land located in Hunt County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Lake Tawakoni 144-inch Transmission Pipeline

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE here provided.

"PROPERTY INTEREST": Fee Simple, subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Curtis Seastrunk, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $2,517.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $2,483.00

"AUTHORIZED AMOUNT": Not to exceed $5,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Construction Fund, Fund 0102, Department DWU, Unit CW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2019-00009293. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

BY: _____
Assistant City Attorney

EXHIBIT A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
HUNT COUNTY, TEXAS
Parcel: 367

BEING a 7,308 square foot (0.1678 acre) tract of land in the T. McGee Survey, Abstract No. 779, being all of Lots 43, 44, 85 and 86, Block U of the Waco Bay Estates Subdivision, Phase III as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said Lots 43, 44, 85 and 86 being described in Quitclaim Deed to Curtis Seastrunk, dated January 23, 2006, as recorded in Volume 1457, Page 422 of the Deed Records of Hunt County, Texas.

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

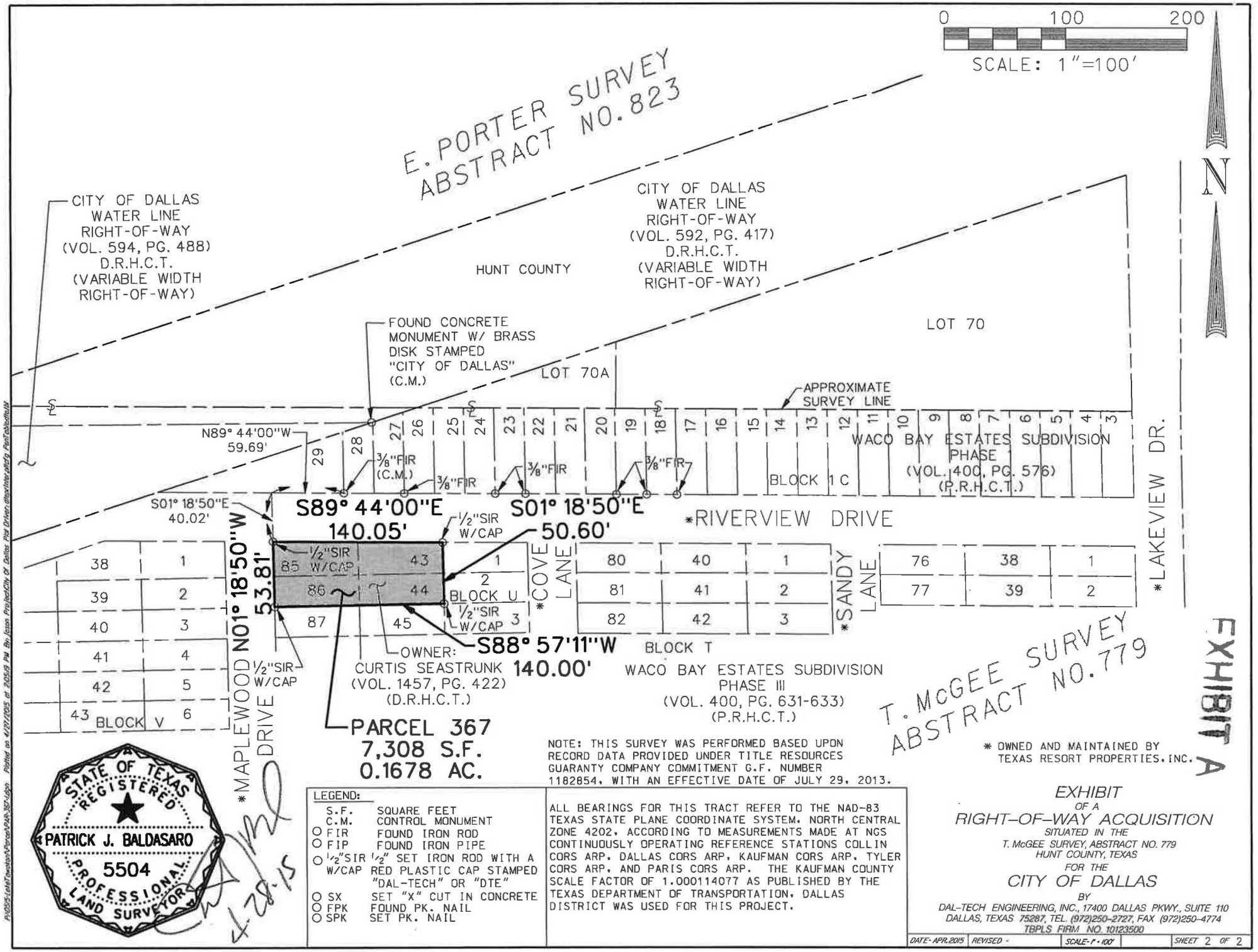
Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 4.28.15

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

FIELD NOTES APPROVED:
6/1/15



STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

4-28-15

NOTE: THIS SURVEY WAS PERFORMED BASED UPON RECORD DATA PROVIDED UNDER TITLE RESOURCES GUARANTY COMPANY COMMITMENT G.F. NUMBER 1182854, WITH AN EFFECTIVE DATE OF JULY 29, 2013.

* OWNED AND MAINTAINED BY TEXAS RESORT PROPERTIES, INC.

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
O SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
T. McGEE SURVEY, ABSTRACT NO. 779
HUNT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE- APR.2015	REVISED -	SCALE- 1" = 100'		SHEET 2 OF 2

P:\0515 (eTexas\Parcel\PAR-367-Dgn Printed on 4/28/2015 at 2:05:5 PM By Jason Pruitt(City of Dallas Plat Drivers drive\Parcel\Dwg Par7.dgn\Exhibit

EXHIBIT B

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF HUNT§

That Curtis Seastrunk, a single man (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Hunt, State of Texas, for and in consideration of the sum of TWO THOUSAND FIVE HUNDRED SEVENTEEN AND 00/100 DOLLARS ($2,517.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: NONE

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

By: _____
Assistant City Attorney

_____
Curtis Seastrunk

EXHIBIT B

* *

STATE OF TEXAS '
COUNTY OF HUNT '

This instrument was acknowledged before me on _____
by Curtis Seastrunk.

_____
Notary Public, State of TEXAS

* *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Christian Roman

Warranty Deed Log No. 44015

EXHIBIT A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN HUNT COUNTY, TEXAS
Parcel: 367

BEING a 7,308 square foot (0.1678 acre) tract of land in the T. McGee Survey, Abstract No. 779, being all of Lots 43, 44, 85 and 86, Block U of the Waco Bay Estates Subdivision, Phase III as recorded in Volume 400, Page 631-633 of the Plat Records of Hunt County, Texas, said Lots 43, 44, 85 and 86 being described in Quitclaim Deed to Curtis Seastrunk, dated January 23, 2006, as recorded in Volume 1457, Page 422 of the Deed Records of Hunt County, Texas.

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

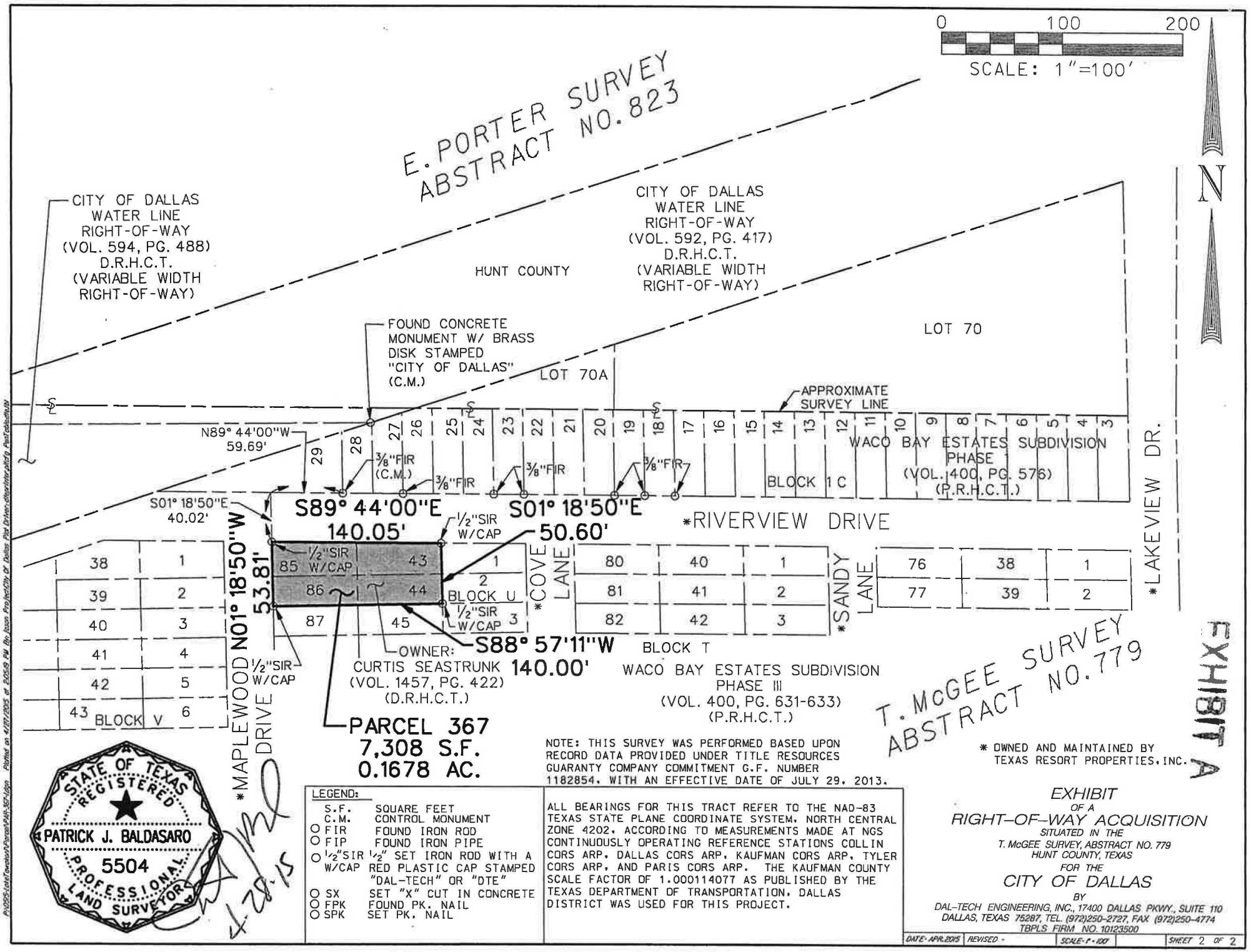
Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 4.28.15



Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

FIELD NOTES APPROVED: 5/1/15



NOTE: THIS SURVEY WAS PERFORMED BASED UPON RECORD DATA PROVIDED UNDER TITLE RESOURCES GUARANTY COMPANY COMMITMENT G.F. NUMBER 1182854. WITH AN EFFECTIVE DATE OF JULY 29, 2013.

* OWNED AND MAINTAINED BY TEXAS RESORT PROPERTIES, INC.

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
O SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

4-28-15

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
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HUNT COUNTY, TEXAS
FOR THE
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DATE: APR.2015	REVISED -	SCALE: 1" = 100'	SHEET 2 OF 2

P:\025-Lots\Trenton\Parcel\NAR-357-Ugn Plotted on 4/17/2015 at 2:05:9 PM By: Jason Projects\City of Dallas Plat Driven-dtea\InterpDFG PatTobiello.dgl

Agenda Information Sheet

File #: 19-472 **Item #:** 16.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	June 12, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize acquisition from Dora Jean Gayler, of approximately 37,827 square feet of land located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $16,026.00 ($13,026.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund

BACKGROUND

This item authorizes the acquisition from Dora Jean Gayler, of approximately 37,827 square feet of land located in Van Zandt County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal. There are no relocation benefits associated.

This acquisition is part of the right-of-way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, Texas and then to the Eastside Water Treatment Plant located in Sunnyvale, Texas. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Water Construction Fund - $16,026.00 ($13,026.00, plus closing costs and title expenses not to exceed $3,000.00)

OWNER

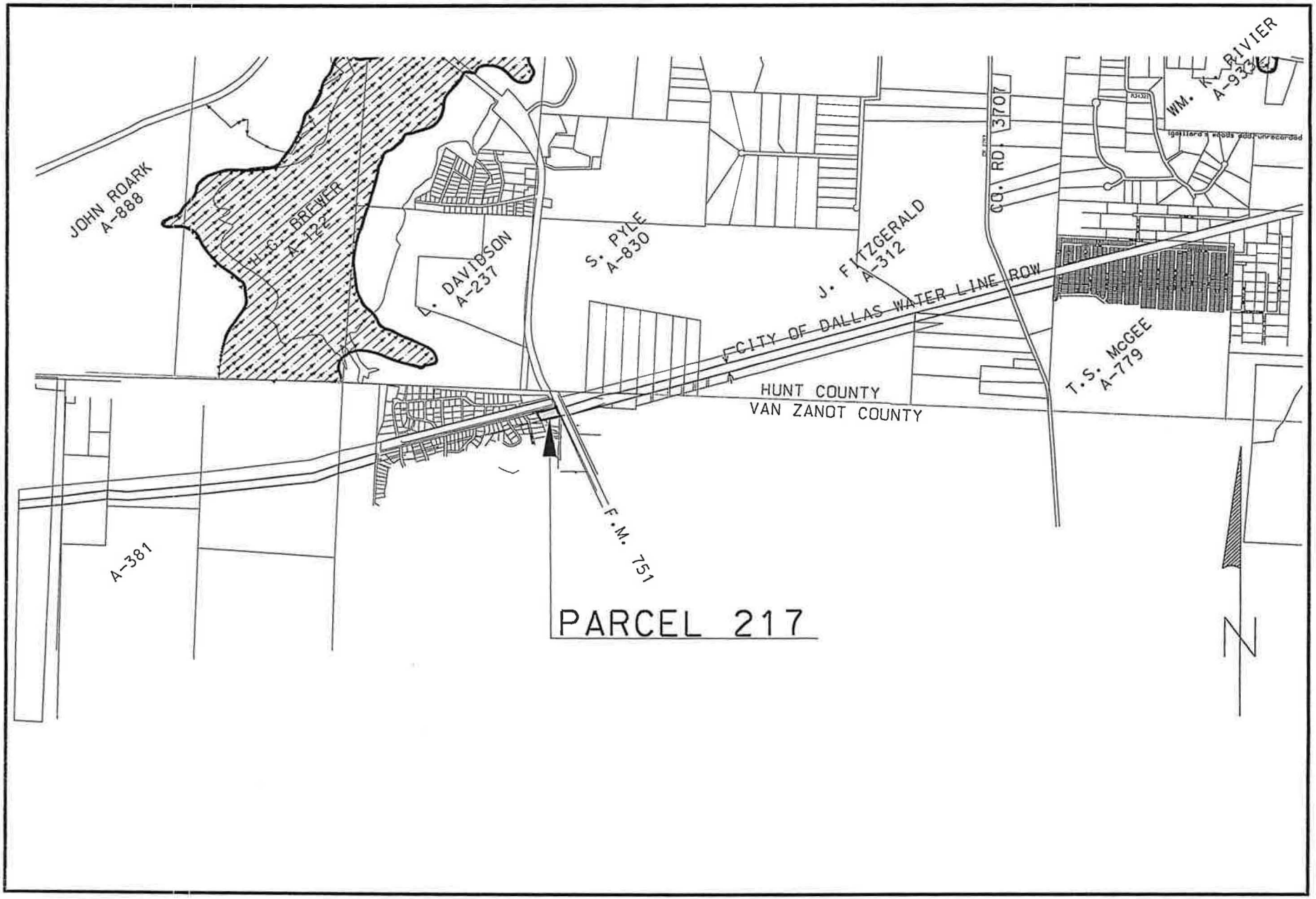
Dora Jean Gayler

MAP

Attached

powered by Legistar™

P:\0515-LakeTawakoni\Parcel\ParcelsMap_217.dgn Plotted on 3/19/2015 at 10:27:30 AM By: jason Project:City Of Dallas Plot Driver: dlaprinter.plc cfg PenTable:dte.tbl



VICINITY MAP
APPROXIMATE SCALE 1"= 2000'

June 12, 2019

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 37,827 square feet of land located in Van Zandt County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Lake Tawakoni 144-inch Transmission Pipeline

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE here provided.

"PROPERTY INTEREST": Fee Simple, subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Dora Jean Gayler, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $13,026.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,000.00

"AUTHORIZED AMOUNT": Not to exceed $16,026.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Construction Fund, Fund 0102, Department DWU, Unit CW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX- DWU-2019-00009814. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

BY: _____
Assistant City Attorney

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR A FEE SIMPLE AQUISITION
FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
VAN ZANDT COUNTY, TEXAS
Parcel: 217

Exhibit A

BEING a 0.8684 acre tract of land in the J. McCown Survey, Abstract No. 527, being a part of a called 2.172 acre tract of land described in Warranty Deed with Vendor's Lien to Garland D. Gayler, a/k/a/ Dan Gayler, as recorded Volume 1991, Page 556, of the Deed Records of Van Zandt County, Texas, (D.R.V.Z.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set at the intersection of the southeast right-of-way line of Brave Buffalo Road (20' right-of-way) and the southwest right-of-way line of F.M. 751 (100' right-of-way);

THENCE South 29 degrees 10 minutes 08 seconds East, with the northeast line of said Gayler tract and the southwest right-of-way line of said F.M. 751, a distance of 121.21 feet to a 1/2-inch iron rod with cap set;

THENCE South 02 degrees 39 minutes 07 seconds East, departing the southwest right-of-way line of said F.M. 751 and with the east line of said Gayler tract, a distance of 11.43 feet to a 1/2-inch iron rod with cap set;

THENCE South 71 degrees 48 minutes 23 seconds West, departing the east line of said Gayler tract, a distance of 282.62 feet to a point (not set – falls in pond) in the southwest line of said Gayler tract and the northeast line of Lot 130-B of the Revision of Lots 129, 130 & 131 of the Rolling Oaks Subdivision, as recorded in Slide 59-B, of the Plat Records of Van Zandt County, Texas;

THENCE North 31 degrees 40 minutes 51 seconds West, with the southwest line of said Gayler tract and the northeast line of said Lot 130-B, a distance of 52.60 feet to a 1/2-inch iron rod with cap set at the northeast corner of said Lot 130-B and the southeast corner of Lot 129-B of said Rolling Oaks Subdivision;

THENCE North 32 degrees 35 minutes 20 seconds West, continuing with the southwest line of said Gayler tract and the northeast line of said Lot 129-B, a distance of 81.41 feet to a 1/2-inch iron rod with cap set at the northeast corner of said Lot 129-B and being in the southeast right-of-way line of said Brave Buffalo Road;

THENCE North 71 degrees 48 minutes 23 seconds East, departing the southwest line of said Gayler tract and with the southeast right-of-way of said Brave Buffalo Road, a distance of 295.11 feet to the POINT OF BEGINNING and containing 37,827 square feet or 0.8684 acres of land, more or less.

FIELD NOTES APPROVED
11/20/17

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR A FEE SIMPLE AQUISITION
FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
VAN ZANDT COUNTY, TEXAS
Parcel: 217

Exhibit A

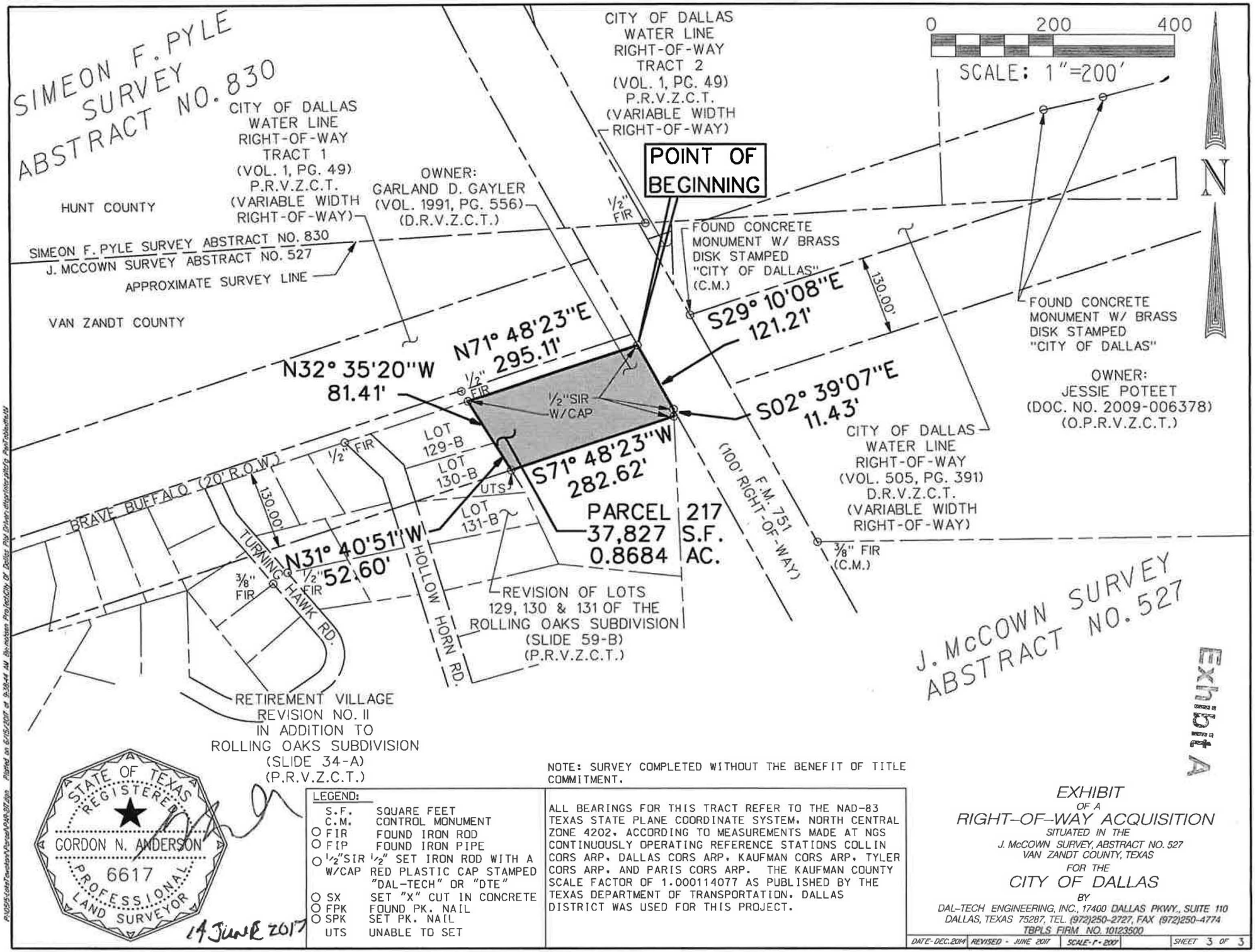
All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.



By: _____ Date: 14 June 2017

Gordon N. Anderson
Registered Professional Land Surveyor
Texas No. 6617
DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500



STATE OF TEXAS
REGISTERED
GORDON N. ANDERSON
6617
PROFESSIONAL
LAND SURVEYOR

14 JUNE 2017

NOTE: SURVEY COMPLETED WITHOUT THE BENEFIT OF TITLE COMMITMENT.

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
O	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
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O	FPK	FOUND PK. NAIL
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EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
J. McCOWN SURVEY, ABSTRACT NO. 527
VAN ZANDT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE- DEC. 2014	REVISED - JUNE 2017	SCALE- 1"= 200'		SHEET 3 OF 3

Exhibit A

P:\DWG\DalTech\Parcel\PAR-RT.dgn Plotted on 6/15/2017 at 9:38:44 AM By:rsteen ProfileDGN: Of Dallas PM Driver:dtsplotter.pltSrc: ParTableRW

EXHIBIT B

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF
VAN ZANDT §

That Dora Jean Gayler, a widow (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Van Zandt, State of Texas, for and in consideration of the sum of THIRTEEN THOUSAND TWENTY SIX AND 00/100 DOLLARS ($13,026.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: This conveyance is made and accepted subject to the reservations provided in Exhibit B which is attached hereto and incorporated herein for all purposes.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

By: _____
Assistant City Attorney

_____
Dora Jean Gayler

EXHIBIT B

* *

STATE OF TEXAS
COUNTY OF VAN ZANDT

This instrument was acknowledged before me on _____
by Dora Jean Gayler.

_____
Notary Public, State of TEXAS

* *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Christian Roman

Warranty Deed Log No. 43609

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR A FEE SIMPLE AQUISITION FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN VAN ZANDT COUNTY, TEXAS
Parcel: 217

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THENCE North 32 degrees 35 minutes 20 seconds West, continuing with the southwest line of said Gayler tract and the northeast line of said Lot 129-B, a distance of 81.41 feet to a 1/2-inch iron rod with cap set at the northeast corner of said Lot 129-B and being in the southeast right-of-way line of said Brave Buffalo Road;

THENCE North 71 degrees 48 minutes 23 seconds East, departing the southwest line of said Gayler tract and with the southeast right-of-way of said Brave Buffalo Road, a distance of 295.11 feet to the POINT OF BEGINNING and containing 37,827 square feet or 0.8684 acres of land, more or less.

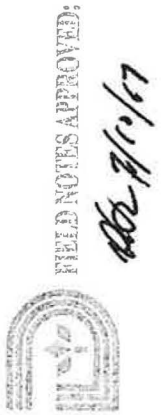


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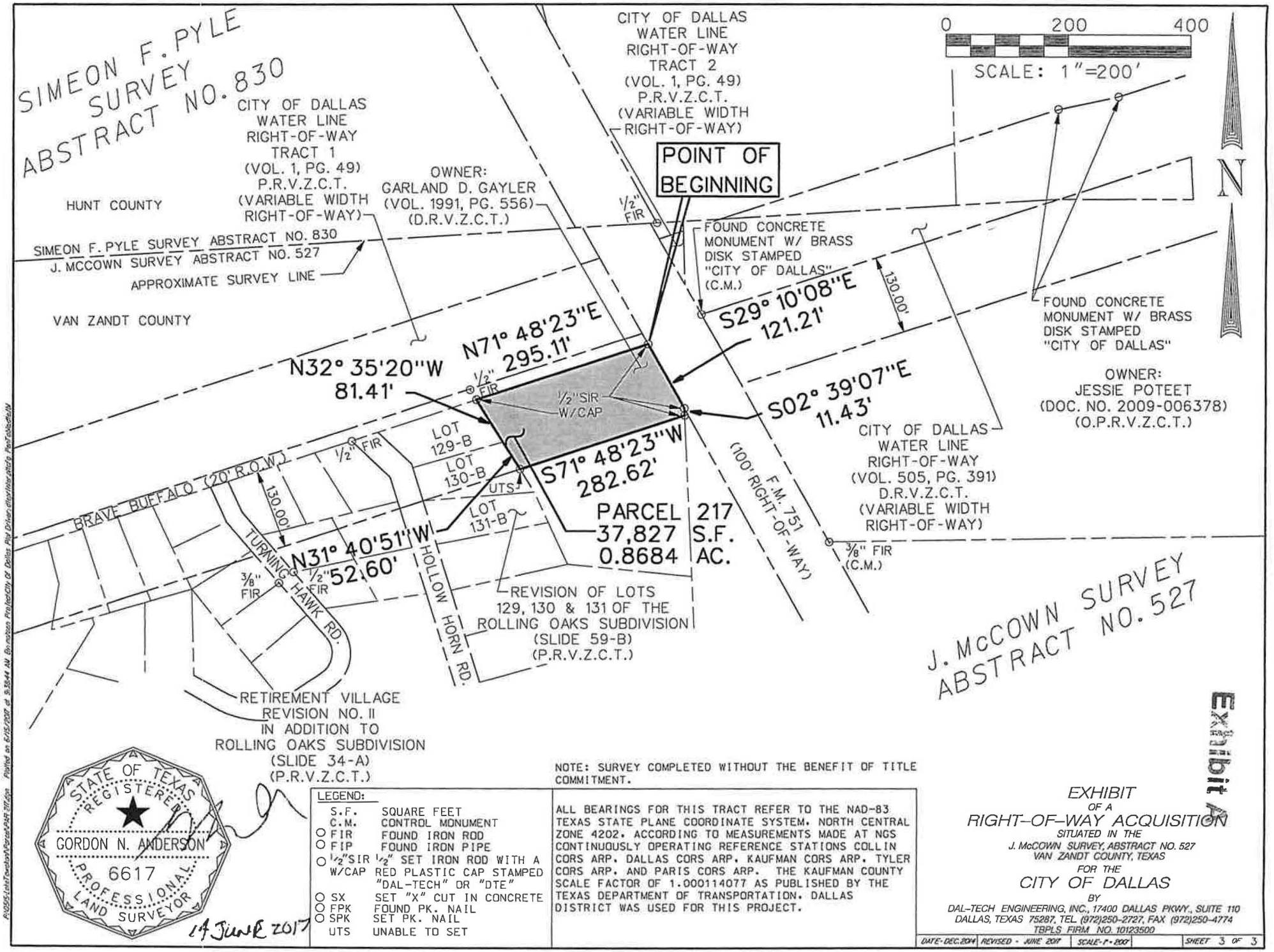
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TBPLS Firm No. 10123500



STATE OF TEXAS REGISTERED GORDON N. ANDERSON 6617 PROFESSIONAL LAND SURVEYOR

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TBPLS FIRM NO. 10123500

DATE- DEC. 2014	REVISED - JUNE 2017	SCALE- 1"= 200'	SHEET 3 OF 3

P:\955\Job\Tract\Acq\ex\PAR 217.dgn Plotted on 6/15/2017 at 9:38:44 AM By Horton Fred\CIty Of Dallas Fby\Driver.pltcfg PenTable.tbl

EXHIBIT B

EASEMENT – ACCESS
[Specific Location]

Grantor, for Grantor and Grantor's heirs, successors and assigns ("the holder of the easement") does hereby reserve an easement over, on and across the property described in Attachment "1", attached hereto and made a part hereof by reference for all purposes, (the "Easement Area") to provide free and uninterrupted pedestrian, vehicular and utility access to and from Grantor's adjoining or abutting property, being more fully described in Attachment "2", attached hereto and made a part hereof by reference for all purposes, (the "Dominant Estate Property") and portions thereof, in a manner as not to endanger or interfere with the safe, efficient and/or convenient use of and activity on the property described in Exhibit "A" by City.

The easement is appurtenant to and runs with the Dominant Estate Property and all portions of it, whether or not the easement is referenced in any conveyance of the Dominant Estate Property or any portion of it. The easement binds and inures to the benefit of Grantor and City and their respective heirs, successors, and assigns.

The easement is perpetual.

This easement is nonexclusive, and City reserves for City and City's successors and assigns the right to convey the same or similar easement or other rights or easements to others. Notwithstanding any provision of this easement reservation to the contrary, City and City's successors and assigns shall in all respects and at all times have the superior and paramount right of use, access and control of the Easement Property, without any liability for damages, destruction or injury to any improvements located in the easement, from time to time.

Professionally engineered plans and specifications bearing the seal of a professional engineer currently registered in the State of Texas showing any and all improvements desired by the holder of the easement, including without limitation, fill or removal of soil within the easement, paving, support, protection of City's uses, utility lines, structures and facilities, must be submitted to and approved in writing by the City of Dallas Water Department ("DWU") in advance of any construction by the holder of the easement. No vehicle, equipment or machinery exceeding a total weight of 15,000 lbs may come on the easement or any use be allowed to exist that would exceed said weight limit at any time during normal use unless confined to the designated access points on improvements the plans and specifications for which are structurally designed and constructed with supporting appurtenances that meet or exceed H20 highway design capacity and that protect the City's facilities from all imposed loading. The parties acknowledge and agree that the paramount consideration in the evaluation of any proposed improvements is to fully and completely accommodate City's uses (current, anticipated, and/or potential) of the property described in Exhibit "A" and any facilities it may install. Consequently, City's determinations in this regard are conclusive and final. All such improvements and maintenance of the Easement Property will be at the sole expense of the holder of the easement and must be constructed in a good and workmanlike manner in

conformity with the approved plans and specifications. The holder of the easement will maintain the Easement Property in a neat, clean and safe condition at all times.

The holder of the easement agrees to indemnify, defend and hold City and City's successors in interest harmless from any loss, attorney's fees, court and other costs, expenses or claims attributable to any breach or default of any provision of this easement by the holder and/or any negligent act or omission by the holder with regard to this easement. In the event the holder of the easement shall place any unpermitted structure, improvement, use or material within the Easement Property and fails to remove same immediately upon receipt of notice from City, City shall have the right, but not the obligation, to remove such structure, improvement, use and/or material, and the holder of the easement shall reimburse City for any and all costs connected with such action immediately upon demand.

ATTACHMENT 1

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR A ACCESS EASEMENT FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN VAN ZANDT COUNTY, TEXAS
Parcel: 217 ACE

BEING a 0.0923 acre tract of land in the J. McCown Survey, Abstract No. 527, being a part of a called 2.172 acre tract of land described in Warranty Deed with Vendor's Lien to Garland D. Gayler, a/k/a/ Dan Gayler, as recorded Volume 1991, Page 556, of the Deed Records of Van Zandt County, Texas, (D.R.V.Z.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod found at the northwest corner of Lot 165 of the Revision of Rolling Oaks Addition, as recorded in Slide 33-A of the Plat Records of Van Zandt County, Texas, (P.R.V.Z.C.T.) being in the southeast right-of-way line of Brave Buffalo Road (20' right-of-way);

THENCE North 71 degrees 48 minutes 23 seconds East, a distance of 618.61 feet to a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") found at the POINT OF BEGINNING, being in the southwest line of said Gayler tract and the northeast corner of Lot 129-B of the Revision of Lots 129, 130 & 131 of the Rolling Oaks Subdivision, as recorded in Slide 59-B, P.R.V.Z.C.T.;

THENCE North 71 degrees 48 minutes 23 seconds East, departing the southwest line of said Gayler tract and with the southeast line of said Brave Buffalo Road, a distance of 30.97 feet to a 1/2-inch iron rod with cap set;

THENCE South 32 degrees 35 minutes 20 seconds East, a distance of 73.95 feet; to a 1/2-inch iron rod with cap set;

THENCE South 31 degrees 40 minutes 51 seconds East, a distance of 60.03 feet (not set – falls in pond);

THENCE South 71 degrees 48 minutes 23 seconds West, a distance of 30.85 feet (not set – falls in pond) to the southwest line of said Gayler tract, and the northeast line of Lot 130-B of said Rolling Oaks Subdivsion;

THENCE North 31 degrees 40 minutes 51 seconds West, with the southwest line of said Gayler tract and the northeast line of said Lot 130-B, a distance of 52.60 feet to a 1/2-inch iron rod with cap found at the northeast corner of said Lot 130-B and the southeast corner of Lot 129-B of said Rolling Oaks Subdivision;

THENCE North 32 degrees 35 minutes 20 seconds West, continuing with the southwest line of said Gayler tract and the northeast line of said Lot 129-B, a distance of 81.41 feet to the POINT OF BEGINNING and containing 4,020 square feet or 0.0923 acres of land, more or less.



ATTACHMENT 1

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR A ACCESS EASEMENT
FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
VAN ZANDT COUNTY, TEXAS
Parcel: 217 ACE

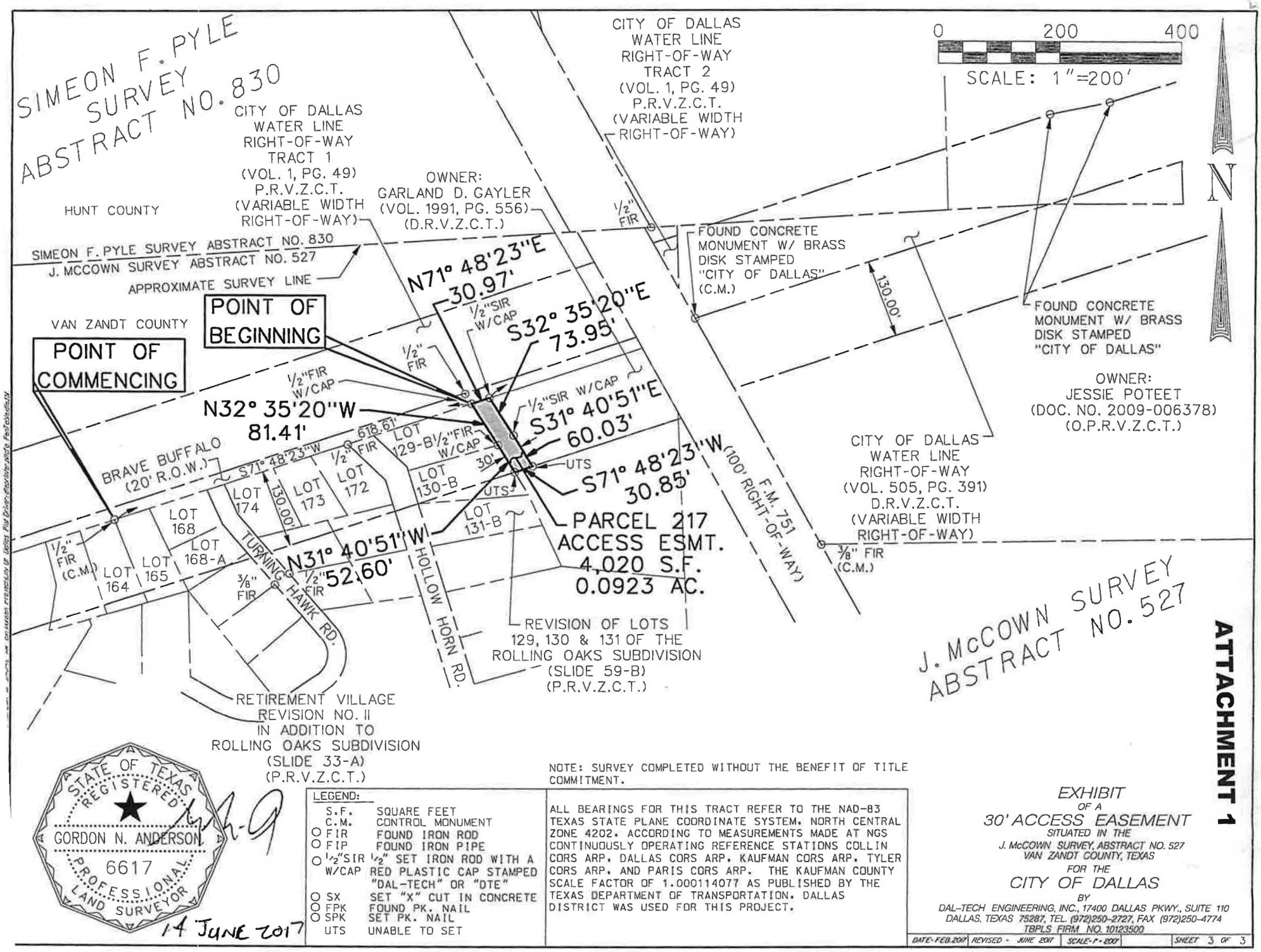
All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.



By: _____ Date: 14 June 2017

Gordon N. Anderson
Registered Professional Land Surveyor
Texas No. 6617
DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500



STATE OF TEXAS
REGISTERED
GORDON N. ANDERSON
6617
PROFESSIONAL
LAND SURVEYOR

14 JUNE 2017

NOTE: SURVEY COMPLETED WITHOUT THE BENEFIT OF TITLE COMMITMENT.

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
O SPK	SET PK. NAIL
UTS	UNABLE TO SET

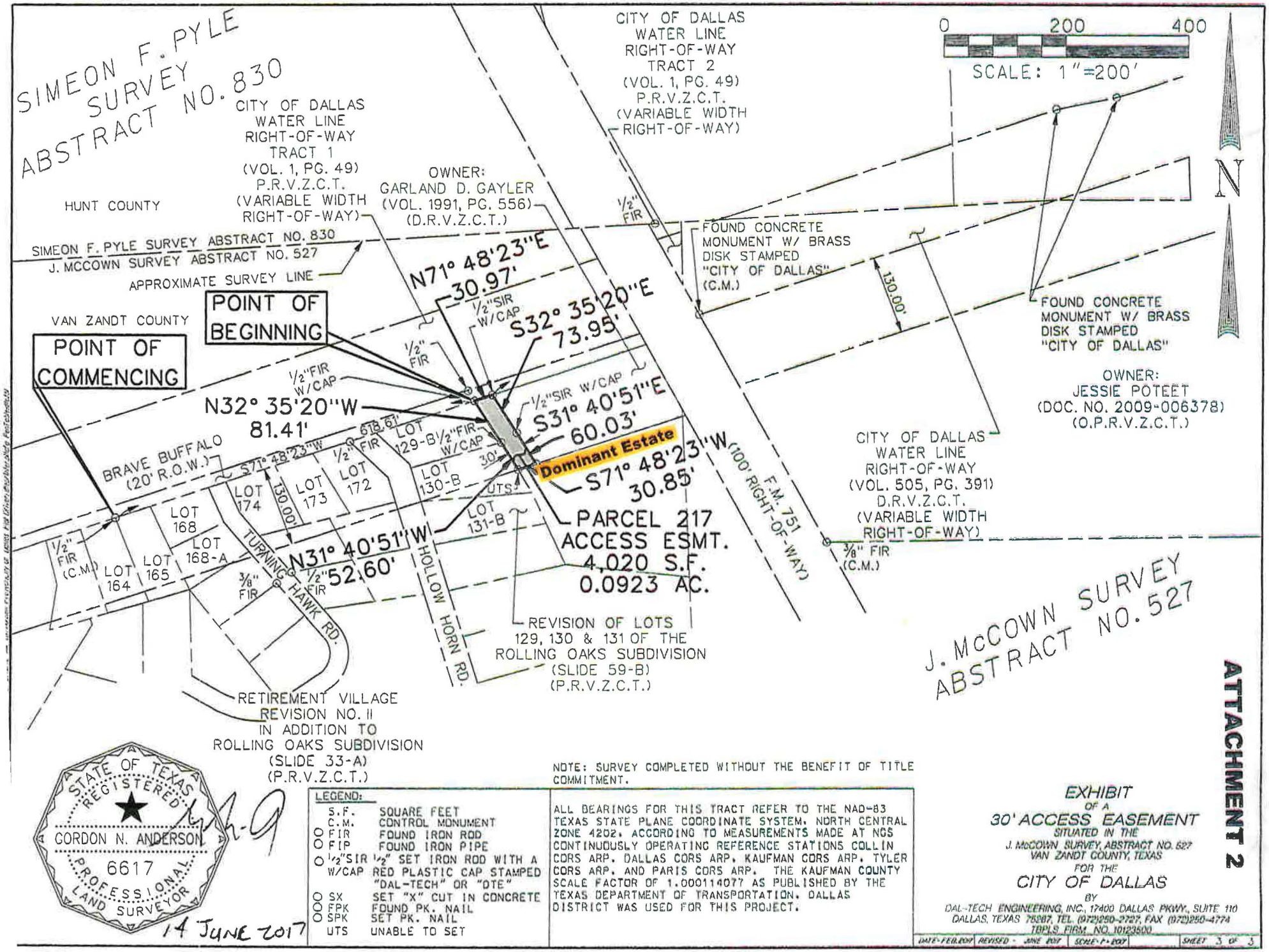
ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202. ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

ATTACHMENT 1

EXHIBIT
OF A
30' ACCESS EASEMENT
SITUATED IN THE
J. McCOWN SURVEY, ABSTRACT NO. 527
VAN ZANDT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE-FEB.2017	REVISED - JUNE 2017	SCALE-1"=200'	SHEET 3 OF 3



STATE OF TEXAS
REGISTERED
GORDON N. ANDERSON
6617
PROFESSIONAL
LAND SURVEYOR

14 JUNE 2017

NOTE: SURVEY COMPLETED WITHOUT THE BENEFIT OF TITLE COMMITMENT.

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
○ FIR	FOUND IRON ROD
○ FIP	FOUND IRON PIPE
○ ½"SIR W/CAP	½" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
○ SX	SET "X" CUT IN CONCRETE
○ FPK	FOUND PK. NAIL
○ SPK	SET PK. NAIL
UTS	UNABLE TO SET

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT
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DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE: FEB. 2017	REVISED - JUNE 2017	SCALE: 1" = 200'	SHEET 3 OF 3

ATTACHMENT 2

Agenda Information Sheet

File #: 19-473 **Item #:** 17.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	June 12, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize acquisition from Lawrence Schmitz, of approximately 7,944 square feet of land improved with a single-family dwelling located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $48,000.00 ($45,000.00, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Construction Fund

BACKGROUND

This item authorizes the acquisition from Lawrence Schmitz, of approximately 7,944 square feet of land improved with a single-family dwelling located in Van Zandt County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal. The relocation benefits are estimated to be $12,000.00.

This acquisition is part of the right-of-way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, Texas and then to the Eastside Water Treatment Plant located in Sunnyvale, Texas. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Water Construction Fund - $48,000.00 ($45,000.00, plus closing costs and title expenses not to exceed $3,000.00)

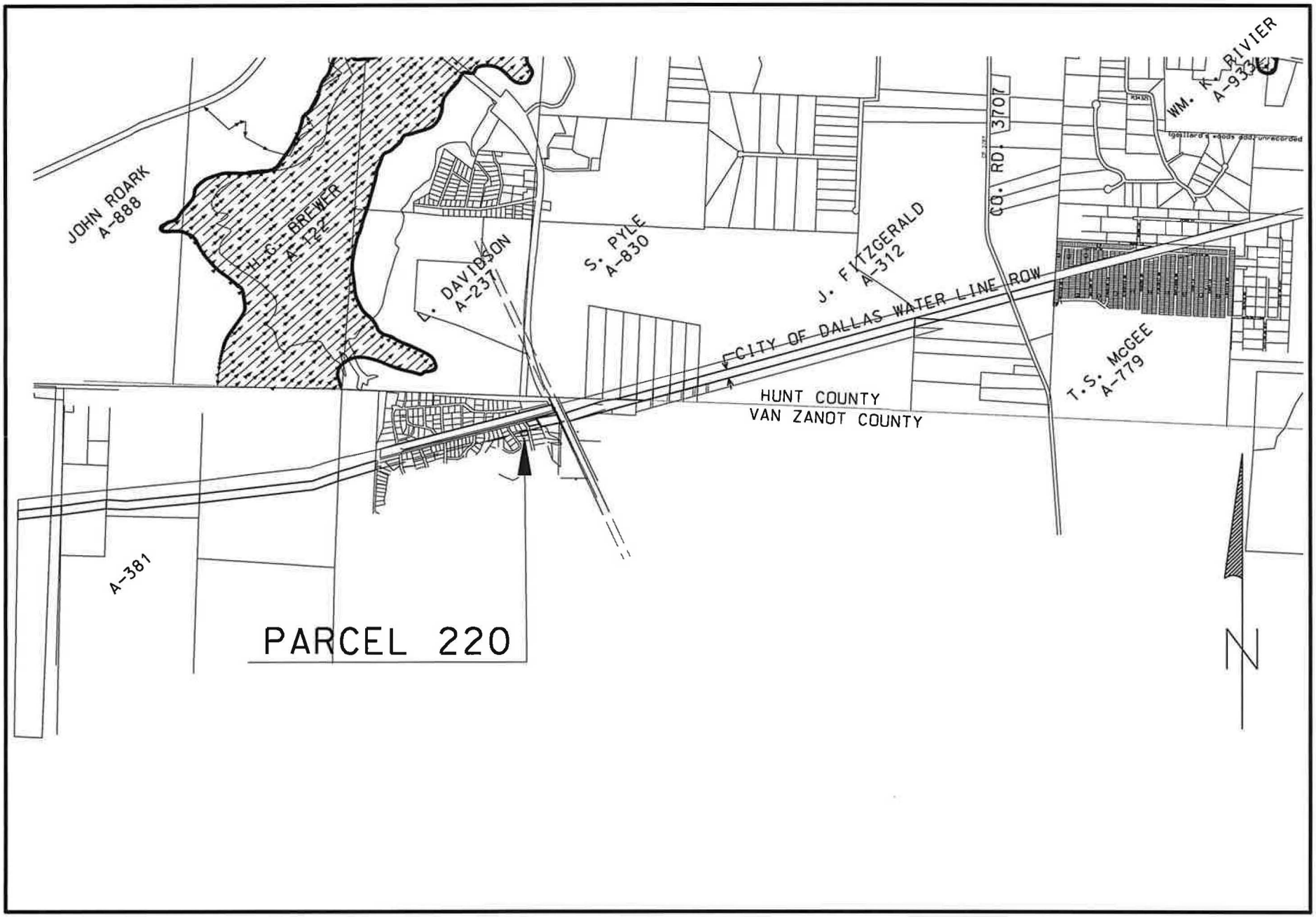
OWNER

Lawrence Schmitz

MAP

Attached

powered by Legistar™



VICINITY MAP
APPROXIMATE SCALE 1"= 2000'

P:\0515-LakeTawakoni\Parcel\ParcelsMap_220.dgn Plotted on 4/23/2015 at 11:08:28 AM By: jason Project:City Of Dallas Plot Driver: dteprinter.pltcfg PenTable:dte.tbl

June 12, 2019

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 7,944 square feet of land located in Van Zandt County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Lake Tawakoni 144-inch Transmission Pipeline

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE here provided.

"PROPERTY INTEREST": Fee Simple, subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Lawrence Schmitz, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $45,000.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,000.00

"AUTHORIZED AMOUNT": Not to exceed $48,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Construction Fund, Fund 0102, Department DWU, Unit CW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2019-00009815. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

BY: _____
Assistant City Attorney

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN VAN ZANDT COUNTY, TEXAS
Parcel: 220

BEING a 7,944 square foot (0.1824 acre) tract of land in the J. McCown Survey, Abstract No. 527, being all of Lot 175 of the Revision of Rolling Oaks Addition, as recorded in Slide 33-A of the Plat Records of Van Zandt County, Texas, said Lot 175 being described in Warranty Deed dated February 24, 2012 to Lawrence Schmitz, as recorded in Document No. 2012-001478, of the Official Public Records of Van Zandt County, Texas;

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

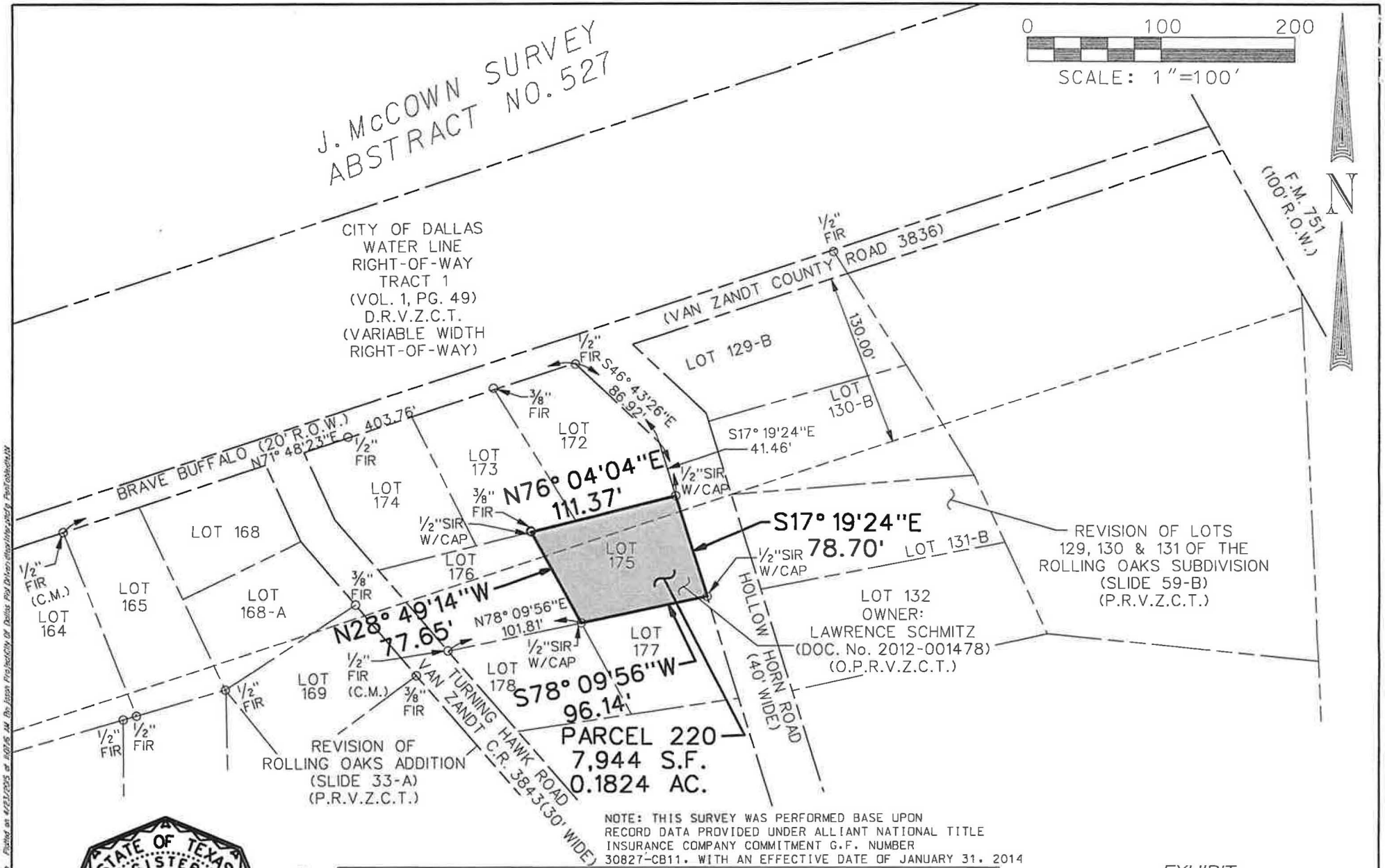
Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 4.23.15

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504



FIELD NOTES APPROVED:
5/23/15



NOTE: THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED UNDER ALLIANT NATIONAL TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 30827-CB11. WITH AN EFFECTIVE DATE OF JANUARY 31, 2014

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

4-23-15

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
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EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
J. McCOWN SURVEY, ABSTRACT NO. 527
VAN ZANDT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE- APR. 2015 | REVISED - | SCALE- 1" = 100' | SHEET 2 OF 2

P:\055\Cdd\Twelve\Survey\PAR 220.dgn Plotted on 4/23/2015 at 8:05:16 AM By Jason Fritz (DAL-TECH) Dallas, Plot Driver: dtpw1.htm, pltcfg: PwToltec.ini

EXHIBIT B

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF
VAN ZANDT §

That Lawrence Schmitz, a married person, not joined herein by spouse, as the property hereby conveyed constitutes no part of their business or residence homestead and is in his sole management and control, (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Van Zandt, State of Texas, for and in consideration of the sum of FORTY FIVE THOUSAND AND 00/100 DOLLARS ($45,000.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: NONE

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

By: _____
Assistant City Attorney

_____
Lawrence Schmitz

EXHIBIT B

* *

STATE OF TEXAS '
COUNTY OF VAN ZANDT '

This instrument was acknowledged before me on _____
by Lawrence Schmitz.

_____
Notary Public, State of TEXAS

* *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Christian Roman

Warranty Deed Log No. 43607

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN VAN ZANDT COUNTY, TEXAS
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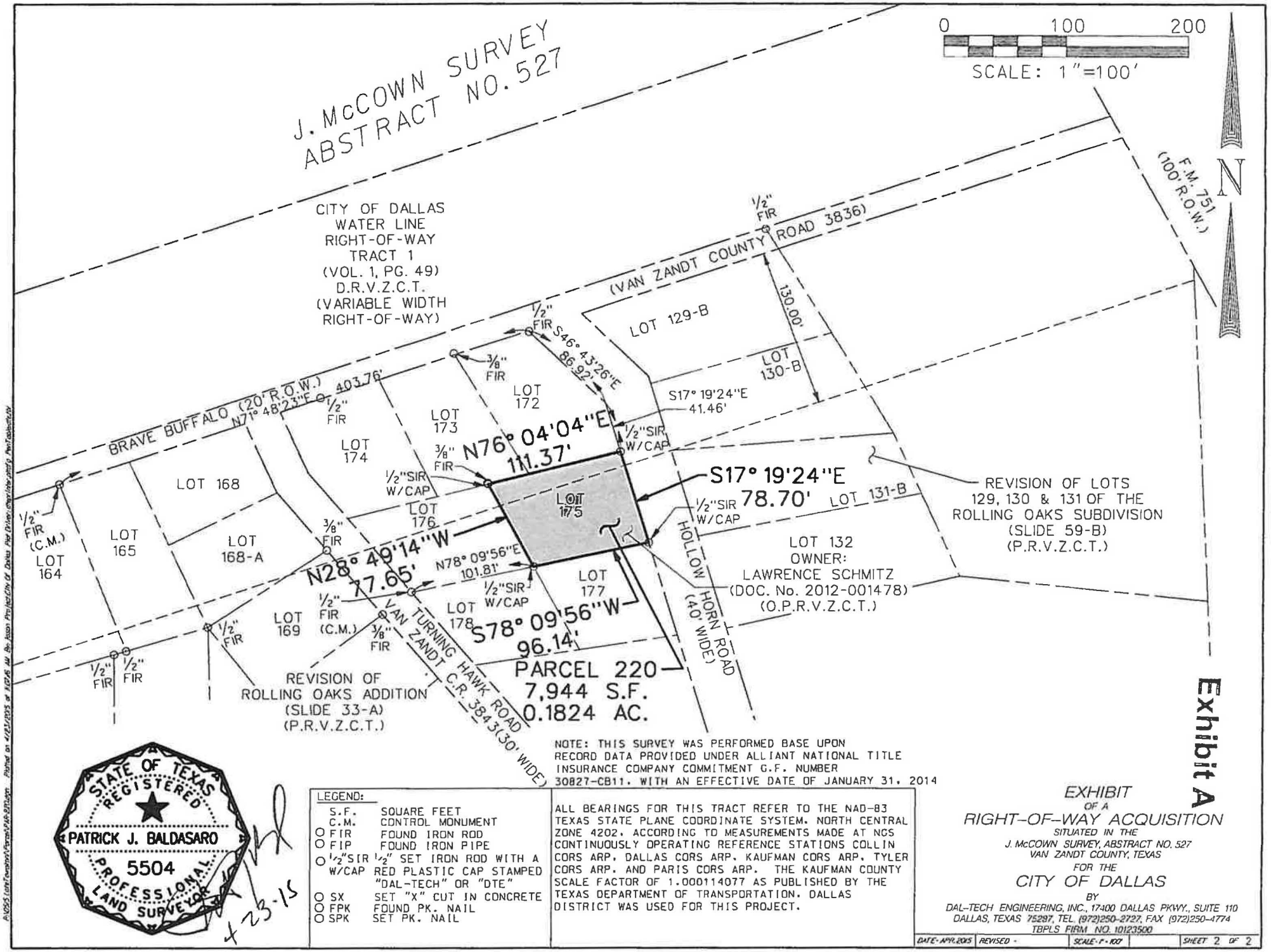
Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500



By: _____ Date: 4.23.15

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

FIELD NOTES APPROVED: 5/29/15



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STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

4-23-15

LEGEND:

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TBPLS FIRM NO. 10123500

DATE: APR. 2015	REVISED -	SCALE: 1" = 100'		SHEET 2 OF 2

P:\055\Land Desktop Projects\NAD-83\Right... Plotted on 4/23/2015 at 10:26 AM By Jason Pritchett (Dal-Tech Engineering, Inc.)

Agenda Information Sheet

File #: 19-114 **Item #:** 18.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	June 12, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize acquisition from North Texas Municipal Water District, of approximately 13,197 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $13,500.00 ($10,065.00, plus closing costs and title expenses not to exceed $3,435.00) - Financing: Water Construction Fund

BACKGROUND

This item authorizes the acquisition from North Texas Municipal Water District, of approximately 13,197 square feet of unimproved land located in Kaufman County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal. There are no relocation benefits associated.

This acquisition is part of the right-of-way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, Texas and then to the Eastside Water Treatment Plant located in Sunnyvale, Texas. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Water Construction Fund - $13,500.00 ($10,065.00, plus closing costs and title expenses not to exceed $3,435.00)

OWNER

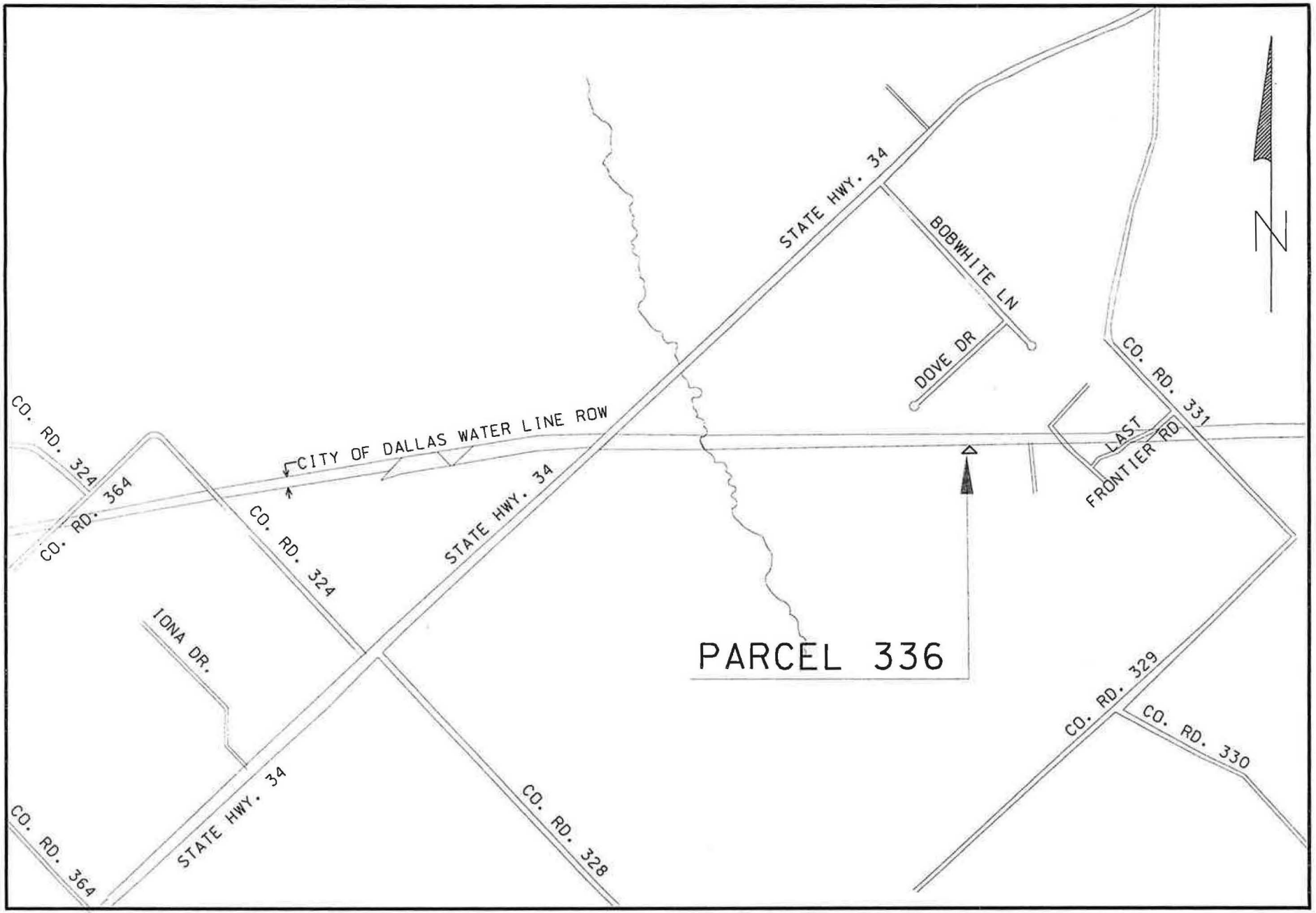
North Texas Municipal Water District

Thomas W. Kula, Executive Director/General Manager

MAP

Attached

powered by Legistar™



VICINITY MAP

APPROXIMATE SCALE 1"= 2000'

June 12, 2019

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": **Approximately 13,197 square feet** of land located in Kaufman County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": **Lake Tawakoni 144**-inch Transmission Pipeline

"USE": **The installation, use, and maintenance of a pipeline or lines for the** transmission of treated water together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"PROPERTY INTEREST": Fee Simple Title, subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the **form instrument more particularly described in Exhibit "B" attached hereto** and made a part hereof for all purposes.

"OWNER": North Texas Municipal Water District, provided, however, that the **term "OWNER" as used in this resolution means all persons having an** ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $10,065.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,435.00

"AUTHORIZED AMOUNT": Not to exceed $13,500.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Construction Fund, Fund 0102, Department DWU, Unit CW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2019-00008627. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

BY: _____
Assistant City Attorney

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN KAUFMAN COUNTY, TEXAS
Parcel: 336

BEING a 0.3030 acre tract of land in the A. Maxamilia Survey, Abstract No. 311, in Kaufman County, Texas, and being part of a called 4.141 acre tract of land described as Tract II in Warranty Deed to North Texas Municipal Water District, dated June 29, 2006, as recorded in Volume 2918, Page 503, Deed Records of Kaufman County, Texas, (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found at the north corner of said Tract II, being the west corner of a called 3.5763 acre tract of land described in Warranty Deed with Vendor's Lien to Lester B. Covington and wife, Sylvia Covington, dated August 10, 1982, as recorded in Volume 726, Page 470, D.R.K.C.T., and being in the southeast line of Lot 47 of the Quail Hollow Subdivision, as recorded in Cabinet 1, Slide 781, Plat Records of Kaufman County, Texas;

THENCE South 47 degrees 13 minutes 56 seconds East, departing the southeast line of said Lot 47 and with the southwest line of said Covington tract and the northeast line of said Tract II, a distance of 155.58 feet to a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set;

THENCE South 85 degrees 59 minutes 31 seconds West, departing the southwest line of said Covington tract and the northeast line of said Tract II, a distance of 232.83 feet to a1/2-inch iron rod with cap set in the northwest line of said Tract II and the southeast line of said Lot 47;

THENCE North 44 degrees 04 minutes 31 seconds East, with the northwest line of said Tract II and the southeast line of said Lot 47, a distance of 169.70 feet to the POINT OF BEGINNING and containing 13,197 square feet or 0.3030 acres of land.

FIELD NOTES APPROVED: 7/16/14

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 6.24.14

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

STATE OF TEXAS REGISTERED PATRICK J. BALDASARO 5504 PROFESSIONAL LAND SURVEYOR

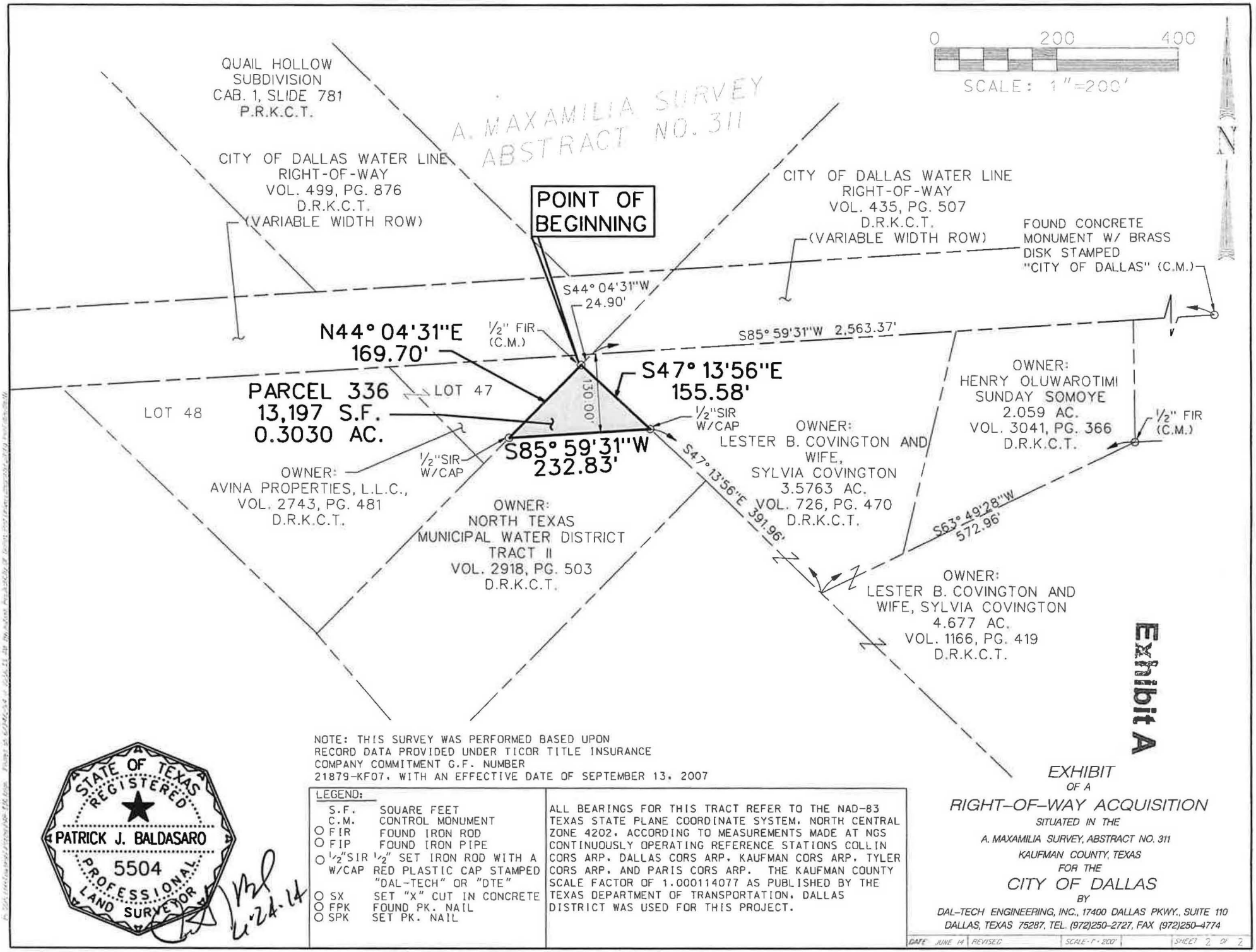


Exhibit A

NOTE: THIS SURVEY WAS PERFORMED BASED UPON RECORD DATA PROVIDED UNDER TICOR TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 21879-KF07, WITH AN EFFECTIVE DATE OF SEPTEMBER 13, 2007

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

6-24-14

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
O	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O	SX	SET "X" CUT IN CONCRETE
O	FPK	FOUND PK. NAIL
O	SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
A. MAXAMILIA SURVEY, ABSTRACT NO. 311
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS
BY

DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774

DATE	REVISED	SCALE: 1" = 200'	SHEET 2 OF 2
JUNE 14			

EXHIBIT B

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF KAUFMAN §

That North Texas Municipal Water District (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Kaufman, State of Texas, for and in consideration of the sum of TEN THOUSAND SIXTY FIVE DOLLARS AND 00/100 DOLLARS ($10,065.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: NONE

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

SIGNATURES APPEAR ON NEXT PAGE

EXHIBIT B

* * * * * * * * * * * * * * * * * * * *

GRANTOR:

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

North Texas Municipal Water District

By:_____
Assistant City Attorney

MH

By:_____
Thomas W. Kula, Executive Director / General Manager

* * * * * * * * * * * * * * * * * * * *

STATE OF TEXAS '
COUNTY OF KAUFMAN '

This instrument was acknowledged before me on _____
By Thomas W. Kula, Executive Director / General Manager of North Texas Municipal Water District, on behalf of said municipal water district.

_____
Notary Public, State of TEXAS

* * * * * * * * * * * * * * * * * * * *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Christian Roman

Warranty Deed Log No. 42631

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN KAUFMAN COUNTY, TEXAS
Parcel: 336

BEING a 0.3030 acre tract of land in the A. Maxamilia Survey, Abstract No. 311, in Kaufman County, Texas, and being part of a called 4.141 acre tract of land described as Tract II in Warranty Deed to North Texas Municipal Water District, dated June 29, 2006, as recorded in Volume 2918, Page 503, Deed Records of Kaufman County, Texas, (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found at the north corner of said Tract II, being the west corner of a called 3.5763 acre tract of land described in Warranty Deed with Vendor's Lien to Lester B. Covington and wife, Sylvia Covington, dated August 10, 1982, as recorded in Volume 726, Page 470, D.R.K.C.T., and being in the southeast line of Lot 47 of the Quail Hollow Subdivision, as recorded in Cabinet 1, Slide 781, Plat Records of Kaufman County, Texas;

THENCE South 47 degrees 13 minutes 56 seconds East, departing the southeast line of said Lot 47 and with the southwest line of said Covington tract and the northeast line of said Tract II, a distance of 155.58 feet to a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set;

THENCE South 85 degrees 59 minutes 31 seconds West, departing the southwest line of said Covington tract and the northeast line of said Tract II, a distance of 232.83 feet to a1/2-inch iron rod with cap set in the northwest line of said Tract II and the southeast line of said Lot 47;

THENCE North 44 degrees 04 minutes 31 seconds East, with the northwest line of said Tract II and the southeast line of said Lot 47, a distance of 169.70 feet to the POINT OF BEGINNING and containing 13,197 square feet or 0.3030 acres of land.

FIELD NOTES APPROVED: 7/16/14

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

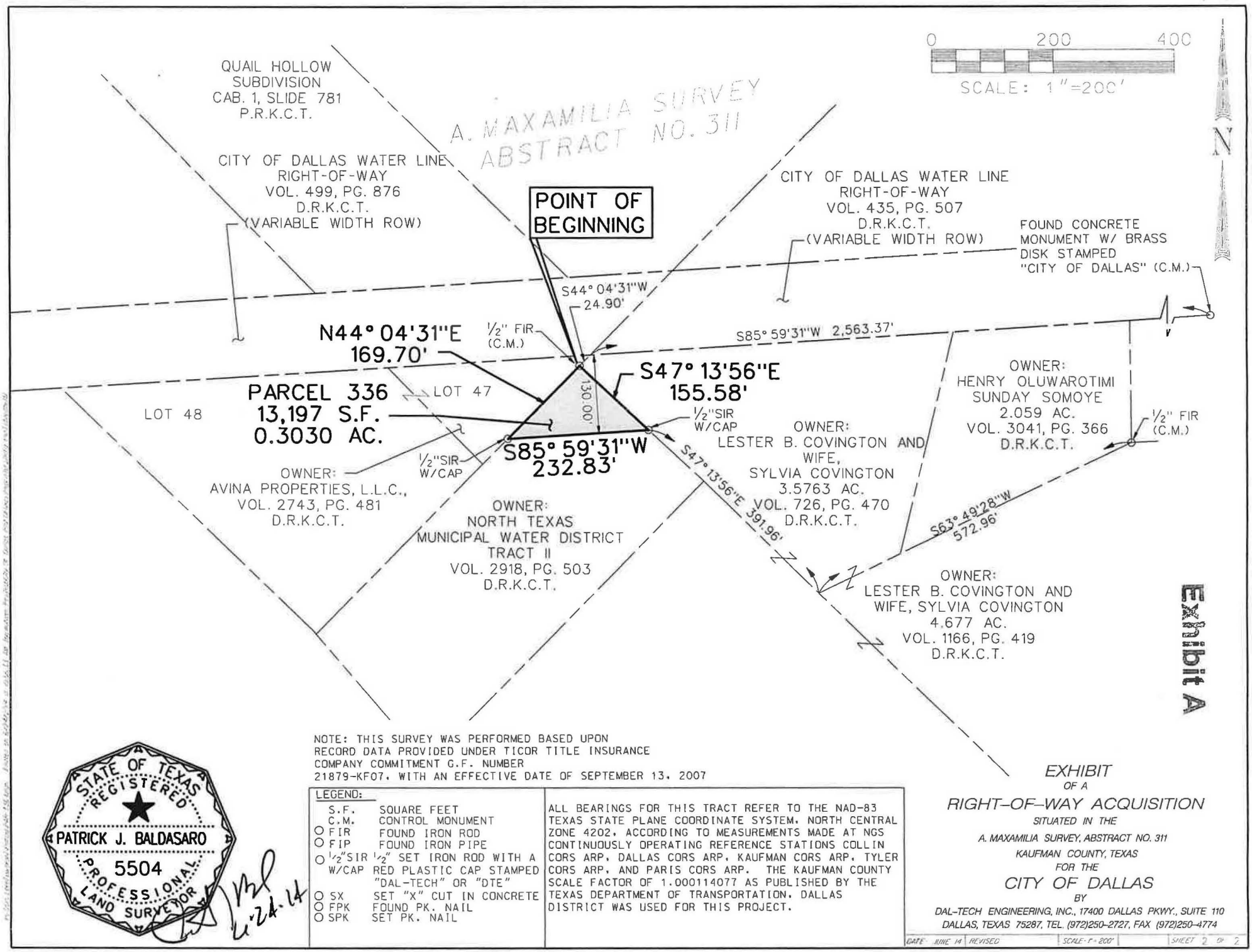
A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 6.24.14

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR



NOTE: THIS SURVEY WAS PERFORMED BASED UPON RECORD DATA PROVIDED UNDER TICOR TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 21879-KF07, WITH AN EFFECTIVE DATE OF SEPTEMBER 13, 2007

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
O SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

6-24-14

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
A. MAXAMILIA SURVEY, ABSTRACT NO. 311
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS
BY

DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774

DATE: JUNE 14 | REVISED | SCALE: 1"=200' | SHEET 2 OF 2

Agenda Information Sheet

File #: 19-519 **Item #:** 19.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize acquisition from Maria Barba, of approximately 7,802 square feet of land with a single-family dwelling located near the intersection of Pontiac and Morrell Avenues for the Cadillac Heights Phase II Project - Not to exceed $80,000.00 ($76,500.00, plus closing costs and title expenses not exceed $3,500.00) - Financing: Land Acquisition in Cadillac Heights Fund (2006 Bond Funds)

BACKGROUND

This item authorizes the acquisition from Maria Barba, of approximately 7,802 square feet of land with a single-family dwelling located near the intersection of Pontiac and Morrell Avenues for the Cadillac Heights Phase II Project. This property will be used for the future located of City service and maintenance facilities. The consideration is based on an independent appraisal. Relocation benefits are estimated to be $87,450.00.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

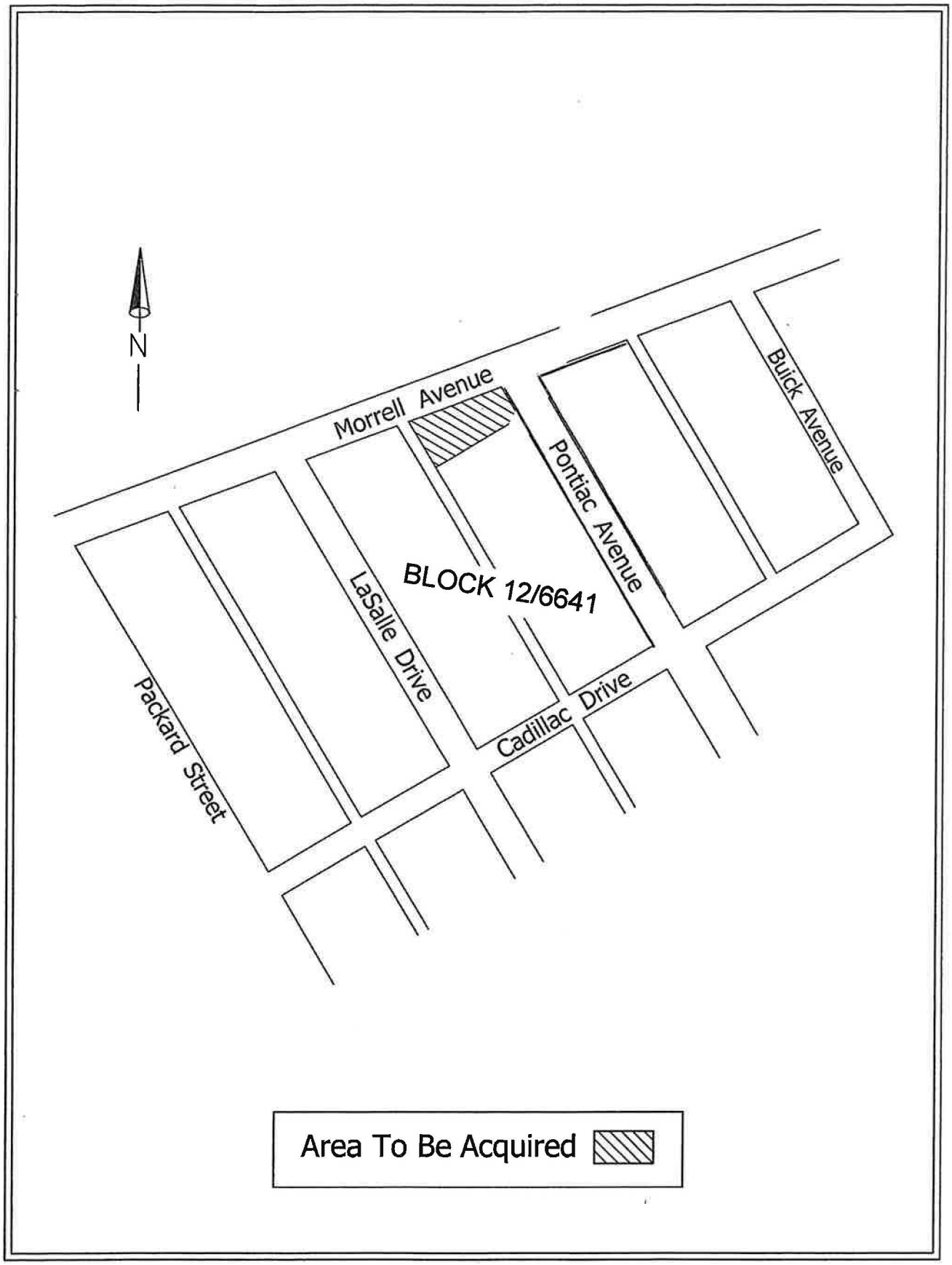
Land Acquisition in Cadillac Heights Fund (2006 Bond Funds) - $80,000.00 ($76,500.00, plus closing costs and title expenses not to exceed $3,500.00)

OWNER

Maria Barba

MAP

Attached


N
Morrell Avenue
Buick Avenue
Pontiac Avenue
BLOCK 12/6641
LaSalle Drive
Packard Street
Cadillac Drive
Area To Be Acquired

June 12, 2019

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 7,802 square feet of land located in Dallas County, Texas, and being the same property, more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Cadillac Heights Phase II Project

"USE": City services and maintenance facilities provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"PROPERTY INTEREST": Fee Simple title subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Maria Barba, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $76,500.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,500.00

"AUTHORIZED AMOUNT": Not to exceed $80,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Land Acquisition In Cadillac Heights Fund, Fund.4T11, Department EBS, Unit T825, Activity LAAQ, Program PB06T825, Object 4210, Encumbrance/Contract No. BSD-2019-00010010. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

BY: _____
Assistant City Attorney

Exhibit A

Being Lot 10, in Block 12/6641, of CADILLAC PLACE ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 459, of the Map Records of Dallas County, Texas.

NOTICE OF CONFIDENTIALITY OF RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED EXHIBIT B

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS §

That Maria S. Barba, a widow (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of SEVENTY SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($76,500.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED and does hereby GRANT, SELL AND CONVEY unto City, its successors and assigns, the following (all said property and interests being collectively referred to herein as the "Property"):

(a) that certain tract or parcel of land (the "Land") in Dallas County, Texas, described more fully on Exhibit "A", attached hereto and incorporated herein for all purposes;

(b) all right, title and interest of Grantor, as owner of the Land, in (i) strips or gores, if any, between the Land and abutting properties and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Land;

(c) all improvements, buildings, structures, fixtures, and open parking areas which may be located on the Land (the "Improvements"), including, without limitation, all mechanical, electrical, heating, ventilation, air conditioning and plumbing fixtures, systems and equipment as well as compressors, engines, elevators and escalators, if any;

(d) all right, title and interest of Grantor, as owner of the Land, in and to any easements, rights-of-way, rights of ingress and egress or other interests in, on, or to any land, highway, street, road or avenue, opened or proposed, in, on, across from, in front of, abutting, adjoining or otherwise appurtenant to the Land; and

(e) all other rights, privileges and appurtenances owned by Grantor and in any way related to the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators, or successors to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

_____
Maria S. Barba

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____by Maria S. Barba.

_____
Notary Public, State of TEXAS

After recording return to:
City of Dallas, Department of Development Services
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: VLeal

Warranty Deed Log No. 36808

Exhibit A

Being Lot 10, in Block 12/6641, of CADILLAC PLACE ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 459, of the Map Records of Dallas County, Texas.

Agenda Information Sheet

File #: 19-638 **Item #:** 20.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	June 12, 2019
COUNCIL DISTRICT(S):	4
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize moving expense and replacement housing payments for Maria Gloria DeLeon as a result of an official written offer of just compensation to purchase real property at 2926 McGowan Street for the Cadillac Heights Phase II Project - Not to exceed $64,900.00 - Financing: Land Acquisition in Cadillac Heights Fund (2006 Bond Funds)

BACKGROUND

Chapter 39A of the Dallas City Code of the City of Dallas provides moving expense and replacement housing payments for individuals displaced by the City of Dallas in conjunction with its real property acquisition activities.

On September 27, 2017, City Council authorized the acquisition of real property known as 2926 McGowan Street for the Cadillac Heights Phase II Project by Resolution No. 17-1557.

Maria Gloria DeLeon will be displaced as a direct result of this property acquisition. She qualifies for a moving expense payment of up to $1,400.00 and a last resort calculated replacement housing payment of up to $63,500.00 pursuant to the Dallas City Code and will use the replacement housing payment to acquire a replacement property.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 27, 2017, City Council authorized the acquisition from Maria Gloria DeLeon, of approximately 5,772 square feet of land improved with a single-family dwelling located near the intersection of McGowan and Childers Street for the Cadillac Heights Phase II Project by Resolution No. 17-1557.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Land Acquisition in Cadillac Heights Fund (2006 Bond Funds) - $64,900.00

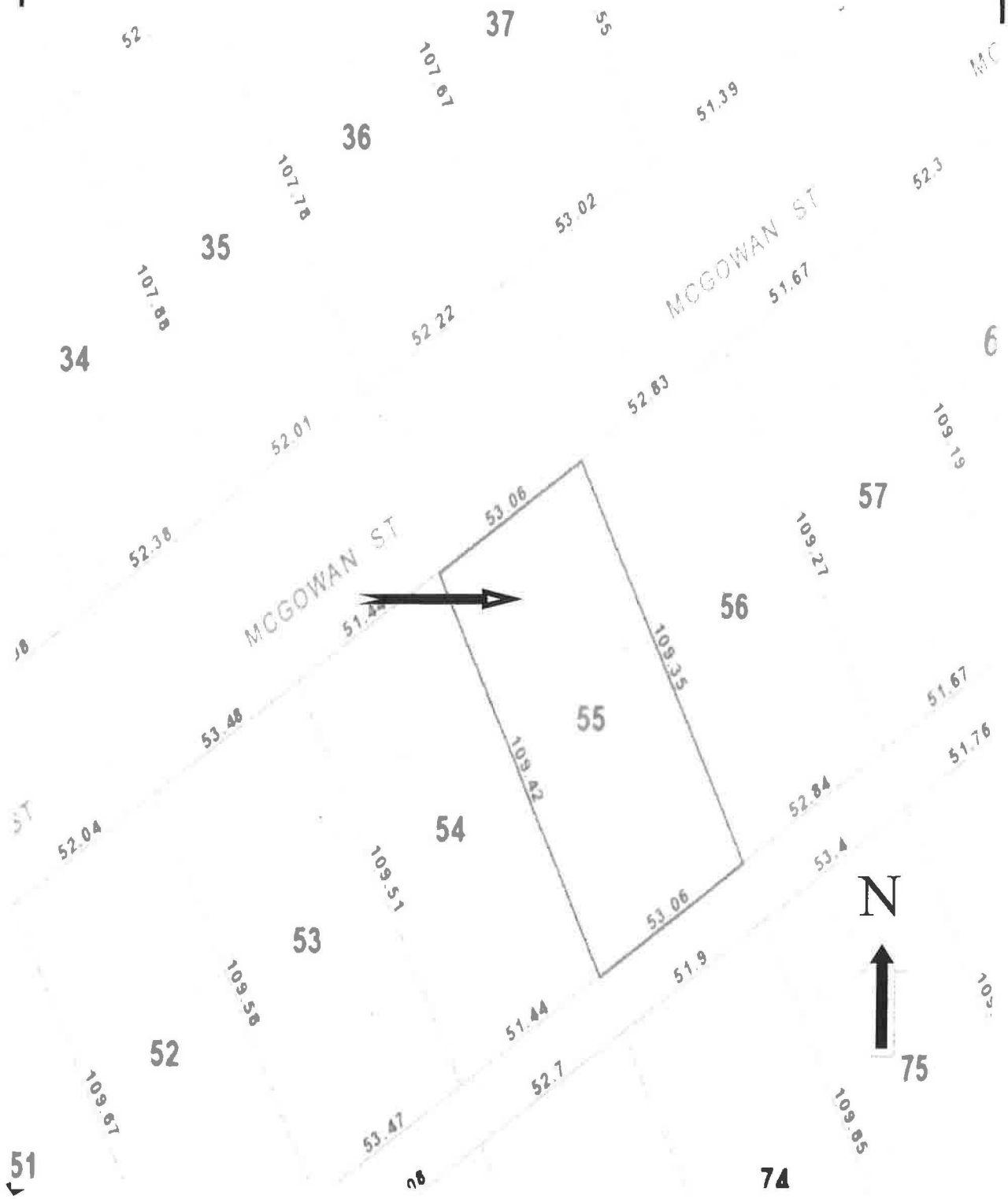
OWNER

Maria Gloria DeLeon

MAP

Attached

CADILLAC HEIGHTS PHASE II PROJECT
RELOCATION ASSISTANCE



LOT 56, BLOCK 6642—2926 McGowan Street

June 12, 2019

WHEREAS, on November 7, 2006, Dallas voters approved the use of General Obligation Bonds to acquire property for future City facilities; and

WHEREAS, Maria Gloria DeLeon will be displaced as a direct result of this property acquisition and will vacate the property; and

WHEREAS, Chapter 39A of the Dallas City Code of the City of Dallas provides moving expense and replacement housing payments for individuals displaced by City of Dallas property acquisition activities; and

WHEREAS, on September 27, 2017, City Council authorized the acquisition of real property at 2926 McGowan Street located in the Cadillac Heights neighborhood, to be used in conjunction with the construction of city service and maintenance facilities by Resolution No. 17-1557.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Maria Gloria DeLeon will be displaced in conjunction with the Cadillac Heights Phase II Project and is entitled to moving expense and replacement housing payments pursuant to Chapter 39A of the Dallas City Code of the City of Dallas.

SECTION 2. That Maria Gloria DeLeon is eligible to receive a moving expense payment in an amount up to $1,400.00 and a replacement housing payment in an amount up to $63,500.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to draw warrants in favor of Maria Gloria De Leon, in an amount not to exceed $64,900.00 for moving expense and last resort calculated replacement housing payments.

These warrants are to be paid as follows:

Land Acquisition in Cadillac Heights Fund
Fund 4T11, Department EBS, Unit T825
Object 4240, Program PB06T825
Encumbrance/Contract No. CX-EBS-2017-00003247-1
Vendor VC19371 $63,500.00

SECTION 3. (continued)

Land Acquisition in Cadillac Heights Fund	
Fund 4T11, Department EBS, Unit T825	
Object 4240, Program PB06T825	
Encumbrance/Contract No. CX-EBS-2017-00003247-2	
Vendor VC19371	$ 1,400.00
Total amount not to exceed	$64,900.00

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-612 **Item #:** 21.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A resolution authorizing the conveyance of approximately 9,203 square feet of City-owned land to the State of Texas located in Collin County near the intersection of State Highway 205 and John King Boulevard - Revenue: $2,588.00

BACKGROUND

This item authorizes the conveyance of approximately 9,203 square feet of City-owned land to the State of Texas, located in Collin County near the intersection of State Highway 205 and John King Boulevard, for the redevelopment and improvement of the State Highway 205 Right-of-Way Project. The State of Texas is an entity with the power of eminent domain. The City may sell or exchange its property to a governmental entity that has the power of eminent domain without complying with the notice and bid requirements pursuant to Chapter 272 of the Local Government Code. The purchase price is based on an independent appraisal.

This property will be conveyed with a reservation of all oil, gas and other minerals in and under the property.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Revenue: $2,588.00

MAP

Attached



City of Dallas Surplus Property in Collin County Property ID: 431063

TxDOT acquisition Parcel 3

N

WHEREAS, the City of Dallas ("City") is the owner of a tract of land containing approximately 9,203 square feet of land, being in Collin County, Texas, (the "Property"), and is located near the intersection of State Highway 205 and John King Boulevard, which is no longer needed for municipal use; and

WHEREAS, the Texas Department of Transportation, a State of Texas agency, has the power of eminent domain and proposes to acquire said property at fair market value for a state highway project for State Highway 205; and

WHEREAS, the City of Dallas may sell or exchange its property to a governmental entity that has the power of eminent domain, for fair market value as determined by an appraisal, without complying with the notice and bidding requirements for the sale of public lands provided for in Chapter 272, Section 272.001 of the Texas Local Government Code; and

WHEREAS, certain provisions of Section 2-24 of the Dallas City Code do not apply to the sale of land by the City of Dallas to other governmental entities as contemplated and authorized herein.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That upon receipt of **TWO THOUSAND FIVE HUNDRED EIGHTY EIGHT AND NO/100 DOLLARS ($2,588.00)** from the State of Texas, acting by and through the Texas Transportation Commission, the City Manager or designee is authorized to execute a Deed Without Warranty to be attested by the City Secretary, approved as to form by the City Attorney, said Deed Without Warranty is subject to the conditions contained in Section 2.

SECTION 2. That the Deed Without Warranty shall provide that the conveyance to the State of Texas, acting by and through the Texas Transportation Commission, **("GRANTEE")** are subject to the following:

(a) a restriction prohibiting the placement of industrialized housing on the property; and

(b) reservation by the City of Dallas of all oil, gas and other minerals in and under the property with a waiver of surface access rights relating to said minerals; and

(c) any visible and apparent easements and any encroachments whether of record or not; and

SECTION 2. (continued)

(d) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases or other instruments of record and applicable to the property or any part thereof; and

(e) to the maximum extent allowed by law, (i) **GRANTEE** is taking the Property "AS IS, WHERE IS, WITH ALL FAULTS"; (ii) GRANTOR disclaims responsibility as to the accuracy or completeness of any information relating to the Property; (iii) **GRANTEE** assumes all responsibility to examine all applicable building codes and zoning ordinances to determine if the Property can be used for the purposes desired and to check for outstanding or pending code enforcement actions including but not limited to repair or demolition orders; and (iv) GRANTOR expressly disclaims and **GRANTEE** expressly waives, any warranty or representation, express or implied, including without limitation any warranty of condition, habitability, merchantability or fitness for a particular purpose of the Property; and

(f) GRANTOR makes no representations of any nature regarding the Property and specifically disclaims any warranty, guaranty or representation, oral or written, express or implied, past, present, or future, concerning: (i) the nature and condition of the Property, including without limitation, the water, soil and geology, and the suitability thereof and the Property for any and all activities and uses which **GRANTEE** may elect to conduct thereon, and the existence of any environmental substances, hazards or conditions or presence of any endangered or protected species thereon or compliance with all applicable laws, rules or regulations; (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or otherwise; (iii) the compliance of the Property or its operation with any law, ordinance or regulation of any federal, state, or local governmental authority; and (iv) whether or not the Property can be developed or utilized for any purpose. For purposes hereof, "environmental substances" means the following: (a) any "hazardous substance" under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C.A. Section 9601 et. seq., as amended, (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, Tex. Water Code, Section 26.261, et. seq., as amended, c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubrication oils, (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C.A. Section 651 et. seq., as amended, (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C.A. Section 6901 et. seq., as amended, (f) asbestos, (g) polychlorinated biphenyls, (h)

SECTION 2. (continued)

underground storage tanks, whether empty, filled, or partially filled with any substance, (i) any substance, the presence of which is prohibited by federal, state or local laws and regulations; and (j) any other substance which by federal, state or local laws and regulations requires special handling or notification of governmental authorities in its collection, storage, treatment or disposal. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated.

(g) such other terms and requirements of the sale and/or disclaimers as the City deems necessary, convenient or appropriate.

SECTION 3. That the sale proceeds shall be deposited into the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction Services-Real Estate Division shall be reimbursed for the cost of obtaining legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in the General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the Water Utilities Current Fund, Fund 0100, Department DWU, Unit 7005, Revenue Code 8416.

SECTION 4. That if a title policy is desired by **GRANTEE**, same shall be at the expense of said **GRANTEE**.

SECTION 5. That the sale shall be subject to standby fees, taxes and assessments, if any, by any taxing authority for the year of closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes and assessments being assumed by **GRANTEE**.

SECTION 6. That the procedures required by Section 2-24 of the Dallas City Code that are not required by state law concerning the sale of unneeded real property are waived with respect to this tract of land.

SECTION 7. That this resolution is designated for City purposes as Contract No. DEV-2019-00010075.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

BY: _____
Assistant City Attorney

Exhibit "A"

County: Collin
Highway: State Highway 205
Parcel 3
STA. 1091+20.59 to STA. 1097+21.92
R.O.W. CSJ: 0451-03-015

July 1, 2018

Description for Parcel 3

BEING 9,203 square feet of land, more or less, in Joseph Strickland Survey, Abstract Number 794, Collin County, Texas, and being part of the second tract, a called 142.91 acre tract of land conveyed in a Warranty Deed from Agnes Burney and husband P. King Burney to the City of Dallas, Texas recorded in Volume 608, Page 563, Deed Records, Collin County, Texas (D.R.C.C.T.), dated November 28, 1962, said 9,203 square feet [0.2113 Acres] of land being more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2 inch iron rod with yellow cap stamped "RPLS 5034" (controlling monument) at the northeast corner of the first tract, a called 1.43 acre tract of land described in a deed to the City of Dallas, Texas recorded in Volume 608, Page 563, Deed Records, Collin County, Texas (D.R.C.C.T.), and the northwest corner of a 15.66 acre tract of land described in deed to Gordon C. Mineo and wife Andrea T. Mineo recorded in Volume 3424, Page 837, Official Public Records, Collin County, Texas (O.P.R.C.C.T.), and the southwest corner of a 7.54 acre tract of land described in a Special Warranty Deed with Vendor's Lien to Emilio Ramos and wife Maria Ramos, recorded in Instrument 2002-0160101, Official Public Records, Colin County, Texas (O.P.R.C.C.T.), dated October 25, 2002, from which a found iron rod with aluminum cap stamped "City of Dallas" (controlling monument) bears North 01 degrees 02 minutes 14 seconds West, 152.76 feet, and a found 1/2 inch iron rod (controlling monument) at the northwest corner of said of said Emilio Ramos 7.54 acre tract bears North 34 degrees 30 minutes 55 seconds East, 35.61 feet from said "City of Dallas" monument;

THENCE, South 00 degrees 57 minutes 16 seconds East, along the west line of said Gordon C. Mineo and wife Andrea T. Mineo tract, a distance of 85.80 feet to a set 5/8" iron rod with plastic cap stamped "LTRA";

THENCE, South 19 degrees 14 minutes 56 seconds East, along the west line of said Gordon C. Mineo and wife Andrea T. Mineo tract, a distance of 133.70 feet to a set 5/8" iron rod with plastic cap stamped "LTRA";

THENCE, South 36 degrees 44 minutes 56 seconds East, along the west line of said Estate of Andrea Ann Mineo tract, a distance of 286.52 feet to a set 5/8" iron rod with plastic cap stamped "LTRA", on the southwest corner of said Gordon C. Mineo and wife Andrea T. Mineo tract, and a north line of said City of Dallas tract;

THENCE, North 88 degrees 58 minutes 39 seconds East, along a north line of said City of Dallas tract and the south line of said Gordon C. Mineo and wife Andrea T. Mineo tract, a distance of 935.56 feet to a set 5/8" iron rod with plastic cap stamped "LTRA";

THENCE, South 89 degrees 42 minutes 32 seconds East, along a north line of said City of Dallas tract and the south line of said Gordon C. Mineo and wife Andrea T. Mineo tract, a distance of 59.49 feet to a set 5/8" iron rod with plastic cap stamped "LTRA";

FIELD NOTES APPROVED:
3/7/19

County: Collin
Highway: State Highway 205
Parcel 3
STA. 1091+20.59 to STA. 1097+21.92
R.O.W. CSJ: 0451-03-015

Description for Parcel 3

THENCE, North 89 degrees 48 minutes 47 seconds East, along a north line of said City of Dallas tract and the south line of said Gordon C. Mineo and wife Andrea T. Mineo tract, a distance of 409.63 feet to a set 5/8" iron rod with plastic cap stamped "LTRA";
THENCE, North 29 degrees 36 minutes 36 seconds East, along the northwest line of said City of Dallas tract and the southeast line of said Gordon C. Mineo and wife Andrea T. Mineo tract, a distance of 194.60 feet to a set 5/8" iron rod with plastic cap stamped "LTRA" on the existing west right of way line of State Highway 205 (100 foot right of way) as described in a deed to the State of Texas recorded in Volume 388, Page 371, said deed records (D.R.C.C.T.);

THENCE South 01 degrees 12 minutes 24 seconds East, along the existing west right of way line of said State Highway 205, a distance of 43.29 feet to a set 5/8" iron rod with pink cap stamped "TEXAS DEPARTMENT OF TRANSPORTATION ROW MONUMENT", (hereafter referred to as a set "TxDOT" monument) on the new west right of way line of State Highway 205 (a variable width right of way) and the POINT OF BEGINNING, and being 98.70 feet left of Station 1097+21.92, and having a N.A.D. 83 (2011 Adjustment), Texas State Plane North Central Zone (4202) surface coordinate of Northing 7,048,650.42 and Easting 2,592,217.87;

1) THENCE, South 01 degrees 12 minutes 24 seconds East, continuing along the existing west right of way line of said State Highway 205 (100 feet width), a distance of 601.33 feet to a set "TxDOT" monument on the new west right of way line of said State Highway 205 (a variable width right of way), being 98.56 feet left of Station 1091+20.59;

2) THENCE, North 15 degrees 10 minutes 51 seconds West, along the new west right of way line of said State Highway 205, a distance of 81.82 feet to a set "TxDOT" monument, being 118.33 feet left of Station 1091+99.98;

3) THENCE, North 01 degrees 25 minutes 31 seconds West, continuing along the new west right of way line of said State Highway 205, a distance of 300.00 feet to a set "TxDOT" monument, being 119.55 feet left of Station 1094+99.98;

4) THENCE, North 04 degrees 10 minutes 25 seconds East, continuing along the new west right of way line of said State Highway 205, a distance of 222.92 feet to the POINT OF BEGINNING and containing 9,203 square feet [0.2113 Acres] of land, more or less.

** The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

The Basis of Bearings is the Texas State Plane Coordinate System of 1983, North Central Zone (4202), North American Datum (NAD83) 2011 Adjustment, EPOCH 2010. All distances coordinates show are surface, unless otherwise noted, and may be converted to grid by dividing by the TxDOT combined scale factor of 1.000146135. Unit of measure is Survey Foot.

Exhibit "A"

County: Collin
Highway: State Highway 205
Parcel 3
STA. 1091+20.59 to STA. 1097+21.92
R.O.W. CSJ: 0451-03-015

Description for Parcel 3

Station and Offset Information refers to the baseline described in the Project Schematic dated 08-31-2017; Control-Section-Number 0451-03-013.

Survey plat of even date herewith accompanies the legal description.
I, Stanley M. Brewer, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the land description and plat represent an actual survey made on the ground under my supervision.

Stanley M. Brewer 7/5/2018

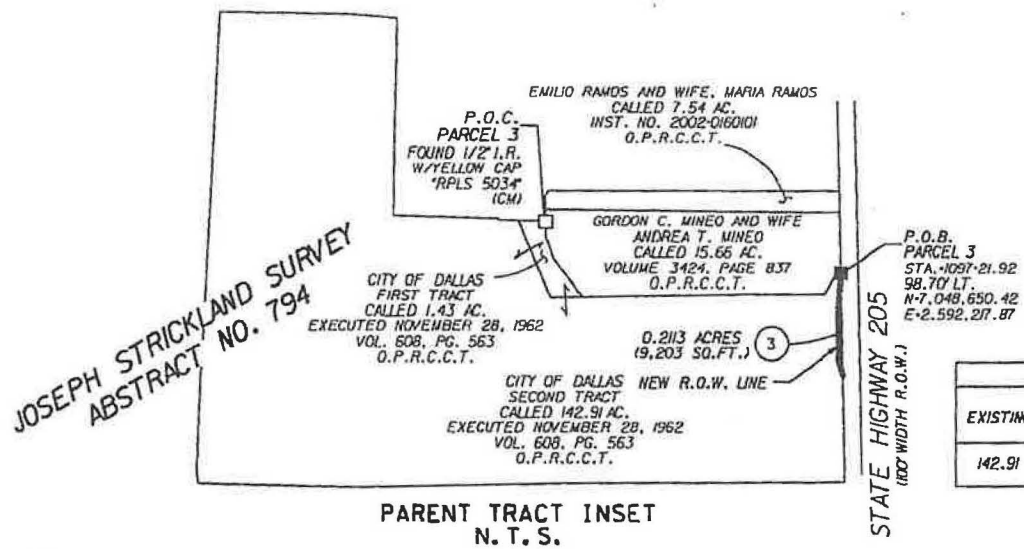
Stanley M. Brewer, R.P.L.S. Date
Texas Registration No. 6072

Lina T. Ramey & Associates
3320 Belt Line Road
Farmers Branch, Texas 75234
Ph. 214-979-1144
TBPLS FIRM NO. 10140700



NOTES:

1. ABSTRACT DATE: DECEMBER 2017 THROUGH JANUARY 2018.
2. BASIS OF BEARINGS IS TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM (NAD 83) 2011 ADJUSTMENT, EPOCH 2010.
3. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE, UNLESS OTHERWISE NOTED, AND MAY BE CONVERTED TO GRID BY DIVIDING BY TxDOT COMBINED SCALE FACTOR OF 1.000146135. UNIT OF MEASURE IS SURVEY FOOT.
4. THE STATION AND OFFSET INFORMATION REFERS TO THE BASELINE DESCRIBED IN THE PROJECT SCHEMATIC DATED 8-31-2017; PROJECT CONTROL-SECTION-JOB: 0451-03-013.
5. PROJECT CONTROL AS ESTABLISHED BY OTHERS AND PROVIDED BY TxDOT.
6. FIELD SURVEYS WERE PERFORMED BETWEEN JANUARY 2018 AND MAY 2018.
7. PARCEL REMAINDER AREA IS DERIVED BY SUBTRACTING THE CALCULATED FEE AREA OF THE PARCEL FROM THE CALLED ACREAGE OF THE PARENT TRACT, LESS ANY OTHER CALLED FEE ACREAGE OF PROPERTY CONVEYANCES OF RECORD, FROM THE PARENT TRACT.



PARENT TRACT INSET
N. T. S.

AREA TABLE (ACRES)			
EXISTING	ACQUISITION	REMAINDER (CALCULATED)	
		LEFT	RIGHT
142.91	0.2113	142.6987	

LEGEND

EXISTING ROW	
PROPERTY LINE	℄
PROPOSED ROW	
SURVEY LINE	℄
PROPOSED ACCESS DENIAL LINE	
POINT OF COMMENCING	P.O.C.
POINT OF BEGINNING	P.O.B.
SET 5/8" IRON ROD WITH PINK PLASTIC CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION ROW MONUMENT" (UNLESS NOTED OTHERWISE)	■
SET 5/8" IRON ROD WITH TXDOT ALUMINUM CAP STAMPED "ACCESS DENIAL"	◩
FOUND (AS NOTED)	□
SET 5/8" IRON ROD WITH CAP STAMPED "LTRA" (UNLESS NOTED OTHERWISE)	◉
CONTROLLING MONUMENT	CM

D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY TEXAS
O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY TEXAS
P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY TEXAS

NOTES:

CALLS SHOWN IN PARENTHESIS ARE AS PREVIOUSLY RECORDED.

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** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.

A PLAT OF A SURVEY OF PARCEL 3 FOR STATE HIGHWAY 205 RIGHT OF WAY CSJ: 0451-03-015 A 9,203 SQ. FT. (0.2113 AC.) TRACT OF LAND IN THE JOSEPH STRICKLAND SURVEY ABSTRACT NUMBER 794 COLLIN COUNTY, TEXAS

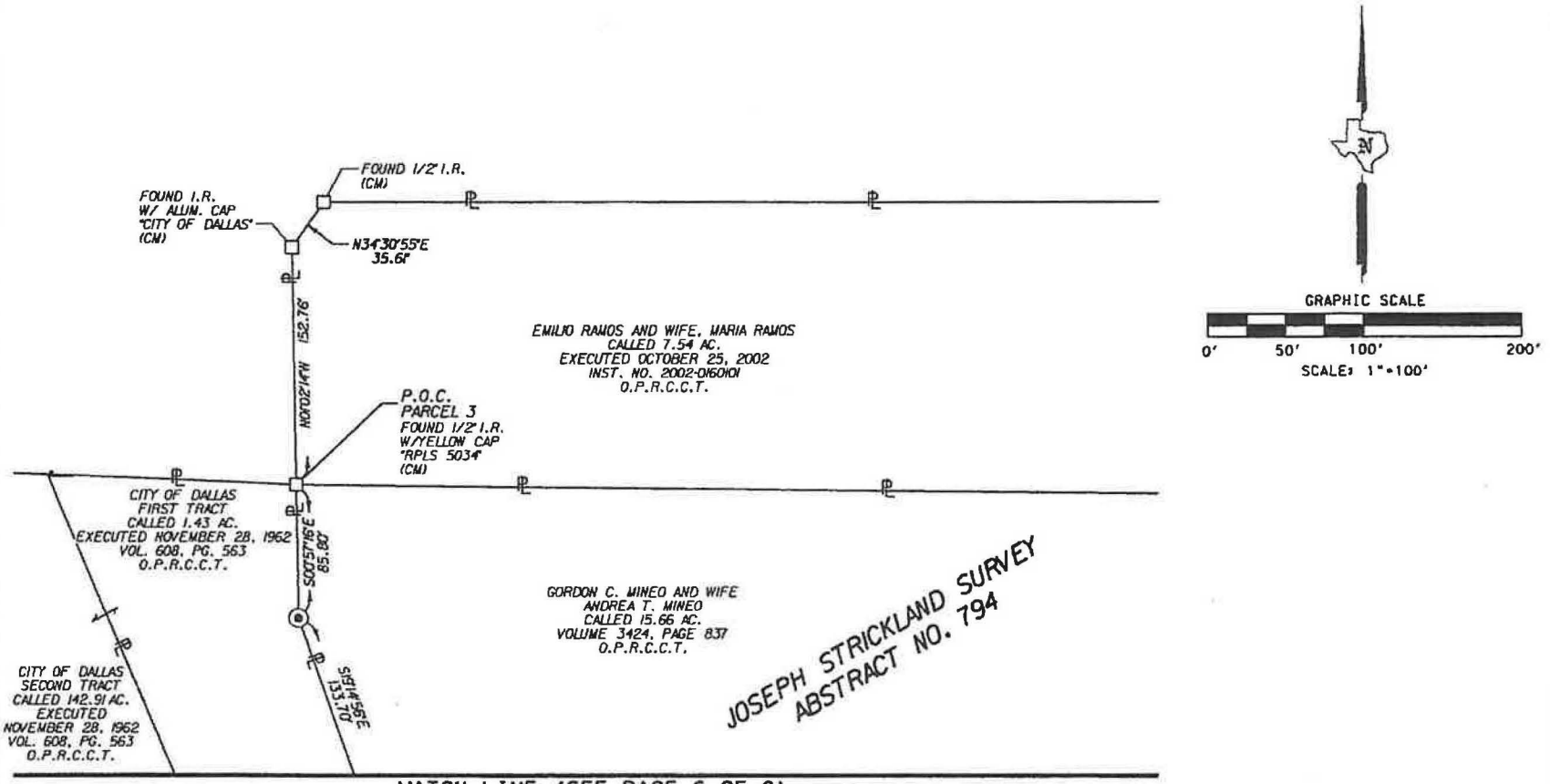
EXHIBIT "A"
PAGE 4 OF 9

LINA T. RAMEY & ASSOCIATES, INC.
3320 Belt Line Road
Farmers Branch, Texas 75234
TBPLS FIRM NO. 10140700
PHONE 214-979-1144

7/1/2018

O:_136 TxDOT DALLAS 18-7IDP1010\01 SH 205 ROW MAPPING-Collin Co\DGN\PARCELS\CSJ0451-03-015_3_1.dgn

Exhibit A



MATCH LINE (SEE PAGE 6 OF 9)

LEGEND

EXISTING ROW	
PROPERTY LINE	℄
PROPOSED ROW	
SURVEY LINE	
PROPOSED ACCESS DENIAL LINE	
POINT OF COMMENCING	P.O.C.
POINT OF BEGINNING	P.O.B.
SET 5/8" IRON ROD WITH PINK PLASTIC CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION ROW MONUMENT" (UNLESS NOTED OTHERWISE)	■
SET 5/8" IRON ROD WITH TXDOT ALUMINUM CAP STAMPED "ACCESS DENIAL"	◪
FOUND (AS NOTED)	□
SET 5/8" IRON ROD WITH CAP STAMPED "LTRA" (UNLESS NOTED OTHERWISE)	◉
CONTROLLING MONUMENT	CM

D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY TEXAS
O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY TEXAS
P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY TEXAS

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EXHIBIT "A"
PAGE 5 OF 9

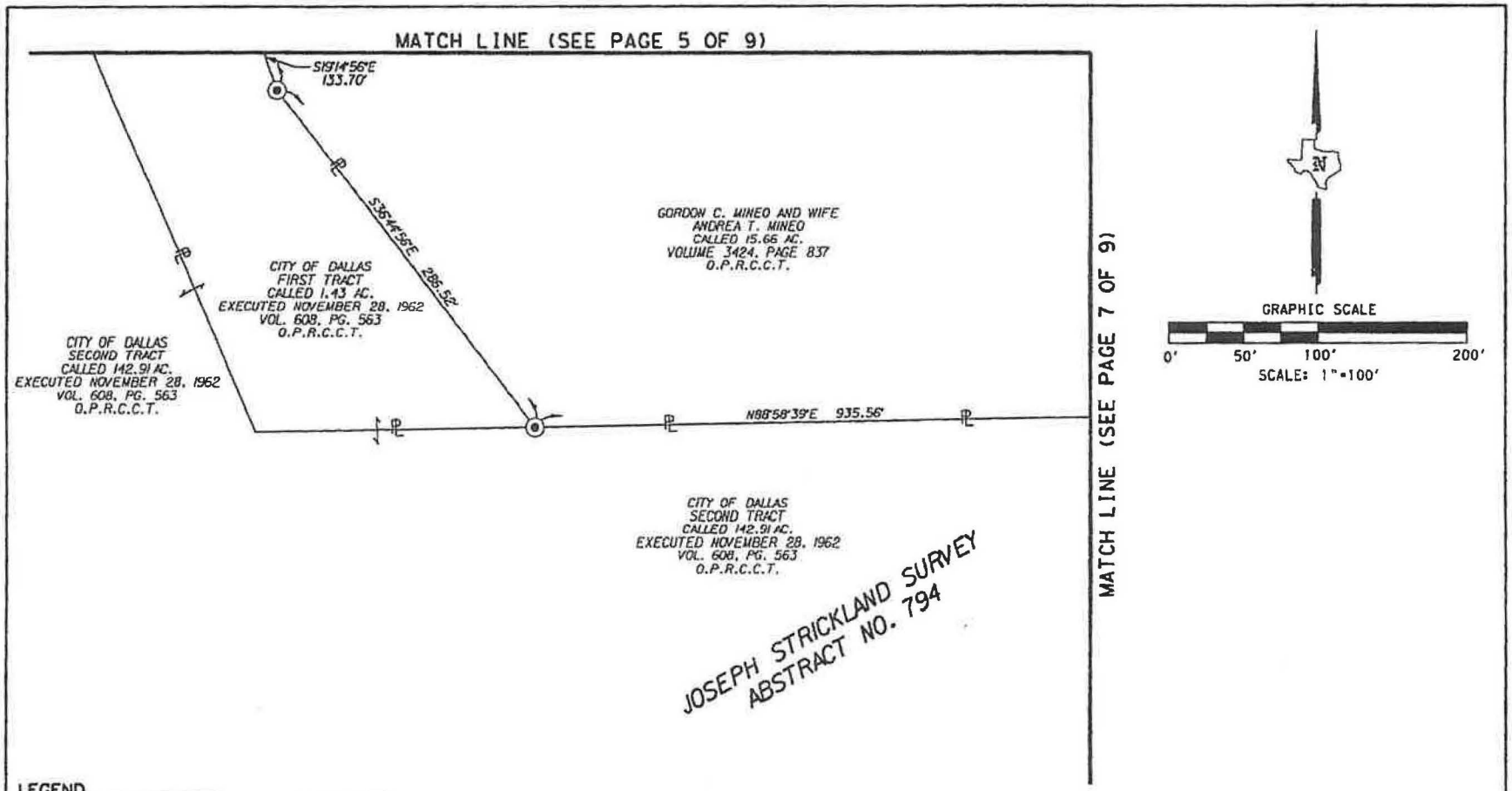
LINA T. RAMEY & ASSOCIATES, INC.
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7/1/2018

O:_136 TxDOT DALLAS 18-7IDP1010\01 SH 205 ROW MAPPING-Collin Co\DGN\PARCELS\CSJ045103015_3_2.dgn

Exhibit A

Exhibit A



LEGEND

EXISTING ROW	
PROPERTY LINE	PL
PROPOSED ROW	
SURVEY LINE	
PROPOSED ACCESS DENIAL LINE	
POINT OF COMMENCING	P.O.C.
POINT OF BEGINNING	P.O.B.
SET 5/8" IRON ROD WITH PINK PLASTIC CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION ROW MONUMENT" (UNLESS NOTED OTHERWISE)	■
SET 5/8" IRON ROD WITH TXDOT ALUMINUM CAP STAMPED "ACCESS DENIAL"	◪
FOUND (AS NOTED)	□
SET 5/8" IRON ROD WITH CAP STAMPED "LTRA" (UNLESS NOTED OTHERWISE)	◉
CONTROLLING MONUMENT	CM

D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY TEXAS
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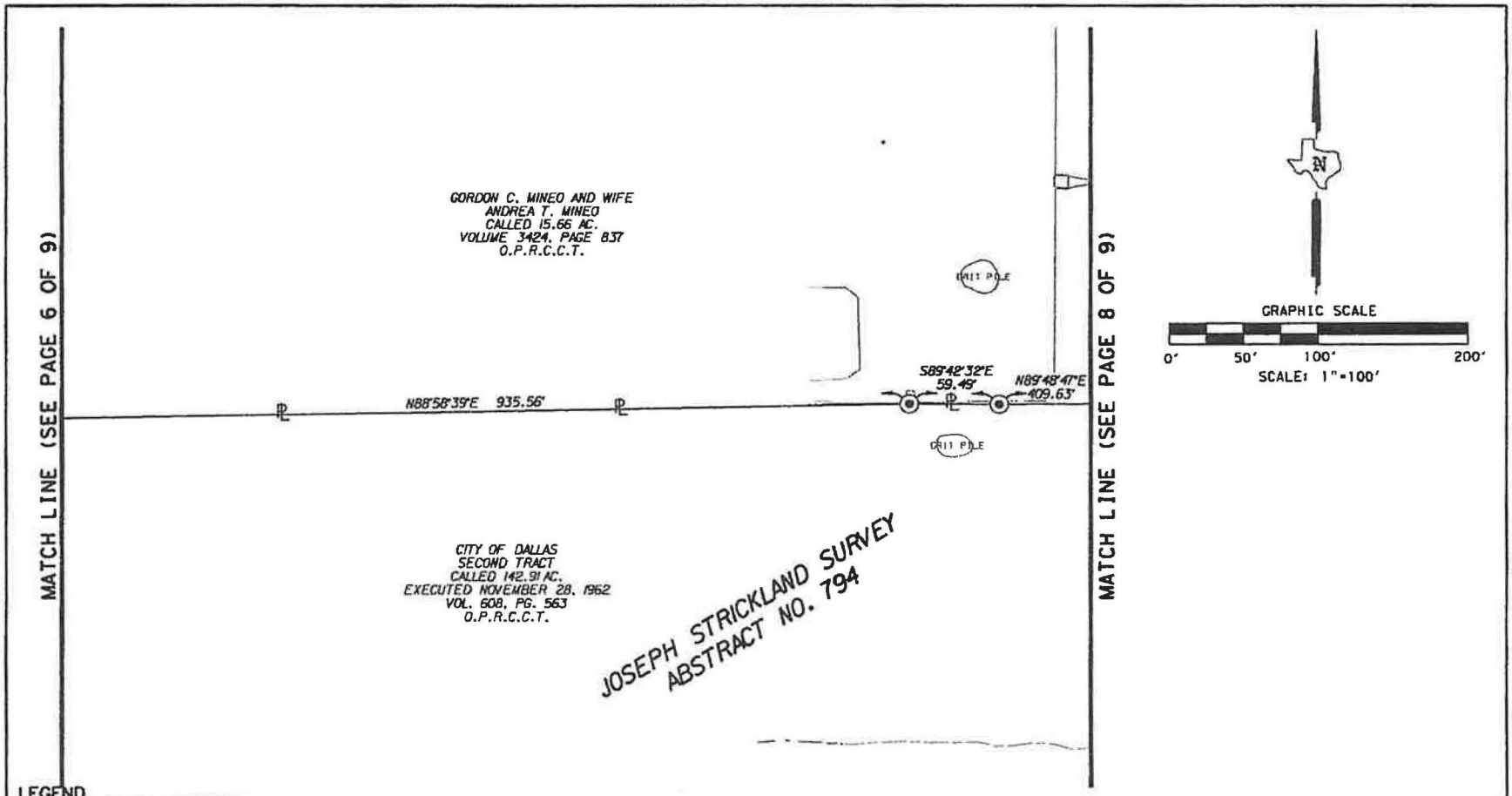
EXHIBIT "A"
PAGE 6 OF 9

LTRA
LINA T. RAMEY & ASSOCIATES, INC.
3320 Belt Line Road
Farmers Branch, Texas 75234
TBPLS FIRM NO. 10140700
PHONE 214-979-1144

7/1/2018

O:_136 TxDOT DALLAS 18-7IDP1010\01 SH 205 ROW MAPPING-Collin Co\DGN\PARCELS\CSJ045103015_3_3.dgn

Exhibit A



LEGEND

EXISTING ROW	
PROPERTY LINE	PL
PROPOSED ROW	
SURVEY LINE	SL
PROPOSED ACCESS DENIAL LINE	
POINT OF COMMENCING	P.O.C.
POINT OF BEGINNING	P.O.B.
SET 5/8" IRON ROD WITH PINK PLASTIC CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION ROW MONUMENT" (UNLESS NOTED OTHERWISE)	■
SET 5/8" IRON ROD WITH TXDOT ALUMINUM CAP STAMPED "ACCESS DENIAL"	◪
FOUND (AS NOTED)	□
SET 5/8" IRON ROD WITH CAP STAMPED "LTRA" (UNLESS NOTED OTHERWISE)	⊙
CONTROLLING MONUMENT	CM

D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY TEXAS
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A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.

A PLAT OF A SURVEY OF PARCEL 3 FOR STATE HIGHWAY 205 RIGHT OF WAY CSJ: 0451-03-015 A 9,203 SQ. FT. (0.2113 AC.) TRACT OF LAND IN THE JOSEPH STRICKLAND SURVEY ABSTRACT NUMBER 794 COLLIN COUNTY, TEXAS

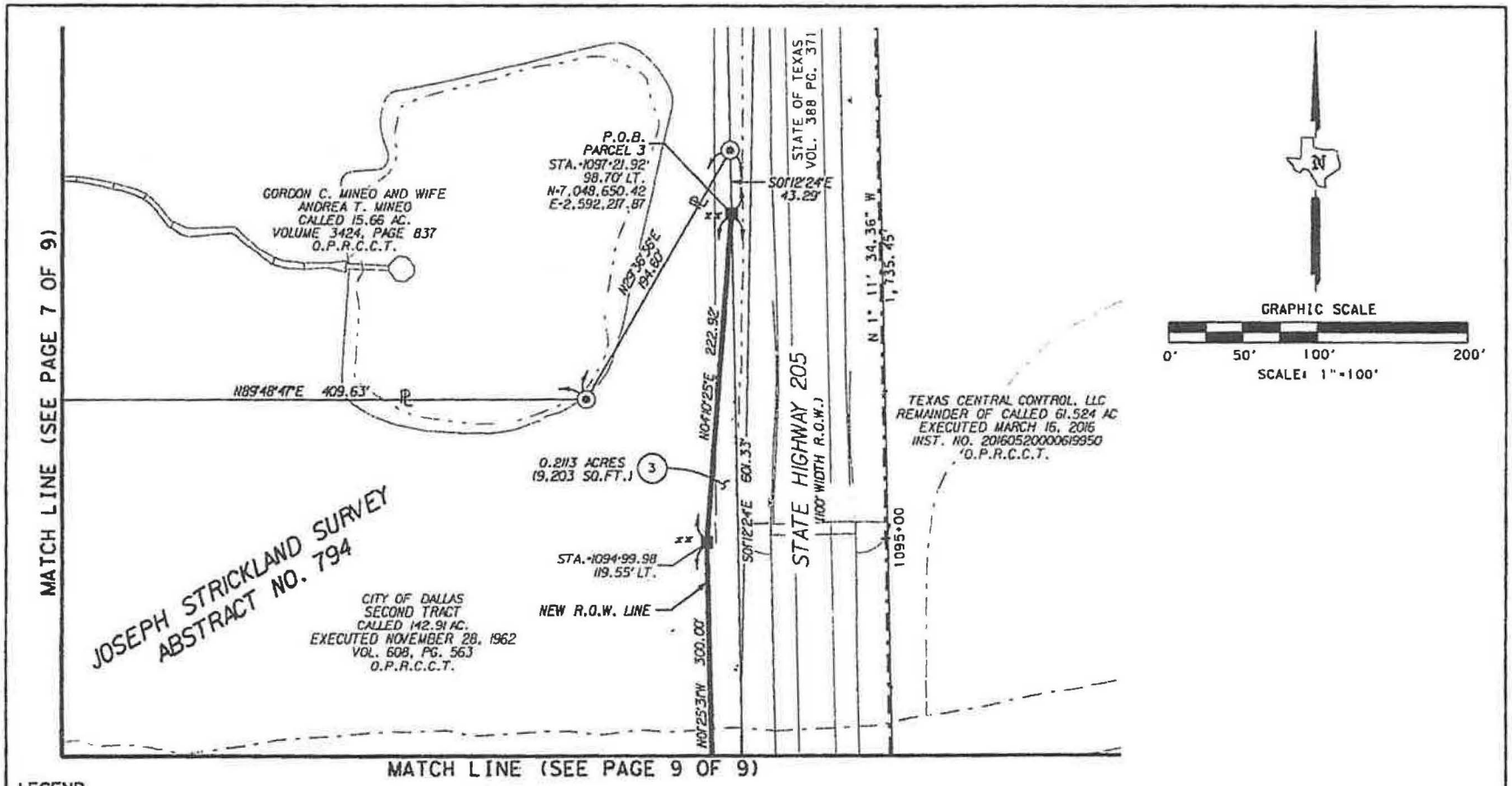
EXHIBIT "A"
PAGE 7 OF 9

LINA T. RAMEY & ASSOCIATES, INC.
3320 Belt Line Road
Farmers Branch, Texas 75234
TBPLS FIRM NO. 10140700
PHONE 214-979-1144

7/1/2018

O:_136 TxDOT DALLAS 18-7IDP1010\01 SH 205 ROW MAPPING-Collin Co\DGN\PARCELS\CSJ045103015_3_4.dgn

Exhibit A



LEGEND

EXISTING ROW	
PROPERTY LINE	
PROPOSED ROW	
SURVEY LINE	
PROPOSED ACCESS DENIAL LINE	
POINT OF COMMENCING	P.O.C.
POINT OF BEGINNING	P.O.B.
SET 5/8" IRON ROD WITH PINK PLASTIC CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION ROW MONUMENT" (UNLESS NOTED OTHERWISE)	■
SET 5/8" IRON ROD WITH TXDOT ALUMINUM CAP STAMPED "ACCESS DENIAL"	◪
FOUND (AS NOTED)	□
SET 5/8" IRON ROD WITH CAP STAMPED "LTRA" (UNLESS NOTED OTHERWISE)	⊙
CONTROLLING MONUMENT	CM

D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY TEXAS
O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY TEXAS
P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY TEXAS

NOTES:

CALLS SHOWN IN PARENTHESIS ARE AS PREVIOUSLY RECORDED.

ALL BEARINGS AND COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 (NAD 1983) 2011 ADJUSTMENT, EPOCH 2010. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.000146135.

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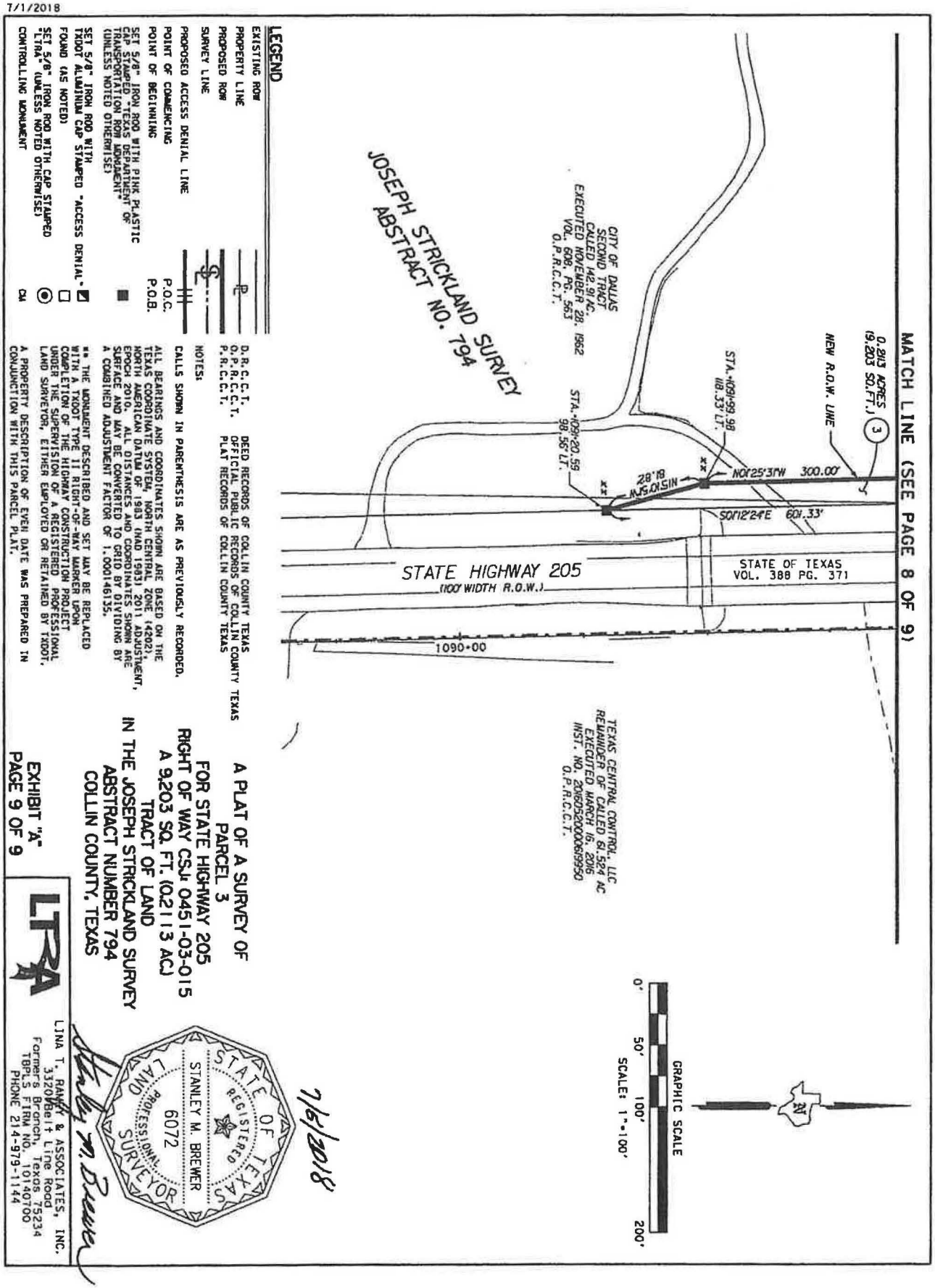
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O:_136 TxDOT DALLAS 18-7IDP1010\01 SH 205 ROW MAPPING-Collin Co\DGN\PARCELS\CSJ045103015_3_5.dgn

Exhibit A


MATCH LINE (SEE PAGE 8 OF 9)
0.293 ACRES (9,203 SQ.FT.)
3
NEW R.O.W. LINE
STA. 1091+99.98
118.33' LT.
STA. 1091+20.59
98.56' LT.
N01°25'31"W 300.00'
N15°01'51"W 28.18'
S01°12'24"E 601.33'
CITY OF DALLAS
SECOND TRACT
CALLED 142.91 AC.
EXECUTED NOVEMBER 28, 1962
VOL. 608, PG. 563
O.P.R.C.C.T.
JOSEPH STRICKLAND SURVEY
ABSTRACT NO. 794
STATE HIGHWAY 205
(100' WIDTH R.O.W.)
STATE OF TEXAS
VOL. 388 PG. 371
1090+00
TEXAS CENTRAL CONTROL, LLC
REMAINDER OF CALLED 61.524 AC
EXECUTED MARCH 16, 2016
INST. NO. 20160520000659950
O.P.R.C.C.T.
GRAPHIC SCALE
0'
50'
100'
200'
SCALE: 1"=100'
LEGEND
EXISTING ROW
PROPERTY LINE
PROPOSED ROW
SURVEY LINE
PROPOSED ACCESS DENIAL LINE
POINT OF COMMENCING
POINT OF BEGINNING
SET 5/8" IRON ROD WITH PINK PLASTIC CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION ROW MONUMENT" OR (UNLESS NOTED OTHERWISE)
SET 5/8" IRON ROD WITH TXDOT ALUMINUM CAP STAMPED "ACCESS DENIAL"
FOUND (AS NOTED)
SET 5/8" IRON ROD WITH CAP STAMPED "LTRA" (UNLESS NOTED OTHERWISE)
CONTROLLING MONUMENT
P.O.C.
P.O.B.
CM
D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY TEXAS
O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY TEXAS
P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY TEXAS
NOTES:
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A PLAT OF A SURVEY OF
PARCEL 3
FOR STATE HIGHWAY 205
RIGHT OF WAY CSJ# 0451-03-015
A 9,203 SQ. FT. (0.2113 AC.)
TRACT OF LAND
IN THE JOSEPH STRICKLAND SURVEY
ABSTRACT NUMBER 794
COLLIN COUNTY, TEXAS
STATE OF TEXAS
REGISTERED
STANLEY M. BREWER
6072
PROFESSIONAL
LAND
SURVEYOR
7/6/2018
LTRA
LINA T. RANEY & ASSOCIATES, INC.
3320 Belt Line Road
Farmers Branch, Texas 75234
TBPLS FIRM NO. 10140700
PHONE 214-979-1144
EXHIBIT "A"
PAGE 9 OF 9
7/1/2018
O:_136 TxDOT DALLAS 18-7IDP1010\01 SH 205 ROW MAPPING-Collin Co\DGN\PARCELS\CSJ0451030I5_3_6.dgn

Agenda Information Sheet

File #: 19-611 **Item #:** 22.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A resolution authorizing the conveyance of a tract of land and Drainage Easement for a total of approximately 9,308 square feet of City-owned land to the State of Texas located in Collin County near the intersection of State Highway 205 and John King Boulevard - Revenue: $2,712.00

BACKGROUND

This item authorizes the conveyance of a tract of land and Drainage Easement for a total of approximately 9,308 square feet of City-owned land to the State of Texas, located in Collin County near the intersection of State Highway 205 and John King Boulevard, for the redevelopment and improvement of the State Highway 205 Right-of-Way Project. The State of Texas is an entity with the power of eminent domain. The City may sell or exchange its property to a governmental entity that has the power of eminent domain without complying with the notice and bid requirements pursuant to Chapter 272 of the Local Government Code. The purchase price is based on an independent appraisal.

This property will be conveyed with a reservation of all oil, gas and other minerals in and under the property.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

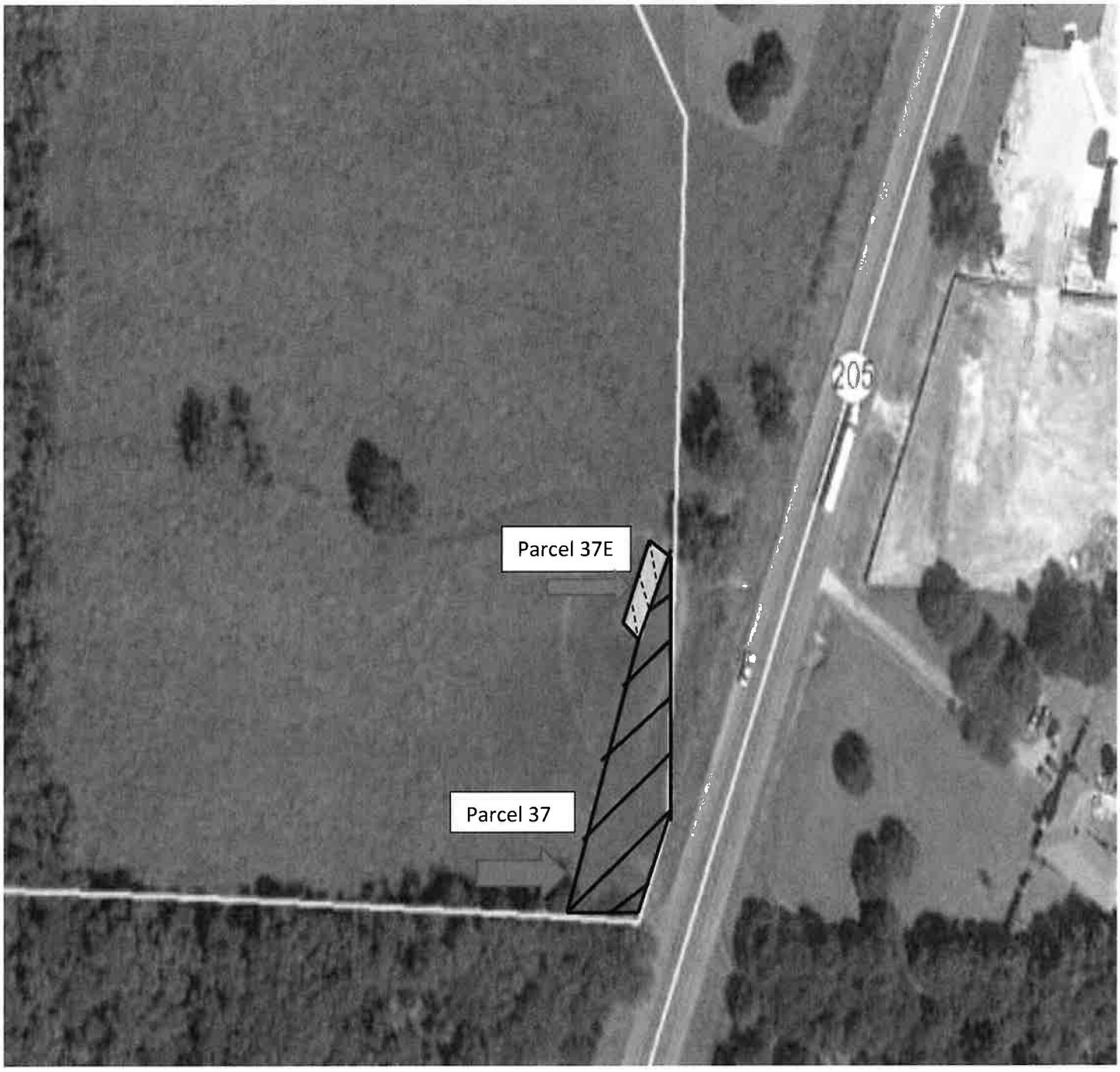
Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Revenue: $2,712.00

MAP

Attached



City of Dallas Surplus Property in Collin County Property ID: 431009

Tract of Land (Parcel 37)

Drainage Easement (Parcel 37E)

N

WHEREAS, the City of Dallas ("City") is the owner of a tract of land containing approximately 9,308 square feet of land, being in Collin County, Texas, (the "Property"), and is located near the intersection of State Highway 205 and John King Boulevard, which is no longer needed for municipal use; and

WHEREAS, the Texas Department of Transportation, a State of Texas agency, has the power of eminent domain and proposes to acquire said property at fair market value for a state highway project for State Highway 205; and

WHEREAS, the City of Dallas may sell or exchange its property to a governmental entity that has the power of eminent domain, for fair market value as determined by an appraisal, without complying with the notice and bidding requirements for the sale of public lands provided for in Chapter 272, Section 272.001 of the Texas Local Government Code; and

WHEREAS, certain provisions of Section 2-24 of the Dallas City Code do not apply to the sale of land by the City of Dallas to other governmental entities as contemplated and authorized herein.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That upon receipt of **TWO THOUSAND SEVEN HUNDRED TWELVE AND NO/100 DOLLARS ($2,712.00)** from the State of Texas, acting by and through the Texas Transportation Commission, the City Manager or designee is authorized to execute a Deed Without Warranty and a Drainage Easement to be attested by the City Secretary, approved as to form by the City Attorney, said Deed Without Warranty and a Drainage Easement are subject to the conditions contained in Section 2.

SECTION 2. That the Deed Without Warranty and a Drainage Easement shall provide that the conveyance to the State of Texas, acting by and through the Texas Transportation Commission, **("GRANTEE")** are subject to the following:

(a) a restriction prohibiting the placement of industrialized housing on the property; and

(b) reservation by the City of Dallas of all oil, gas and other minerals in and under the property with a waiver of surface access rights relating to said minerals; and

(c) any visible and apparent easements and any encroachments whether of record or not; and

SECTION 2. (continued)

(d) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases or other instruments of record and applicable to the property or any part thereof; and

(e) to the maximum extent allowed by law, (i) **GRANTEE** is taking the Property "AS IS, WHERE IS, WITH ALL FAULTS"; (ii) GRANTOR disclaims responsibility as to the accuracy or completeness of any information relating to the Property; (iii) **GRANTEE** assumes all responsibility to examine all applicable building codes and zoning ordinances to determine if the Property can be used for the purposes desired and to check for outstanding or pending code enforcement actions including but not limited to repair or demolition orders; and (iv) GRANTOR expressly disclaims and **GRANTEE** expressly waives, any warranty or representation, express or implied, including without limitation any warranty of condition, habitability, merchantability or fitness for a particular purpose of the Property; and

(f) GRANTOR makes no representations of any nature regarding the Property and specifically disclaims any warranty, guaranty or representation, oral or written, express or implied, past, present, or future, concerning: (i) the nature and condition of the Property, including without limitation, the water, soil and geology, and the suitability thereof and the Property for any and all activities and uses which **GRANTEE** may elect to conduct thereon, and the existence of any environmental substances, hazards or conditions or presence of any endangered or protected species thereon or compliance with all applicable laws, rules or regulations; (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or otherwise; (iii) the compliance of the Property or its operation with any law, ordinance or regulation of any federal, state, or local governmental authority; and (iv) whether or not the Property can be developed or utilized for any purpose. For purposes hereof, "environmental substances" means the following: (a) any "hazardous substance" under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C.A. Section 9601 et. seq., as amended, (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, Tex. Water Code, Section 26.261, et. seq., as amended, c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubrication oils, (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C.A. Section 651 et. seq., as amended, (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C.A. Section 6901 et. seq., as amended, (f) asbestos, (g) polychlorinated biphenyls, (h) underground storage tanks, whether empty, filled, or partially

SECTION 2. (continued)

filled with any substance, (i) any substance, the presence of which is prohibited by federal, state or local laws and regulations; and (j) any other substance which by federal, state or local laws and regulations requires special handling or notification of governmental authorities in its collection, storage, treatment or disposal. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated.

(g) such other terms and requirements of the sale and/or disclaimers as the City deems necessary, convenient or appropriate.

SECTION 3. That the sale proceeds shall be deposited into the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction Services-Real Estate Division shall be reimbursed for the cost of obtaining legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in the General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the Water Utilities Current Fun, Fund 0100, Department DWU, Unit 4005, Revenue Code 8416.

SECTION 4. That if a title policy is desired by **GRANTEE**, same shall be at the expense of said **GRANTEE**.

SECTION 5. That the sale shall be subject to standby fees, taxes and assessments, if any, by any taxing authority for the year of closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes and assessments being assumed by **GRANTEE**.

SECTION 6. That the procedures required by Section 2-24 of the Dallas City Code that are not required by state law concerning the sale of unneeded real property are waived with respect to this tract of land.

SECTION 7. That this resolution is designated for City purposes as Contract No. DEV-2019-00010070.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

BY: _____
Assistant City Attorney

EXHIBIT A-TRACT 1

County: Collin
Highway: State Highway 205
Parcel 37
STA. 1157+52.85 to STA. 1160+41.52
R.O.W. CSJ: 0451-03-015

June 14, 2018
Revised February 14, 2019

Description for Parcel 37

BEING 8,251 square feet of land, more or less, in S.A. Roberts Survey, Abstract Number 773, Collin County, Texas, and being part of a called 40.04 acre "Second Tract" as conveyed by deed from J.A. Payton to the City of Dallas, executed June 17, 1968, as recorded in Volume 711, Page 738, Deed Records, Collin County, Texas (D.R.C.C.T.), said 8,251 square feet [0.1894 Acres] of land being more particularly described by metes and bounds as follows:

COMMENCING at a City of Dallas 3 inch brass monument found (controlling monument) at the northwest corner of Lot 1 of Lakeside Estates, an addition to Collin County, as recorded in Volume B, Page 178, Plat Records, Collin County, Texas (P.R.C.C.T.), being on the south line of said City of Dallas tract;

THENCE North 89 degrees 44 minutes 19 seconds East, along the north line of said Lot 1 and the south line of said City of Dallas tract, a distance of 165.63 feet to a set 5/8 inch iron rod with pink plastic cap stamped "TEXAS DEPARTMENT OF TRANSPORTATION ROW MONUMENT"**, (hereafter referred to as a set "TxDOT" monument) on the new west right of way line of State Highway 205 (variable width right of way), also being the POINT OF BEGINNING, and being 101.67 feet left of Station 1157+52.85, and having a N.A.D. 83 (2011 Adjustment), Texas State Plane North Central Zone (4202) surface coordinate of Northing 7,054,539.03 and Easting 2,593,103.38;

1) THENCE North 12 degrees 47 minutes 44 seconds East, departing the north line of said Lot 1 and the south line of said City of Dallas Second Tract, along said new west right of way line of State Highway 205, a distance of 49.79 feet to a set "TxDOT" monument**, and the beginning of a curve to the right;

2) THENCE 148.14 feet along the arc of said curve to the right, continuing along said new west right of way line of said State Highway 205, through a central angle of 04 degree 01 minutes 49 seconds, having a radius of 2,106.00 feet, and a long chord which bears North 20 degrees 28 minutes 43 seconds East, 148.11 feet to a set "TxDOT" monument**;

3) THENCE North 22 degrees 29 minutes 38 seconds East, continuing along said new west right of way line of said State Highway 205, a distance of 100.83 feet to a set "TxDOT" monument on the east line of said City of Dallas Second Tract and the west line of a tract of land conveyed to Rhonda Kay Sorrells recorded in Volume 2049, Page 282, said Deed Records (D.R.C.C.T.), being 106.00 feet left of Station 1160+41.52;

4) THENCE South 02 degree 01 minute 17 seconds West, along the east line of said City of Dallas Second tract and the west line of said Sorrells tract, a distance of 127.30 feet to a City of Dallas 3 inch brass monument found (controlling monument) at an angle point in the east line of said City of Dallas Second Tract and the west line of said Sorrells tract;

FIELD NOTES APPROVED:
3/7/19

EXHIBIT A-TRACT 1

County: Collin
Highway: State Highway 205
Parcel 37
STA. 1157+52.85 to STA. 1160+41.52
R.O.W. CSJ: 0451-03-015

June 14, 2018
Revised February 14, 2019

Description for Parcel 37

5) THENCE South 28 degrees 13 minutes 48 seconds West, continuing along the southeast line of said City of Dallas tract and the west line of said Sorrells tract, at a distance of 171.52 feet passing a City of Dallas 3 inch brass monument found (controlling monument), and continuing for a total distance of 173.86 feet to a 5/8 inch iron rod with cap stamped "LTRA" set at the southeast corner of said City of Dallas Second Tract and the southwest corner of said Sorrells tract, from which a found brass monument in concrete bears North 89 degrees 44 minutes 19 seconds East, 26.32 feet;

6) THENCE South 89 degrees 44 minutes 19 seconds West, along the south line of said City of Dallas Second Tract and the north line of the aforementioned Lot 1, a distance of 14.70 feet to the POINT OF BEGINNING and containing 8,251 square feet [0.1894 Acres] of land, more or less.

** The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

The Basis of Bearings is the Texas State Plane Coordinate System of 1983, North Central Zone (4202), North American Datum (NAD83) 2011 Adjustment, EPOCH 2010. All distances coordinates shown are surface, unless otherwise noted, and may be converted to grid by dividing by the TxDOT combined scale factor of 1.000146135. Unit of measure is Survey Foot.

Station and Offset Information refers to the baseline described in the Project Schematic dated 08-31-2017; Control-Section-Number 0451-03-013.

Survey plat of even date herewith accompanies the legal description.

I, Stanley M. Brewer, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the land description and plat represent an actual survey made on the ground under my supervision.

Stanley M. Brewer 2/18/2019

Stanley M. Brewer, R.P.L.S. Date
Texas Registration No. 6072

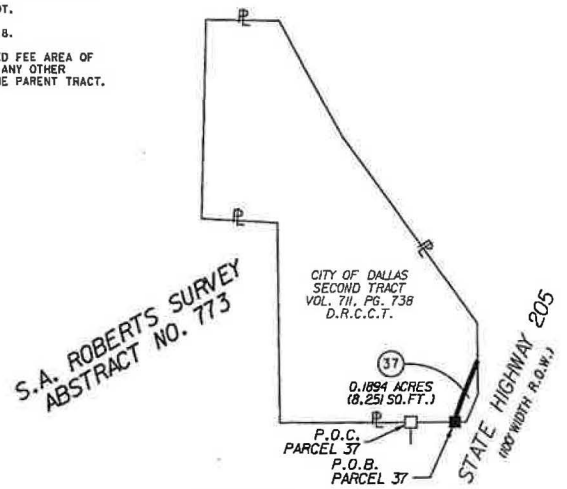


Lina T. Ramey & Associates, Inc.
3320 Belt Line Road
Farmers Branch, Texas 75234
Ph. 214-979-1144
TBPLS FIRM NO. 10140700

EXHIBIT A-TRACT 1

NOTES:

1. ABSTRACT DATE: DECEMBER 2017 THROUGH JANUARY 2018.
2. BASIS OF BEARINGS IS TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM (NAD 83) 2011 ADJUSTMENT, EPOCH 2010.
3. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE, UNLESS OTHERWISE NOTED, AND MAY BE CONVERTED TO GRID BY DIVIDING BY TxDOT COMBINED SCALE FACTOR OF 1.000146135. UNIT OF MEASURE IS SURVEY FOOT.
4. THE STATION AND OFFSET INFORMATION REFERS TO THE BASELINE DESCRIBED IN THE PROJECT SCHEMATIC DATED 8-31-2017; PROJECT CONTROL-SECTION-JOB: 0451-03-013
5. PROJECT CONTROL AS ESTABLISHED BY OTHERS AND PROVIDED BY TxDOT.
6. FIELD SURVEYS WERE PERFORMED BETWEEN JANUARY 2018 AND MAY 2018.
7. PARCEL REMAINDER AREA IS DERIVED BY SUBTRACTING THE CALCULATED FEE AREA OF THE PARCEL FROM THE CALLED ACREAGE OF THE PARENT TRACT, LESS ANY OTHER CALLED FEE ACREAGE OF PROPERTY CONVEYANCES OF RECORD, FROM THE PARENT TRACT.



PARENT TRACT INSET
N. T. S.

AREA TABLE (ACRES)			
EXISTING	ACQUISITION	REMAINDER (CALCULATED)	
		LEFT	RIGHT
CALLED 40.04	0.1894	39.8506	

DATE	DESCRIPTION
02-14-2019	REV. ACQUIRED ACREAGE

LEGEND

EXISTING ROW	
PROPERTY LINE	℄
PROPOSED ROW	
SURVEY LINE	℄
PROPOSED ACCESS DENIAL LINE	
POINT OF COMMENCING	P.O.C.
POINT OF BEGINNING	P.O.B.
SET 5/8" IRON ROD WITH PINK PLASTIC CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION ROW MONUMENT" (UNLESS NOTED OTHERWISE)	■
SET 5/8" IRON ROD WITH TXDOT ALUMINUM CAP STAMPED "ACCESS DENIAL"	◪
FOUND (AS NOTED)	□
SET 5/8" IRON ROD WITH CAP STAMPED "LTRA" (UNLESS NOTED OTHERWISE)	◉
CONTROLLING MONUMENT	CM

D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY TEXAS
O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY TEXAS
P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY TEXAS

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FOR STATE HIGHWAY 205
RIGHT OF WAY CSJ: 0451-03-015
A 8,251 SQ. FT. (0.1894 AC.)
TRACT OF LAND
IN THE S.A. ROBERTS SURVEY
ABSTRACT NUMBER 773
COLLIN COUNTY, TEXAS

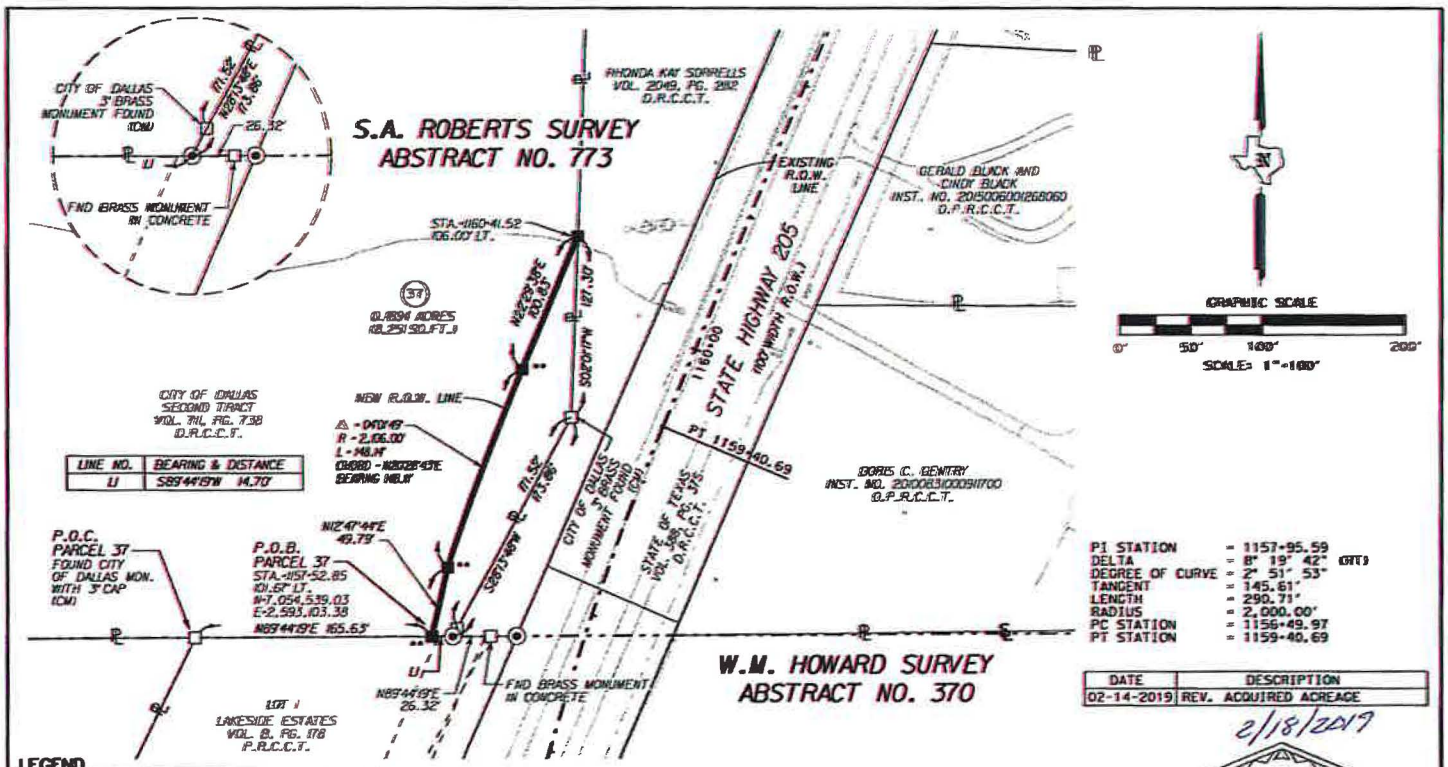
EXHIBIT "A"
PAGE 3 OF 4

LINA T. RAMEY & ASSOCIATES, INC.
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PHONE 214-979-1144

2/19/2019

O:_136 TxDOT DALLAS 18-7IDP1010\01 SH 205 ROW MAPPING-Collin Co\DGN\PARCELS\CSJ045103015_P37_1.dgn

EXHIBIT A-TRACT 1



LINE NO.	BEARING & DISTANCE
L1	S89°44'19"W 14.70'

DATE	DESCRIPTION
02-14-2019	REV. ACQUIRED ACREAGE

2/18/2019

LEGEND

EXISTING ROW	
PROPERTY LINE	℄
PROPOSED ROW	
SURVEY LINE	℄
PROPOSED ACCESS DENIAL LINE	
POINT OF COMMENCING	P.O.C.
POINT OF BEGINNING	P.O.B.
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FOUND (AS NOTED)	□
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CONTROLLING MONUMENT	CM

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** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.

A PLAT OF A SURVEY OF
PARCEL 37
FOR STATE HIGHWAY 205
RIGHT OF WAY CSJ#: 0451-03-015
A 8,251 SQ. FT. (0.1894 AC.)
TRACT OF LAND
IN THE S.A. ROBERTS SURVEY
ABSTRACT NUMBER 773
COLLIN COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
STANLEY M. BREWER
6072
PROFESSIONAL
LAND SURVEYOR

Stanley M. Brewer

EXHIBIT "A"
PAGE 4 OF 4

LTRA

LINA T. RAMEY & ASSOCIATES, INC.
3320 Belt Line Road
Farmers Branch, Texas 75234
TBPLS FIRM NO. 10140700
PHONE 214-979-1144

2/19/2019

O:_136 TxDOT DALLAS 18-7IDP1010\01 SH 205 ROW MAPPING-Collin Co\DGN\PARCELS\CSJ045103015_P37_2.dgn

EXHIBIT A-TRACT 2

County: Collin
Highway: State Highway 205
Parcel 37E
STA. 1159+92.96 to STA. 1160+52.72
R.O.W. CSJ: 0451-03-015

July 5, 2018
Revised February 14, 2019

Description for Parcel 37E

BEING 1,057 square feet of land, more or less, in S.A. Roberts Survey, Abstract Number 773, Collin County, Texas, and being part of the Second Tract as described in a deed from J.A. Payton to the City of Dallas, executed June 17, 1968, as recorded in Volume 711, Page 738, Deed Records, Collin County, Texas (D.R.C.C.T.), said 1,057 square feet [0.0243 Acres] of land being more particularly described by metes and bounds as follows:

COMMENCING at a found City of Dallas 3 inch brass monument (controlling monument) at an angle point in the east line of said City of Dallas Second Tract, also being an also being an angle point in the west line of a tract of land described in a deed to Rhonda Kay Sorrells recorded in Volume 2049, Page 282, said deed records (D.R.C.C.T.), said monument also being 191.29 feet left of Station 1162+69.98;

THENCE South 02 degrees 01 minutes 17 seconds West, along the east line of said City of Dallas Second Tract and the west line of said Rhonda Kay Sorrells tract, a distance of 231.91 feet to a 5/8 inch iron rod with cap stamped "LTRA" set at the POINT OF BEGINNING, and being 110.18 feet left of Station 1160+52.72, and having a N.A.D. 83 (2011 Adjustment), Texas State Plane North Central Zone (4202) surface coordinate of Northing 7,054,831.44 and Easting 2,593,205.22;

1) THENCE South 02 degrees 01 minutes 17 seconds West, continuing along the east line of said City of Dallas Second Tract, and the west line of said Rhonda Kay Sorrells tract, a distance of 11.95 feet to a set 5/8 inch iron rod with pink plastic cap stamped "TEXAS DEPARTMENT OF TRANSPORTATION ROW MONUMENT" on the new westerly right of way line of State Highway 205 (a variable width right of way);

2) THENCE South 22 degrees 29 minutes 38 seconds West, along the new westerly right of way line of said State Highway 205, a distance of 48.89 feet to a 5/8 inch iron rod with cap stamped "LTRA" set;

3) THENCE North 66 degrees 28 minutes 13 seconds West, departing the new westerly right of way line of said State Highway 205, a distance of 18.00 feet to a 5/8 inch iron rod with cap stamped "LTRA" set;

4) THENCE North 22 degrees 29 minutes 38 seconds East, a distance of 60.01 feet to a 5/8 inch iron rod with cap stamped "LTRA" set;

5) THENCE South 66 degrees 28 minutes 13 seconds East, a distance of 13.82 feet to the POINT OF BEGINNING and containing 1,057 square feet [0.0243 Acres] of land, more or less.

** The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

The Basis of Bearings is the Texas State Plane Coordinate System of 1983, North Central Zone (4202), North American Datum (NAD83) 2011 Adjustment, EPOCH 2010. All distances coordinates shown are surface, unless otherwise noted, and may be converted to grid by dividing by the TxDOT combined scale factor of 1.000146135. Unit of measure is Survey Foot.

FIELD NOTES APPROVED:
3/7/19

EXHIBIT A-TRACT 2

County: Collin
Highway: State Highway 205
Parcel 37E
STA. 1159+92.96 to STA. 1160+52.72
R.O.W. CSJ: 0451-03-015

July 5, 2018
Revised February 14, 2019

Description for Parcel 37E

Station and Offset Information refers to the baseline described in the Project Schematic dated 08-31-2017; Control-Section-Number 0451-03-013.

Survey plat of even date herewith accompanies the legal description.

I, Stanley M. Brewer, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the land description and plat represent an actual survey made on the ground under my supervision.

Stanley M Brewer 2/18/2019

Stanley M. Brewer, R.P.L.S. Date
Texas Registration No. 6072

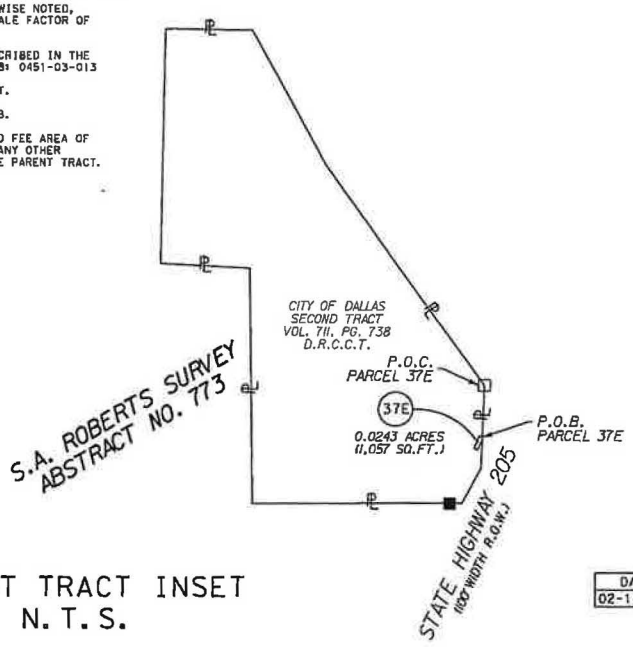
Lina T. Ramey & Associates, Inc.
3320 Belt Line Road
Farmers Branch, Texas 75234
Ph. 214-979-1144
TBPLS FIRM NO. 10140700



EXHIBIT A-TRACT 2

NOTES:

1. ABSTRACT DATE: DECEMBER 2017 THROUGH JANUARY 2018.
2. BASIS OF BEARINGS IS TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM (NAD 83) 2011 ADJUSTMENT, EPOCH 2010.
3. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE, UNLESS OTHERWISE NOTED, AND MAY BE CONVERTED TO GRID BY DIVIDING BY TxDOT COMBINED SCALE FACTOR OF 1.000146135. UNIT OF MEASURE IS SURVEY FOOT.
4. THE STATION AND OFFSET INFORMATION REFERS TO THE BASELINE DESCRIBED IN THE PROJECT SCHEMATIC DATED 8-31-2017; PROJECT CONTROL-SECTION-JOB: 0451-03-013
5. PROJECT CONTROL AS ESTABLISHED BY OTHERS AND PROVIDED BY TxDOT.
6. FIELD SURVEYS WERE PERFORMED BETWEEN JANUARY 2018 AND MAY 2018.
7. PARCEL REMAINDER AREA IS DERIVED BY SUBTRACTING THE CALCULATED FEE AREA OF THE PARCEL FROM THE CALLED ACREAGE OF THE PARENT TRACT, LESS ANY OTHER CALLED FEE ACREAGE OF PROPERTY CONVEYANCES OF RECORD, FROM THE PARENT TRACT.



PARENT TRACT INSET
N. T. S.



DATE	DESCRIPTION
02-14-2019	REV. EASEMENT ACREAGE

LEGEND

EXISTING ROW	
PROPERTY LINE	℄
PROPOSED ROW	
SURVEY LINE	℄
PROPOSED ACCESS DENIAL LINE	
POINT OF COMMENCING	P.O.C.
POINT OF BEGINNING	P.O.B.
SET 5/8" IRON ROD WITH PINK PLASTIC CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION ROW MONUMENT" (UNLESS NOTED OTHERWISE)	■
SET 5/8" IRON ROD WITH TXDOT ALUMINUM CAP STAMPED "ACCESS DENIAL"	◪
FOUND (AS NOTED)	□
SET 5/8" IRON ROD WITH CAP STAMPED "LTRA" (UNLESS NOTED OTHERWISE)	◉
CONTROLLING MONUMENT	CM

D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY TEXAS
O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY TEXAS
P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY TEXAS

NOTES:

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FOR STATE HIGHWAY 205
RIGHT OF WAY CSJ: 0451-03-015
A 1,057 SQ. FT. (0.0243 AC.)
TRACT OF LAND
IN THE S.A. ROBERTS SURVEY
ABSTRACT NUMBER 773
COLLIN COUNTY, TEXAS

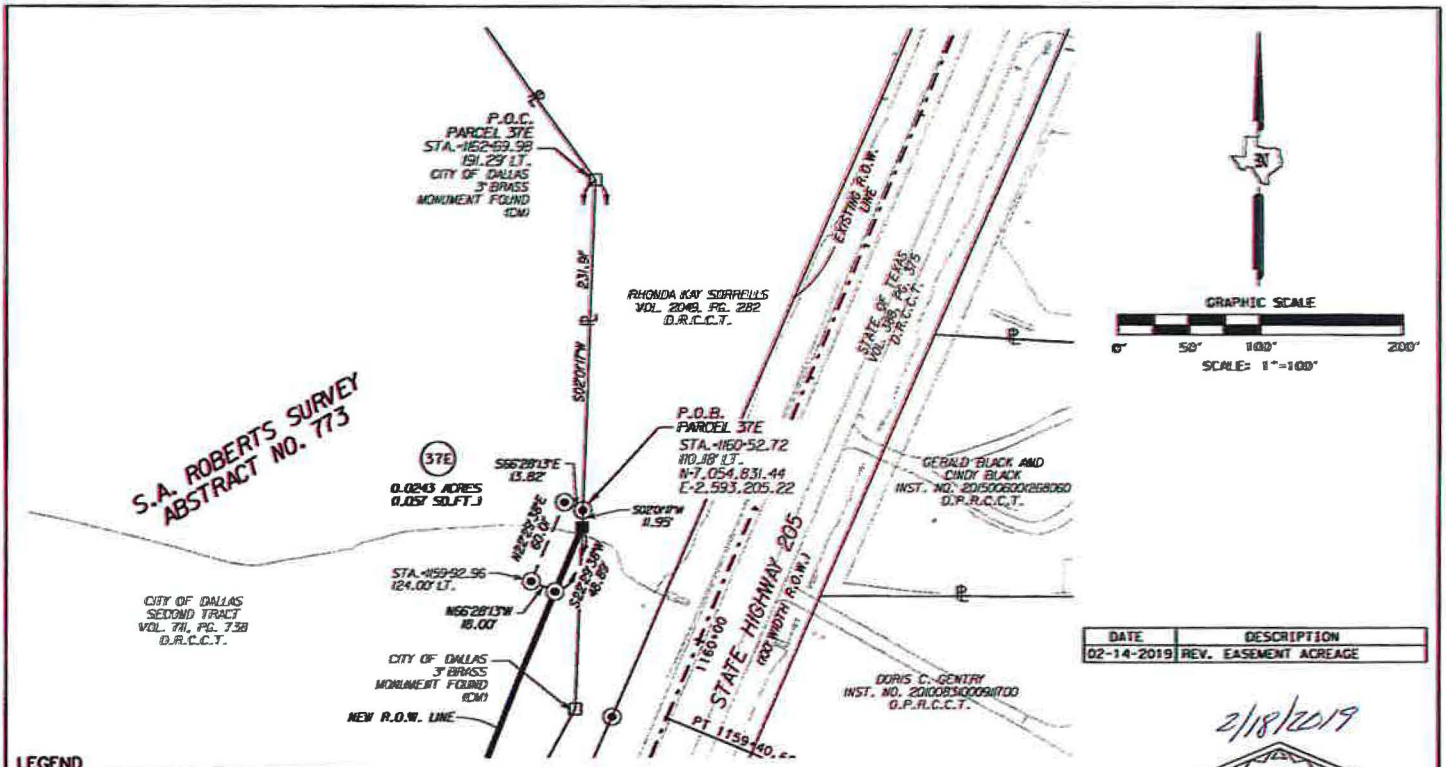
EXHIBIT "A"
PAGE 3 OF 4

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2/19/2019

O:_136 TxDOT DALLAS 18-7IDP1010\01 SH 205 ROW MAPPING-Collin Co\DGN\PARCELS\CSJ045103015_P37E_1.dgn

EXHIBIT A-TRACT 2



DATE	DESCRIPTION
02-14-2019	REV. EASEMENT ACREAGE

2/18/2019

STATE OF TEXAS
REGISTERED
STANLEY M. BREWER
6072
PROFESSIONAL
LAND SURVEYOR

Stanley M. Brewer

LEGEND

EXISTING ROW	
PROPERTY LINE	℄
PROPOSED ROW	
SURVEY LINE	℄
PROPOSED ACCESS DENIAL LINE	
POINT OF COMMENCING	P.O.C.
POINT OF BEGINNING	P.O.B.
SET 5/8" IRON ROD WITH PINK PLASTIC CAP STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION ROW MONUMENT" (UNLESS NOTED OTHERWISE)	■
SET 5/8" IRON ROD WITH TXDOT ALUMINUM CAP STAMPED "ACCESS DENIAL"	◪
FOUND (AS NOTED)	□
SET 5/8" IRON ROD WITH CAP STAMPED "LTRA" (UNLESS NOTED OTHERWISE)	◉
CONTROLLING MONUMENT	CM

D.R.C.C.T. DEED RECORDS OF COLLIN COUNTY TEXAS
O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY TEXAS
P.R.C.C.T. PLAT RECORDS OF COLLIN COUNTY TEXAS

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PAGE 4 OF 4

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PHONE 214-979-1144

2/20/2019

O:_136 TxDOT DALLAS 18-7IDP1010\01 SH 205 ROW MAPPING-Collin Co\DGN\PARCELS\CSJ045103015_P37E_2.dgn

Agenda Information Sheet

File #: 19-194 **Item #:** 23.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

An ordinance abandoning a portion of an alley to 75218 Property Company, the abutting owner, containing approximately 8,893 square feet of land, located near the intersection of Harter Road and Lake Highlands Drive; and authorizing the quitclaim - Revenue: $151,181.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of an alley to 75218 Property Company, the abutting owner. The area will be included with the property of the abutting owner to expand parking for St. John's Episcopal School. The abandonment fee is based on an independent appraisal.

Notices were sent to 27 property owners located within 300 feet of the proposed abandonment area. There were three responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Revenue: $151,181.00, plus the $20.00 ordinance publication fee

OWNER

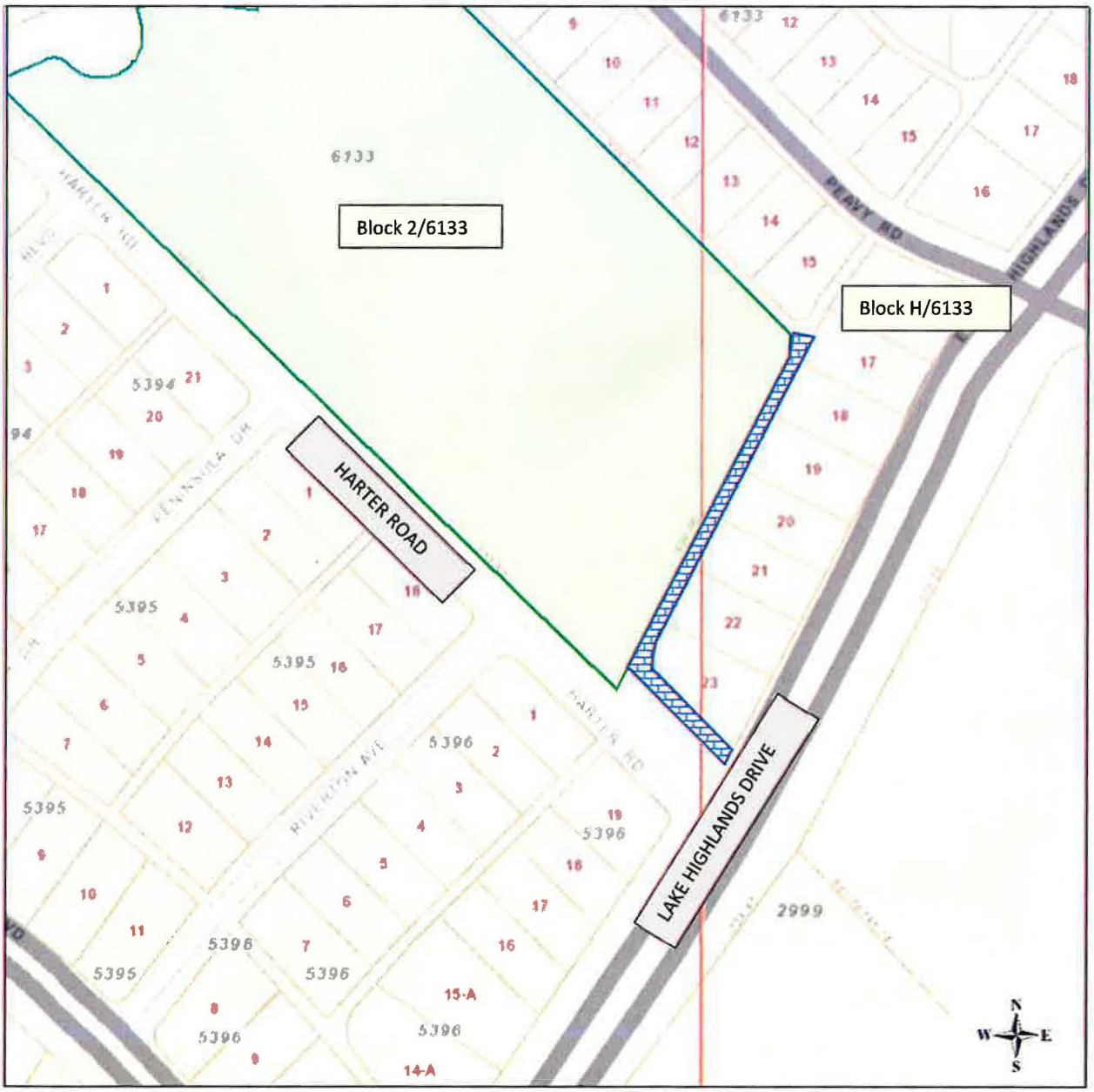
75218 Property Company

Mark Crotty, President

MAP

Attached

powered by Legistar™



Abandonment Area

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of an alley located adjacent to City Blocks H/6133 and 2/6133 in the City of Dallas and County of Dallas, Texas; subject to a reverter; providing for the quitclaim thereof to 75218 Property Company; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of 75218 Property Company, a Texas nonprofit corporation, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim, subject to a reverter, the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions and reverter herein provided, said portion of an alley is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms, conditions and reverter hereinafter more fully set forth.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the reverter and the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **ONE HUNDRED FIFTY-ONE THOUSAND ONE HUNDRED EIGHTY-ONE AND NO/100 DOLLARS ($151,181.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10 and 11, the City of Dallas does by these presents **QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations and exceptions, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. Provided however, that if **GRANTEE,** its successors and assigns, fails to file a final replat of the adjoining properties as required in Section 10 of this ordinance but no later than the earlier of (i) the date applicable pursuant to the requirements of the Dallas Development Code Chapter 51A-8.403(a)(4)(D) which provides in pertinent part, as may be amended:

> "(D) Except as provided in this subparagraph, a preliminary plat approved by the commission expires five years after the commission action date approving the plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005. An approved minor plat, amending plat (minor), or an administrative plat expires two years after the commission action date approving the plat or within two years after the date of the subdivision administrator's action letter approving the administrative plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005";

or (ii) the date that is the sixth anniversary of the passage of this ordinance; THEN this ordinance and quitclaim shall be rendered null and void and the right, title and easement of the public shall absolutely revert without any necessity for suit or re-entry by the City; and no act or omission on the part of the City, its successors and assigns, shall be a waiver of the operation or enforcement of this ordinance. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE**.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A.

SECTION 8. (continued)

GRANTEE, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

(a) ensure that 100 feet of right-of-way (M-6-D [a]) is maintained on Lake Highlands Drive as required by Section 51A-9 of the City of Dallas Thoroughfare Plan.

(b) not allow parking in the front yard setback for lots 16 through 23 located in city block H/6133 along Lake Highlands Drive. **GRANTEE** shall screen any future surface parking lots facing Lake Highlands Drive with a minimum four-foot screen wall, hedges and/or landscaping.

(c) maintain existing public sidewalk along Lake Highlands Drive and preserve as many existing trees as possible.

(d) ensure turn radius of the remaining alley nearest Peavy Road follows City of Dallas Public Works Standard Construction Detail File 251D.

SECTION 9. (continued)

(e) allow access at all times to garage of existing single-family residence being Lot 23 in city block H/6133, until such time the garage is demolished.

Failure to comply with any of the conditions in this section shall render this ordinance null and void and of no further effect.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this ordinance, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, subject to a reverter interest, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The

SECTION 12. (continued)

Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 13. That this ordinance is also designated for City purposes as Contract No. DEV-2018-00007815.

SECTION 14. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO,
Interim City Attorney

BY: _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
SOR Assistant Director

Passed _____.

Exhibit A

ALLEY ABANDONMENT
LOTS 17-23, BLOCK H/6133
LAKE TERRACE ADDITION
AND
LOT 1, BLOCK 2/6133
SAINT JOHNS EPISCOPAL CHURCH SUBDIVISION
SAMUEL M. HYDE SURVEY, ABSTRACT NO. 547
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 8,893 square foot (0.2041 acres) tract of land or parcel situated in the Samuel M. Hyde Survey, Abstract No. 547 City of Dallas, Dallas County, Texas, being a portion of a 14.05-foot alley created by Lots 17-23, Block H/6133, Lake Terrace Addition, an addition to the City of Dallas according to the plat recorded in Volume 21, Page 77, Map Records, Dallas County, Texas (M.R.D.C.T.), being a portion of a 0.95-foot alley dedicated by Lot 1, Block 2/6133, Saint Johns Episcopal Church Subdivision, an addition to the City of Dallas according to the plat recorded in Volume 48, Page 93, M.R.D.C.T. and being a part of a tract of land described in a Warranty Deed to Corporation of Episcopal Diocese of Dallas recorded in Volume 5353, Page 516, Deed Records, Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 5/8" iron rod found at the intersection of the southerly right-of-way line of Peavy Road, (60' right-of-way as created by Volume 21, Page 77, M.R.D.C.T) and the northwest right-of-way line of Lake Highlands Drive, (variable width right-of-way as created by use and occupation), for the northeasterly corner of Lot 16 of said Lake Terrace Addition;

THENCE South 27° 06'00" West, along the northwest right-of-way line of said Lake Highlands Drive, passing a 1/2" iron rod found at a distance of 99.70 feet for the southeasterly corner of said Lot 16 and the northeasterly corner of said Lot 17, passing a 1/2" iron rod with yellow plastic cap stamped "TXNS" found at a distance of 169.70 feet for the southeasterly corner of said Lot 17 and the northeasterly corner of aid Lot 18, passing a 1/2" iron rod with yellow plastic cap stamped "TXNS" found at a distance of 239.70 feet for the southeasterly corner of said Lot 18 and the northeasterly corner of said Lot 19, passing a 60D nail found at a distance of 509.70 feet for the southeasterly corner of said Lot 22 and the northeasterly corner of said Lot 23, and continuing a total distance of 610.29 feet to a 1/2" iron rod with a yellow plastic cap stamped "RLG INC" set on the common line between said Lot 23 and a 15-foot alley as created by said Lake Terrace Addition, for the southeasterly corner of said Lot 23 and the **POINT OF BEGINNING,** from which a 5/8" iron rod found bears South 21° 05' 19" East, a distance of 0.75 feet;

THENCE South 27° 06' 00" West, along the northwest right-of-way line of said Lake Highlands Drive and the easterly line of said 15-foot alley, a distance of 15.75 feet to a 1/2" iron rod with a yellow plastic cap stamped "RLG INC" set for the most south corner of said15-foot alley;

THENCE North 45° 11' 00" West, along the southerly line of said 15-foot alley, a distance of 162.72 feet to a 1/2" iron rod with a yellow plastic cap stamped "RLG INC" set on the southeasterly line of said Saint Johns Episcopal Church Subdivision;

THENCE North 27° 06' 00" East, along the common line between said Saint Johns Episcopal Church Subdivision and northwesterly line of said 0.95-foot alley dedication, a distance of 409.25 feet to a 1/2" iron rod with a yellow plastic cap stamped "RLG INC" set at the beginning of a corner clip dedicated by said Saint Johns Episcopal Church Subdivision;

(For SPRG use only)
Reviewed By: G.S.
Date: 9-12-18
SPRG NO.: 4635

ALLEY ABANDONMENT
LOTS 17-23, BLOCK H/6133
LAKE TERRACE ADDITION
AND
LOT 1, BLOCK 2/6133
SAINT JOHNS EPISCOPAL CHURCH SUBDIVISION
SAMUEL M. HYDE SURVEY, ABSTRACT NO. 547
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE North 09° 09' 05" West, along said corner clip, a distance of 23.08 feet to a 1/2" iron rod with a yellow plastic cap stamped "RLG INC" set at the end of said corner clip;

THENCE South 62° 54' 00" East, over and across said 0.95-foot alley and said 14.05-foot alley, a distance of 28.65 feet to a 1/2" iron rod with a yellow plastic cap stamped "RLG INC" set on the northwesterly line of Lot 17 of said Lake Terrace Addition and the southeasterly line of said 14.05-foot alley, from which a 1/2" iron rod with a yellow plastic cap stamped "RPLS 8963" found bears North 27° 06' 00" East, a distance of 48.44 feet, for the northwesterly corner of said Lot 17 and the southwesterly corner of Lot 16 of said Lake Terrace Addition;

THENCE South 27° 06' 00" West, a long the common line between said 14.05-foot alley and said Lake Terrace Addition, passing at a distance of 291.56 feet to a 3/8" iron rod found for the southwesterly corner of said Lot 21 and the northwesterly corner of said Lot 22, passing at a distance 361.56 feet a 3/8" iron rod found for the southwesterly corner of said Lot 22 and the northwesterly corner of said Lot 23, and continuing a total distance of 401.92 feet to a 1/2" iron rod with a yellow plastic cap stamped "RLG INC" set for the beginning of a corner clip dedicated by said Lake Terrace Addition and the north ell corner of said Lot 23;

THENCE South 09° 02' 55" East, along said corner clip, a distance of 24.22 feet to a 1/2" iron rod with a yellow plastic cap stamped "RLG INC" set for the end of said corner clip and the south ell corner of said Lot 23;

THENCE South 45° 11' 00" East, along the common line between said 15-foot alley and said Lot 23, a distance of 131.97 feet to the **POINT OF BEGINNING** and containing 8,893 square feet or 0.2041 acres, more or less.

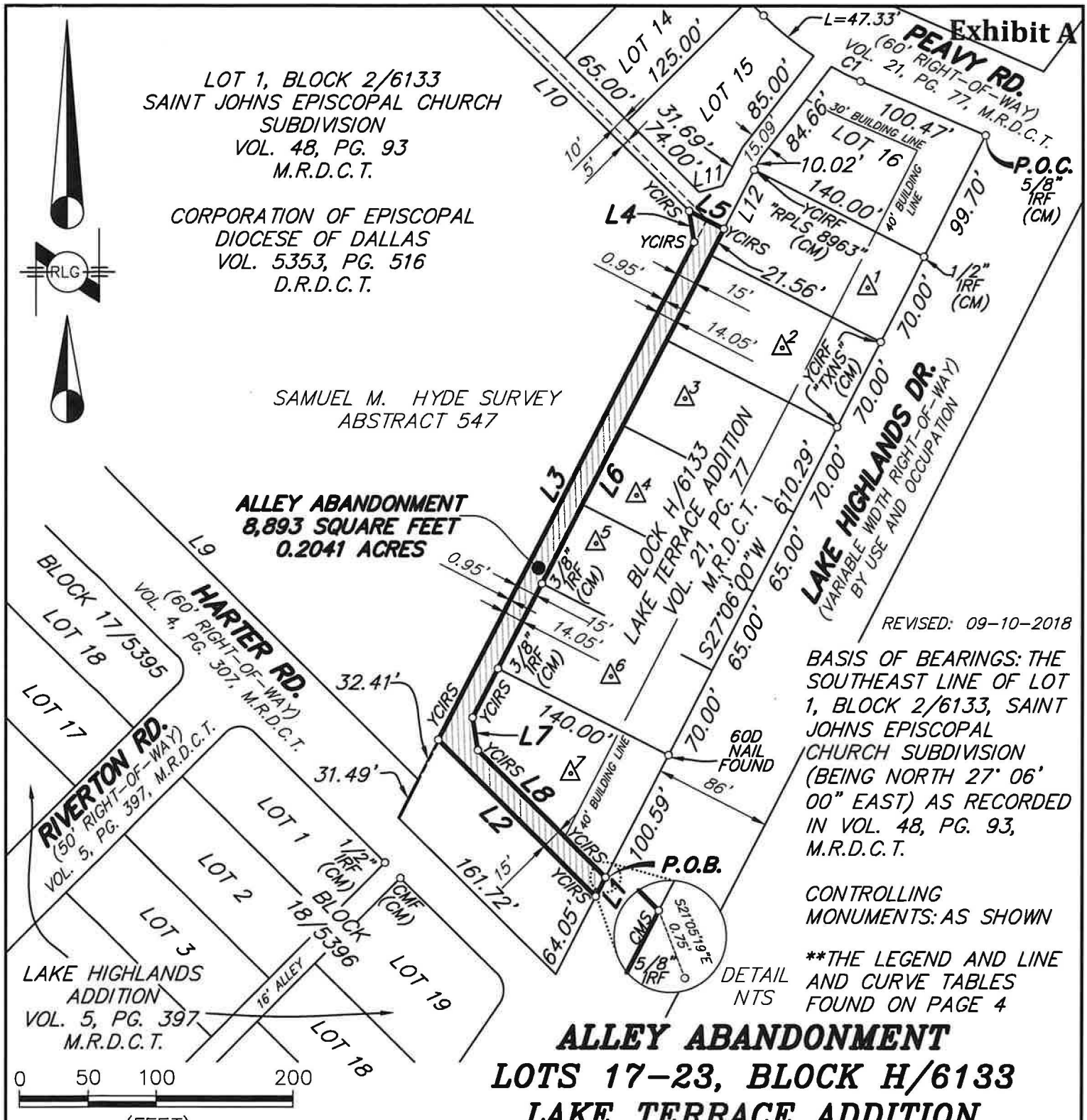
Basis of Bearings: The southeast line of Lot 1, Block 2/6133, Saint Johns Episcopal Church Subdivision (being North 27° 06' 00" East) as recorded in Volume 48, Page 93, M.R.D.C.T.



Brian R. Wade R.P.L.S No. 6098
08-20-2018
REVISED: 09-10-2018

(For SPRG use only)
Reviewed By: G.S.
Date: 9-12-18
SPRG NO.: 46635

Exhibit A



REVISED: 09-10-2018

BASIS OF BEARINGS: THE SOUTHEAST LINE OF LOT 1, BLOCK 2/6133, SAINT JOHNS EPISCOPAL CHURCH SUBDIVISION (BEING NORTH 27° 06' 00" EAST) AS RECORDED IN VOL. 48, PG. 93, M.R.D.C.T.

CONTROLLING MONUMENTS: AS SHOWN

**THE LEGEND AND LINE AND CURVE TABLES FOUND ON PAGE 4

ALLEY ABANDONMENT
LOTS 17-23, BLOCK H/6133
LAKE TERRACE ADDITION
AND
LOT 1, BLOCK 2/6133
SAINT JOHNS EPISCOPAL CHURCH SUBDIVISION

SAMUEL M. HYDE SURVEY, ABSTRACT NO. 547
CITY OF DALLAS, DALLAS COUNTY, TEXAS

RAYMOND L. GOODSON JR., INC.
12001 N. CENTRAL EXPY, STE 300
DALLAS, TX. 75243
214-739-8100
rlg@rlginc.com
TEXAS PE REG #F-493
TBPLS REG #100341-00

(For SPRG use only)
Reviewed By: G.S.
Date: 9-12-18
SPRG NO.: 4635

SCALE	1" = 100'	DATE	08-20-2018	SHEET	3 OF 4
JOB NO.	1811.041	E-FILE	1811.041	DWG NO.	26,858X

Exhibit A

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CH. BRG.	CHORD
C1	5°57'27"	230.00'	11.97'	23.92'	S63°44'16"E	23.90'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S27°06'00"W	15.75'
L2	N45°11'00"W	162.72'
L3	N27°06'00"E	409.25'
L4	N09°09'05"W	23.08'
L5	S62°54'00"E	28.65'
L6	S27°06'00"W	401.92'
L7	S09°02'55"E	24.22'
L8	S45°11'00"E	131.97'
L9	N45°11'00"W	1026.58'
L10	N45°11'30"W	790.80'
L11	N75°06'11"E	17.69'
L12	N27°06'00"E	48.44'

1. 75218 PROPERTY COMPANY, A TEXAS CORPORATION
LOT 17, BLOCK H/6133
INST. NO. 201600255328
O.P.R.D.C.T.

2. 75218 PROPERTY COMPANY, A TEXAS CORPORATION
LOT 18, BLOCK H/6133
INST. NO. 201300307037
O.P.R.D.C.T.

3. 75218 PROPERTY COMPANY, A TEXAS CORPORATION
LOT 19, BLOCK H/6133
INST. NO. 200900184805
O.P.R.D.C.T.

4. 75218 PROPERTY COMPANY, A TEXAS CORPORATION
LOT 20, BLOCK H/6133
INST. NO. 201000098108
O.P.R.D.C.T.

5. EDWARD C. LOFLIN and wife, EVELYN LOFLIN
LOT 21, BLOCK H/6133
VOL. 660, PG. 2053
D.R.D.C.T.

6. 75218 PROPERTY COMPANY, A TEXAS CORPORATION
LOT 22, BLOCK H/6133
INST. NO. 201300203971
O.P.R.D.C.T.

7. 75218 PROPERTY COMPANY, A TEXAS CORPORATION
LOT 23, BLOCK H/6133
INST. NO. 201100192705
O.P.R.D.C.T.

LEGEND

ALLEY ABANDONMENT	
LOT LINE	
YCIRS	1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "RLG INC" SET
YCIRF	1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "____" FOUND
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
INST. NO.	INSTRUMENT NUMBER
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TX
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TX
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TX
VOL. PG.	VOLUME PAGE
//////	ALLEY ABANDONMENT
CMS / CMF	CHISELED "X" SET / FOUND
NTS	NOT TO SCALE
CM	CONTROLLING MONUMENT
P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING

STATE OF TEXAS
REGISTERED
BRIAN R. WADE
6098
PROFESSIONAL
LAND SURVEYOR

Brian R. Wade R.P.L.S. No. 6098
08-20-2018
REVISED: 09-10-2018

ALLEY ABANDONMENT
LOTS 17-23, BLOCK H/6133
LAKE TERRACE ADDITION
AND
LOT 1, BLOCK 2/6133
SAINT JOHNS EPISCOPAL CHURCH SUBDIVISION
SAMUEL M. HYDE SURVEY, ABSTRACT NO. 547
CITY OF DALLAS, DALLAS COUNTY, TEXAS

RAYMOND L. GOODSON JR., INC.
12001 N. CENTRAL EXPY, STE 300
DALLAS, TX. 75243
214-739-8100
rlg@rlginc.com
TEXAS PE REC #F-493
TBPLS REC #100341-00

(For SPRG use only)
Reviewed By: G.S.
Date: 9-12-18
SPRG NO.: 4635

SCALE 1" = 100'		DATE 08-20-2018		SHEET	4 OF 4
JOB NO.	1811.041	E-FILE	1811.041	DWG NO.	26,858X

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

Agenda Information Sheet

File #: 19-475 **Item #:** 24.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

An ordinance abandoning a portion of a sanitary sewer easement to 2015 Prairie LLC, the abutting owner, located near the intersection of Prairie Avenue and Monarch Street - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of a sanitary sewer easement to 2015 Prairie LLC, the abutting owner. The area will be included with the property of the abutting owner to construct a two-story townhome. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Revenue: $5,400.00, plus the $20.00 ordinance publication fee

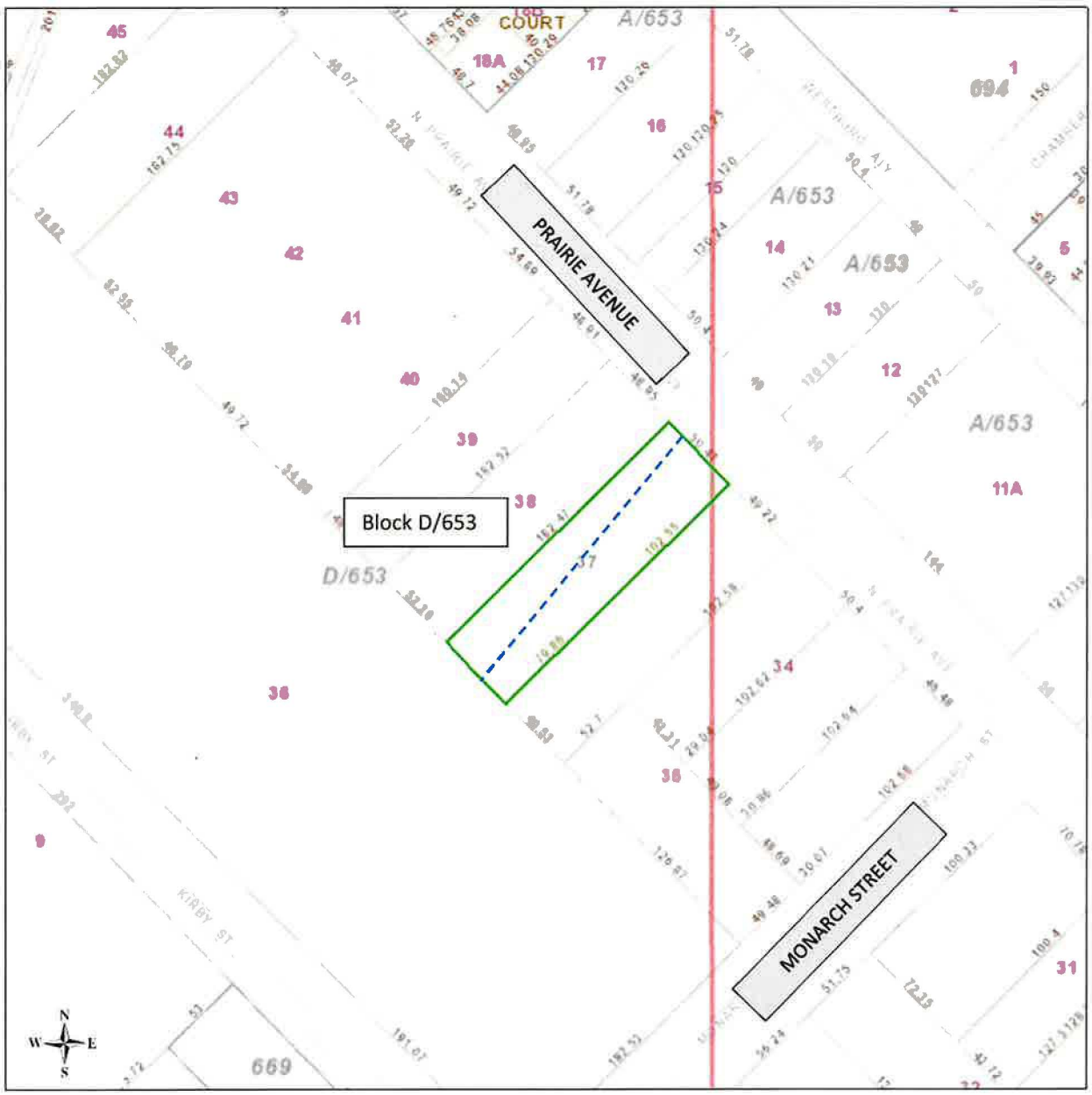
OWNER

2015 Prairie LLC

Barbaros Sarici, Manager

MAP

Attached



Abandonment Area: ----------

AB/1.25.2019

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a portion of a sanitary sewer easement, located in City Block D/653 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to 2015 Prairie LLC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of 2015 Prairie LLC, a Texas limited liability company; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($5,400.00)** paid by **GRANTEE**, and the further consideration described in Sections 8 and 9, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tract or parcel of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 10. That this ordinance is also designated for City purposes as Contract No. DEV-2019-00009368.

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO,
Interim City Attorney

BY: _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

Exhibit A

SANITARY SEWER EASEMENT ABANDONMENT
FAKES PARK PLACE
LOT 37, BLOCK D/653
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, and being part of Lot 37, in Block D/653 of FAKES PARK PLACE, an Addition to the City of Dallas County, Texas, according to the Map thereof recorded in Volume 1, Page 106, of the Map Records of Dallas County, Texas, said being that same tract of land conveyed to 2015 Prairie, LLC, a Texas limited liability company, by General Warranty Deed recorded in Instrument No. 201800165050, Official Public Records, Dallas County, Texas;

with the centerline being described by metes and bounds as follows:

COMMENCING at a 1 inch iron pipe found at the common East corner of Lot 38, Block D/653 of said Fakes Park Place and the North corner of said Lot 37, Block D/653, said point being on the Southwest right-of-way line of Prairie Avenue (50 foot right-of-way);

THENCE South 45 degrees 00 minutes 00 seconds East, along the Northeast line of said Lot 37, Block D/653, a distance of 11.52 feet to a point corner;

THENCE South 41 degrees 21 minutes 52 seconds West, leaving said Northeast line and traversing through said Lot 37, Block D/653 and along an existing sewer line, a distance of 166.68 feet to a point for corner.

(For SPRG use only)	
Reviewed By:	JL
Date:	3-28-19
SPRG No.:	4786

GENERAL NOTES:

Bearings are based on common line of Lot 37 and Lot 38, Block D/653 of the map recorded in Volume 1, Page 106, Map Records, Dallas County, Texas. Assumed (N45°00'00"E)

STATE OF TEXAS
REGISTERED
BRYAN CONNALLY
5513
PROFESSIONAL
SURVEYOR

BRYAN CONNALLY
R.P.L.S. NO. 5513

CBG Surveying Texas, LLC.

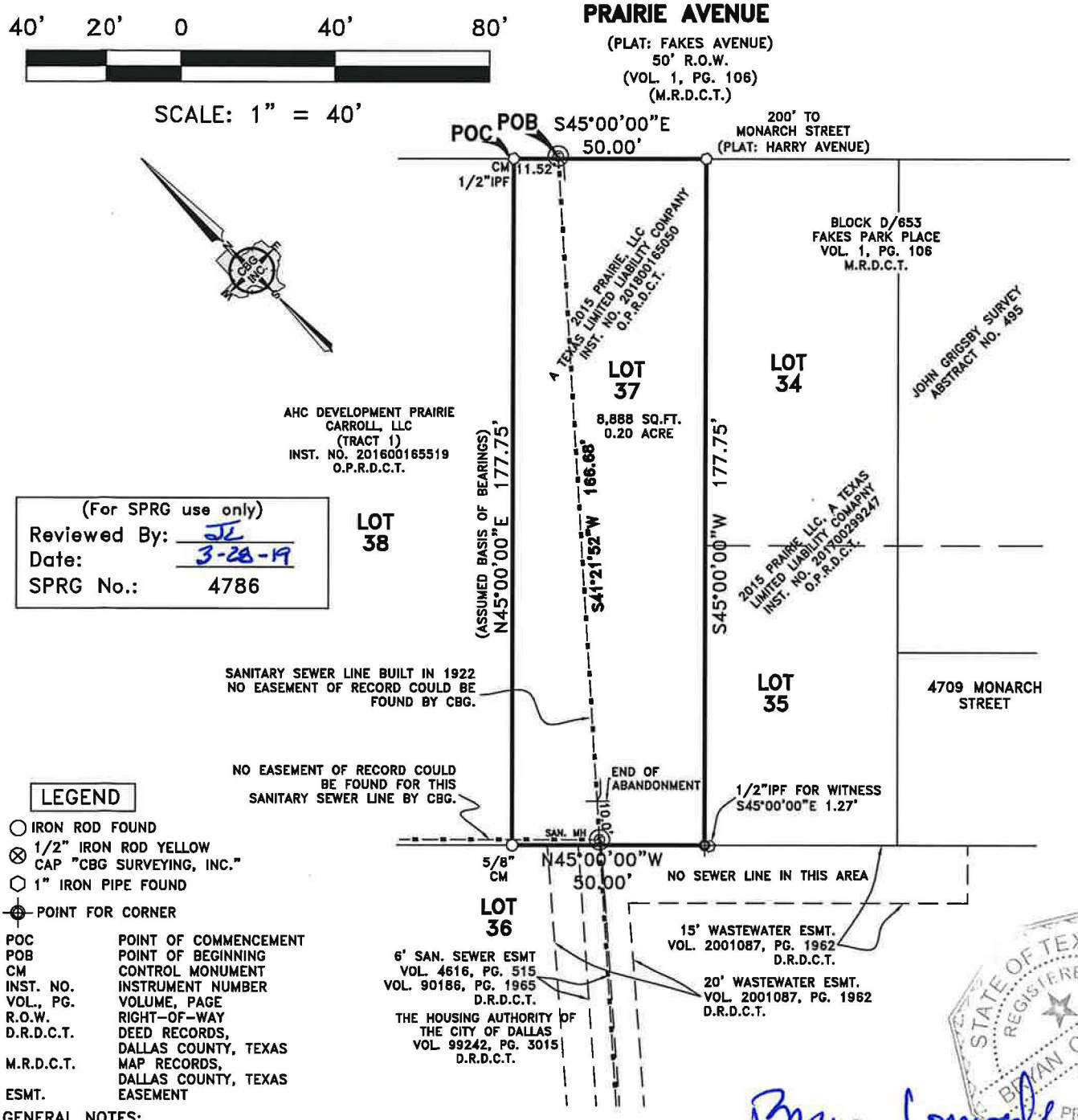
PLANNING SURVEYING
12025 Shiloh Road • Suite 230 Dallas, Texas 75228
P 214.349.9485 F 214.349.2216
Firm No. 10168800
www.cbginctx.com

SHEET 1 OF 2
JOB NO. 1803509-1
DRAWN BY: MC
DATE: 03/15/19

SANITARY SEWER EASEMENT ABANDONMENT

Exhibit A

FAKES PARK PLACE
LOT 37, BLOCK D/653
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS



(For SPRG use only)
Reviewed By: JL
Date: 3-28-19
SPRG No.: 4786

LEGEND

- ○ IRON ROD FOUND
- ⊗ 1/2" IRON ROD YELLOW CAP "CBG SURVEYING, INC."
- ⬡ 1" IRON PIPE FOUND
- ⊕ POINT FOR CORNER

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
CM	CONTROL MONUMENT
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
ESMT.	EASEMENT

GENERAL NOTES:

Bearings are based on common line of Lot 37 and Lot 38, Block D/653 of the map recorded in Volume 1, Page 106, Map Records, Dallas County, Texas. Assumed (N45°00'00"E)

STATE OF TEXAS REGISTERED BRYAN CONNALLY 5513 PROFESSIONAL LAND SURVEYOR

Bryan Connally

BRYAN CONNALLY
R.P.L.S. NO. 5513

CBG Surveying Texas, LLC.

PLANNING • SURVEYING
12025 Shiloh Road • Suite 230 • Dallas, Texas 75228
P 214.349.9485 • F 214.349.2216
Firm No. 10168800
www.cbginctx.com

SHEET 2 OF 2
JOB NO. 1803509-1
SCALE: 1"=40'
DRAWN BY: MC
DATE: 3/15/19

Agenda Information Sheet

File #: 19-549 **Item #:** 25.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	June 12, 2019
COUNCIL DISTRICT(S):	1
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize an amendment to an existing license agreement with American Towers LLC, d/b/a American Texas Towers LLC to **(1)** install additional antennas at the Premises; **(2)** increase monthly license payments; and **(3)** provide for a one-time "Capital Contribution Fee" representing the City's contribution for costs associated with tower modifications required to accommodate the installation of the City's equipment for approximately 14,895 square feet of land and tower space located at 2833 Remond Drive to be used for Police and Fire radio channels for the period August 1, 2019 through March 10, 2024 - Not to exceed $41,085.00, from $869,938.36 to $911,023.36 - Financing: Communication Service Fund ($19,880.00) (subject to annual appropriations) and 2018 Master Lease Equipment Fund ($21,205.00)

BACKGROUND

This item authorizes an amendment to an existing license agreement with American Towers LLC, d/b/a American Texas Towers LLC to **(1)** install additional antennas at the Premises; **(2)** increase monthly license payments; and **(3)** provide for a one-time "Capital Contribution Fee" representing the City's contribution for costs associated with tower modifications required to accommodate the installation of the City's equipment for approximately 14,895 square feet of land and tower space located at 2833 Remond Drive.

The monthly license payment will increase $355.00 per month and the one-time Capital Contribution Fee in an amount not to exceed $21,205.00.

The amendment will begin on August 1, 2019 through March 10, 2024.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 23, 2013, City Council authorized a ten-year license agreement with American Towers LLC for approximately 14,895 square feet of land and tower space located at 2833 Remond Drive to be used as the primary backup radio communications site for the Police and Fire radio channels for the period November 1, 2013 through October 31, 2023, by Resolution No. 13-1849.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Communication Service Fund - $19,880.00 (subject to annual appropriations)
2018 Master Lease Equipment Fund - $21,205.00

FY 2018-19 $21,915.00
FY 2019-20 $ 4,260.00
FY 2020-21 $ 4,260.00
FY 2021-22 $ 4,260.00
FY 2022-23 $ 4,260.00
FY 2023-24 $ 2,130.00

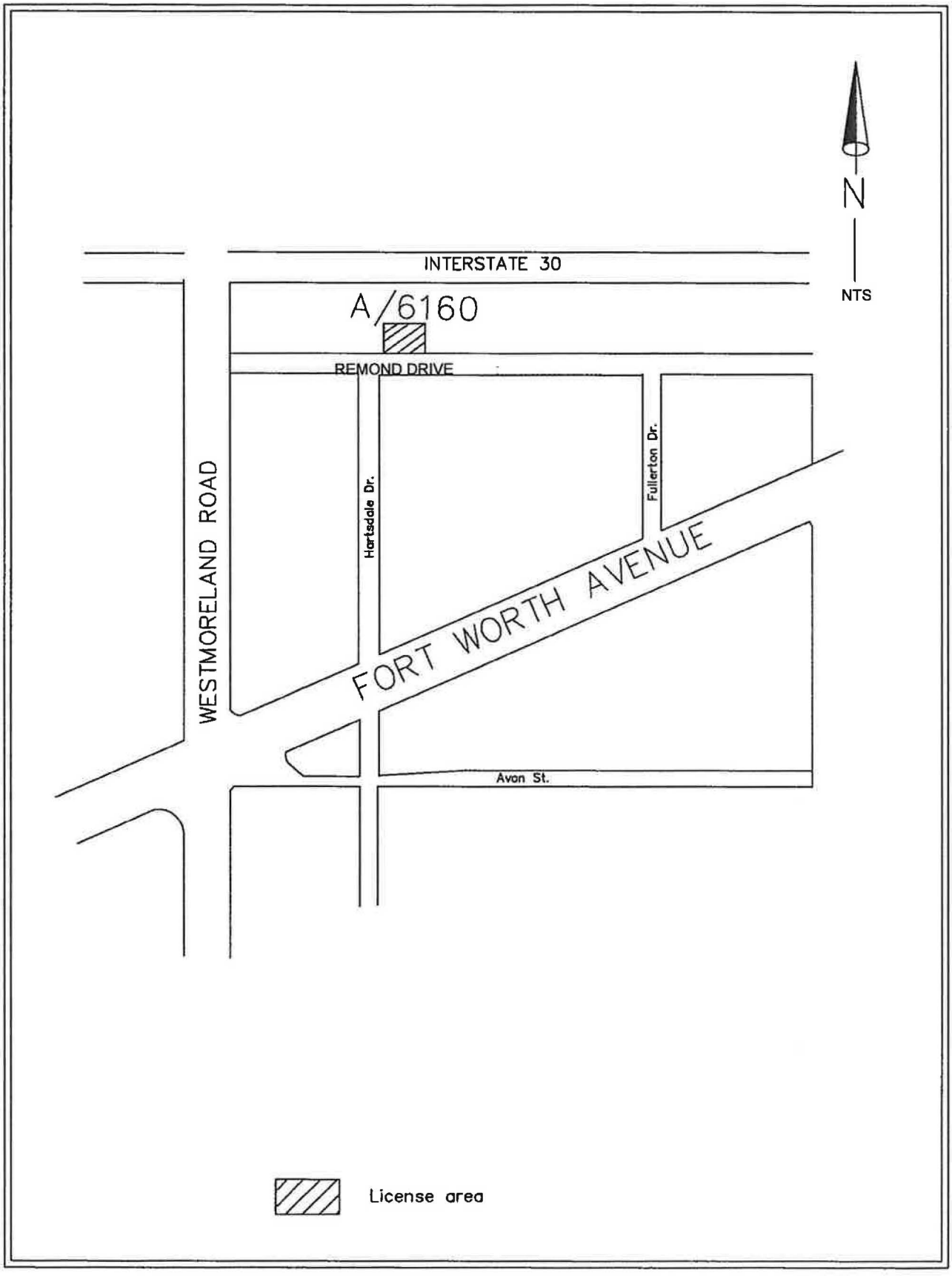
OWNER

American Towers LLC, d/b/a American Texas Towers LLC

James D. Taiclet, Jr., President

MAP

Attached


N
NTS
INTERSTATE 30
A/6160
REMOND DRIVE
WESTMORELAND ROAD
Hartsdale Dr.
Fullerton Dr.
FORT WORTH AVENUE
Avon St.
License area

WHEREAS, on October 23, 2013, by Resolution 13-1849, City Council of the City of Dallas authorized a ten-year license agreement dated September 26, 2013 (the "License") between the City of Dallas, a Texas municipal corporation ("City"), as licensee, and American Towers, LLC, a Delaware limited liability company, d/b/a American Texas Towers, LLC, or its successor and assigns, ("Licensor") as licensor, for approximately 14,895 square feet of land and tower space, located at 2833 Remond Drive, Dallas, Dallas County, Texas (the "Premises") to be used by the Communication and Information Services Department; and

WHEREAS, on June 25, 2014, Administrative Action No. 14-6299 authorized an amendment to the License, to extend the license term for an additional four-months and ten-days; and

WHEREAS, the parties desire to renew, extend, modify and/or amend the license to (1) modify the City's equipment at the Premises, (2) increase monthly license fee rates and (3) provide for a one-time "Capital Contribution Fee" from the City, and upon certain amended terms as provided below.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, be and is hereby authorized to execute a Second Amendment to the License Agreement between American Towers, LLC, a Delaware limited liability company, d/b/a American Texas Towers, LLC and the City of Dallas.

SECTION 2. That the special terms and conditions of the Second Amendment to License Agreement are:

(a) City shall modify its equipment for a final installed configuration pursuant to Exhibit A-1, attached hereto and made a part hereof ("Modified Equipment").

(b) Monthly License Payments shall increase as follows: (subject to annual appropriations)

August 1, 2019 – July 31, 2020	$355.00 per month
August 1, 2020 – July 31, 2021	$355.00 per month
August 1, 2021 – July 31, 2022	$355.00 per month
August 1, 2022 – July 31, 2023	$355.00 per month
August 1, 2023 – March 10, 2024	$355.00 per month

SECTION 2. (continued)

(c) The City shall pay a one-time "Capital Contribution Fee," representing the City's contribution for costs associated with tower modifications required to accommodate the installation of City's equipment, in an amount not to exceed $21,205.00.

(d) All other terms and conditions of the License, as amended, not expressly amended hereby, shall remain in full force and effect.

SECTION 3. That the Chief Financial Officer be and is hereby authorized to draw warrants payable to Licensor, or its successors and assigns for the increased monthly license payment on the first day of each month in advance during the license term beginning August 1, 2019 in the amount specified below:

August 1, 2019 – July 31, 2020 (subject to annual appropriations)	$355.00 per month
August 1, 2020 – July 31, 2021 (subject to annual appropriations)	$355.00 per month
August 1, 2021 – July 31, 2022 (subject to annual appropriations)	$355.00 per month
August 1, 2022 – July 31, 2023 (subject to annual appropriations)	$355.00 per month
August 1, 2023 – March 10, 2024 (subject to annual appropriations)	$355.00 per month

SECTION 4. That the monthly increase payments will be charged as follows:

August 1, 2019 – September 30, 2019: Communication Service Fund, Fund 0197, Department DSV, Unit 1812, Object 3099, Encumbrance/Contract No. CX-DSV-2017-00002822, Commodity 97145, Vendor VS0000080792.

October 1, 2019 – September 30, 2020: Communication Service Fund, Fund 0197, Department DSV, Unit 1812, Object 3099, Encumbrance/Contract No. CX-DSV-2017-00002822, Commodity 97145, Vendor VS0000080792.

October 1, 2020 – September 30, 2021: Communication Service Fund, Fund 0197, Department DSV, Unit 1812, Object 3099, Encumbrance/Contract No. CX-DSV-2017-00002822, Commodity 97145, Vendor VS0000080792.

SECTION 4. (continued)

October 1, 2021 – September 30, 2022: Communication Service Fund, Fund0197, Department DSV, Unit1812, Object 3099, Encumbrance/Contract No. CX-DSV-2017-00002822, Commodity 97145, Vendor VS0000080792.

October 1, 2022 – September 30, 2023: Communication Service Fund, Fund 0197, Department DSV, Unit 1812, Object 3099, Encumbrance/Contract No. CX-DSV-2017-00002822, Commodity 97145, Vendor VS0000080792.

October 1, 2023 – March 10, 2024: Communication Service Fund, Fund 0197, Department DSV, Unit 1812, Object 3099, Encumbrance/Contract No. CX-DSV-2017-00002822, Commodity 97145, Vendor VS0000080792.

SECTION 5. That the Chief Financial Officer be and is hereby authorized to draw a warrant payable to Licensor, or its successors and assigns for Capital Contribution Fee in the amount not to exceed $21,205.00 and charge same to: 2018 Master Lease Equipment Fund, Fund ML18, Department DSV, Unit E384, Object 2760, Encumbrance/Contract No. CX-DSV-2017-00002822, Commodity 97145, Vendor VS0000080792.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

BY: _____
Assistant City Attorney

Exhibit A-1

Customer Name:	ATC Asset Name:	ATC Asset #:
CITY OF DALLAS	EVELYN	75254
	Customer Site Name:	**Customer Site #:**
	N/A	N/A

Total Lease Area Sq. Ft: 541.00' **Primary Contiguous Lease Area** **L:**21.00' **W:**21.00' **H:** **Sq. Ft:** 441.00

GROUND SPACE REQUIREMENTS

Outside Primary Lease Area	N/A	N/A	N/A	**Sq. Ft:** 100.00
Generator AREA	10.00'	5.00'	N/A	50.00
Setback AREA	N/A	N/A	**Refer to Site Sketch**	
Fuel Tank AREA	10.00'	5.00'	N/A	50.00

Generator: Stand Alone **Fuel Tank Size(gal):** 250.0 **Fuel Type:** Propane **Fuel Tank Setback(radius):** 10.0

BACKUP POWER REQUIREMENTS

Power Provided By: Utility Company Direct

Telc

UTILITY REQUIREMENTS

Type: N/A **Quantity:** N/A **TX Power(watts):** N/A **ERP(watts):** N/A

TRANSMITTER & RECEIVER SPECIFICATIONS

Type OMNI DIPOLE DIPOLE DIPOLE OMNI DISH-HP

Man

ANTENNA EQUIPMENT SPECIFICATIONS

Model #	DS7C12P36U-D	DB420-B	DB224-A	DB420-B	DB809K-XT	HP8-59
Dimensions HxWxD	248.4" x 2.5" x 2.5"	233" x 0" x 0"	255" x 0" x 0"	233" x 0" x 0"	146.4" x 3" x 3"	8.00' x 8.00' x 0.0'
Weight(lbs.)	76.0	34.5	35.0	34.5	30.0	470.0
Location	Tower	Tower	Tower	Tower	Tower	Tower
RAD Center AGL	424.0'	408.3'	407.4'	379.7'	376.1'	51.0'
Antenna Tip Height	434.4'	418.0'	418.0'	389.4'	382.2'	55.0'
Antenna Base Height	413.6'	398.6'	396.8'	370.0'	370.0'	47.0'
Mount Type	Stand-Off	Stand-Off	Stand-Off	Stand-Off	Stand-Off	Stand-Off
Quantity	4	3	1	3	1	1
Azimuths/Dir. of Radiation	0/90/180/270	0/90/180	270	0/90/180	270	90
Quant. Per Azimuth/Sector	1/1/1/1	1/1/1	1	1/1/1	1	1
TX/RX Frequency Units	MHz	MHz	MHz	MHz	MHz	GHz
TX Frequency	764-769 MHz	450-461/451.5/453.675	155-165	460.325/453.2125	851.0125	10
RX Frequency	799-805 Mhz	N/A	N/A	453-465	806.0125	10
Using Unlicensed Frequencies?	No	No	No	No	No	No
Antenna Gain	11.5	9.2	6	9.2	9	39.4
Total # of Lines	5	3	1	3	1	1
Line Quant. Per Azimuth/Sector	See Config. Summary	1/1/1	1	1/1/1	1	1
Line Type	Multiple	Coax	Coax	Coax	Coax	Elliptical
Line Diameter Size	See Config. Summary	7/8" Coax	7/8" Coax	7/8" Coax	7/8" Coax	E185
Line Configuration	2 - Coax; 7/8" Coax; 0/1/0/1 2 - Coax; 1 1/4" Coax; 1/0/1/0 1 - Coax; 1/2" Coax; 1/0/0/0	N/A	N/A	N/A	N/A	N/A

Agenda Information Sheet

File #: 19-812 **Item #:** 26.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	June 12, 2019
COUNCIL DISTRICT(S):	3
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize a boundary adjustment agreement with the City of Grand Prairie on property located east of Hardy Road and Cardiff Street and north of Kiest Boulevard to allow more efficient delivery of city services - Financing: This action has no cost consideration to the City

BACKGROUND

The City of Grand Prairie requested a boundary adjustment to adjust the common boundary with the City of Dallas to move the Mountain Creek Lake Park into Grand Prairie. The park is owned and maintained by the City of Grand Prairie with most of park users being Grand Prairie citizens. A map is attached to show the park location.

The issues prompting the Grand Prairie City Manager's Office to request the boundary adjustment pertain to jurisdiction and enforcement within the park. Grand Prairie city staff receives and processes complaints and service requests regarding the park from surrounding citizens. Code compliance issues are also not handled by Grand Prairie city staff since the property is within the city of Dallas. The Grand Prairie Police Department does not respond to criminal activities because the park is not within the city of Grand Prairie.

Between 2012 and 2018, there were 79 calls to Dallas 911 regarding the park. The calls included two robberies of an individual and two assaults. In 2019, there have been eight calls with one assault. Dallas Police Department responds to 911 calls related to the park. City of Dallas staff is responsible for enforcement of city regulations within the park.

The boundary adjustment will take place in three different segments. Each of the three segments is less than 1,000 feet in width and qualify under Section 43.031 of the Texas Local Government Code as candidates for the mutually agreeable municipal boundary adjustments. If approved, the three boundary adjustments will move the Mountain Creek Lake Park currently within the city of Dallas to the city of Grand Prairie. This consolidation will allow for more efficient delivery of city services and enforcement of laws and regulations.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 24, 2018, the Mobility Solutions, Infrastructure, and Sustainability Committee was briefed on a proposed boundary adjustment with the City of Grand Prairie. The Committee instructed staff to bring the request to City Council for consideration.

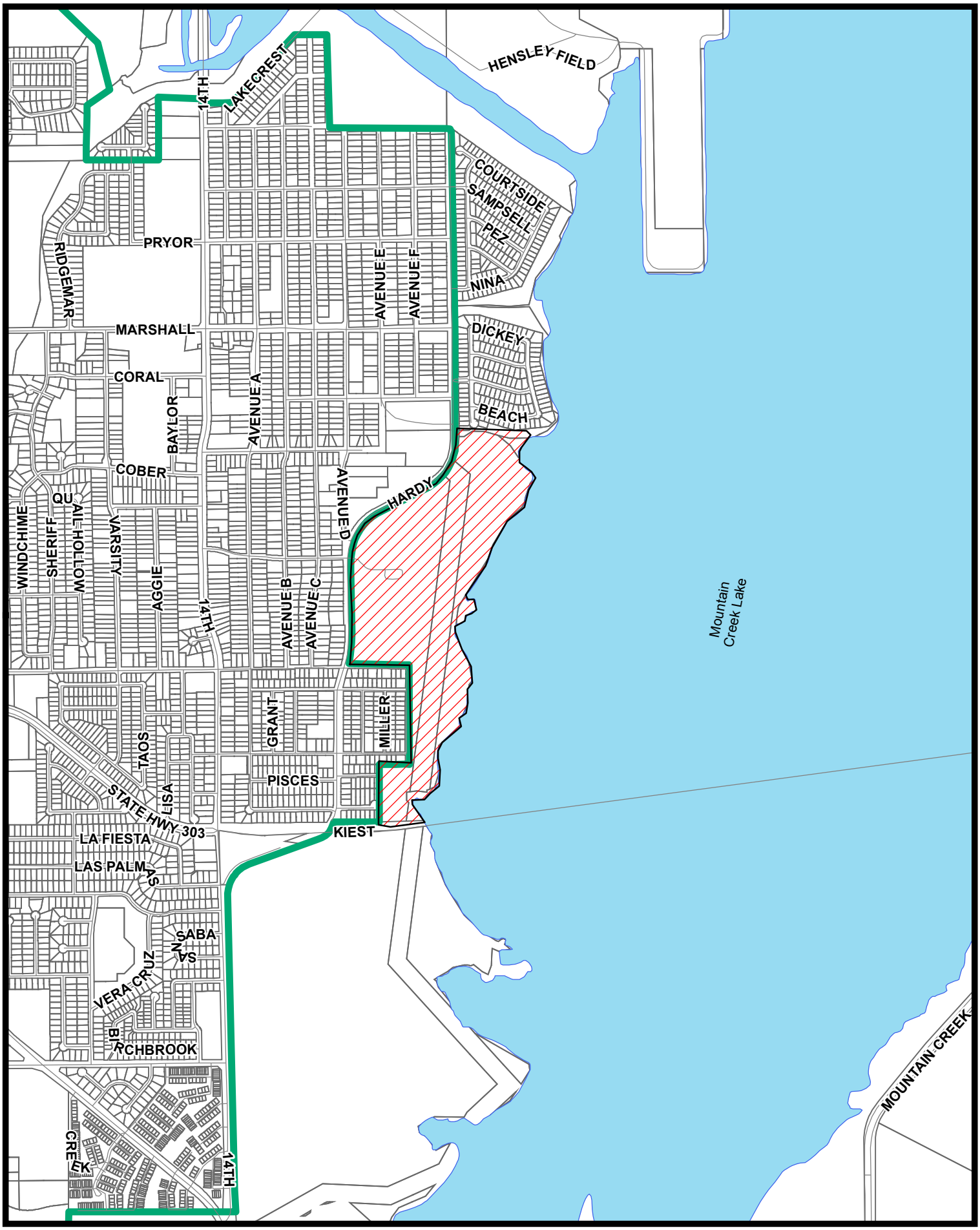
FISCAL INFORMATION

This action has no cost consideration to the City.

MAP

Attached

powered by Legistar™



1:16,000

Proposed Boundary Adjustment
City of Grand Prairie

June 12, 2019

WHEREAS, it is the desire of the cities of Dallas and Grand Prairie to adjust their common city limit boundaries in order to establish clear demarcation lines for the efficient development and delivery of city services to their citizens; and

WHEREAS, it is the desire of the City of Dallas to enter into three written agreements with the City of Grand Prairie wherein both parties agree to adjust their common boundary.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized and directed to execute three boundary adjustment agreements with the City of Grand Prairie on behalf of the city, approved as to form by the City Attorney.

SECTION 2. That the City agrees to the release of three tracts of land, along with all extraterritorial jurisdiction pertaining thereto, located to the east of Hardy Road and Cardiff Street and north of Kiest Boulevard in the City of Dallas as described in the Exhibit A attached to this resolution, into the city limits of the City of Grand Prairie.

SECTION 3. That the agreements authorized by this resolution shall be ratified by future ordinances, thus effecting an exchange of these tracts of land with the City of Grand Prairie.

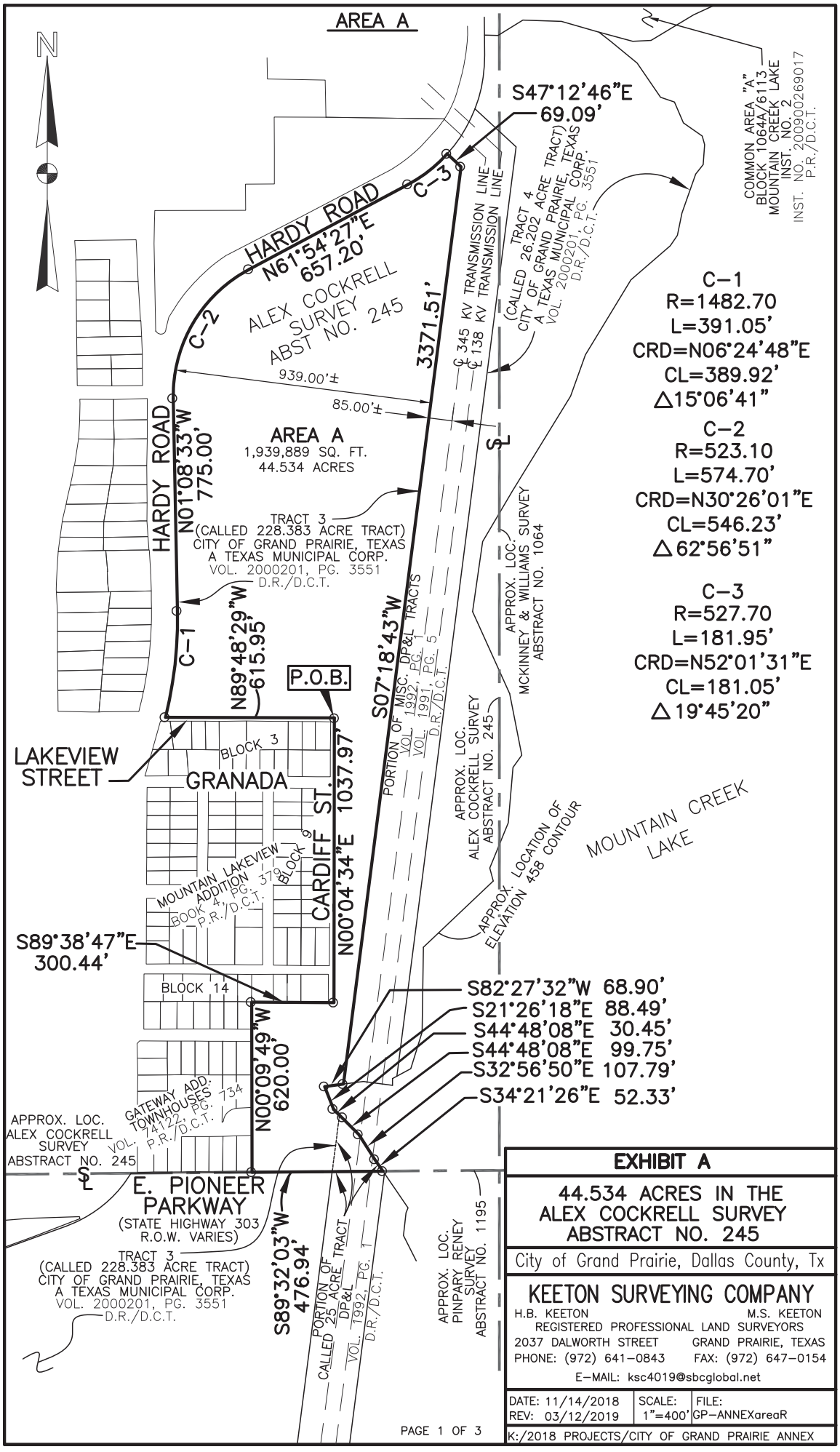
SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By: _____
Assistant City Attorney

Passed _____


AREA A
N
S47°12'46"E
69.09'
HARDY ROAD
N61°54'27"E
657.20'
C-3
C-2
ALEX COCKRELL SURVEY ABST NO. 245
939.00'±
85.00'±
3371.51'
345 KV TRANSMISSION LINE
138 KV TRANSMISSION LINE
TRACT 4
(CALLED 26.202 ACRE TRACT)
CITY OF GRAND PRAIRIE, TEXAS
A TEXAS MUNICIPAL CORP.
VOL. 2000201, PG. 3551
D.R./D.C.T.
COMMON AREA "A"
BLOCK 1064A/6113
MOUNTAIN CREEK LAKE
INST. NO. 2
INST. NO. 200900269017
P.R./D.C.T.
C-1
R=1482.70
L=391.05'
CRD=N06°24'48"E
CL=389.92'
Δ15°06'41"
C-2
R=523.10
L=574.70'
CRD=N30°26'01"E
CL=546.23'
Δ62°56'51"
C-3
R=527.70
L=181.95'
CRD=N52°01'31"E
CL=181.05'
Δ19°45'20"
HARDY ROAD
N01°08'33"W
775.00'
AREA A
1,939,889 SQ. FT.
44.534 ACRES
TRACT 3
(CALLED 228.383 ACRE TRACT)
CITY OF GRAND PRAIRIE, TEXAS
A TEXAS MUNICIPAL CORP.
VOL. 2000201, PG. 3551
D.R./D.C.T.
C-1
N89°48'29"W
615.95'
P.O.B.
S07°18'43"W
PORTION OF MISC. DP&L TRACTS
VOL. 1992, PG. 1
VOL. 1991, PG. 5
D.R./D.C.T.
APPROX. LOC.
MCKINNEY & WILLIAMS SURVEY
ABSTRACT NO. 1064
APPROX. LOC.
ALEX COCKRELL SURVEY
ABSTRACT NO. 245
LAKEVIEW STREET
BLOCK 3
GRANADA
CARDIFF ST.
N00°04'34"E 1037.97'
MOUNTAIN LAKEVIEW ADDITION
BOOK 4, PG. 379
P.R./D.C.T.
BLOCK 9
APPROX. LOCATION OF
ELEVATION 458 CONTOUR
MOUNTAIN CREEK LAKE
S89°38'47"E
300.44'
BLOCK 14
S82°27'32"W 68.90'
S21°26'18"E 88.49'
S44°48'08"E 30.45'
S44°48'08"E 99.75'
S32°56'50"E 107.79'
S34°21'26"E 52.33'
N00°09'49"W
620.00'
GATEWAY ADD.
TOWNHOUSES
VOL. 74122, PG. 734
P.R./D.C.T.
APPROX. LOC.
ALEX COCKRELL
SURVEY
ABSTRACT NO. 245
E. PIONEER PARKWAY
(STATE HIGHWAY 303
R.O.W. VARIES)
TRACT 3
(CALLED 228.383 ACRE TRACT)
CITY OF GRAND PRAIRIE, TEXAS
A TEXAS MUNICIPAL CORP.
VOL. 2000201, PG. 3551
D.R./D.C.T.
S89°32'03"W
476.94'
PORTION OF
CALLED 25 ACRE TRACT
DP&L
VOL. 1992, PG. 1
D.R./D.C.T.
APPROX. LOC.
PINPARY RENEY
SURVEY
ABSTRACT NO. 1195
PAGE 1 OF 3
EXHIBIT A
44.534 ACRES IN THE
ALEX COCKRELL SURVEY
ABSTRACT NO. 245
City of Grand Prairie, Dallas County, Tx
KEETON SURVEYING COMPANY
H.B. KEETON M.S. KEETON
REGISTERED PROFESSIONAL LAND SURVEYORS
2037 DALWORTH STREET GRAND PRAIRIE, TEXAS
PHONE: (972) 641-0843 FAX: (972) 647-0154
E-MAIL: ksc4019@sbcglobal.net
DATE: 11/14/2018
REV: 03/12/2019
SCALE: 1"=400'
FILE: GP-ANNEXareaR
K:/2018 PROJECTS/CITY OF GRAND PRAIRIE ANNEX

AREA A

Description of Area A:

Being a called 44.534 acre tract of land, out of the Alex Cockrell Survey, Abstract No. 245, in Dallas County, Texas, said 44.534 acre tract being a portion of a called 228.383 acre tract (called Tract 3 per deed) deeded to City of Grand Prairie, according to the deed thereof recorded in Volume 2000201, Page 3551, of the Deed Records of Dallas County, Texas, and a portion of a called 25 acre tract of land deeded to DP&L, according to the deed thereof recorded in Volume 1992, Page 1, of the Deed Records of Dallas County, Texas, said 44.534 acre tract being more particularly described by metes and bounds as follows;

BEGINNING at a point for corner at an inner ell corner of said Tract 3 and the northwest corner of a previously called 25 acre tract deeded to DP&L according to the deed thereof recorded in Volume 1992, Page 5, of the Deed Records of Dallas County, Texas, and being in the intersection of an extension of the centerline of Cardiff Street, a called 31 foot wide concrete street, with the extension of the centerline of Lakeview Street, a 31 foot wide street;

THENCE N. 89°48'29" W., along the common line of said Tract 3 and the centerline of said Lakeview Street, a distance of 615.95 feet to a point for corner in concrete in the curving, easterly right-of-way line of Hardy Road, a variable width right-of-way;

THENCE along the curving easterly right-of-way of said Hardy Road the following 5 courses;

(1) Along a non-tangent curve to the left, having a radius of 1482.70 feet, through a central angle of 15°06'41", an arc distance of 391.06 feet and having a chord which bears N. 06°24'48" E., a distance of 389.92 feet to a point for corner at the end of said curve;

(2) N. 01°08'33" W., a distance of 775.00 feet to a point for corner for the beginning of a curve to the right having a radius 523.10 feet;

(3) Along said curve to the right through a central angle of 62°56'51", an arc distance of 574.70 feet and having a chord which bears N. 30°26'01" E., a distance of 546.23 feet to a point for corner at the end of said curve;

(4) N. 61°54'27" E., a distance of 657.20 feet to a point for corner for the beginning of a curve to the left having a radius of 527.70 feet;

(5) Along said curve to the left, through a central angle of 19°45'21", an arc distance of 181.95 feet and having a chord bears N. 52°01'31" E., a distance of 181.05 feet to a point for corner;

THENCE along the easterly line of said Tract 3, the following 2 courses;

(1) S. 47°12'46" E., a distance of 69.09 feet to a point for corner;

(2) S. 07°18'43" W., a distance of 3,371.51 feet to a point for corner in the approximate elevation of 458 contour near the shoreline of Mountain Creek Lake;

EXHIBIT A

44.534 ACRES IN THE
ALEX COCKRELL SURVEY
ABSTRACT NO. 245

City of Grand Prairie, Dallas County, Tx

KEETON SURVEYING COMPANY
H.B. KEETON M.S. KEETON
REGISTERED PROFESSIONAL LAND SURVEYORS
2037 DALWORTH STREET GRAND PRAIRIE, TEXAS
PHONE: (972) 641-0843 FAX: (972) 647-0154
E-MAIL: ksc4019@sbcglobal.net

DATE: 11/14/2018 REV: 03/12/2019	SCALE: 1"=400'	FILE: GP-ANNEXareaR

K:/2018 PROJECTS/CITY OF GRAND PRAIRIE ANNEX

AREA A

THENCE continuing with the common line of said Tract 3 and along the meanders of the approximate elevation 458 contour of Mountain Creek Lake, the following 3 courses;

(1) S. 82°27'32" W., a distance of 68.90 feet, to a point for corner;

(2) S. 21°26'18" E., a distance of 88.49 feet to an angle point;

(3) S. 44°48'08" E., a distance of 30.45 feet to an angle point being the most northerly corner of a portion of said DP&L 25 acre tract;

THENCE departing an easterly line of said Tract 3 and along the meanders of said approximate elevation 458 contour of Mountain Creek Lake, the following 3 courses;

(1) Continuing S. 44°48'08" E., a distance of 99.75 feet, to a point for corner;

(2) S. 32°56'50" E., a distance of 107.79 feet to an angle point;

(3) S. 34°21'26" E., a distance of 52.33 feet to an angle point;

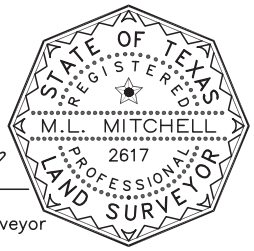
THENCE S. 89°32'03" W., with the south line of said DP&L 25 acre tract, over and across said Tract 3, and with the approximate north line of E. Pioneer Parkway ~ State Highway 303 (right-of-way varies), a distance of 476.94 feet to a point for corner;

THENCE N. 00°09'49" W., with the common line of said Tract 3 and Gateway Addition, an addition to the City of Grand Prairie, according to the plat thereof recorded in Volume 74122, Page 734, of the Plat Records of Dallas County, Texas, a distance of 620.00 feet to a point for corner

THENCE S. 89°38'47" E., with the common line of said Tract 3 and Block 14 of said Gateway Addition, a distance of 300.44 feet, to a point for corner;

THENCE N. 00°04'34" E., with the common line of said Tract 3 and said Cardiff Street, a distance of 1037.97 feet to the POINT OF BEGINNING, and CONTAINING 1,939,889 square feet or 44.534 acres of land, more or less.

Notes:
-This description/exhibit is not from an on the ground survey. It is based on existing deed information and survey prepared by Don Randall Hughes R.P.L.S. No. 5345 dated 8-24-2000 and is not to be used to convey title.
-The Surveyor prepared this exhibit without the benefit of a Title Commitment. The surveyor has not abstracted the record title and/or easements of subject property and assumes no liability for any easements, right-of-way dedications or other title matters affecting the subject property.
-This exhibit does not show existing improvements or easements.



M. L. Mitchell
Registered Professional Land Surveyor
Registration No. 2617

PAGE 3 OF 3

EXHIBIT A

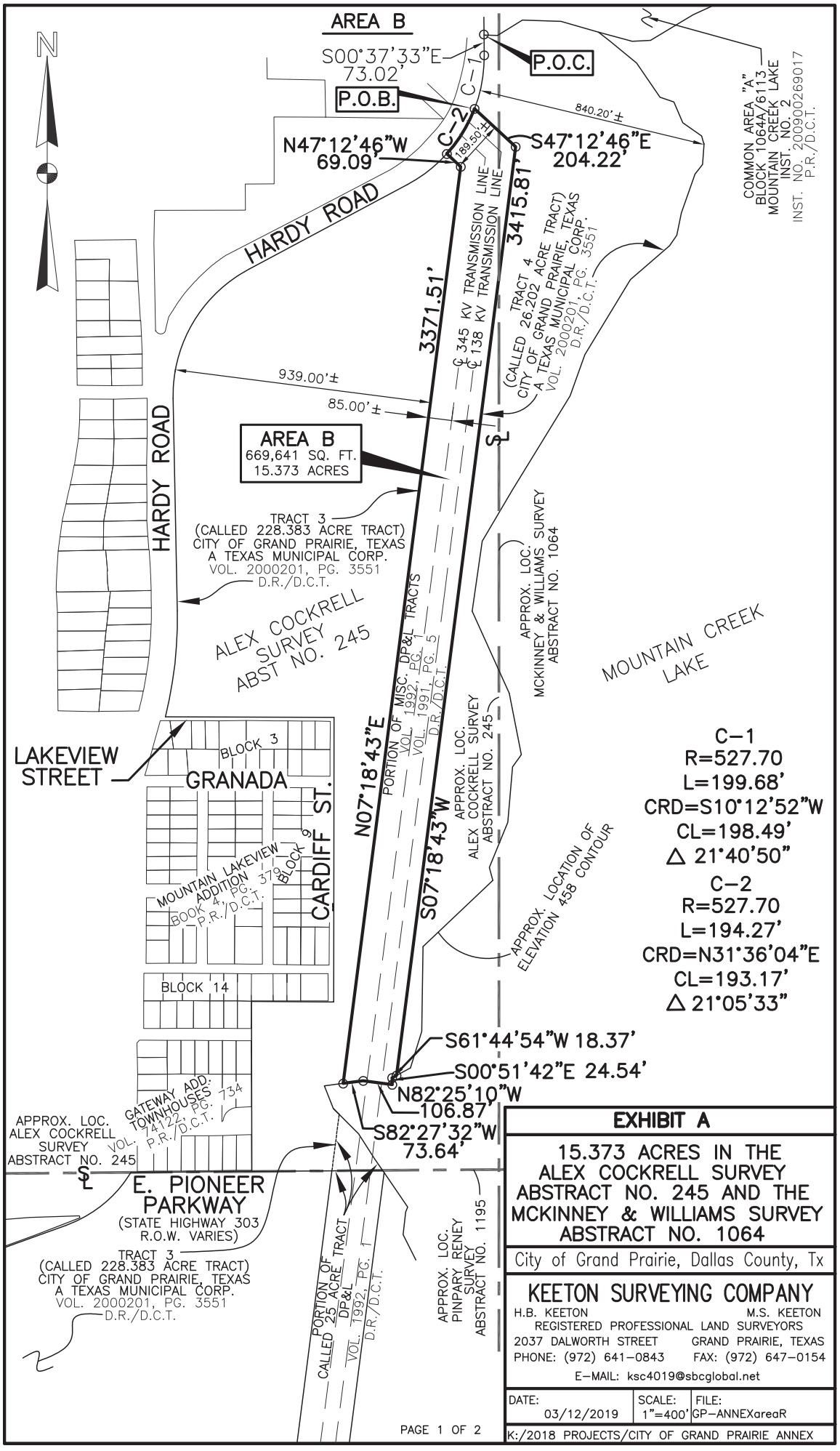
44.534 ACRES IN THE ALEX COCKRELL SURVEY ABSTRACT NO. 245

City of Grand Prairie, Dallas County, Tx

KEETON SURVEYING COMPANY
H.B. KEETON M.S. KEETON
REGISTERED PROFESSIONAL LAND SURVEYORS
2037 DALWORTH STREET GRAND PRAIRIE, TEXAS
PHONE: (972) 641-0843 FAX: (972) 647-0154
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DATE: 11/14/2018 REV: 03/12/2019	SCALE: 1"=400'	FILE: GP-ANNEXareaR

K:/2018 PROJECTS/CITY OF GRAND PRAIRIE ANNEX


AREA B
S00°37'33"E
73.02'
P.O.B.
P.O.C.
C-1
C-2
840.20'±
N47°12'46"W
69.09'
189.50'±
S47°12'46"E
204.22'
HARDY ROAD
3371.51'
3415.81'
℄ 345 KV TRANSMISSION LINE
℄ 138 KV TRANSMISSION LINE
℄
939.00'±
85.00'±
AREA B
669,641 SQ. FT.
15.373 ACRES
TRACT 3
(CALLED 228.383 ACRE TRACT)
CITY OF GRAND PRAIRIE, TEXAS
A TEXAS MUNICIPAL CORP.
VOL. 2000201, PG. 3551
D.R./D.C.T.
TRACT 4
(CALLED 26.202 ACRE TRACT)
CITY OF GRAND PRAIRIE, TEXAS
A TEXAS MUNICIPAL CORP.
VOL. 2000201, PG. 3551
D.R./D.C.T.
COMMON AREA "A"
BLOCK 1064A/6113
MOUNTAIN CREEK LAKE
INST. NO. 2
INST. NO. 200900269017
P.R./D.C.T.
ALEX COCKRELL
SURVEY
ABST NO. 245
APPROX. LOC.
MCKINNEY & WILLIAMS SURVEY
ABSTRACT NO. 1064
MOUNTAIN CREEK
LAKE
PORTION OF MISC. DP&L TRACTS
VOL. 1992, PG. 1
VOL. 1991, PG. 5
D.R./D.C.T.
APPROX. LOC.
ALEX COCKRELL SURVEY
ABSTRACT NO. 245
LAKEVIEW
STREET
BLOCK 3
GRANADA
CARDIFF ST.
BLOCK 9
MOUNTAIN LAKEVIEW
ADDITION
BOOK 4, PG. 379
P.R./D.C.T.
BLOCK 14
N07°18'43"E
S07°18'43"W
APPROX. LOCATION OF
ELEVATION 458 CONTOUR
C-1
R=527.70
L=199.68'
CRD=S10°12'52"W
CL=198.49'
Δ 21°40'50"
C-2
R=527.70
L=194.27'
CRD=N31°36'04"E
CL=193.17'
Δ 21°05'33"
S61°44'54"W 18.37'
S00°51'42"E 24.54'
N82°25'10"W
106.87'
S82°27'32"W
73.64'
GATEWAY ADD:
TOWNHOUSES
VOL. 74122, PG. 734
P.R./D.C.T.
APPROX. LOC.
ALEX COCKRELL
SURVEY
ABSTRACT NO. 245
E. PIONEER
PARKWAY
(STATE HIGHWAY 303
R.O.W. VARIES)
TRACT 3
(CALLED 228.383 ACRE TRACT)
CITY OF GRAND PRAIRIE, TEXAS
A TEXAS MUNICIPAL CORP.
VOL. 2000201, PG. 3551
D.R./D.C.T.
PORTION OF
CALLED 25 ACRE TRACT
DP&L
VOL. 1992, PG. 1
D.R./D.C.T.
APPROX. LOC.
PINPARY RENEY
SURVEY
ABSTRACT NO. 1195
PAGE 1 OF 2
EXHIBIT A
15.373 ACRES IN THE
ALEX COCKRELL SURVEY
ABSTRACT NO. 245 AND THE
MCKINNEY & WILLIAMS SURVEY
ABSTRACT NO. 1064
City of Grand Prairie, Dallas County, Tx
KEETON SURVEYING COMPANY
H.B. KEETON M.S. KEETON
REGISTERED PROFESSIONAL LAND SURVEYORS
2037 DALWORTH STREET GRAND PRAIRIE, TEXAS
PHONE: (972) 641-0843 FAX: (972) 647-0154
E-MAIL: ksc4019@sbcglobal.net
DATE: 03/12/2019
SCALE: 1"=400'
FILE: GP-ANNEXareaR
K:/2018 PROJECTS/CITY OF GRAND PRAIRIE ANNEX

AREA B

Description of Area B:

Being a 15.373 acre tract of land, and being out of the Alex Cockrell Survey, Abstract No. 245, and the McKinney and Williams Survey, Abstract No. 1064, located in Dallas County, Texas, said 15.373 acre tract being a portion of a called 53.6 acre tract, a called 31 acre tract, a 37 acre tract, and a 25 acre tract of land deeded to TP&L, according to the deed thereof recorded in Volume 1992, Page 1 of the Deed Records of Dallas County, Texas, said 15.373 acre tract also being a portion of a called 30.67 acre tract of land deeded to DP&L, according to the deed thereof recorded in Volume 1991, Page 5 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at the most northerly, northwest corner of a called 26.202 acre tract of land (called Tract 4 per deed) deeded to City of Grand Prairie, according to the deed thereof recorded in Volume 2000201, Page 3551, of the Deed Records of Dallas County, Texas and the most easterly, southwest corner of Common Area "A" Block 1064A/6113 of Mountain Creek Lake Installment No. 2, an addition to the City of Grand Prairie according to the plat thereof recorded in Instrument No. 200900269017, of the Plat Records of Dallas County, Texas, said point also being in the easterly line of Hardy Road, a variable width right-of-way;

THENCE S. 00°37'33" E., along the common line of said Hardy Road and said Tract 4, a distance of 73.02 feet to a point for corner in said easterly line of Hardy Road and beginning of a curve to the right having a radius 527.70 feet;

THENCE continuing along common line of said Hardy Road and Tract 4, and with said curve to the right, through a central angle of 21°40'50", an arc distance of 199.68 feet, and having a chord which bears S. 10°12'52" W., a distance of 198.49 feet to the POINT OF BEGINNING of herein described tract;

THENCE S. 47°12'46" E., departing said Hardy Road and with the common line of said 15.373 acre tract and said Tract 4, a distance of 204.22 feet to a point for corner;

THENCE S. 07°18'43" W., with the common line of said 15.373 acre tract and said Tract 4, a distance of 3415.81 feet to a point for corner on the approximate elevation of 458 contour near the shoreline of Mountain Creek Lake;

THENCE along the common line of said 15.373 acre tract and said meanders of the elevation of 458 contour of Mountain Creek Lake, the following 4 courses;
(1) S. 61°44'54" W., a distance of 18.37 feet to a point for corner;
(2) S. 00°51'42" E., a distance of 24.54 feet to a point for corner;
(3) N. 82°25'10" W., a distance of 106.87 feet to a point for corner;
(4) S. 82°27'32" W., a distance of 73.64 feet to a point for corner;

THENCE with the common line a called 228.383 acre tract of land (called Tract 3 per deed) deeded to City of Grand Prairie, according to the deed thereof recorded in Volume 2000201, Page 3551, of the Deed Records of Dallas County, Texas and said 15.373 acre tract the following 2 calls;
(1) N. 07°18'43" E., a distance of 3371.51 feet to a point for corner;
(2) N. 47°12'46" W., a distance of 69.09 feet to a point for corner, said point in aforementioned Hardy Road and being in a curve to the left having a radius 527.70 feet;

THENCE along the common line of said Hardy Road and said 15.373 acre tract and with said curve to the left through a central angle of 21°05'33", an arc distance of 194.27 feet and a chord which bears N. 31°36'04" E., a distance of 193.17 feet to the POINT OF BEGINNING, and CONTAINING 669,641 square feet or 15,373 acres of land, more or less.

Notes:
-This description/exhibit is not from an on the ground survey. It is based on existing deed information and survey prepared by Don Randall Hughes R.P.L.S. No. 5345 dated 8-24-2000 and is not to be used to convey title.
-The Surveyor prepared this exhibit without the benefit of a Title Commitment. The surveyor has not abstracted the record title and/or easements of subject property and assumes no liability for any easements, right-of-way dedications or other title matters affecting the subject property.
-This exhibit does not show existing improvements or easements.

STATE OF TEXAS
REGISTERED
M.L. MITCHELL
2617
PROFESSIONAL
LAND SURVEYOR

M. L. Mitchell
Registered Professional Land Surveyor
Registration No. 2617

PAGE 2 OF 2

EXHIBIT A

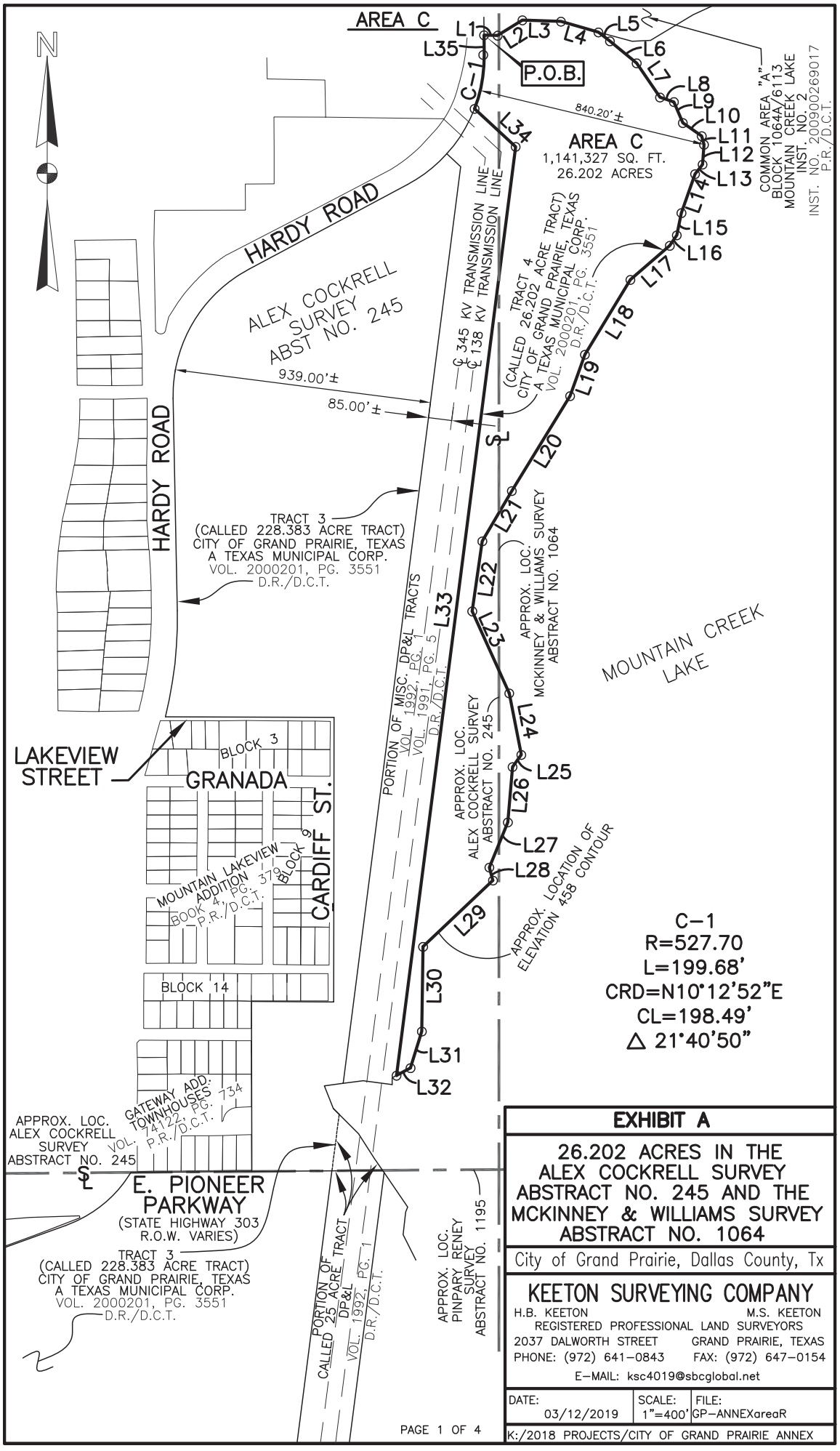
15.373 ACRES IN THE ALEX COCKRELL SURVEY ABSTRACT NO. 245 AND THE MCKINNEY & WILLIAMS SURVEY ABSTRACT NO. 1064

City of Grand Prairie, Dallas County, Tx

KEETON SURVEYING COMPANY
H.B. KEETON M.S. KEETON
REGISTERED PROFESSIONAL LAND SURVEYORS
2037 DALWORTH STREET GRAND PRAIRIE, TEXAS
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DATE:	SCALE:	FILE:
03/12/2019	1"=400'	GP-ANNEXareaR

K:/2018 PROJECTS/CITY OF GRAND PRAIRIE ANNEX


AREA C
L1
L2
L3
L4
L5
L6
L7
L8
L9
L10
L11
L12
L13
L14
L15
L16
L17
L18
L19
L20
L21
L22
L23
L24
L25
L26
L27
L28
L29
L30
L31
L32
L33
L34
L35
C-1
P.O.B.
840.20'±
AREA C
1,141,327 SQ. FT.
26.202 ACRES
COMMON AREA "A"
BLOCK 1064A/6113
MOUNTAIN CREEK LAKE
INST. NO. 2
INST. NO. 200900269017
P.R./D.C.T.
N
HARDY ROAD
ALEX COCKRELL SURVEY ABST NO. 245
939.00'±
85.00'±
℄ 345 KV TRANSMISSION LINE
℄ 138 KV TRANSMISSION LINE
TRACT 4
(CALLED 26.202 ACRE TRACT)
CITY OF GRAND PRAIRIE, TEXAS
A TEXAS MUNICIPAL CORP.
VOL. 2000201, PG. 3551
D.R./D.C.T.
TRACT 3
(CALLED 228.383 ACRE TRACT)
CITY OF GRAND PRAIRIE, TEXAS
A TEXAS MUNICIPAL CORP.
VOL. 2000201, PG. 3551
D.R./D.C.T.
PORTION OF MISC. DP&L TRACTS
VOL. 1992, PG. 1
VOL. 1991, PG. 5
D.R./D.C.T.
APPROX. LOC. MCKINNEY & WILLIAMS SURVEY ABSTRACT NO. 1064
APPROX. LOC. ALEX COCKRELL SURVEY ABSTRACT NO. 245
MOUNTAIN CREEK LAKE
LAKEVIEW STREET
BLOCK 3
GRANADA
CARDIFF ST.
BLOCK 9
MOUNTAIN LAKEVIEW ADDITION
BOOK 4, PG. 379
P.R./D.C.T.
BLOCK 14
GATEWAY ADD. TOWNHOUSES
VOL. 74122, PG. 734
P.R./D.C.T.
APPROX. LOC. ALEX COCKRELL SURVEY ABSTRACT NO. 245
APPROX. LOCATION OF ELEVATION 458 CONTOUR
C-1
R=527.70
L=199.68'
CRD=N10°12'52"E
CL=198.49'
Δ 21°40'50"
E. PIONEER PARKWAY
(STATE HIGHWAY 303
R.O.W. VARIES)
TRACT 3
(CALLED 228.383 ACRE TRACT)
CITY OF GRAND PRAIRIE, TEXAS
A TEXAS MUNICIPAL CORP.
VOL. 2000201, PG. 3551
D.R./D.C.T.
PORTION OF CALLED 25 ACRE TRACT DP&L
VOL. 1992, PG. 1
D.R./D.C.T.
APPROX. LOC. PINPARY RENEY SURVEY ABSTRACT NO. 1195
EXHIBIT A
26.202 ACRES IN THE ALEX COCKRELL SURVEY ABSTRACT NO. 245 AND THE MCKINNEY & WILLIAMS SURVEY ABSTRACT NO. 1064
City of Grand Prairie, Dallas County, Tx
KEETON SURVEYING COMPANY
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K:/2018 PROJECTS/CITY OF GRAND PRAIRIE ANNEX
PAGE 1 OF 4

AREA C



LINE TABLE		
LINE	LENGTH	BEARING
L1	49.80'	S88°20'42"E
L2	106.25'	N58°08'47"E
L3	140.83'	S88°02'07"E
L4	142.30'	S73°57'44"E
L5	53.09'	S52°15'45"E
L6	126.28'	S50°35'01"E
L7	150.90'	S34°16'06"E
L8	53.69'	S71°51'55"E
L9	83.13'	S23°01'09"E
L10	83.90'	S55°13'22"E
L11	32.51'	S15°03'35"E
L12	72.55'	S04°13'44"W
L13	44.09'	S38°15'45"W
L14	150.83'	S19°16'06"W
L15	82.95'	S11°47'45"W
L16	46.04'	S33°56'31"W
L17	189.97'	S49°11'42"W
L18	319.41'	S31°19'12"W
L19	160.53'	S19°39'28"W
L20	406.43'	S31°33'38"W
L21	212.65'	S30°21'13"W
L22	258.15'	S08°11'47"W
L23	328.04'	S24°17'47"E
L24	228.81'	S11°04'41"E
L25	54.38'	S35°52'41"W
L26	202.99'	S04°49'50"W
L27	178.05'	S22°17'06"W
L28	48.82'	S15°22'46"E
L29	351.39'	S46°29'04"W
L30	308.90'	S00°49'55"W
L31	139.93'	S17°14'33"W
L32	57.79'	S61°44'54"W
L33	3415.81'	N07°18'43"E
L34	204.22'	N47°12'46"W
L35	73.02'	N00°37'33"W

EXHIBIT A

26.202 ACRES IN THE ALEX COCKRELL SURVEY ABSTRACT NO. 245 AND THE MCKINNEY & WILLIAMS SURVEY ABSTRACT NO. 1064

City of Grand Prairie, Dallas County, Tx

KEETON SURVEYING COMPANY
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DATE:	SCALE:	FILE:
03/12/2019	1"=400'	GP-ANNEXareaR

K:/2018 PROJECTS/CITY OF GRAND PRAIRIE ANNEX

AREA C

Description of Area C:

Being a called 26.202 acre tract of land, out of the Alex Cockrell Survey, Abstract No. 245 and the McKinney and Williams Survey, Abstract No. 1064, in Dallas County, Texas, (called Tract 4 per deed) deeded to City of Grand Prairie according to the deed thereof recorded in Volume 2000201, Page 3551, of the Deed Records of Dallas County, Texas, said 26.202 acre tract being more particularly described by metes and bounds as follows;

BEGINNING at a point for corner at the most northerly, northwest corner of said Tract 4 and the most easterly, southwest corner of Common Area "A" Block 1064A/6113 of Mountain Creek Lake Installment No. 2, an addition to the City of Grand Prairie according to the plat thereof recorded in Instrument No. 200900269017 of the Plat Records of Dallas County, Texas, said point also being in the easterly line of Hardy Road, a variable width right-of-way;

THENCE with the common line of said Tract 4 and said Common Area "A" the following 4 courses;

(1) S. 88°20'42" E., a distance of 49.80 feet to a point for corner;

(2) N. 58°08'47" E., a distance of 106.25 feet to a point for corner;

(3) S. 88°02'07" E., a distance of 140.83 feet to a point for corner;

(4) S. 73°57'44" E., a distance of 142.30 feet to a point for corner on the approximate elevation line of 458 contour along the shoreline of Mountain Creek Lake;

THENCE along the common line of said Tract 4 and said meanders of the elevation line of 458 contour of Mountain Creek Lake, the following 28 courses;

(1) S. 52°15'45" E., a distance of 53.09 feet to a point for corner;

(2) S. 50°35'01" E., a distance of 126.28 feet to a point for corner;

(3) S. 34°16'06" E., a distance of 150.90 feet to a point for corner;

(4) S. 71°51'55" E., a distance of 53.69 feet to a point for corner;

(5) S. 23°01'09" E., a distance of 83.13 feet to a point for corner;

(6) S. 55°13'22" E., a distance of 83.90 feet to a point for corner;

(7) S. 15°03'35" E., a distance of 32.51 feet to a point for corner;

(8) S. 04°13'44" W., a distance of 72.55 feet to a point for corner;

(9) S. 38°15'45" W., a distance of 44.09 feet to a point for corner;

(10) S. 19°16'06" W., a distance of 150.83 feet to a point for corner;

(11) S. 11°47'45" W., a distance of 82.95 feet to a point for corner;

(12) S. 33°56'31" W., a distance of 46.04 feet to a point for corner;

EXHIBIT A

26.202 ACRES IN THE ALEX COCKRELL SURVEY ABSTRACT NO. 245 AND THE MCKINNEY & WILLIAMS SURVEY ABSTRACT NO. 1064

City of Grand Prairie, Dallas County, Tx

KEETON SURVEYING COMPANY
H.B. KEETON M.S. KEETON
REGISTERED PROFESSIONAL LAND SURVEYORS
2037 DALWORTH STREET GRAND PRAIRIE, TEXAS
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DATE:	SCALE:	FILE:
03/12/2019	1"=400'	GP-ANNEXareaR

K:/2018 PROJECTS/CITY OF GRAND PRAIRIE ANNEX

AREA C

(13) S. 49°11'42" W., a distance of 189.97 feet to a point for corner;

(14) S. 31°19'12" W., a distance of 319.41 feet to a point for corner;

(15) S. 19°39'28" W., a distance of 160.53 feet to a point for corner;

(16) S. 31°33'38" W., a distance of 406.43 feet to a point for corner;

(17) S. 30°21'13" W., a distance of 212.65 feet to a point for corner;

(18) S. 08°11'47" W., a distance of 258.15 feet to a point for corner;

(19) S. 24°17'47" E., a distance of 328.04 feet to a point for corner;

(20) S. 11°04'41" E., a distance of 228.81 feet to a point for corner;

(21) S. 35°52'41" W., a distance of 54.38 feet to a point for corner;

(22) S. 04°49'50" W., a distance of 202.99 feet to a point for corner;

(23) S. 22°17'06" W., a distance of 178.05 feet to a point for corner;

(24) S. 15°22'46" E., a distance of 48.82 feet to a point for corner;

(25) S. 46°29'04" W., a distance of 351.39 feet to a point for corner;

(26) S. 00°49'55" W., a distance of 308.90 feet to a point for corner;

(27) S. 17°14'33" W., a distance of 139.93 feet to a point for corner;

(28) S. 61°44'54" W., a distance of 57.79 feet to a point for corner;

THENCE departing said meanders of the elevation of 458 contour of Mountain Creek Lake and with the westerly line of said Tract 4 the following courses;

(1) N. 07°18'43" E., a distance of 3415.81 feet to a point for corner;

(2) N. 47°12'46" W., a distance of 204.22 feet to a point for corner in said easterly line of Hardy Road and being in a curve to the left having a radius 527.70 feet;

THENCE along the common line of said Hardy Road and Tract 4 and with said curve to the left through a central angle of 21°40'50", an arc distance of 199.68 feet and having a chord which bears N. 10°12'52" E., a distance of 198.49 feet to the end of said curve;

THENCE N. 00°37'33" W., along the common line of said Hardy Road and Tract 4, a distance of 73.02 feet to the POINT OF BEGINNING, and CONTAINING 1,141,327 square feet or 26.202 acres of land, more or less.

Notes:
–This description/exhibit is not from an on the ground survey. It is based on existing deed information and survey prepared by Don Randall Hughes R.P.L.S. No. 5345 dated 8–24–2000 and is not to be used to convey title.
–The Surveyor prepared this exhibit without the benefit of a Title Commitment. The surveyor has not abstracted the record title and/or easements of subject property and assumes no liability for any easements, right–of–way dedications or other title matters affecting the subject property.
–This exhibit does not show existing improvements or easements.

STATE OF TEXAS
REGISTERED
M. L. MITCHELL
2617
PROFESSIONAL
LAND SURVEYOR

M. L. Mitchell
Registered Professional Land Surveyor
Registration No. 2617

PAGE 4 OF 4

EXHIBIT A

26.202 ACRES IN THE ALEX COCKRELL SURVEY ABSTRACT NO. 245 AND THE MCKINNEY & WILLIAMS SURVEY ABSTRACT NO. 1064

City of Grand Prairie, Dallas County, Tx

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DATE:	SCALE:	FILE:
03/12/2019	1"=400'	GP–ANNEXareaR

K:/2018 PROJECTS/CITY OF GRAND PRAIRIE ANNEX

Agenda Information Sheet

File #: 19-647 **Item #:** 27.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 1, 2, 4, 6, 9, 14

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize payment to the Texas Department of Transportation for cost overruns related to intersection and traffic signal improvements at the following five locations: Lombardy Lane and Brockbank Drive, Illinois Avenue and Vernon Avenue, Ferguson Road and Maylee Boulevard/Shiloh Road, Cedar Springs Road and Douglas Avenue, Olive Street and San Jacinto Street in the amount of $162,321.47 - Financing: General Fund

BACKGROUND

The City of Dallas was awarded grant funding totaling $8 million from the 2016 Highway Safety Improvement Program (HSIP). This program is typically administered by the Texas Department of Transportation (TxDOT) and allows the City to reconstruct and install several traffic signals at high accident intersections Citywide.

On June 28, 2017, City Council authorized a Local Project Advance Funding Agreement (LPAFA) to fund the upgrade and/or construction of five existing traffic signals: Lombardy Lane and Brockbank Drive, Illinois Avenue and Vernon Avenue, Ferguson Road and Maylee Boulevard/Shiloh Road, Cedar Springs Road and Douglas Avenue, Olive Street and San Jacinto Street by Resolution No. 17-1054. The intersection improvements at these five off system intersections will include upgrades to pedestrian features, signage, pavement markings and reconstruction of traffic signals. Resolution No. 17-1054 also authorized the payment of a 10% local match warrant check in the amount of $149,435.16. Per the agreement with TxDOT, the City is responsible for 100% of construction bid overages.

Due to large increases in material costs, deemed higher than the estimate completed in 2016, the lowest bid came in above the projected estimate by $162,321.47, which is the responsibility of the City to cover.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction July 2019
Complete Construction December 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 14, 2017, City Council authorized a contract with Kimley-Horn and Associates, Inc. to provide professional design services by Resolution No. 17-0931.

On June 28, 2017, City Council authorized a Local Project Advance Funding Agreement with the Texas Department of Transportation by Resolution No. 17-1054.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

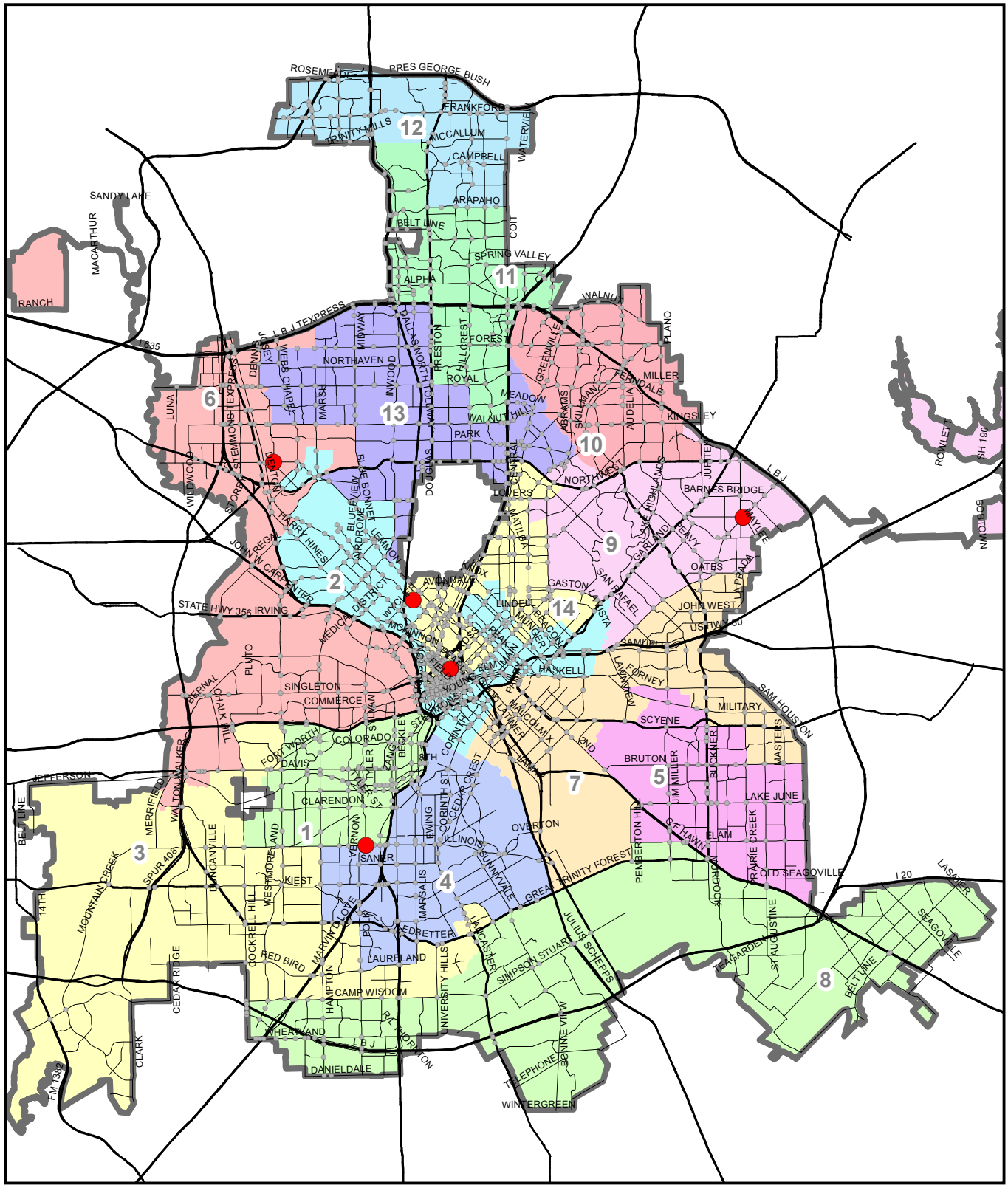
General Fund - $162,321.47

Council District	Amount
1	$ 27,053.58
2	$ 27,053.58
4	$ 27,053.58
6	$ 27,053.58
9	$ 27,053.58
14	$ 27,053.57
Total Amount	$162,321.47

MAP

Attached

HSIP 2016 Submittal
with Five Intersections (Group C)



Council Districts 1, 2, 4, 6, 9, 14
Mapsco Pages 23T, 35W, 39E, 45K, 53T

Map by Transportation GIS, February 2017

June 12, 2019

WHEREAS, the Texas Department of Transportation (TxDOT) will construct upgrades to the five existing traffic signals, Lombardy Lane and Brockbank Drive, Illinois Avenue and Vernon Avenue, Ferguson Road and Maylee Boulevard/Shiloh Road, Cedar Springs Road and Douglas Avenue, Olive Street and San Jacinto Street; and

WHEREAS, the City of Dallas issued a previous local match warrant payment in the amount of $149,435.19 based on a 10 percent local match of preliminary construction cost estimates and related fees; and

WHEREAS, based on construction bids received by TxDOT in April 2019, the City of Dallas cost responsibility increased by $162,321.47; and

WHEREAS, the City of Dallas is responsible for 100 percent of project costs exceeding the original estimate in the amount of $162,321.47.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the Chief Financial Officer is hereby authorized to issue a payment in the amount of $162,321.47, in accordance with the terms in the Interlocal Agreement with the Texas Department of Transportation (TxDOT) (Vendor 020318) authorized by previous Council Resolution No. 17-1054 on June 28, 2017, for project cost overruns.

SECTION 2. That this contract is designated as Contract No. TRN-2017-00001933.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-642 **Item #:** 28.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize **(1)** the receipt and deposit of funds in an amount not to exceed $12,800.00 from HCBeck, LTD on behalf of AT&T, Inc. for material, equipment and labor provided by the City related to the construction of a traffic signal upgrade at Griffin and Wood Streets; and **(2)** an increase in appropriations in an amount not to exceed $12,800.00 in the Capital Projects Reimbursement Fund - Not to exceed $12,800.00 - Financing: Capital Projects Reimbursement Funds

BACKGROUND

HCBeck, LTD on behalf of AT&T, Inc. is installing the radar detection system for Griffin and Wood Streets intersection. The traffic signal upgrade will be constructed by the developer as part of the AT&T Discovery Plaza construction project.

In order to remain consistent with existing traffic signal equipment in the City system, City forces will provide material and equipment for the intersection, as well as the labor to prepare the traffic controller cabinet and time the signal. HCBeck, LTD has agreed to pay the full cost for all City material, equipment and labor toward the project.

HCBeck, LTD understands that upon City Council approval of the required funding, funds in the amount of $12,800.00 are to be deposited with the City of Dallas before any signal-related materials or labor can be provided by the City.

It is understood that the final construction cost will be determined by the City upon completion of the project and that HCBeck, LTD will be billed for any amount over the prepayment amount or refunded any unused funds.

This estimate includes all City of Dallas signal equipment, materials and labor associated with modifications of the signalized location.

Intersection	Council District
Griffin and Wood Streets	14

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	June 2019
Complete Construction	July 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 9, 2018, City Council authorized the receipt and deposit of funds from HCBeck, LTD on behalf of AT&T, Inc. for certain material and labor costs associated with removal of existing traffic signals and replacing them with new signals at 8 intersections surrounding the proposed AT&T Discovery Plaza by Resolution No. 18-0682.

On February 13, 2019, City Council authorized the receipt and deposit of funds from HCBeck, LTD on behalf of AT&T, Inc. for material, equipment and labor provided by the City related to the construction of an upgrade traffic signal at Ervay and Wood Streets by Resolution No. 19-0263.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

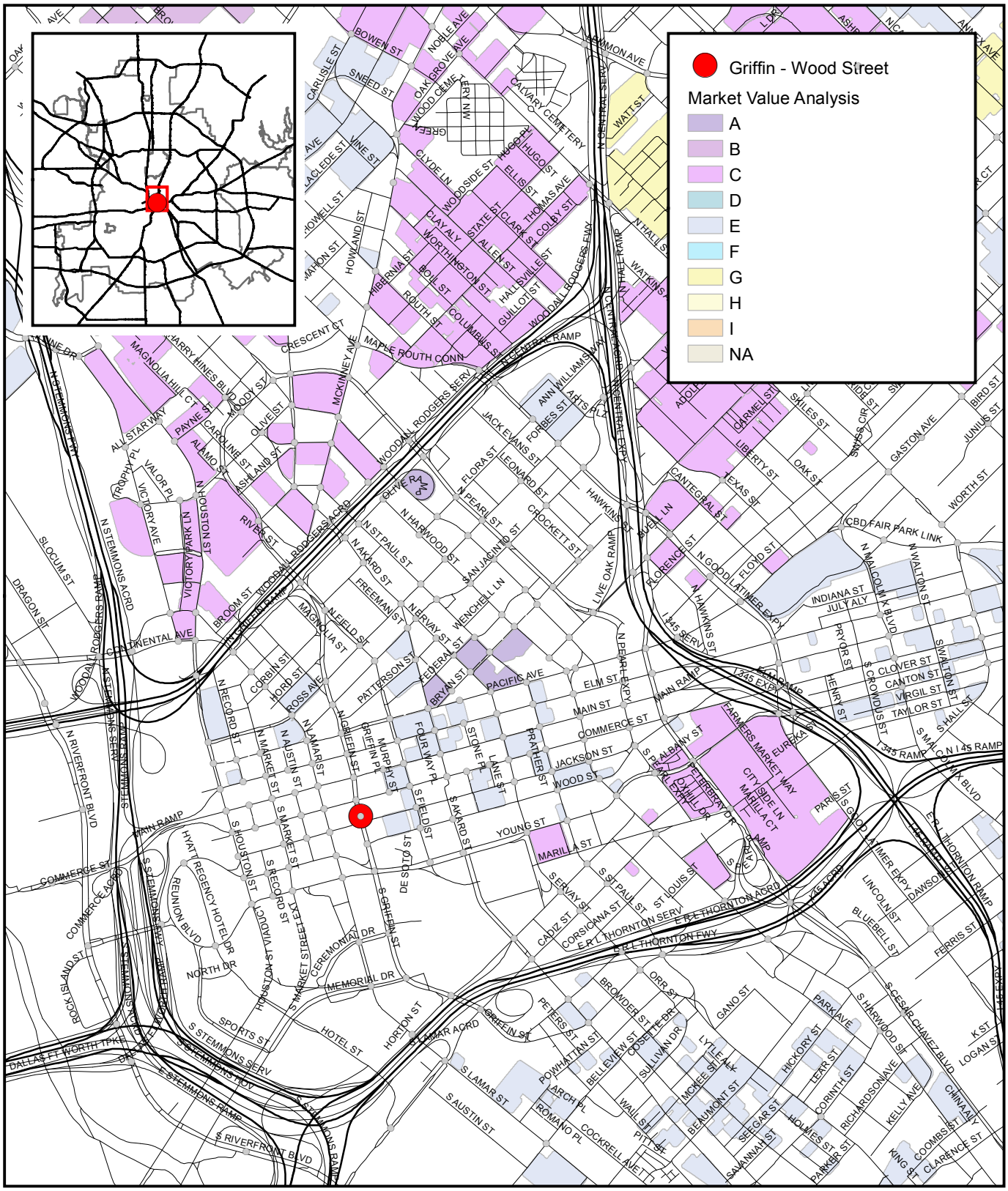
Capital Projects Reimbursement Funds - $12,800.00

MAP

Attached

powered by Legistar™

Traffic Signal Upgrade
Griffin Street and Wood Street



Council District 14

Map by Transportation GIS, January 2019

June 12, 2019

WHEREAS, HCBeck, LTD on behalf of AT&T, Inc. is paying 100 percent of the design and construction costs for completely upgraded traffic signal at Griffin and Wood Streets; and

WHEREAS, HCBeck, LTD on behalf of AT&T, Inc. has agreed to reimburse the City of Dallas for material, equipment and labor costs related to the complete upgrade of the traffic signal being upgraded at the intersection surrounding the proposed AT&T Discovery Plaza, in an amount not to exceed $12,800.00.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed $12,800.00 from HCBeck, LTD on behalf of AT&T, Inc. in the Capital Projects Reimbursement Fund, Fund 0556, Department TRN, Unit W312, Revenue Code 8492.

SECTION 2. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $12,800.00 in the Capital Projects Reimbursement Fund, Fund 0556, Department TRN, Unit W312, Object 4820, Activity THRG, Program TP17W228.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $12,800.00 received from HCBeck, LTD on behalf of AT&T, Inc. from Capital Projects Reimbursement Fund, Fund 0556, Department TRN, Unit W312, Object 4820, Activity THRG, Program TP17W228 for services related to the complete upgrade of traffic signal.

SECTION 4. That the Chief Financial Officer is hereby authorized to refund HCBeck, LTD any unused funds.

SECTION 5. That this contract is designated as Contract No. TRN-2018-00005912.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-725 **Item #:** 29.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize **(1)** the acceptance of a grant from the U.S. Department of Transportation Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Surface Transportation Block Grant (Agreement No. CSJ 0918-47-072, CFDA No. 20.205) in the amount of $1,791,508.00 as federal share in the total project cost estimate of $2,418,411.00 (includes Federal and State participation of $1,955,406.00) for costs related to the installation of safety measures at several railroad/roadway crossing locations in East Dallas along the Kansas City Southern Railway corridor for the establishment of a Quiet Zone; **(2)** the establishment of appropriations in the amount of $1,791,508.00 in the Surface Transportation Block Grant Project Fund; **(3)** the receipt and deposit of funds in the amount of $1,791,508.00 in the Surface Transportation Block Grant Project Fund; **(4)** a required local match in the amount of $463,005.00 from 2017 Bond Funds; **(5)** disbursement of a portion of local match funds in the amount of $15,128.00 to be issued as warrant checks to TxDOT for State construction costs and other State direct costs related to the project (includes $5,988.00 initial payment and $9,140.00 payment prior to construction); and **(6)** execution of the Local Project Advance Funding Agreement with TxDOT in the approximate amount of $2,418,411.00 and all terms, conditions, and documents required by the agreement - Total amount of $2,418,411.00 - Financing: Texas Department of Transportation Grant Funds ($1,955,406.00) and Street and Transportation (A) Fund (2017 Bond Funds) ($463,005.00) (see Fiscal Information)

BACKGROUND

The sounding of locomotive train horns as the train approaches street grade crossings throughout the day and night negatively impacts the quality of life for people residing near and in the general vicinity of a rail line.

In response to this concern, the Federal Railroad Administration (FRA) issued its Train Horn Rule which provides a detailed step process for implementation of a Quiet Zone. This process includes the issuance of a Notice of Intent (NOI) by the City, a multi-agency on-site Diagnostic Team meeting, installation of appropriate supplemental and/or alternative safety measures deemed necessary, followed by the issuance of a Notice of Establishment (NOE) by the City to affected agencies including the FRA, railroad operators, State agencies and the owners of the rail corridor.

On June 10, 2009, City Council previously authorized the issuance of a NOI by Resolution No. 09-1460. The NOI was issued on July 26, 2018. A Diagnostic Team meeting composed of representatives from the City of Dallas, FRA, TxDOT and the Kansas City Southern (KCS) Railway was held on April 26, 2016 to provide an on-site evaluation for each crossing. The group identified and discussed possible upgrades for the implementation of a future Quiet Zone. A follow-up meeting was held on December 6, 2018 with KCS personnel to reacquaint with existing railroad crossing surface and safety equipment and to identify probable upgrades.

Preliminary engineering plans are currently being developed for the implementation of appropriate supplemental and/or alternative safety measures. A Quiet Zone will be established once these safety measures are in place and FRA approval has been granted.

This Quiet Zone project was selected for Category 7 - Surface Transportation Block Grant (STBG) Program funding intended for metropolitan mobility enhancements and rehabilitation projects in urbanized areas with populations greater than 200,000 and requires a Local Project Advance Funding Agreement (LPAFA) with TxDOT. TxDOT requires that City Council approve an ordinance or issue a resolution that states the City's support for the project and authorizes the execution of the LPAFA agreement. The STBG program is an 80% federally-funded cost reimbursement program with a minimum 20% local match for construction-related costs.

The total project cost allocation is $2,418,411.00 and will be paid from $1,955,406.00 in State and Federal funds and $463,005.00 in local funds.

ESTIMATED SCHEDULE OF PROJECT

Complete Design	September 2019
FRA Application Submittal	October 2019
Begin Construction	March 2020
Complete Construction	June 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 26, 2007, the Transportation and Environment Committee was introduced to the concept of a Railroad Quiet Zone and briefed on the specific requirements of the Federal Rail Administration (FRA) Train Horn Rule.

On January 12, 2009, the Transportation and Environment Committee was presented with candidate Railroad Quiet Zone projects.

On June 10, 2009, City Council authorized issuance of the Notice of Intent (NOI) for the establishment of a Quiet Zone in East Dallas by Resolution No. 09-1460.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on June 10, 2019.

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FISCAL INFORMATION

Street and Transportation Improvement (A) Fund (2017 Bond Funds) (this action) - $15,128.00
Future Construction Cost (2017 Bond Funds) - $447,877.00
(Total Local Match $463,005.00)
Texas Department of Transportation Grant Funds (for City) - $1,791,508.00
Texas Department of Transportation Grant Funds (for State) - $36,562.00

Budget Summary Estimate and Source of Funds:

Federal Participation (80% for City's Construction)	$1,791,508.00 (this action)
Federal Participation (80% for Direct State Costs)	$ 36,562.00
State Participation (TxDOT Indirect Costs)	$ 127,336.00
Local Participation (City's Initial Payment to State)	$ 5,988.00 (this action)
Local Participation (City's 2nd payment to State)	$ 9,140.00 (this action)
Local Participation (20% for City's Construction)	$ 447,877.00
Total Project Cost/Total Budget Estimate	$2,418,411.00

MAP

Attached

LOCATION MAP



June 12, 2019

WHEREAS, the routine sounding of the locomotive train horn approaching roadway-rail grade crossings has a negative effect on the quality of life for those persons living near a rail line; and

WHEREAS, the Federal Railroad Administration (FRA) rules and regulations include provisions that allow communities to silence train horns and establish "Quiet Zones" at roadway-rail grade crossings by implementing certain qualifying safety measures; and

WHEREAS, in August 2004, the North Central Texas Council of Governments' (NCTCOG) Regional Transportation Council (RTC) approved the 2004 Railroad Reliability Partnership program that included roadway-rail grade crossing improvements along a section of the Kansas City Southern (KCS) Railway in East Dallas between Interstate Highway 30 and Interstate Highway 635 (Lyndon B. Johnson Freeway); and

WHEREAS, in November 2004, the proposed roadway-rail grade crossing improvements in East Dallas were included in NCTCOGs Transportation Improvement Program (TIP); and

WHEREAS, on August 17, 2006, the Federal Railroad Administration (FRA) issued revised rules and regulations (49 CFR Parts 222 and 229) known as the "Train Horn Final Rule" governing the Use of Locomotive Horns at Highway-Rail Grade Crossings; and

WHEREAS, on January 12, 2009, the Transportation & Environment Committee was briefed regarding the FRA process for establishment of a Quiet Zone and the status of ongoing projects; and

WHEREAS, the roadway-rail grade crossings project in East Dallas was identified at the January 12, 2009 Transportation & Environment Committee meeting as a Quiet Zone project candidate; and

WHEREAS, on April 14, 2016, the RTC approved the Milestone Policy Project List for TIP projects that had received funds more than 10 years ago and had not yet been constructed; and

WHEREAS, the city's roadway-rail grade crossings project in East Dallas was included in the RTC list of Milestone projects; and

WHEREAS, funding for the project was set at 80% from federal Surface Transportation Block Grant (STBG) funds and 20% from local match funds for construction; and

WHEREAS, on May 10, 2018, the RTC approved the 2019-2022 TIP that identified $1,828,070.00 federal funding, representing 80% participation, for the roadway-rail grade crossings project in East Dallas; and

WHEREAS, the 2017 City of Dallas Bond Program appropriated $543,000.00 for the design and construction of Rail Road Crossing Quiet Zone project funding; and

WHEREAS, the City of Dallas and TxDOT have entered into a Master Agreement which states the general terms and conditions for the development of transportation projects through the Local Transportation Project Advance Funding Agreement (LPAFA); and

WHEREAS, the City of Dallas is interested in implementing the 'KCS Quiet Zone East Dallas' project as a specific project under the LPAFA; and

WHEREAS, TxDOT requires that a city resolution or ordinance be made part of the LPAFA.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to: accept a grant from the U.S. Department of Transportation Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Surface Transportation Block Grant (Agreement No. CSJ 0918-47-072, CFDA No. 20.205) in the amount of $1,791,508.00 as federal share in the total project cost estimate of $2,418,411.00 (includes Federal and State participation of $1,955,406.00) for costs related to the installation of safety measures at several railroad/roadway crossing locations in East Dallas along the Kansas City Southern Railway corridor for the establishment of a Quiet Zone; provide a local match in the amount of $463,005.00 from 2017 Bond Funds; execute a Local Project Advance Funding Agreement with TxDOT, in the approximate amount of $2,418,411.00, and all terms, conditions, and documents required by the agreement, approved as to form by the City Attorney; and issue warrant check payments to TxDOT in the amount of $15,128.00 for the City's share of TxDOT engineering review and construction oversight costs.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $1,791,508.00 in the Surface Transportation Block Grant Project Fund, Fund F576, Department TRN, Unit 3882, Object 4599.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed $1,791,508.00 into the Surface Transportation Block Grant Project Fund, Fund F576, Department TRN, Unit 3882, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse local funds in the amount of $15,128.00 in accordance with the terms and conditions of the agreement from Street and Transportation (A) Fund, Fund 1V22, Department TRN, Unit V142, Activity RRQZ, Object 4599, Program PB17V142, Encumbrance/Contract No. TRN-2019-00010412, Vendor 020318.

SECTION 5. That the City Manager is hereby authorized to reimburse to the granting agency any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the reimbursement.

SECTION 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-813 **Item #:** 30.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Equipment and Fleet Management Department

EXECUTIVE: Elizabeth Reich

SUBJECT

An ordinance amending Chapter 15D, "Emergency Vehicles", of the Dallas City Code, by amending Sections 15D-15 and 15D-53 to **(1)** revise the definition of Emergency Wrecker Service to include City-owned vehicles; and **(2)** include the addition of City-owned vehicles to the rapid response program - Estimated amount of $149,994 - Financing: Various Funds (see Fiscal Information)

BACKGROUND

Currently, City-owned vehicles that are inoperable for mechanical reasons and require a tow are classified as non-emergency wrecker service. This non-emergency wrecker service is provided by contract with two tow companies. Wait times for non-emergency wrecker service has sometimes exceeded 2 hours and adversely impacted operations and staff's ability to return to work.

These ordinance amendments will allow mechanically inoperable City-owned vehicles to receive emergency wrecker service and greatly enhance timeliness and safety in the retrieval of vehicles and their operators from the right-of-way. Annually, it is estimated that approximately 906 or 25 percent of City-owned vehicle tows will be recategorized from non-emergency to emergency. The Dallas Police Department will continue to utilize the existing rotation schedule for the approximately 32 authorized emergency wrecker companies by specific tow zone.

There is a cost difference between the existing non-emergency contract and the fees for emergency wrecker service as approved by ordinance. Staff estimates that these ordinance changes will cost an additional $149,994 in annual tow expenses. However, there are anticipated savings in staff overtime as well as reduced opportunity for roadside injuries and vehicle damage that will offset this new cost.

The table below shows the variances by vehicle tow category:

Tow Type	Contract Cost	Emergency Cost	Variance	Annual Est. Volume	Estimated Costs
Light	$ 95.00	$ 139.00	$ 44.00	411	$ 18,084.00
Medium	$ 129.00	$ 219.00	$ 90.00	47	$ 4,230.00
Heavy	$ 224.00	$ 509.00	$ 285.00	448	$127,680.00
				906	**$149,994.00**

Departments involved in the development of these amendments are:

- Department of Aviation
- Department of Communication and Information Services
- Police Department
- City Attorney's Office
- Office of Risk Management

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance and Financial Management Committee will receive this item for consideration on June 3, 2019.

FISCAL INFORMATION

General Fund - $46,593 (estimated amount)
Enterprise Funds - $102,144 (estimated amount)
Other Funds - $1,257 (estimated amount)

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5-21-19

ORDINANCE NO. _____

An ordinance amending Chapter 15D, "Emergency Vehicles," of the Dallas City Code by amending Sections 15D-15 and 15D-53; providing a revised definition of emergency wrecker service; adding city-owned vehicles to the rapid response program; providing a penalty not to exceed $500; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Paragraph (12) of Section 15D-15, "Definitions," of Division 1, "General Provisions" of Article II, "Emergency Wreckers," of Chapter 15D, "Emergency Vehicles," of the Dallas City Code is amended to read as follows:

"(12) EMERGENCY WRECKER SERVICE means the business of towing or removing wrecked, disabled, [~~or~~] illegally parked, or city-owned vehicles from the streets upon request of the chief of police."

SECTION 2. That Paragraph (a) of Section 15D-53, "Rapid Response Program," of Division 5, "Service Rules and Regulations," of Article II, "Emergency Wreckers," of Chapter 15D, "Emergency Vehicles," of the Dallas City Code is amended to read as follows:

"(a) The chief of police shall create a rapid response rotation list to assign licensed emergency wrecker companies to city-owned vehicles and rapid response locations in a particular zone for each day of the week. The chief of police may modify the rotation list on a monthly basis to prevent one emergency wrecker company from always working the same day of the week in rotation."

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $500.

SECTION 4. That Chapter 15D of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 6. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By_____
Assistant City Attorney

Passed_____

Agenda Information Sheet

File #: 19-708 **Item #:** 31.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Fire-Rescue Department

EXECUTIVE: Jon Fortune

SUBJECT

Authorize **(1)** the receipt and deposit of funds in an amount not to exceed $375,188.00 in the DCCCD El Centro Fund; **(2)** an increase in appropriations in an amount not to exceed $375,188.00 in the DCCCD El Centro Fund; and **(3)** a two-year interlocal contract with El Centro College of the Dallas County Community College District for reimbursement of City of Dallas Fire-Rescue Department training costs for the period September 1, 2019 through August 31, 2021 - Revenue: $375,188.00

BACKGROUND

The City of Dallas owns and operates a fire academy approved by the Texas Higher Education Coordinating Board and the Commission on Fire Protection Personnel Standards and Education. El Centro College of the Dallas County Community College District has agreed to place all authorized Fire Department training in the Community Service Program and to reimburse the City of Dallas for instructional salaries, equipment aids, printing, instructor travel, and office supplies with regard to the provision of basic training for the Dallas Fire-Rescue (DFR) recruits and in-service training for DFR veteran personnel. The reimbursement is paid to the City based on certifiable instructional hours from the Texas Higher Education Coordinating Board.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 9, 2017, City Council authorized a two-year Interlocal contract with El Centro College of the Dallas County Community College District for reimbursement of City of Dallas Fire-Rescue Department training costs for the period September 1, 2017 through August 31, 2019, by Resolution No. 17-11160.

Information about this item will be provided to the Public Safety and Criminal Justice Committee on June 10, 2019.

FISCAL INFORMATION

Revenue: $375,188.00

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WHEREAS, the City of Dallas owns and operates a fire academy approved by the Texas Higher Education Coordinating Board and the Commission on Fire Protection Personnel Standards and Education; and

WHEREAS, El Centro College of the Dallas County Community College District (hereinafter referred to as "the College") has agreed to place all authorized Fire Department training in the Community Service Program and to reimburse the City of Dallas for instructional salaries, equipment aids, printing, instructor travel, and office supplies with regard to the provision of basic training for City of Dallas Fire-Rescue Department recruits and in-service training for City of Dallas Fire Department personnel.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute an interlocal contract with El Centro College of the Dallas County Community College District, approved as to form by the City Attorney. That the executed contract to provide, among other things:

a. A reimbursement be paid to the City based on certifiable instructional hours from the Texas Higher Education Coordinating Board, and that the College and City shall commence these services and duties as of September 1, 2019 and complete such services as of August 31, 2021.

b. That the City expends all dollars reimbursed to the City for this program directly on instructional salaries, equipment aids, printing, instructor travel, and office supplies in support of the program.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed $375,188.00 from the El Centro College of the Dallas County Community College District in the DCCCD El Centro Fund, Fund 0S93, Department DFD, Unit 1373, Revenue Code 6526.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $375,188.00 in the DCCCD El Centro Fund, Fund 0S93, Department DFD, Unit 1373, Object 3361.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $375,188.00 to various undetermined vendors from the DCCCD El Centro Fund, Fund 0S93, Department DFD, Unit 1373, Object 3361.

SECTION 5. That this contract is designated as Contract No. DFD-2019-00009792.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-819 **Item #:** 32.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize amendments to the City of Dallas Comprehensive Housing Policy, previously approved on May 9, 2018, by Resolution No. 18-0704, as amended, to amend and restate the low income housing tax credit (HTC) policy for evaluating proposals submitted by developers requesting resolutions of support or no objection from the City for multi-family rental housing development projects (Projects) seeking HTC through the Texas Department of Housing and Community Affairs (TDHCA) to: **(1)** adjust the calendar for applications to allow applications to be received quarterly; **(2)** add threshold criteria that will be applied to all Projects seeking a resolution; **(3)** adjust the evaluation criteria; **(4)** add a glossary; **(5)** provide that a 9% HTC Project that is recommended for a resolution of support will also be recommended to receive a nominal $500.00 funding commitment from the City; and **(6)** allow the City Manager to update and publish the application calendar annually and to amend the service description categories and point allocations on an annual basis - Financing: No cost consideration to the City (see Fiscal Information for future cost)

BACKGROUND

On March 12, 2017, the Dallas City Council Economic Development & Housing Committee established three goals for the development of a comprehensive strategy for housing: (1) create and maintain available and affordable housing throughout Dallas; (2) promote greater fair housing choices; and (3) overcome patterns of segregation and concentrations of poverty through incentives and requirements.

On May 9, 2018, City Council adopted the Comprehensive Housing Policy (CHP) by Resolution No. 18-0704 and amended the CHP on November 28, 2018, by Resolution No. 18-1680 and on May 22, 2019, by Resolution No. 19-0824.

On October 24, 2018, City Council considered a proposed amendment to the CHP to amend the policy for evaluating proposals submitted by developers requesting resolutions of support or no objection from the City for Projects seeking HTC through the TDHCA. City Council deferred the item for six months so that the City Manager could review and present:

1. Recommendations regarding how to identify and evaluate rehabilitation of properties and to determine whether the rehabilitation affirmatively furthers fair housing;

2. Recommendations regarding a schedule for accepting applications for resolutions seeking housing tax credits through the Texas Department of Housing and Community Affairs; and

3. Engage the Housing Policy Taskforce to ensure that staff recommendations take into account feedback from the development community and neighborhood stakeholders.

From November 2018 through April 2019, the Housing Policy Taskforce held one (1) training session related to housing tax credits and seven (7) subcommittee meetings where attendees discussed the existing HTC policy and developed proposed policy recommendations related to Projects including: rehabilitation standards for acquisition and rehabilitation Projects, preventing displacement of existing tenants, and identifying priority needs related to Projects developed in the City, among other items. The proposed amendment, which is attached to this item as Exhibit A, is the result of this collaborative work.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 9, 2018, City Council adopted a Comprehensive Housing Policy by Resolution No. 18-0704.

On October 24, 2018, the City Council considered a proposed amendment to the CHP to amend the City's LIHTC policy. The City Council deferred the item for six months so that the City Manager could review and present.

On November 28, 2018, City Council adopted amendments to the CHP that resolved inconsistencies in program requirements, corrected items that were inadvertently included in or omitted from the CHP and modified requirements that had created programmatic constraints by Resolution No. 18-1680.

On May 20, 2019, the Economic Development and Housing Committee was briefed regarding this item.

On May 22, 2019, City Council adopted an amendment to the CHP to add a Land Transfer Program to incentivize the development of quality, sustainable housing that is affordable to the residents of the City and the development of other uses that complement the City's CHP, economic development policy, or redevelopment policy by Resolution No. 19-0824.

City Council will be briefed on this item on June 5, 2019.

FISCAL INFORMATION

No cost consideration to the City. A resolution of support for a project requires a $500.00 funding commitment from the City. Each Resolution of Support will require City Council approval.

WHEREAS, on May 9, 2018, City Council adopted a Comprehensive Housing Policy (CHP) that included a policy for evaluating proposals submitted by developers requesting resolutions of support or no objection from the City for multi-family rental housing development projects (Projects) seeking low income housing tax credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA) by Resolution No. 18-0704; and

WHEREAS, on October 24, 2018, City Council considered a proposed amendment to the CHP to amend the policy for evaluating proposals submitted by developers requesting resolutions of support or no objection from the City for Projects seeking LIHTC through TDHCA, City Council deferred the item and directed staff to: (1) develop recommendations regarding how to identify and evaluate rehabilitation of properties and to determine whether the rehabilitation affirmatively furthers fair housing; (2) develop recommendations regarding a schedule for accepting applications for resolutions seeking housing tax credits through the Texas Department of Housing and Community Affairs; and (3) engage the Housing Policy Taskforce to ensure that staff recommendations take into account feedback from the development community and neighborhood stakeholders; and

WHEREAS, on November 28, 2018, City Council adopted amendments to the CHP that resolved inconsistencies in program requirements, corrected items that were inadvertently included in or omitted from the CHP and modified requirements that had created programmatic constraints by Resolution No. 18-1680; and

WHEREAS, from November 2018 through April 2019, the City undertook a consultative process with stakeholders, including the Housing Policy Taskforce, to review the policy for evaluating proposals submitted by developers requesting resolutions of support or no objection from the City for Projects seeking HTC through TDHCA and develop recommendations intended to increase transparency and align the policy with the CHP and City priorities; and

WHEREAS, on May 22, 2019, City Council adopted an amendment to the CHP to add a Land Transfer Program to incentivize the development of quality, sustainable housing that is affordable to the residents of the City and the development of other uses that complement the City's CHP, economic development policy, or redevelopment policy by Resolution No. 19-0824; and

WHEREAS, City Council must approve any addition to, alteration or deletion of a strategy, tool, or program in the CHP; and

WHEREAS, it is in the best interest of the City of Dallas to adopt certain amendments to the CHP.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Council hereby authorizes and adopts the amendments to the City of Dallas Comprehensive Housing Policy, previously approved on May 9, 2018, by Resolution No. 18-0704, as amended, to amend and restate the low income housing tax credit (HTC) policy for evaluating proposals submitted by developers requesting resolutions of support or no objection from the City for multi-family rental housing development projects (Projects) seeking HTC through the Texas Department of Housing and Community Affairs (TDHCA) to: **(1)** adjust the calendar for applications to allow applications to be received quarterly; **(2)** add threshold criteria that will be applied to all Projects seeking a resolution; **(3)** adjust the evaluation criteria; **(4)** add a glossary; **(5)** provide that a 9% HTC Project that is recommended for a resolution of support will also be recommended to receive a nominal $500.00 funding commitment from the City; and **(6)** allow the City Manager to update and publish the application calendar annually and to amend the service description categories and point allocations on an annual basis, as attached hereto as **Exhibit A**.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

EXHIBIT A



Comprehensive Housing Policy

City of Dallas
Department of Housing and Neighborhood Revitalization

Adopted by the Dallas City Council
May 9, 2018

Amended ~~May 22~~June 12, 2019

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BACKGROUND ON DEVELOPMENT OF THE POLICY

On March 12, 2017, the Dallas City Council Housing Committee established three goals for the development of a comprehensive strategy for housing: 1) Create and maintain available and affordable housing throughout Dallas, 2) Promote greater fair housing choices, and 3) Overcome patterns of segregation and concentrations of poverty through incentives and requirements.

In August 2017, the City of Dallas engaged The Reinvestment Fund to conduct a Market Value Analysis (MVA), which is an analytical tool used to assess the residential real estate market throughout the entire city to determine with granular detail where market strength, transition and stress exists. After briefing the City Council on the results of the MVA on January 17, 2018, eight (8) public town hall meetings were held to develop the recommendations presented here. The town hall topics were:

How Residential Development Gets Financed,
How to Reduce Development and Rehabilitation Costs,
How to Increase Access to Capital and Reduce Cost of Capital, and
Programs, Tools and Strategies for Increasing Housing Production.

Each town hall provided stakeholders an opportunity to understand the housing challenges from the perspective of the major stakeholders including: lenders, including foundations and government sources of finance; consumers and neighbors; developers, builders, and contractors; and regulatory officials, such as zoning, building inspections, and code enforcement. The town halls were held both in person and through virtual telephone communications that aired on Spectrum Channel 95 and streamed online. The in-person town halls had a combined participation of ninety-four (94) individuals, many of whom also participated in the virtual town hall meetings. The virtual telephone town halls had a total of 38,690 participants for all four (4) meetings, of which 10,000 participated in more than one town hall.

The outcome of public input helped shape the ten (10) policy recommendations presented to the Economic Development and Housing Committee (Committee) on March 19, 2018 and the strategies, tools and programs included in the Comprehensive Housing Policy.

CITY OF DALLAS PLANS

forwardDallas! Comprehensive Plan

The forwardDallas! Plan is Dallas' first citywide comprehensive plan to serve as the policy basis for land development decisions in the City, through reference in the Dallas Development Code. The plan contains eight policy elements: Land Use, Economics, Housing, Transportation, Urban Design, Environment, and Neighborhoods. It provides guidance on important land development considerations related to land use, transportation and economic development. Shaped by extensive community engagement and adopted by City Council in 2006, it envisions a future Dallas built around the core values of:

- Access to good education
- A safe city
- A healthy environment
- Job growth through investment in Southern Dallas
- Convenient transportation through choices in how to get around
- Quality of life through diverse housing, recreational, cultural and educational opportunities

A key initiative of the forwardDallas! Plan was a focus on "Making Quality Housing More Accessible." The plan acknowledged that, within the regional context, Dallas has the greatest range of housing needs and problems. It recommended development of a housing strategy aimed at increasing home ownership, diversifying housing stock and providing more opportunities for affordable housing, while sustaining existing neighborhoods.

The forwardDallas! Comprehensive Plan can be found at http://dallascityhall.com/departments/pnv/strategic-planning/Pages/comprehensive-plan.aspx.

Neighborhood Plus Plan

Adopted in 2015, the Neighborhood Plus Plan is a citywide neighborhood revitalization plan intended to update the forwardDallas Housing and Neighborhood elements. The Neighborhood Plus plan focused on the six strategic goals of:

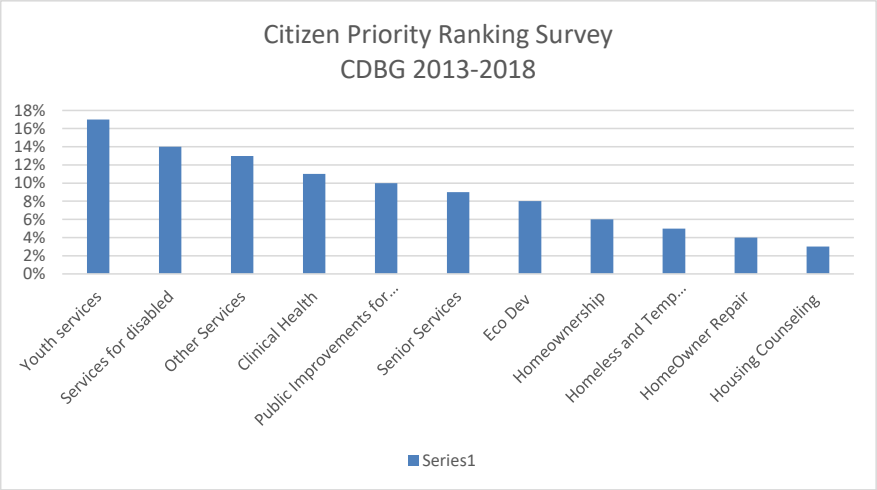
- Creating a Collective Impact Framework
- Alleviating Poverty
- Fighting Blight
- Attracting and Retaining the Middle Class
- Increasing Home Ownership
- Enhancing Rental Options.

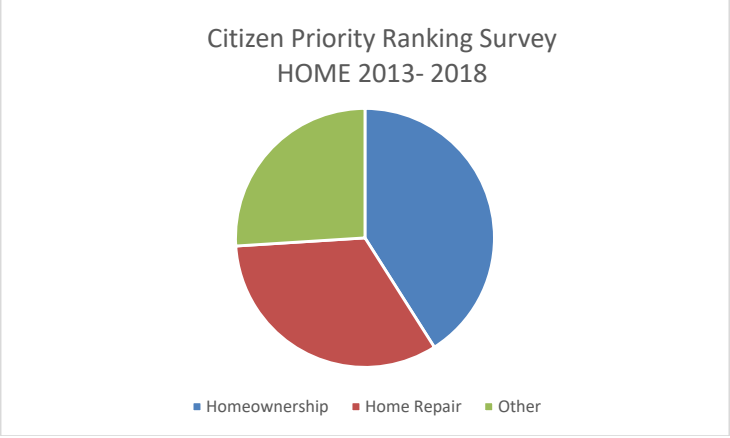
The Neighborhood Plus recommended a holistic approach to neighborhood revitalization and community building that goes beyond production of a limited number of publicly subsidized housing units, to encompass neighborhood quality, safety, mobility and access to education, jobs and health care. The Neighborhood Plus Plan also called for a neighborhood by neighborhood approach to improving quality of life and established the basis for identifying target areas to focus neighborhood revitalization efforts.

The Neighborhood Plus Plan can be found at http://dallascityhall.com/departments/pnv/strategic-planning/DCH%20Documents/Web%20-%20Neighborhood%20Plus%20Plan%20-%20Adopted%2010-07-2015.pdf.

Consolidated Plan Strategies

The Consolidated Plan is a five-year planning document required by HUD to carry out affordable housing and community development activities. City identified its priorities as follows:





REINVESTMENT STRATEGY AREAS

The Housing Policy provides for tiered Reinvestment Strategy Areas to address three (3) market types in need of City investment:

Redevelopment Areas:

A redevelopment area is characterized by a known catalytic project that has submitted a request for funding that shows preliminary viability and will begin within the next 12 months. The project as proposed must contain a housing component and must address the existing market conditions as identified in the MVA and must demonstrate a level of housing production supported through a third-party independent market analysis and show affordability to a mix of income bands.

Redevelopment Areas: Midtown, High Speed Rail, Wynnewood, and Red Bird.

Stabilization Areas:

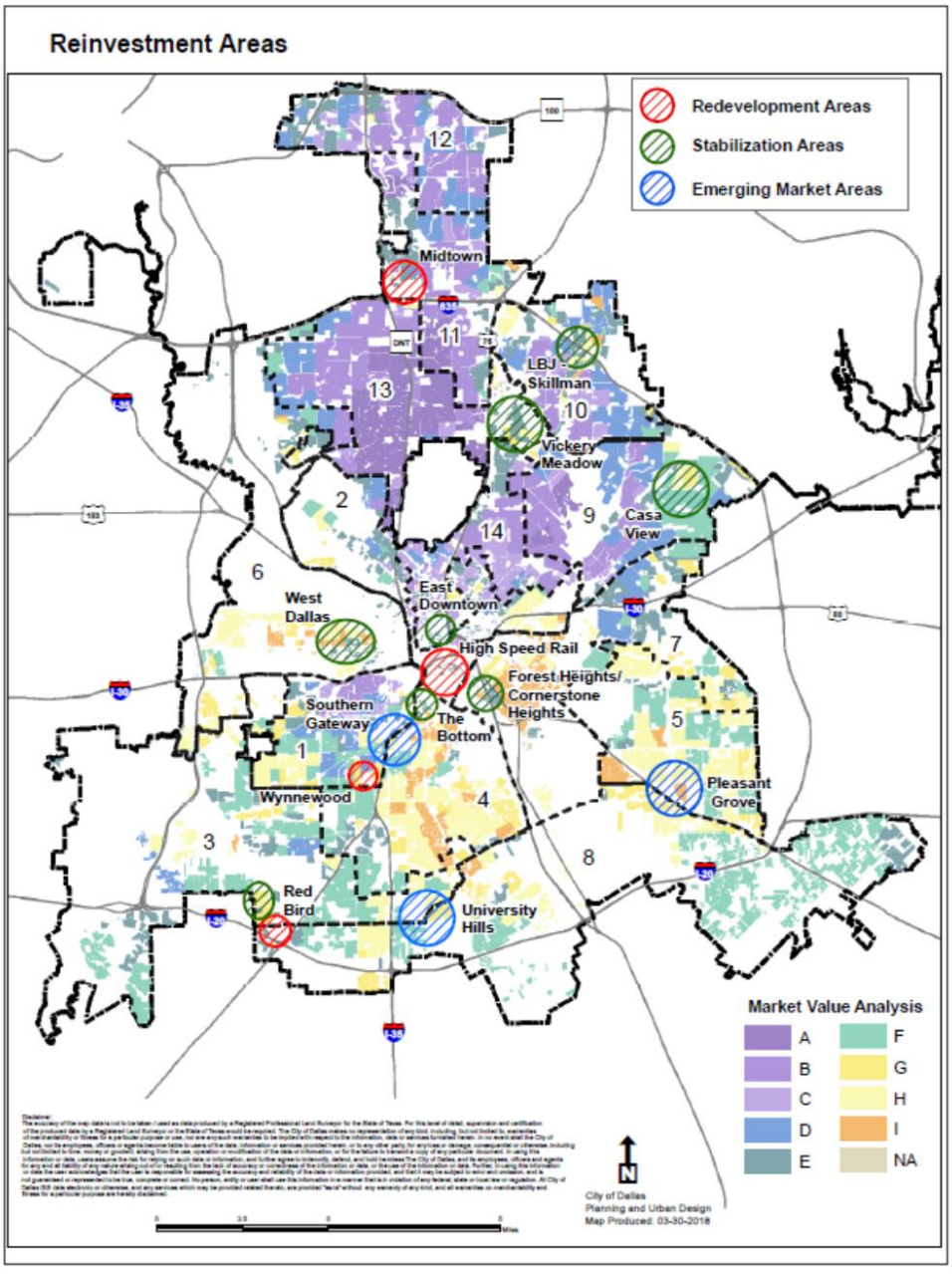
Stabilization areas are characterized as G, H, and I markets that are surrounded by A-E markets and as such are at risk of displacement based on known market conditions including upcoming redevelopment projects. These areas are also where Incentive Zoning and Accessory Dwelling Units should be focused to allow for increased density.

Stabilization Areas: LBJ Skillman, Vickery Meadow, Casa View, Forest Heights / Cornerstone Heights, East Downtown, The Bottom, West Dallas, and Red Bird North.

Emerging Market Areas:

These markets are characterized as areas in need of intensive environmental enhancements, master planning and formalized neighborhood organization. In order to facilitate the creation of mixed income developments, the City recommends seeking designation as Neighborhood Revitalization Strategy Areas (NRSA's) through HUD in order to prepare the area for real estate investments in a 3 to 5-year time frame and provide flexibility of use of funds without income qualifications. trust in local government and aid staff in assessing the need for strategic partnerships.

Emerging Market Areas: Southern Gateway, Pleasant Grove, and University Hills.


Reinvestment Areas
Redevelopment Areas
Stabilization Areas
Emerging Market Areas
Midtown
LBJ - Skillman
Vickery Meadow
Casa View
West Dallas
East Downtown
High Speed Rail
Forest Heights/ Cornerstone Heights
Southern Gateway
The Bottom
Wynnewood
Pleasant Grove
Red Bird
University Hills
12
11
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2
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7
5
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4
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Market Value Analysis
A
B
C
D
E
F
G
H
I
NA
City of Dallas
Planning and Urban Design
Map Produced: 03-30-2018

PRODUCTION GOALS AND INCOME BANDS TO BE SERVED

Dallas has a housing shortage of approximately 20,000 units. This shortage is driven by the cost of land and land development, labor and materials shortages, federal, state and local constraints, as well as, the single-family rental market which prevents equilibrium in the homeownership market. It is difficult to convert rental homes to homeownership because of the perception of the neighborhood, the condition of the housing stock once it's been in the rental market for a period of time and because income-producing property in a tight market will not be released by landlords until returns are diminished. This shortage is consistent with the overall national trend following the 2009 housing bust. While the housing market has seen a steady but slow recovery, job growth in the Dallas metro area attracted a population growth of about 2.9% that outpaced the growth in the supply of housing. Much of the single-family housing inventory converted to rental following the 2009 bust while 60% or more of the home sales in the three (3) years following were in the price range below $249,999. In 2014 the housing market was in transition - the number home sales priced under $249,999 decreased to less than 40% of the market and by 2017 nearly 58% of home sales were priced between $300,000 and $1 million. According to the Real Estate Center at Texas A&M University, while the volume of homes in Dallas only grew by 3.6%, the median sales price in Dallas grew by 9.1% in 2017.

These market conditions have led to an increase in both rental rates and sales prices in the overall market and 6 out of 10 families in Dallas are housing cost burdened, meaning they spend more than 30% of their income on housing due in part to wages not keeping pace with housing costs. Undoubtedly, families at lower income bands are more financially strained by these market conditions. Therefore, increasing production over a 3-year period and minimizing the regulatory barriers to overall market production is equally important. Furthermore, because this has made even deteriorated housing stock unaffordable, it makes the need for home repair programs more important than ever. Table 1 below shows annual production goals of 3,733 for homeownership units and 2,933 for rental units while still maintaining the 3-year historic average ratio of homeownership and rental percentages.

Beyond unit production, the City supports creating increased availability of housing for people at incomes ranging from 30% - 120% of the HUD Area Median Income, by incentivizing homeownership developments for families at 60% or higher AMI and rental developments that include rent restricted units for families at the full range of 30% - 120% of AMI. These targets area are also outlined in Table 1 below.

Table 1

Homeownership	% Total Units		HUD Area Median Income Dallas Metro	% Total Units	Rental
933			120%		587
1120	55%	Market Rate	100%	40%	587
1307			80%		733
373	45%	Extremely Low, Very Low, Low Income	60%	60%	440
			50%		293
			30%		293
Total: 3,733					Total: 2,933

HOMEOWNER PROGRAMS

Rehabilitation & Reconstruction of Owner-Occupied Homes

Provides an all-inclusive repair and rehabilitation program for single-family owner-occupied housing units. Home Improvement and Preservation Program (HIPP) will be offered as a repayment loan program to low and moderate-income homeowners, with the purpose of making needed improvements and preserving affordable housing. HIPP is designed to finance home improvements and address health, safety, accessibility modification, reconstruction and structural/deferred maintenance deficiencies. HIPP will enable homeowners to improve their housing while creating a positive effect in the community.

Eligibility

1. The property must be a single-family home.
2. The property must reside within the Dallas city limits and Applicant must have occupied the dwelling for at least six (6) months from date of application.
3. Applicant must be a U.S. Citizen or Permanent Resident, have a valid Social Security card and current Texas State issued identification card or Driver License.
4. Applicant must be current with the mortgage company meaning not more than thirty (30) days past due. (Except Accessibility Repair)
5. Property taxes must be current. Property taxes must not be delinquent for any tax year unless the homeowner has entered into a written agreement with the taxing authority outlining a payment plan for delinquent taxes and is abiding to the written agreement. (Except Accessibility Repair)
6. Applicant's annual gross income must be at or below the one hundred twenty percent (120%) of the Area Median Family Income (AMFI).
7. Standard property insurance, satisfactory to the City, must be maintained on the property (with coverage adequate to insure the City's lien position). If a property is located in a floodplain, flood insurance must also be maintained with coverage adequate to insure the City's lien position. (Except Accessibility Repair)
8. Applicant must certify that the home is not for sale and is their primary residence/homestead, as indicated per Dallas County Tax Records and utility records.
9. Title searches are obtained to evidence ownership of the property. (Except Accessibility Repair)
10. If Applicant's property was previously assisted with City funds and the property is still within the period of affordability, per the written agreement with the Applicant, Applicant will not be eligible to receive funding for the same property.

Maximum Assistance Limits

For rehabilitation activities, the maximum amount of assistance provided shall not exceed forty-seven and half percent (47.5%) of the HUD HOME Value Limits for existing properties.

For reconstruction activities, the maximum amount of assistance provided shall not exceed seventy-five (75%) of the HUD HOME Value Limits for new construction. The City Manager and/or his or her designee may on a case by case basis administratively approve (without Economic Development and Housing Committee approval) additional assistance not to exceed ten percent (10%) above the maximum limit for any Owner-Occupied Rehabilitation or Reconstruction project under the following circumstances:

- To address outstanding repairs or necessary work to close out an existing project;

- The need to provide reasonable accommodations in accordance with the Americans with Disabilities Act or other local, state or federal law;
- Unanticipated costs deemed necessary to meet applicable City Codes;
- Unforeseen environmental issues; and
- Addressing issues that threaten life, health, safety and welfare of the public.

It should be noted that the Owner-Occupied Rehabilitation and Reconstruction establishes maximum per unit thresholds below the HUD required maximum per-unit dollar limitations established under HUD Section 234 Condominium Housing Limit. Thus, no individual project under this program can exceed these HOME maximum subsidy limits.

Terms of Assistance

The terms of assistance for the HIPP will be in the form of a loan based on the following schedule: 1) homeowners with incomes at or below sixty percent (60%) AMFI will receive a deferred, zero percent interest (0%) loan, 2) homeowners with sixty-one to eighty percent (61% - 80%) AMFI, will have a combination of deferred, zero percent interest (0%) loan and monthly installment payment plan as permissible through the underwriting, and 3) for homeowners with (81%-120%) AMFI, monthly installment payment with three percent interest (3%) loan will be offered.

If the home is vacated or leased during the term of the loan, then the loan shall be immediately due and payable, subject to the Resale/Recapture Requirement in Appendix 6. If the property is transferred through sale during the term of the loan, the balance shall also be immediately due and payable.

Credit Standards

Following are the credit standards for HIPP: 1) No Chapter 7 or Chapter 13 bankruptcy if primary or any mortgage is included as a secured creditor on the subject property for which the City or subrecipient will place a lien securing the loan and 2) Qualifying debt to income ratios are 30% on the front end and 43% on the back end. With compensating factors, the City may allow for a 5 percentage point variation on both the front end and back end.

Affordability Periods

Eligible rehabilitation and reconstruction activities will include all items necessary to bring the structure into compliance with the City's written rehabilitation standards and applicable local residential codes; including items recommended as necessary to preserve the property's structural integrity, historic integrity, weatherization, and quality of living conditions. The scope of work must address all major systems that have a remaining useful life for a minimum of 5 years at project completion, or the system must be rehabilitated or replaced as part of the scope of work. Major systems are identified as structural support (foundations); roofing; cladding and weatherproofing (e.g., windows, doors, siding, gutters); plumbing; electrical; and heating, ventilation, and air conditioning.

Improvements to, or demolition of an accessory structure such as detached garage, work shed, or small residential structure will be made on a case by case basis depending on the available budget, grant requirements, current building codes, health and safety concerns, and minimum occupancy requirements of residents of the property.

Amount of Assistance	Term
Less than $5,001	5 Years
$5,001 to $50,000	10 years
Over $50,001	15 years
Reconstruction Only	20 years

Assistance to remove of any items from the property that are considered to be dangerous, hazardous, or a violation of local code are eligible in conjunction with the rehabilitation of the property.

Assistance may not be used for the purchase or repairs of appliances (except for energy efficient window units) or renovations not necessary to bring the home up to local code or property standards. Unnecessary renovations include but are not limited to luxury items (granite counter tops, swimming pools, spas, high end fixtures); tree trimming; fences; and landscaping.

Accessibility Repairs

Rehabilitation less than $10,001 is considered a minor repair and federal funds may be used to perform strictly accessibility modifications. Assistance in the form of a one-time grant not to exceed $10,000 shall exclude environmental and administrative soft costs necessary to engage the client and property.

Mortgage and Refinancing

Assistance may be provided to an Applicant who has an existing mortgage or equity loan if the total debt, including mortgage/equity loan balance and all rehabilitation costs do not exceed 100% of the after-rehabilitation value of the property. The City deferred loan may be subordinate to the existing mortgage or equity loan.

Refinancing of an existing mortgage, equity loan, or liens from lot clearance/demolition is an eligible refinancing expense up to $10,000. The total debt, including refinanced amount and rehabilitation costs, cannot exceed 100% of the after-rehabilitation value of the property. Refinancing of revolving loan accounts, vehicles, credit card debt, or property taxes are NOT allowable refinancing expenses.

Heirs

A loan may be transferred to the heir(s) of the borrower if the heir(s) are income qualified and utilize the assisted property as their primary residence whether the loan is still within the period of affordability or not. If the heir(s) do not meet the income requirements of the program, the remaining balance of the loan is due immediately and payable in full if the loan is still within the period of affordability. If the property is not within the period of affordability and the heir(s) are not income qualified or do not utilize the property as their primary residence, the City or Sub-recipient may make payment arrangements with the heir(s) at an interest rate between zero (0) and three percent (3%).

Dallas Homebuyer Assistance Program

Provides homeownership opportunities to low and moderate income homebuyers through the provision of financial assistance when purchasing a home, in accordance with federal, state and local laws and regulations.

Eligibility

Applicants to homebuyer programs must meet the following criteria:

1. Property must be located in the city limits of Dallas.
2. Applicant's projected annual income must be no less than 60% of Area Median Income, but not exceed 120% of the Area Median Income, adjusted for household size, at the time of application to the program.
3. Applicant must have acceptable credit. High cost or sub-prime loans, adjustable rate mortgages, interest only loans are not allowed.
4. Applicant must demonstrate that Applicant has at least two months of cash available and equal to Applicant's projected monthly mortgage payment, including principal, interest, taxes, insurance, and any associated fees.
5. Applicant household must be U.S Citizens or legal residents and possess a valid social security card.
6. Property to be purchased must be primary residence of Applicant.
7. Applicant must attend an 8-hour homeownership education class from a HUD certified counseling agency within 12 months of application for assistance.
8. Applicant must make a minimum initial cash investment of $1,000 toward purchase of home.
9. Home must meet federal and local requirements, including Minimum Housing Standards, Environmental Review, and international residential code.

Eligible Properties

The property can be privately or publicly owned prior to sale to the Applicant. The property must be within the Dallas city limits and meet City building codes, lead based paint requirements, and environmental standards at the time of initial occupancy.

The property must contain adequate living and sleeping space for the applicant household as verified by the property appraisal, site visit, and/or Dallas Appraisal District Data. The property can be an existing property, or it may be newly constructed. The property can be:

- Single-family property (one unit)
- Two to four-unit property (Assistance provided for the unit to be occupied as the purchaser's principal residence); or
- Condominium or cooperative unit

All Homebuyer Programs require an appraisal and can be provided by the first mortgage lender. The appraisal value of an assisted property to be acquired for this activity cannot exceed the HOME Value Limit for Dallas. This limit is updated annually. The sale price of an assisted property may not exceed the "Appraised Value".

Affordability Periods

The residence must remain affordable for a certain period of time, which is dependent on the amount of funds invested. The City's recapture provisions will apply.

Amount of Funds	Required Affordability
Less than $15,000	5 Years
$15,000 to $40,000	10 Years
Over $40,000	15 Years

HOME Program Recapture/Resale Requirements

These requirements can be found in Appendix 6.

Eligible Expenses

Homebuyer Programs may include any of the following activities: principle reduction, down payment and closing cost assistance. If the house is sold before the required affordability period has elapsed, the assistance funds must be recaptured.

Terms of Assistance

The assistance for the Dallas Homebuyer Assistance Program will be offered in the form of a deferred, zero percent interest (0%) loan. If the home is vacated or leased during the term of the loan, then the full loan shall be immediately due and payable in accordance with the Resale/Recapture Requirements in Appendix 6. If the property is transferred through sale during the term of the loan, the balance shall also be immediately due and payable.

Credit Standards

Following are the credit standards for homebuyer programs:

- No Chapter 7 or Chapter 13 bankruptcy if primary or any mortgage is included as a secured creditor on the subject property for which the City or subrecipient will place a lien securing the loan.
- Qualifying debt to income ratios are 30% on the front end and 43% on the back end. With compensating factors, the City will allow a 5 percentage point variation on both the front end and back end.
- Maximum loan is up to the 1st lien holder's approval of Complete Loan to Value (CLTV).
- Predatory lending describes lending practices that take advantage of clients by charging usurious interest rates or excessive fees and penalties. Loans will not be made with an interest rate more than 2% above the prevailing market rate.

Heirs

A loan may be transferred to the heir(s) of the borrower if the heir(s) are income qualified and utilize the assisted property as their primary residence whether the loan is still within the period of affordability or not. If the heir(s) do not meet the income requirements of the program and the loan is still within the period of affordability, then the entire loan amount is due immediately and payable in full. If the property is not within the period of affordability and the heir(s) are not income qualified or do not utilize the property as their primary residence, the City or Sub-recipient may make payment arrangements with the heir(s) at an interest rate between zero (0) and three percent (3%).

Refinancing

Refinancing for better rate and term is permitted. Refinancing of revolving loan accounts, vehicles, credit card debt, or property taxes are NOT allowable refinancing expenses. Cash out are also NOT allowed.

Homebuyer Incentive Program

This program offers financial assistance for school teachers, police officers, emergency medical technicians, and fire fighters which purchase a property within one of the targeted areas. By purchasing a home in one of the target areas, then repayment of the loan shall be due only upon re-sale or transfer, and contingent upon maintaining owner occupancy for a 10-year period.

LANDLORD PROGRAMS

Rental Rehabilitation and Reconstruction

Provides an all-inclusive repair and rehabilitation program for single-family (1-4) rental units. The Home Improvement and Preservation Program (HIPP) expands to offer a repayment loan program to landlords which lease to low income household, with the purpose of making needed improvements and preserving affordable housing. HIPP is designed to finance home improvements and address health, safety, accessibility modifications, reconstruction and structural/deferred maintenance deficiencies.

Eligibility

- The property must be a single-family home (1-4 units). Properties with over 5 units are not eligible for rehabilitation assistance under this program.
- The property must reside within the city limits of Dallas.
- Applicant must lease the unit to a household with an annual gross income at or below the eighty percent (80%) of the Area Median Family Income (AMFI.
- Applicant must provide evidence of property ownership. Additionally, City shall require a title search to verify whether liens or deed restrictions exist.
- Applicant and tenants must be a U.S. Citizen or Permanent Resident, have a valid Social Security card, and current Texas State issued identification card or Driver License.
- Applicant must be current with the mortgage company meaning not more than 30 days past due.
- Property taxes must be current. Property taxes must not be delinquent for any tax year.
- Tenant household's annual gross income must be at or below the 80% of the Area Median Income.
- Standard property insurance, satisfactory to the City, must be maintained on the property (with coverage adequate to insure the City's lien position). If a property is located in a flood plain, flood insurance must also be maintained with coverage adequate to insure the City's lien position.
- Applicant must adhere to the City Code Section 20-A and comply with HUD rent limits.

Maximum Assistance Limits

For rehabilitation activities, the maximum amount of assistance provided shall not exceed 47.5% of the HUD HOME Value Limits for existing properties.

For reconstruction activities, the maximum amount of assistance provided shall not exceed 75% of the HUD HOME Value Limits for new construction. The City Manager and/or his or her designee may on a case by case basis administratively approve (without Housing Committee approval) additional assistance not to exceed 10% above the maximum limit for any Rental Rehabilitation or Reconstruction project under the following circumstances:

- To address outstanding repairs or necessary work to close out an existing project.
- The need to provide reasonable accommodations in accordance with the Americans with Disabilities Act or other local, state or federal law;
- Unanticipated costs deemed necessary to meet applicable City Codes;
- Unforeseen environmental issues; and
- Addressing issues that threaten life, health, safety and welfare of the public.

It should be noted that the Rental Rehabilitation and Reconstruction establishes maximum per unit thresholds below the HUD required maximum per-unit dollar limitations established under HUD Section 234 Condominium Housing Limit. Thus, no individual project under this program can exceed these HOME maximum subsidy limits.

Terms of Assistance

The terms of assistance to Applicants of Rental Repair and Rehabilitation will be in the form of a three percent (3%) interest rate loan. If the landlord does not comply with the requirements set out in this program, including but not limited, leasing to a household over eighty percent (80%) AMFI, then the full loan shall be immediately due and payable in full. If the property is transferred through sale during the term of the loan, the balance shall also be immediately due and payable in full.

Credit Standards

Following are the credit standards for HIPP:

- No Chapter 7 or Chapter 13 bankruptcy if primary or any mortgage is included as a secured creditor on the subject property for which the City or subrecipient will place a lien securing the loan.

Eligible Rehabilitation and Reconstruction Scope

Eligible rehabilitation and reconstruction activities will include all items necessary to bring the structure into compliance with the City's written rehabilitation standards and applicable local residential codes; including items recommended as necessary to preserve the property's structural integrity, historic integrity, weatherization, and quality of living conditions. The scope of work must address all major systems that have a remaining useful life for a minimum of 5 years at project completion, or the system must be rehabilitated or replaced as part of the scope of work. Major systems are identified as structural support (foundation); roofing; cladding and weatherproofing (e.g., windows, doors, siding, gutters); plumbing; electrical; and heating, ventilation, and air conditioning.

Improvements to or demolition of an accessory structure such as detached garage, work shed, or small residential structure will be made on a case by case basis depending on the available budget, grant requirements, current building codes, health and safety concerns, and minimum occupancy requirements of residents of the property.

Amount of Assistance	Term
Less than $5,001	5 Years
$5,001 to $50,000	10 years
Over $50,001	15 years
Reconstruction Only	20 years

Assistance to remove of any items from the property that are considered to be dangerous, hazardous, or a violation of local code are eligible in conjunction with the rehabilitation of the property.

Assistance may not be used for the purchase or repairs of appliances (except for energy efficient window units) or renovations not necessary to bring the home up to local code or property

standards. Unnecessary renovations include but are not limited to luxury items (granite counter tops, swimming pools, spas, high end fixtures); tree trimming; fences; and landscaping.

Refinancing

Refinancing of an existing mortgage, equity loan, or liens from lot clearance/demolition is an eligible refinancing expense up to $10,000. The total debt, including refinanced amount and rehabilitation costs, cannot exceed 100% of the after-rehabilitation value of the property. Refinancing of revolving loan accounts, vehicles, credit card debt, or property taxes are NOT allowable refinancing expenses. Cash out is also not permissible.

TENANT PROGRAMS

Tenant Based Rental Assistance

The purpose of this program is to provide supplemental financial assistance to displaced tenants as a result of the High Impact Landlord Initiative (HILI) to pay the difference between the cost of rent and the actual affordable amount that the tenant can pay. The program shall be operated on a first come first serve basis. Only HOME funds can be used to fund Tenant Based Rental Assistance (TBRA) programs. This is not an eligible activity under the Community Development Block Grant (CDBG) Program.

Eligible Uses

Eligible costs include: Subsidy is based on the amount of the rent, household income and City rent standard in a form of a grant. Covered expenses include:

- Rent supplemental financial assistance:
- Utility costs
- Security deposits
- Utility deposits
- Maximum assistance of 24 months
- May provide security deposit and utility deposit assistance upon exiting the program for a permanent unit

No payments will be made directly to the tenant household.

Prohibited Uses

City of Dallas HOME TBRA funds may not be used to assist tenants in conjunction with homebuyer programs, including lease purchase programs.

Eligible Units

Eligible tenants may rent any housing that meets the following criteria:

- Located in Dallas City Limits
- Meets Minimum Housing Quality Standards
- Reasonable rents are charged
- Are not public housing projects, or receiving project based federal assistance

Subsidy Amounts and Tenant Contribution

Maximum Subsidy: Maximum assistance that can be provided is the difference between 30% of the household's adjusted monthly income and the payment standard.

Minimum Tenant Contribution: All tenants are required to pay 30% of their monthly adjusted income, or $20.00 per month, whichever is greater.

Length of Assistance: Assistance will not be provided for a period of time longer than two years, and minimum of one-year lease.

Other Tenant Requirements

Agencies administering TBRA programs may require tenant participation in a self-sufficiency program as a condition of rental assistance.

A legitimate, legal lease is required for program participants.

Income Recertification

Income of tenants receiving HOME tenant based rental assistance must be re-certified on an annual basis, at a minimum. City staff may require recertification of tenant income at any time, at the City's discretion, if it appears that a tenant's income has changed substantially during the contract term. If the tenant's income exceeds eighty percent (80%) of Area Median Family Income, HOME assistance must be terminated.

Payment Standard

The HOME payment standard will be the Small Area Market Rent, annually established and published by the US Department of Housing and Urban Development.

Termination of Assistance

HOME assistance may be terminated if the following occurs:

- Household's income exceeds eighty percent (80%) of Area Median Income;
- Household is evicted from the approved unit by owner for cause;
- After receipt of two official notices requesting cooperation in the re-certification process, the household is unresponsive and uncooperative.

In all cases above, thirty days' notice of the termination must be provided to the tenant and landlord.

DEVELOPER PROGRAMS

New Construction and Substantial Rehabilitation Program

The purpose of this program is to provide financial assistance to new developments or substantial rehabilitation developments, where such assistance is necessary, and appropriately incentivize private investment for the development of quality, sustainable housing that is affordable to the residents of the City.

Funds may be used for projects to: 1) build new single-family with 5 or more homes, 2) build new multi-family rental housing with 5 or more units, or 3) substantially rehabilitate multi-family rental housing greater than 5 units. The City shall award, when funds are available, through a competitive Notice of Funding Availability (NOFA) or Request for Applications (RFA) process in accordance with the program's scoring policy.

Eligibility

To be eligible for funding under the New Construction and Substantial Rehabilitation Program assistance the proposed project must meet all of the following basic criteria:

- Project must consist of 5 or more units located within the municipal boundaries of the City of Dallas. Note: Extra Territorial Jurisdictions areas are not eligible for financial assistance.
- Substantial rehabilitation projects must, at a minimum, meet the substantial rehabilitation test

In addition to fully meeting the City's minimum code requirements, a project must meet one or more of the following Substantial Rehabilitation threshold tests:

- Replacement of two or more major building components (roof; wall or floor structures; foundations; plumbing, central HVAC or electrical system); or
- costs are 15% or more, exclusive of any acquisition and/or acquisition and development soft costs, of the property's replacement cost (fair market value) after completion of all required repairs, replacements and improvements; or
- rehabilitation hard costs are $10,000 or more per unit.

The after-rehabilitation rents required to effectively support the property, including the additional rehabilitation project debt service, must be:

- Reasonable, and fall within the underwriting standards; and
- Affordable and meet the City's definition of affordability.

Owners must exhibit a cash equity participation of at least 10% in the rental property proposed for rehabilitation. Note: Housing tax credits proceeds are to be treated as equity.

Loan Terms

Financial assistance can be provided in the form of a repayable loan as negotiated on a project by project basis and demonstrated by the financial underwriting. The City loan is fully repayable, and the interest rate varies by the type of Borrower. The interest rate for a qualified CHDO Borrower or Sponsor shall be zero percent (0%) simple annual interest. The interest rate for a qualified nonprofit Borrower or Sponsors shall be one percent (1%) simple annual interest. The base interest rate for all other Borrowers shall be three percent (3%). However, the 3% base rate can be reduced through a combination of one or more Borrower concessions:

- A Borrower guarantee to make annual interest payments will reduce base interest rate by 1%;
- Borrower agreement to limit loan maturity to 20 years or less reduces base interest rate by 1%; or
- Borrower guarantee of annual interest and principal payments reduces base interest rate by 2%.

The Borrower can combine a) and b) above to reduce the 3% annual simple interest base interest rate by 2% to the 1% annual simple interest floor rate. However, in no instance can the floor interest rate be less than 1% annual simple interest for a Borrower in this category.

Repayment terms will be negotiated based on project underwriting and after review of all other financing commitments. Repayment of loan principal and interest should be either:

- Equal monthly installments over a period of up to 300 months. Subject to City review and approval, multi-family projects may have up to 24 months (in addition to the above stated maturity of 300 months) of deferred principal and interest during a construction and lease-up; or,
- An annual surplus cash payment. The City's surplus cash loans funding will be structured with note provisions requiring that at least 50% of Eligible Cash in excess of $50,000 be paid annually to subordinate lenders (including funding partners and related parties) on a prorated basis.

Eligible Cash shall be defined as: Surplus cash available for partnership distribution, less any outstanding:

- Credit adjusters
- Asset management fees
- Operating reserve account replenishment
- Limited partner loans that have been approved by the City
- Deferred developer fees
- Supplemental replacement reserve deposits approved by the City

Note: Incentive management fees have been deliberately omitted from the above list. Payment of incentive management fees shall be subordinate to repayment of the City's loan(s).

Additional Requirements for New Construction Development

For new construction housing developments funded by the City, the maximum subsidy per unit is 22.5% of the HUD HOME Value Limit.

Funding will be provided to Community Housing Development Organizations, governmental entities, or public facility corporations at 0% simple interest, which will be forgiven upon sale of the property to home buyer.

In addition, funding will be provided to other qualified non-profit organizations at 1% simple interest, which will be forgiven upon sale of the property to home buyer.

Projects shall submit, on an annual basis, either HUD Form 93489 (HUD Computation of Surplus Cash), or the City's form, with the project audit. The City will invoice the project, allowing for repayment to occur up to the end of the current calendar year when HUD financing is involved. Otherwise, the surplus cash payment will be due within 45 days of the invoice postmark. Late

payments will be assessed a 5% late charge. The loan will be in default if payments are more than 75 days late. The default interest rate shall be 500 basis points (5%) over the note interest rate.

The City multi-family rental loan is limited to only the amount necessary to fully fund the required rehabilitation work, not to exceed nine percent (9%) of the annual HUD Section 234 – Condominium Housing Limits in Dallas, Texas for elevator units (by number of bedrooms per unit). In 2018, the annual limits were as follows:

Efficiency - $58,787
1 Bedroom - $67,391
2 Bedroom - $81,947
3 Bedroom - $106,013
4 Bedroom - $116,369

Note: The above table is only valid for 2018 and is otherwise provided for illustrative purposes. Contact the City's Housing Department for a schedule of current HUD 234 Limits.

Affordability Period Requirements for All Rental Housing Development and Substantial Rehabilitation Loans

The Period of Affordability (income and rent restrictions) applies to both single-family and multi-family rental housing projects. Affordability periods shall be set as follows, in keeping with HUD requirements.

Amount of CDBG or HOME funds Per Unit	Minimum Period of Affordability
Under $15,000/ Unit	Five (5) years
$15,000 - $40,000/ Unit	Ten (10) years
Over $40,000 or rehabilitation involving refinancing	Fifteen (15) years
New construction of Rental Housing	Twenty (20) years

Conditions of All City Loans

- The property must be residential rental property under the existing ownership for the entire loan term. If the property is transferred by any means during the loan term, the remaining unforgiving portion, plus interest based on the existing market, will become immediately due and payable;
- The Borrower must maintain the property according to the Dallas Unified Building Code and agrees to allow City personnel to annually inspect the property;
- The Borrower provides evidence of having paid annual property taxes and having secured fire and extended insurance coverage for the property;
- Borrower must annually provide the City of Dallas with the information on rents and occupancy of HOME-assisted units to demonstrate compliance with the affordability rent requirements;
- The Borrower must maintain reserves for maintenance; and
- No further assistance during the affordability period term of the loan, whichever is longer.

The City loan will be secured by a lien on the property. The lien position will be no less than a second, except upon approval of the appropriate City Department Director, subordinate only to a private financial institution's superior lien for a loan in a greater amount. The City may also require additional security for its loan, including, but not limited to, a first lien position on other investment property of the owner, as well as personal and/or corporate guarantees if it is necessary to secure the loan.

The terms of payment will continue throughout the entire term of the note, provided the Borrower complies with each and every term and condition of the loan documents. If the Borrower does not comply, or if the borrower at any time defaults under the terms of the note, interest on the unpaid principal will thereafter:

- accrue at a rate that is 500 basis points over the Note interest rate, and
- be immediately payable in addition to the entire outstanding principal amount

Financial Structuring

GAP Financing
The City deferred debt (deferred forgivable or surplus cash) only be used for and based upon the financing gap on affordable units. The City loan cannot exceed the financing gap.

Balloon Mortgages
Ballooning senior debt mortgages may require additional mitigating factors depending on overall project sources and uses, projected loan-to-value, and other risk factors. Under no circumstances will the City participate in a transaction where a senior balloon term is less than 15 years.

Surplus Cash Mortgages
The City's surplus cash loans funding will be structured with note provisions requiring that at least 50% of Eligible Cash in excess of $50,000 be paid annually to subordinate lenders (including funding partners and related parties) on a prorated basis.

Eligible Cash shall be defined as:

- Surplus cash available for partnership distribution, less
- Any outstanding:
- Credit adjusters
- Asset management fees
- Operating reserve account replenishment
- Approved limited partner loans
- Deferred developer fees
- Approved supplemental replacement reserve deposits

Projects shall submit, on an annual basis, either HUD Form 93489 (HUD Computation of Surplus Cash), or the City's form, with the project audit. The City will invoice the project, allowing for repayment to occur up to the end of the current calendar year when HUD financing is involved and general HUD distribution guidelines. Otherwise, the surplus cash payment will be due within 45 days of the invoice postmark. Late payments will be assessed a 5% late charge. The loan will be in default if payments are more than 75 days late. The default interest rate shall be 500 basis points (5%) over the note interest rate.

Appraisal Requirements

Projects Receiving City First Mortgage Acquisition Financing
Prior to funding commitment, the borrower must provide a completed Appraisal Request Form for City-Ordered Appraisals by the date specified in the City's notice of funding award, unless the development is exempt from the appraisal requirement as described below. The establishment of

the date will take into account the applicable funding source commitment deadline and the Borrower's project timeline.

Developments exempt from the prior to commitment appraisal requirement:

- Acquisition price under $100,000
- Land only where there is no identity of interest. Identity of interest is used broadly to include non-arm's length transactions, related-party transactions, etc.
- Single family homes (1-4 family structures) that are aggregated under one loan
- The Borrower has provided a Market Study
- The Project is HUD 202 or HUD 811 with a funding reservation

Note: Whenever a project is exempt under one of the above provisions, the City will use assessed value unless the borrower requests an appraisal for determining acquisition cost as defined in these Underwriting Standards.

The cost of appraisals must be borne by the Borrower. All costs incurred for the appraisal, and any revisions, will be the responsibility of the applicant. The City will collect the appraisal costs from its loan proceeds at closing.

Appraisals ordered by the Borrower will not be accepted. All appraisals must be ordered by the City, HUD or a designated HUD MAP lender, Fannie Mae or a designated Fannie Mae Delegated Underwriter Services (DUS) lender or a regulated financial institution.

An Agency ordered appraisal will be used to support the acquisition costs identified at the time of application. The appraised value will be used by the City and its funding partners in underwriting the acquisition cost.

An As-Is Appraisal:
Land Only for New Construction: Fee simple value of the land. The market value appraisal will consider the real property's zoning as of the effective date of the appraiser's opinion of value. If the real property consists of more than one parcel, the parcels will be combined in one appraisal with one value conclusion.

Acquisition/Rehab:
Fee simple "as-is" value of the existing multi-family property assuming market rate rents. Fee simple, in "as-is" condition, with existing restricted rate rents.

Adaptive Re-Use:
Fee simple market value of the property to be adapted for an alternate use. The valuation will assume the highest and best use permitted by law and economically feasible in the current market.

Prior to Closing – Scheduled Payment Loans:
For scheduled payment loans, an as-completed appraisal is required to establish loan to value. An "as-completed and stabilized" appraisal is required for all amortizing loans.
Two hypothetical values are required:

- As completed and stabilized, subject to restricted rents
- As completed and stabilized, assuming market rate rents

The lesser of the two values will be used to determine loan to value for the City's underwriting. The City will finance no more than 87% of appraised value (85% for loans with $15,000 per unit or less in rehabilitation). Plans and specifications must be sufficiently complete for the appraiser to establish the "as completed" value. The appraisal must be conducted no more than six months prior to closing or end loan commitment (or the borrower will be required to pay for an appraisal update).

Prior to Closing- Deferred Loans:
For non-amortizing loans, the City requires an appraisal prior to closing similar to that required for amortizing loans (above). Borrowers may use another lender's appraisal. Non- Amortizing developments exempt from the prior to closing appraisal requirement include:

- Single family homes (1-4 family) that are aggregated under one loan (the City will use assessed value unless the Borrower requests an appraisal for determining acquisition cost as defined in the Borrower's Underwriting Standards.)

Loan Conditions

As a condition of the City Loan, the Developer must agree:

- To rent these properties in accordance with Affirmative marking standards and the current HUD Section 8 rental income guidelines for the Period of Affordability and the federal equal housing opportunity requirements in the Fair Housing Act.
- Not discriminate on basis or race, religion or national origin.
- Not discriminate against lower income prospective tenants, solely on the basis of their receipt of Section 8 Housing assistance support.
- Not convert the property to condominiums for the duration of the public note.
- To maintain the property in a safe, sanitary and decent condition, in compliance with the City of Dallas Building Codes throughout the term of the public sector note.
- To provide evidence of having paid annual property taxes and secured fire and extended insurance coverage for the property.
- Comply with Annual Re-certification of tenant's annual income, which means each year the property owner must document the income of the tenant by reviewing documents such as W-2's, pay stubs, etc. in order to ensure that their income meets the low-income requirements.
- To a property inspection one (1) year after the rehabilitation and every two (2) years thereafter during the period of affordability. The owner must agree to cooperate with and assist in this inspection effort, and to resolve all deficiencies cited within the designated correction period allotted.
- To pay real property taxes and maintain adequate fire and extended coverage insurance with City named as co-insured on the subject property for the full term of the loan. The City will require owner to provide documentation of tax payment and insurance coverage on an annual basis.
- To adhere to Lead-Based Paint Abatement guidelines for all properties built 1978 and before.

The City will examine the sources and uses for each project and determine whether the costs are eligible and reasonable, the return to the developer is appropriate (not excessive); and the other sources of funds needed for the project are firm commitments. "Reasonableness" of development costs should be based on the following factors:

- Costs of comparable projects in the same geographical area;
- Qualifications of the cost estimators for the various budget line items; and

- Comparable costs published by recognized industry cost index services

Failure to comply with any of the conditions outlined above will constitute a default of the public sector loan, requiring the balance to become immediately due and payable.

During the term of the public sector loan, if the property is sold, or ownership transferred through any means, then the balance of the note then owning, including the remaining deferred forgivable portion is immediately due and payable in full.

For HOME projects, a determination of fixed or floating HOME units must be made at the time of Loan commitment. Fixed units must remain the same throughout the period of affordability. Floating units may change in order to maintain conformity so that the total number of units meet the required number of bedrooms to the originally designated HOME-assisted unit.

Loan Closing

The property owner will be required to provide the following items for loan closing:

- For substantial rehabilitation projects, the after-rehabilitation appraisal of the property showing the appropriate value relative to the proposed loan.
- Acceptable Commitment for Title Insurance Policy showing the City's interest in the total amount of the City's Deferred Payment Loan.
- Credit Reports on all Borrowers with a 15% or greater ownership interest.
- List of all real property assets and their value.
- An acceptable bid from an approved contractor. The approved contractor must be licensed, and provide proof of appropriate insurance coverage, covering the total cost of the
- rehabilitation work and including, but not limited to worker's compensation, general liability, and personal liability.
- Copy of the insurance policy for fire and extended coverage for 80% of the value of the property with City named as co-insured.

Permitted Rehabilitation Program Costs

CDBG or HOME funds will be used to support only the following eligible costs:

- Actual rehabilitation costs necessary to correct substandard conditions to comply with the City of Dallas building Codes, federal environmental conditions standards, and federal lead-based paint abatement requirements.
- Essential improvements including energy conservation-related repairs, and improvements to permit use of the rehabilitated units by persons with disabilities.
- Repairs to major building system in danger of failure.
- Costs, generated by the public sector, for processing and closing the financing for the project, such as: credit reports, fees for title evidence, fees for recordation and filing of legal documents, attorney's fees, permits, and appraisal fees.
- Cost for the relocation of tenants currently residing in the property at the date of initial application, who must be temporarily or permanently displaced as a direct result of the rehabilitation activity.

Involuntary Displacement

The City prohibits involuntary displacement of residents from developments receiving funding. If a development receives federal funds, the Uniform Relocation Act provisions will apply.

Eligible Costs

The following costs may be reimbursed with HOME funds:

Hard Costs	Soft Costs
Land and Structure Acquisition	Financing Fees & credit reports
Site preparation, including Demolition	Affirmative marketing, initial leasing & marketing costs
Construction Materials and Labor	Title binders and insurance
	Performance bonds and surety fees
	Recording fees
	Legal & accounting fees
	Appraisals
	Eligible Soft Costs
	Environmental reviews

CDBG funds may not be used for new building construction, in accordance with HUD regulations. However, CDBG funds may be used for all other reasonable and eligible costs in the above table.

Monitoring

The City is required by HUD to obtain information on rents and occupancy of HOME – assisted units to demonstrate compliance with the affordability rent requirements on an annual basis.

Additional Requirements for ALL Rental Housing Projects

Tenant Selection/Eligibility:
An owner of rental housing assisted with HOME or CDBG funds must adopt written tenant selection policies and criteria that:

- are consistent with the City's goal of providing housing for very low-income and low-income families;
- are reasonably related to program eligibility and the applicant's ability to perform the obligations of the lease;
- provide for the selection of tenants from a written waiting list in the chronological order of their application, insofar as is practicable; and
- give prompt written notification to any rejected applicant stating the grounds for the rejection

Income Eligibility and Re-certification:
Tenant incomes must be re-certified annually and verified with source documents every six years. If the income of a household in an assisted unit rises above 80% of Area Median Income, the household may continue to rent the unit and the household must pay monthly rent equal to the lesser of:

- The rent permitted by state law; or
- 30% of the family's adjusted monthly income at annual re-certification.
- If the project was financed with Low Income Housing Tax Credits, the tax credit rent prevails.

Acceptable Rents for HOME Projects Only

The HOME program has established rules in relation to acceptable rents. There are two rent standards: High HOME Rent and Low HOME rent. For properties with five (5) or more HOME assisted united, at least 20% of the units must have rents that meet the "Low HOME" criteria.

High HOME Rent: lesser of the Section 8 Fair Market Rents for existing housing OR thirty (30) percent of the adjusted income of a family whose annual income equals 65% of the area median income.

Low HOME Rent: Thirty percent of the tenant's monthly adjusted income OR thirty percent of the annual income of a family whose income equals 50% of the area median income.

Land Transfer Program

The purpose of this Land Transfer Program (the "Program") is to incentivize: (1) the development of quality, sustainable housing that is affordable to the residents of the City and (2) the development of other uses that complement the City's Comprehensive Housing Policy, economic development policy, or redevelopment policy. Specifically, this Program authorizes the City to sell qualifying city-owned real property and resell tax-foreclosed real property to for-profit, non-profit and/or religious organizations in a direct sale at less than fair market value of the land, consistent with the authorizing state statute or city ordinance.

The sale of real property pursuant to the Land Transfer Program will enable the City to facilitate the development of housing units that will be offered for sale, lease or lease-purchase to low- and moderate-income households and, on appropriate parcels of land, enable the City to facilitate the development of commercial uses such as neighborhood retail.

Consistency with City's Affordable Housing Development Goals

The operation of the Land Transfer Program shall align with the City's existing affordable housing production goals as outlined in the adopted Comprehensive Housing Policy. The portfolio of real property sold under this Program shall be developed to serve the range of income bands as well as the percentage of each income band identified in the production goals of the Comprehensive Housing Policy.

When seeking City Council approval to sell a parcel or parcels of real property pursuant to this Program, staff must identify the proposed developer, indicate the income band for which the parcel(s) of real property is reserved, and provide the City Council with a map depicting the location of the real property that contains the current Market Value Analysis (MVA) and Racially and Ethnically Concentrated Areas of Poverty (R/ECAP) data layers, if such layers exist. The map must also depict the location of all parcels of real property previously sold to the proposed developer pursuant to this Program or any other City affordable housing program in the past two years and the income bands for which each parcel of real property was reserved.

On an annual basis, the Housing and Neighborhood Revitalization Department, or its successor department, shall brief the appropriate City Council committee regarding the year-to-date production data for the Program.

Consistency with Fair Housing Laws

On an annual basis, the Land Transfer Program will be reviewed by the Office of Equity and Human Rights, or its successor department, to ensure that the Program is being operated in a manner that is consistent with fair housing laws. The City will collect and maintain data regarding the location of parcels of real property sold via the Program and demographic information regarding the eligible households who occupy housing units developed pursuant to the Program.

Application Process for Submitting a Proposal to Purchase Parcels of Real Property

The City will create, and will periodically update, an application that is consistent with this Program and the authorizing state statute or city ordinance to be used by developers who are interested in purchasing real property pursuant to the Land Transfer Program. The City may accept proposals to purchase lots on a rolling basis or may solicit purchase proposals through a competitive solicitation process. Only proposals that meet or exceed the minimum developer and project

eligibility criteria will be referred to the appropriate City Council Committee for approval. City Council must approve all sale of real property through the Land Transfer Program.

Each purchase of real property must clarify which Texas statute it is operating under.

	Type of Property	Type of Developer	Uses term low/mod income	Defines targeted incomes	Type of Development Allowed	Add'l state statutory requirements
DCC 2-26 (aka HB 110)	Tax-foreclosed or seized	Nonprofit	Low-income	80% AMFI or below	Affordable housing	Enabling Statute: TLGC 253.010
TLGC 253.010	Any land acquired by municipality	Non-profit and religious organizations	Low-income	Municipality may determine; Should consider AMFI	Affordable housing or a use approved in a written agreement with City	
TLGC 272.001(g)	Any city-owned land except land acquired by condemnation	No limitation	Low- and Mod-income	No	Low- and moderate income housing	
TPTC 34.051	Tax-foreclosed land	No limitation	Primarily Low- and Mod- income	No	A purpose consistent with City urban redevelopment or affordable housing plan	Interlocal agreement among taxing entities; land must be vacant/distressed & tax-delinquent 6+ years

Developer Eligibility Criteria

To be eligible to purchase real property pursuant to the Land Transfer Program, a developer must meet all the following criteria, unless the land is sold pursuant to Dallas City Code Section 2-26.4:

1. Developer may be an individual, or may be organized as a corporation, partnership, joint venture or other legal entity, regardless of whether developer is a for-profit, non-profit, or religious organization.
2. Developer must be in good standing with the State of Texas and the City, including that the City has not issued a charge against the developer for violating Chapter 20A of the Dallas City Code or Chapter 46 of the Dallas City Code within the past 5 years, may not be debarred under the federal System for Award Management (SAM), may not have uncured violations of Chapter 27 of the Dallas City Code for which it has received notice, may not be indebted to the City or delinquent in any payment owed to the City under a contract or other legal obligation, and must be current on payment of taxes and liens owed to any other affected taxing unit under the Texas Property Tax Code.
3. If developer seeks to purchase two or more parcels of real property for the purpose of constructing housing units, developer must have constructed one or more housing units within the three-year period preceding the submission of the proposal to acquire the parcels of real property via the Program. If developer seeks to purchase one or more parcels of real property for the purpose of developing a multifamily or commercial use, developer must demonstrate that it has developed at least one comparable use within the three-year period preceding the submission of the proposal to acquire the parcel of real property via the Program.
4. Developer must submit a development plan for all parcels of real property developer seeks to acquire via the Program.

5. Developer must demonstrate that it has the financial capacity and staffing/sub-contractor capacity to develop and complete the sale, lease or lease-purchase, within a two-year period, of its inventory of parcels of real property acquired through the Program. The City Manager or his/her designee may grant up to one (1) one-year extension of the development agreement due to delays related to installation or improvement of infrastructure or zoning/platting issues. Any additional extensions of the development agreement must be approved by City Council.

Staff may impose additional eligibility criteria that are consistent with this Program, state statute and city ordinance. If land is sold pursuant to Dallas City Code Section 2-26.4, developer must comply with the eligibility criteria set forth in the ordinance.

Project Eligibility Criteria

To be eligible to purchase real property pursuant to the Land Transfer Program, the proposed project must meet all the following criteria, unless the land is sold pursuant to Dallas City Code Section 2-26.4:

1. Parcels of real property must be developed with: (1) a housing unit or units that are offered for sale, lease or lease-purchase, or (2) a commercial use that will complement the City's Comprehensive Housing Policy, economic development policy, or redevelopment policy.
2. Housing units developed on the parcels of real property may only be sold, leased, or offered as a lease-purchase to households whose incomes are within the income bands prioritized by the adopted Comprehensive Housing Policy.
3. Housing units developed on the parcels of real property may be either a single family, duplex, or multi-family housing use.

Staff may impose additional eligibility criteria that are consistent with this Program, state statute and city ordinance. If land is sold pursuant to Dallas City Code Section 2-26.4, the project must comply with the eligibility criteria set forth in the ordinance.

Identification of Eligible Households, Affirmative Fair Housing Marketing and Other Policies

Developers of for-sale housing units must comply with all the terms of the Mixed Income Housing Program as set forth in Chapter 20A of the Dallas City Code, as amended, if applicable. Developers of for-sale housing units may only sell to homebuyers who meet the eligibility criteria set forth in the City of Dallas Homebuyer Assistance Program (DHAP), or a successor program.

Developers of rental housing or lease-purchase units must comply with all the terms of the Mixed Income Housing Program as set forth in Chapter 20A of the Dallas City Code, as amended, if applicable. Such exemptions will be clearly set forth in the development agreement.

Sales Price of Parcels of Real Property Sold via the Land Transfer Program

City-owned real property: Properties will be initially offered at fair market value ("FMV"), as determined by a comparative market analysis. A discount will be available if project underwriting indicates that the discount is needed either to ensure the viable sale, lease or lease-purchase to an income-qualified buyer or the viable development of a commercial use. The discount is subject to City Council approval.

Tax-foreclosed real property: A fixed price of $1,000 for up to 7,500 square feet of land purchased under a single proposal, plus $0.133 for each additional square foot of land purchased under the

proposal. If land is sold pursuant to Dallas City Code Section 2-26.4, the sales price set forth in the ordinance applies.

Sales Price of For-Sale Housing Units Developed via the Land Transfer Program

For-sale units produced under the Land Transfer Program must be sold at the fair market value as determined by an "as-completed" or "subject to completion" appraisal completed by an independent state-licensed appraiser. However, the terms of the development agreement for each parcel of real property purchased pursuant to the Program will include any seller-discount that must be provided to the eligible purchaser so that the amount paid by the eligible purchaser is affordable based on their income.

Rental Rates for Rental Housing Units Developed via the Land Transfer Program

Rental units produced under the Land Transfer Program must be leased at affordable rental rates in accordance with the approved development agreement and Chapter 20A of the Dallas City Code, as amended. If land is sold pursuant to Dallas City Code Section 2-26.4, the rental rates set forth in the ordinance applies.

Term of Affordability

The term of affordability for for-sale housing units is 5 years from the filing date of the deed transferring the unit from developer to homebuyer.

The term of affordability for rental units and commercial uses is 20 years from the date that the first unit is occupied by an eligible tenant.

The term of affordability for lease-purchase units will be negotiated on a case-by-case basis in accordance with the goals of this Program.

If land is sold pursuant to Dallas City Code Section 2-26.4, the term of affordability set forth in the ordinance applies.

Deed Restrictions and Right of Reverter

The City will impose restrictive covenants on all parcels of real property its sells pursuant to the Land Transfer Program. If land is sold pursuant to Dallas City Code Section 2-26.4, the deed restrictions and right of reverter requirements set forth in the ordinance applies.

The restrictive covenants will require the parcels of real property to be developed and maintained in accordance with the development agreement and all applicable city, state and federal laws. These restrictions will include that housing units developed on the parcels of real property be offered for sale, lease or lease-purchase to low- and moderate-income households and be occupied by low- and/or moderate-income households for the entire term of the affordability period.

Land acquired by a developer pursuant to the Land Transfer Program may revert to the City if the City Manager or his/her designee determines that the developer has:

1. failed to take possession of the land within 90 calendar days after receiving the deed to the parcels of real property;

2. failed to complete construction of all required housing units or other required development on the real property, or failed to ensure occupancy by eligible households within the development timeframe set forth in the development agreement;
3. incurred a lien on the property because of violations of city ordinances and failed to fully pay off the lien within 180 days of the City's recording of the lien; or
4. sold, conveyed, or transferred the land without the consent of the City.

Upon determination by the City Manager or his/her designee that a condition described above has occurred, the City Manager or his/her designee is authorized to execute an instrument, approved as to form by the City Attorney, exercising against the parcel of real property the City's possibility of reverter with right to reentry. The City Manager or his/her designee shall file notice of the reverter and reentry of the land by the City in the real property records of the county in which the parcel of real property is located, which notice must specify the reason for the reverter and reentry. The City Manager or his/her designee shall provide a copy of the notice to the developer in person or by mailing the notice to the developer's post office address as shown on the tax rolls of the City or of the county in which the land is located.

Release of Non-Tax Liens, Release of Restrictive Covenants and Right of Reverter

Pursuant to this Program and contingent upon City Council approval, and in consideration for developer agreeing to construct affordable housing units or other approved uses on parcel(s) of real property, the City Manager or his/her designee is authorized to execute instruments, approved as to form by the City Attorney, releasing any non-tax City liens that may have been filed by the City during the City's ownership of the parcel(s) of real property.

Additionally, the City Manager or his/her designee is authorized to execute instruments, approved as to form by the City Attorney, releasing the City's possibility of reverter with right of reentry and terminating the restrictive covenants on the land upon compliance with all terms and conditions of the development agreement and this Program.

Type of Transfer

The City will transfer all City-owned parcels and resell all tax-foreclosed parcels via a deed without warranty, approved as to form by the City Attorney.

OVERVIEW OF EXISTING FUNDING SOURCES

Federal Funding Sources

The City receives financial support from the U.S. Department of Housing and Urban Development (HUD) to assist low and moderate-income families in obtaining affordable housing. The City receives several Entitlement (HUD) grants, which it can use to support its housing initiatives. HUD outlines certain regulations that apply when using grant funds. This policy document uses the HUD regulations as a basis and incorporates the City's own policies as adopted by City Council.

Community Development Block Grant (CDBG)

The Community Development Block Grant has been in existence since 1974. The primary objective of the CDBG program is to improve communities by providing decent housing, providing a suitable living environment, and expanding economic opportunities. The primary beneficiary of CDBG funds must benefit low to moderate-income persons; aid in the prevention or elimination of slums or blight; or meet an urgent need.

HOME Investment Partnership Program (HOME)

The HOME Investment Partnership Program has been in existence since 1990. The goals of the HOME program are to provide decent affordable housing to lower-income households, expand the capacity of nonprofit housing providers, strengthen the ability of state and local governments to provide housing, and leverage private sector participation. HOME funds may be utilized for rental activities, homebuyer activities, and homeowner rehabilitation activities. All HOME funds must benefit persons of low and moderate income.

HOME Match Requirement

All housing development projects must meet a twenty-five (25%) HOME matching requirement of contributions made from non-federal resources and may be in the form of one or more of the following:

- Cash contributions from nonfederal sources
- Forbearance of fees
- Donated real property
- Cost, not paid with federal resources, of on-site and off-site infrastructure that the participating jurisdiction documents are directly required for HOME-assisted projects
- Proceeds from multifamily affordable housing project bond financing
- Reasonable value of donated site-preparation and construction materials, not acquired with federal resources
- Reasonable rental value of the donated use of site preparation or construction equipment
- Value of donated or voluntary labor or professional services in connection with the provision of affordable housing

Neighborhood Stabilization Program (NSP)

The Neighborhood Stabilization Program was authorized under Division B, Title III of the Housing and Economic Recovery Act of 2008 (HERA) to help communities recover from the effects of foreclosures, abandoned properties, and declining property values. The City collects program income from this source and appropriates it on an annual basis.

State and Local Funding Sources

General Obligation Bonds

General Obligation Bonds were authorized under the 2017 bond package to help with infrastructure, economic development and housing, and related expenses as authorized by law. Economic Development and Housing have been allocated approximately $55 million for the next five (5) years.

Tax Exempt Bond Financing (City of Dallas Housing Finance Corporation)

The City of Dallas Housing Finance Corporation (DHFC) was organized in 1984 in accordance with Chapter 394 of the Texas Local Government Code (Code). Under the Code, the purpose of the DHFC is to assist persons of low and moderate income to acquire and own decent, safe, sanitary, and affordable housing. To fulfill this purpose, the DHFC can be an issuer of tax exempt bonds. The DHFC may issue bonds to finance, in whole or in part, the development costs of a residential development or redevelopment; the costs of purchasing or funding the making of home mortgages; and any other costs associated with the provision of decent, safe, and sanitary housing and non-housing facilities that are an integral part of or are functionally related to an affordable housing development.

- Affordable Housing Partnerships: The DHFC can also partner with affordable housing developers for the production of multifamily housing. The DHFC can acquire an ownership stake in the development by becoming the General Partner (GP) of an ownership entity, right of refusal to purchase the improvements, and owning and controlling the land. DHFC is the sole member of the GP. Fifty-one percent of the units must be set aside for affordable housing. If all of the aforementioned criteria are met; then the development can benefit from a tax exemption. Additionally, the DHFC can be the General Contractor to allow for sales tax exemption on construction materials.

Strategies, Tools and Programs that Will Require Additional Action

Housing Trust Fund

Establish a Dallas Housing Trust Fund (DHTF) that allows monies to be used to make loans to support the production goals of the Housing Policy. At a future date, staff will seek Council approval to authorize a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts (TIFs), as well as $7 million from Dallas Water Utility funding set aside to support developments. Staff will further research potential dedicated revenue sources for the DHTF, including unencumbered fund balances from high-performing TIFs, property tax revenues from developments that have been built on previously City-owned land, proceeds from the sale of properties acquired by the City following non-tax lien foreclosures, among other sources.

Tax Increment Financing

Creation of a non-contiguous Tax Increment Finance District for areas not already located in an existing TIF District will leverage TIF on projects that propose to meet the unit production goals with affordability requirements.

Voluntary Inclusionary Zoning

In addition to development subsidies, the City may also incentivize the production of rental units via voluntary inclusionary zoning. Voluntary inclusionary zoning is a strategy by which the City can provide development bonuses to encourage the construction of mixed-income housing in multi-family and mixed-use zoning districts. At a future date, staff will seek council approval to amend the Development Code to allow for by-right development bonuses, including increases in maximum height and lot coverage, for developments that provide mixed-income housing in MF-1, MF-2, MU-1 and MU-2 districts. While these development bonuses would be available regardless of whether the MF-1, MF-2, MU-1 or MU-2 district is in a Reinvestment area, the City could layer in development subsidies for projects in Redevelopment and Stabilization areas to encourage more income stratification or a higher-percentage of affordable units. Furthermore, this strategy, as it has already been briefed to the Dallas Zoning Ordinance Advisory Committee (ZOAC), will encourage such mixed-income housing developments to adopt design principles that encourage walkability, reduce the need for parking, and require the provision of more open space.

Neighborhood Empowerment Zones

At a future date, staff will seek council approval to designate Neighborhood Empowerment Zones (NEZ) in certain Reinvestment Areas. Once a NEZ is established, staff will implement the following programs and strategies to preserve affordability and deconcentrate RECAP:

- a property tax freeze for up to ten (10) years for homeowners if they are making improvements to their property resulting in more than 25% increase in value,
- development fee rebates (permits, planning, zoning, parkland dedication, landscape & tree mitigation),
- encourage Incentive Zoning/Density Bonuses to support the creation of mixed income communities,
- allow Accessory Dwelling Units,
- designate Homestead Preservation District overlay where applicable, and

Sublease Program

Furthermore, staff will pursue council approval to create a Sublease Program which incentives a landlord/developer to facilitate the rental of units to voucher holders. This program is administered through the Dallas Housing Finance Corporation.

~~Resolutions of Support or No Objection~~
City of Dallas Policy for Supporting Housing Developments Seeking Housing Tax Credits

The City of Dallas ("City") has developed the following policy to outline its approach regarding requests from developers of projects seeking Housing Tax Credits ("HTC") from the Texas Department of Housing and Community Affairs ("TDHCA") for Resolutions of No Objection (sometimes referred to as "No Objection") or Resolutions of Support (sometimes referred to as "Support") from the City.

Background on Housing Tax Credits in Texas
In 1986, Congress, through the Tax Reform Act, enacted Section 42 of the Internal Revenue Code ("Section 42"). Section 42 created Low Income Housing Tax Credits that may be awarded to owners of multi-family rental housing that meet certain income and rent restrictions and other program requirements. At the Federal level, the HTC program has very few requirements but does require that states designate an agency to administer the HTC program and develop a Qualified Allocation Plan ("QAP") outlining how HTC will be allocated and administered. For Texas, the Texas Department of Housing and Community Affairs has been designated as that agency, and the QAP is updated annually.

There are two forms of the HTC: 9% HTC and 4% HTC.

9% HTC are considered to be "competitive." The State receives a per capita allocation of HTC to award each year, and applications are scored and are awarded by TDHCA only once per year. 4% HTC, on the other hand, are "automatically" awarded to projects using eligible tax-exempt debt. As a result, 4% HTC are considered to be "non-competitive" since applications are not competitively scored and are awarded by TDHCA multiple times throughout the year.

Under the 9% HTC, a Proposer may receive points for local government support. To receive points, the application must include a Resolution of Support or No Objection from the governing body of the municipality in which the proposed development site is to be located.

Although 4% HTC applications are not competitively scored, the Proposer must obtain a Resolution of No Objection from the governing body of the municipality in which the proposed development site is to be located. This is a threshold requirement for 4% credit awards. Applications that do not include a Resolution of No Objection cannot proceed.

Overview
This HTC policy seeks support the broad goals of the Comprehensive Housing Policy to do the following:

- Create and maintain affordable housing throughout Dallas,
- Promote greater fair housing choices, and
- Overcome patterns of segregation and concentrations of poverty through incentives and requirements.

The decision to provide a Resolution of No Objection or Support must be aligned with these goals. Unlike other City programs that directly invest in specific projects or provide direct incentives, such as fee waivers or tax abatements, the resolutions are an indirect way for the City to support the proposed development. Because of the points allocation for a Resolution of No Objection or

Support for 9% HTC and the threshold requirement of a Resolution of No Objection for 4% HTC, the City's position regarding a proposed development can greatly affect whether the proposed development is awarded HTC by TDHCA.

Given the substantial need for affordable housing across the City and that TDHCA administers the process for awarding HTC, the City has an interest in broadly supporting quality and responsible HTC proposals across the City. As such, the City will be supportive of maximizing production using HTC.

Definitions:

Affordability Period has the same meaning as the term is defined in the Qualified Allocation Plan, as amended.
Development has the same meaning as the term is defined in the Qualified Allocation Plan, as amended.
Development Site has the same meaning as the term is defined in the Qualified Allocation Plan, as amended.
Historically Underutilized Business has the same meaning as the term is defined in the Qualified Allocation Plan, as amended.
Market Analysis has the same meaning as the term is defined in the Qualified Allocation Plan, as amended.
Market Rate Housing Units means units for which the rent may by adjusted by the Owner, as defined in the Qualified Allocation Plan, as amended, subject only to the terms of the lease. Housing units are not considered Market Rate Housing Units if the rent that may be charged and/or the tenant(s) who may occupy the units are limited by a: (1) a Land Use Restrictive Agreement (LURA) or other restrictive covenants, or (2) any other contractual agreement.
Plan and Cost Review means an analysis, usually conducted by a third-party consultant on behalf of a lender prior to approval of a construction loan or of construction-related information and documents that is intended to evaluate whether costs are appropriate, the construction plan is well-designed and there are appropriate allowances for contingencies.
Proposer means the Proposer, Developer, Development Owner, Development Team, and Owner as those terms are defined in the Qualified Allocation Plan, as amended.
Qualified Non-Profit Organization has the same meaning as the term is defined in the Qualified Allocation Plan, as amended.
Registered Neighborhood Organizations means an organization that has registered with and provided its boundaries to the City of Dallas Department of Planning and Urban Design.

Calendar

Proposers may submit a proposal in response to this policy regarding HTC at any time during the year. However, City staff will only review applications and schedule proposals for City Council consideration four times per year. This calendar will be updated and published annually to align with the TDHCA timeline by the City Manager or his/her designee.

The calendar for 2019 is as follows:

Application deadline	City Council Consideration
January 11, 2019	February
April 12, 2019	May
July 12, 2019	August
October 11, 2019	November

Review & Recommendation Process

1. City staff will review all applications. For both 4% and 9% HTC applications, City staff will recommend a Resolution of No Objection to City Council if City staff has determined, in its sole discretion, that the threshold requirements, as outlined below, have been met.
2. For 9% HTC applications that have met the threshold requirements, as outlined below, and address Priority Housing Needs Developments, as described below, City staff may designate these applications as "Priority Housing Needs Developments" and will recommend a Resolution of Support and a $500.00 funding commitment to City Council if City staff has determined, in its sole discretion, that the threshold requirements and Priority Housing Needs Developments criteria have been met.
3. For 9% HTC applications that have met the threshold requirements, as outlined below, and obtain a minimum score of 50 points under the Scoring Factors for Other 9% HTC Applications section, and do not qualify as a "Priority Housing Needs Development", City staff will recommend a Resolution of Support and a $500.00 funding commitment to City Council if City staff determines, in its sole discretion, that the threshold requirements have been met and that the application has scored at least 50 points.

4% and 9% HTC Applications Threshold Requirements

1. Applicable to All Applications
   - Submission of a complete application to the City;
   - The Proposer must have site control (e.g. purchase option);
   - If not currently zoned for the intended use, the Proposer must have completed a formal consultation with City Planning staff outlining the process and requirements for rezoning the site;
   - The Development must meet TDHCA minimum site and development requirements. If undesirable site features exist, the Proposer must submit a mitigation plan that sufficiently mitigates undesirable site features and supports site eligibility pursuant to TDHCA standards;
   - The Development must meet TDHCA underwriting standards;
   - The Development must contribute to the City's obligations to affirmatively further fair housing;
   - The Proposer must notify existing tenants living at the Development Site at least 45 days prior to submitting the proposal;

- For any Development that is occupied by existing tenants that is not otherwise subject to the Uniform Relocation Act (URA), the development proposal must include a City-approved relocation plan that:
    - Minimizes permanent displacement from the Development. In the event of permanent displacement, Proposers will be required to provide compensation to affected tenants that is otherwise in alignment with URA requirements;
    - Must provide reasonable notice to affected tenants prior to any temporary relocation and covers all reasonable out of pocket costs incurred by tenants as a result of moving from one unit to another within the Development or temporarily vacating their units to allow rehabilitation work to proceed; and
    - Proposer must meet all applicable state, federal, or local laws relating to displacement of tenants.
- For any Development involving rehabilitation or adaptive reuse (i.e. conversion of space originally designed and built for other than residential purposes), the Proposer must submit a Plan and Cost Review for the Development including all supporting documentation that formed the basis of the review;
- For any Development located in a census tract with a poverty rate of 40% or higher, the Development must achieve a minimum score under Resident Services element of the scoring factors below of:
    - 17 points for elderly developments;
    - 23 points for family developments; or
    - 22 points for permanent supportive housing developments; and
- The Proposer must be eligible pursuant to TDHCA standards and City standards:
    - A proposer is not eligible for any resolution if the Proposer i) is in debt to the City or delinquent in any payment owed to the City, in accordance with Dallas City Code Section 2-36, as amended; ii) is currently in litigation with the City, either as a defendant or plaintiff; or iii) within the last 10 years has been found liable of violating Chapter 20A (Fair Housing) or Chapter 46 (Human Rights and Sexual Orientation) of the Dallas City Code.

2. Developments Involving Rehabilitation of Existing Housing
    - The proposed scope of work must be informed by a capital needs assessment (CNA), prepared by a qualified third-party professional that is independent from the Development's architect or engineer, builder/general contractor, or other member of the Development Team. The City will review the CNA and conduct a site visit. The CNA must demonstrate to the City's satisfaction that the initial scope of work is sufficient to address all City code violations (whether formally cited or not). Further, the scope of work, combined with planned replacement reserve funding, must be determined sufficient to address all projected repairs or replacements of the following items through the entire term of the Development's affordability period:
        - All major systems including roof, foundation, electrical, HVAC, and plumbing;
        - Interior and exterior windows and doors;
        - The interiors of all units including the kitchen and bathroom and all major appliances;
        - The exterior of the development, including balconies, walkways, railings, and stairs;

- Communal facilities such as community rooms, fitness centers, business centers, etc.; and
- Security features including gates and security cameras.
- Accessibility

Priority Housing Needs Developments (applicable to only 9% HTC Applications)

A 9% HTC application that meets any of the following criteria may be designated by City staff as a "Priority Housing Needs Development" and recommended for a Resolution of Support and $500.00 funding commitment to City Council, if City staff has determined, in its sole discretion, that the threshold requirements and Priority Housing Needs Developments criteria have been met:

1. The development proposal has been selected within the past three years to receive City funding (including federal funds such as HOME, CDBG, etc. or local funding such as General Obligation Bond funding) under a competitive application process administered by the Department of Housing and Neighborhood Revitalization and otherwise remains in compliance with all funding requirements;
2. The proposal includes participation by the Dallas Housing Finance Corporation or City of Dallas Public Facilities Corporation applicable to housing (if created). Such participation must include ownership of the underlying development site by the entity and/or stake in the ownership structure of the development;
3. The proposal involves the redevelopment of public housing owned by the Dallas Housing Authority under the Choice Neighborhoods, Rental Assistance Demonstration, HOPE VI, or other similar HUD programs that may be created;
4. The development proposal is located in a census tract with a poverty rate below 20%;
5. The development proposal is within any area designated as a Redevelopment Reinvestment Strategy Area (RSA) or a Stabilization RSA in this Comprehensive Housing Policy; or
6. Developments with at least 50 units for which the Owner must enter into an MOU with the lead entity of the Continuum of Care by which the project will prioritize at least 20% of units for tenants referred from the Continuum of Care Housing Priority List.

Scoring Factors for Other 9% HTC Applications

For 9% HTC Applications that do not qualify as a Priority Housing Needs Development, the application must achieve a minimum score of 50 within this section, **Scoring Factors for Other 9% HTC Applications,** to be recommended by City staff for a Resolution of Support and $500.00 funding commitment to City Council, if City staff has determined, in its sole discretion, that the threshold requirements have been met and the application scores a minimum of 50 points under this section.

Mixed-Income Projects (Maximum of 20 points)

Proposals including market rate units (i.e. those without income/rent restrictions) as follows:

Percentage of Market-Rate Units	Points
At least 5% but less than 10% market rate units	5
At least 10% but less than 15% market rate units	10
At least 15% but less than 20% market rate units	15
At least 20% market rate units	20

Qualified Nonprofit or Historically Underutilized Business on Development Team (5 points)
To receive these points, the development team must include a Qualified Nonprofit Organization or Historically Underutilized Business ("HUB") that has a controlling interest in the development. If ownership is a limited partnership, the Qualified Nonprofit Organization/HUB must be the Managing General Partner with greater than 50% ownership in the General Partner. If ownership is a limited liability company, the Qualified Nonprofit Organization/HUB must be the controlling Managing Member with greater than 50% ownership in the Managing member. Additionally, the Qualified Nonprofit Organization/HUB or its affiliate or subsidiary must be the developer or a codeveloper of the Development.

Proximity of Amenities to Development Site (Maximum of 25 points)
The following matrix shall be used in scoring the Development under this category:

Amenity	1/4 mile or less	>1/4 mile and < 1/2 Mile	1/2 mile and up to 1 mile
High Frequency Transit	5	3	1
Public Park	5	3	1
Full Scale Grocery Store	5	3	1
Community/Senior Center or Library	5	3	1
Licensed Day Care	5	3	1
Amenity	**1/2 mile or less**	**>1/2 mile and < 1 mile**	**1 mile and up to 2 miles**
Qualifying Medical Clinic or Hospital	5	2	1
Amenity	**20 minutes or less**	**>20 min. and < 40 min.**	**More than 40 min.**
Transit time to Major Employment Center	5	2	0

Resident Services (Maximum of 25 points)

Note: The list of potential resident services is derived from, but not identical to, the QAP, as amended. The services outlined in the table below are shorthand descriptions, but the City will use the same definitions and requirements for each service as outlined in the QAP, as amended. For purposes of this section, however, the City will use its own scoring criteria to award points. In some cases, the points available may vary from those awarded under the QAP, as amended. Additionally, the total points available are not capped in the City's scoring rubric in the same manner as they are for the QAP, as amended. City Manager or designee may amend the service descriptions categories and point allocations on an annual basis based on the annually updated QAP. The maximum points allocated to Resident Services will remain the same (25 points).

Service Description	Reference within the 2019 QAP §11.101(b)(7)	Points for City Scoring
Transportation Services		
Min. 3x/week shuttle to grocery/pharmacy or big-box retail; OR daily shuttle during school year to nearby schools not served by school bus system	(A)(i)	3.5
Monthly transportation to community/social events	(A)(ii)	1
Children Services		
High quality PreK program with dedicated space on-site	(B)(i)	4
Min. 12 hours/week organized on-site K-12 programming (e.g. tutoring, after school and summer care, etc.)	(B)(ii)	3.5
Adult Services		
Min. 4 hours/week organized onsite classes for adults (e.g. GED, ESL, financial literacy, etc.)	(C)(i)	3.5
Annual income tax preparation	(C)(ii)	1
Contracted career training and placement partnerships with local employers	(C)(iii)	2
Weekly substance abuse meetings at project site	(C)(iv)	1
Health Services		
Food pantry accessible to residents (on site or via on-request transportation)	(D)(i)	2
Annual health fair	(D)(ii)	1
Weekly exercise classes	(D)(iii)	2
Contracted on-site occupational or physical therapy for elderly or disabled tenants	(D)(iv)	2
Community Services		
Partnership with local law enforcement to provide quarterly activities with tenants	(E)(i)	2
Notary services for tenants	(E)(ii)	1
Min 2x/month arts, crafts, or other recreational activities (e.g. book club)	(E)(iii)	1
Min 2x/month on-site social events (e.g. potlucks, holiday celebrations, etc.)	(E)(iv)	1
Case management for elderly, disabled, or special needs tenants	(E)(v)	3
Weekly home chore and quarterly preventative maintenance for elderly or disabled tenants	(E)(vi)	2

Social Security Act Title IV-A programming	(E)(vii)	1
Part-time resident services coordinator (min. 15 hours/week) or contract for same through local provider	(E)(viii)	2
Education/tuition savings match or scholarship program for residents	(E)(ix)	2

~~The City of Dallas (the City) has developed a policy for developers requiring Resolutions of Support or No Objection for multi-family rental housing development projects seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA). Each year, the TDHCA is required to develop the Qualified Allocation Plan (QAP) to establish the procedures and requirements relating to the allocation of Housing Tax Credits. Once the QAP is submitted and approved by the Office of Governor, which occurs in December of each year, the adopted QAP will be published in the Texas Register.~~

~~In the administration of its HTC Program, the TDHCA awards application points for a resolution from a Governing Body of a local municipality on the following basis:~~

~~Within a municipality, the application will receive:~~

- ~~seventeen (17) points for a resolution from the Governing Body of that municipality expressly setting forth that the municipality supports the application or development; or~~
- ~~fourteen (14) points for a resolution from the Governing Body of that municipality expressly setting forth that the municipality has no objection to the application or development.~~

~~Within the extraterritorial jurisdiction of a municipality, the Application may receive:~~

- ~~eight and one-half (8.5) points for a resolution from the Governing Body of that municipality expressly setting forth that the municipality supports the Application or Development; or~~
- ~~seven (7) points for a resolution from the Governing Body of that municipality expressly setting forth that the municipality has no objection to the Application or Development~~

~~The City will issue a Request for Applications for Resolutions of Support or No Objection in December of each year and bring forth recommendations to the Economic Development and Housing Subcommittee and City Council in February of each year. This schedule is in line with the TDHCA program calendar.~~

~~Evaluation Criteria~~

~~The City has developed a self-scoring application in order to conduct a comprehensive, fair and impartial evaluation of all applications received in response to the Request for Applications process. Each application is analyzed to determine overall responsiveness and qualifications under this policy. Evaluation Criteria are outlined below:~~

- ~~**General Partner and Property Management Experience** – Up to 20 total points (as determined utilizing the below general partner and property manager point tables)~~

~~General Partner – up to 10 of the 20 total experience points. To receive experience points under this category, the proposed general partner(s), or a key individual(s) (officer, managing member or~~

~~principal) within the proposed general partner organization (the "general partner"), must meet one of the following tests for each counted project.~~

A CHDO is defined under 24 Code of Federal Regulations (CFR) Part 92.2 as a nonprofit organization (501©3 or 4) organized under state law; has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual; is neither controlled by nor under the direction of individuals seeking to derive profit or gain from the organization. While a CHDO may be sponsored or created by a for-profit entity whose primary purpose is **not** the development or management of housing, such as a builder, developer or real estate management firm, the for-profit entity may not have the right to appoint more than one-third of the membership of the organization's governing body and the board members appointed by the for-profit entity may not appoint the remaining board members. A CHDO does not include a public body although a locally chartered organization may qualify under certain conditions.

The CHDO must be free to contract for goods and services from vendors of its own choosing. The CHDO must comply with certain financial accountability standards as described in the 24 CFR 84.21 Standards for Financial Management Systems. Among the primary purposes of the CHDO's organization, as outlined in their organizational charter, articles of incorporation, resolutions or bylaws must be the provision of decent housing that is affordable to low-to-moderate income persons. A CHDO must remain accountable to the low-income community residents by: **1)** maintaining at least one-third of its governing board's membership for residents of low-income neighborhoods, other low-income community residents, or elected representative of a low-income neighborhood organization; **2)** providing a formal process for low-income program beneficiaries to advise the organization in its decisions regarding the design, site selection, development and management of affordable housing.

A service area in urban areas such as Dallas, "community" may be defined as a neighborhood, or neighborhoods, city, county or metropolitan area. Additionally, CHDOs are subject to the affirmatively furthering fair housing rules which state that housing should not be located in areas of minority concentration or with high poverty rates. Historically, Dallas CHDOs have elected to work in areas where disinvestment has occurred, and where high concentrations of poverty exist. CHDOs should grow and develop the capacity to partner with for-profit developers to produce market rate housing in areas of disinvestment. Furthermore, CHDOs should work in areas with low poverty rates, have access to a quality education, transportation, and jobs. These high opportunity areas lack quality affordable housing options.

A CHDO must demonstrate the capacity to carry out the activities assisted with HOME Investment Partnership Program (HOME) funds within **12 months** of the project commitment. CHDO's may satisfy the HOME requirement by hiring experienced key staff members who have successfully completed similar projects or a consultant with the same type of qualified experience and a plan to train appropriate key staff member of the organizations. CHDO's must demonstrate a minimum of one-year experience in serving the community in which the assisted housing will be located before funds can be reserved for the organization. This requirement can be satisfied by a parent organization in some cases if a CHDO is formed by a group of local churches or local service organizations. CHDOs must be certified by the City of Dallas to be awarded CHDO set-aside funds for the development of housing and operating assistance.

Set Aside

HUD requires that 15% of the HOME allocation each year be made available to Community Housing Development Organizations (CHDOs) for the development of affordable homebuyer or rental housing.

Operating

In addition, the City can allocate up to 5% of the HOME allocation each year operating expenses for CHDOs. These funds provide operating funds to Community Housing Development Organizations based on financial need and the expectation that the organization is utilizing or will utilize the City's HOME CHDO set aside funding within 24 months of the award.

HOME funding provided for CHDO operating expenses may not exceed $50,000 or 50% of the organization's total annual operating expenses for that fiscal year, whichever is greater. CHDO operating expense funds may not supplant CHDO set-aside funds for project costs.

Certification

To be eligible to receive HOME CHDO set-aside funding and Operating Assistance Grants, a CHDO must be certified by the City of Dallas. CHDO certification must be done prior to the commitment of funds for a set-aside development, and there cannot be a general CHDO certification. The City can work in advance to determine if a CHDO will likely meet the requirements for certification prior to funding considerations. A CHDO must continue to be certified throughout the development of a project and during the affordability period. the City has developed the "Community Housing Development Organization (CHDO) Policy, Procedure, and Standards" document to outline the process and requirements for CHDO certification. This can be found in Appendix 5.

APPENDICES

APPENDIX 1
Single Family Development Underwriting

A. Eligible Developer Applicants

The City of Dallas will fund developers of affordable single-family homebuyer units, including for-profit developers, non-profit developers, and City of Dallas-designated CHDOs, with City of Dallas HOME single-family development program funds. Developers must demonstrate the capacity and previous experience developing projects of the type presented in their proposals. Prior to committing funds, the City of Dallas will review the status of any organization seeking funds from the CHDO set-aside to ensure that it meets all HOME requirements and that it has sufficient staff and financial capacity to carry out the project.

Project Location
Projects must be located within the city limits of Dallas.

Project Types
Funds will be provided for new construction projects. In general, the City of Dallas will require that all homes constructed have a minimum square footage of 1,200 sq ft, at least 3 bedrooms, and at least 1.5 bathrooms. RFPs issued by the City of Dallas may further specify or provide priority for eligible project types.

Parameters of HOME Investment
Applications must include an investment of $1,000 in HOME funds per HOME unit. In no case will the City of Dallas investment exceed the maximum HOME investment allowed under 24 CFR 92.250.

Additionally, for projects involving both City of Dallas other HOME funds, the combined HOME funding investment shall not exceed the total maximum HOME investment allowed under 24 CFR 92.250.

Typically, the City of Dallas will also establish a maximum cap on its investment in a single home. Such a limit will be based on the availability of funding and other City of Dallas priorities and will be addressed in any NOFA issued by the City of Dallas.

B. Eligible Costs
Costs funded with the City of Dallas HOME funds must be eligible according to HOME Final Rule 24 CFR 92.206. The following additional limitations also apply:

- HOME funds shall not be used for luxury improvements according to 24 CFR 92.205.
- Acquisition costs shall be supported by an independent appraisal of the property. Acquisition costs exceeding the appraised value of the property will be ineligible for HOME funding reimbursement.
- HOME funds shall not be used for non-residential accessory structures such as free-standing garages, carports, or storage structures. Applicants must delineate project costs in a manner that allows free-standing structures to be clearly paid for using other project funds.

City of Dallas Eligible Project Soft Costs
The HOME program allows the City of Dallas to include, as project costs, its internal soft costs specifically attributable to a HOME project. These may include consulting, legal, inspection, and staff costs associated with reviewing, processing, and overseeing the award of funds to the project. Projects must provide budget allowances for "City of Dallas-Lender Due Diligence & Legal Costs" in the project's sources and uses.

Cost Reasonableness
Per the requirements of 92.250(b) and 2 CFR 200 Subpart E (formerly known as OMB Circular A-87), all project costs must be reasonable, whether paid directly with HOME funds or not. The City of Dallas will review project costs, including hard and soft costs, to evaluate their reasonableness and may, at its option, require applicants to obtain additional quotes, bids, or estimates of costs.

Identity of Interest
Developers must disclose any identity of interest situations that may occur when contracting with related companies during either the development or ongoing operation of the project. City of Dallas staff must be allowed the opportunity to conduct a cost analysis to determine costs reasonableness. Applications may be determined ineligible if access is not granted or costs are determined to be unreasonable.

C. Property Standards
To meet both HOME regulations and City of Dallas goals, all HOME-funded projects must meet certain physical standards intended to provide quality affordable housing that is durable and energy efficient.

Construction must meet all local codes. City of Dallas has adopted and enforces the following codes with amendments:

- 2012 International Building Code
- 2012 International Mechanical Code
- 2009 International Energy Conservation Code
- 2012 International Existing Building Code
- 2011 National Electric Code
- Chapter 11 of the 2009 International Residential Code

All HOME projects must meet applicable Section 504/UFAS requirements. Pursuant to 24 CFR 8.29, single-family housing developed with Federal funds must be made accessible upon the request of the prospective buyer if the nature of the prospective occupant's disability so requires. Developers must ensure that projects are designed in a way that can accommodate such a request. Should a prospective buyer request a modification to make a unit accessible, Developer must work with the homebuyer to provide the specific features that meet the need(s) of the prospective homebuyer or occupant. If the design features that are needed for the buyer are design features that are covered in UFAS, those features must comply with the UFAS standard. Developers shall be permitted to depart from the standard in order to have the homebuyer/occupant's needs met.

Site shall be served by public sewer, public water, and public road. Sites should have ready access to recreational opportunities such as parks, playgrounds, etc., nearby shopping and services including transportation, grocery, banking, and medical facilities, and otherwise be located in neighborhoods that provide amenities that support residential development. The City of Dallas also generally prefers that sites have safe, walkable connections—including sidewalks—to the surrounding neighborhood.
Site shall be in a designated Fire District or served by a Fire Department;

Units must be equipped with the following appliances: Refrigerator, range/oven, dishwasher, and garbage disposal. Developers may also propose to include in-unit clothes washers and dryers, microwave/vent fan combination units, as appropriate. If the Energy Star program rates the type of appliances being installed, the developer must furnish the units with Energy Star rated appliances. Note however that not all appliances are rated by the Energy Star program.

D. Sales Price
Housing developed with HOME funds must be modest, and the sales/purchase prices for homes developed under this program cannot exceed the HOME Homeownership Value Limits published by HUD in effect at the time of project commitment. The City of Dallas will identify the applicable limits in any NOFA issued.

Units produced under the City of Dallas' single-family development program must be sold at the fair market value as determined by an "as-completed" or "subject to completion" appraisal completed by an independent state licensed appraiser. Developers shall submit such an appraisal prior to project commitment, and the City of Dallas may require an updated appraisal prior to construction completion if the appraisal is more than 9 months old at that point. Any reductions in list or sales price below the City of Dallas-approved appraised value must be approved in writing by the City of Dallas and will generally require updated market information.

E. Eligible Homebuyers
Homebuyers for units produced under the City of Dallas single-family development program must meet the eligibility criteria set forth in the City of Dallas Homebuyer Assistance Program (DHAP) guidelines.

F. Environmental Review Requirements
Federally-assisted projects are subject to a variety of environmental requirements. Developers should be familiar with these requirements and are strongly encouraged to discuss any questions they have with City of Dallas staff prior to entering into a purchase agreement or submitting an application.

All projects shall be implemented in accordance with environmental review regulations as defined 24 CFR Part 58.

The City of Dallas shall be responsible for conducting the environmental review and completing all necessary public notifications, and the request for release of funds (RROF) from HUD. The applicant is responsible for cooperating with the City of Dallas in the environmental review process and providing information necessary for the City of Dallas to fulfill its responsibilities under Part 58 and other applicable regulations.

Submitting an application for HOME funds triggers environmental review requirements under 24 CFR 58, including the National Environmental Policy Act (NEPA). Once an application for federal

funds is submitted, a development proposal is now subject to the environmental review requirements and requires an environmental clearance and issuance of a Release of Funds (ROF) by the US Department of Housing and Urban Development.

Developers are prohibited from undertaking or committing or expending any funds to (including non-federal funds) any physical or choice-limiting actions on the site prior to an environmental clearance as required by Part 58. Physical and choice limiting actions include, but are not limited to, property acquisition, demolition, movement, rehabilitation, conversion, repair or construction. This prohibition applies regardless of whether federal or non-federal funds are used, and taking a choice limiting action prior to completion of the required environmental clearance process will result in the denial of any HOME funds from the City of Dallas.

G. Other Federal Requirements

Nondiscrimination and Equal Opportunity
The following federal nondiscrimination and equal opportunity guidelines apply to all projects and affect both development and sales of assisted housing:

- The Fair Housing Act (42 U.S.C. 3601-19) and implementing regulations at 24 CFR part 100 et seq.;
- Executive Order 11063, as amended by Executive Order 12259 (3 CFR, 1959-1963 Comp., p. 652 and 3 CFR, 1980 Comp., p. 307) (Equal Opportunity in Housing Programs) and implementing regulations at 24 CFR part 107;
- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d- 2000d-4) (Nondiscrimination in Federally Assisted Programs) and implementing regulations at 24 CFR part 1;
- The Age Discrimination Act of 1975 (42 U.S.C. 6101-6107) and implementing regulations at 24 CFR part 146;
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at part 8 of this title;
- Title II of the Americans with Disabilities Act, 42 U.S.C. 12101 et seq.; 24 CFR part 8; Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR part 135;
- Executive Order 11246, as amended by Executive Orders 11375, [[Page 41]] 11478, 12086, and 12107 (3 CFR, 1964-1965 Comp., p. 339; 3 CFR, 1966- 1970 Comp., p. 684; 3 CFR, 1966-1970 Comp., p. 803; 3 CFR, 1978 Comp., p. 230; and 3 CFR, 1978 Comp., p. 264, respectively) (Equal Employment Opportunity Programs) and implementing regulations at 41 CFR chapter 60;
- Executive Order 11625, as amended by Executive Order 12007 (3 CFR, 1971- 1975 Comp., p. 616 and 3 CFR, 1977 Comp., p. 139) (Minority Business Enterprises); Executive Order 12432 (3 CFR, 1983 Comp., p. 198) (Minority Business Enterprise Development); and
- Executive Order 12138, as amended by Executive Order 12608 (3 CFR, 1977 Comp., p. 393 and 3 CFR, 1987 Comp., p. 245) (Women's Business Enterprise). The nondiscrimination provisions of Section 282 of the National Affordable Housing Act of 1982.

Uniform Relocation Act (URA)
All projects fall under requirements of the URA. Any project resulting in permanent relocation/displacement of households will not be funded by the City of Dallas. Applicants must

further document that any purchase of property meets the requirements of URA, including provision of notices to the seller identifying the transaction as a voluntary sale not under the threat of eminent domain. To ensure compliance with URA, applicants should consult the City of Dallas to understand the requirements of URA and reference the URA forms included in the RFP prior to submitting an application involving an occupied property.

Davis Bacon
Davis Bacon federal prevailing wage requirements shall apply to all projects with 12 or more units assisted with HOME funds.

Excluded Parties
The City of Dallas will not fund projects owned, developed, or otherwise sponsored by any individual, corporation, or other entity that is suspended, debarred, or otherwise precluded from receiving federal awards. Nor may the developer contract with any other entity (including but not limited to builders/general contractors, property management companies, or other members of the development team) that are suspended, debarred, or otherwise so precluded. Similarly, the general contractor will be required to determine that subcontractors are not so precluded.

H. Ongoing Project Requirements

Deadlines
Construction Start- If construction is not started within 12 months of the date the City of Dallas commits funds to a project, the commitment will be subject to cancellation. If the project is cancelled as a result of failure to meet this deadline, the Developer must repay to the City of Dallas any HOME funds disbursed for the project.

Completion Deadline- Project completion occurs when construction is complete, all HOME funds have been disbursed by the City of Dallas and drawn from the US Treasury, title to the property has transferred to an eligible buyer, and required completion data has been entered in HUD's IDIS system. Project completion must occur within 2 years of the date of commitment of funds to the project. If the Developer fails to meet this 2-year deadline, it must repay to the City of Dallas any HOME funds disbursed for the project.

Sales Deadline- Pursuant to 24 CFR 92.254(a)(3), Developers must have a ratified sales contract with an eligible buyer for each HOME-funded unit within nine (9) months of completion of construction or the unsold units must be converted to rental housing or the project will be deemed ineligible and all HOME funds drawn must be repaid to HUD.

If a unit is unsold after six (6) months, the Developer must present an updated sales and marketing plan to the City of Dallas outlining steps being taken to identify buyers. At the City of Dallas option, the Developer may be required to i) take further steps--such as listing the home with a licensed realtor, adjusting the sales price, etc.—as the City of Dallas may require to facilitate the sale of the home or ii) to transfer title to the City of Dallas or to another entity selected by the City of Dallas that can otherwise identify buyers prior to the regulatory deadline.

At the City of Dallas option, if a unit remains unsold after nine (9) months, the developer shall be required i) to repay the entire HOME investment, including any City of Dallas project soft costs; ii) to convert the project to rental housing in accordance with 24 CFR 92.252; or iii) to transfer title to the City of Dallas or to another entity selected by the City of Dallas for conversion to rental housing.

Units converted to rental housing must be rented to eligible tenants in accordance with 24 CFR 92.252, which includes tenant income eligibility and rent limit requirements. Further, any units converted to rental properties shall be operated in compliance with the City of Dallas Rental Housing Program guidelines.

Reporting and Record Keeping
To allow effective oversight of funded projects and document compliance with applicable HOME requirements, all projects must submit periodic reports to the City of Dallas. While this section outlines standard reporting requirements, the City of Dallas reserves the right to require additional reporting or to alter the reporting format or frequency based on future changes to HOME requirements or City of Dallas policy. Additionally the City of Dallas reserves the right to require additional or more frequent reporting for projects with compliance deficiencies.

- Developers are required to report monthly during the development phase and sales phase. During the construction phase, developers must provide monthly reports detailing construction progress and barriers to progress, copies of invoices being paid, and evidence of appropriate lien waivers.
- During the sales phase, developers are required to provide monthly reports detailing the number of additional sales, total sales, and marketing activity. These reports are required until all units are sold.
- The City of Dallas may require more frequent reporting due to findings identified during the development and sales phases.
- At the City of Dallas option, Developers may be required to obtain and submit an audit of project costs (i.e. cost certification) prepared by an independent Certified Public Account.
- Developers shall allow City of Dallas, HUD, State of Texas, the Comptroller General of the United States (aka the GAO), and all other pertinent Federal or State agencies or their designated representative the right to inspect records and property. Conflict of Interest

To comply with HOME requirements and to maintain a high standard of accountability to the public, conflicts of interest and perceived conflicts of interest must be avoided. Developers shall maintain compliance with all HUD conflict of interest provisions as stated in 92.356(f).

Developers with officers, employees, family members, consultants, or agents that are otherwise eligible to purchase HOME funded-units must receive waiver/approval from City of Dallas staff before entering into a sales agreement with HOME eligible employees. 92.356(f) provisions apply to all HOME projects.

I. Structure of Transaction

Loan Types and Terms
The City of Dallas will provide HOME funds in the form of a loan to the entity that owns the property. No grants will be awarded, and funding commitments are not transferable without prior written City of Dallas approval.

The City of Dallas HOME Loan may be used for acquisition and construction financing. Proceeds of the HOME loan will only be released following satisfaction of all requirements outlined below.

In all cases, the HOME loan will:

Have a maximum term of 2 years;

- Be repayable in full upon sale, refinancing, or transfer of the property or upon maturity, except that repayment will be limited to the net proceeds of a City of Dallas-approved sale to a low-income buyer. Net sales proceeds will exclude any portion of the sale proceeds used to repay senior construction debt, return of City of Dallas-recognized developer equity, approved sales costs, and any HOME-assistance transferred to the buyer(s) at closing as direct homebuyer assistance.; and
- Secured with a promissory note, mortgage, and appropriate UCC liens. Mortgages will be recorded with the Dallas County Recorder of Deeds and generally may be subordinate only to an approved amortizing first mortgage.

Guarantees
Unless otherwise determined by the City of Dallas, all underlying individuals, corporate entities, partnerships, or limited liability companies with an interest in the project will be required to provide a completion guarantee including provisions guaranteeing construction completion of the project. For nonprofit organizations, including community housing development organizations (CHDOs), a guarantee shall not be required, but in all cases the City of Dallas may require a performance bond or irrevocable letter of credit acceptable to the City of Dallas to ensure project completion.

HOME Agreement
In addition to any financing documents, developers of HOME-financed projects must sign a HOME agreement with the City of Dallas. The HOME agreement will identify requirements for compliance with the HOME regulations and the City of Dallas Single-Family Development. Program requirements and will remain in effect in the event of any prepayment of the HOME loan.

J. Underwriting & Subsidy Layering Reviews

Market Demand
Developers must, as part of their application, provide evidence of sufficient demand for the proposed units. Developers shall provide information from the multiple listing service pertaining to recent sales in the neighborhood, average time on the market for recent sales, availability of other product and average “months of supply” currently available, and any known or planned projects.

Additionally, Developers must complete the HOME Sales and Marketing Plan, identifying among other items the profile of typical buyers, relationships with homeownership counseling agencies or other sources of buyer referrals, and plans for marketing the homes.

In some cases, the City of Dallas may only commit to a specific project (or may limit the number of projects under construction by a given developer) upon demonstration that a home has been pre-sold to an identified low-income buyer who has, at least, executed a reservation or initial purchase agreement with the Developer.

Project Underwriting
All HOME applications must include financial statements from all underlying owners and guarantors. Developers must have a net worth equal to 10% of the total development cost with net liquid assets equal to 3% of the total development cost.
Applicant must provide the amounts and terms for any other financing being provided to the project.

Proforma Requirements
The proforma must explicitly show:

- An itemized breakdown of development hard and soft costs by unit including any allowances for soft costs such as architectural fees, carrying costs, etc;
- The hard costs of any stand-alone accessory buildings, including free-standing garages, carports, or storage structures should be specifically itemized in the Development Sources and Uses so that the City of Dallas can complete preliminary HOME cost allocation calculations. (Stand-alone accessory structures like a detached garage may be included in the project but are not HOME-eligible and must be paid for with another funding source.)
- Costs and fees to be paid to the City of Dallas as permitted by the HOME program. The HOME program allows the City of Dallas to include, as project costs, its internal soft costs specifically attributable to the project. These may include consulting, legal, inspection, and staff costs associated with reviewing, processing, and monitoring award of funds to a project. The City of Dallas will notify Developers of the amounts to include in their Development Sources and Uses for "City of Dallas-Lender Due Diligence & Legal Costs."
- Estimates of the sales transaction to an eligible homebuyer, including a calculation of the proposed buyer's ability to qualify for a mortgage meeting City of Dallas requirements, the anticipated need to provide direct HOME assistance (e.g. downpayment and closing cost assistance) to the buyer, projected sales costs (e.g. realtor's commissions), and the distribution of sales proceeds (including toward repayment of private construction financing)

Cost Limitations
All project costs must be reasonable and customary. The City of Dallas reserves the right to review any line-item cost to ensure that total project costs are not excessive. Additionally, HOME projects will be subject to the following specific cost limitations:

- The maximum allowable developer fee is 15% of total development costs less the developer fee itself and seller's closing costs.
- Acquisition costs are limited to fair market value as determined by a third-party appraisal.
- Unless prior approval has been obtained from the City of Dallas, all project hard costs and all project professional fees should be the result of a competitive bidding process. While developers are not subject to federal procurement rules and may use less formal bid processes, the City of Dallas generally expects developers to seek multiple bids and identify the most advantageous bidder based on cost, track record, and other pertinent factors.

Other Public Funding Sources
Developers must disclose all other public and private sources or applications for funding with their initial HOME Single-Family Development application to the City of Dallas at the time of application and upon receiving any additional commitments of public source funding. The City of Dallas will conduct a subsidy layering review as part of the underwriting process for all projects. Using its underwriting criteria, the City of Dallas will assess the project and may require changes to the transaction to ensure that return to the owner/developer are not excessive. Changes may include a reduction in HOME funds awarded.

The City of Dallas will consider adjusting its underwriting in consultation with other public funders, if applicable, to the project. The City of Dallas retains, at its sole discretion, the power to decide whether to accept alternative standards.

K. Construction Process

City of Dallas Construction Inspections
The City of Dallas must be provided with copies of all contractor invoices and provided reasonable notice of monthly draw inspections during the construction period. City of Dallas staff will participate in all draw reviews whether or not the specific draw is being funded with HOME or other project funds and conduct inspections to ensure that the project is progressing and that work completed is consistent with all applicable HOME requirements.

Davis Bacon
When Davis Bacon applies to a project, the City of Dallas must be provided with compliance documentation throughout the construction period. Prior to commencing construction, the City of Dallas must approve current wage determinations applicable to the project. The contractor will be required to provide weekly payroll forms to the City of Dallas and allow access to the site and workers for the purpose of completing worker interviews.

Drawing City of Dallas HOME Funds
Proceeds of the HOME loan will only be released as reimbursement for eligible project costs following:

- Review and acceptance of appropriate source documentation by the City of Dallas including evidence of appropriate lien waivers and/or title endorsements.
- A determination by the City of Dallas that all HOME requirements pertaining to the development of the Project have been met, including but not limited to monitoring of Davis Bacon compliance.

For nonprofit developers, including CHDOs, the City of Dallas may release payment based upon outstanding invoices for costs incurred and work completed. In such cases, the City of Dallas reserves the right to disburse through a title company, directly to the vendor, or with two-party checks.

Project Closeout
Developers are required to submit homebuyer eligibility packets to the City for approval of the homebuyers. Data shall include elderly status, race, gender, female head of household, number of household members, and income.

The City of Dallas requires a copy of the final project sources and uses statement and, at the City of Dallas option, may require the submission of the project cost certification prepared by an independent Certified Public Accountant following completion of construction and payment of all development costs.

APPENDIX 2
Rental Development Underwriting

In reviewing applications for HOME assistance, as required by §92.250(b) and prudent business practices, the City's underwriting framework includes evaluations of:

- **Regulatory requirements applicable to the project**, including compliance (or ability to become compliant) with HOME's affordability restrictions, property standards, and cross-cutting federal requirements;
- **Market risk**, including whether or not sufficient demand exists for the project, the anticipated lease-up period, and whether general economic conditions and other competition supports ongoing viability;
- **Developer risk**, focusing on whether the owner/developer (including but not limited to the underlying owners of special purpose entities) have the technical capacity to develop and operate the property and the financial capacity to safeguard public funds and backstop the project if the event of poor financial performance; and
- **Project risk (or "financial underwriting")**, testing the economic and financial projections for the transaction including both sources and uses as well as ongoing operating assumptions. This includes confirmation that all sources of project financing are available, commercially reasonable, and have been appropriately maximized prior to awarding HOME funds.

Market Assessment
All HOME project applications must include a third-party market study prepared in a manner consistent with TDHCA's market analysis requirements. Unless otherwise approved by the City, market studies shall be prepared by providers included on the list of TDHCA Approved Market Analysts. Owner's may generally submit the market study used in conjunction with the Owner's LIHTC application, if applicable. Market studies must be less than one year old at the time of commitment of HOME funds. For market studies that are more than one year old, the City will typically require an update from the original analyst or a new market study from another analyst. Proposed rent levels must be supported by the applicant's market study and be within HOME regulatory limits.

Additionally, the market study should demonstrate the following:

- All units, including any "market rate" units as well as any units with income/rent restriction imposed by other programs such as LIHTC, must demonstrate viability within the primary market area taking into account any known rent concessions being offered by competing properties;
- Income and rent restricted units must have "discounts" of at least 15% relative to comparable un-restricted units;
- Achievable occupancy rates, based on a comparison of comparable properties in the primary market area, must be at or above 95% (physical occupancy);
- Capture rate for the development as a whole is no more than 10%, and no capture rate for specific unit sizes (e.g. 3-bedroom units) exceeds 25%; and
- Absorption can be expected to result in underwritten occupancy levels within six (6) months of units being ready for occupancy.

For projects not meeting these standards the City, in its sole discretion, may also consider the following:

- For project targeting special needs populations (e.g. homeless households, domestic violence victims, veterans, or other specific subpopulations), the City may accept higher capture rates if data from the local Continuum of Care and/or service providers specializing in the targeted populations (e.g. VA service centers) suggest an adequate pipeline of eligible renters exists and will be consistently referred to the development.
- For existing projects being rehabilitated, the City will consider the recent operating history of the project in terms of actual rents charged/received, eligibility of in-place tenants, and the like for evidence that the development's projections are supported by actual performance.

The City may also consider offsetting the risk of relatively "weaker" market study findings by offering HOME assistance as permanent debt only, to be disbursed following actual lease-up of the development at proforma levels and achievement of stabilized occupancy.

Developer and Development Team
In most cases, projects considered by the City will be owned by single-purpose, single-asset entities created to hold title the development. For various purposes, including structuring necessary to comply with industry norms and take advantage of other funding sources such as LIHTC, the "owner" and "developer" of a project are often legally distinct entities, even if ultimately owned and controlled by the same underlying parties.

Developer Technical/Professional Capacity
In evaluating the capacity of the "developer" the City will use the term more loosely to refer collectively to the underlying corporate entities and individuals that will own and control the single-purpose entity (excluding the investor member/limited partner). Additionally, the City requires various guarantees and indemnities from all of the underlying corporate and individual owners of the various limited partnership or limited liability corporation entities involved in the ownership and development of the project.
Developers should demonstrate:

- Recent, ongoing, and successful experience with the development of similar regulated affordable housing; and
- The presence of adequate staff, with specific experience appropriate to their role in the project, to successfully implement and oversee the project. This includes the assembly and oversight of the development team.

The City requires applicants to provide lists of real estate owned (including partnership/membership interests) by the developer as well as all projects underway. The City will review the performance of those projects, including financial factors like net occupancy, actual DCR, cash flow received, outstanding loan balances, and net equity of individual projects and the developer's overall portfolio.

Applicants are also required to provide descriptions of the role played by specific staff members relative to the proposed project along with resumes or other similar information demonstrating experience appropriate to the assigned staff member's role.

Financial Capacity

Developers must also demonstrate the financial capacity to support the proposed project both during construction and lease-up as well during ongoing operations. This includes not just that the applicant has sufficient financial resources but that it has adequate financial systems in place to appropriately manage project funding, accurately account for all project costs, and provide reliable reporting to the City and other project funders.

At minimum, the City will review audited financial statements, interim financial statements, and individual personal financial statements to ensure that:

- The "primary" development entity's most recent audit must demonstrate compliance with Generally Accepted Accounting Principals (GAAP) and must not express material weaknesses in the entity's system of internal controls or financial management systems;
- The developer's net worth (including the un-duplicated net worth of other guarantors) is equal to at least 10% of the total development cost of all projects underway (i.e. those that have received funding commitments from HOME or LIHTC but have not yet been completed and converted to permanent financing); and
- The developer has net liquid assets (current assets less current liabilities) equal to at least 3% of the total development cost of all projects underway.

Development Team
The City will also review the capacity of the development team including but not limited to the general contractor, architect, engineer, market analyst, management company, accountant, attorney, and any other specialized professionals or consultants.

As a whole, the development team should have the skills and expertise necessary to successfully complete and operate the development. Insomuch as possible, on balance the development teams should have worked successfully on other projects in the past. That is, while a developer may identify new development team members from project to project, an "entirely new" team may present added risk.

Additionally, when using development team members from outside of the region, the City will consider whether assigned team members have recent local experience or have been supplemented with local professionals. This may be particularly important for design professionals and legal counsel.

In no case, may any owner/developer/applicant or any member of the development team be a suspended, debarred, or otherwise excluded party.

Identify of Interest Relationships & Costs
Applicants must disclose all identity of interest relationships/contracts and/or costs involved in a transaction, including during the development period and following completion of the project. The City reserves the right to review any such costs further to ensure they are reasonable and consistent with the costs expected from arms-length relationships.

An "Identity of Interest" (whether or not such term is capitalized) is any relationship based on family ties or financial interests between or among two or more entities involved in a project-related transaction which reasonably could give rise to a presumption that the entities may not operate at arms-length. The City will take a broad approach to defining identities of interest and expects all applicants to err on the side of disclosure. That is, if there is any question about

whether an identity of interest may exist, the relationship should be disclosed and explained to the City.

Beyond this general definition, an identity of interest relationship will be deemed to exist if:

- An entity, or any owner of any direct or indirect ownership interest in such entity, or any family member of any such owner is also an owner, through a direct or indirect ownership interest, or an officer, director, stockholder, partner, trustee, manager, or member of the counterparty; or
- Any officer, director, stockholder, partner, trustee, manager, member, principal staff, contract employee or consultant of an entity, or any family member of thereof, is an owner, through any direct or indirect ownership interest, or an officer, director, stockholder, partner, trustee, manager or member of the counterparty.

For purposes of this definition, "family member" means the spouse, parents or stepparents, children or stepchildren, grandparents or step-grandparents, grandchildren or step-grandchildren, aunts, uncles, parents-in-law, and siblings-in-law (or their children or stepchildren). It also includes any other similar relationship established by operation of law, including but limited to guardianship, adoption, foster parents, and the like.

Financial Analysis
As noted in the introduction, the City views underwriting as more than just the financial review of a project. However, a revive of the underlying financial assumptions is still a critical and core part of underwriting. In reviewing projects, as a public funder the City must to balance two somewhat competing perspectives.

Projects must be viable, that is they must have sufficient allowances for all costs to maximize the chances the project can meet or exceed its financial projections and thereby succeed in the marketplace. In other words, the project must represent a "safe" investment. However, taken to an extreme, "safe" or overly conservative projections can also result in a project that is over-subsidized and risks providing excessive returns to the owner/developer.

As a steward of very limited public funding for affordable housing, the City also needs to ensure that costs are reasonable, that they represent a "good deal" to the public, and that returns to the owner/developer are fair but not excessive. In seeking to balance these perspectives, the City has established the following review factors and principals.

Development Costs
In general, the City will review the entire project budget to all costs are reasonable yet that the budget is sufficient to complete and sustain the project. All line items, whether or not paid directly with HOME funds, must be necessary and reasonable.

The City will consider the cost of both specific line items as well as the total development cost on a per unit and per square foot basis, comparing costs to other projects from the City's portfolio, similar projects in the region (such as those funded by TDHCA), City-data from the Building Department, and/or third-party indices such as RS Means.

Selected Development Cost Items

Acquisition – Acquisition costs must be supported by an independent third-party appraisal prepared by a state-licensed appraiser. The purchase price must be at or below the as-is market value of the property. In the event an applicant has previously purchased land prior to applying to the City, the project budget may only reflect the lesser of the actual purchase price or the current market value. Standard closing costs from the acquisition may be included.

Applicants who purchased property prior to applying to the City, or following environmental releases under NEPA but prior to closing, may not charge or include financing costs associated with interim financing, whether from third-party or related lenders.

Architectural Fees – Architectural fees cannot exceed the following:
Design services: 6% of total construction costs
Supervision/Administration: 2% of total construction costs
City Soft Costs – The development budget for each project must include an allowance for the City's internal project-related soft costs as specified in periodic RFPs issued by the City. Similar to lender due diligence or lender legal costs, the inclusion of soft costs allows the City to recoup its direct costs of underwriting, processing, closing, and monitoring the project prior to project completion. These costs will be included in the HOME loan but may be drawn directly from HUD by the City rather than via payment requests from the project owner.

Construction Interest – Any budgeted line item for construction interest must be supported by developer period cash flow projections, modeling the actual expenditure of development costs and the anticipated pay-in of equity, HOME funds, and other construction period sources. For presentation purposes, only interest from the date of initial closing through the end of the month in which the building(s) are placed in service (i.e. approved for occupancy) may be included as construction interest. Additional interest following that date and prior to the conversion to (or closing on) permanent debt must be separately itemized and modeled. In most cases, this should be included in the "lease up reserve" noted below.

Contingencies – Applicants should include a contingency (inclusive of hard and soft costs) within the minimum and maximum amounts noted below. The contingency will be measured as a percentage of hard costs (including the construction contract plus any separate contracts for off-site work but excluding contractor fees).

- New construction projects should include a contingency of least 3% and no more than 7% of hard costs;
- Acquisition/rehabilitation projects, including adaptive reuse projects, should include a contingency of at least 5% and no more than 10% of hard costs.
- The City may consider higher contingencies based on identified risk factors such as the known need for environmental remediation or poor subsurface soils.

Contractor Fees – Contractor fees are limited as a percentage of net construction costs as further identified below. Net construction costs exclude the contractor fees, any budgeted contingency, and (even if otherwise included in the construction contract) permits and builder's risk insurance.

- Contractor Profit: 6% of net construction costs
- General Requirements/General Conditions: 6% of net construction costs. General requirements include on-site supervision, temporary or construction signs, field office expenses, temporary sheds and toilets, temporary utilities, equipment rental, clean-up costs, rubbish removal, watchmen's wages, material inspection and tests, all of the

builder's insurance (except builder's risk), temporary walkways, temporary fences, and other similar expenses.
- Contractor Overhead: 2% of net construction costs.

With prior approval of the City, contractor fees may vary from the limits above provided the gross contractor fees do not exceed 14% of net construction costs.

Developer Fees – Developer fees are intended to compensate a developer for the time and effort of assembling a project, overseeing the development team, and carrying a project to fruition. Developer fees are also intended to compensate for the risk inherent in the development process, including that not every potential project proves viable and that developers must necessarily advance funds for their own operating costs and various third-party predevelopment costs prior to closing (or in some cases for projects that never proceed). The City, therefore, allows the inclusion of developer fees as follows:

- Developer Fee: 15% of total development costs less a) the developer fee itself; b) organizational expenses and/or syndication fees/cost (including investor due diligence fees); and c) reserves, escrows, and capitalized start-up/operating expenses (such as working capital, marketing, etc.).
- There is no maximum monetary limit, but at all times the Developer fee must be reasonable.Combined Contractor & Developer Fees: When an identity of interest exists between the owner/developer and the general contractor, the combined total of contractor fees and developer fees cannot exceed 20% of total development cost less a) the developer fee and b) other cost elements excluded from the calculation of the developer fee itself (see above).

In some cases, developers may delegate some of its responsibilities to third-party professionals or consultants. This may include contracting specific tasks – such as construction oversight of the builder or specialized consulting related to applying for or structuring various financial incentives like LIHTC. The costs of engaging such professionals, whether they are third parties or identity of interest relationships, must be paid from (and if separately itemized will be counted against) the allowable developer fee.

Reserves – Capitalized reserves to facilitate the initial start-up and to protect the ongoing viability of the project will include the following:

- Deficit Reserve: The City anticipates that in most cases, developments with predicted deficits during the affordability period would not be funded. However, in the event a development's long-term operating proforma projects actual cash deficits during the affordability period, an operating deficit reserve must be included in the development budget in an amount sufficient, taking into account any interest on reserve balances, to fully fund all predicted deficits through the affordability period.
- Lease-Up Reserve: A lease-up reserve intended to cover initial operating deficits following the completion of construction but prior to breakeven operations may be included. Any such reserve must be based on lease-up projections/cash-flow modeling and the lease-up (or absorption) period identified in the project's market study. In evaluating the appropriateness of any lease-up reserve, the City will consider whether the development budget includes specific line items for other start-up expenses that otherwise are typically part of the ongoing operating budget for a development. This may include budgets for marketing, working capital, etc.

- Operating Reserve: An operating reserve equal to three (3) months of underwritten operating expenses, reserve deposits, and amortizing debt service must be included in the development budget. The operating reserve is intended as an "unexpected rainy day" fund and will only be accessible after a project has achieved stabilized occupancy.
- Replacement Reserve: For acquisition-rehabilitation projects, a capitalized replacement reserve must be included in the development budget. The capitalized replacement reserve should be funded at the greater of i) $1,000 per unit; or ii) the amount determined by a capital needs assessment approved by the City.
- Other: The City may consider other specialized reserves as appropriate based on unique features of the project and/or requirements of other funding sources. These may include special security reserves, supportive service reserves, or transition reserves for projects with expiring project-based rental assistance contracts, etc.

Operating Revenues

The City will review an applicant's projection of operating revenues to ensure they are reasonable and achievable both initially and through the affordability period. In evaluating operating revenues, the City will take into account the i) project-specific market study; ii) actual operating performance from other comparable projects including those from the applicant's existing portfolio of real-estate owned; iii) data available from comparable projects in the City's portfolio; and/or iv) information available from actual performance within TDHCA's portfolio.

For purposes of the long-term operating proforma, operating revenue projections cannot be increased by more than 2% per year. The City reserves the right to "stress" proposals for underwriting purposes to assess the impact of lower inflationary increases, such as modeling the impact of only 1% rent increases for the first three to five years of a project's affordability period.

Rents

All rents should be supported by the market study. Including the utility allowance, the gross rent for any income/rent restricted unit should demonstrate at last a 15% "discount" compared to comparable "market rate" units.

Additionally, to hedge against flat or declining rents to the owner in the event that income limits (and therefore rents) do not increase in a given year (particularly between commitment and lease-up), gross rents should demonstrate at least a 2.5% discount from the regulatory limit imposed on any income/rent restricted units by HOME, LIHTC, or other similar sources. As an alternative to setting rents below the applicable regulatory limit, the City will consider increasing the allowance for vacancy by 2.5%.

Non-Rental Revenue

Non-rental revenue must be fully explained and conservatively estimates. In general, no more than $60-$240 per-unit, per-year may be budgeted in "other revenue" including that from tenant's fees (such as fees for late payment of rent, nonsufficient funds, garage/carport upgrades, pet fees, etc. or interest on operating account balances). Exceptions may be considered by the City based on the operating history of an acquisition/rehabilitation project or normalized operations are other comparable properties in the same market area.

Vacancy

Total economic vacancy includes physical vacancy (a unit is unrented), bed debt (a unit is occupied but the tenant is not paying rent), concessions (a unit has been leased for less than the budgeted rent), and "loss to lease" (an pre-existing lease is less than the most recently approved annual rent but will be adjusted upward at renewal).

In all cases, based on the market study or other data available to the City, the City reserves the right to require higher vacancy projections. This may include higher vacancy rates for small developments (e.g. less than 20 unit) where standard percentage assumptions about vacancy may not be appropriate. Minimum allowances for vacancy must include:

- 5% for projects where all units are supported by a project-based rental assistance contract with a term equal to or in excess of the affordability period (e.g. project based Section 8); or
- 7% for all other projects.

As noted above, the minimum vacancy rate will be increased by 2.5% if budgeted gross rents are at the applicable regulatory maximums.

Operating Costs

The City will review an applicant's projection of operating expenses to ensure they are reasonable and adequate to sustain ongoing operations of the project through the affordability period. In evaluating a proposed operating budget, the City will compare projects costs to i) actual operating expenses of comparable projects in the applicant's existing portfolio of real-estate owned (insomuch as possible, comparable projects will be in the same vicinity and operated by the same management company); ii) actual operating expenses of other comparable projects in the City's portfolio; iii) data available on the operating costs of affordable housing in the TDHCA portfolio; and/or iv) minimum per-unit, per-year allowances established by the City through periodic RFPs for rental housing.

For purposes of the long-term operating proforma, operating expenses, including reserve deposits, will be inflated at no less than 3% per year. The City reserves the right to "stress" proposals for underwriting purposes to assess the impact of higher operating cost factors, such as modeling the impact of higher inflation rates in general of for specific items of cost (for example, assessing the impact of high rates of increase for insurance or development paid utility costs).

Selected Items of Operating Cost

City HOME Monitoring Fee – Pursuant to 24 CFR 92.214(b)(1)(i), the City assesses an annual HOME monitoring fee. The operating budget for each project must include an allowance for the City's annual HOME Monitoring Fee as specified in periodic RFPs issued by the City.

Property Management Fees – An allowance of 5% of effective gross income (i.e. gross rent potential plus other revenues minus actual vacancy, bad debt, concessions, etc.) should be included. In the event a lower management fee is proposed, the City will consider using a fee as low as 3% provided the proposed management company is acceptable to the City and has agreed in writing to the lower fee.

Property Taxes – Applicants must provide detailed explanations of property tax projections and, as applicable, provide documentation that any anticipated partial or full exemptions or payments in lieu of taxes (PILOT) have been approved by the appropriate tax assessor. In the absence of a tax exemption or PILOT, the operating budget must provide for a tax rate equal to 1.25% of the market value of the property or the City, at its option, may require confirmation from the tax assessor of the applicant's projection.

Replacement Reserve Deposits – The operating budget must include minimum replacement reserve deposits of:

- New Construction Family: $300 per-unit, per-year
- New Construction Senior: $250 per-unit, per-year
- Rehabilitation: The greater of i) $300 per-unit, per-year; or ii) a higher amount established by a CNA approved by the City.

Note: The City will reserve the right within a project's transactional documents to require periodic CNAs for all projects and to adjust ongoing replacement reserve deposits base on the results of the CNA to ensure that the replacement reserve is sufficient to address all anticipated needs for the project's affordability period of the term of the City's loan, whichever is longer.

Items Payable only from Surplus Cash
Certain costs, sometimes identified by project owners as "operating costs" cannot be included in the operating budget and will only be payable from surplus cash (aka cash flow). These include:

- Incentive Management Fees payable in addition to the allowable management fees noted above, whether paid to related party or independent third-party management fees.
- Asset Management Fees payable to any investor, general or limited partner, or member of the ownership entity.
- Deferred Developer Fees
- Operating Deficit Loan Payments made to any related party including any investor, general or limited partner, or members of the ownership entity.
- Other payments to investors, general or limited partners, or members of the ownership entity, however characterized, including but not limited to negative adjustors, yield maintenance fees, etc.

Ongoing Economic Viability
The City will review the ongoing economic viability of all projects, taking into account long-term projections of revenue and expenses. Projects must demonstrate they can be expected to remain viable for at least the affordability period, taking into account trending assumptions noted above, as well as other any other changes in operating revenues or expenses that can reasonably be anticipated based on other information available to the City or other project funders. In particular, the City will review the debt coverage ratio and operating margin as outlined below.

Debt Coverage Ratio
Projects must demonstrate a minimum debt coverage ratio (DCR) of 1.25 (Net Operating Income divided by amortizing debt service) throughout the affordability period. In some cases, for projects with relatively small levels of mortgage debt, this may require a higher initial DCR to ensure that the DCR in later years remains at or above the appropriate level.

Operating Margin
In addition to considering the DCR, the City will review the operating margin (surplus cash divided by total operating expenses and amortizing debt service). The operating margin must remain at or above 5% for the period of affordability.

Other Funding Sources
Prior to committing funds, all other funding sources necessary for a project must be identified, committed in writing, and consistent with the both the City's underwriting requirements and the

affordability restrictions of the HOME program. In general, developers must make all reasonable efforts to maximize the availability of other funding sources, including conventional mortgage debt and tax credit equity (as applicable), within commercially available and reasonable terms.

Additionally, restrictions or limitations imposed by other funding sources cannot conflict with any applicable HOME requirements and cannot, in the discretion of the City, create undue risk to the City.

Senior Mortgage Debt
Any amortizing mortgage debt that will be senior to the City's HOME loan must:

- Provide fixed-rate financing;
- Have a term equal to or in excess of the HOME affordability period. The affordability period will generally be 15 years beyond the date of "project completion" as defined in 24 CFR 92.2 for acquisition/rehabilitation projects and 20 years for new construction projects. In practice, the date of "project completion" will not be the same as "placed in service" date for tax purposes but for most projects will occur prior to permanent loan conversion following property stabilization. Insomuch as possible, the first mortgage should have the longest amortization period available but cannot balloon prior to the expiration of the affordability period; and
- Allow the City's HOME covenant running with the land (i.e. the deed restrictions imposing the HOME affordability requirements) to be recorded senior to all other financing documents such that the HOME covenant is not extinguished in the case of foreclosure by a senior lender. Note the City HOME loan itself will be junior to conventional amortizing loans; only the deed restrictions must be senior.

Tax Credit Equity
Projections of tax credit equity must be documented by letters of intent or other similar offers to participate in the transaction by the proposed tax credit investor. Prior to committing funds, the applicant must provide evidence it has received a tax credit reservation from TDHCA and provide the proposed limited partnership agreement or operating agreement, as applicable, documenting the terms of the equity investment.

The City will review proposed equity pricing against information from other projects in the region to assess whether the pricing and terms are reasonable.

Deferred Developer Fee
It is common for projects to include deferred developer fees as a financing source. The City will generally require:

- That projections of surplus cash available (after any cash-flow contingent payment due the City) be sufficient to repay the deferred fee within 15 years (notwithstanding other "waterfall" provisions in the partnership or operating agreement, the City will assume that all surplus cash distributions will be credited against the developer fee);
- That following the initial application to the City, the level of deferred developer fee with remain fixed (in nominal dollar terms) in the event City underwriting identifies cost reductions, increases in other funding sources, or other changes that result in a net reduction of the "gap" to be filled with HOME funds; and
- That any net savings (or increased funding sources including but not limited to upward adjusters for tax credit equity) at project completion and cost certification will be used in

equal parts to reduce the deferred developer fee and the City's permanent HOME loan. In the event savings are sufficient to eliminate the deferred fee in this manner, any remaining net savings will be used to further reduce the City's HOME loan, or in the sole discretion of the City, to increase the operating reserve.

Exceptions and Interpretation

The City has developed these guidelines for several reasons. Not only are they required by HUD as part of the City's role as a HOME PJ, but more generally they are intended to provide clarity to applicants on what the City expects and transparency about the "rules of the road." However, the City recognizes that it cannot pre-emptively identify every possible special circumstance that may warrant an exception to its general requirements, nor can it identify every possible "loophole" whereby a creative presentation of costs or other projections might subvert the general need to balancing of viability and reasonable returns, risk to the City and public benefit.

Consequently, the City reserves the right to waive specific underwriting criteria for specific projects when, in its judgement, the purposes of the program can be better achieved without taking on undue risk. When waiving any given requirement, the City may impose additional special conditions or business terms that are not otherwise typically applied to all projects.

For administrative ease, the City may also align its underwriting standards with those required by other public funders involved in a given transaction, particularly if those standards are more restrictive or conservative than the City's. However, the City retains the right, in its sole discretion, to decide whether to accept alternative standards.

The City also reserves the right to reject any element of a transaction that, despite not being specifically prohibited, was not anticipated by these guidelines of such an element or business term otherwise creates unacceptable risks, excessive returns to the owner/developer, or otherwise undermines the public purposes of the City's program.

Insomuch as is reasonable, the City will update and clarify these guidelines over time to account for exceptions, waivers, or additional restrictions it imposes.

APPENDIX 3
UNIVERSAL DESIGN GUIDELINES

This portion of the manual outlines the City's policy on Universal Design and the minimum design criteria for new affordable housing projects.

In order to ensure the sustainability of the projects supported by CDBG and HOME funds, the City has established guidelines in relation to Universal Design. In addition, the City wants to ensure that newly constructed units are compatible with existing neighborhoods.

Universal Design

This comprehensive housing policy creates a Universal Design construction requirements for all new single-family homes, duplexes, and triplexes using financial assistance from the City.

The goal of "Universal Design" is to ensure that housing can accommodate the needs of people with a wide range of abilities, including children, aging populations and persons with disabilities. Consequently, all new construction housing projects using City of Dallas CDBG and/or HOME funds will meet all the following criteria:

- At least one entrance shall have 36-inch door and be on an accessible route.
- All interior doors shall be no less that 32-inches wide; except for a door that provides access to a closet of fewer than 15 square feet in area. Each hallway shall have a width of at least 36-inches wide and shall be level and ramped or beveled changes at each door threshold.
- All bathrooms shall have the walls reinforced around the toilet, bathtub and shower; for future installation of grab bars.
- Each electrical panel, light switch or thermostat shall be mounted no higher than 48 inches above the floor. Each electrical plug or other receptacle shall be at least 15 inches from the finished floor.
- An electrical panel located outside the dwelling unit must be between 18 inches and 42 inches above the ground and served by an accessible route.
- All hardware installed to open/close doors and operate plumbing fixtures shall be lever handles.

Universal Design Waiver or Exterior Accessibility Requirements

The Director of Sustainable Development or his designee may only grant modifications or an exemption to the requirements of the Ordinance regarding full compliance with the exterior path of travel on an individual case-by-case basis. The criteria for granting a modification or exemption are as follows:

- The lots rise or falls so steeply from the street that a maximum 1:12 slope cannot be achieved without extensive grading; and
- No vehicular access to the back of the house will be available by means of an alley.
- Appeals of orders, decisions of determination made by the Director of Sustainable Development may be made to the Board of Adjustments.

Universal Design Implementation

- Clearly stamp or print "Universal Design" on plans submitted
- Clearly Identify design elements outlined in Ordinance.
- Certify that the plans comply with the requirements of the Ordinance.

- Plan checking, construction inspections and enforcement shall be accomplished by the Development Services Department in accordance with existing procedures.

Design Guidelines

All builders and developers of infill housing are strongly encouraged to incorporate the defining features of a neighborhood into newly constructed infill houses. Those defining features of older inner city neighborhoods may include: roof pitches, porches, materials, and window types. Developers must comply with any standards established by an existing neighborhood conservation district and/or approved neighborhood plans. Additionally, All projects must advance the principles and policies contained in the City of Dallas Complete Streets Design Manual. Site plans and building designs should contribute towards safe and convenient pedestrian, bicycle, transit and automobile access to the extent possible within the project site and the adjacent public right-of-way frontage.

For infill projects supported with CDBG and/or HOME funds, developers will be required to demonstrate that the neighborhood association near the land to be developed has been consulted on the design issues. Developers should obtain input and feedback from neighborhood residents and work with them to ensure that designs are compatible with existing housing and development patterns.

In extreme cases where an agreement cannot be reached between the developer and local neighborhood groups, CDBG and/or HOME funding may be pulled from the project.

Specific design guidelines may be developed for certain City sponsored projects. Historic and neighborhood conservation district requirements must also be met for all projects.

For rehabilitation projects, builders and developers are strongly encouraged to retain the defining features of older structures. This applies to multi-family and single-family projects.

APPENDIX 4
City of Dallas Income Limits and Part 5 Requirements

Per 24 CFR Part 92.203(b)(1), the City has elected to utilize the 24 CFR Part 5 definition for determining annual income which is commonly referred to as the "Section 8 Low-Income Limit". To be eligible for HOME or CDBG funds, households must have annual (gross) incomes at or below 80% of area median income, adjusted by household size and determined annually by the U.S. Department of Housing and Urban Development (HUD).

The *Technical Guide for Determining Income and Allowances for the HOME Program* should be utilized as a resource and the standard for the following determinations:

- Whose Income to Count
- Types of Income to Count
- Treatment of Assets
- Income Inclusions and Exclusions
- Verifying Income
- Comparing Annual Income to Published Income Limits
- Determining Household Size
- Source Documentation
- Timing of Income Certifications

The annual income limits are published by HUD each year at the webpage below. http://www.huduser.gov/portal/datasets/il/il15/index.html

APPENDIX 5
Community Housing Development Organization (CHDO) Policy, Procedure, and Standards

WHAT IS A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO)?
A CHDO (pronounced cho'doe) is a private nonprofit, community-based service organization that has significant capacity, and whose **primary** purpose is, to develop affordable housing for the community it serves. Certified CHDOs receive special designation from the City of Dallas (City). The HOME Investment Partnership (HOME) Program definition of a CHDO is found at 24 CFR Part 92.2.

WHAT SPECIAL BENEFITS ARE AVAILABLE TO CHDOs?
HOME regulations require that the City set aside **15%** of its annual HOME allocation exclusively for qualified, eligible CHDO projects. If an organization becomes a certified CHDO, it is eligible to take advantage of the HOME funds set-aside just for CHDOs, as well as financial support for a portion of its operating expenses (Operating Assistance Grants) associated with CHDO projects. The City's CHDOs also have first right of purchase on land bank lots and as a nonprofit they are eligible to purchase HB110 lots.

REGULATORY REQUIREMENTS FOR CHDO CERTIFICATION
The U.S. Department of Housing and Urban Development (HUD) has established standard criteria for organizations to be eligible to become a certified CHDO:

1. **Organized Under State/Local Law**. A nonprofit organization must show evidence in its Articles of Incorporation that it is organized under state or local law.
2. **Nonprofit Status**. The organization must be conditionally designated or have a tax exemption ruling from the Internal Revenue Service (IRS) under Section 501(c) of the Internal Revenue Code of 1986. A 501(c) certificate from the IRS must evidence the ruling.
3. **Purpose of Organization**. Among its primary purposes, the organization must have the provision of decent housing that is affordable to low- and moderate-income people. This must be evidenced by a statement in the organization's Articles of Incorporation and/or Bylaws.
4. **Board Structure**. The board of directors must be organized to contain no more than one-third representation from the public sector and a minimum of one-third representation from the low-income community.
5. **No For-Profit Control**. The organization may not be controlled by, nor receive directions from, individuals or entities seeking profit from or that will derive direct benefit from the organization.
6. **No Individual Benefit**. No part of a CHDO's net earnings (profits) may benefit any members, founders, contributors, or individuals. This requirement must also be evidenced in the organization's Articles of Incorporation.
7. **Clearly Defined Service Area**. The organization must have a clearly defined geographic service area outlined in its Articles of Incorporation and/or Bylaws. CHDOs may serve individual neighborhoods or large areas. However, while the organization may include an entire community in their service area (such as a city, town, village, county, or multi-county area), they may not include the entire state.
8. **Low-Income Advisory Process**. A formal process must be developed and implemented for low-income program beneficiaries and low-income residents of the organization's service area to advise the organization in all of its decisions regarding the design, location, development and management of affordable housing projects.
9. **Capacity/Experience**. The key staff and board of directors must have significant experience and capacity to carry out CHDO-eligible, HOME-assisted projects in the community where it intends to develop affordable housing (key staff and board of directors have successfully completed HOME-funded, CHDO-eligible projects in the past).
10. **Community Service**. A minimum of one year of relative experience serving the community(ies)

where it intends to develop affordable housing must be demonstrated.

11. **Financial Accountability Standards**. The organization must meet and adhere to the financial accountability standards as outlined in 2 CFR 200 Subpart D, "Standards for Financial and Program Management."

CITY REQUIREMENTS FOR CHDO CERTIFICATION

In addition to the regulatory requirements, the City has established additional criteria for CHDO designation. To be eligible for CHDO designation, an organization must also:

1. Maintain a record of good standing with the Texas Secretary of State's office.
2. Maintain a staffed, physical office location in the proposed service area that is open for business and accessible by potential program applicants during generally-accepted customary business hours.
3. Have established a minimum **3**-year strategic business plan, which must include CHDO- related production and community involvement goals.
4. Maintain a history of no significant compliance findings on its City funded projects.

The City will accept applications from new CHDOs year-round; however, CHDO certifications will not be provided until a project is identified for funding and prior to execution of a written agreement. Please note that the criteria noted above is not intended to be all-inclusive and the City may require additional information prior to making a determination for CHDO designation. Meeting the above requirements does not guarantee that the organization will be granted CHDO designation. City reserves the right to deny or revoke CHDO designation based upon its evaluation of the nonprofit organization's performance. Designated CHDOs will be evaluated periodically for production and other benchmarks as established by City.

ORGANIZATIONAL STRUCTURE REQUIREMENTS FOR CHDO CERTIFICATION

The HOME Program establishes requirements for the organizational structure of a CHDO to ensure that the governing body of the organization is **controlled by the community it serves**. These requirements are designed to ensure that the CHDO is capable of decisions and actions that address the community's needs without undue influence from external agendas.

There are four specific requirements related to the organization's board, which must be evidenced in the organization's Articles of Incorporation and/or Bylaws. These are:

1. **Low Income Representation.** At least one-third of the organization's board must be representatives of the low-income community served by the CHDO. There are three ways a board member can meet the definition of a low-income representative:

   - The person lives in a low-income neighborhood where **51%** or more of the residents are low-income. This person need not necessarily be low-income.

or

   - The person is a low-income (below **80%** area median income) resident of the community.

or

   - The person was elected by a low-income neighborhood organization to serve on the CHDO board. The organization must be composed primarily of residents of the low-income neighborhood and its primary purpose must be to serve the interests of the neighborhood residents. Such organizations might include block groups, neighborhood associations, and neighborhood watch groups.

The CHDO is required to certify the status of low-income representatives.

2. **Public Sector Limitations**. No more than one-third of the organization's board may be representatives of the public sector, including elected public officials, appointees of a public

official, any employees of a local government or public school system, or employees of City or the State of Texas. If a person qualifies as a low-income representative **and** a public-sector representative, their role as a public-sector representative supersedes their residency or income status. Therefore, this person counts toward the one-third public sector limitation.

3. **Low-Income Advisory Process**. Input from the low-income community is not met solely by having low-income representation on the board. The CHDO must provide a formal process for low-income program beneficiaries to advise the CHDO on design, location of sites, development and management of affordable housing. The process must be described in writing in the Articles of Incorporation and/or Bylaws. Each project undertaken by the CHDO should allow potential program beneficiaries to be involved and provide input on the entire project from project concept, design and site location to property management. One way to accomplish this requirement is to develop a project advisory committee for each project or community where a HOME assisted project will be developed. Proof of input from the low-income community will be required at the CHDO's annual recertification.
4. **For-Profit Limitations**. If a CHDO is sponsored by a for-profit entity, the for-profit may not appoint more than one-third of the board. The board members appointed by the for-profit may not appoint the remaining two-third of the board members.

EXPERIENCE, CAPACITY AND ROLES (24 C.F.R. 92.300-92.303)
To be certified as a CHDO, the HOME Program requires organizations to demonstrate sufficient experience, capacity, and financial accountability.

Experience & Capacity: A CHDO must certify to City that it has the capacity, demonstrated by having paid staff with demonstrated capacity to perform the specific role for which is it being funded. CHDO staff can be full-time or part-time and can be contract employees. The CHDO cannot count the experience of board members, donated staff, parent organization staff, or volunteers to meet the capacity requirement. The CHDO can only count capacity brought to the table by a consultant in the first year of participation. Afterward, the CHDO must demonstrate capacity based upon paid staff.

The CHDO must demonstrate experience and capacity relevant to the project and its role as owner, developer, or sponsor. If the CHDO is the owner, its staff must have the capacity to act as the owner (this may mean the ability to oversee development.) If the CHDO is the developer or sponsor, its staff must have development experience on projects of similar scope or complexity.
CHDOs must demonstrate a history of serving the community where the housing to be assisted with HOME funds will be located. HUD requires that organizations show a history of serving the community by providing:

- A statement that documents at least one year of experience serving the community.
- For newly created organizations, provide a statement that the parent organization (if applicable) has at least **1**-year experience serving the community.

CHDOs must provide resumes and/or statements of key staff members that describe their experience of successfully completed projects similar to those proposed.

CHDO SERVICE AREA
While the City does not limit the number of counties is a CHDO's service area, the very definition of a CHDO is that it be community-based. Therefore, an organization proposing a large or regional service area must demonstrate that it is taking the appropriate steps to achieve the community-based component. Some of the ways this can be achieved is by having an active community (nonpublic) representative from each of the counties on the CHDO's board of directors; establishing local advisory councils to advise the CHDO board on topics relative to the organization's activities; hosting "town hall" meetings in the proposed project areas, etc. the City will consider other methods suggested by the CHDO. CHDOs will be required

to provide updates on how it is ensuring that it is active and visible in the communities included in its service area.

The City reserves the right to limit CHDOs going into a service area where an existing CHDO is already providing service. Unless a CHDO is already approved to serve a particular territory, the City will not approve CHDOs to serve overlapping territory.

CHDO RECERTIFICATION
To ensure compliance with the HOME regulations, the recertification process will apply to CHDOs with active development projects including those under development and within the affordability period. Each CHDO will be required to submit specific information to City on an annual basis in conjunction with annual monitoring and compliance audits, including, but not limited to:

- The response to questions, numbered exhibits, and attachments listed in the City's CHDO certification application
- An updated **3-year** business plan and a description of how the low-income advisory process was implemented. If no HOME funds were used within the reporting period, a detailed description of all other affordable housing initiatives undertaken will be requested.

Recertification will be required **ANNUALLY WHEN THE CITY MONITORS THE CHDO FOR COMPLIANCE**. The CHDO must recertify as to its continued qualifications as a CHDO and its capacity to own, sponsor, or develop housing.

CHDOs that have not been allocated project funds from the HOME CHDO set-aside for **3** consecutive years will be deemed inactive. At its discretion, the City may revoke the designation of inactive CHDOs based upon a review of other non-CHDO housing activities the organization has undertaken (if any), as well as other factors deemed appropriate by City.

CHDO SET-ASIDE
The HOME requirements at 24 CFR Part 92.300 require City to set aside at least **15%** of its annual HOME allocation for projects owned, developed or sponsored by CHDOs. A certified CHDO must serve as the owner, developer or sponsor of a HOME-eligible project when using funds from the **15%** percent CHDO set-aside. A CHDO may serve in one of these roles or it may undertake projects in which it combines roles, such as being both an owner and developer. The CHDO must be certified for each type of activity it plans to undertake.

FINANCIAL ACCOUNTABILITY
CHDOs must have financial accountability standards that conform to the requirements detailed in 2 CFR 200 – Subpart D, "Standards for Financial and Program Management." This can be evidenced by:

- A notarized statement by the president or chief financial officer of the organization.
- Certification from a certified public accountant.
- Audit completed by CPA.
- City reserves the right to request additional audited financial statements at any time.

ELIGIBLE AND INELIGIBLE USES OF HOME CHDO SET-ASIDE FUNDS

ELIGIBLE ACTIVITIES - OWNERS, SPONSORS, DEVELOPERS
Using the **15%** set-aside, a CHDO acting as an owner, sponsor, or developer may undertake any of the following activities:

- Acquisition and/or rehabilitation of rental property;
- New construction of rental housing;

- Acquisition, rehabilitation and resale of existing, vacant homebuyer property;
- New construction of homebuyer property;
- Direct financial assistance to purchasers of HOME-assisted housing developed by a CHDO with HOME CHDO set-aside funds.

Please note that to be considered a CHDO-eligible project, CHDO set-aside HOME funds must be used during the construction or rehabilitation of the project.

INELIGIBLE CHDO ACTIVITIES
Using the **15%** set-aside, a CHDO may not undertake any of the following activities:

- Rehabilitation of existing homeowners' properties;
- Tenant-based rental assistance (TBRA); or
- Down payment and/or closing cost assistance to purchasers of housing not developed with HOME CHDO set-aside funds.

ELIGIBLE ACTIVITIES – SUBRECIPIENTS
CHDOs may also act as subrecipients with non-set-aside funds by undertaking other HOME-eligible activities such as:

- Tenant-Based Rental Assistance (TBRA);
- Owner-occupied rehabilitation of single-family dwellings; and
- Down payment or closing cost assistance in the acquisition of single-family units.

OPTIONAL OPERATING EXPENSES
From time to time, funds may be available to provide general operating assistance to CHDOs receiving CHDO set-aside funds for activities. When funds are available, certified CHDOs that are administering an eligible project funded from the CHDO set-aside may be eligible to receive funds to be used for operating expenses. The regulations allow the City to allocate no more than **5%** of its HOME allocation for CHDO operating expenses (Operating Assistance Grants). However, the City reserves the right to further restrict the amount of funds an entity may receive for CHDO operating funds. This allocation does not count toward the required **15**% CHDO set-aside funds that are to be used by CHDOs for projects.

The amount of the optional Operating Assistance Grants awarded will be based on, but not limited to, the following factors:

1. The total amount of HOME funds City has available to allocate for reimbursable CHDO operating expenses;
2. The anticipated completion date and size of your current CHDO set-aside project(s); and
3. The CHDO's past performance as a CHDO developer.
4. The CHDO's capacity to complete the project in a timely manner.
5. The ability of the CHDO to retain CHDO proceeds.

The City will allocate Operating Assistance Grants on annually. Operating Assistance Grants will be provided on a fiscal year basis (October 1 – September 30) provided funds are available and the CHDO has demonstrated acceptable performance.

Although the disbursement of CHDO operating funds is not tied directly to the drawdown of the CHDO project funds, the City reserves the right to delay disbursement of operating funds if it is evident that the CHDO project is experiencing excessive delays.

City reserves the right to reduce the amount of, or not award, operating funds based upon its evaluation of the CHDO's production and overall performance.

Eligible operating expenses for which CHDOs may use operating funds include:

- Salaries, wages, benefits, and other employee compensation
- Employee education, training and travel
- Rent and utilities
- Communication costs
- Taxes and insurance
- Equipment, materials and supplies

Because the purpose of providing CHDO operating support is to nurture successful CHDOs and ensure their continued growth and success, the City will periodically evaluate the performance of any CHDO wishing to receive CHDO operating funds.

CHDO PROCUREMENT
As noted in HUD CPD Notice 97-11, CHDO organizations are not subject to the requirements of 2 CFR, Part 200 in regard to the procurement of goods and services. However, the City strongly encourages organizations to ensure that costs are reasonable and equitable. This exemption is only applicable to procurement associated with CHDO-eligible projects; CHDOs must still follow appropriate procurement procedures compliant with Part 200 for its non-CHDO projects. City may request a copy of the CHDO's procurement policy for any non-CHDO project funding proposals.

EFFECTIVE PERIOD OF CHDO CERTIFICATION
To maintain its CHDO certification, the CHDO must submit at least **30** days prior to its annual compliance and monitoring audit a copy of the most recent audit financial statements along with all required attachments listed in the City's CHDO Certification Application, which is attached to this manual as **Exhibit "A" – City CHDO Application**. If the CHDO fails to submit the recertification packet, the CHDO may no longer qualify as a CHDO. Prior to awarding any City CHDO funds, the CHDO must recertify that no changes have occurred within the agency that would disqualify the entity as a CHDO for the specific type of activity being undertaken.

HOW TO APPLY FOR CHDO CERTIFICATION
Complete the City's CHDO Certification Application including all requested attachments, documentation, and forms. The applicant has **30** days to respond to any request for additional information. If information is not received within **30** days, the CHDO certification application will be denied.

Exhibit “A” – City CHDO Application

A Community Housing Development Organization (CHDO) is a private, nonprofit, community-based service organization that has obtained staff with the capacity to develop affordable housing in the community it serves.

The following application details the requirements that nonprofit corporations must satisfy to be certified as a CHDO by the City of Dallas Housing and Neighborhood Revitalization Department (HNR). Please refer to the CHDO Manual which provides details and additional requirements HNR will use in reviewing your application submission. The CHDO Manual can be found on the City of Dallas (City) website at www.dallascityhall.com/departments/housing-neighborhood-revitalization.

Please fully complete the application and supply all requested documentation. An incomplete application package will significantly delay the consideration of your application.

We are here to help if you have any questions in completing the application. Please do not hesitate to contact Cynthia Rogers-Ellickson (214) 670-3601 for assistance.

We look forward to receiving your application!

Submit Original Certification Application Package to:

Cynthia Rogers-Ellickson
Housing Development Manager
Housing and Neighborhood
Revitalization
1500 Marilla Street, 6DN
Dallas, TX 75201

***APPLICANT INFORMATION REQUIRED**:*

Name of Applicant Organization

Address

City | State | Postal Code

Contact Person | Position with Organization

Telephone Number | Email Address

Fax Number | Federal Tax I.D. Number

STATEMENT OF CERTIFICATION

I hereby certify that all statements I have provided in this application and in the attachments herein are true; that I am authorized to sign this application, and to make these statements, on behalf of the applicant organization; and that the organization understands that misrepresentation of any facts which lead to the improper allocation and expenditure of public funds may result in legal action against the organization for retrieval of any such funds and appropriate penalties.

Signed:

Signature | Date

Name: (typed or printed)

Title: (Executive Director)

Name of Organization

(Submit this application, with original signature, to the City of Dallas)

I. LEGAL STATUS

1. **ORGANIZED**: To receive certification, your organization must be organized under state or local laws and must provide evidence of your legal status. Organization must Maintain a record of good standing with the Texas Secretary of State's office. Which of the following have you supplied?
   - ❑ Charter
   - ❑ Articles of Incorporation along with confirmation from the Secretary of State; and
   - ❑ Certificate of Good Standing or comparable document from the Secretary of State.

Provided in Exhibit #_____(please specify Exhibit #)

2. **PURPOSE OF ORGANIZATION**: An organization must have among its purposes the provision of decent housing that is affordable to low and moderate-income persons'. Which of the following have you included that demonstrate compliance with this requirement?
   - ❑ Charter
   - ❑ By-laws signed by the board Secretary
   - ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #)

3. **NO INDIVIDUAL BENEFIT**: No part of your organization's net earnings can inure to the benefit of any member, founder, contributor or individual. Which of the following have you included that demonstrate compliance with this requirement?
   - ❑ Charter
   - ❑ By-laws signed by the board Secretary
   - ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #)

4. **SERVICE AREA:** To receive certification an organization must have a clearly defined geographic service area. The service area can be an area larger than a single neighborhood but must be an area smaller than an entire state. CHDO must maintain a staffed, physical office location in the proposed service area that is open for business and accessible by potential program applicants during generally-accepted customary business hours. If you will be serving a special population the geographic boundaries and your service area must also be defined. Which of the following have you included to demonstrate that your organization has a clearly defined geographic service area?
   - ❑ Charter
   - ❑ By-laws signed by the board Secretary
   - ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #)

5. **TAX EXEMPT RULING**: Your organization must have a tax-exempt ruling from the Internal Revenue Service (IRS), under section 501 (c) (3), 501 (c) (4) or a Section 905 of the Internal Revenue Code of 1986. Which of the following have you provided to indicate receipt of such a ruling?
   - ❑ A 501 (c) (3) Certificate Letter from the IRS
   - ❑ A 501 (c) (4) Certificate Letter from the IRS
   - ❑ A group exemption letter, that is dated 1986 or later, from the IRS that includes the agency seeking certification as a CHDO (acceptable for Section 905 organizations only)

Provided in Exhibit #_____(please specify Exhibit #)

II. ORGANIZATIONAL STRUCTURE

6. **BOARD COMPOSITION**: To be certified a CHDO, an organization must structure the board of directors to consist of **at least** one-third representatives of the low-income community and no more than one-third representatives of the public sector. These provisions and examples are as follows:
   a) An applicant organization must ensure that at all times **at least** one-third of its governing board consists of representatives of the low-income community. There are three ways to meet this requirement: 1) Individuals can be residents of a low-income neighborhood in the organization's service area (but do not necessarily have to earn a low income themselves), 2) they can be low-income residents of the community, or 3) they can be appointed representatives to the board from a low-income neighborhood association. Which of the following documents have you provided that demonstrate that the one-third requirement will be maintained?
      - ❑ Charter
      - ❑ By-laws signed by the board Secretary
      - ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #)

   b) An organization's board of directors may consist of no more than one-third representatives of the public sector. Representatives of the public sector include: 1) ***elected officials*** such as council members, 2) ***appointed public officials*** such as planning or zoning commission, regulatory or advisory boards, 3) ***public employees*** which include employees of public agencies or departments of the City such as fire and police, and 4) any individual who is not necessarily a public official, but has been ***appointed by a public official*** to serve on the organization's Board of Directors. Which of the following have you provided that demonstrate that the one-third cap on public representation will be met?
      - ❑ Charter
      - ❑ By-laws signed by the board Secretary
      - ❑ Articles of Incorporation

(Under the HOME Program, "community" is defined as one or several neighborhoods or the city at large)

In order to verify that your **current board** meets both the low-income requirement and the limits on public- sector representation above, please complete the worksheet included as **Attachment B** to this application. In order to complete the worksheet, you will need to know whether the board member resides in a 'low-income' neighborhood or whether the board member qualifies as a low-income resident. An individual residing in a household earning **80%** of the area median family income or less meets the "low-income" designation. **Attachment E** provides the dollar amount of that income cap by family size. If you are uncertain as to whether the neighborhood your board

7. **LOW-INCOME INPUT**: To be certified a CHDO, an organization must provide a specific formal process for low-income program beneficiaries to advise the organization in all of its decisions regarding the design, location of sites, development and management of affordable housing projects. Specifically, a detailed plan for ensuring that input from low-income program beneficiaries will be solicited and integrated into the decision-making and project development processes of the organization. Which of the following has your organization provided, that detail the systems you will use to gather community involvement/input from those affected by your projects?
   - ❑ By-laws signed by the board Secretary
   - ❑ A Board Resolution, (written statement of operating procedures approved by the governing body).

Provided in Exhibit #_____(please specify Exhibit #)

III. RELATIONSHIP WITH OTHER ENTITIES

RELIGIOUS ORGANIZATION SPONSORSHIP:

8. Is your nonprofit organization sponsored or created by a religious organization?
   - ❑ Yes, (please continue with the following)
   - ❑ No, (if no, skip to # 9)

A religious organization cannot qualify as a CHDO, but they may sponsor the creation of a wholly secular nonprofit. The developed housing must be used exclusively for secular purposes. It must also be ensured that housing will be made available to all persons, regardless of religious affiliation or belief. The religious organization can appoint an unlimited number of board members to the housing organization's board, but the religious organization cannot control the housing organization. Which of the following has been provided to demonstrate that all of these provisions will be met in the operation of the organization?

- ❑ By-laws
- ❑ Charter
- ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #) PUBLIC ENTITY SPONSORSHIP:

9. Was your organization chartered by a state or local government?
   - ❑ Yes, (please continue with the following)
   - ❑ No, (If no, skip to # 10)

The state or local government may not appoint more than one-third of the organization's governing body, and the board members appointed by the state or local government may not, in turn, appoint the remaining two-thirds of the board members. Which of the following has been provided that demonstrate compliance with these requirements?

- ❑ By-laws signed by the board Secretary
- ❑ Charter
- ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #) FOR-PROFIT RELATIONSHIPS:

10. Is the nonprofit organization being sponsored by or was it created by a for-profit entity?
    - ❑ Yes, (please continue with the following, # 11-14)
    - ❑ No, (If no, skip to # 15)
11. A CHDO cannot be controlled by, nor receive direction from individuals or entities seeking profit from the organization. Which of the following has been provided to address compliance with this requirement?
    - ❑ By-laws signed by the board Secretary
    - ❑ A Memorandum of Understanding (MOU)

Provided in Exhibit #_____(please specify Exhibit #)

III. RELATIONSHIP WITH OTHER ENTITIES, Continued…

12. An organization may be sponsored or created by a for-profit entity, however; the for-profit entity's primary purpose may not include the development or management of housing. Please provide the following to evidence compliance:
    - ❑ The By-laws of the for-profit entity

Provided in Exhibit #_____(please specify Exhibit #)

13. The nonprofit organization is free to contract for goods and services from vendor(s) of its own choosing. Which of the following items has been provided to demonstrate that the nonprofit is free to do this?
    - ❑ By-laws signed by the board Secretary
    - ❑ Charter
    - ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #)

14. If the nonprofit is sponsored by a for-profit entity, the for-profit entity may not appoint more than one-third of the organization's governing body, and the board members appointed by the for-profit entity may not, in turn, appoint the remaining two-thirds of the board members. Which of the following items has been provided to demonstrate that the nonprofit is free to do this?
    - ❑ By-laws signed by the board Secretary
    - ❑ Charter
    - ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #)

IV. EXPERIENCE and CAPACITY

15. **FINANCIAL ACCOUNTABILITY**: The organization must have financial accountability standards that conform to 2 CFR 200 Subpart D, "Standards for Financial and Program Management", which is included as **Attachment A** to this application. These standards are a variation on OMB Circular A-133 but are an updated version to that circular. The organization must certify that its financial management and internal controls comply with this specific standard. Which of the following have you provided to evidence compliance with this federal requirement?
    - ❑ A notarized statement by the Treasurer or Chief Financial Officer of the organization
    - ❑ Certification from a Certified Public Accountant
    - ❑ HUD approved audit summary

Provided in Exhibit #_____(please specify Exhibit #)

16. **AUDIT REQUIREMENT:** The City of Dallas requires that your organization submit audited financial statements for the organization's most recent program year. The audits financials should include all components conducted, including any A-133 analysis of compliance with federal grants, analysis of internal controls, letter to the Board of Directors or management letters. If your organization does not have audited financial statements because it has been operating for less than one year, you must submit the audited financial statements of the parent or sponsor organization, along with your organization's current unaudited financial statements.

Provided in Exhibit #_____(please specify Exhibit #)
NOTE: No nonprofit organization shall be certified as a CHDO if the organization's most recent audit reflects an outstanding finding, material weakness or other unresolved matter, which would prevent the City of Dallas from certifying the capacity of that organization to successfully develop a CHDO project.

17. **EXPERIENCE:** To become a certified CHDO, the organization must demonstrate a capacity for carrying out housing projects assisted with HOME funds. A designated organization undertaking development activities as a developer or sponsor must satisfy this requirement by having paid employees with housing development experience who will work on projects assisted with HOME funds or by contract with a consultant who has housing development experience to train appropriate key staff of the organization. The organization must have ***at least*** one year of experience serving the community where the housing to be assisted with HOME funds is to be located. The year of service does **not** have to be directly related to housing. Newly created organizations wishing to become CHDOs can meet the requirement if the parent (or sponsoring) organization is a nonprofit and has provided services to the community for at least one year. These are the two forms in which capacity may be documented and accepted. Which of the two have you provided to demonstrate compliance with this requirement?
    - ❑ A statement signed by the Executive Director that documents at least **1** year of experience serving the community prior to seeking CHDO certification plus details the type of service provided; and have paid employees or a consultant with housing development experience working on projects assisted with HOME funds **OR**,
    - ❑ A statement signed by the Executive Director that documents that its parent or sponsoring organization has at least **1** year of experience serving the community prior to seeking CHDO certification plus details the type of service provided; and have paid employees or a consultant with housing development experience working on projects assisted with HOME funds

Provided in Exhibit #_____(please specify Exhibit #)

17a. **3-Year Business Plan:** To be eligible for CHDO designation, an organization must also have established a minimum 3-year strategic business plan, which must include CHDO- related production and community involvement goals.

Provided in Exhibit #_____(please specify Exhibit #)

18. **PROJECT DETAIL:** As a next step toward assessing your organization's capacity, please provide the following information about the type of project(s) your organization is currently developing or expects to develop in the next 6 months:

NUMBER OF UNITS IN FIRST PROJECT:

BUILDING TYPE:	EXPECTED USE:	CONCENTRATION:	CONSTRUCTION ACTIVITY
❑ Single Family buildings	❑ Rental ❑ Homeownershi	❑ Single Site ❑ Scattered Site	❑ Acquisition ❑ New Construction

FOR RENTAL ONLY:	FOR HOMEOWNERSHIP ONLY:
❑ CHDO will do Property Management	❑ CHDO will do Homeownership Counseling
❑ CHDO will contract out for Property Management	❑ CHDO will work with established Homeownership Counseling or replace

Additional comments about the project?

19. **STAFF AND CAPACITY**: To be certified as a CHDO, the organization must have paid staff *. HUD defines CHDO staff as paid employees who are responsible for the day-to-day operations of the CHDO; this does not include volunteers, board members or consultants. Additionally, the organization must demonstrate the capacity of its key staff to carry out the activities it is planning to undertake. Specifically, the key staff who will be responsible for the project must have successfully completed projects **similar to those the organization expects to undertake**. Please submit the following to evidence staff capacity:
    ❑ Resumes of key staff members who have successfully completed projects similar to that being proposed, (include project descriptions of relevant completed projects)

Provided in Exhibit #_____(please specify Exhibit #)

** HUD's Definition of a paid employee is a person whose salary, payroll taxes, and unemployment insurance are paid by the organization and from whom the organization withholds payroll and income taxes. Receipt of a W-2 is sufficient evidence that an individual is a 'paid employee'. The employee must be paid by the CHDO and, therefore cannot be contracted through, shared with, or cost-allocated through another entity. Employees of a for-profit organization that created a CHDO cannot also be employees of that CHDO.*

Please submit a roster of the organizations current board composition and their positions on the board.
Please describe the organization's current staffing by completing **Attachment C**

PLEASE REVIEW THE FOLLOWING CHECKLIST TO BE SURE YOUR APPLICATION SUBMISSION INCLUDES ALL OF THE ITEMS LISTED BELOW:

- ❑ All questions have been answered, exhibit numbers indicated, and the Executive Director has signed the certification statement on page one.
- ❑ Attachment B, Board information has been completed for every board member and is enclosed.
- ❑ Attachment C, Staff information has been completed for every staff person and is enclosed.
- ❑ All exhibits referenced in the application are numbered and enclosed.

Thanks very much for applying for CHDO Certification with the City of Dallas's Housing and Neighborhood Revitalization Department. We will work diligently to provide you with a quick response to your application.

ATTACHMENT A TO CHDO CERTIFICATION APPLICATION
HUD–Required Standards for Financial Management and Internal Controls

Code of Federal Regulations, Title 2, Volume 200, Parts 302 and 303
Revised as of December 19, 2014
From the U.S. Government Printing Office via GPO Access
[CITE: 2CFR200.302, 2CFR200.303], Page 107-108
TITLE 2-- GRANTS AND AGREEMENTS
Subpart D--Post Federal Award Requirements
Sec. 200.302-- **Financial management.**

(a) Each state must expend and account for the Federal award in accordance with state laws and procedures for expending and accounting for the state's own funds. In addition, the state's and the other non-Federal entity's financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, must be sufficient to permit the preparation of reports required by general and program specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award. See also §200.450 Lobbying.

(b) The financial management system of each non-Federal entity must provide for the following (see also §§ 200.333 Retention requirements for records, 200.334 Requests for transfer of records, 200.335 Methods for collection, transmission and storage of information, 200.336 Access to records, and 200.337 Restrictions on public access to records):

(1) Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, name of the Federal agency, and name of the pass-through entity, if any.

(2) Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements set forth in §200.327 Financial reporting and 200.328 Monitoring and reporting program performance. If a Federal awarding agency requires reporting on an accrual basis from a recipient that maintains its records on other than an accrual basis, the recipient must not be required to establish an accrual accounting system. This recipient may develop accrual data for its reports on the basis of an analysis of the documentation on hand. Similarly, a pass-through entity must not require a subrecipient to establish an accrual accounting system and must allow the subrecipient to develop accrual data for its reports on the basis of an analysis of the documentation on hand.

(3) Records that identify adequately the source and application of funds for federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

(4) Effective control over, and accountability for, all funds, property, and other assets. The non-Federal entity must adequately safeguard all assets and assure that they are used solely for authorized purposes. See §200.303 Internal controls.

(5) Comparison of expenditures with budget amounts for each Federal award.

(6) Written procedures to implement the requirements of §200.305 Payment.

(7) Written procedures for determining the allowability of costs in accordance with Subpart E—Cost Principles of this part and the terms and conditions of the Federal award.

ATTACHMENT A TO CHDO CERTIFICATION APPLICATION
HUD–Required Standards for Financial Management and Internal Controls

Code of Federal Regulations, Title 2, Volume 200, Parts 302 and 303
Revised as of April 1, 2000
From the U.S. Government Printing Office via GPO Access
[CITE: 2CFR200.302, 2CFR200.303], Page 107-108
TITLE 2-- GRANTS AND AGREEMENTS
Subpart D--Post Federal Award Requirements
Sec. 200.303-- **Internal controls.**
The non-Federal entity must:

(a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in ''Standards for Internal Control in the Federal Government'' issued by the Comptroller General of the United States or the ''Internal Control Integrated Framework'', issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

(b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.

(c) Evaluate and monitor the non-Federal entity's compliance with statutes, regulations and the terms and conditions of Federal awards.

(d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

(e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or the non-Federal entity considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

ATTACHMENT B - BOARD MEMBER REQUIREMENTS
Org Name Here:

BOARD MEMBER INFORMATION: PLEASE CHECK THE APPROPRIATE BOX BELOW:

1

Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
Board Position:									
Address:									
City									
State		Yes							Included
Zip	Phone:	No							N/A
Place of Employment:		Additional Comment:							
Position:									

2

Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
Board Position:									
Address:									
City									
State		Yes							Included
Zip	Phone:	No							N/A
Place of Employment:		Additional Comment:							
Position:									

3

Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
Board Position:									
Address:									
City									
State		Yes							Included
Zip	Phone:	No							N/A
Place of Employment:		Additional Comment:							
Position:									

4

Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
Board Position:									
Address:									
City									
State		Yes							Included
Zip	Phone:	No							N/A
Place of Employment:		Additional Comment:							
Position:									

ATTACHMENT B - BOARD MEMBER REQUIREMENTS
Org Name Here:
BOARD MEMBER INFORMATION: **PLEASE CHECK THE APPROPRIATE BOX BELOW:**

5

Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
Board Position:									
Address:									
City									
State		Yes							Included
Zip	Phone:	No							N/A
Place of Employment:		Additional Comment:							
Position:									

6

Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
Board Position:									
Address:									
City:									
State:		Yes							Included
Zip	Phone:	No							N/A
Place of Employment:		Additional Comment:							
Position:									

7

Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
Board Position:									
Address:									
City									
State		Yes							Included
Zip	Phone:	No							N/A
Place of Employment:		Additional Comment:							
Position:									

8

Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
Board Position:									
Address:									
City:									
State:		Yes							Included
Zip	Phone:	No							N/A
Place of Employment:		Additional Comment:							
Position:									

ATTACHMENT B - BOARD MEMBER REQUIREMENTS
Org Name Here:

BOARD MEMBER INFORMATION: **PLEASE CHECK THE APPROPRIATE BOX BELOW:**

9

Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
Board Position:									
Address:									
City:									
State:		Yes							Included
Zip	Phone:	No							N/A
Place of Employment:		Additional Comment:							
Position:									

10

Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
Board Position:									
Address:									
City:									
State:		Yes							Included
Zip	Phone:	No							N/A
Place of Employment:		Additional Comment:							
Position:									

11

Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
Board Position:									
Address:									
City:									
State:		Yes							Included
Zip	Phone:	No							N/A
Place of Employment:		Additional Comment:							
Position:									

12

Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
Board Position:									
Address:									
City:									
State:		Yes							Included
Zip	Phone:	No							N/A
Place of Employment:		Additional Comment:							
Position:									

ATTACHMENT C
Staff Member Information
(Please make additional copies as needed to include *all* staff members)

PLEASE NOTE: A paid employee is a person whose salary, payroll taxes, and unemployment insurance are paid by the organization and from whom the organization withholds payroll and income taxes. Receipt of a W-2 is sufficient evidence that an individual is a 'paid employee'. The employee must be paid by the CHDO and, therefore cannot be contracted through, shared with, or cost-allocated though another entity. Employees of a for-profit organization that created a CHDO cannot also be employees of that CHDO.

STAFF INFORMATION:

Name:		Please indicate if this position is: ❑ Paid Unpaid Resume Included? Yes No (Required)
Title:		
Position:		
Hours of work:		
Duties and Responsibilities		

Name:		Please indicate if this position is: Paid Unpaid Resume Included? Yes No (Required)
Title:		
Position:		
Hours of work:		
Duties & Responsibilities		

Name:		Please indicate if this position is: Paid Unpaid Resume Included? Yes No (Required)
Title:		
Position:		
Hours of work:		
Duties & Responsibilities		

ATTACHMENT D TO CHDO CERTIFICATION APPLICATION

City of Dallas

Community Housing Development Organization

CERTIFICATION REQUIREMENTS

To be certified as a Community Housing Development Organization (CHDO), an organization must meet the minimum certification criteria as required by the U.S. Department of Housing and Urban Development. Additionally, the organization must comply with the following policies in order to receive CHDO certification from the Housing and Neighborhood Revitalization Department (HNR).

NO DISTRIBUTIONS

An applicant organization's charter or the articles of incorporation must specify that no net earnings of the corporation can inure to the benefit of any member, founder, contributor or individual. All net income must be reinvested in the projects developed by the organization or in subsequent affordable housing projects.

BOARD COMPENSATION

Board members may receive a reasonable fixed sum and expenses for each board meeting he/she attends. However, board members cannot receive a salary for their service as a board member. For HNR staff to verify the reasonableness of compensation, CHDO applicants are required to submit all financial statements and, upon request, any other documents necessary for HNR to verify the amount of compensation provided to board members and the services for which the sum was paid.

SPONSORSHIP OR CREATION BY A RELIGIOUS ORGANIZATION

A religious organization cannot become a CHDO but can create a wholly secular nonprofit housing organization. The sponsoring organization can appoint an unlimited number of board members to the board of the housing organization. Beyond that, however, the housing organization cannot be controlled by the religiously-based sponsor organization. That is, the housing organization must be free to select its projects, to procure its goods, services and financing, and to otherwise operate the organization without influence or intervention by the religiously based sponsor. Additionally, the housing developed by the housing organization must be made available to all persons, regardless of religious belief or affiliation. The by-laws of the housing organization must include language that ensures compliance with all of the above requirements.

REPRESENTATIONS AND WARRANTIES

Any applicant who submits fabricated information, documentation or signatures as part of or along with its CHDO application, or any applicant who misrepresents any aspect of the board, staff or organizational accomplishments, experience or expertise shall be disqualified from the CHDO certification process for a period of **1** year. The **1**-year disqualification period will begin at the time the misrepresentation is made by the HNR Department and is reported in writing by HNR staff to the applicant organization. If an applicant believes the HNR determination of misrepresentation is in error, the applicant organization may appeal the decision in writing to the Director of the Housing and Neighborhood Revitalization.

AUDIT

The Housing and Neighborhood Revitalization Department requires that your organization submit audited financial statements for the organization's most recent program year. If your organization does not have audited financial statements because it has been operating for less than one year, you must submit the audited financial statements of the parent or sponsor organization, along with your organization's current unaudited financial statements. No nonprofit organization shall be certified as a CHDO if the organization's most recent audit has an outstanding finding, material weakness or other unresolved matter which would prevent the Housing and Neighborhood Revitalization from certifying the capacity of that organization to successfully develop a CHDO project. The audit will also be used in assessing the organization's financial capacity for executing the affordable housing activities it intends to pursue.

VERIFICATION OF COMPLIANCE WITH BYLAWS

As part of the certification process, the Housing and Neighborhood Revitalization may do all necessary due diligence to verify that the operations of an applicant organization are being conducted in keeping with the by-laws submitted in the CHDO Certification application.

City of Dallas, Housing and Neighborhood Revitalization Department
1500 Marilla Street, Dallas, Texas 75201
(214) 670-5988 Fax (214) 670-0156
www.dallascityhall.com/departments/housing-neighborhood-revitalization

ATTACHMENT E TO CHDO CERTIFICATION APPLICATION

See chart on next page.

Current Income Limits for Low Income Families

These definitions are effective: **April 1, 2018 through December 31, 2018 or publication of the 2019 income limits.**[1]

HUD Metro FMR Area (HMFA) estimate of the median family income for the Dallas area is: **$ 77,200**

Source: FY 2018 HUD Income Limits website at https://www.huduser.gov/portal/datasets/il.html#2018_data

Effective date: April 1, 2018 per HUD website cited above.

Eligibility Standard[2]	Number of Persons in the Household								
	1	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**
140%	$ 75,656	$ 86,464	$ 97,272	$ 108,080	$ 116,726	$ 125,373	$ 134,019	$ 142,666	$ 151,312
120%	$ 64,848	$ 74,112	$ 83,376	$ 92,640	$ 100,051	$ 107,462	$ 114,874	$ 122,285	$ 129,696
115%	$ 62,146	$ 71,024	$ 79,902	$ 88,780	$ 95,882	$ 102,985	$ 110,087	$ 117,190	$ 124,292
100%	$ 54,040	$ 61,760	$ 69,480	$ 77,200	$ 83,376	$ 89,552	$ 95,728	$ 101,904	$ 108,080
80%[3]	$ 43,250	$ 49,400	$ 55,600	$ 61,750	$ 66,700	$ 71,650	$ 76,600	**$ 81,550**	$ 86,450
67%	$ 36,207	$ 41,379	$ 46,552	$ 51,724	$ 55,862	$ 60,000	$ 64,138	$ 68,276	$ 72,414
65%	$ 35,126	$ 40,144	$ 45,162	$ 50,180	$ 54,194	$ 58,209	$ 62,223	$ 66,238	$ 70,252
60%	$ 32,424	$ 37,056	$ 41,688	$ 46,320	$ 50,026	$ 53,731	$ 57,437	$ 61,142	$ 64,848
50%[3]	**$ 27,050**	$ 30,900	$ 34,750	$ 38,600	$ 41,700	$ 44,800	**$ 47,900**	**$ 51,000**	$ 54,050
30%[3]	**$ 16,250**	$ 18,550	$ 20,850	$ 23,150	**$ 25,050**	**$ 26,900**	**$ 28,750**	**$ 30,600**	$ 32,400
Size adjustment:	70%	80%	90%	100%	108%	116%	124%	132%	140%

[1] Ending date is dependant upon HUD's release of the new income limits for the Federal Fiscal Year.

[2] Eligibility for housing assistance programs is usually expressed as a percentage of the area-wide median family income (AMFI). For example, eligibility for a given program may be limited to families whose income "does not exceed 50% of AMFI, with adjustments for family size." This means that 100% of 50% of the AMFI is the upper eligible income for a family of four persons. Eligibility limits for smaller families use a smaller percentage of 50% of the AMFI while limits for larger families use larger percentages of 50% of the AMFI.

[3] Income for the 80%, 50% and 30% categories are HUD's estimated figures rounded to the nearest $50.

Note 1: Figures shown are actual calculated figures except categories for 80%, 50%, and 30% which are HUD's published figures. HUD allows for rounding calculated amounts up to the nearest $50.

Note 2: The Dallas, TX HUD Metro FMR Area consists of the following counties: Collin, Dallas, Denton, Ellis, Hunt, Kaufman, and Rockwall.

Note 3: HUD literature refers to the 80% (of AMFI) standard as "low income" and the 50% standard as "very low income". The HUD definition "extremely low income" is not used for most HUD-funded programs; only in the Public Housing and Section 8 programs. The "extremely low income" amounts are the higher of 30% of AFMI or the 2018 Poverty Guidelines published by the Dept. of Health and Human Services. **Use the 30% of AMFI from the table below <u>only</u> for Public Housing and Section 8 programs.**

Eligibility Standard[3]	Number of Persons in the Household								
	1	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**
30%	$ 16,250	$ 18,550	$ 20,850	$ 25,100	$ 29,420	$ 33,740	$ 38,060	$ 42,380	$ 46,700

Note 4: Due to the Housing and Economic Recovery Acy of 2008 (Public Law 110-289) these limits may not be applicable to projects financed with Section 42 Low Income Housing Tax Credits (LIHTC) or Section 142 tax exempt private equity bonds. Those projects should use the Multifamily Tax Subsidy Project Income Limits.

ATTACHMENT F TO CHDO CERTFICATION APPLICATION

Community Housing Development Organization
SELF-CERTIFICATION FORM

For the purpose of determining income eligibility, I,_(print name), do hereby understand that in order to qualify as a representative of the low-income community, my total household income cannot exceed **80%** of the Median Family Income for the Dallas area as established by the Federal Government. Currently, the amounts are:
HUD Income Limits by Household Size
Effective Date: April 14, 2017
2017 Area Median Family Income for Dallas, Texas

1 PERSON	**2 PERSON**	**3 PERSON**	**4 PERSON**	**5 PERSON**	**6 PERSON**	**7 PERSON**	**8 PERSON**
$41,100	$47,000	$52,850	$58,700	$63,400	$68,100	$72,800	$77,500

The following is a list of all persons who are currently occupying this household:

Name	**Age**	**Relationship**	**Gross Monthly Income** (Before Taxes)

Signature Date

WARNING: Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government.

FOR CITY STAFF ONLY:

Based on the information provided above, the information has been verified by HNR Staff to reflect that the person named above

☐ **DOES** ☐ **DOES NOT**

qualify as a representative of the low-income community as defined by HUD.

HNR Staff Name: _____ Date: _____

CHDO Certification Application, **Attachment F**, CHDO Board Self-Certification Form

APPENDIX 6
Recapture/Resale Requirements for Homebuyer Activities

To ensure that HOME investments yield affordable housing over the long term, HOME regulations impose occupancy requirements over the length of an affordability period. If a house purchased with HOME funds is sold during the affordability period, recapture or resale provisions as per 24 CFR 92.254 shall apply to ensure the continued provision of affordable homeownership.

Definitions
Affordability Period: Occupancy restrictions for varying lengths of time for those homeowners assisted with HUD HOME funds. The affordability period affects the terms of the resale/recapture of the property if sold during the affordability period.

HOME Affordability Periods	
HOME subsidy/unit	Minimum Period of Affordability in Years
Under $15,000	5
$15,000 to $40,000	10
Over $40,000	15

Direct Homebuyer Subsidy: A direct subsidy consists of any financial assistance that reduces the purchase price from fair market value to an affordable price, or otherwise directly subsidized the purchase (e.g., down payment or closing cost assistance, subordinate financing, etc.).

Development subsidy: A development subsidy is the difference between the cost to develop housing and the market price. For example, the PJ might provide a $50,000 construction loan to a developer. The appraised value after construction will be $45,000 because of neighborhood and the market conditions. The $5,000 difference between the $45,000 sale price and $50,000 construction loan is not repaid to the PJ and represents a development subsidy provided to the developer. While the subsidy does not go directly to the homebuyer, it helps make development of an affordable home feasible.

Summary of Provisions for the City of Dallas by Subsidy Type:		
Direct Homebuyer Subsidy (DHS)	**DHS + Development Subsidy**	**Development Subsidy**
Recapture provisions shall apply	Recapture provisions shall apply	Resale provisions shall apply

Net Proceeds: The sales price minus loan repayment (other than HOME funds) and closing costs.

Recapture Requirements

Pursuant to HOME regulations at 24 CFR 92.254(a)(5) each HOME-funded homebuyer unit must be subject to either resale or recapture requirements during the affordability period. The City of Dallas exclusively uses the recapture provisions as defined herein and does not intend to use resale restrictions.

The City of Dallas provides HOME-funded direct buyer assistance to income eligible buyers based on need as dictated by the City of Dallas Homebuyer Assistance Program Underwriting Guidelines.

The level of HOME assistance provided to a buyer is based on an evaluation of the buyer's individual need taking into account their specific income, debts, etc. according to the City's underwriting policies for homebuyer assistance. Depending on the level of homebuyer assistance provided, the affordability period may be five (5) years (less than $15,000 in direct assistance), ten (10) years ($15,000 or more but less than $40,000 in direct assistance), or fifteen (15) years ($40,000 or more in direct assistance). Based on the City's program design, most projects trigger a 5- or 10-year affordability period.

All buyers sign a HOME written agreement with the City outlining the affordability period and recapture provisions. HOME assistance is provided in the form of a deferred loan secured by a second-position deed of trust which is due and payable upon sale or transfer of title. In the event buyers remain in the unit beyond the end of the affordability period, the HOME loan remains outstanding until sale or transfer of title while the term of the HOME written agreement expires.

Any sale or transfer of title during the affordability period results in recapture by the City of the lesser of the:

a) Entire amount of direct HOME assistance originally provided to the buyer (less any voluntary prepayments previously made); or
b) Net proceeds of sale (sales price minus senior secured debt minus reasonable seller's closing costs).

When the net proceeds are inadequate to fully repay the City's HOME loan, the City accepts the net proceed as full and final payoff of the note. The City reserves the right to determine that the sales price reflects an arms-length transaction at fair market value. Receipts received as a result of a sale within the affordability period are recorded as "recaptured funds." When net sales proceeds exceed the HOME assistance, buyers retain all remaining net proceeds after repaying the HOME loan balance.

After the expiration of the affordability period, any sale or transfer requires the HOME loan balance be repaid, and the City similarly limits the payoff to the net proceeds of sale. Receipts collected after the affordability period has expired are recorded as "program income." Net proceeds in excess of the City's HOME loan balance are retained by the original homebuyer.

Resale Requirements

The City of Dallas shall require that Resale provisions be used in the event that only a Development Subsidy is used to make the home affordable (i.e. funding construction to the developer). In a project where both Development and Direct subsidies are provided, recapture provisions apply.

Resale provisions require the homeowner to sell to another low-income homebuyer. The resale requirement must ensure that the price at resale provides the original HOME-assisted owner a fair return on investment and ensure that the housing will remain affordable to a reasonable range of low-income homebuyers as defined below:

Affordable to range of low-income homebuyers (As it relates to the Resale Provision only): That which is affordable to a family earning 80% AMI and below and that who not pay any more than 30% their gross income for PITI (Principle, Interest, Tax, and Insurance).

Fair Return on Investment (As it relates to the Resale Provision only): A Homeowner can sell the home during the affordability period according to the following chart:

Fair Return on Investment (as it relates to Resale Provision only)		
Years	**Lower Range**	**Max Limit**
Year 1-5 of Affordability Period	A Homeowner can sell the home during the affordability period for no more than 15% over DCAD's most recent appraisal value	Current (as of date of sale) Affordable Home Price as set forth in the City of Dallas Housing Policy
Year 6-15 of Affordability Period	No Cap on appreciation rate	Current (as of date of sale) Affordable Home Price as set forth in the City of Dallas Housing Policy

Homeownership projects undertaken using the resale provision shall use deed restrictions, covenants running with land, or other similar mechanisms per 92.254(a)(5)(i)(A) to ensure the resale requirements. The period of affordability specified in the mortgage will be the minimum period for the project as specified above. The period of affordability is based on the total amount of HOME funds invested in the housing.

Either recapture or resale provisions must be detailed and outlined in accordance with 24 CFR in marketing brochures, written agreements and all legal documents with homebuyer. Either recapture or resale may be used within a project, not both. Combining provisions to create "hybrids" is not allowed.

APPENDIX 7
City of Dallas Affirmative Fair Housing Marketing Policy

The Affirmative Fair Housing Marketing (AFHM) Plan is a marketing strategy or approach designed to attract renters and buyers that would be least likely to apply to assisted multi- family or single-family developments. The City of Dallas requires that all recipients and sub-recipients of HOME, CDBG or NSP funds, for all projects resulting in five (5) or more assisted housing units, implement affirmative marking approaches as part of the overall marketing strategy. To market affirmatively means that a good faith effort is made to attract to a project those minority or majority groups who are least likely to apply or are underrepresented in a neighborhood or community. Good faith efforts are recorded activities and documented outreach to those individuals identified as least likely to apply. Affirmative marketing requirements apply to all housing programs, including, but not limited to Tenant- Based Rental Assistance and Down Payment Assistance Programs.

The City of Dallas is committed to affirmatively market to such groups and requires that recipients of HOME/CDBG funds to submit an AFHM Plan using HUD Form 935.2B for single- family developments and HUD Form 935.2A for multi-family developments, prior to expending any funds on a project.

In developing an Affirmative Marketing Plan, the recipient/managing agent shall abide by the following:

I. Regulations

HOME: The recipient/managing agent shall adopt the affirmative marketing procedures and requirements as specified in the HOME Final Rule 92.351 for all projects resulting in five (5) or more HOME-assisted housing units.

CDBG: The Housing and Community Development Act of 1974, as amended, requires from each federal grantee, through the Consolidated Plan certify the following:

- **(1)** Examine and attempt to alleviate housing discrimination with their jurisdiction;
- **(2)** Promote fair housing choice for all persons;
- **(3)** Provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status, or national origin;
- **(4)** Promote housing that is accessible to and usable by persons with disabilities;
- **(5)** And comply with non-discrimination requirements of the Fair Housing Act.

II. Policy on Nondiscrimination and Accessibility

The recipient/managing agent shall not discriminate against any individual or family because of race, color, national origin, religion, gender, disability, familial status, sexual orientation, gender identity or expression or source of income (disability, child support, spousal support or veteran's income or voucher). Reasonable accommodations will be offered to all disabled persons who request accommodations due to disability at any time during the application, resident selection and rent up process.

III. Training

1. The recipient/managing agent shall provide property management staff with all relevant regulations and Fair Housing provisions. All property

management staff shall be required to follow the procedures and policies adopted by the recipient/managing agent. In the event that property management staff requires fair housing technical assistance, staff is to call the **City of Dallas Office of Fair Housing and Human Rights 214-670-FAIR (3247).**

2. Regular training programs shall including marketing, outreach, data collection, reporting, and record keeping. Property management staff shall annually receive instruction regarding fair housing laws and the recipient/managing agent's Affirmative Marketing Plan.

IV. Marketing and Outreach

1. All advertising shall display the Equal Housing Opportunity logo or the phrase "Equal Housing Opportunity" and the accessibility logo when appropriate, as shown below:



2. Consistent with resident population the development is designed to serve, the marketing of the project will ensure equal access to appropriate size units for all persons in any category protected by federal, state, and local laws governing discrimination. There will be no local residency requirements nor will preference be given to local residents for the project. Special marketing outreach consideration shall be given to the following traditionally underserved populations:
   a. African-Americans
   b. Native Americans
   c. Hispanics
   d. Asians and Pacific Islanders
   e. Disabled Persons

3. Marketing shall include the use of newspapers of general circulation in Dallas, The recipient/managing agent will place notices in newspapers, specialized publications, and newsletters to reach potential residents. Applications, notices and all publications will include a Fair Housing and Equal Opportunity Logo, and the Accessibility Logo.

4. The recipients/managing agent will contact local civic and community organizations representative of the ethnic and cultural diversity of the area in order to disseminate information about the development. Groups representing disabled and elderly individuals will be contacted. Where necessary, recipient/managing agent will publish its marketing

materials in multiple languages and alternate formats as requested in order to better reach potential recipients and sub-recipients in the area with language limitations.

V. Race and Ethnic Data Collection and Reporting

An applicant shall be given an application package containing the following: Application, Income Requirements and form HUD-27061-H "Race and Ethnic Data Reporting Form." The recipient/managing agent is required to offer each household member the opportunity to complete the form. Parents or guardians are to complete the form for children under the age of 18. Completed documents for the entire household shall be stapled together and place in the household's file.

VI. Compliance Assessment

1. The recipient/managing agent will review the Affirmative Marketing Plan every year and update as needed to ensure compliance. The advertising sources will be included in the review to determine if past sources should be changed or expanded.

2. The recipient/managing agent will annually assess the success of affirmative marketing actions for the project. If the demographic data of the residents vary significantly from the jurisdiction's population data, advertising efforts and outreach will be targeted to underrepresented groups in an attempt to balance the residents with the demographics of the jurisdiction. The recipient/managing agent shall submit any changes to the plan to the Fair Housing Office.

VII. Record Keeping

1. The assigned recipient/managing agent shall establish and maintain an Affirmative Marketing file to hold advertisements, flyers, and other public information documents to demonstrate that the appropriate logo and language have been used. Additionally, staff shall keep records of its activities in implementing the affirmative marketing plan, including other community outreach efforts and its annual analysis.

2. Recipient/managing shall keep up-to-date records based on census data, applications, and surveys about community residents, recipients and sub-recipients, residents of the project, and records about tenant selection or rejection.

3. The recipient/managing agent shall provide City staff provide City staff access to any pertinent books, documents, papers or other records of their properties, as necessary, for determining compliance with civil rights and nondiscrimination requirements.

APPENDIX 8
Residential Anti-Displacement and Relocation Assistance Plan (RARAP)

This Residential Anti-Displacement and Relocation Assistance Plan (RARAP) is prepared by the City of Dallas Housing & Neighborhood Revitalization Department (City) in accordance with the Housing and Community Development Act of 1974, Section 104(d) as amended and HUD regulations at 24 CFR 42.325 and is applicable to CDBG, CDBG-R, Section 108 Loan Guarantee Program, NSP and/or HOME-assisted projects.

Plan to Minimize Displacement of Low/Mod-Income Families as a Result of Any HUD Assisted Activities

Consistent with the goals and objectives of activities assisted under the Act, the City will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- Coordinate code enforcement with rehabilitation and housing assistance programs.
- Support the Redevelopment and Stabilization Target Areas through this policy
- Ensure the staging of rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
- Ensure for the arrangement of facilities to house persons who must be relocated temporarily during rehabilitation.
- Identify and mitigate displacement resulting from intensive public investment in neighborhoods.
- Provide reasonable protections for tenants faced with conversion to a condominium or cooperative.
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- If feasible, allow for demolition or conversion of only dwelling units that are not occupied or vacant occupied dwelling units (especially those units which are “lower- income dwelling units” (as defined in 24 CFR 42.305).
- Target only those properties deemed essential to the need or success of the project.

Relocation Assistance to Displaced Persons

The City will ensure relocation assistance for lower-income tenants who, in connection with an activity assisted under the above-mentioned Programs, move permanently or move personal property from real property as a direct result of the demolition of any swelling unit or the conversion of lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350.

A displaced person who is not a lower-income tenant, shall be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970m Section 104(d) as amended, and implementing regulations at 49 CFR Part 24.

One-for-One Replacement of Lower-Income Dwelling Units
The City will ensure replacement of all occupied and vacant occupied lower-income dwelling units demolished or converted to use other than lower-income housing in connection with a project assisted with funds provided under the above-mentioned programs in accordance with 24 CFR 42.375.

Before entering into a contract committing the City to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the City will ensure publication of such project in a newspaper of general circulation and submit to HUD the following information in writing:

1. A description of the proposed assisted project;

2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of assisted project;

3. A time schedule for the commencement and completion of the demolition or conversions;

4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. NOTE: See also 24 CFR 420.75(d).

5. The source of funding and a time schedule for the provision of the replacement dwelling units;

6. The basis for concluding that each replacement dwelling unit will remain a lower- income dwelling unit for at least 10 years from the date of initial occupancy; and

7. Information demonstrating that any proposed replacement of lower0income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1- bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specified location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the general location of such dwelling units will be identified on a map and the City will ensure that the disclosure and submission requirements are completed as soon as the specific data is available.

Replacement not required Based on Unit Available
Under 24 CFR 42.375(d), the City may submit a request to HUD for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

Responsible Entity

The City is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period. This City will also ensure that relocation payments and other relocation assistance are provided to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

APPENDIX 9
Other Federal Requirements

Other Federal Requirements	Apply to Owner Occupied Rehabilitation?	Apply to Homebuyer Programs?	Applies to Rental Housing Programs?
Non-Discrimination and Equal Access Rules			
Fair Housingand Equal Opportunity	Yes. Must affirmatively further Fair Housing	Yes	Yes.
Affirmative Marketing	Yes.	Yes, for all projects of five or more HOME-assisted units.	Yes; for projects containing five or more Home-assisted units.
Accessibility for Disabled Persons	Accessibility features must be part of rehabilitation, if needed by owner/occupant and the overall unit is brought up to the PJ's property standard. (Note: Accessibility improvements are eligible costs.)	Yes.	Yes.
Employment and Contracting Rules			
Equal Opportunity Employment	Yes.	Yes.	Yes.
Section 3 Economic Opportunity		Yes, if amount of assistance exceeds $200,000 or contract ***or*** subcontract exceeds $100,000.	Yes, if amount of assistance exceeds $200,000 or contract ***or*** subcontract exceeds $100,000.
Minority/Women Business Enterprises	No.	Yes.	Yes.
Davis-Bacon & other Labor	No.	Yes, if construction contract includes 12 or more units that are HOME-assisted	Yes, if construction contract includes 12 or more units that are HOME-assisted
Conflict of interest	Yes.	Yes.	Yes.
Excluded Parties (e.g., Debarred Contractors)	Yes.	Yes	Yes.
Other Federal Requirements			
Environmental Reviews	Yes.	Yes	Yes.
Flood Insurance	Yes for PJs that are cities/counties. No for State programs.	Yes if city or county. No if state program	Yes for PJs that are cities/counties. No for State PJs.

Site and Neighborhood Standards	No.	No.	Yes; for rental new construction only
Lead-Based Paint	Yes for pre-1978 units	Yes for pre-1978 units.	Yes for rehabilitation of pre-1978 units. Applies to HOME and non-HOME assisted units. Requirements differ depending on whether rehabilitation work is performed.
Relocation	Yes.	Yes	Yes.

APPENDIX 10
Lead-Based Paint Requirements

This portion of the manual outlines the requirements in relation to Lead-Based Paint.

The U.S. Department of Housing and Urban Development recently adopted new regulations in relation to the treatment of Lead Based Paint in properties built before 1978 that are assisted with HUD funding. The requirements are outlined below based on the activity undertaken. To obtain a copy of the rules from HUD, go to the HUD website at: www.hug.gov/lead and download the regulation.

The section does not outline the City programs that are available to provide financial assistance in relation to lead abatement. Please note, however that any financial assistance provided by the City to address lead based paint will be in the form of a GRANT to the homeowner to developer.

Down-payment Assistance Programs:

The following are HUD's requirements See 24 CFR part 35 (subpart K):

- Distribute Lead Hazard Information Pamphlet and Disclosure to buyers of homes built prior to 1978.
- Perform Visual Assessment of all painted surfaces.
- If Visual Assessment reveals deteriorated paint, action must be taken to stabilize each deteriorated paint surface.
  -At this point, one will have to assume every component has lead since the Visual Assessment does not determine where lead is present. Safe work practices must be used by trained worker in this field. Paint stabilization works will on non-friction surfaces such as walls (interior/exterior). When dealing with friction points such as windows and doors, abatement procedures (removal, replacement, enclosure) are recommended.
- After paint stabilization, clearance must be performed by a certified Risk Assessor or Lead Inspector. HUD has established lead levels that meet clearance requirements.
- Notify the homebuyer within 15 days of results of clearance exam.

At the Visual Assessment Stage, the homebuyer *may opt* for a lead test. This will reveal the levels of lead present in the home. A lead inspection will not tell you the risk involved, but only where the lead is located. This is when a buyer may request a Risk Assessment to outline the necessary Lead Hazard Reduction methods needed to insure a lead safe residence.

Following are some options (NOT REQUIREMENTS) to consider in relation to your program design for down payment assistance programs:

- If the visual assessment reveals defective paint in which stabilization and clearance is required then this cost can be funded by the nonprofit or the homebuyer or seller.
- If visual assessment shows no deterioration of a painted surface, the homebuyer can sign a waiver stating that they are aware of the potential presence of lead paint and they choose not to address it.
- A qualified consultant should advise on any lead inspection, lead hazard screen or risk assessments.

For Rehabilitation Programs (Owner-Occupied, Homebuyer, and Rental Property Rehabilitation Programs and Historic Preservation Residential Programs):

See 24 CFR Part 35 (subpart J)

If you are implementing a rehabilitation program, HUD's requirements are a bit more stringent in relation to lead based paint. The following describes HUD's requirements:

For HUD funded rehabilitation activities, lead hazard evaluation and reduction activities must be carried out for all projects constructed before 1978.

In all case, notification must be made to the homeowner/buyer in the form of the HUD Lead Hazard Information Pamphlet and Disclosure or an acceptable alternative pamphlet.

The required evaluation and reduction activity is dependent upon the amount of HUD funding used for the project.

For cases where less than or equal to $5,000 will be spent on the rehabilitation: *Testing:* Paint Testing of surfaces to be disturbed by the rehabilitation activities must occur.

Lead Hazard Reduction: Surfaces, which are disturbed during rehabilitation, must be re paired. Safe work practices must be used. After the rehabilitation activities are completed, clearance must be performed by a certified professional to ensure that units are safe.

For cases where $5,001 to $25,000 will be spent on the rehabilitation:
Testing: Paint testing of surfaces to be disturbed by rehabilitation must occur. In addition, a risk assessment must be performed.

Lead Hazard Reduction: Interim controls must be used. This means that the friction and impact surfaces would be addressed. Interim controls include paint stabilization and cleaning. Safe work practices must be used. After the rehabilitation activities are completed, clearance must be performed by a certified professional to ensure that units are safe.

For cases where more than $25,000 will be spent on the rehabilitation:
Testing: Paint testing of surfaces to be disturbed by rehabilitation must occur. In addition, a risk assessment must be performed.

Lead Hazard Reduction: abatement of hazards is the required approach. Abatement involves permanently removing lead based hazards, often through paint and component removal, replacement, encapsulation and enclosure. Interim controls and paint
stabilization may be used on the home's exterior if it is not involved in the rehabilitation. Safe work practices must be used. After the lead hazard reduction activities are completed, clearance must be performed by a certified professional to ensure that units are safe.

Calculating the level of rehabilitation assistance:
When calculating how much HUD funding will be used on a rehabilitation project, the following costs are counted: soft costs, administrative costs, relocation costs, environmental reviews, acquisition of property, and lead hazard evaluation and reduction costs.

Lead-Based Paint Requirements
For HUD funded rehabilitation activities, lead hazard evaluation and reduction activities must be carried out for all projects constructed before 1978.

Less than or equal to $5,000 spent on the rehabilitation:
Projects where the level of rehabilitation assistance is less than or equal to $5,000 per unit must meet the following requirements. All work must be conducted using lead safe work practices and workers/contractors must be trained in lead safe work practices. It is presumed that painted surfaces being worked on contain lead-based paint. All disturbed paint must be repaired. Clearance is required by a State of Texas Certified Risk Assessor or Inspector if paint is disturbed. Safe work practices are NOT required when lead hazard reduction activities do not disturb (De Minimis Levels) painted surfaces that total more than 20 sq ft on exterior surfaces, 2 sq ft in any one interior room, or space or 10% of the total surface on an interior or exterior type of component.

In addition, the following notices must be provided to owners:

- Lead Hazard Information pamphlet
- Notice of Presumption and
- The Notice of Lead Hazard Reduction

Where $5,001 to $25,000 spent on the rehabilitation:
A risk assessment is required to identify lead hazards and identified hazards must be addressed by interim controls. A risk assessment must be conducted by a qualified professional prior to rehabilitation to find lead-based paint hazards in assisted units, in common areas that service those units, and on exterior surfaces. The risk assessment must include paint testing of any surfaces to be disturbed by the rehabilitation. If the risk assessment identifies lead-based paint hazards, interim controls must be implemented to address lead-based paint hazards. Interim controls must be performed by qualified professionals using safe work practices. Clearance, conducted by a State of Texas Certified Risk Assessor or Inspector, is required when lead hazard reduction activities are complete.

In addition, the following notices must be provided to owners:

- Lead Hazard Information pamphlet
- Notice of Presumption and
- The Notice of Lead Hazard Reduction

Where more than $25,000 will be spent on the rehabilitation:
A risk assessment is required to identify hazards and any identified hazards must be abated by a qualified professional. A risk assessment must be conducted prior to rehabilitation to find lead- based paint hazards in assisted units, in common areas that service those units, and on exterior surfaces. The risk assessment must include paint testing of any surfaces to be disturbed by the rehabilitation.

To address hazards identified:

- Abatement must be conducted to reduce all identified lead-based paint hazards except those described below. Abatement must be conducted by a certified abatement contractor.

If lead-based paint hazards are detected during the risk assessment on the exterior surfaces that are not to be disturbed by rehabilitation, interim controls may be completed instead of abatement to reduce these hazards.

- Clearance is required when lead hazard reduction activities are complete.

In addition, the following notices must be provided to owners:

- Lead Hazard Information pamphlet
- Notice of Presumption and
- The Notice of Lead Hazard Reduction

	<$5,000	$5,000 to $25,000	>$25,000
Approach to Lead Hazard Evaluation and Reduction	Do no harm	Identify and control lead hazards	Identify and abate lead hazards
Notification	Yes	Yes	Yes
Lead Hazard Evaluation	Paint Testing	Paint Testing and Risk Assessment	Paint Testing and Risk Assessment
Lead Hazard Reduction	Repair surfaces disturbed during rehabilitation	Interim Controls	Abatement (Interim controls may be used on exterior surfaces not disturbed by rehabilitation

APPENDIX 11
Environmental Review Policy, Procedures, and Standards

For every project, an Environmental Review must be completed in accordance with 24 CFR Part 58 prior to executing an agreement with a sub-recipient, developer or CHDO. The City has developed the "Environmental Review Policy, Procedures, and Standards" document to outline the process and requirements of completing an Environmental Review.

APPENDIX 12
SECTION 3

All projects receiving an award of HOME funds must comply with HUD's Section 3 requirements. The purpose of Section 3 is to ensure that employment, training, contracting, and other economic opportunities generated by financial assistance from HUD shall, to the greatest extent feasible, and consistent with existing federal, state, and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns that provide economic opportunities to low- and very low-income persons. Recipients of an award of HOME funds will be required to complete Section 3 compliance forms prior to execution of a loan agreement. Applicants requesting HOME funds must provide a written strategy demonstrating understanding of the Section 3 requirements and detailing how they will ensure that, when employment or contracting opportunities are generated because the project or activity necessitates the employment of additional persons or the award of contracts for work, preference shall be given to low- and very low-income persons or business concerns in the neighborhood. Neighborhood is defined in the HOME regulations (24 CFR Part 92, Subpart A) as "a geographic location designated in comprehensive plans, ordinances, or other local documents as a neighborhood, village, or similar geographical designation that is within the boundary but does not encompass the entire area of a unit of general local government."

Developers must obtain the City's approval of the Section 3 plan prior to the construction start of the project.

APPENDIX 13
MINORITY BUSINESS ENTERPRISE & WOMEN BUSINESS ENTERPRISE

Developers must maintain a MBE/WBE plan that demonstrates marketing and solicitation of MBE/WBE businesses and contractors for the construction of the project.

APPENDIX 14
Regulatory References

You may be interested in reading the actual regulations published by the U.S. Department of Housing and Urban Development for CDBG and HOME and the applicable federal requirements. A copy of the regulations may be obtained by the contracting the Department of Housing and Neighborhood Revitalization or downloading the information from the HUD website at www.hud.gov.

The regulations for CDBD are located at 24 CFR Part 570: Part 570 – Community Development Block Grants

Subpart A – General Provisions

Section	Title
570.1	Purpose and Primary Objective
570.2	Removed
570.3	Definitions
570.4	Allocations of Funds
570.5	Waivers

Subpart C – Eligible Activities

Section	Title
570.200	General Policies
570.201	Basic eligible activities
570.202	Eligible rehabilitation and preservation activities
570.203	Special economic development activities
570.204	Special activities by Community-Based Development Organizations (CBDO's)
570.205	Eligible planning, urban environmental design and policy-planning-management- capacity building activities
570.206	Program administration costs
570.207	Ineligible activities
570.208	Criteria for national objectives
570.209	Guidelines for evaluating and selecting economic development projects

The regulations for HOME are located at 24 CFR Part 92: Home Investment Partnerships Program

Section	Title SUBPART A - GENERAL
92.1	Overview
92.2	Definitions
92.4	Waivers and Suspensions of Requirements for Disaster Areas

SUBPART B – ALLOCATIONS FORMULA

92.50 Formula Allocations
92.60 Allocation Amounts for Insular Areas
92.61 Program Description
92.62 Review of Program Description and Certifications
92.63 Amendments to Program Description
92.64 Applicability of Requirements to Insular Areas
92.65 Funding Sanctions
92.66 Reallocations

SUBPART C – CONSORTIA; DESIGNATION AND REVOCATION OF DESIGNATION AS A PARTICIPATING JURISDICTION

92.101 Consortia
92.102 Participation Threshold Amount
92.103 Notification of Intent to Participate
92.104 Submission of a Consolidated Plan
92.105 Designation as a Participating Jurisdiction
92.106 Continuous Designation as a Participating Jurisdiction
92.107 Revocation of Designation as a Participating Jurisdiction

SUBPART D – SUBMISSION REQUIREMENTS

92.150 Submission Requirements

SUBPART E – PROGRAM REQUIREMENTS

92.200 Private-Public Partnership
92.201 Distribution of Assistance
92.202 Site and Neighborhood Standards
92.203 Income Determinations
92.204 Applicability of Requirements to Entities that Receive a Reallocation of HOME Funds, other than Participating Jurisdictions
92.205 Eligible Activities: General
92.206 Eligible Project Costs
92.207 Eligible Administrative and Planning Costs
92.208 Eligible Community Housing Development Organization (CHDO) Operating Expense and Capacity Building Costs
92.209 Tenant-Based Rental Assistance: Eligible Costs and Requirements

Lead Based Paint Regulations
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
24 CFR Parts 35, 91, 92, 200, 203, 206, 280, 291, 511, 570, 572, 573, 574, 576, 582, 583, 585,
761, 881, 882, 883, 886, 891, 901, 906, 941, 965, 968, 670, 982, 983, 1000, 1003, and 1005
Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance.

AGENCY: Office of the Secretary – Office of Lead Hazard Control, HUD.

ACTION: Final rule.

SUMMARY: The purpose of this rule is to ensure that housing receiving Federal assistance and federally owned housing that is to be sold does not pose lead-based paint hazards to young children. It implements sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, which is Title X of the Housing and Community Development Act of 1992.
The requirements of this rule are based on the practical experience of cities, states and others who have been controlling lead-based paint hazards in low-income privately-owned housing and public housing through HUD assistance. It also reflects the results of new scientific and technological research and innovation on the sources, effects, costs, and methods of evaluating and controlling lead hazards. With today's action, HUD's lead-based paint requirements for all Federal programs are now consolidated in one part of title 24 of the Code of Federal Regulations.

DATES: Effective Dates: Section 35.140 is effective on November 15, 1999. All other provisions of the rule are effective on September 15, 2000.

FOR FURTHER INFORMATION CONTACT: For questions on this rule, call (202) 755-1785, ext. 104 (this is not a toll-free number) or e-mail your inquiry to lead regulations@hud.gov. For lead-based paint program information, contact the Office of Lead Hazard Control, Department of Housing and Urban Development, 451 7th Street, SW, Room B-133, Washington, DC 20410- 0500. For legal questions, contact the Office of General Counsel, Room 9262, Department of Housing and Urban Development. Hearing and speech-impaired persons may access the above telephone number via TTY by calling the toll-free Federal Information Relay Service at 1-800- 877-8339.

Subpart A – Disclosure of Known Lead-Based Paint Hazards upon Sale or Lease of Residential Property.
Subpart B – General Lead-Based Paint Requirements and Definitions for All Programs

- **a.** Definitions
- **b.** Exemptions
- **c.** Options
- **d.** Notice of Evaluation and Hazard Reduction Activities

e. Lead Hazard Information Pamphlet
f. Use of Paint Containing Lead
g. Prohibited Methods of Paint Removal
h. Compliance with Other, State, Tribal, and Local Laws
i. Minimum Requirements
j. Waivers
k. Prior Evaluation or Hazard Reduction
l. Enforcement
m. Records

Subpart C – Disposition of Residential Property Owned by Federal Agency Other Than HUD **Subpart D –** Project-Based Assistance Provided by a Federal Agency Other than HUD **Subpart E -** Reserved
Subpart F – HUD-Owned Single-Family Property **Subpart G –** Multifamily Mortgage Insurance **Subpart H –** Project – Based Rental Assistance
Subpart I – HUD – Owned and Mortgagee-in-Possession Multifamily Property
Subpart J – Rehabilitation
Subpart K – Acquisition, Leasing, Support Services, or Operation
Subpart L - Public Housing Programs
Subpart M – Tenant-Based Assistance
Subpart N-Q – Reserved
Subpart R – Methods and Standards for Lead-Based Paint Hazard Evaluation and Reduction Activities

a. Standards
b. Adequacy of Dust-Lead Standards
c. Summary Notice Formats
d. Interim Controls
e. Standard Treatments
f. Clearance
g. Occupant Protection and Worksite Preparation
h. Safe Work Practices
i. Ongoing Lead-Based Paint Maintenance and Reevaluation

~~APPENDIX 15~~

OWNER-OCCUPIED HOUSING REHABILITATION / RECONSTRUCTION PROGRAM
GENERAL CONTRACTOR / HOMEBUILDER APPLICATION

A. **COMPANY NAME:** (Print) _____

Address _____

City, State, & Zip _____

Office Telephone No. _____ Employer's Tax No. _____

Cell No. _____ Fax No. _____

B. **BUSINESS OWNER(S) / PRINCIPAL(S):**

1. Name _____ Title _____

Home Address _____

City, State, & Zip _____

Telephone No. ( )_____ Fax No. ( ) _____

2. Name _____ Title _____

Home Address _____

City, State, & Zip _____

Telephone No. ( ) _____ Fax No. ( ) _____

3. Name _____ Title _____

Home Address _____

City, State, & Zip _____

Telephone No. ( ) _____ Fax No. ( )_____

C. **HISTORY OF COMPANY:**

1. How long has your company been under the present company name? If less than 2 years, please list previous company name, if any_____

   _____

2. Are you a member of any trade or professional association? Yes _____ No _____

   If yes, please indicate name and number of years as member: _____

   _____

   _____

3. Number of Employees: Office/Admin_____Trades _____ (Give averages if number fluctuates)

4. Contractor's and/or Homebuilder's License Number _____

   Where Licensed _____

5. Have you ever had your Contractor's License revoked? Yes _____ No _____

If yes, provide year revoked and justification.

_____ _____

_____

6. Have you ever defaulted on a contract? Yes _____ No _____
7. Are you on any debarment or suspension lists or have been declared ineligible to participate in any Federal Assistance Programs? Yes _____ No _____
8. Have any members of the firm been sued within the past 2 years by sub-contractors, suppliers, customers, or other persons? Yes _____ No _____

   If yes, give details: _____

   _____
9. Do you have working capital to start a home improvement job of $50,000.00? Yes_____ No_____
10. How do you finance your work?

    _____
11. If this application is approved, how do you plan on financing these public projects?

    _____
12. If you intend on using interim financing from a lending institution to finance these public projects, please provide a commitment letter from your lending institution or

other financial resources.

D. **CONTRACTOR'S INFORMATION AND BACKGROUND:**

1. Principal Contractor's Social Security Number: _____
2. How long have you been in business? _____
3. Describe your construction background and specific trades: _____

   _____

   _____

   _____

   If you have no construction background, who in your company does? _____

   _____

4. In what areas and trades are you licensed by the City of Dallas? _____

   _____

5. Who is responsible for jobsite day-to-day activities such as: scheduling, supervision,
Coordination, quality control, clients concerns and complaints, etc.?

Name:
_____

Title:_____ Years w/Company _____

6. Please list full-time employees and the trades they cover? List names, trades and licenses,
if any, and years with the company.

_____

_____

_____

7. What kind of warranty do you provide your customers upon completion of the construction work and how long is the warranty period? _____

_____

8. How long does it take you to build a new 1,900 square foot home? _____

9. How long does it take you to complete a FULL rehab of a 1,900 square foot home on pier and beam? _____

E. <u>CONSTRUCTION WORK PREFERENCE:</u>

1. What type of construction work program do you want to participate in?

- ❑ Reconstruction (New construction) Yes_____ No_____
  - o Single family units Yes_____ No_____
  - o Multi-family developments Yes_____ No_____
- ❑ Rehabilitation (Existing homes) Yes_____ No_____
  - o Single family units Yes_____ No_____

- Multi-family developments Yes_____
  No_____

E. EXPERIENCE WITH PUBLIC AGENCIES:

1. Have you participated or worked with similar federally-funded housing construction programs with other entities, i.e., Dallas Housing Authority (DHA), other housing non-profit organizations, etc.? Yes _____ No _____

   If yes, please complete the following information:

   (a) Agency Name _____ Phone No. _____

   Address _____ City, State, and Zip _____

   Type of Work_____

   Contract Amount $ _____ Units Completed _____ Date: _____

   (b) Agency Name _____ Phone No. _____

   Address _____ City, State, and Zip _____

   Type of Work_____

   Contract Amount $ _____ Units Completed _____ Date:_____

   (c) Agency Name _____ Phone No. _____

   Address _____ City, State, and Zip _____

   Type of Work _____

   Contract Amount $ _____ Units Completed _____ Date: _____

   (d) Agency Name _____ Phone No. _____

   Address _____ City, State, and Zip _____

   Type of Work _____

Contract Amount $ _____ Units Completed _____ Date: _____

G. **CURRENT CONTRACT AGREEMENTS:**

Presently, do you have any contracts under construction? Yes _____ No _____

If yes, provide the following information:

Project Address	Contract Amount	Client's Name	Client's Phone No.	Construction Start and Expected Completion
1				
2				
3				
4				

H. **INSURANCE REQUIREMENTS (See Attachment A): If your application is approved, you will be required to provide proof of insurance as outlined in Attachment A.**

I. **EXPERIENCE: REHABILITATION AND/OR RECONSTRUCTION WORK DURING THE PAST YEAR:**

1. Name _____ Phone No. _____

   Address _____ City, State, Zip _____

   Type of Work _____

   Contract Amount $ _____ Completed _____

2. Name _____ Phone No. _____

   Address _____ City, State, Zip _____

Type of Work _____

Contract Amount $ _____ Completed _____

3. Name _____ Phone No. _____

Address _____ City, State, Zip _____

Type of Work _____

Contract Amount $ _____ Completed _____

4. Name _____ Phone No. _____

Address _____ City, State, Zip _____

Type of Work _____

Contract Amount $ _____ Completed _____

Contract Amount $ _____ Completed _____

J. REQUIRED DOCUMENTS:

1. The following documents must accompany this General Contractor / Homebuilder Application before this application is accepted and processed.

- ❑ Copy of Current Picture I.D. (Texas Driver's License) of Owners
- ❑ Copy of Current General Contractor's License
- ❑ Copy of Current Homebuilder's License
- ❑ Copy of commitment letter from financial resource if applicable
- ❑ Copy of Current Certificate of Liability Insurance to include General Liability & Workers compensation and employers' Liability

- 2007/2008 Tax Returns for Business or Owners

K. **PENALTY FOR FALSE OR FRAUDULENT STATEMENT:**

USC Title 18, Sec. 1001, states: "Whomever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statement or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both."

The undersigned certifies that all information provided in this CONTRACTOR INFORMATION APPLICATION, and all information in support of said form, is true and complete to the best of the undersigned's knowledge and belief. Further, the undersigned hereby authorizes and requests any person, firm or corporation to furnish any information requested by the City of Dallas, Housing & Neighborhood Revitalization Department, in verification of the recitals comprising this statement of contractor's qualifications.

SIGNED this _____ day of _____, 2008.

_____
Name of Business

By: _____
Print Name

Title: _____
Owner, Partner, President, Agent or Representative

STATE OF TEXAS §

§

DALLAS COUNTY §

BEFORE ME, the undersigned authority, on this day personally appeared _____
_____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledges to me that the answers to the foregoing questions and all statements therein contained are true and correct.

GIVEN UNDER my hand and seal of office this _____ day of, _____, 2008.

_____
NOTARY PUBLIC, STATE OF TEXAS

Please Return Completed Application to:

City of Dallas
Housing & Neighborhood Revitalization Department
Attention: Inspections Manager
1500 Marilla Street,
Dallas, Texas 75201

For Questions, please contact:

EXHIBIT "A"
INSURANCE REQUIREMENTS

Prior to the commencement of the Project or any other work under this Agreement, BORROWER shall furnish an original completed Certificate(s) of Insurance or the City's Standard Certificate of Insurance form to the City's Housing & Neighborhood Revitalization Department and City's Risk Management Division, and shall be clearly labeled with Agreement name, which shall be completed by an agent authorized to bind the named underwriter(s) and their company to the coverage, limits, and termination provisions shown thereon. The original certificate(s) of form must have the agent's original signature, including the signer's company affiliation, title and phone number, and be mailed directly from the agent to the City. The City shall have no duty to pay or perform under this Agreement or under any of the other Loan Documents until such certificate(s) shall have been delivered to the City's Housing & Neighborhood Revitalization Department and the City's Risk Management Office, and no officer or employee, other than the City's Risk Manager, shall have authority to waive this requirement.

The City reserves the right to review the insurance requirements of this section during the effective period of this Agreement and of the other Loan Documents, including the term of the Note, and any extension of renewal thereof and to modify insurance coverage and their limits when deemed necessary and prudent by the City's Risk Manager based upon changes in statutory law, court decisions, or circumstances surrounding the Project, this Agreement or any of the other Loan Documents, but in no instance will the City allow modification whereupon the City may incur increased risk.

A BORROWER's financial integrity is of interest to the City; therefore, subject to BORROWER's right to maintain reasonable deductibles in such amounts as are first approved in writing by the City, BORROWER shall obtain and maintain in full force and effect for the duration of this Agreement and the other Loan Documents, and any extension thereof, at BORROWER's sole expense, insurance coverage written on an occurrence basis, by companies authorized and admitted to do business in the State of Texas and rated A- or better by A.M. Best Company and/or otherwise acceptable to the City, in the following types and amounts:

TYPE	AMOUNTS

1. Workers' Compensation ** Employers' Liability **	Statutory $1,000,000/$1,000,000/$1,000,000
2. Commercial General (public) Liability Insurance to include coverage for the following: a. Premises operations *b. Independent contractors c. Products/completed operations d. Personal Injury e. Contractual Liability *f. Explosion, collapse, underground g. Broad form property damage, to include fire legal liability	For Bodily Injury and Property Damage of $1,000,000 per occurrence; $2,000,000 General Aggregate, or its equivalent in Umbrella or Excess Liability Coverage
3. Business Automobile Liability a. Owned/leased vehicles b. Non-owned vehicles c. Hired Vehicles	Combined Single Limit for Bodily Injury and Property Damage of $1,000,000 per occurrence
4. Professional Liability (Claims Made Form)	$1,000,000 per claim to pay on behalf of the insured all sums which the insured shall become legally obligated to pay as damages by reason of any act, malpractice, error or omission in professional services.
*5. Payment/Performance Bond	$125,000.00
*6. Builder's Risk	$125,000.00
*7. Pollution of Fuel Storage Tank	$125,000.00
*8. Environmental	$125,000.00
*9. Commercial Crime/Fidelity Bond, etc.	$125,000.00
*10. Liquor Legal Liability	$125,000.00
* If Applicable	
** Alternate Plans Must Be Approved by Risk Management	

11. BORROWER must provide to City proof of continuous and renewed professional liability insurance having been obtained by all professional persons performing work or services in connection with the Project, such insurance policy having an extended discovery period of two (2) years, with such insurance policy being maintained in the same manner as set forth herein.

12. Upon completion of construction of the Project, BORROWER must carry insurance to the extent of 80% of A.C.V., fire and extended coverage policy.

13. BORROWER must provide insurance in the manner set forth herein protecting City with a standard mortgage clause naming City as loss payee for a sum equal at least to BORROWER's indebtedness to City.

BORROWER shall contractually require all third-party contractors associated with the Project to obtain the foregoing types of insurance, in the amounts and in the manner as specified herein.

The City shall be entitled, upon request and without expense, to receive copies of the policies and all endorsements thereto as they apply to the limits required by the City, and may make a reasonable request for deletion, revision, or modification of particular policy terms, conditions, limitations or exclusions (except where policy provisions are established by law or regulation binding upon either of the parties hereto or the underwriter of any such policies). Upon such request by the City, BORROWER shall exercise reasonable efforts to accomplish such changes in policy coverage and shall pay the cost thereof.

BORROWER agrees that with respect to the above-required insurance, all insurance contracts and Certificate(s) of Insurance will contain the following required provisions:

- Name City and its officers, employees, volunteers and elected representatives as additional insureds as with respect to operations and activities of, or on behalf of, the named insured performed under contract with the City, with the exception of the workers' compensation (and professional liability, if required) policies;

- BORROWER's insurance shall be deemed primary with respect to any insurance or self insurance carried by the City for liability arising out of operations under this agreement with the City or under any of the other Loan Documents; and

- Workers' compensation and employers' liability policy will provide a waiver of subrogation in favor of City.

BORROWER shall notify the City in the event of any notice of cancellation, non-renewal or material change in coverage and shall give such notices not less than thirty (30) days prior to the change, or twenty (20) days notice for cancellation due to non-payment of premiums, which notice must be accompanied by a replacement Certificate of Insurance. All notices shall be given to the City at the following address:

City of Dallas
Housing & Neighborhood Revitalization Department
Attn: Director
1500 Marilla St.
Dallas, Texas 75201

and

City of Dallas
Risk Management Division
P.O. Box 839966
Dallas, Texas 78283-3966

If BORROWER fails to maintain the aforementioned insurance, or fails to secure and maintain the aforementioned endorsements, the City may obtain such insurance, and deduct and retain the amount of the premiums for such insurance from any sums due under any of the Loan Documents; however, procuring of said insurance by the City is an alternative to other remedies the City may have, and is not the exclusive remedy for failure of BORROWER to maintain said insurance or secure such endorsement. In addition to any other remedies the City may have upon BORROWER's failure to provide and maintain any insurance or policy endorsements to the extent and within the time herein required, the City shall have the right to (a) withdraw from the Project, (b) withhold any and all Loan monies until BORROWER

demonstrates compliance with the requirements hereof, (c) declare a default under the Note and/or (d) terminate any and all Loan Documents.

Nothing herein contained shall be construed as limiting in any way the extent to which BORROWER may be held responsible for payments of damages to persons or property resulting from BORROWER's or its subcontractors' performance of the work covered hereunder or under any of the other Loan Documents.

APPENDIX 16

IMPLEMENTATION REQUIREMENTS					
	Requires an ordinance change	**Authorized by Resolution**	**Policy Decision**	**Available through NEZ**	**Non-City Action**
Accessory Dwelling Units	X				
Building Code Fee Waivers	X			X	
Community Court			X		
Code Lien Foreclosures			X		
Community Land Trust	X				
Contractor Training Program		X	X		
Development Code Fee Waivers	X				
Employer-Assisted Housing Program					X
Envision Centers					X
Expedited Processing			X		
Home Improvement Preservation Program		X	X		
Homestead Preservation Districts			X		
Housing Trust Fund		X			
Incentive Zoning/Density Bonuses	X				
Lien Releases	X				
Multi-Family Rehab Program		X			
Neighborhood Empowerment Zones		X			
Opportunity Zones					
Park Land Dedication Fees					
Property Tax Abatement		X		X	
Rental/Homeowner Maintenance Education Program	X				
Tax Increment Financing (TIF)		X			
Voucher Sublease Program		X	X		

	Proposed Type of Activities	Redevelopment Areas	Stabilization Areas	Emerging Markets	Citywide	
1	Notice of Funding Availability: New Development (for-sale and rental) or Substantial Rehabilitation	P	P	N	Y	
2	Preservation of owner-occupied housing: Home Improvement & Preservation Program	P	P	y	Y	
3	Preservation of Single-Family rental housing: Home Improvement & Preservation Program	P	P	Y	Y	
4	Preservation of Multi-Family rental housing: Home Improvement & Preservation Program	P	P	Y	Y	
5	Landbanking	N	P	P	N	
6	Code Lien Foreclosures	N	P	P	N	
7	Neighborhood Empowerment Zones (unlocks development fee waivers including landscape and tree mitigation and parkland dedication fees & property tax freeze)	N	Y	N	N	
8	City's Second Mortgage Assistance Program (DHAP)	Y	Y	Y	Y	
9	Neighborhood Revitalization Strategy Area Designation	P	P	P	N	
10	Dallas Tomorrow Fund (Dept. of Code Compliance home repair fund through fee assessment)	Y	Y	Y	Y	
11	Code Academy	Y	Y	P	Y	P= Priority Y=Yes N=No
12	Tax Increment Reinvestment Zone designation - If one doesn't already exist	Y	Y	Y	N	
13	Create Neighborhood Association	Y	Y	P	Y	
14	Neighborhood Sweep - 2 week intensive; minor street repair, code inspections, signage, beautification projects, neighborhood plan)	Y	Y	P	N	
15	Neighborhood Beautification Projects	Y	Y	P	Y	
16	Low Income Housing Tax Credit City support - with scoring criteria	N	Y	N	Y	
17	Voucher Sublease Agreements	Y	Y	Y	Y	
18	Accessory Dwelling Units	See Citywide	Y	See Citywide	Y-opt in	
19	Incentive Zoning	P	P	N	Y	
20	Homestead Preservation District designation	N	P	N	N	
21	Community Land Trust	Y	P	N	N	
22	Tenant Based Rental Assistance Program (HILI)	-	-	-	Y	
23	Express Plan Review	P	P	N	N	

Agenda Information Sheet

File #: 19-777 **Item #:** 33.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Library

EXECUTIVE: Joey Zapata

SUBJECT

Authorize **(1)** the acceptance of a grant from Arts Midwest on behalf of National Endowment for the Arts (NEA) (Grant No. 00024062/Federal ID No. 1844334-52-C-18, CFDA No. 45.024) in the amount of $15,000.00 to support the implementation of the NEA Big Read Program for the City of Dallas for the period September 1, 2019 through June 30, 2020; **(2)** the establishment of appropriations in an amount not to exceed $15,000.00 in the NEA Big Read Grant 19-20 Fund; **(3)** the receipt and deposit of grant funds from Arts Midwest on behalf of National Endowment for the Arts in an amount not to exceed $15,000.00 in the NEA Big Read Grant 19-20 Fund; **(4)** a required local match in an amount not to exceed $24,735.00 from the General Fund; **(5)** an in-kind match in the amount of $4,306.00; and **(6)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total not to exceed $44,041.00 - Financing: Arts Midwest Grant Funds ($15,000.00), In-Kind ($4,306.00) and General Fund ($24,735.00)

BACKGROUND

NEA in partnership with Arts Midwest, awards competitive grants to libraries across the country to host NEA Big Read programming designed to broaden understanding of the world, our community, and ourselves through the joy of sharing a good book. The City of Dallas, Dallas Public Library, has been awarded one of these grants.

NEA Big Read grant, in the amount of $15,000.00, will be used to carry out NEA Big Read Dallas programming for teens and adults throughout the City that will focus on the selected title, *Into the Beautiful North*. The grant will be used to cover the cost of giveaway books for book discussions, conversations with the author, staged readings, writing workshops, and a film screening at the Majestic Theatre of *The Magnificent Seven*, which is prominently featured in the selected book. Programming will be a collaboration between Dallas Public Library and the Office of Cultural Affairs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life, Arts & Culture Committee on June 10, 2019.

FISCAL INFORMATION

Arts Midwest Grant Funds - $15,000.00
General Fund (local cash match) - $24,735.00

This action will also have an associated in-kind match not to exceed $4,306.00.

WHEREAS, Arts Midwest on behalf of the National Endowment for the Arts (NEA) has awarded the City of Dallas, Dallas Public Library, grant funds to support the development and execution of a dynamic community reading program, NEA Big Read Dallas; and

WHEREAS, it is recommended that the City Manager be authorized to accept the grant funds, in an amount not to exceed $15,000.00.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to: accept a grant from Arts Midwest on behalf of the National Endowment for the Arts in the amount of $15,000.00 to support the implementation of the NEA Big Read Dallas Program (Grant No. 00024062/Federal ID No. 1844334-52-C-18, CFDA No. 45.024) for the period September 1, 2019 through June 30, 2020; and execute the grant agreement and all terms, conditions, and documents required by the grant agreement, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $15,000.00 in the NEA Big Read Grant 19-20 Fund, Fund F575, Department LIB, Unit 3881, various Object Codes, according to the attached Schedule.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed $15,000.00 in the NEA Big Read Grant 19-20 Fund, Fund F575, Department LIB, Unit 3881, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $15,000.00 in the NEA Big Read Grant 19-20 Fund, Fund F575, Department LIB, Unit 3881, various Object Codes, according to the attached Schedule.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse local match funds in the amount of $24,735.00, as follows:

General Fund (Dallas Public Library) Fund 0001, Department LIB, Various Units and Object Codes, according to the attached Schedule	$21,959.00
General Fund (Office of Cultural Affairs) Fund 0001, Department OCA, Unit 4888, Object 3151	$ 2,776.00
Total amount not to exceed	$24,735.00

SECTION 6. That the Chief Financial Officer is hereby authorized to provide an in-kind match in the amount of $4,306.00 according to the attached Schedule.

SECTION 7. That the City Manager is hereby authorized to reimburse to the granting agency any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 8. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 9. That this contract is designated as Contract No. LIB-2019-00010439.

SECTION 10. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Schedule
NEA Big Read Grant
Fund F575, Department LIB, Unit 3881

Object Code	Description	Amount
2860	Reference Books	$ 3,375.00
3099	Miscellaneous Special Services	11,625.00
	Total	**$ 15,000.00**

Matching Funds

	Local Cash Match ***Fund 0001, Department LIB, Unit Various***		**Description**
1101	Salary	$ 15,401.00	5% of two Administrators, 5% of one Graphic Designer, 5% of one Social Media Coordinator, 28 Library Associates three hours each at average salary
1301	Pension	2,207.00	
1304	Health Benefit	1,742.00	
1306	FICA	223.00	
3851	Pension Bond Debt Services	1,386.00	
3099	Miscellanious Special Services	1,000.00	
	Subtotal	**$ 21,959.00**	

	Fund 0001, Department OCA, Unit 4888		
3151	Department Support	$ 2,776.00	10% for two months of Assistant Director salary and benefit
	Subtotal	**$ 2,776.00**	

	In-Kind Contribution **City of Dallas Facilities**		
	Majestic Theater	$ 3,186.00	Facility usage, projector, screen rental, movie license, movies
	Meeting Rooms	1,120.00	LIB Central Auditorium, Central meeting room, Branch Black Box, Bath House Culture Center, Latino Cultural Center
	Subtotal	**$ 4,306.00**	
	Total Match	**$ 29,041.00**	

Agenda Information Sheet

File #: 19-822 **Item #:** 34.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Budget

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize **(1)** final adoption of the FY 2019-20 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of $29,896,688 for the following programs and estimated amounts: **(a)** Community Development Block Grant (CDBG) in the amount of $14,697,642; **(b)** HOME Investment Partnerships Program (HOME) in the amount of $5,427,679; **(c)** Emergency Solutions Grant in the amount of $1,256,675; **(d)** Housing Opportunities for Persons with AIDS in the amount of $7,058,692; and **(e)** estimated Program Income in the amount of $1,456,000, comprised of $456,000 for CDBG and $1,000,000 for HOME; and **(2)** final adoption of the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24 - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas receives four formula grants each year from the U.S. Department of Housing and Urban Development (HUD). The four grants make up the Consolidated Plan and consist of: CDBG, HOME, Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). The purpose of CDBG is to develop viable urban communities by providing decent housing and a suitable living environment, and the expansion of economic opportunities. HOME funds provide, develop, support, produce, and expand the supply of decent and affordable housing. ESG funds help to prevent homelessness and assist individuals and families who are already homeless. HOPWA funds provide housing and supportive services to individuals with AIDS, persons who are HIV positive, and their family members.

The Consolidated Plan covers a five-year planning period. It is a comprehensive analysis and strategic plan that identifies community needs, prioritizes those needs, and details how they will be addressed. Requirements for development and submission of the Consolidated Plan are found at 24 CFR, Part 91. In order to continue receiving the four grants from HUD, the City must have a Consolidated Plan.

The current Consolidated Plan expires at the end of the current fiscal year (September 30, 2019).

The new Five-Year Consolidated Plan covers the period of October 1, 2019 through September 30, 2024.

Development of the new Five-Year Consolidated Plan began in November 2018, with input from the Community Development Commission (CDC), a citizen advisory board appointed by the City Council. The CDC, along with City staff, conducted a total of 13 public meetings. These meetings provided the public opportunities to identify community needs, and comment and provide input on the approach for developing the new Five-Year Consolidated Plan and potential uses of HUD Grant Funds.

Public meetings were held as follows:

January 3, 2019 - Dallas City Hall
January 7, 2019 - Martin Luther King, Jr. Community Center
January 8, 2019 - Jaycee Zaragoza Recreation Center
January 8, 2019 - Tommie M. Allen Recreation Center
January 9, 2019 - Ryan White Planning Council (RWPC)
January 10, 2019 - Willie B. Johnson Recreation Center
January 10, 2019 - Timberglen Recreation Center
January 12, 2019 - Lockwood Library
January 14, 2019 - Prairie Creek Library
January 15, 2019 - Audelia Road Library
January 16, 2019 - Beckley Saner Recreation Center
January 17, 2019 - On-line Virtual Meeting
January 22, 2019 - Continuum of Care (CoC)

On January 9, 2019, the City Council provided initial support of the proposed strategy for development of the new Five- Year Consolidated Plan for FY 2019-20 through 2023-24.

The City Manager's Proposed FY 2019-20 HUD Consolidated Plan Budget was presented to the CDC on March 7, 2019 and the CDC held meetings in April, 2019 to review the proposed budget.

On April 4, 2019, the CDC concurred with the City Manager's proposed budget with one amendment to the CDBG Public Services category and made recommendations resulting from their deliberations and input from residents received during community meetings.

CDC - CDBG Amendment

- Reduce funding for the CDBG funded Overcoming Barriers to Work Program by $300,000
- Increase funding to Dallas Park and Recreation Out-of-School Time Program by $150,000
- Increase funding to Early Childhood and Out-of-School Time Services Program by $150,000

Recommendations

1. Contracts for CDBG Public Services be awarded for a one-year term, with two one-year renewal options.
2. Following completion of three-year contract, agency will be required to "sit-out" of the solicitation process for minimum of one year.
    - Staff comment: Research determined that requiring a vendor that has successfully performed to have a "sit-out" period is not an acceptable procurement criterion under

State Law and the City's Code and processes. Staff will explore opportunities to incentivize new participants that are acceptable under State Law and the City's Code and processes.

3. Contract awards be set at a minimum of $25,000 and a maximum of $100,000.
    - Staff comment: Setting a maximum for contracts may be restrictive for agencies desiring to collaborate on joint grant submissions. Recommends that exceptions be allowed on a case-by-case basis as necessary to ensure high-quality, high-performing programs.
4. City Council consider amending or rescinding the current policy related to the use of CDBG funds for public improvements at nonprofit agencies.
    - Staff comment: Revision to the current policy will be recommended in Fall 2019.
5. City is strongly encouraged to seek additional funds to support housing development.

The City Council was briefed on the City Manager's Proposed FY 2019-20 HUD Consolidated Plan Budget and the CDC's amendment and recommendation on April 17, 2019. During the April 17 briefing, Council members were invited to submit amendments to the proposed FY 2019-20 Consolidated Plan Budget.

On May 8, 2019, City Council approved preliminary adoption of the Proposed FY 2019-20 HUD Consolidated Plan Budget (that included the amendment from the CDC), the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24, and called a public hearing to be held on May 22, 2019.

One proposed amendment was received from the City Council. On May 15, 2019, the City Council discussed and conducted straw votes on the proposed amendment to the Proposed FY 2019-20 HUD Consolidated Plan Budget.

City Council - CDBG Amendment

- Reduce funding for the CDBG funded Overcoming Barriers to Work Program by $713,126
- Increase/Restore funding to Community Court Program by $713,126

Based on results of City Council straw votes, the Proposed FY 2019-20 HUD Consolidated Plan Budget was revised to incorporate the amendment. Following the City Council amendment, $153,868 remains in the Overcoming Barriers to Work Program.

The FY 2019-20 CDBG Annual Budget does not include reprogramming funds. Reprogramming funds were accelerated on April 10, 2019 and added to the Housing 2018 Notice of Funding Availability instead of waiting until FY 2019-20.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 1, 2018, Community Development Commission (CDC) provided input and made recommendations into the development of the new Five-Year Consolidated Plan.

On November 6, 2018, City Council was briefed to discuss requirements for submitting a Five-Year Consolidated Plan to HUD; consider CDC input and recommendations; and consider City's approach to completing the new Five-Year Consolidated Plan.

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On December 5, 2018, City Council was briefed to review recommendations for developing new Five-Year Consolidated Plan for FY 2019-20 through FY 2023-24.

On January 9, 2019, City Council provided initial support of proposed strategy for development of the new Five-Year Consolidated Plan for FY 2019-20 through FY 2023-24, by Resolution No. 19-0091.

On March 7, 2019, CDC was briefed on the City Manager's Proposed FY 2019-20 HUD Consolidated Plan Budget and the CDC held meetings in March 2019 to review the proposed budget.

On April 4, 2019, CDC approved the City Manager's Proposed FY 2019-20 HUD Consolidated Plan Budget with one amendment to the CDBG Public Services category and made recommendations.

On April 17, 2019, City Council was briefed on the City Manager's Proposed HUD Consolidated Plan for FY 2019-20 through FY 2023-24, FY 2019-20 Annual Budget and CDC review.

On May 8, 2019, City Council approved preliminary adoption of the Proposed FY 2019-20 HUD Consolidated Plan Budget, the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24, and called a public hearing, by Resolution No. 19-0704.

On May 15, 2019, the Proposed FY 2019-20 HUD Consolidated Plan Budget was included on the City Council briefing agenda to discuss Council amendments and conduct straw votes.

On May 22, 2019, City Council held a public hearing to receive comments on the Proposed FY 2019-20 HUD Consolidated Plan Budget and the new Five-Year Consolidated Plan.

FISCAL INFORMATION

Proposed FY 2019-20 HUD Consolidated Plan Budget

CDBG:	$14,697,642	FY 2019-20 Entitlement
	$ 300,000	Program Income (estimate)
	$ 156,000	Program Income - Retained by Sub-Recipient (estimate)
	$15,153,642	
HOME:	$ 5,427,679	FY 2019-20 Entitlement
	$ 1,000,000	Program Income (estimate)
	$ 6,427,679	
ESG:	$ 1,256,675	FY 2019-20 Entitlement
HOPWA:	$ 7,058,692	FY 2019-20 Entitlement
	$29,896,688	Total FY 2019-20 HUD Consolidated Plan Budget

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WHEREAS, the Consolidated Plan is a comprehensive analysis and strategic plan that identifies community needs, prioritizes those needs, details how needs will be addressed and covers a five-year planning period; and

WHEREAS, in order to continue receiving the four formula grants each year from the U.S. Department of Housing and Urban Development (HUD), the City must have a Consolidated Plan; and

WHEREAS, the grant funds include: Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG); and Housing Opportunities for Persons with AIDS (HOPWA); and

WHEREAS, the current Consolidated Plan expires at the end of the current fiscal year (September 30, 2019) and the new Five-Year Consolidated Plan covers the period of October 1, 2019 through September 30, 2024; and

WHEREAS, the Community Development Commission (CDC) and City staff conducted thirteen meetings during January 2019 that provided the public opportunities to participate in identifying needs and to comment on the potential uses of U.S. Department of Housing and Urban Development (HUD) Grant Funds; and

WHEREAS, on January 9, 2019, City Council provided initial support of proposed strategy for development of the new Five-Year Consolidated Plan for FY 2019-20 through FY 2023-24, by Resolution No. 19-0091; and

WHEREAS, on March 7, 2019, the CDC was briefed on the City Manager's Proposed FY 2019-20 HUD Consolidated Plan Budget, CDC Committees held meetings in March 2019 to review the proposed budget; and

WHEREAS, on April 4, 2019 - CDC approved the City Manager’s Proposed FY 2019-20 HUD Consolidated Plan Budget with one amendment to the CDBG Public Services category and made recommendations; and

WHEREAS, on April 17, 2019, City Council was briefed on the City Manager’s Proposed HUD Consolidated Plan for FY 2019-20 through FY 2023-24, FY 2019-20 Annual Budget and CDC review; and

WHEREAS, on May 8, 2019, City Council approved preliminary adoption of the Proposed FY 2019-20 HUD Consolidated Plan Budget, the new Five-Year Consolidated Plan, covering the period of FY 2019-20 through FY 2023-24, and called a public hearing, by Resolution No. 19-0704; and

WHEREAS, Federal regulations require that a public hearing to be held on the City's Proposed FY 2019-20 HUD Consolidated Plan Budget, and the new Five-Year Consolidated Plan; and

WHEREAS, a summary of the Proposed FY 2019-20 HUD Consolidated Plan Budget and the new Five-Year Consolidated Plan was published in the Dallas Morning News on May 9, 2019, to provide an opportunity to submit written comments through June 11, 2019; and

WHEREAS, On May 15, 2019, the Proposed FY 2019-20 HUD Consolidated Plan Budget was included on the City Council briefing agenda to discuss the Council amendments and conduct straw votes on one amendment to the CDBG Public Services category; and

WHEREAS, On May 22, 2019, City Council held a public hearing, to receive comments on the City's Proposed FY 2019-20 HUD Consolidated Plan Budget, and the new Five-Year Consolidated Plan.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That final adoption of the FY 2019-20 HUD Consolidated Plan Budget be approved per Schedule A, and the new Five-Year Consolidated Plan for FY 2019-20 through FY 2023-24 be approved per Schedule D.

SECTION 2. That the City Manager is authorized to apply for, accept, and take actions to implement HUD grant numbers B-19-MC-48-0009 (CDBG - $15,153,642, which includes $14,697,642 in grant funds and $456,000 in program income), M-19-MC-48-0203 (HOME - $6,427,679, which includes $5,427,679 in grants funds and $1,000,000 in program income), E-19-MC-48-0009 (ESG - $1,256,675), and TXH19-F001 (HOPWA - $7,058,692) in the amount of $29,896,688 and be authorized to execute the contracts and grant agreements with HUD and all documents related to the execution of the grants upon approval as to form by the City Attorney.

SECTION 3. That the City Manager is authorized to establish FY 2019-20 appropriations as follows:

- Community Development Block Grant Program in Fund CD19 up to the amount of $14,997,642 consisting of the entitlement grant of $14,697,642, and estimated program income of $300,000 to be returned to the City as set forth in the attached Schedule B, effective October 1, 2019.

- HOME Investment Partnerships Program in Fund HM19 up to the amount of $6,427,679 consisting of the entitlement grant of $5,427,679 and estimated program income of $1,000,000 to be returned to the City as set forth in the attached Schedule B, effective October 1, 2019.

SECTION 3. (continued)

- Emergency Solutions Grant in Fund ES19 up to the amount of $1,256,675 as set forth in the attached Schedule B, effective October 1, 2019.

- Housing Opportunities for Persons with AIDS in Fund HW19 up to the amount of $7,058,692 as set forth in the attached Schedule B, effective October 1, 2019.

SECTION 4. That the revolving loan program income generated by the business loan program, estimated to be $156,000 for FY 2019-20, as set forth in Schedule B, be retained by sub-recipient and used to carry out Community Development eligible activities in accordance with HUD requirements and upon written approval by the responsible City of Dallas departments.

SECTION 5. That the Chief Financial Officer is authorized to receive funds up to the amounts set forth in the attached Schedule C.

SECTION 6. That the Chief Financial Officer is authorized to disburse funds up to the amounts set forth in the attached Schedule B.

SECTION 7. That the City Manager be authorized to transfer HUD grant funds between projects and individual object codes and/or categories in accordance with HUD regulations and the City's Citizen Participation Plan.

SECTION 8. That the City Manager is hereby authorized to reimburse to HUD any expenditures identified as ineligible.

SECTION 9. That the City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 10. That the City Manager shall keep the appropriate City Council Committee informed of all final HUD audit reports not later than 30 days after the receipt of the reports.

SECTION 11. That the City Manager be authorized to provide additional information and make adjustments to take other actions relating to these budgets as may be necessary in order to satisfy HUD requirements.

SECTION 12. That the Community Development Block Grant from the U.S. Department of Housing and Urban Development (Grant No. B-19-MC-48-0009 and CFDA No. 14.218) is designated as Contract No. BMS-2019-00010496.

SECTION 13. That the HOME Investment Partnerships Program Grant from the U.S. Department of Housing and Urban Development (Grant No. M-19-MC-48-0203 and CFDA No. 14.239) is designated as Contract No. BMS-2019-00010497.

SECTION 14. That the Emergency Solutions Grant from the U.S. Department of Housing and Urban Development (Grant No. E-19-MC-48-0009 and CFDA No. 14.231) is designated as Contract No. BMS-2019-00010498.

SECTION 15. That the Housing Opportunities for Persons with AIDS Grant from the U.S. Department of Housing and Urban Development (Grant No. TXH19-F001 and CFDA No. 14.241) is designated as Contract No. BMS-2019-00010499.

SECTION 16. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

SCHEDULE A
FY 2019-20 HUD CONSOLIDATED PLAN BUDGET

	Project Name	Amount
	COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)	
	CDBG - Public Services	
1	PKR Out-of-School Time Program	$ 750,000
2	Early Childhood and Out-of-School Time Services Program	650,000
	Youth Programs Sub-Total	**1,400,000**
3	Community Court Program	713,126
	Other Public Services Sub-Total	**713,126**
4	Overcoming Barriers to Work Program	153,868
		153,868
	Total CDBG - Public Services	**2,266,994**
	CDBG - Housing Activities	
5	Dallas Homebuyer Assistance Program	2,500,000
	Homeownership Opportunities Sub-Total	**2,500,000**
6	Home Improvement and Preservation Program (HIPP)	4,464,258
7	Residential Development Acquisition Loan Program	500,000
	Homeowner Repair Sub-Total	**4,964,258**
	Total CDBG - Housing Activities	**7,464,258**
	CDBG - Economic Development	
8	Business Loan Program (Program Income)	156,000
	Total CDBG - Economic Development	**156,000**
	CDBG - Public Improvements	
9	Public Facilities and Improvements	2,326,862
	Total CDBG - Public Improvement	**2,326,862**

SCHEDULE A
FY 2019-20 HUD CONSOLIDATED PLAN BUDGET

	Project Name	Amount
CDBG - Fair Housing and Planning & Program Oversight		
10	Equity and Human Rights Office	561,605
11	Citizen Participation/CDC Support/HUD Oversight	840,805
12	Community Care Management Support	333,662
13	Housing Management Support	1,203,456
	Total CDBG - Fair Housing and Planning & Program Oversight	**2,939,528**
	TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT	**15,153,642**
HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)		
14	CHDO Development Loan Program	815,000
15	CHDO Operating Assistance	150,000
16	HOME Program Administration	642,767
17	Dallas Homebuyer Assistance Program	767,129
18	Housing Development Loan For Sale and Rental Program	4,052,783
	Homeownership Opportunities Sub-Total	**6,427,679**
	TOTAL HOME INVESTMENT PARTNERSHIP PROGRAM	**6,427,679**
EMERGENCY SOLUTIONS GRANT (ESG)		
19	Emergency Shelter	530,052
20	Street Outreach	126,362
	Essential Services/Operations Sub-Total	**656,414**
21	Homelessness Prevention	120,261
	Homeless Prevention Sub-Total	**120,261**
22	Rapid Re-Housing	366,000
	Rapid Re-Housing Sub-Total	**366,000**
23	HMIS Data Collection	25,000
	HMIS Data Collection Sub-Total	**25,000**
24	ESG Administration	89,000
	Program Administration Sub-Total	**89,000**
	TOTAL EMERGENCY SOLUTIONS GRANT	**1,256,675**

SCHEDULE A
FY 2019-20 HUD CONSOLIDATED PLAN BUDGET

	Project Name	Amount
	HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)	
25	Emergency/Tenant Based Rental Assistance	4,002,203
26	Facility Based Housing	1,900,000
27	Housing Placement & Other Support Services	218,537
28	Housing Facilities Rehab/Repair/Acquisition	300,000
29	Housing Information/Resource Identification	150,000
	Other Public Services Sub-Total	**6,570,740**
30	Program Administration/City of Dallas	186,000
31	Program Administration/Project Sponsors	301,952
	Program Administration Sub-Total	**487,952**
	TOTAL HOUSING OPPORTUNITIES FOR PERSONS W/ AIDS	**7,058,692**
	GRAND TOTAL HUD CONSOLIDATED PLAN BUDGET	**$29,896,688**

SCHEDULE B
FY 2019-20 HUD CONSOLIDATED PLAN BUDGET
APPROPRIATIONS AND ORGANIZATIONAL HIERARCHY

FUND	DEPT.		FY 2019-20 ADOPTED BUDGET	UNIT 1	UNIT 2
CD19		**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**	**$ 15,153,642**	CDBG	
		City Attorney's Office			
		Community Court Program	**713,126**	CDAT	
1	ATT	South Dallas/Fair Park Community Court	248,673		900D
2	ATT	South Oak Cliff Community Court	234,978		901D
3	ATT	West Dallas Community Court	229,475		902D
		Economic Development	**156,000**	N/A	
4	ECO	Business Loan Program (Program Income)	156,000		N/A
		Housing & Neighborhood Revitalization	**10,994,576**	CDHO	
5	HOU	Dallas Homebuyer Assistance Program	2,500,000		903D
6	HOU	Home Improvement and Preservation Program (HIPP)	4,464,258		904D
7	HOU	Residential Development Acquisition Loan Program	500,000		905D
8	HOU	Housing Management Support	1,203,456		906D
9	HOU	Public Facilities and Improvements	2,326,862		907D
		Management Services/Fair Housing	**561,605**	CDMG	
10	MGT	Equity and Human Rights Office	561,605		908D
		Management Services/Office of Community Care Services	**1,137,530**	CDMG	
11	MGT	Early Childhood and Out-of-School Time Services Program	650,000		909D
12	MGT	Community Care Management Support	333,662		910D
13	MGT	Overcoming Barriers to Work Program	153,868		911D
		Office of Financial Services	**840,805**	CDBM	
14	BMS	Citizen Participation/CDC Support/HUD Oversight	840,805		912D
		Park and Recreation	**750,000**	CDPK	
15	PKR	PKR Out-of-School Time Program - School Sites	663,458		913D
16	PKR	PKR Out-of-School Time Program - Community Centers	86,542		914D
HM19		**HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)**	**6,427,679**	HMHO	
		Housing & Neighborhood Revitalization			
17	HOU	CHDO Development Loan Program	815,000		915D
18	HOU	CHDO Operating Assistance	150,000		916D
19	HOU	HOME Program Administration	642,767		917D
20	HOU	Dallas Homebuyer Assistance Program	767,129		918D
21	HOU	Housing Development Loan For Sale and Rental Program	4,052,783		919D

SCHEDULE B
FY 2019-20 HUD CONSOLIDATED PLAN BUDGET
APPROPRIATIONS AND ORGANIZATIONAL HIERARCHY

FUND	DEPT.		FY 2019-20 ADOPTED BUDGET	UNIT 1	UNIT 2
ES19		**EMERGENCY SOLUTIONS GRANT (ESG)**	**1,256,675**	ESMG	
		Management Services/Office of Homeless Solutions			
22	MGT	Emergency Shelter	439,000		920D
23	MGT	Street Outreach	126,362		921D
24	MGT	Rapid Re-Housing	366,000		922D
25	MGT	HMIS Data Collection	25,000		923D
26	MGT	ESG Administration	89,000	`	924D
		Management Services/Office of Community Care Services			
27	MGT	Emergency Shelter	91,052		925D
28	MGT	Homelessness Prevention	120,261		926D
HW19		**HOUSING OPPORTUNITIES FOR PERSONS W/AIDS (HOPWA)**	**7,058,692**	HWMG	
		Management Services/Office of Homeless Solutions			
29	MGT	Emergency/Tenant Based Rental Assistance	2,705,000		927D
30	MGT	Facility Based Housing	1,900,000		928D
31	MGT	Housing Placement & Other Support Services	125,000		929D
32	MGT	Housing Facilities Rehab/Repair/Acquisition	300,000		930D
33	MGT	Housing Information Services/Resource Identification	150,000		931D
34	MGT	Program Administration/City of Dallas	186,000		932D
35	MGT	Program Administration/Project Sponsors	301,952		933D
		Management Services/Office of Community Care Services			
36	MGT	Emergency/Tenant Based Rental/Financial Assistance	1,297,203		934D
37	MGT	Housing Placement & Other Support Services	93,537		935D
		CONSOLIDATED PLAN TOTAL	**$ 29,896,688**		

SCHEDULE C
FY 2019-20 HUD CONSOLIDATED PLAN BUDGET
SOURCE OF FUNDS

SOURCE OF FUNDS		Amount
Community Development Block Grant (CDBG)	$	14,697,642
Program Income - Housing Activities (estimated)		300,000
Program Income - Sub-recipient Retained (estimated)		156,000
Home Investment Partnerships Program (HOME)		5,427,679
Program Income (estimated)		1,000,000
Emergency Solutions Grant (ESG)		1,256,675
Housing Opportunities for Persons With AIDS (HOPWA)		7,058,692
GRAND TOTAL HUD GRANT FUNDS	**$**	**29,896,688**

SCHEDULE D

5-YEAR CONSOLIDATED PLAN
FY 2019-20 through FY 2023-24

Strategic Plan for the new 5-Year Consolidated Plan be as follows:

A. Use of CDBG Public Service funds to address the drivers of poverty, with focus on reducing and/or eliminating barriers to work and other eligible services deemed a priority by the City.

B. Use of CDBG Housing funds consistent with the City's Comprehensive Housing Policy to create new homeowners through the homebuyer assistance program; and preservation of existing housing through rehabilitation and/or reconstruction of single-family and multi-family units.

C. Use of CDBG funds for public facilities and infrastructure needs in eligible areas, specifically including racially or ethnically concentrated areas of poverty.

D. Use of CDBG funds for fair housing, planning and program administration, up to the maximum 20% allowed.

E. Use of HOME funds consistent with the City's Comprehensive Housing Policy, and include using up to the maximum 10% allowed for program administration and minimum 15% set-aside for CHDOs.

F. Use of ESG funds, in consultation with the Continuum of Care, consistent with the Office of Homeless Solutions Strategy Plan, and include using up to the maximum 7.5% allowed for program administration.

G. Use of HOPWA funds consistent with priorities established by the Ryan White Planning Council of the Dallas Area (RWPC) and with needs identified in the RWPC Comprehensive HIV Needs Assessment, and using up to the maximum 3% allowed for program administration.

Agenda Information Sheet

File #: 19-661 **Item #:** 35.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Cultural Affairs

EXECUTIVE: Joey Zapata

SUBJECT

A resolution authorizing and establishing the ArtsActivate 2020 program, which consolidates and updates two existing Cultural Support Programs within the Office of Cultural Affairs, to further the goals of the *Dallas Cultural Plan 2018* and support cultural services in the City of Dallas, and approving the program guidelines - Financing: This action has no cost consideration to the City (see Fiscal Information)

BACKGROUND

The updated Cultural Policy of the City of Dallas, adopted on November 28, 2018, provides that guidelines for the various Cultural Support Programs will be submitted for review and approval of the City Council. This serves to affirm the artistic nature of services to be provided through these various cultural programs and to specify the review and selection process for cultural services.

ArtsActivate 2020 is a new cultural support program, which combines the Cultural Projects Funding Program and Cultural Vitality Program into one larger projects-based funding program for Dallas-based cultural organizations and individual artists. The ArtsActivate 2020 program will continue to emphasize the goals of neighborhood/community engagement of the Cultural Vitality Program while allowing for more opportunities to apply for funding like the multiple rounds of the Cultural Projects Funding Program. The goals of ArtsActivate 2020 are:

1. Engage with the *Dallas Cultural Plan 2018* and create programming to address its priorities and initiatives.
2. Enhance understanding of and respect for diverse cultural traditions, heritages and forms of expression.
3. Increase access and inclusivity in the experience of art and creativity for communities that have been historically underserved or underrepresented.
4. Connect individuals from diverse cultures, ages and economic means in an effort to strengthen communities and/or neighborhoods through the arts.
5. Invest in historically underserved communities with artists or organizations rooted in that community to build individual capacity and economic viability.

The *Dallas Cultural Plan 2018* and the updated Cultural Policy were adopted following a year-long cultural planning effort, which included in-depth regional, national and international research, engagement across every zip code and district in the city, and analysis of City plans and collaboration with Dallas residents, artists, organizations, City staff and leaders. Nearly 9,000 Dallas residents were engaged in this process to develop over one hundred initiatives and strategies under these six priorities: equity, diversity, space, support for artists, sustainable arts ecosystem, and communications.

The ArtsActivate 2020 program seeks to improve equity through expanded and adapted programmatic offerings in Dallas neighborhoods. Applicants will be partially scored on their proposals to provide cultural services in Dallas neighborhoods, outside of the urban core of the city.

Cultural Support Programs will continue to be brought forward for City Council approval from time-to-time as the Office of Cultural Affairs continues to implement initiatives and strategies identified in the *Dallas Cultural Plan 2018*.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 28, 2018, City Council adopted the *Dallas Cultural Plan 2018* and a revised and restated Cultural Policy of the City of Dallas; and authorized and established the Cultural Projects Funding Program, Cultural Vitality Program and Community Artist Program to support artist and cultural services in the City of Dallas by Resolution No. 18-1683.

On April 8, 2019, the Allocations Committee of the Arts and Culture Advisory Commission approved a recommendation in support of this item.

On April 18, 2019, the Arts and Culture Advisory Commission approved a recommendation in support of this item.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on June 10, 2019.

FISCAL INFORMATION

This action has no cost consideration to the City.

Appropriations for the Cultural Support Programs are established through the annual General Fund budget development process. Each award to a cultural organization or individual artist through ArtsActivate 2020 will be $20,000.00 or less, and authorized by administrative action.

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June 12, 2019

WHEREAS, on November 28, 2018, City Council adopted the *Dallas Cultural Plan 2018* and a revised and restated Cultural Policy of the City of Dallas (Cultural Policy); and authorized and established the Cultural Projects Funding Program, Cultural Vitality Program and Community Artist Program to support artist and cultural services in the City of Dallas by Resolution No. 18-1683; and

WHEREAS, the Cultural Policy provides for Cultural Support Programs for the support of Dallas-based cultural organizations and individual artists; and

WHEREAS, the ArtsActivate 2020 program combines the Cultural Projects Funding Program and Cultural Vitality Program, and will serve to further implement the goals, priorities and initiatives of the *Dallas Cultural Plan 2018* in part by increasing access and inclusivity in the experience of art and creativity for communities that have been historically underserved or underrepresented; and

WHEREAS, the Cultural Policy requires that Cultural Support Programs must be authorized by resolution of the City Council, including approval of the various program guidelines.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Council of the City of Dallas hereby authorizes and establishes the ArtsActivate 2020 program, and approves the program guidelines attached hereto as Exhibit A (ArtsActivate 2020 FY 2019-20 Guidelines), which provides for the program eligibility and review criteria to be used in evaluating applications for cultural support funds.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

EXHIBIT A

ArtsActivate 2020

FY 2019-20 Guidelines:
Non-Profit Organizations and Individual Artists

City of Dallas

Office of
Cultural Affairs

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Introduction

The Office of Cultural Affairs is continuing its work to *activate* the Dallas Cultural Plan 2018 guided by our mission to create an equitable environment wherein artists as well as arts and cultural organizations thrive while ensuring that all Dallas residents have the opportunity to experience arts and culture throughout the city of Dallas.

As we continue to evolve with the guidance of the Cultural Plan and the community, the Cultural Funding Programs Division of OCA is launching a new funding program called ArtsActivate 2020. This new program combines the previous Cultural Projects Funding program and the Cultural Vitality Program. ArtsActivate 2020 will continue to emphasize the goals of neighborhood/community engagement of the Cultural Vitality Program while allowing for more opportunities to apply for funding like the multiple rounds of the Cultural Projects Funding program.

ArtsActivate is the project-based cultural support program through which the City of Dallas Office of Cultural Affairs will contract for cultural services which establish a thriving cultural ecosystem that ensures all Dallas residents and visitors have an opportunity to experience the finest in arts and culture. OCA commits to championing policies and practices of cultural equity that help empower a just, inclusive, and equitable City. ArtsActivate is open for proposals from non-profit arts/cultural organizations, educational institutions, social services organizations, individual artists, collectives and other eligible non-profit organizations.

Artistic and cultural services contracts are awarded using a review panel approach to evaluate applications. This document contains guidelines, program eligibility and review criteria, deadlines, and application instructions for ArtsActivate 2020 managed by the Office of Cultural Affairs (OCA) for fiscal year 2019-20.

ArtsActivate 2020 will open for three rounds during the fiscal year. Applicants are eligible to apply for all three rounds; however, an applicant may only be funded a maximum of two times in a single fiscal year given that the proposed projects are not the same project. Organizations currently funded in the Cultural Organizations Program (COP) for FY 2019-20 may apply in any given ArtsActivate 2020 round but may only be funded once per fiscal year[1] given that the proposed project is not currently a part of the organization's current COP scope of services. Any applicant may reapply in any given round if not recommended for funding in a previous round.

All applicants are required to read the guidelines and application instructions for details of program eligibility and requirements prior to beginning the application process. Guidelines are updated every fiscal year.

Applicants are responsible for the quality, completeness and timely submission of the proposal. Application steps and deadlines are included in this document and online at the Cultural Vitality Program page found at dallasculture.org/culturalprograms. OCA staff are available to answer additional questions. See Contact OCA below.

Contact OCA

For general inquiries or assistance, please contact the Office of Cultural Affairs, Cultural Programs Division at 214-670-3687, extension 4. Specific staff telephone numbers and email addresses may be found online at dallasculture.org/contact.

Cultural Support Programs

[1] Current COP Organizations may only be funded once per fiscal year in order to create a broader, more diverse range of programming and participants in the program. This will help forward the goal of providing greater access to various arts and cultural experiences.

The ArtsActivate 2020 is one of OCA's cultural support programs that provides project support as described in the Dallas Cultural Policy, approved by City Council on November 28, 2018 [Section 5(D)(ii)]. Per the Dallas Cultural Policy:

Vision

The Office of Cultural Affairs aims to create an equitable, diverse and connected community, whose residents and visitors thrive through meaningful arts and cultural experiences in every neighborhood across Dallas.

Mission

The Office of Cultural Affairs works to enhance the vitality of the city and the quality of life for all Dallas residents by creating an equitable environment wherein artists as well as arts and cultural organizations thrive; people of all ages enjoy opportunities for creative expression; and all celebrate our multicultural heritage.

Our mission is to support and grow a sustainable cultural ecosystem that ensures all residents and visitors have opportunities to experience arts and culture throughout the city.

Statement on Cultural Equity

In Dallas, we envision a city of people whose success and well-being are not pre-determined by their race, age, disability, sexual orientation, gender, social status, zip code, or citizenship status. We recognize that artistic and cultural expression are fundamental to the development of our identity, as individuals and as a community at large. We assert the right for all people to have access to arts and cultural experiences throughout Dallas.

We recognize the historic legacies of racism, overt bias and injustice that shape our present reality. In fact, the City of Dallas' arts funding originated to support organizations of the Western European canon, collectively referred to as "The Big Six." Going forward, we will strive to support the broadest range of art forms and creative producers, considering inclusivity, diversity and neighborhood impact to direct resources equitably to artists and organizations. We will work to build a robust arts ecosystem that continually evolves to better reflect the diverse composition of Dallas. Towards this end, we recognize and affirm the potential of new and emerging artists and organizations.

The Office of Cultural Affairs will serve as convener and connector to catalyze equity in the policies and practices of its partners across the Dallas arts ecosystem. Core to this is leading other organizations and private resource providers to advance diversity, equity and inclusion in concrete, measurable ways. Annually, the Office of Cultural Affairs will summarize its own support for artists and arts organizations, highlighting measures of equity and diversity.

As we work together to create a more vibrant Dallas, the Office of Cultural Affairs is committed to nurturing the wide diversity of creative culture and experiences that make up this great city.

ArtsActivate 2020 / Application

All organizations, new and previously funded, are required to complete an application and review process to be considered for funding through ArtsActivate 2020.

The ArtsActivate 2020 application can be found on the ArtsActivate page of the OCA website at: https://dallasculture.org/cultural-programs/ .

Applications must be submitted via the online application system by their respective due date. Hard copies of funding applications will not be accepted.

NOTE: An organization or artist that submits a substantially incomplete application at the time of the deadline, as deemed by the Office of Cultural Affairs, will receive notification via e-mail as to the incomplete status of the application from OCA staff. This will result in the rejection of an application, until the information is provided to the satisfaction of OCA staff.

Program Goals

ArtsActivate 2020 proposals should be innovative projects or residencies that create active and ongoing engagement with people, neighborhoods, and communities in Dallas. They should celebrate our diversity, build community connections and enhance the visibility of neighborhoods through arts and culture. Priority will be given to projects or residencies focusing on neighborhoods outside of the Urban Core (see typology map here: http://dallasculturalplan.com/typologies/).

1. Engage with the Dallas Cultural Plan 2018 and create programming to address its priorities and initiatives (see Dallas Cultural Plan 2018 Summary for more information regarding priorities and initiatives: http://bit.ly/culturalplansummary)
2. Enhance understanding of and respect for diverse cultural traditions, heritages and forms of expression
3. Increase access and inclusivity in the experience of art and creativity for communities that have been historically underserved
4. Connect individuals from diverse cultures, ages and economic means in an effort to strengthen communities and/or neighborhoods through the arts
5. Invest in historically underserved communities with artists or organizations rooted in that community to build individual capacity and economic viability

Definitions

Project Definition

A project is defined as a specific one-time event or production (such as one concert, theater production, exhibit, etc.) or a project that includes a series of events using one theme or title.

Residency Definition

Residencies are tailored to the needs of a specific neighborhood, community, or host site(s). Residency programs are implemented by artists or organizations with a history of engagement and a commitment to utilize arts education and services for community development. A residency is an opportunity for artists to provide artistic/cultural services for a continuous period of time.

Residencies should encompass no less than 30 days within a six-week period if full funding is awarded. The 30-day minimum can be extended for up to six months with full funding. Should an artist be awarded partial funding, the 30-day minimum can be adjusted accordingly.

Art in Public Places Projects

Not to be confused with Public Art, art in public places is defined as permanent or temporary visual art installations in privately owned locations that are visible and accessible to the public. Permission from the property owner must be obtained prior to submitting an ArtsActivate application. Projects cannot be installed on any City-owned property.

Privately Owned Property – If a private person or company/organization owns the property, the applicant must obtain a formal letter of support and authorization from the owner allowing the applicant to install the proposed artwork. This letter must be included with the application. Without the property owner's written consent, the application will not be reviewed.

General Application Guidelines

First Time Applicants

First time applicants must contact OCA staff (see "Contact OCA" section) before the application deadline. This is to ensure that the applicant is aware of the application requirements and any additional information that is needed.

The term "first-time applicant," refers to applicants submitting project- or residency-based proposals to OCA for the first time, as well as to applicants that have applied in the past but have not been recommended for funding.

Funding Period

Projects must occur between October 1, 2019 and September 30, 2020 and not before contract execution with the City of Dallas.

ArtsActivate 2020 Timelines

Round 1 Timeline	
July 15, 2019	Round 1 Application Opens
August 12, 2019	Round 1 Application Closes
September 9-14, 2019	Round 1 Panel Presentations
September 16-20, 2019	Round 1 Application Review/Funding Level Recommendations – Allocations Committee
September 23, 2019	Round 1 Funding Recommendation Notifications to Applicants
October 15, 2019	Earliest start date for Round 1 contracts
September 15, 2020	Latest end date for Round 1 contracts

Round 2 Timeline	
October 14, 2019	Round 2 Application Opens
November 11, 2019	Round 2 Application Closes
December 9-14, 2019	Round 2 Panel Presentations
December 16-20, 2019	Round 2 Application Review/Funding Level Recommendations – Allocations Committee
December 23, 2019	Round 2 Funding Recommendation Notifications to Applicants
January 15, 2020	Earliest start date for Round 2 contracts
September 15, 2020	Latest end date for Round 2 contracts
Round 3 Timeline	
January 6, 2020	Round 3 Application Opens
February 3, 2020	Round 3 Application Closes
February 24-29, 2020	Round 3 Panel Presentations
March 2-7, 2020	Round 3 Application Review/Funding Level Recommendations – Allocations Committee
March 9, 2020	Round 3 Funding Recommendation Notifications to Applicants
April 15, 2020	Earliest start date for Round 3 contracts
September 15, 2020	Latest end date for Round 3 contracts

Eligibility Requirements

- Applications must align with one of the ArtsActivate 2020 goals (see above)
- Priority will be given to organizations with a minimum of a 3-year operating history
- Priority will be given to artists with at least 3 years of professional experience in their field
- Artists must provide a resume or vita AND examples of their work
- Projects or residencies must be completed by September 15, 2020
- Organizations/Artists must be willing and able to enter into a contract with the City and meet the requirements associated with receiving funds from the City.
- Organizations must be a 501(c)(3) tax-exempt entity as provided by the U.S. Internal Revenue Code, as amended, in good standing
- Organizations must be in-compliance with local, state, and federal laws prohibiting discrimination.
- Organizations must be authorized to transact business in the State of Texas.
- All projects must occur within the city limits of Dallas to receive funding and must be completed by the end of the City's fiscal year (September 30, 2020). NOTE: Highland Park, University Park, and Cockrell Hill are NOT considered within the City limits of Dallas. (see City of Dallas boundaries at this map: http://gis.dallascityhall.com/cityinfo/)
- Organization's prior year IRS 990 must be submitted with their application
- Organizations must have administrative offices permanently located in the City of Dallas. This does NOT include P.O. Boxes – organization must have a physical office and Dallas address
- Organizations must have non-discriminatory employment and personnel practices
- Organizations/Artists must have professional direction for the proposed project
- Must work to demonstrate commitment to cultural equity, diversity, and inclusion in all aspects of the organization's operations and programming
- Must obtain and maintain all necessary licenses, permits, insurance and other approvals required by law for the provision of services during the contract term
- Organizations/Artists who were at fault and/or failed to successfully complete their contract in the previous City of Dallas fiscal year are not eligible to apply for project-based funding in FY 2019-20

- Comply with regulations pertaining to federal grant recipients including Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Education Amendments of 1972, the Americans with Disabilities Act of 1990, and the Drug Free Workplace Act of 1988
- Pursuant to Dallas City Code 2-36, Organizations/Artists that are indebted to the City or delinquent in any payment owed to the City under a contract or other legal obligation are not eligible for this program

Ineligible Activities

Applications will not be accepted for the following:

- Activities which do not have a cultural or artistic focus
- Projects planned primarily for fundraising purposes
- Activities restricted to members or which do not benefit the public
- Tuition expenses
- College/university or school projects that are part of a course or curriculum or which do not benefit the public
- Fellowships/grants to individuals (does not prevent purchase from individuals)
- Scholarships, cash prizes or awards
- Travel
- Underwriting of capital expenditures (buildings, land, permanent equipment or artwork)
- Purchase of artwork or public art on city property
- Underwriting of past deficits
- Activities of Dallas based organizations that occur outside of the city limits of Dallas. NOTE: Highland Park and University Park are considered outside the city limits of Dallas
- Endowments
- Non-contract related services, lobbying, attorney's fees, fees for penalties, and fees for incorporation or obtaining tax-exempt status
- Alcoholic beverages and food
- Festivals that are organized by managers or promoters for profit or that the organizer is promoting but not participating in
- Publication of books for personal promotion
- Exhibitions or projects for personal financial gain
- Events or projects that don’t have the proper permits or insurance coverage
- Commercial (for-profit) enterprises or activities

Panel Review & Selection Process

Applications for ArtsActivate 2020 are evaluated by a Review Panel. The review panel should, to the greatest extent possible, reflect the diversity of the City of Dallas, without sacrificing expertise, knowledge, or demonstrated interest in arts and culture.

Nominations to Review Panels shall be provided by interested members of the public, the Arts & Culture Advisory Commission, and City staff. In no instance shall a City employee, Arts & Culture Advisory Commissioner, or other City official be a voting member of a review panel.

Review panel members shall be independent, impartial, and responsible only to the people of the City and shall comply with the Code of Ethics in Chapter 12A of the Dallas City Code including, but not limited to, recusal and disclosure provisions. Panelists should strive to avoid the appearance and risk of impropriety.

Tier Structure

All applicants will be reviewed in tier levels. Individual artists will be grouped into tiers based on project or residency, while organizations will be grouped into tiers based on their operating budget from the previous completed year's budget found in the application or referenced in their IRS 990. Unless scheduling prohibits otherwise, there will be one review panel for each organization tier level. Artists may be split into multiple panel days depending on capacity and number of applicants for panel review. Each panel will consist of a diverse group of people knowledgeable in the visual arts, dance, theatre, music, literature, film and other fields as pertains to the organizations in that tier. The tier levels are as follows;

Tier IA – Projects	Individual Artists – Projects
Tier IA – Residencies	Individual Artists – Residencies
Tier 1	Organizations $100,000 or less
Tier 2	Organizations $100,001 - $500,000
Tier 3	Organizations $500,001 - $1,000,000
Tier 4	Organizations $1,000,001 or more

Panel Presentation

ArtsActivate 2020 applications are evaluated by a Review Panel whose membership is taken from a list of qualified candidates nominated from the field and recommended by the Allocations Committee of the Arts & Culture Advisory Commission. All applicants will be required to present to the panel a brief project summary and answer questions following the presentation.

Applicants will be notified by email of the scheduled time and date for their panel review.

Individual artists must be represented at the review panel presentation by the individual artist and any partners involved in the project. Organizations should be represented at the review panel presentation by principal representatives, e.g. the executive director, artistic director, board president and/or a financial officer or other senior staff as determined by the organization.

The presentation times will be allotted in the following manner:

2 minutes – Artist or organization will be introduced to the panel members
5 minutes – Presentation time for the artist or organization to the panel
5 minutes - Q and A time for panel members with the artist or organization

A notice about what type of audio-visual equipment will be available for the presentation will be sent prior to the panel dates.

Failure to attend the review panel meeting will result in the artist or organization project being disqualified.

Selection

Panel and staff scores are forwarded to the Allocations Committee of the Arts & Culture Advisory Commission for review. The Allocations Committee recommends a level of funding for each applicant taking into consideration the scoring, prior year funding, funding projections, contract compliance, and fiscal management of applicants. **An applicant whose normalized panel score is below 70% will not be considered for funding.** All scores are normalized within their tier. Normalizing a score means each score is divided by the highest score of that tier.

All funding levels are determined by the panel score, OCA administrative score, and the availability of funding for the year, with final funding recommendation by the Allocations Committee of the Arts & Culture Advisory Commission and final approval by the Director of Cultural Affairs.

Variances from these guidelines may be approved by the Director; however, material variances shall require City Council approval. Material variances include:

- Changes in tier structure, and maximum awards by tier
- Changes in scoring criteria
- Non-profit status requirements
- Status as a Dallas-based organization or artist
- Changes to ineligible activities
- Allowing a Dallas-based organization or artist to receive multiple awards within fiscal year 2019-20

Funding Request Amounts

Organizations can apply for a maximum funding request based on its respective tier. The maximum funding requests are as follows:

Tier IA (Projects)	$7,500
Tier IA (Residencies)	$15,000
Tier 1	$10,000
Tier 2 & 3	$15,000
Tier 4	$20,000

Arts Activate 2020 Funding Allocation

No more than 20% of the total ArtsActivate 2020 available funding will be awarded to organizations with budget over $1,000,000.

Scoring

Each applicant will be scored on a 100-point scale. Seventy (70) points will be scored by the review panel. The remaining 30 points will be an administrative and compliance score calculated by OCA staff.

Review Panel Scoring

- **Quality of Services (35 points)** – The organization exhibits a commitment to high quality standards in its artistic and cultural services and programming for Dallas residents and visitors.
- **Impact of Community Programming and Neighborhood Outreach (20 Points)** – The organization has a broad and significant impact on the residents of Dallas by direct neighborhood/community outreach or an intentional inclusion and involvement of underserved populations and/or outlying neighborhoods/communities at a headquarter location.
- **Overall (15 points)** – The overall evaluation of the organization. The organization demonstrates a benefit to the residents and visitors of Dallas through a strong application and panel presentation.

OCA Administrative Scoring

Non-Profit Organizations

Financial Viability (2.5 points) –The organization has sound financial viability based on unrestricted net assets (measured from the organization's most recent fiscal year financial audit or Form 990).

2.5 Points: Change in unrestricted net assets

2.5 = Change in unrestricted net assets greater than $0 (surplus)
0 = Change in unrestricted net assets less than $0 (deficit)

Application and Contracting Compliance (2.5 Points) – New Applicants have shown the capacity to contact OCA Cultural Programs staff as a new applicant or returning applicants have shown the capacity to comply with previous contracting and reporting deadlines and requirements (measured from the most recent projects-based application for which funding was recommended).

2.5 Points: Contact OCA Cultural Programs Staff (First Time Applicants)

2.5 = Contacted OCA Cultural Programs Staff prior to application submission
0 = No record of contacting OCA Cultural Programs Staff prior to application submission

2.5 Points: Contract Compliance (Returning Applicants)

2.5 = Most recent funded project contract executed with an on-time submission of final report
0 = Failed execution of most recent project contract or late submission of final report

Board & Staff Diversity (5 Points) [2]

Board Diversity (2.5 points) – Per the City of Dallas Cultural Policy as adopted November 28, 2018, the goals have been put in place for cultural organizations to demonstrate a commitment to diverse community representation of the organization's board. (Diversity numbers taken from the ArtsActivate 2020 application)

Points	Tier 1	Tier 2	Tier 3	Tier 4
2.5	5% or more	10% or more	10% or more	20% or more
0	Less than 5%	Less than 10%	Less than 10%	Less than 20%

Staff Diversity (2.5 points) – While the Cultural Policy does not set specific goals for staff diversity, the Office of Cultural Affairs will mirror staff diversity goals based on those of board diversity goals and definitions for the purposes of this scoring category. Staff is considered pay-rolled staff, not contracted labor. NOTE: Organizations with only 1 staff member will receive full points for staff diversity.

Points	Tier 1	Tier 2	Tier 3	Tier 4
2.5			10% or more	20% or more
0			Less than 10%	Less than 20%

[2] Diversity (as relates to board and staff goals) means the percentage of non-majority (based on race/ethnicity) members of a board or staff. For example, if the goal is at least 10% diversity on a board, an organization meeting that goal must have no more than 90% of any one racial/ethnic group on their board.

Projected Budget Support (5 points) – Applicant shows percentage of financial support in total proposed project budget in comparison to the requested funding amount from OCA. This includes in-kind contribution.

Points	Percent of Support
5	50% or more
4	40% - 49%
3	30% - 39%
2	20% - 29%
1	10% - 19%
0	9% or less

Neighborhood Typologies (10 points) – Based on the Cultural Plan as approved by City Council on November 28, 2018, neighborhood typologies were outlined for the City of Dallas to identify and illustrate how different neighborhoods in Dallas are served by the city's arts and culture ecosystem. Organizations will be scored based on the proposed locations in their proposal. If multiple locations are listed in a proposal, the average score of the locations will be used. See map of typologies here: http://dallasculturalplan.com/typologies/

Points	Neighborhood Typology
10	Non-traditional Spaces (green)
7	Residential Opportunities (red)
5	Mixed Urbanism (blue)
0	Urban Core (yellow)

Cultural Plan Priorities (5 points) – Applicant strategically addresses at least one Cultural Plan priority in the submitted application with supporting information justifying which initiatives under the selected priority(-ies) are being met. See description of priorities and initiatives in the Dallas Cultural Plan Summary here: http://bit.ly/culturalplansummary

Points	Priority Support
5	Clearly supports selected priority(-ies)
3	Somewhat supports selected priority(-ies)
0	Does not support selected priority(-ies)

Individual Artists

Application and Contracting Compliance (5 Points) – The artist has either shown the capacity to contact OCA Cultural Programs staff as a new applicant or returning applicants have shown the capacity to comply with previous contracting and reporting deadlines and requirements (measured from the most recent projects-based application for which funding was recommended).

5 Points: Contact OCA Cultural Programs Staff (First Time Applicants)

5 = Contacted OCA Cultural Programs Staff prior to application submission
0 = No record of contacting OCA Cultural Programs Staff prior to application submission

5 Points: Contract Compliance (Returning Applicants)

5 = Most recent funded project contract executed with an on-time submission of final report
0 = Failed execution of most recent project contract or late submission of final report

Projected Budget Support (5 points) – Applicant shows percentage of financial support in total proposed project budget in comparison to the requested funding amount from OCA. This includes in-kind contribution.

Points	Percent of Support
5	10% or more
4	8% - 9.9%
3	6% - 7.9%
2	4% - 5.9%
1	2% - 3.9%
0	Less than 2%

Date & Venue Availability Confirmation (5 Points)[3] – The artist has exhibited due diligence in proper planning and coordination to, at a minimum, confirm that any proposed dates are available at a desired venue/location and that such is reported in the Events Listing step of the application.

5 = Confirmation that date and venue/location of proposed programming is available at time of application and recorded in Events Listing of application
0 = No confirmation that date and venue of proposed programming is available, or no date or venue/location listed in Events Listing of application

Neighborhood Typologies (10 points) – Based on the Cultural Plan as approved by City Council on November 28, 2018, neighborhood typologies were outlined for the City of Dallas to identify and illustrate how different neighborhoods in Dallas are served by the city's arts and culture ecosystem. Organizations will be scored based on the proposed locations in their proposal. If multiple locations are listed in a proposal, the average score of the locations will be used. See map of typologies here: http://dallasculturalplan.com/typologies/

Points	Neighborhood Typology
10	Non-traditional Spaces (green)
7	Residential Opportunities (red)
5	Mixed Urbanism (blue)
0	Urban Core (yellow)

Cultural Plan Priorities (5 points) – Applicant strategically addresses at least one Cultural Plan priority in the submitted application with supporting information justifying which initiatives under the selected priority(-ies) are being met. See description of priorities and initiatives in the Dallas Cultural Plan Summary here: http://bit.ly/culturalplansummary

Points	Priority Support
5	Clearly supports selected priority(-ies)
3	Somewhat supports selected priority(-ies)
0	Does not support selected priority(-ies)

Payment

Payments will be made in installments for services that have been performed, as determined by the time frame and scope of work of the project. A portion of the funding will be held until after the final report is submitted.

[3] Does not require that an artist pay to secure a venue, only that a date and venue are potentially available pending funding recommendation from OCA.

Compliance

If an applicant's panel score and review leads to a funding level being recommended by the Arts & Culture Advisory Commission, notification will be sent to the artist or organization after the funding process has been completed.

Contracting Deadlines

The following lists the deadlines an applicant must follow during the contracting process:

Scope of Work Approval – 1 week after initial receipt of an initial draft of scope of work
Certificate of Insurance – 30 days after receipt of Risk Assessment Memo and Insurance Requirements
Signing of Contract – 48 hours to sign or respond with questions or concerns (contract sent electronically via Adobe Sign)

Insurance Requirements

Insurance may be required of artists and organizations recommended for funding and contracting with the City of Dallas. Insurance requirements are included in the contract and are determined by the Office of Risk Management. A Certificate of Insurance (COI) must be submitted to the City covering the entire term of the contract. Funds cannot be released without a memorandum of compliance from the Office of Risk Management stating insurance requirements have been met. Proof of insurance must meet the specific terms of the contract. During the contract term, applicants are required to obtain and maintain all necessary licenses, permits, insurance and other approvals required by law for the provision of services.

Failure to meet insurance requirements will be reported to the Allocations Committee of the Arts & Culture Advisory Commission and is a default under the contract. This will result in contract termination, if the default is not cured within the timeframe required under the contract. (For more information on insurance requirements please see FY 2019-20 Cultural Projects Funding Resource Guide)

Final Reporting

A final report for the project should be submitted to the OCA by the pre-determined due date referenced in the Scope of Work. The final report includes an itemized amount of project expenditures and revenue, and a narrative summary of the project. Samples of promotional materials and programs / playbills relating to the project are required. Failure to submit the final report by the due date may result in loss of funding and future eligibility for projects-based support from the OCA.

Logo and Credit Line

It is imperative that the residents of Dallas know that their local tax dollars make it possible for them to enjoy the caliber of arts produced in this City. All contractors must recognize the City of Dallas in the same way it recognizes other contributors in terms of benefits, type size on publications, and frequency of acknowledgment.

Arts organizations and artists awarded City of Dallas contracts for cultural services must include the following credit line and logo in publications, programs, press releases, season brochures, lobby displays, advertising and every other mode of public communication:

"(Name of your organization/program) is supported in part by the City of Dallas Office of Cultural Affairs."

Download the logo at https://dallasculture.org/our-logo/

Social Media Recognition

In social media promotions related to any service funded by COP, you can tag City of Dallas Office of Cultural Affairs and utilize preferred hashtags when appropriate. See Dallas Culture handles, preferred hashtags and recommendations for social media engagement below.

Twitter

- Through professional and/or personal accounts follow Dallas OCA Twitter account https://twitter.com/dallasculture
- When making posts about your project tag us in your tweet by using our handle @dallasculture
- Include the hashtags: #dallasculture, #liveart, #oca

Facebook

- Through professional and/or personal pages, "like" the City of Dallas Office of Cultural Affairs
- Facebook page https://www.facebook.com/dallasculture
- When making posts about your project, tag in them @City of DallasOffice of Cultural Affairs
- Tag @City of DallasOffice of Cultural Affairs in any photos/videos you post related to your project. Be sure to share photos on the Dallas Culture page as well
- Utilize the #dallasculture #liveart #oca hashtags on Facebook posts of your projects

Instagram

- Through professional and/or personal accounts follow Dallas OCA Instagram account https://www.instagram.com/dallas_culture/
- When making posts about your project tag us in your tweet by using our handle @dallas_culture
- Include the hashtags: #dallasculture #liveart #oca

Complimentary Tickets

Organizations and artists shall make available up to four complimentary tickets per event, program, production, exhibition or other activity produced under the contracted services to the Office of Cultural Affairs for the purpose of allowing City staff to assess the management and operation of City-owned facilities within their jurisdiction and to oversee City sponsored events.

Receipt of complimentary tickets by City staff is subject to the provisions of the City's Gift Policy for City Employees, provided in Council Resolution 17-0516 adopted on March 22, 2017.

Agenda Information Sheet

File #: 19-823 **Item #:** 36.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 12

DEPARTMENT: Office of Cultural Affairs

EXECUTIVE: Joey Zapata

SUBJECT

Authorize a contract with Brad Oldham International, Inc. for the composition of public artwork at Hillcrest Village Green Park located at 6959 Arapaho Road - Not to exceed $144,985.00 - Financing: Park and Recreation Facilities Fund (2006 Bond Funds) ($61,665.60) and Park and Recreation Facilities (B) Fund (2017 Bond Funds) ($83,319.40)

BACKGROUND

A short-list artist selection process was used for the Hillcrest Village Green Park Public Art Project, so that the public art installation could be completed for the opening of the new park in the spring of 2020. Three artists were commissioned to develop a site-specific proposal. Brad Oldham International, Inc. (artists Brad Oldham and Christy Coltrin) was recommended for this public art project by the Selection Panel composed of representatives from the Park and Recreation Department, community representatives, and two artist professionals.

Artists' Background - Brad Oldham and Christy Coltrin

Sculptor Brad Oldham has elevated environments worldwide with his site-specific artworks. In 2016, Brad was named the first-ever Artist of the Year by the Dallas Convention and Visitors Bureau. In 2011, the Texas Society of Architects recognized Brad with their prestigious Artisan Award and heralded him as the Artist/Craftsman of the Year for the American Institute for Architects. In 2010, the Americans for the Arts Public Art Network included his $1.4 million installation, "The Traveling Man," in its prestigious Year in Review Program.

Christy Coltrin brings art, humor, and beauty to life in sculptures. The original inspiration for a sculpture comes from Christy while other times she builds upon what Brad starts - they have developed a collaborative process working with each other since 2007. The collaboration is one of two artists who know how to challenge each other to produce better work than either could alone.

In 2017, Christy was selected by the U.S. State Department to create and execute a Young Leaders of the Americas Initiative reverse exchange program with an artist in Guatemala. With support from the U.S. Embassy in Guatemala, Christy conducted sculpture-teaching workshops for more than 250 students in rural and urban areas around the country, met with nearly 50 entrepreneurs and artists, and hosted a sponsor dinner in Guatemala City's Arts District to solidify relationships formed.

Project Description

The recommended design is a sculpture depicting three animals: a dog, a rabbit and a bird, sitting one on top of the other. The sculpture will be made of stainless steel with some texturing to define the shapes of the animals. Planned at fourteen feet tall, six and one-half-feet wide and four-foot, three inches deep, the sculpture will welcome visitors to Hillcrest Village Green Park and provide an engaging location for families and children to gather. The work depicts the playful elements for the enjoyment of visitors to the park.

ESTIMATED SCHEDULE OF PROJECT

Contract Award	June 2019
Complete Installation	April 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 1, 2018, the Park and Recreation Board authorized the Public Art Projects list for the 2017 Bond Projects.

On February 15, 2018, the Park and Recreation Board was briefed on the proposed new city park at Hillcrest Road and Arapaho Road.

On May 3, 2018, the Park and Recreation Board authorized acquisition from SHOPCO DEV LLC, of a tract of land located at 6959 Arapaho Road for a proposed new park, a twenty-year development and maintenance agreement, with two five-year renewal options, with SHOPCO DEV LLC for the new park and Hillcrest Village Green as the placeholder name.

On May 23, 2018, City Council authorized acquisition from SHOPCO DEV LLC, of a tract of land containing a total of approximately 65,716 square feet located at 6959 Arapaho Road for a proposed new park and a twenty-year development and maintenance agreement, with two five-year renewal options, with SHOPCO DEV LLC for the new park to be located at 6959 Arapaho Road by Resolution No. 18-0763.

On May 16, 2019, the Arts and Culture Advisory Commission approved a recommendation in support of this item.

FISCAL INFORMATION

Park and Recreation Facilities Fund (2006 Bond Funds) - $61,665.60
Park and Recreation Facilities (B) Fund (2017 Bond Funds) - $83,319.40

OWNER

Brad Oldham International, Inc.

Brad Oldham, Artist
Christy Coltrin, Artist

June 12, 2019

WHEREAS, Chapter 2, Article X of the Dallas City Code establishes a Public Art Program to include works of art and design services of artists in certain City capital improvement projects; and

WHEREAS, in carrying out the intent of the Public Art Program, the Office of Cultural Affairs, working with the Public Art Committee, has identified a public art project to complement the Hillcrest Village Green location at 6959 Arapaho Road; and

WHEREAS, Brad Oldham International, Inc. was chosen by the Selection Panel selected for the project and was approved by the Public Art Committee and the Arts and Culture Advisory Commission; and

WHEREAS, $61,665.60 is now currently available from the 2006 Bond Funds and $83,319.40 is currently available from the 2017 Bond Funds to support the fabrication and installation of a site-specific artwork.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a contract with Brad Oldham International, Inc., approved as to form by the City Attorney, for the composition of public artwork at Hillcrest Village Green Park located at 6959 Arapaho Road, in an amount not to exceed $144,985.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $144,985.00 to Brad Oldham International, Inc., as follows:

Park and Recreation Facilities Fund	
Fund 3T00, Department PKR, Unit N810, Object 4425	
Program PK06HVGP, Activity PUBA	
Encumbrance/Contract No. MASC-OCA-2019-00010314	
Vendor VS99833	$ 61,665.60
Park and Recreation Facilities (B) Fund	
Fund 1V00, Department PKR, Unit PA56, Object 4425	
Program PK17PA56, Activity PUBA	
Encumbrance/Contract No. MASC-OCA-2019-00010314	
Vendor VS99833	$ 83,319.40
Total amount not to exceed	$144,985.00

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-818 **Item #:** 37.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Cultural Affairs

EXECUTIVE: Joey Zapata

SUBJECT

Authorize the Third Amendment to the Lease Agreement with the Dallas Theater Center (DTC) for a five-year term to enable the DTC to continue to lease, occupy, manage, and operate the Kalita Humphreys Theater and Annex Building located at 3636 Turtle Creek Boulevard for the period June 12, 2019 through June 1, 2024 - Revenue: $5.00

BACKGROUND

In September 1973, the City entered into a lease agreement with the DTC relating to the operation of the Kalita Humphreys Theater Building in William Dean Park. That agreement was first amended on November 17, 1982 (Resolution No. 82-4006) reflecting DTC's option to renew the lease for an additional term of 20 years, thereby, extending the lease to September 26, 2013.

On April 12, 1989, the City passed Ordinance No. 20266, establishing the Office of Cultural Affairs (OCA) and empowering it to perform many of the duties previously performed by the Park and Recreation Board relating to the DTC. The proposed amendment formally transferred administrative responsibility for the DTC lease agreement from the Park and Recreation Board to the OCA and added the City-owned Heldt Office/Rehearsal Building (built with 1982 Bond Funds) to the facilities covered under the lease. Finally, the amendment allowed the City to pay electric utility costs for the facilities covered by the lease.

In 2005, the Kalita was designated as a Dallas Landmark. It is the only theater that Frank Lloyd Wright ever designed, and, in that ordinance, it states that the primary period of significance was the original 1959-1960 design. The City contracted Booziotis & Company Architects to complete a Master Plan using bond funds. The Master Plan was completed in 2010 but never formally adopted by City Council.

The current lease agreement has been in holdover for six years. In February 2019, DTC briefed the Arts & Culture Advisory Commission on their activities and their interest in a lease extension. OCA made a recommendation and Commissioners asked that a Task Force be formed in response to

OCA's recommendations. On April 18, 2018 the Kalita Task Force provided recommendations to the full Arts & Culture Advisory Commission, which included the 2010 Master Plan and developing a new plan; and the 2018 Cultural Plan's priorities to provide more equitable access.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Quality of Life, Arts, and Culture Committee was briefed regarding this matter on April 22, 2019.

FISCAL INFORMATION

Revenue: $5.00

The lease contract terms provide for rent of $1.00 per year for five years.

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WHEREAS, the City of Dallas owns the land and improvements comprising the Kalita Humphreys Theater premises located at 3636 Turtle Creek Boulevard in Dallas County, Texas; and

WHEREAS, the City and the Dallas Theater Center ("DTC") are currently parties to that certain Use Agreement dated September 26, 1973, as amended (the "Lease"), which provides for the terms and conditions under which the DTC is the lessee of the Kalita Humphreys Theater and the annex building known as the Heldt (collectively for purposes herein, the "Kalita"); and

WHEREAS, the lease expired by its own terms on September 26, 2013; and

WHEREAS, the parties have maintained the Lease on a month to month holdover status in the interim pending the negotiation of lease extension occupancy and use terms for DTC's continued use of the Kalita; and

WHEREAS, City and the DTC desire to amend and extend the Lease for an additional five years ("Extension Term"), subject to amended lease terms to provide for the City's continued lease of the Kalita to the DTC; and

WHEREAS, the consideration to be paid to the City by the DTC is a rental of $1.00 per year during the Extension Term, and DTC's agreement to continue to use, operate, and manage the Kalita, to provide for and carry out the City's cultural public purpose in accordance with the Lease, as amended.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager, upon approval as to form by the City Attorney and attested by the City Secretary, is hereby authorized to execute a Third Amendment to the Lease Agreement ("Third Amendment") between the Dallas Theater Center ("DTC"), as lessee, and the City of Dallas, as lessor, to enable the DTC to continue to lease, occupy, manage, and operate the Kalita for an additional five year term, for the period June 12, 2019 through June 1, 2024 (the "Extension Term"), to carry out the City's cultural public purpose in accordance with the Lease, as amended.

SECTION 2. That additional special terms and conditions of the Third Amendment include among other things, the following terms and conditions:

A. Total rent payable to the City by the DTC during the Extension Term shall be $1.00 per year payable on or before January 2 of each lease year; and

SECTION 2. (continued)

B. The DTC will be responsible to provide additional services in its Kalita operations through a City approved Equitable Access Plan for the Kalita operations and complete an update to the 2010 Master Plan for the Kalita and the surrounding park land within the first year of the Extension Term. Specifically at a minimum:

    a. The Equitable Access Plan will include effective policies and procedures for Kalita operations to provide non-resident groups greater opportunities to book space and utilize basic sound and lighting equipment and technical support; and
    b. The booking calendar shall be submitted to the Director of the Office of Cultural Affairs for approval; and
    c. Any changes to sublessee dates must have sublessee's prior consent
    d. At a minimum, the following number of weeks are reserved for non-resident groups at the Kalita and the Heldt
        i. Year 3: 4 weeks reserved for non-resident groups
        ii. Year 4: 8 weeks reserved for non-resident groups
        iii. Year 5: 12 weeks reserved for non-resident groups

C. DTC must maintain the Kalita in a clean, safe condition, and in good order and repair; and

D. DTC must provide designated office and storage space and props and costume design space for use by sublessees concurrently with the main stage/space in Extension Term years 2 through 5; and

    a. Must do the same with respect to the Heldt office space.

E. DTC must submit an Updated Master Plan to the Office of Cultural Affairs at the end of Extension Term Year 1 to include and provide for the following:

    a. An independent third party consultant/team with historic restoration and theater design experience
    b. A steering committee of diverse stakeholders to include three (3) Directors from the City of Dallas, two (2) local theater groups, and eight (8) community stakeholders; and
    c. Performing arts community provides additional contemporary feedback for renovations for interior spaces; and
    d. Completion of a support building should precede renovation or replacement of the Heldt; and
    e. Allow for the restoration of the exterior of the Kalita to the 1959-60 period of significance; and

SECTION 2. (continued)

F. DTC must implement the Equitable Access Plan and use reasonable best efforts to assist the Manager in fundraising for the implementation of the theater-related elements of the Updated Master Plan during years 2 through 5; and

G. DTC must sublease the Kalita and the Heldt at market rates; and

H. All other terms of the Lease, as amended, not expressly amended hereby shall remain in full force and effect.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit all revenues received under the Third Amendment to the General Fund, Fund 0001, Department OCA, Unit 4847, Revenue Code 7219.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
Christopher J. Caso, Interim City Attorney

By: _____
Assistant City Attorney

Agenda Information Sheet

File #: 19-641 **Item #:** 38.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Cultural Affairs

EXECUTIVE: Joey Zapata

SUBJECT

Authorize an amendment to the Cultural Facilities Program, which provides funding for long-term improvements, renovations or major repairs of cultural facilities, previously approved on April 12, 2017, by Resolution No. 17-0594, to amend the ownership, legal status and unrestricted use requirements to allow lessees to qualify for the program - Financing: No cost consideration to the City

BACKGROUND

This action will authorize an amendment to the Cultural Facilities Program to extend eligibility to applicant organizations with 99-year leaseholds on otherwise eligible cultural facilities.

The Cultural Facilities Program provides for grants of up to $200,000.00 per qualifying organization for improvement and renovation or major repair of cultural facilities owned and operated by not-for-profit cultural organizations with annual operating budgets less than $5 million. The Office of Cultural Affairs developed program guidelines for a competitive program to award these funds to eligible organizations. The program was authorized by City Council on April 12, 2017, by Resolution No. 17-0594.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 12, 2017, City Council authorized the establishment of the Cultural Facilities Program to support long-term improvement, renovation or major repairs of cultural facilities owned and operated by not-for-profit organizations with an annual operating budget less than $5 million by Resolution No. 17-0594.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on June 10, 2019.

FISCAL INFORMATION

No cost consideration to the City.

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June 12, 2019

WHEREAS, on April 12, 2017, City Council authorized and established the Cultural Facilities Program, which provides funding for long-term improvement, renovation or major repairs of cultural facilities owned and operated by not-for-profit cultural organizations with annual operating budgets less than $5 million by Resolution No. 17-0594; and

WHEREAS, a need exists to extend eligibility to an applicant organization with a 99-year ground lease; and

WHEREAS, extending these eligibility requirements is consistent with the *Dallas Cultural Plan 2018*, which identifies space for cultural activities as a priority.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Council hereby authorizes an amendment to the Cultural Facilities Program to amend the ownership, legal status and unrestricted use requirements to allow lessees to qualify for the program; and approves the amended and restated program guidelines attached to this Resolution as **Exhibit A**. For convenience, a red-lined version of the amended program guidelines is attached hereto as **Exhibit B**.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

City of Dallas

EXHIBIT A

OFFICE OF CULTURAL AFFAIRS
CULTURAL FACILITIES PROGRAM GUIDELINES
REVISED AND RESTATED - JUNE 12, 2019

Purpose of This Grant

The Cultural Facilities Program coordinates and guides the City of Dallas support and funding of investment in long-term improvement, renovation or major repairs of cultural facilities owned and operated by organizations with an annual operating budget less than $5 million.

The applicant's primary mission must be to conduct arts and cultural programming. By program definition, a cultural facility is a building which shall be used for the programming, production, presentation, exhibition of any of the arts and cultural disciplines. These disciplines are music, dance, theatre, creative writing, literature, architecture, painting, sculpture, folk arts, photography, crafts, media arts, visual arts, and programs of museums and must comprise at least 85% of facility use. The Program is intended for investment, long-term improvement, renovation or major repair. City funding IS NOT to be used for land, facility acquisition, landscaping, constructing or fabricating exhibits.

The City may structure award agreements as a secured loan, requiring a lien be placed on the contractor's property, to be amortized (written off) over a period of time (see Contracting and Schedule of Payments section for more details).

Projects must have a public purpose, a measurable community impact, and should address at least one of the following priorities:

- Urgent-need remodeling, renovation or major repairs of existing facilities including equipment and technology upgrades or replacement
- Improvements to a historic building
- Allow for significant organizational growth
- Bring buildings into compliance with the Americans with Disabilities Act or other building code requirements
- Parking expansion

Funding Period

Awarded funds must be spent on project expenses incurred during the funding period as defined in your funding award agreement.

Request Amount

Applicants may request up to $200,000 for the long-term improvement, renovation, or major repair of a cultural facility. There is no minimum request amount.

Eligibility

All applicants must meet the following requirements. All documentation must be provided by the application deadline unless otherwise noted. In other words, documentation must be submitted with the application and will not be accepted later.

1. Applicant must have the correct **legal status** (not-for-profit, tax-exempt, Texas corporation)
    a. In the event the applicant holds a long-term ground lease, meaning a 99-year ground lease, the land owner is not required to have not-for-profit status
2. The applicant, or land owner in the case of long-term ground leases, must have **unrestricted use** of the land and buildings, as the case may be, associated with the project (for new construction or renovation) and **MUST** be able to file a Restrictive Covenant on the property with the Clerk of Court for up to ten (10) years. See Unrestricted Use of Land and/or Buildings for additional information.
3. **Retain ownership** of all improvements made under the funding program
4. Provide documentation of **Total Support and Revenue** (operating budget) for the last completed fiscal year
5. Have appropriate **matching** funds and properly document matching funds at submission
6. Provide an 8.5" x 11" reduction of **current architectural plans for renovation projects**
7. Have **support of local community leaders** —for this project— documented in writing with the application
8. A certificate appropriateness is required for construction, demolition or alteration of any structure or site that is located in a designated landmark district or is designated as a landmark site
9. Complete an application form
10. All projects must happen within the city limits of Dallas to receive funding
11. Administrative offices permanently located in the City of Dallas

Legal Status

All applicant organizations must:

1. Have been established as a **not-for-profit, tax-exempt Texas corporation** according to the following definitions:
    a. Incorporated as an active not-for-profit Texas corporation. OCA staff will verify that the applicant was in "active" status at the time of application
    b. Designated as a tax-exempt organization as defined in Section 501(c)(3) or 501(c)(4), of the Internal Revenue Code of 1954 and
    c. Allowed to receive contributions pursuant to the provisions of s. 170 of the Internal Revenue Code of 1954
2. In the event the applicant holds a long-term ground lease, the land owner is not required to have not-for-profit status and is therefore not required to provide documentation of their legal status.

Documentation of Legal Status

Organizations must provide IRS determination letter documenting not-for-profit, tax-exempt status with each application. The IRS determination letter must be submitted with the application.

The Office of Cultural Affairs will verify that the applicant is registered with the Texas Secretary of State Corporations Section as of the application deadline. If the applicant is not registered by the application deadline, the application will be ineligible.

For more information on corporate status, visit http://sos.state.tx.us or call the Corporations section at (512) 463-5555.

Number of applications per deadline

You may only submit one (1) Cultural Facilities Program application per deadline, for a single facility, project, site, or phase.

Number of applications per project

Applicants may request funding for different phases of the same project over a period of 5 consecutive fiscal years should appropriations for the Cultural Facilities Program be available in future years. These are called multiphase projects, and they must have activity in each year for which funding is requested.

In multiphase projects, matching funds may be expended on the current project phase in advance; however, city funds may only be expended on activity occurring after a contract is fully executed. You may not use funds expended in earlier phases as match for later phases.

The phase number of the project is equal to the number of applications submitted to the Office of Cultural Affairs over a 5-year period in order to complete the project. All eligibility criteria continue to apply.

Restrictions (City funds may not be used for…)

- Facilities that provide less than 85% of Cultural Programming by non-profit organizations
- Specific non-allowable expenses
- Project planning such as feasibility studies and architectural drawings but may be used as match if within 5 years of funding. City funds may be used for shop drawings and field engineering
- Projects or facilities restricted to private or exclusive participation, including restriction of access to programs on the basis of sex, race, creed, national origin, disability, age, marital status, sexual orientation or gender identity and expression

- Projects funded by the City outside of this funding program during the same fiscal year
- Design, fabrication or construction of exhibits
- Commercial property
- No project may receive more than $500,000 during a 5-consecutive fiscal year period. ("Receive" means measured from October 1 through September 30 of the fiscal year in which funds were awarded if funds are available.)

Non-Allowable Expenses

The Grantee agrees to expend all funds received under this agreement solely for the purposes for which they were authorized and appropriated. Program funds may not be spent on the following:

- General Operating Expenses (GOE): Administrative costs for running the organization (including but not limited to salaries, travel, personnel, office supplies, mortgage or rent, operating overhead or indirect costs, minor repairs or maintenance etc.)
    - Up to 10% of awarded funds may be used for construction management
- Costs associated with representation, proposal, or application preparation
- Costs incurred or obligated outside of the funding period
- Costs for lobbying or attempting to influence federal, state or local legislation, the judicial branch, or any City agency
- Costs for planning, which include those for preliminary and schematic drawings, and design development documents necessary to carry out the project
- Costs associated with prior debts, contingencies (money set aside for possible expenses), fines and penalties, interest, taxes (of any kind), and other financial costs including bank fees and charges and credit card debts
- Costs for travel, private entertainment, food, beverages, plaques, awards, or scholarships
- Projects restricted to private or exclusive participation, including restriction of access to programs on the basis of sex, race, creed, national origin, disability, age, or marital status, sexual orientation or gender identity and expression
- Re-granting, contributions, and donations
- Reimbursement of costs that are paid prior to the execution of the Funding Award Agreement or outside the dates stated in the grant award agreement

Matching Funds

You must match your request amount with non-City funds. The amount you must provide as match depends on your Total Support and Revenue (annual budget).

Summary of Match Requirements	
Total Support and Revenue	Required Match
Annual Budget less than $1,000,000	½:1
Annual Budget of $1,000,000 - $4,999,999	1:1

Types of Match

There are four types of match:

- Cash on Hand (liquid assets), at least 25% of total request amount match must be cash-on-hand
- Expenditures (expenditures must be made within 5 years before the application deadline) and may not have been used as match in a previous project funded by the City
- Irrevocable pledges (no more than 50% of the match)
- Documented in-kind contributions (no more than 50% of the match)

All applicants must have all match complete and confirmed at execution of the contract.

Restrictions on Matching Funds

- Funds that are for General Operating Expenses (i.e. the un-restricted column on the Statement of Activity page of the organization's audit) will not be allowed.
- Revenue from grants that have not yet been awarded will not be acceptable as match.
- Fundraising costs will not be acceptable as match
- Legal fees or taxes will not be acceptable as match
- Matching funds will be designated only to the project phase presented in this application and may not be used in previous or succeeding applications, or in any other City grant
- Matching funds may have been expended prior to the execution date of the Funding Award Agreement; as long as the funds are clearly a part of the project described and can be documented. However, **at least 25% of the matching funds must be cash-on-hand** at the application deadline
- Interest paid on mortgage (the interest paid on the mortgage is considered to be the "cost of doing business," and may not be used as match)
- Building or land as match:
    - The value of buildings or land not owned by the applicant may not be used as match.
    - The building or land **must have been purchased or acquired within 5 years prior** to the award of the grant (For the purposes of this program, award means October 1 of the fiscal year in which funds are appropriated by the City of Dallas for this grant)
    - Only the purchase price or documented acquisition date value, not current market value, may be used as match
- **Loans may not be used as match**, only unencumbered equity may be counted as match
- Any City of Dallas funds may not be used as match for this program

Matching Funds Documentation

Documentation of matching funds may include:

- Award letters from third parties
- A list of irrevocable pledges; list of in-kind contributors
- Bank statement confirming Cash-on-Hand
- A list of liquid assets dedicated to the project, or other documents that substantiate funds claimed as match
- Expenditures made within five (5) years before the application deadline for Scope of Work as described in the application

Unrestricted Use of Land and/or Buildings

You must provide documentation that the Applicant has Unrestricted Use of the building and the land associated with the proposal/project, except that in the event the applicant holds a long-term ground lease, the provisions below related to land ownership shall apply to the land owner.

- **Ownership.** Legal proof of unrestricted ownership of property and building. Unrestricted means unqualified ownership and power of disposition. Property that does not meet the unrestricted ownership criterion will not be eligible for match. Documentation may include a deed, title, or a copy of a recent property tax statement. Provisional sales contracts, binders, or letters of intent are not acceptable documentation of ownership.

- **Ownership of Improvements** Applicants must retain ownership of all improvements made under the program.

Total Support and Revenue (Annual Budget)

You must provide documentation of your Total Support and Revenue (annual operating budget) for your last completed fiscal year.

- Provide an audit to substantiate Total Support and Revenue that has been conducted by an outside certified accountant for the recently completed fiscal year.

Architectural Plans for Renovation Projects

All applicants for renovation projects must provide an 8 ½" x 11" reduction of current architectural plans for the facility. DO NOT send full size architectural plans or drawings with the application. See below for suggested submissions for each project type:

- For renovations an architectural drawing, artist's rendering of the proposed renovation if the renovation is an addition; or a "footprint" of the facility with the renovations clearly marked

Historical Review Requirements

A Certificate of Appropriateness is required for construction, demolition or alteration of any structure or site that is located in a designated landmark district or is designated as a landmark site.

For more information regarding compliance with Dallas historic preservation regulations visit http://dallascityhall.com/departments/sustainabledevelopment/historicpreservation/ or call 214-670-4209.

Local Support

All applicants must submit current letters of support from community leaders who are lending support to this project. Letters should be from individuals who have actually visited the facility (if a renovation project) or participated in programs. **Applicants should avoid form letters; original letters are preferred**. Three to six support letters are sufficient.

Support letters will not be accepted after the application deadline.

Proof of Insurance

Insurance requirements will be included in the contract. A certificate of insurance must be submitted to the City whenever a policy expires and is renewed. Funds cannot be released without a memorandum of compliance from the Office of Risk Management stating insurance requirements have been met. Proof of insurance must meet the specific terms of the contract**.** Failure to meet insurance requirements could possible result in contract termination.

Applicants are required to obtain and maintain during the contract term all necessary licenses, permits, insurance and other approvals required by law for the provision of services.

Contracting and Schedule of Payments

State law authorizes the purchase of services on behalf of the public, but not the donation of public money to organizations or individuals. Funded organizations must provide public benefits to citizens of Dallas equal to the amount of the award as a condition of their funding.

At the City's discretion, the contract may require that the applicant, or land owner in the case of long-term ground leases, file restrictive covenants on the property.

At the City's discretion, the contract may be structured as a secured loan, requiring a lien be placed on the Contractor's property (or land owners property in the case of long-term ground leases), the amount of which shall be amortized over a period of time correlated with the funding amount. The lien amount will be reduced in a proportionate amount

annually upon completion of the project's scope of work. Should the contractor default on obligations of the contract, the lien will remain in full force and effect until the outstanding balance is repaid to the City.The Director of Cultural Affairs may authorize subordination of City's lien to that of other lenders that have issued or may issue debt for the same project.

After funding recommendations are approved, the Office of Cultural Affairs staff will work with the applicant to develop a contract, including a scope of services (public benefit). These contracts will govern project evaluation and the payment of funds. Contractors are generally paid on a reimbursement basis, and will be scheduled per the contract requirements. Up to 25% of the award amount may be paid in advance, provided that appropriate protections for the funds are provided, as determined by the City Attorney. A percentage of the allocation will be withheld pending the City's receipt and approval of the final narrative and financial reports upon project completion.

Payments may be delayed or withheld at the discretion of the City if determined that the organization is not in full compliance with the terms of the contract. All financial obligations of the City shall be subject to appropriation of funds by the City Council. Contractors agree and understand that the full scope of services and/or amounts payable under the contract is subject to amendment and revision. Any such revision shall be accomplished pursuant to the pertinent sections of the Dallas City Code.

Final Report

A final evaluation report of a summary of activities for the contract period must be submitted to OCA upon completion of the project. Failure to submit the report in a timely manner or submission of an incomplete report may result in delayed payment of the final contract installment as well as payment on future contracts. **All Supplemental material should be submitted online as well.**

Submitting the Application

All application information submitted to the Office of Cultural Affairs are open for public inspection and subject to the Texas Public Information Act.

Application Form

The application form must be completed using the Office of Cultural Affairs grant application and submitted online by 5:00 pm on the application deadline. Deadlines are is posted on the OCA's web site.

Attachments and Support Materials

Submit your attachments and support materials. Acceptable file formats are as follows:

- .pdf, (documents)
- .jpg, .gif, .pdf (images)
- .mp3 (audio excerpts)

- .mp4, .mov, .wmv (video excerpts)

The application must include the following:

1. **Matching Funds** Documentation
    1. Bank statements, awards, contracts, and/or a list of liquid assets for **cash on hand**
    2. Cash receipts for **expenditures** (must be within five (5) years)
    3. A list of **irrevocable pledges**
    4. A list of **in-kind contributions**
2. Documentation of **Unrestricted Use** (construction and renovation projects) or **Intent to Sell** (acquisitions)
    1. Deed, title, property tax statement to document **unrestricted use,** OR
    2. Executed copy of lease and written explanation of any easements, covenants, or other conditions to document **unrestricted use,** OR
    3. Description of facility, purchase price and letter of **intent to sell**
3. **Total Support and Revenue** Documentation
4. Audit that has been conducted by an outside certified accountant for the recently completed fiscal year.
5. 8.5 x 11 inch reduction of current **Architectural Plans**
6. **Local Support** Documentation
    1. Up to 6 current letters of support from community leaders
7. **Non-profit IRS Letter**. Not-for profit tax exempt applicants must provide one (1) copy of your IRS 501(c) (3) determination letter.
8. **Support Materials** such as:
    1. Photographs (original or electronic on CD)
    2. Supplemental or expanded budgets
    3. Flyers, brochures
    4. Newspaper articles
    5. Plans for sustainable design

Review Process (How your application will be reviewed)

The Office of Cultural Affairs shall administer the Cultural Facilities Program with the review and advice of the Cultural Affairs Commission. The Director of Cultural Affairs shall assemble an advisory panel composed of a diverse group of artists, representatives from cultural institutions and organizations, and representatives from the community to assist with the review of applicant proposals. The director shall have final approval of awards for this program.

Review steps:

1. OCA staff will review the applications for basic eligibility and meeting all criteria. OCA will submit eligible applications to a grant review panel.
2. The panel will evaluate each application on the four review criteria and assign a score.

3. OCA will forward a ranked list to the Allocations Committee of the Cultural Affairs Commission for review and recommendations.
4. The Allocations Committee forwards the ranked list to the full Cultural Affairs Commission for final review and funding recommendation.

Note: Material variances from these guidelines shall require City Council approval.

Review Criteria and Scoring

Each eligible application will be evaluated on four competitive criteria:

Criteria	Application section(s)	Worth
Scope/Feasibility of Work	Scope of Work: Project Narrative and Deliverables	up to 20 points
Capacity: Project Budget and Matching Funds	Proposal Budget Detail: Expenses Proposal Budget Detail: Income Matching Funds Statement Project Team	up to 20 points
Community Impact	Need for Project, Operating Forecast Detail and Project Impact	up to 40 points
Organizational Impact	Will improve the organization’s effectiveness	up to 20 pts

The total possible number of points the panel can award to an application is 100. The panel's evaluation will be based on the information contained in the application, required attachments and support materials submitted with the application. The panel's individual scores will be averaged to determine a final score for each application.

Applications must receive a minimum average score of 75 or higher to be recommended for funding.

EXHIBIT B

City of Dallas

OFFICE OF CULTURAL AFFAIRS
CULTURAL FACILITIES PROGRAM GUIDELINES
REVISED AND RESTATED - JUNE 12, 2019

Purpose of This Grant

The Cultural Facilities Program coordinates and guides the City of Dallas support and funding of investment in long-term improvement, renovation or major repairs of cultural facilities owned and operated by organizations with an annual operating budget less than $5 million.

The applicant's primary mission must be to conduct arts and cultural programming. By program definition, a cultural facility is a building which shall be used for the programming, production, presentation, exhibition of any of the arts and cultural disciplines. These disciplines are music, dance, theatre, creative writing, literature, architecture, painting, sculpture, folk arts, photography, crafts, media arts, visual arts, and programs of museums and must comprise at least 85% of facility use. The Program is intended for investment, long-term improvement, renovation or major repair. City funding IS NOT to be used for land, facility acquisition, landscaping, constructing or fabricating exhibits.

The City may structure award agreements as a secured loan, requiring a lien be placed on the contractor's property, to be amortized (written off) over a period of time (see Contracting and Schedule of Payments section for more details).

Projects must have a public purpose, a measurable community impact, and should address at least one of the following priorities:

- Urgent-need remodeling, renovation or major repairs of existing facilities including equipment and technology upgrades or replacement
- Improvements to a historic building
- Allow for significant organizational growth
- Bring buildings into compliance with the Americans with Disabilities Act or other building code requirements
- Parking expansion

Funding Period

Awarded funds must be spent on project expenses incurred during the funding period as defined in your funding award agreement.

Request Amount

Applicants may request up to $200,000 for the long-term improvement, renovation, or major repair of a cultural facility. There is no minimum request amount.

Eligibility

All applicants must meet the following requirements. All documentation must be provided by the application deadline unless otherwise noted. In other words, documentation must be submitted with the application and will not be accepted later.

1. ~~Have~~Applicant must have the correct **legal status** (not-for-profit, tax-exempt, Texas corporation)
    a. ~~Have~~In the event the applicant holds a long-term ground lease, meaning a 99-year ground lease, the land owner is not required to have not-for-profit status
2. The applicant, or land owner in the case of long-term ground leases, must have **unrestricted use** of the land and buildings, as the case may be, associated with the project (for new construction or renovation) ~~which means you~~and **MUST** be able to file a Restrictive Covenant on the property with the Clerk of Court for up to ten (10) years. See Unrestricted Use of Land and/or Buildings for additional information.
3. **Retain ownership** of all improvements made under the funding program
4. Provide documentation of **Total Support and Revenue** (operating budget) for the last completed fiscal year
5. Have appropriate **matching** funds and properly document matching funds at submission
6. Provide an 8.5" x 11" reduction of **current architectural plans for renovation projects**
7. Have **support of local community leaders** —for this project— documented in writing with the application
8. A certificate appropriateness is required for construction, demolition or alteration of any structure or site that is located in a designated landmark district or is designated as a landmark site
9. Complete an application form
10. All projects must happen within the city limits of Dallas to receive funding
11. Administrative offices permanently located in the City of Dallas

Legal Status

All applicant organizations must:

1. Have been established as a **not-for-profit, tax-exempt Texas corporation** according to the following definitions:
    a. Incorporated as an active not-for-profit Texas corporation. OCA staff will verify that the applicant was in "active" status at the time of application
    b. Designated as a tax-exempt organization as defined in Section 501(c)(3) or 501(c)(4), of the Internal Revenue Code of 1954 and
    c. Allowed to receive contributions pursuant to the provisions of s. 170 of the Internal Revenue Code of 1954

2. In the event the applicant holds a long-term ground lease, the land owner is not required to have not-for-profit status and is therefore not required to provide documentation of their legal status.

Documentation of Legal Status

Organizations must provide IRS determination letter documenting not-for-profit, tax-exempt status with each application. The IRS determination letter must be submitted with the application.

The Office of Cultural Affairs will verify that the applicant is registered with the Texas Secretary of State Corporations Section as of the application deadline. If the applicant is not registered by the application deadline, the application will be ineligible.

For more information on corporate status, visit http://sos.state.tx.us or call the Corporations section at (512) 463-5555.

Number of applications per deadline

You may only submit one (1) Cultural Facilities Program application per deadline, for a single facility, project, site, or phase.

Number of applications per project

Applicants may request funding for different phases of the same project over a period of 5 consecutive fiscal years should appropriations for the Cultural Facilities Program be available in future years. These are called multiphase projects, and they must have activity in each year for which funding is requested.

In multiphase projects, matching funds may be expended on the current project phase in advance; however, city funds may only be expended on activity occurring after a contract is fully executed. You may not use funds expended in earlier phases as match for later phases.

The phase number of the project is equal to the number of applications submitted to the Office of Cultural Affairs over a 5-year period in order to complete the project. All eligibility criteria continue to apply.

Restrictions (City funds may not be used for…)

- Facilities that provide less than 85% of Cultural Programming by non-profit organizations
- Specific non-allowable expenses
- Project planning such as feasibility studies and architectural drawings but may be used as match if within 5 years of funding. City funds may be used for shop drawings and field engineering

- Projects or facilities restricted to private or exclusive participation, including restriction of access to programs on the basis of sex, race, creed, national origin, disability, age, marital status, sexual orientation or gender identity and expression
- Projects funded by the City outside of this funding program during the same fiscal year
- Design, fabrication or construction of exhibits
- Commercial property
- No project may receive more than $500,000 during a 5-consecutive fiscal year period. ("Receive" means measured from October 1 through September 30 of the fiscal year in which funds were awarded if funds are available.)

Non-Allowable Expenses

The Grantee agrees to expend all funds received under this agreement solely for the purposes for which they were authorized and appropriated. Program funds may not be spent on the following:

- General Operating Expenses (GOE): Administrative costs for running the organization (including but not limited to salaries, travel, personnel, office supplies, mortgage or rent, operating overhead or indirect costs, minor repairs or maintenance etc.)
    - Up to 10% of awarded funds may be used for construction management
- Costs associated with representation, proposal, or application preparation
- Costs incurred or obligated outside of the funding period
- Costs for lobbying or attempting to influence federal, state or local legislation, the judicial branch, or any City agency
- Costs for planning, which include those for preliminary and schematic drawings, and design development documents necessary to carry out the project
- Costs associated with prior debts, contingencies (money set aside for possible expenses), fines and penalties, interest, taxes (of any kind), and other financial costs including bank fees and charges and credit card debts
- Costs for travel, private entertainment, food, beverages, plaques, awards, or scholarships
- Projects restricted to private or exclusive participation, including restriction of access to programs on the basis of sex, race, creed, national origin, disability, age, or marital status, sexual orientation or gender identity and expression
- Re-granting, contributions, and donations
- Reimbursement of costs that are paid prior to the execution of the Funding Award Agreement or outside the dates stated in the grant award agreement

Matching Funds

You must match your request amount with non-City funds. The amount you must provide as match depends on your Total Support and Revenue (annual budget).

Summary of Match Requirements

Total Support and Revenue	Required Match
Annual Budget less than $1,000,000	½:1
Annual Budget of $1,000,000 - $4,999,999	1:1

Types of Match

There are four types of match:

- Cash on Hand (liquid assets), at least 25% of total request amount match must be cash-on-hand
- Expenditures (expenditures must be made within 5 years before the application deadline) and may not have been used as match in a previous project funded by the City
- Irrevocable pledges (no more than 50% of the match)
- Documented in-kind contributions (no more than 50% of the match)

All applicants must have all match complete and confirmed at execution of the contract.

Restrictions on Matching Funds

- Funds that are for General Operating Expenses (i.e. the un-restricted column on the Statement of Activity page of the organization's audit) will not be allowed.
- Revenue from grants that have not yet been awarded will not be acceptable as match.
- Fundraising costs will not be acceptable as match
- Legal fees or taxes will not be acceptable as match
- Matching funds will be designated only to the project phase presented in this application and may not be used in previous or succeeding applications, or in any other City grant
- Matching funds may have been expended prior to the execution date of the Funding Award Agreement; as long as the funds are clearly a part of the project described and can be documented. However, **at least 25% of the matching funds must be cash-on-hand** at the application deadline
- Interest paid on mortgage (the interest paid on the mortgage is considered to be the "cost of doing business," and may not be used as match)
- Building or land as match:
    - The value of buildings or land not owned by the applicant may not be used as match.
    - The building or land **must have been purchased or acquired within 5 years prior** to the award of the grant (For the purposes of this program, award means October 1 of the fiscal year in which funds are appropriated by the City of Dallas for this grant)
    - Only the purchase price or documented acquisition date value, not current market value, may be used as match

- **Loans may not be used as match**, only unencumbered equity may be counted as match
- Any City of Dallas funds may not be used as match for this program

Matching Funds Documentation

Documentation of matching funds may include:

- Award letters from third parties
- A list of irrevocable pledges; list of in-kind contributors
- Bank statement confirming Cash-on-Hand
- A list of liquid assets dedicated to the project, or other documents that substantiate funds claimed as match
- Expenditures made within five (5) years before the application deadline for Scope of Work as described in the application

Unrestricted Use of Land and/or Buildings

You must provide documentation that the Applicant has Unrestricted Use ~~(ownership)~~ of the building and the land associated with the proposal/project, except that in the event the applicant holds a long-term ground lease, the provisions below related to land ownership shall apply to the land owner.

- **Ownership.** Legal proof of unrestricted ownership of property and building. Unrestricted means unqualified ownership and power of disposition. Property that does not meet the unrestricted ownership criterion will not be eligible for match. Documentation may include a deed, title, or a copy of a recent property tax statement. Provisional sales contracts, binders, or letters of intent are not acceptable documentation of ownership.

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Total Support and Revenue (Annual Budget)

You must provide documentation of your Total Support and Revenue (annual operating budget) for your last completed fiscal year.

- Provide an audit to substantiate Total Support and Revenue that has been conducted by an outside certified accountant for the recently completed fiscal year.

Architectural Plans for Renovation Projects

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- For renovations an architectural drawing, artist's rendering of the proposed renovation if the renovation is an addition; or a "footprint" of the facility with the renovations clearly marked

Historical Review Requirements

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Proof of Insurance

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At the City's discretion, the contract may require that the applicant, or land owner in the case of long-term ground leases, file restrictive covenants on the property.

At the City's discretion, the contract may be structured as a secured loan, requiring a lien be placed on the Contractor's property~~,~~ (or land owners property in the case of long-term ground leases), the amount of which shall be amortized over a period of time correlated with the funding amount. The lien amount will be reduced in a proportionate amount annually upon completion of the project's scope of work. Should the contractor default on obligations of the contract, the lien will remain in full force and effect until the outstanding balance is repaid to the City.

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Note: Material variances from these guidelines shall require City Council approval.

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Organizational Impact	Will improve the organization’s effectiveness	up to 20 pts

The total possible number of points the panel can award to an application is 100. The panel's evaluation will be based on the information contained in the application, required attachments and support materials submitted with the application. The panel's individual scores will be averaged to determine a final score for each application.

Applications must receive a minimum average score of 75 or higher to be recommended for funding.

Agenda Information Sheet

File #: 19-578 **Item #:** 39.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize the extension and amendment of the Public/Private Partnership Program Guidelines and Criteria, previously approved on December 12, 2018, by Resolution No. 18-1861 for the period July 1, 2019 through December 31, 2019 - Financing: No cost consideration to the City

BACKGROUND

The Property Redevelopment and Tax Abatement Act (Texas Tax Code, Chapter 312) requires that any city desiring to enter into tax abatement agreements as an incentive to foster private investment must first establish guidelines and criteria governing tax abatement agreements and must pass a resolution stating that it elects to be eligible to participate in tax abatement agreements and other economic development incentives.

The Dallas City Council approved the current Public/Private Partnership Program Guidelines and Criteria ("Guidelines") on December 12, 2018, by Resolution No. 18-1861. The current Guidelines are effective through June 30, 2019.

The Office of Economic Development is developing a new strategic plan, which will inform the development of new policies to amend or replace the Guidelines. While that process is ongoing, staff recommends extending the current Guidelines for the remainder of the fiscal year to allow sufficient time for completion of the strategic plan and drafting, review, and approval of new Guidelines. Additionally, staff recommends amending the current Guidelines to remove outdated language in the general obligation bond funding section.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 12, 2018, City Council authorized the adoption of the existing Guidelines and Criteria for the Public/Private Partnership Program governing the provision of tax abatement and other economic incentives by Resolution No. 18-1861.

Information about this item will be provided to the Economic Development and Housing Committee on June 3, 2019.

FISCAL INFORMATION

No cost consideration to the City.

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City of Dallas Public/Private Partnership Programs

It is the purpose of the following programs to provide assistance only for projects where such assistance is necessary to stimulate private investment and job creation. Accordingly, these programs are available when agreements between the City and private parties that are not tax- exempt are approved by City Council prior to private investment occurring. Projects seeking economic incentives must provide written assurance that 'but for' the incentives sought, the proposed project will not occur, or would otherwise be substantially altered so that the economic returns or other associated public purpose secured by the City's incentives would be reduced. Projects occurring in Target Areas are provided special consideration.

The information contained herein shall not be construed as implying or suggesting that the City of Dallas is offering or is under any obligation to provide tax abatement or other incentives to any applicant, and all applicants shall be considered on a case-by-case basis. The source of City funding for a particular incentive may require or impose certain limitations on the types of projects for which those funds may be used, which are not described herein. Pawnshops, sexually oriented businesses, bars, truck stops, and truck dealerships are excluded from consideration for incentives provided under this program.

Eligibility Requirements

The City has established targeted project areas which set minimum project requirements in order to be considered for incentives:

- **Target Areas:** Projects must create/retain 25 jobs or provide $1 million of investment;
- **Non-target Areas:** Projects must create/retain 100 jobs or provide $5 million of investment; and
- **Non-Conforming Projects:** Projects not meeting these requirements that nevertheless significantly advance the public purpose of economic development will be considered on a case-by-case basis.

Tax Abatement

Temporary abatement of either real estate or personal property taxes. Recipient firms must meet primary considerations of capital improvements and job creation/retention. City staff may consider secondary considerations such as Dallas resident employment, efforts to exceed minimum environmental regulations, wage rates, community activities, target industry projects, and M/WBE participation when negotiating this incentive. A firm's tax abatement percentage will be reduced by 25 percent for any single year of the tax abatement term in which secondary considerations included in the agreement are not met unless an alternative method is prescribed by City Council in a project specific resolution. Real property tax abatement is not available in TIF Districts. In limited cases, projects may be considered for a combination of both real and personal property tax abatement when the combined amount does not exceed 90 percent of the City taxes on total new improvement value. All tax abatements must begin by January 1 of the second calendar year following City Council authorization unless otherwise specified.

Abatement Benefits:

- **Target Areas:** Real property tax abatement up to 90 percent for 10 years and/or a business personal property tax abatement of up to 50 percent for five years;
- **Non-Target Areas:** Real property tax abatement up to 50 percent for 10 years and/or a business personal property tax abatement of up to 50 percent for five years;
- **Non-Conforming Projects:** Projects not meeting these requirements that nevertheless significantly advance the public purpose of economic development will be considered on a case-by-case basis.

Economic Development Chapter 380 Grant Program

Companies considering a relocation/expansion or new commercial development may be eligible for an

economic development grant. Grants will be considered on a case-by-case basis based on specifics such as project type, location, design, and fiscal impact to the City. Companies will be required to meet eligibility requirements of the Public/Private Partnership Program. Pursuant to this program the City may administer and accept resources from other political subdivision of the state to support this program and may administer and accept resources from the Federal government to support developments. Bond funding utilized through the program may be subject to certain limitations in use.

Economic Development GO Bond Program

General Obligation Bond funding may be used as described in this paragraph for private commercial, industrial, retail, residential, and mixed-use development that promotes economic development. Funding may be provided as a catalyst to promote private economic development and may be used for planning, designing, extending, constructing and acquiring land for public streets, utilities and other related infrastructure facilities or uses consistent with this purpose and the bond proposition approved by the voters.

Private developments may be eligible for economic development grants and loans pursuant to Chapter 380 of the Texas Local Government Code. Grants and loans will be considered for infrastructure improvements and/or land acquisition consistent with the scope of funding and other uses described above. Grants or loans will be considered on a case-by-case basis subject to funding limitations and development agreements approved by City Council, which agreements will contain appropriate conditions, safeguards and benchmarks to ensure that the public purpose of economic development will be carried out.

Funding in support of mixed-use or residential development, including the acquisition of improved and unimproved properties and for the cost of demolition of existing structures for such projects are also subject to the City of Dallas Housing Policy, which requires a portion of residential units to be affordable.

Target Industry Projects

Target Industry projects are provided special consideration for economic incentives and are generally defined as follows: Brownfields or recycling, information technology, building materials and furnishings, company headquarters, logistics, telecommunications, transportation manufacturing and assembly, film/television/media, advanced instruments and food processing/distribution. The City is also targeting high quality grocery store projects in underserved areas of the City. Due to the temporary nature of film/television production, projects in this industry are not required to meet minimum job or investment eligibility established for the Public/Private Partnership Program. Rather, these projects are considered on a case-by-case basis with consideration given to the positive economic returns projects bring to the City. Target Industry projects must be confirmed in advance by the City in order to receive consideration under this designation.

Non-Conforming Projects

Non-Conforming projects are considered on a case-by-case basis for high impact projects, unique developments, and competitive situations where projects may receive competing offers of incentives. These projects require a simple majority vote of City Council in Target Areas and a 3/4 vote of City Council in Non-Target Areas. High Impact Project - Projects creating/retaining a minimum of 500 jobs with substantial capital investment. In addition, this status may be granted to major projects by Fortune 500, Manufacturers 400, or Global 500 listed firms. A mixed-use or residential development considered for support as a non-conforming project requires special circumstances and must ensure that a minimum of 20% of the residential units in the development meet affordable housing or mixed-income housing requirements for the location. Commercial aspects of predominately residential mixed-use projects providing affordable housing in "areas of opportunity" in collaboration with the Housing Department will be considered.

Competitive and Retention Projects

In special cases, companies receiving competing offers of incentives or those currently located in the city of Dallas considering a relocation/expansion are eligible to apply for financial incentives with negotiable terms. Existing firms must expand job base by 25 percent to be eligible for consideration. Incentives may be offered in specific cases to 'match other offers.' Companies may be required to demonstrate competing cities, offers, land/lease costs, taxes at current rates, utility rates, relocation costs, other significant costs and 'gap' to be filled, etc.

Other Sources of Financial Assistance

Public/Private Partnership Program grants and abatements may be used in combination with other sources of federal, state, or City funds where necessary to achieve the public purpose advanced by a project. The City is willing to partner with special entities, such as Local Government Corporations, and special districts to provide an advantageous structure for projects that advance economic development. Such entities and districts may issue revenue bonds as allowed by state law to finance projects.

Tax Increment Finance Districts

Special districts funding public improvements (not services) with increased tax revenues resulting from new private development. Tax rates are the same as elsewhere in the City and no added cost to private parties is incurred.

Public Improvement Districts

Special districts created by petition to privately fund public improvements or special supplemental services over and above those provided by City, when such services are supportive of related City investments in capital improvements.

Neighborhood Commercial/Retail Redevelopment Grant Program

This Program is intended to provide financial assistance to existing retail shopping centers and other retail/commercial facilities within Target Areas that are at least 15 years old for improvements and/or redevelopment which will positively impact surrounding neighborhoods and residents. Contemplated improvements must improve the aesthetics, design, or architectural appeal of the property and may include enhanced landscaping, lighting, pedestrian and/or parking improvements, new signage and facades, and major renovations to the facility among other items. Each project is considered on a case by case basis. City financial participation is on a matching and reimbursement basis. Phasing is permitted. Minimum total project investment is $250,000 and potential grants are subject to funding availability. An agreement must be in place with the City prior to work commencing.

Small Business & Adaptive Reuse Incentives

The City of Dallas is committed to supporting growth of small businesses and fostering adaptive reuse of commercial buildings. Additional programs can be flexibly developed and linked to this policy as approved by the City Council.

City of Dallas Regional Center - EB 5

The City of Dallas Regional Center (CDRC) is dedicated to assisting individuals and their families through the EB-5 immigration process via investment into businesses and development projects located within the Dallas city limits. The CDRC offers a variety of investments to foreign investors that meet or exceed requirements and offer investors features unique to the EB-5 community. Minimum foreign investment is $500,000 in Targeted Employment Areas or $1M in other areas. All opportunities supported by the CDRC must provide 10 full-time jobs (directly or indirectly) per investor.

New Market Tax Credits

The City of Dallas participates in the New Market Tax Credit Program (NMTC), a federal program operated

by the Department of Treasury, that provides opportunities for new development in traditionally underserved areas. The program provides NMTC investors with a 39% federal tax credit payable over seven years. These investments are partnered with additional funds for businesses and real estate development in Low Income Neighborhoods.

Foreign Trade Zone

Allows duty-free importing of foreign-made components into the Zone, where they may be assembled, manufactured, processed or packaged. Duties are charged only when products are subsequently distributed into the U.S. market - if they are shipped to international markets, no duty is levied.

State Incentives

The City of Dallas will facilitate applications for assistance from State programs including Enterprise Zone Projects, Texas Enterprise Fund, and the Texas Emerging Technology Fund.

To obtain more detail on these programs, or to inquire regarding other assistance, contact: Office of Economic Development, Dallas City Hall, Room 5CS, Dallas, Texas 75201, Phone: (214) 670-1685, Fax: (214) 670-0158.

Agenda Information Sheet

File #: 19-471 **Item #:** 40.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service price agreement for event equipment rental services for the Park & Recreation Department - Texas Tent, LLC, most advantageous proposer of four - Not to exceed $609,952 - Financing: General Fund (subject to annual appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This service price agreement will provide for event equipment rental services including but not limited to: tents, tables, chairs, linen, lighting, stage equipment, pipe and drapes, etc. These items will be used throughout the city at multiple locations by the Park & Recreation Department at various events during the term of this agreement.

The Park & Recreation Department plans and coordinates over 80 special events annually for the general public and City employees. Each event is uniquely different in nature covering a variety of multicultural activities and occasions. Additionally, these events cater to a wide demographic encompassing all age ranges reflecting the inclusivity and diversity within the City. Events held annually include Pumpkin on the Plaza, Mayor's Back to School Fair, Mayor's Youth and Fitness Initiative Summer Bash, Senior Games, Mother's Day Luncheon, Texas Women Art Show, and the Invitational Rodeo. Due to the heavy year-round schedule of these events, experienced event equipment supply, project planning, and execution is essential to the Park & Recreation Department's mission to provide quality leisure service opportunities for the citizens of Dallas.

A five member committee from the following departments reviewed and evaluated the qualifications:

- Library (1)
- Park & Recreation Department (2)
- Office of Procurement Services (1)*
- Office of Business Diversity (1)*

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Business Inclusion and Development Plan.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 30 points
- Qualifications and experience 30 points
- Project approach 25 points
- Business Inclusion & Development Plan 15 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 2,254 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 2, 2019, the Park & Recreation Board authorized a three-year service price agreement with Texas Tent, LLC.

The Government Performance & Financial Management Committee will receive this item for consideration on June 3, 2019.

FISCAL INFORMATION

General Fund - $609,952.00 (subject to annual appropriations)

FY 2018-19 $103,317.32
FY 2019-20 $203,317.34
FY 2020-21 $203,317.34
FY 2021-22 $100,000.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$609,952.00	Other Services	23.80%	24.41%	$148,916.40
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	• Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price

The Office of Procurement Services received the following proposals from solicitation number BNZ1814. We opened them on August 18, 2018. We recommend the City Council award this service price agreement in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*Texas Tent, LLC	107 N. Kirby St. Garland, TX 75042	83.67	$609,952.00
Bratt Productions, Inc. dba Peerless Events and Tents	3301 E. Randoll Mill Rd. Arlington, TX 76011	83.56	$672,707.47
M & M Rental Center, Inc.	3200 Belmeade Dr. Carrollton, TX 75006	81.79	$772,818.75
Lone Star Events and Tents	1300 W. Main St. Waxahachie, TX 75165	70.06	$677,097.78

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OWNER

Texas Tent, LLC

Bobby Bradley, President

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June 12, 2019

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a service price agreement with Texas Tent, LLC (VC19929), approved as to form by the City Attorney, for event equipment rental services for the Park & Recreation Department for a term of three years, in an amount not to exceed $609,952. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Texas Tent, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Texas Tent, LLC under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $609,952 to Texas Tent, LLC from Service Price Agreement No. PKR-2019-00009716.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-724 **Item #:** 41.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service contract for subscription to LinkedIn for the Department of Human Resources and Civil Service with Carahsoft through the Department of Information Resources cooperative agreement - Not to exceed $236,362.80 - Financing: General Fund (subject to annual appropriations)

BACKGROUND

This service contract will provide corporate level subscription to LinkedIn for the Department of Human Resources and Civil Service. This subscription will also allow Civil Service and Human Resources staff to source highly talented candidates for City positions. The subscription provides the City with capabilities to continue improving recruitment efforts in support of the Hire Dallas initiative through technology. Having access to LinkedIn's 500 million members will give the City a unique opportunity to utilize LinkedIn's extensive network of resources, online tools and talent solutions to accomplish extensive recruiting efforts. These resources include posting current job openings, targeted outreach through membership database searches, specialized City branding through customizable company career pages and the ability to emphasize focus on hard-to-fill positions. Utilizing these unique tools and services offered under the corporate subscription increases the number of qualified and highly skilled candidates informed about and possibly applying for City jobs while improving the perception and appeal of the City as a great place to work.

The Department of Information Resources cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on June 3, 2019.

FISCAL INFORMATION

General Fund - $236,362.80 (subject to annual appropriations)

FY 2018-19 $78,787.14
FY 2019-20 $78,787.14
FY 2020-21 $78,788.52

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$236,362.80	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs).				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

OWNER

Carahsoft

Craig P. Abod, President
Robert R. Moore, Vice President
Karina Woods, Secretary

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June 12, 2019

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a service contract with Carahsoft (VS0000021586) through the Department of Information Resources cooperative agreement, approved as to form by the City Attorney, for subscription to LinkedIn, for a term of three years in an amount not to exceed $236,362.80. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Carahsoft Technology Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by Carahsoft Technology Corporation under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $236,362.80 (subject to annual appropriations) to Carahsoft from Master Agreement Service Contract No. PER-2019-00010347.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-821 **Item #:** 42.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize the purchase of twenty-nine pieces of service shop equipment to be used by the Equipment and Fleet Management Department with Reeder Distributors, Inc. through the Texas Association of School Boards cooperative agreement - Not to exceed $289,395 - Financing: Master Lease-Equipment Fund

BACKGROUND

This item will allow for the purchase of twenty-nine pieces of service shop equipment to be used by the Equipment and Fleet Management Department.

As recommended by the Fleet Management Study conducted by Alvarez & Marsal in 2018, the Equipment and Fleet Management Department conducted an evaluation of service shop equipment needs. The focus is to improve shop workflow by replacing outdated equipment and adding tools that will optimize and enhance efficiency in maintenance operations. The purchase of this new equipment will increase safety, productivity, and diagnostic capabilities. The inclusion of extended warranties and service agreements will also safeguard the useful life of this equipment.

The below equipment is included in the purchase:

- Alignment machines
- Alignment racks
- Tire balancers
- Tire changers
- Heavy duty transmission jacks
- Air conditioning (A/C) machines (recharge vehicle A/C systems)

The Texas Association of School Boards cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on June 3, 2019.

FISCAL INFORMATION

Master Lease-Equipment Fund - $289,395.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$289,395.00	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs).				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

OWNER

Reeder Distributors, Inc.

Gary Reeder, President
Jason Reeder, Vice President
Susan Tisano, Treasurer

June 12, 2019

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the purchase of twenty-nine pieces of service shop equipment to be used by the Equipment and Fleet Management Department is authorized with Reeder Distributors, Inc. (VS0000072866) through the Texas Association of School Boards cooperative agreement, in an amount not to exceed $289,395.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for twenty-nine pieces of service shop equipment to be used by the Equipment and Fleet Management Department. If a formal contract is required for this purchase instead of a purchase order, the City Manager is hereby authorized to execute the contract, approved as to form by the City Attorney.

SECTION 3. That in order to reimburse and finance the lease/purchase acquisition of the equipment described herein over a period not to exceed the estimated useful life (10 years) thereof, any Authorized Officer of the City designated in the Master Equipment Lease/Purchase Agreement (the "Master Lease") between Banc of America Public Capital Corp and the City is hereby authorized and directed to execute, acknowledge and deliver a Schedule A (as defined in the Master Lease) pertaining to such equipment including all attachments, financing statements and schedules thereto, in substantially the form attached to the Master Lease, with such changes as the signing officer shall determine to be advisable. Each Authorized Officer of the City is also authorized to execute, acknowledge and deliver any other agreement, instrument, certificate, representation and document, and to take any other action as may be advisable, convenient or necessary to enter into such Schedule A. The financing terms for such equipment, to be determined pursuant to the provisions of the Master Lease and reflected in such Schedule A, and the granting of a security interest in the financed equipment pursuant to the Master Lease, are hereby approved.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $289,395 to Reeder Distributors, Inc. from Master Lease Equipment Fund, Fund ML19, Department EFM, Unit E397, Object 4720, Purchase Order No. POEFM00000146470.

SECTION 5. That this contract is designated as Contract No. EFM-2019-00010485.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-558 **Item #:** 43.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize the purchase of replacement bunker golf course sand to be utilized at the Tenison Park Golf Course for the Park & Recreation Department - Texas Sports Sand, Inc., lowest responsible bidder of two - Not to exceed $97,572 - Financing: Golf Improvement Trust Fund

BACKGROUND

This item will allow for the purchase of replacement bunker golf course sand to be utilized by the Park & Recreation Department (PKR) to fill bunkers at Tenison Park Golf Course. PKR maintenance staff will be conducting a bunker project to include the removal and replacement of existing sand and liners with the selected bunker sand. Selecting proper bunker sand is critical in the playability, aesthetics, performance and maintenance of golf courses. In addition, sand chosen for bunkers can impact the style of construction and architecture of the course. This purchase will ensure that patrons of Tenison Park Golf Course will continue to enjoy the quality and playability associated with City of Dallas golf courses.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 15 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 16, 2019, the Park & Recreation Board authorized the purchase of replacement bunker golf course sand to be utilized at the Tenison Park Golf Course with Texas Sports Sand, Inc.

The Government Performance & Financial Management Committee will receive this item for consideration on June 3, 2019.

FISCAL INFORMATION

Golf Improvement Trust Fund - $97,572.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$97,572.00	Goods	18.00%	0.00%	$0.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BP1907. We opened them on March 22, 2019. We recommend the City Council award this purchase in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount
*Texas Sports Sand, Inc.	702 Easy St. Garland, TX 75042	$ 97,572.00
Turf Materials	3700 Riverwalk Dr. Suite 275 Flower Mound, TX 75027	$121,824.00

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OWNER

Texas Sports Sand, Inc.

Paul Hagy, Owner

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June 12, 2019

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the purchase of replacement bunker golf course sand to be utilized at the Tenison Park Golf Course for the Park & Recreation Department is authorized with Texas Sports Sand, Inc. (VS0000016040*)*, in an amount not to exceed $97,572.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for the purchase of replacement bunker golf course sand to be utilized at the Tenison Park Golf Course for the Park & Recreation Department. If a formal contract is required for this purchase instead of a purchase order, the City Manager is hereby authorized to execute the contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $97,572 to Texas Sports Sand, Inc. from Golf Improvement Trust Fund, Fund 0332, Department PKR, Unit 9363, Object 2262, Purchase Order No. PKR00000146314.

SECTION 4. That this contract is designated as Contract No. PKR-2019-00010051.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-764 **Item #:** 44.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize the sale of one track loader through a public auction on March 29, 2019 to A&S Recycling in the amount of $21,800, highest bidder - Revenue: $21,800

BACKGROUND

This action seeks approval to sell one track loader (Equipment No. 019017), which was publicly auctioned on March 29, 2019. The equipment has reached its useful life, has met its replacement criteria and is no longer cost effective for the City to maintain.

The City used its current contract auctioneer, Lone Star Auctioneers, Inc., to auction this equipment. The auctioneer charges a buyer's premium instead of the city paying a fee.

Dallas City Code 2-37.4 requires that when the highest bid for property is more than $20,000, the sale to the highest bidder must be confirmed by City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on June 3, 2019.

FISCAL INFORMATION

Revenue: $21,800.00

PROCUREMENT INFORMATION

The following bid was received at public auction on March 29, 2019.

*Denotes highest bidder

Bidder	Address	Amount
*A&S Recycling	1819 Waelder Rd. Gonzales, TX 78629	$21,800.00

OWNER

A&S Recycling

Arturo Mata, Owner

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June 12, 2019

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager or designee is hereby authorized to sell one track loader (Equipment No. 019017) through public auction on March 29, 2019, to the highest bidder, A&S Recycling, in the amount of $21,800.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds received from the proceeds of the sale to the General Services Fund, Fund 0196, Department EBS, Unit 1701, Revenue Code 8414, in the amount of $18,530 and Express Business Center Fund, Fund 0199, Department POM, Unit 1232, Revenue Code 8420, in the amount of $3,270.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-718 **Item #:** 45.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a two-year master agreement for furniture, floor covering, modular walls, high density storage shelving, and related support services with Allsteel, Arcadia, Coalese, Davis, Encore, Environmanics, Geiger, Groupe Lacasse, Haworth, Inc., Herman Miller, Inc., Hon Office Furniture, Human Scale, Interface, Just Ergonomics, KI, Knoll, Inc., Krug, Miliken & Company, Mohawk Industries, National Office Furniture, Patcraft, Peter Pepper Products, Inc., Shaw Industries, SitOnIt, Spacesaver, Steelcase, Texas Correctional Industries, Varidesk, Virco, Inc. and their associated distributors through the BuyBoard National Purchasing Cooperation, General Services Administration, National Intergovernmental Purchasing Alliance, National Joint Powers Association, The Cooperative Purchasing Network, Texas Multiple Award Schedules, and U.S. Communities Government Purchasing Alliance cooperative agreements, as specifically described in Exhibit A - Estimated amount of $6,000,000 - Financing: General Fund ($4,844,795), Dallas Water Utilities Fund ($504,428), Data Services Fund ($278,907), Aviation Fund ($227,670), Convention and Event Services Fund ($105,653), and Sanitation Services Fund ($38,547)

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will provide furniture, floor covering, and related support services to reduce the turnaround time for furniture and floor covering orders for all City departments. With this agreement, the City will be guaranteed the lowest available pricing discounts from the manufacturers listed on the agreement regardless of the size of the order.

Manufacturers covered by this agreement are: Allsteel, Arcadia, Coalese, Davis, Encore, Environmanics, Geiger, Groupe Lacasse, Haworth, Inc., Herman Miller, Inc., Hon Office Furniture, Human Scale, Interface, KI, Knoll, Inc., Krug, Milliken & Company, Mohawk Industries, National Office Furniture, Patcraft, Peter Pepper Products, Inc., Shaw Industries, SitOnIt, Spacesaver, Steelcase, Texas Correctional Industries, Varidesk, and Virco, Inc.

Furniture purchases will include modular system furniture, case goods, freestanding furniture, seating, filing equipment, high density shelving, related support services, delivery, and assembly. Floor coverings include commercial carpet tiles and vinyl composition tiles. Various departments will order off this furniture and floor covering master agreement to complete new projects and remodels to include but not limited to:

- Police Department - flooring and furniture for Jack Evans Police Headquarters
- Equipment and Building Services - flooring and furniture for various City locations such as: City Hall, Dallas City News Studio, Community Courts, and the Animal Shelter
- Water Utilities Facilities - flooring and furniture for Pumping, Wastewater and Purification Stations
- Park & Recreation - flooring and furniture for various recreation centers and service centers
- Fire-Rescue - furniture for new and existing fire stations

The BuyBoard National Purchasing Cooperation, General Services Administration, National Intergovernmental Purchasing Alliance, National Joint Powers Association, The Cooperative Purchasing Network, Texas Multiple Award Schedules, and U.S. Communities Government Purchasing Alliance cooperative agreements are authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

The Texas Correctional Industries (TCI) is a department within the Texas Department of Criminal Justice. TCI was established in 1963 with the passage of Senate Bill 338, the Prison-Made Goods Act to manufacture goods and provide services to public entities. Texas Department of Criminal Justice, Texas Correctional Industries conforms to the requirements of Texas statutes that are applicable for competitive bids and proposals, in accordance with the Prison-Made Goods Act of 1963 and the Texas Correctional Industries, Chapter 497, Texas Government Code.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 9, 2015, City Council authorized a two-year master agreement for the purchase of furniture, floor covering and related support services with Haworth, Inc., Herman Miller, Inc., Knoll, Inc., Virco, Inc., National Office Furniture, Peter Pepper Products, Inc., Hon Office Furniture, Mohawk Industries, Milliken & Company, Shaw Industries, Interface, Spacesaver, Texas Correctional Industries and their associated distributors through the U.S. Communities Government Purchasing Alliance, Texas Multiple Award Schedules and Texas Department of Criminal Justice, Texas Correctional Industries by Resolution No. 15-2200.

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On April 26, 2017, City Council authorized a two-year master agreement for the purchase of furniture, floor covering and related support services with Allsteel, Arcadia, Coalese, Davis, Encore, Environmanics, Geiger, Groupe Lacasse, Haworth, Inc., Herman Miller, Inc., Hon Office Furniture, Human Scale, Interface, KI, Knoll, Inc., Krug, Miliken & Company, Mohawk Industries, National Office Furniture, Patcraft, Peter Pepper Products, Inc., Shaw Industries, SitOnIt, Spacesaver, Steelcase, Texas Correctional Industries, Varidesk, Virco, Inc. and their associated distributors through the BuyBoard National Purchasing Cooperation, General Services Administration, National Intergovernmental Purchasing Alliance, National Joint Powers Association, The Cooperative Purchasing Network, Texas Multiple Award Schedules, Texas Correctional Industries, and U.S. Communities Government Purchasing Alliance Resolution No. 17-0681.

The Government Performance & Financial Management Committee will receive this item for consideration on June 3, 2019.

FISCAL INFORMATION

General Fund - $4,844,795.00
Dallas Water Utilities Fund - $504,428.00
Data Services Fund - $278,907.00
Aviation Fund - $227,670.00
Convention and Event Services Fund - $105,653.00
Sanitation Services Fund - $38,547.00

Fund	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	$1,614,931.67	$1,614,931.67	$1,614,931.67
Dallas Water Utilities Fund	$ 168,142.66	$ 168,142.66	$ 168,142.66
Data Services Fund	$ 92,969.00	$ 92,969.00	$ 92,969.00
Aviation Fund	$ 75,890.00	$ 75,890.00	$ 75,890.00
Convention and Event Services Fund	$ 35,217.67	$ 35,217.67	$ 35,217.67
Sanitation Services Fund	$ 12,849.00	$ 12,849.00	$ 12,849.00
Total	$2,000,000.00	$2,000,000.00	$2,000,000.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$6,000,000.00	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs), however, some of the prime contractors are certified M/WBEs.				

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PROCUREMENT INFORMATION

Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

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WHEREAS, on November 14, 2012, City Council authorized a three-year master agreement for the purchase of furniture, floor covering and related support services with Haworth, Inc., Herman Miller, Inc., Knoll, Inc., Virco, Inc., National Office Furniture, Peter Pepper Products, Inc., Hon Office Furniture, Mohawk Industries, Milliken & Company, Shaw Industries, Interface, Texas Correctional Industries and their associated distributors through the U.S. Communities Government Purchasing Alliance, Texas Multiple Award Schedules and Texas Department of Criminal Justice, Texas Correctional Industries by Resolution No. 12-2731; and

WHEREAS, on November 15, 2015, Administrative Action Nos. 15-7321, 15-7322, and 15-7323, authorized a one-year extension to the master agreement extending the term from November 15, 2015 to November 14, 2016; and

WHEREAS, on December 9, 2015, City Council authorized a two-year master agreement for the purchase of furniture, floor covering and related support services with Haworth, Inc., Herman Miller, Inc., Knoll, Inc., Virco, Inc., National Office Furniture, Peter Pepper Products, Inc., Hon Office Furniture, Mohawk Industries, Milliken & Company, Shaw Industries, Interface, Spacesaver, Texas Correctional Industries and their associated distributors through the U.S. Communities Government Purchasing Alliance, Texas Multiple Award Schedules and Texas Department of Criminal Justice, Texas Correctional Industries by Resolution No. 15-2200; and

WHEREAS, on April 26, 2017, City Council authorized a two-year master agreement for the purchase of furniture, floor covering and related support services with Allsteel, Arcadia, Coalese, Davis, Encore, Environmanics, Geiger, Groupe Lacasse, Haworth, Inc., Herman Miller, Inc., Hon Office Furniture, Human Scale, Interface, KI, Knoll, Inc., Krug, Miliken & Company, Mohawk Industries, National Office Furniture, Patcraft, Peter Pepper Products, Inc., Shaw Industries, SitOnIt, Spacesaver, Steelcase, Texas Correctional Industries, Varidesk, Virco, Inc. and their associated distributors, approved as to form by the City Attorney, for the purchase of furniture, floor covering, modular walls, high density storage shelving and related support services through the BuyBoard National Purchasing Cooperation, General Services Administration, National Intergovernmental Purchasing Alliance, National Joint Powers Association, The Cooperative Purchasing Network, Texas Multiple Award Schedules, Texas Correctional Industries, and U.S. Communities Government Purchasing Alliance by Resolution No. 17-0677.

Now, Therefore,

June 12, 2019

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That a master agreement for the purchase of furniture, floor covering, modular walls, high density storage shelving and related support services is authorized with Allsteel, Arcadia, Coalese, Davis, Encore, Environmanics, Geiger, Groupe Lacasse, Haworth, Inc., Herman Miller, Inc., Hon Office Furniture, Human Scale, Interface, Just Ergomomics, KI, Knoll, Inc., Krug, Miliken & Company, Mohawk Industries, National Office Furniture, Patcraft, Peter Pepper Products, Inc., Shaw Industries, SitOnIt, Spacesaver, Steelcase, Texas Correctional Industries, Varidesk, Virco, Inc. and their associated distributors through the BuyBoard National Purchasing Cooperation, General Services Administration, National Intergovernmental Purchasing Alliance, National Joint Powers Association, The Cooperative Purchasing Network, Texas Multiple Award Schedules, and U.S. Communities Government Purchasing Alliance, approved as to form by the City Attorney, for a term of two years, in an estimated amount of $6,000,000. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for furniture, floor covering, modular walls, high density storage shelving, and related support services. If a written contract is required or requested under the master agreement for furniture, floor covering, modular walls, high density storage shelving, and related support services under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $6,000,000 but not more than the amount of budgetary appropriations for this master agreement during its term from Master Agreement No. POM-2019-00010369.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

EXHIBIT A
FURNITURE & FLOORING

Please be advised, if a service is necessary, you must verify with Risk Management (ORM) if insurance is required and with City Attorney (CAO) if a contract or bonding is also required before issuing a Delivery/Purchase Order.

*BuyBoard National Purchasing Cooperation (**BuyBoard**) **www.info@buyboard.com Contract 584-19 expires 03/31/2020**
General Services Administration (**GSA**) **www.gsa.gov Contract GS27F-0034X expires 03/29/2021**
National Intergovernmental Purchasing Alliance **(NIPA) www.NIPA.gov Contract 440000344403 expires 12/31/20**
National Joint Powers Association (**NJPA**) **www.nationaljointpowers.org Sourcewell FNA NJPA Contract # 1008144HSC expires 12/16/19 National Joint Powers Association (NJPA)**
The Cooperative Purchasing Network (**TCPN**) **www.tcpn.org** Entity on the **NIPA Contract 440000344403 Expires on 12/31/20**
Texas Correctional Industries **(TCI) www.texascorrectionalindustries.com *TCI was established with the passage of Senate Bill 338, Prison made Goods Act
*Texas Multiple Award Schedules (**TXMAS**) **www.txmas.com Contract 17-7106 expires 04/30/20**
*U.S. Communities Government Purchasing Alliance (**U.S. Communities**) **www.uscommunities.org** Entity on the NIPA Contract 440000344403 Expires on 12/31/20

* Buyboard, TXMas & U.S. Communities are the popular Cooperatives** **TCI Texas Correctional Industries** was established in 1963, with the passage of Senate Bill 338, the Prison Made Goods Act. TCI benefits the state of Texas by providing work and training opportunities for eligible incarcerated public offenders and by providing quality manufacturer goods and services to federal, state and local government agencies, public educational systems, public and private institutions of higher education, and political subdivisions. DFR purchases mattress through TCI.

Manufacturer/Brand	Types of Furniture	Cooperative Purchasing Program. Pricing by distributor/product is available on the Cooperative Website.
Allsteel	Seating, Tables, Vicinity Tables	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021 National Intergovernmental Purchasing Alliance (NIPA) www.NIPA.gov Contract 440000344403 expires 12/31/20 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20
Arcadia	Lounge Seating, Bench Seating, Modular Seating, Stools, Meeting Tables, Occasional Tables	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20
Coalesse	Seating, Outdoor Tables, Collections	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021
Davis	Chairs, Plastic Wire Chairs, Conference Chairs	*BuyBoard National Purchasing Cooperation (BuyBoard) www.info@buyboard.com Contract 584-19 expires 03/31/2020
Encore	Seating, Tandem & Beam Seating, Lounge & Modular Seating, Stools, Benches, Occasional Tables, Meeting Tables	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021
Environamics	Moveable Walls, Glass Walls, Work Stations, Desks, Bench seating	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20
Geiger	Wood Case Goods, Seating, Office Furnishings,	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021
Groupe Lacasse	Chairs, Desks & Credenzas	*U.S. Communities Government Purchasing Alliance (U.S. Communities) www.uscommunities.org Entity on the NIPA Contract 440000344403 Expires on 12/31/20
Haworth, Inc.	Office Chairs, Conference Chairs & Stools	*U.S. Communities Government Purchasing Alliance (U.S. Communities) www.uscommunities.org Entity on the NIPA Contract 440000344403 Expires on 12/31/20

Manufacturer/Brand	Types of Furniture	Cooperative Purchasing Program. Pricing by distributor/product is available on the Cooperative Website.
Herman Miller, Inc.	Chairs, Desks, Lounge Chairs & Ottomans	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021 *U.S. Communities Government Purchasing Alliance (U.S. Communities) www.uscommunities.org Entity on the NIPA Contract 440000344403 Expires on 12/31/20
Hon Office Furniture	Office Chairs, Credenzas, Work Stations & Bookcases	www.nationaljointpowers.org Sourcewell FNA NJPA Contract # 1008144HSC expires 12/16/19 The Cooperative Purchasing Network (TCPN) www.tcpn.org Entity on the NIPA Contract 440000344403 Expires on 12/31/20. *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20
Humanscale	Desk & Chairs	www.nationaljointpowers.org Sourcewell FNA NJPA Contract # 1008144HSC expires 12/16/19 The Cooperative Purchasing Network (TCPN) www.tcpn.org Entity on the NIPA Contract 440000344403 Expires on 12/31/20.
Interface	Carpet, Tile Flooring	*U.S. Communities Government Purchasing Alliance (U.S. Communities) www.uscommunities.org Entity on the NIPA Contract 440000344403 Expires on 12/31/2
KI	Tables, Chairs & Desks	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021 www.nationaljointpowers.org Sourcewell FNA NJPA Contract # 1008144HSC expires 12/16/19
Knoll, Inc.	Shelving, Sofas, Chairs & Tables	*U.S. Communities Government Purchasing Alliance (U.S. Communities) www.uscommunities.org Entity on the NIPA Contract 440000344403 Expires on 12/31/20 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20
Krug	Case Goods, Desk & Conference Seating	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021
Milliken & Company	Floor Covering, Industrial Textiles Flooring	*U.S. Communities Government Purchasing Alliance (U.S. Communities) www.uscommunities.org Entity on the NIPA Contract 440000344403 Expires on 12/31/20 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20
Mohawk Industries	Flooring, Carpet, Wood like Vinyl	*U.S. Communities Government Purchasing Alliance (U.S. Communities) www.uscommunities.org Entity on the NIPA Contract 440000344403 Expires on 12/31/20 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20
National Office Furniture	Commercial Seating, Desks, Workstations, Tables, Filing, Storage	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20
Patcraft	Commercial Flooring, Hardwood, Carpet Tiles	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021
Peter Pepper Products, Inc.	Benches, Tables, Display Cases & Racks	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20
Shaw Industries	Flooring Hardwood, Carpet & Laminate	*U.S. Communities Government Purchasing Alliance (U.S. Communities) www.uscommunities.org Entity on the NIPA Contract 440000344403 Expires on 12/31/20 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20
SitOnIt	Seating, Ergonomic Office Chairs, Conference Chairs, Multipurpose Chairs, Stacking Chairs	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021 National Joint Powers Association (NJPA) www.nationaljointpowers.org Sourcewell FNA NJPA Contract # 1008144HSC expires 12/16/19 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20

Manufacturer/Brand	Types of Furniture	Cooperative Purchasing Program. Pricing by distributor/product is available on the Cooperative Website.
Spacesaver	Mobile Shelving Systems, Library Shelving, Art Rack Storage, Gym Lockers, Commercial Metal Shelving	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021 National Joint Powers Association (NJPA) www.nationaljointpowers.org Sourcewell FNA NJPA Contract # 1008144HSC expires 12/16/19 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20
Steelcase	Seating Chairs, Workstations, Desk, Barriers, Free Standing Desks, Tables, Storage Units & Credenza	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021 National Joint Powers Association (NJPA) www.nationaljointpowers.org Sourcewell FNA NJPA Contract # 1008144HSC expires 12/16/19 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20 *U.S. Communities Government Purchasing Alliance (U.S. Communities) www.uscommunities.org Entity on the NIPA Contract 440000344403 Expires on 12/31/20
Texas Correctional Industries	Mattress' , Chairs, Lockers, Podiums, Work Stations	TCI Texas Correctional Industries was established in 1963, with the passage of Senate Bill 338, the Prison Made Goods Act. TCI benefits the state of Texas by providing work and training opportunities for eligible incarcerated public offenders and by providing quality manufacture red goods and services to federal, state and local government agencies, public educational systems, public and private institutions of higher education, and political subdivisions.
Varidesk	Adjustable Height Standing Desk Solutions, Full Desks, Seating & Storage	General Services Administration (GSA) www.gsa.gov Contract GS27F-0034X expires 03/29/2021
Virco, Inc	Tables, Chairs, School Furniture, Equipment & Storage	*BuyBoard National Purchasing Cooperation (BuyBoard) www.info@buyboard.com Contract 584-19 expires 03/31/2020 *Texas Multiple Award Schedules (TXMAS) www.txmas.com Contract 17-7106 expires 04/30/20 *U.S. Communities Government Purchasing Alliance (U.S. Communities) www.uscommunities.org Entity on the NIPA Contract 440000344403 Expires on 12/31/20

Agenda Information Sheet

File #: 19-564 **Item #:** 46.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for propane and propane cylinders - Ferrellgas, LP in the amount of $156,976.91 and Northwest Butane Gas Co. dba Northwest Propane Gas Co. in the amount of $325.00, lowest responsible bidders of two - Total not to exceed $157,301.91 - Financing: General Fund ($133,452.12), Convention and Event Services Fund ($12,918.41), Data Services Fund ($4,919.21), Dallas Water Utilities Fund ($3,586.42), Sanitation Services Fund ($1,366.76), and Aviation Fund ($1,058.99)

BACKGROUND

This action does not encumber funds; the purpose of this master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis. We anticipate the following City departments will use this agreement:

- Department of Public Works
- Park & Recreation Department
- Fire-Rescue Department
- Department of Transportation
- Department of Convention and Event Services
- Water Utilities Department
- Department of Communication and Information Services
- Department of Aviation
- Department of Sanitation Services

This master agreement will provide propane for several departments in the City. Propane is used to fuel vehicles such as forklifts, golf carts and small utility vehicles for the Park & Recreation Department's Maintenance, Golf, Aquatic and General Stores Warehouse divisions. Propane is also used to heat mobile mini offices and to power grounds maintenance equipment such as mowers in addition to concession cooking equipment at the Aquatic Centers. The benefits of utilizing propane fuel include reductions in greenhouse gas emissions, increased productivity due to longer run-times,

reduced equipment maintenance due to stale gasoline, and the elimination of fuel spillage and leakage. Approximately 97,859 gallons of propane will be required over the next three-year period.

In this solicitation, the Office of Procurement Services required bidders to submit a response using unit pricing. This bid resulted in a 31 percent decrease over comparable prices for the bids awarded in 2012.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,121 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on June 3, 2019.

FISCAL INFORMATION

General Fund - $133,452.12
Convention and Event Services Fund - $12,918.41
Data Services Fund - $4,919.21
Dallas Water Utilities Fund - $3,586.42
Sanitation Services Fund - $1,366.76
Aviation Fund - $1,058.99

Fund	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
General Fund	$16,309.90	$37,548.46	$37,548.48	$42,045.28
Convention and Event Services Fund	$4,306.00	$4,306.00	$4,306.41	$0.00
Data Services Fund	$0.00	$1,639.74	$1,639.74	$1,639.73
Dallas Water Utilities Fund	$1,195.47	$1,195.47	$1,195.48	$0.00
Sanitation Services Fund	$250.00	$455.00	$455.00	$206.76
Aviation Fund	$176.50	$352.50	$352.49	$177.50
Total	$22,237.87	$45,497.17	$45,497.60	$44,069.27

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$157,301.91	Goods	N/A	N/A	N/A
• M/WBE goal waived due to no M/WBE availability				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BA1901. We opened them on January 25, 2019. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders by group.

*Denotes successful bidders

Bidders	Address	Amount
*Ferrellgas, LP	1701 109th St. Grand Prairie, TX 75050	$156,976.91
*Northwest Butane Gas Co. dba Northwest Propane Gas Co.	1515 West Belt Line Rd. Carrollton, TX 75006	$ 325.00

OWNERS

Ferrellgas, LP

Jim Ferrell, President
Bryan Wright, Vice President

Northwest Butane Gas Co. dba Northwest Propane Gas Co.

Jay Wood, President
Tim Wood, Vice President

June 12, 2019

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That a master agreement for the purchase of propane and propane cylinders is authorized with Ferrellgas, LP (096733) in the amount of $156,976.91 and Northwest Butane Gas Co. dba Northwest Propane Gas Co. (060064) in the amount of $325.00, approved as to form by the City Attorney, for a term of three years, in a total amount not to exceed $157,301.91.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for propane and propane cylinders. If a written contract is required or requested for any or all purchases for propane and propane cylinders under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $157,301.91 to Ferrellgas, LP and Northwest Butane Gas Co. dba Northwest Propane Gas Co. from Master Agreement Contract No. POM-2019-00009154.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-548 **Item #:** 47.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for concrete and asphalt saw blades - Simba Industries in an estimated amount of $316,241.37, Kirby-Smith Machinery, Inc. in an estimated amount of $119,344.16, Diteq Corporation in an estimated amount of $80,208.12, and Mavich LLC in an estimated amount of $5,119.17, lowest responsible bidders of four - Total estimated amount of $520,912.82 - Financing: General Fund ($325,085.23), Aviation Fund ($132,979.00), and Dallas Water Utilities Fund ($62,848.59)

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement. We anticipate the following City departments will use this agreement:

- Department of Public Works
- Fire-Rescue Department
- Water Utilities Department
- Park & Recreation Department
- Department of Aviation

This master agreement will provide various types of concrete and asphalt saw blades. Concrete and asphalt saw blades under this agreement will be utilized throughout the city to cut various types of material such as:

- Concrete
- Asphalt

- Wood
- Iron

Additionally, the Fire-Rescue Department has 150 pieces of equipment that utilize saw blades to ventilate roofs of burning structures and cut through security bars or other construction materials during emergency response.

In this solicitation, the Office of Procurement Services required bidders to submit a response using unit pricing. This bid resulted in a 41.5% percent increase over comparable prices for the bids awarded in 2015.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 663 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 28, 2015, City Council authorized a three-year master agreement for saw blades with Simba Industries, Desert Diamond Industries, Dunard Government Services, LLC, HD Supply Construction & Industrial White Cap, and Root Brothers Manufacturing & Supply by Resolution No. 15-1983.

The Government Performance & Financial Management Committee will receive this item for consideration on June 3, 2019.

FISCAL INFORMATION

General Fund - $325,085.23
Aviation Fund - $132,979.00
Dallas Water Utilities Fund - $62,848.59

Fund	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
General Fund	$39,074.97	$96,669.62	$96,669.62	$92,671.02
Aviation Fund	$0.00	$52,000.00	$52,000.00	$28,979.00
Dallas Water Utilities Fund	$12,569.71	$25,139.43	$25,139.45	$0.00
Total	$51,644.68	$173,809.05	$173,809.07	$121,650.02

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$520,912.82	Goods	18.00%	61.86%	$322,260.54
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BE1902. We opened them on February 8, 2019. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	Address	Amount
*Simba Industries	753 Port America Pl. Suite 210 Grapevine, TX 76051	Multiple Lines
*Kirby-Smith Machinery, Inc.	8505 S. Central Expwy. Dallas, TX 75241	Multiple Lines
*Diteq Corporation	9876 Pflumm Rd. Lenexa, KS 66215-1208	Multiple Lines
*Mavich LLC	525 Commerce St. Southlake, TX 76092	Multiple Lines

OWNERS

Simba Industries

Vickie L. Kasten, President

Kirby-Smith Machinery, Inc.

Ed Kirby, President

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Diteq Corporation

Kevin Wilson, President

Mavich LLC

Michelle Muentes, President
Chris Manfredini, Vice President

June 12, 2019

WHEREAS, on October 28, 2015, City Council authorized a three-year master agreement for saw blades with Simba Industries in the amount of $209,436.43, Desert Diamond Industries in the amount of $194,796.00, Dunard Government Services, LLC in the amount of $11,468.00, HD Supply Construction & Industrial White Cap in the amount of $12,658.40 or $11,896.10 (Tie Bid - Line 8), Simba Industries (Alternate) in the amount of $3,984.31 or $3,222.01 (Tie Bid - Line 8), and Root Brothers Manufacturing & Supply in the amount of $2,772.72 in a total amount not exceed $434,353.56, by Resolution No. 15-1983.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That a master agreement for the purchase of concrete and asphalt saw blades is authorized with Simba Industries (519720) in the estimated amount of $316,241.37, Kirby-Smith Machinery, Inc. (502341) in the estimated amount of $119,344.16, Diteq Corporation (VS0000019739) in the estimated amount of $80,208.12, and Mavich LLC (VS88952) in the estimated amount of $5,119.17, approved as to form by the City Attorney, for a term of three years in a total estimated amount of $520,912.82. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for concrete and asphalt saw blades. If a written contract is required or requested for any or all purchases for concrete and asphalt saw blades under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $520,912.82, but not more than the amount of budgetary appropriations for this master agreement during its term to Simba Industries, Kirby-Smith Machinery, Inc., Diteq Corporation, and Mavich LLC from Master Agreement Contract No. POM-2019-00010115.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-723 **Item #:** 48.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year master agreement for law enforcement badges for the Police Department - V.H. Blackinton, Inc., lowest responsible bidder of two - Estimated amount of $366,898.25 - Financing: General Fund

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will provide law enforcement badges for the Police Department. Badges are issued as part of employee's standard uniform and denote the employee's rank and unit affiliation. A uniform badge and cap badge are issued per officer and are replaced on an as needed basis due to wear, rank status, or damages. Returned badges are not re-issued, but are recycled.

In this solicitation, the Office of Procurement Services required bidders to submit a response using unit pricing. This bid resulted in a 4 percent increase over comparable prices for the bids awarded in 2016.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 19 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 11, 2016, City Council authorized a three-year master agreement for law enforcement badges with V.H. Blackinton, Inc. by Resolution No. 16-0716.

The Government Performance & Financial Management Committee will receive this item for consideration on June 3, 2019.

FISCAL INFORMATION

General Fund - $366,898.25 (Estimated amount)

FY 2018-19 $72,840.75
FY 2019-20 $75,605.15
FY 2020-21 $70,780.25
FY 2021-22 $72,800.20
FY 2022-23 $74,871.90

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$366,898.25	Goods	N/A	NA	NA
• M/WBE goal waived due to no M/WBE availability				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements
	• Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BD1902. We opened them on March 21 or 22, 2019. We recommend the City Council award this master agreement in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	**Address**	**Amount**
*V.H. Blackinton, Inc.	221 John Dietsch Blvd. Attleboro Falls, MA 02763	$366,898.25
Metis, Inc. Supply Co.	3201 SE 29th St. Oklahoma City, OK 73115	$577,477.60

OWNER

V.H. Blackinton, Inc.

Peter Roque, President
David Long, Vice President
Carl Croce, Secretary
Peter Roque, Treasurer

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June 12, 2019

WHEREAS, on May 11, 2016, City Council authorized a three-year master agreement for law enforcement badges with V.H. Blackinton, Inc. in an amount not exceed $125,169.55, by Resolution No. 16-0716.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That a master agreement for the purchase of law enforcement badges for the Police Department is authorized with V.H. Blackinton, Inc. (VS0000053987), approved as to form by the City Attorney, for a term of five years in the estimated amount of $366,898.25. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for law enforcement badges for the Police Department. If a written contract is required or requested for any or all purchases of law enforcement badges for the Police Department under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $366,898.25, but not more than the amount of budgetary appropriations for this master agreement during its term to V.H. Blackinton, Inc. from Master Agreement Contract No. POM-2019-00010376.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-840 **Item #:** 49.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Welcoming Communities & Immigrant Affairs

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize a Safe Network Agreement with the Vera Institute of Justice, Inc. (Vera) committing **(1)** the City to remit $100,000.00 in funding to Vera for representation of Dallas residents before the Executive Office of Immigration Review; **(2)** Vera to remit a matching catalyst grant of $100,000.00 to the selected non-profit legal service provider; and **(3)** Vera to provide in-kind support including the selection of a non-profit legal services provider in Dallas recognized to practice before the Immigration Court, training and technical assistance, data collection, reporting, program monitoring, and communications assistance - Not to exceed $100,000.00 - Financing: General Fund

BACKGROUND

The Office of Welcoming Communities and Immigrant Affairs (WCIA) was established in March 2017 to promote the civic, economic and cultural contributions of immigrants and refugees to the City of Dallas. Among WCIA's first priorities was to oversee an economic and demographic study of immigrants in Dallas. On October 24, 2018, City Council authorized the "Welcoming Dallas Strategic Plan" pursuant to the study and a survey and the Welcoming Plan Task Force recommendations by Resolution No. 18-1520. The survey assessed quality of life issues of immigrants and refugees in Dallas via a survey, finding a consistent and top concern to be the increased federal immigration enforcement system. The Dallas enforcement area of U.S. Immigration and Customs Enforcement has become the leader in ICE apprehensions with an increase of 71 percent over the previous year. Many of these apprehensions lead to individuals being placed in removal proceedings in Dallas. An estimated 8,000 Dallas residents are unrepresented before the Dallas Immigration Courts.

The increased federal enforcement has had a sweeping impact on Dallas' immigrant and refugee community, ranging from distrust of local law enforcement to disenrollment of eligible family members from various benefit programs. Studies show that immigrants who are represented in removal proceedings are up to ten times more likely to establish a right to remain in the United States versus those who are unrepresented. Providing civil immigration legal assistance to Dallas' immigrant residents aligns with the goals of the City's 2018-19 Service First budget to be an inclusive city.

Dallas derives significant benefits from the economic, social and cultural contributions of immigrant families. As an inclusive city, Dallas cares deeply when these families' lives are impacted and disrupted by immigration detention. By providing civil immigration legal assistance, detained immigrants will be able to have their cases adjudicated by immigration courts and return to their families and the workplace more expeditiously, minimizing the financial burdens they would otherwise experience.

On September 18, 2018, City Council authorized the FY 2018-19 WCIA budget which included funds for the creation of a fund to provide civil immigration legal services for Dallas residents by Resolution No. 18-1337. The City of Dallas civil immigration legal services fund was established to support affordable and available access to legal services to City of Dallas residents in removal proceedings, including pathways to citizenship. This contract is currently included as one of the 44 initiatives on the FY 2018-19 Budget Accountability Report.

WCIA proposes contracting to participate in the Safety and Fairness for Everyone (SAFE) Network, administer the City's civil immigration legal services program, and receive a 1:1 match in funding for the program. Vera is a standard bearer in the civil rights and access to justice programming. Vera has long served as a contract provider to the United States (U.S.) Department of Justice, Executive Office for Immigration Review to enable its legal access programming and provides technical and matching grants to municipalities throughout the U.S. to participate in the Network. Vera is unique in that it has established and manages the SAFE Network, which includes consultation services that supports access to justice programs initiated by municipal governments.

Vera is the only organization to offer to match funding to the City's funds and will provide technical assistance and training to establish the Dallas program providing immigration legal services to Dallas residents for sustainability. Through this program, Dallas residents who are detained by Immigration & Customs Enforcement custody will be provided access to legal representation before the Dallas Immigration Courts.

The provision of these services is for the public purpose of increasing the public health, safety, and welfare of all persons in the municipality. This program is aligned with strategic priorities identified by City Council, including (1) Human and Social Needs as a Strategic Priority; (2) the City's "Dallas Resilience" report; and (3) Mayor Rawlings Poverty Task Force Report. No other organization can provide such services.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 18, 2018, City Council authorized FY 2018-19 funding for WCIA's operating budget via the annual Operating and Capital Budgets' Appropriation Ordinance by Resolution No. 18-1337; Ordinance No. 30991.

On October 24, 2018, City Council authorized the Welcoming Dallas Strategic Plan pursuant to the study and the Welcoming Plan Task Force recommendations by Resolution No. 18-1520.

The Human and Social Needs Committee was briefed by memorandum regarding this matter on May 30, 2019.

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FISCAL INFORMATION

General Fund - $100,000.00

OWNER

Vera Institute of Justice, Inc.

Adair Lacono, General Counsel
Annie Chen, Program Director, Center on Immigration and Justice

WHEREAS, fostering a welcoming environment for all individuals, regardless of race, ethnicity or place of origin, enhances the City of Dallas' (Dallas) cultural fabric, economic growth, global competitiveness and overall prosperity for current and future generations; and

WHEREAS, Dallas is a city in which diversity is acknowledged, celebrated and harnessed to improve the social, economic and cultural opportunities of all residents; and

WHEREAS, Dallas is a city where nearly one in four residents was born in another country and where immigrants represented forty percent of the demographic growth between 2011 and 2016 and has established an Office of Welcoming Communities and Immigrant Affairs to promote and advance the economic, cultural and social engagement of immigrants and refugees in Dallas; and

WHEREAS, immigrants in Dallas contribute to the local and state economy across a wide variety of industries and sectors and represent nearly thirty-one percent of the working age population in the city; and

WHEREAS, Dallas is actively working across all sectors to establish a local welcoming framework to integrate and include immigrants in all aspects of city life; and

WHEREAS, Dallas is partnering with leaders, and representatives of local government, businesses, nonprofit agencies, philanthropic enterprises, academia, service providers, faith-based groups and first responders to build awareness of the benefits of being a welcoming community; and

WHEREAS, Dallas' efforts that promote understanding and collaboration between long-time residents and foreign-born community members are crucial to ensuring a welcoming environment; and

WHEREAS, deportations have markedly increased in the last decades and the Dallas enforcement area of U.S. Immigration and Customs Enforcement has become the leader in ICE apprehensions with an increase of 71 percent over the previous year; and

WHEREAS, many of these apprehensions lead to individuals being placed in removal proceedings in Dallas and many have lived in the U.S. for lengthy periods of time and many are parents or caregivers of U.S. citizens; and

WHEREAS, recent studies have shown that access to counsel has a profound positive impact on those who are represented; and

WHEREAS, in the Dallas Immigration courts, nearly 8,000 local residents are currently before the courts without legal representation; and

WHEREAS, studies have shown that there is detrimental effect of deportation not only on the individual deported but also on the families and communities the individual is forced to leave behind; and

WHEREAS, studies have shown that family members who are left behind suffer multiple psychosocial consequences and that the separation of a child from a parent due to deportation is associated with economic hardship, housing instability, and food insecurity; and

WHEREAS, children in mixed-status families, irrespective of immigration status, experience fear and shame regarding deportation which impacts their sense of self and well-being; and

WHEREAS, based upon the need for immigration representation among the local community and WCIA's goal of building safer, more connected and healthy communities, the City of Dallas has been selected as a Member of the Vera Institute Safety and Fairness for Everyone Network and will receive the following benefits from Vera Institute of Justice (Vera): the execution of a Safe Network Agreement committing the City to remit $100,000.00 in funding to Vera for representation of Dallas residents before the Executive Office of Immigration Review, and to provide in-kind support including the selection of a non-profit legal services provider in Dallas recognized to practice before the Immigration Court, training and technical assistance, data collection, reporting, program monitoring, and communications assistance. Vera will remit a matching catalyst grant of $100,000.00 to the selected non-profit legal service provider; and

WHEREAS, on October 24, 2018, City Council adopted as a reference and guide the recommendations of the Welcoming Plan Task Force in the Welcoming Plan by Resolution No. 18-1520; and

WHEREAS, a stated recommendation of the Welcoming Plan is to partner with philanthropic organizations to provide civil immigration services and rights information programs; and

WHEREAS, the City Council finds that this civil immigration legal services initiative benefits an especially vulnerable segment of the public and is for the public purpose of increasing the public health, safety, and welfare of all persons in the municipality; and

WHEREAS, the civil immigration legal services initiative is aligned with strategic priorities identified by City Council, including (1) Human and Social Needs as a Strategic Priority, (2) the City's "Dallas Resilience" report, and (3) Mayor Rawlings Poverty Task Force Report; and

June 12, 2019

WHEREAS, on September 18, 2018, City Council adopted WCIA's operating budget via the Operating and Capital Budgets' Appropriations by Resolution No. 18-1337; Ordinance No. 30991.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized, on behalf of the City of Dallas, to execute a Safe Network Agreement with the Vera Institute of Justice, Inc. (Vera), approved as to form by the City Attorney, committing the City to remit $100,000.00 in funding to Vera for representation of Dallas residents before the Executive Office of Immigration Review, and to provide in-kind support including the selection of a non-profit legal services provider in Dallas recognized to practice before the Immigration Court, training and technical assistance, data collection, reporting, program monitoring, and communications assistance. Vera will remit a matching catalyst grant of $100,000.00 to the selected non-profit legal service provider.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of $100,000.00, in accordance with the terms and conditions of the contract to Vera Institute of Justice, Inc. from General Fund, Fund 0001, Department MGT, Unit 3308, Object 3099, Vendor VC20163.

SECTION 3. That the City adopts the Universal Representation Model for funding civil immigration legal services.

SECTION 4. That this contract shall comply with federal and state law regarding immigration including but not limited to Texas Senate Bill 4, Act of May 3, 2017, 85th Leg., R.S., ch. 4, § 1.01, 2017 Tex. Gen. Laws 7 s Government Code, (including Chapt. 752,; art. 2.251 of the Texas Code of Criminal Procedure) and may not impede or materially limit federal officers from performing their official duties under federal immigration law and shall not otherwise prohibit or materially limit the enforcement of immigration laws.

SECTION 5. That this contract is designated as Contract No. WEL-2019-00010562.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-765 **Item #:** 50.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 9

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a contract for the construction of the DeGolyer House West Wing Envelope Repair at the Dallas Arboretum located at 8525 Garland Road - Phoenix I Restoration and Construction, Ltd., lowest responsible bidder of two - Not to exceed $675,000.00 - Financing: Park and Recreation Facilities Fund (2006 Bond Funds)

BACKGROUND

On April 19, 2019, two bids were received for the DeGolyer House West Wing Envelope Repair Project. This item authorizes award of the construction contract to Phoenix I Restoration and Construction, Ltd., lowest responsible bidder of two.

The scope of work for the project includes:

- Roof replacement at the DeGolyer House West Wing
- Associated building envelope (walls, doors, and windows) improvements
- Miscellaneous repairs of the remaining roof and ceiling areas

The following chart illustrates Phoenix I Restoration and Construction, Ltd.'s contractual activities with the City of Dallas for the past three years:

	PBW	DWU	PKR
Projects Completed	0	0	2
Change Orders	0	0	2
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2019
Completed Design	March 2019
Begin Construction	July 2019
Complete Construction	September 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 7, 2017, the Park and Recreation Board authorized a professional services contract with GSR Andrade Architects, Inc. for improvements to the DeGolyer House and the Camp House and installation of new sidewalks along Garland Road at the Dallas Arboretum located at 8525 Garland Road.

On October 11, 2017, City Council authorized a professional services contract with GSR Andrade Architects, Inc. for improvements to the DeGolyer House and the Camp House and installation of new sidewalks along Garland Road at the Dallas Arboretum located at 8525 Garland Road by Resolution No. 17-1600.

On December 13, 2018, the Park and Recreation Board authorized Supplemental Agreement No. 1 to the professional services contract with GSR Andrade Architects, Inc. to add design development through construction administration phases for improvements to the DeGolyer House and installation of new sidewalks along Garland Road at the Dallas Arboretum located at 8525 Garland Road.

On January 9, 2019, City Council authorized Supplemental Agreement No. 1 to the professional services contract with GSR Andrade Architects, Inc. to add design development through construction administration phases for improvements to the DeGolyer House and installation of new sidewalks along Garland Road at the Dallas Arboretum located at 8525 Garland Road by Resolution No. 19-0101.

On May 16, 2019, the Park and Recreation Board authorized a construction contract with Phoenix I Restoration and Construction, Ltd. for the construction of the DeGolyer House West Wing Envelope Repair at the Dallas Arboretum located at 8525 Garland Road.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on June 10, 2019.

FISCAL INFORMATION

Park and Recreation Facilities Fund (2006 Bond Funds) - $675,000.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE%	M/WBE $
$675,000.00	Construction	25.00%	40.36%	$272,444.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

The following two bids were received and opened on April 19, 2019:

*Denotes the successful bidder

Bidders	Total Bid
*Phoenix I Restoration and Construction, Ltd. 14032 Distribution Way Farmers Branch, Texas 75234	$675,000.00
Mobile Enterprises, Inc.	$863,274.00

OWNER

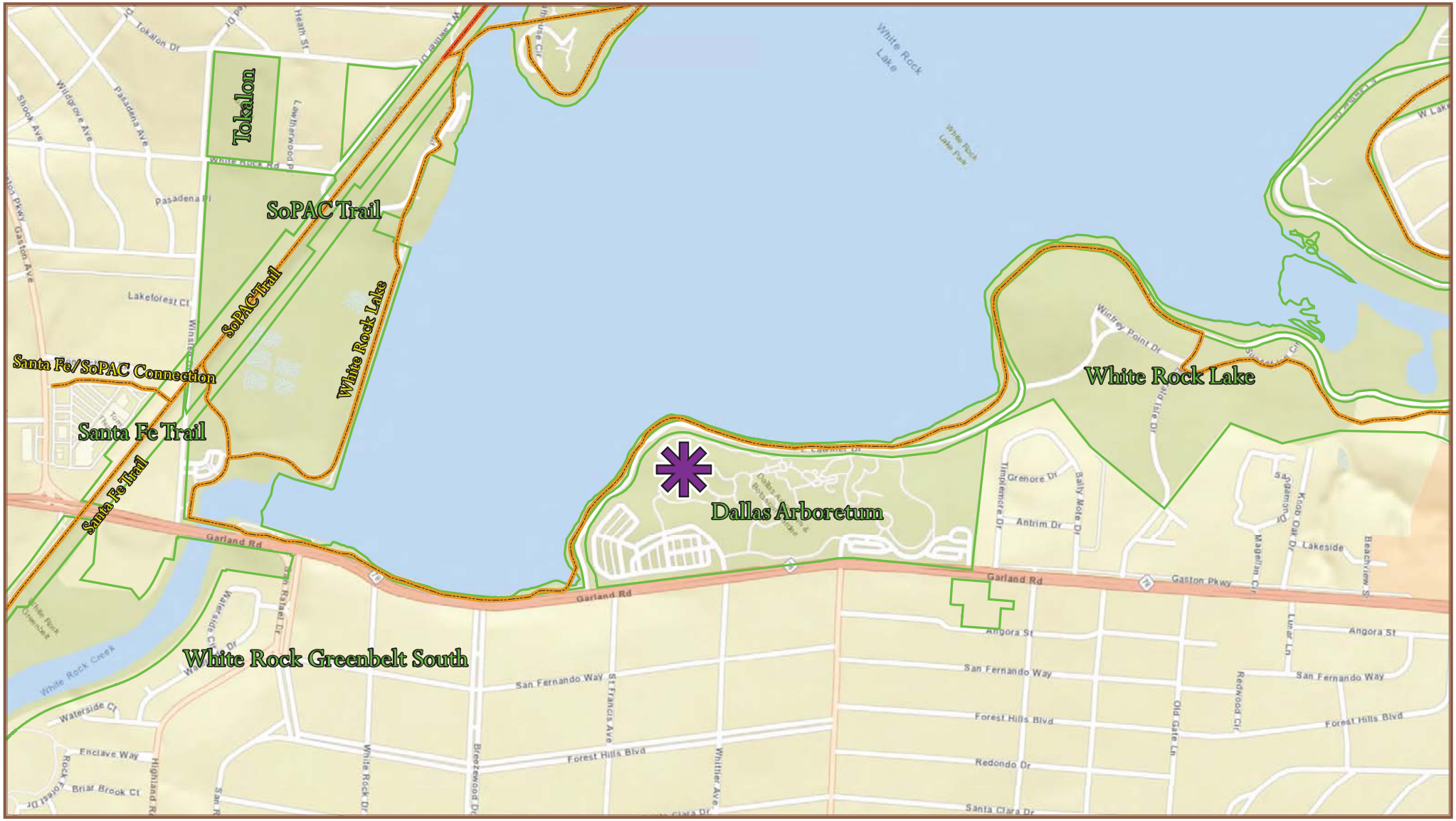
Phoenix I Restoration and Construction, Ltd.

Dale C. Sellers, President/Chief Executive Officer

MAP

Attached

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0 355 710 1,420 2,130 Feet

1 in = 700 ft

Dallas Park & Recreation

Dallas Arboretum

8525 Garland Rd

District 9

June 12, 2019

WHEREAS, on April 19, 2019, two bids were received for the construction of the DeGolyer House West Wing Envelope Repair at the Dallas Arboretum located at 8525 Garland Road. The scope of work for this project includes roof replacement at the DeGolyer House West Wing, associated building envelope (walls, doors, and windows) improvements, and miscellaneous repairs of the remaining roof and ceiling areas; and

Bidders	**Total Bid**
Phoenix I Restoration and Construction, Ltd.	$675,000.00
Mobile Enterprises, Inc.	$863,274.00

WHEREAS, it has been determined that acceptance of the best and final offer from Phoenix I Restoration and Construction, Ltd., in an amount not to exceed $675,000.00 is the best value for the City of Dallas.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Phoenix I Restoration and Construction, Ltd., approved as to form by the City Attorney, for construction of the DeGolyer House West Wing Envelope Repair at the Dallas Arboretum located at 8525 Garland Road, in an amount not to exceed $675,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $675,000.00 to Phoenix I Restoration and Construction, Ltd., as follows:

Park and Recreation Facilities Fund Fund 9T00, Department PKR, Unit T005, Object 4599 Activity DABS, Program PK06T005, Commodity 91200 Encumbrance/Contract No. PKR-2019-00010278 Vendor VC0000003594	$422,080.92
Park and Recreation Facilities Fund Fund BT00, Department PKR, Unit T005, Object 4599 Activity DABS, Program PK06T005, Commodity 91200 Encumbrance/Contract No. PKR-2019-00010278 Vendor VC0000003594	$252,919.08
Total amount not to exceed	$675,000.00

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-778 **Item #:** 51.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a contract for the construction of the Hall of State Chiller Replacement Project located at 3939 Grand Avenue in Fair Park - METCO Engineering, Inc., lowest responsible bidder of four - Not to exceed $511,999.00 - Financing: Fair Park Improvements (C) Fund (2017 Bond Funds)

BACKGROUND

On March 29, 2019, four bids were received for the Hall of State Chiller Replacement Project. This action authorizes the award of a construction contract to METCO Engineering, Inc. for Base Bid and Alternate No. 1 with a total bid amount of $511,999.00.

The scope of work includes installation of air-conditioning equipment, reinsulating existing ductwork, reinsulating chilled-water piping and installing drain pans.

The following chart illustrates METCO Engineering, Inc.'s contractual activities with the City of Dallas for the past three years:

	PBW	DWU	PKR
Projects Completed	70	0	11
Change Orders	6	0	1
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	July 2019
Complete Construction	January 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 27, 2018, City Council authorized a professional services contract with M. Arthur Gensler, Jr & Associates, Inc. for architectural and engineering services for the schematic design, design development, construction documents, procurement, and construction administration phases for the Hall of State Facility Improvements Project located at 3939 Grand Avenue by Resolution No. 18-0941.

On May 16, 2019, the Park and Recreation Board authorized a contract for the construction of the Hall of State Chiller Replacement Project located at 3939 Grand Avenue in Fair Park with METCO Engineering, Inc.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on June 10, 2019.

FISCAL INFORMATION

Fair Park Improvements (C) Fund (2017 Bond Funds) - $511,999.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE%	M/WBE $
$511,999.00	Construction	25.00%	0.00%	$0.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

PROCUREMENT INFORMATION

The following four bids were received and opened on March 29, 2019:

*Denotes the successful bidder

Bidders	Base Bid	Alternate No. 1**	Total Bid
*METCO Engineering, Inc. 3333 Lee Parkway, Ste. 600 Dallas, Texas 75219	$ 499,999.00	$12,000.00	$ 511,999.00
Infinity Contractors International, LTD.	$ 637,164.00	$98,681.00	$ 735,845.00
Acumen Enterprises, Inc.	$ 797,000.00	$12,000.00	$ 809,000.00
DMI, Inc.	$1,233,744.00	$80,011.00	$1,313,755.00

**Alternate No. 1 - provides for additional insulation for duct work at the Great Hall.

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OWNER

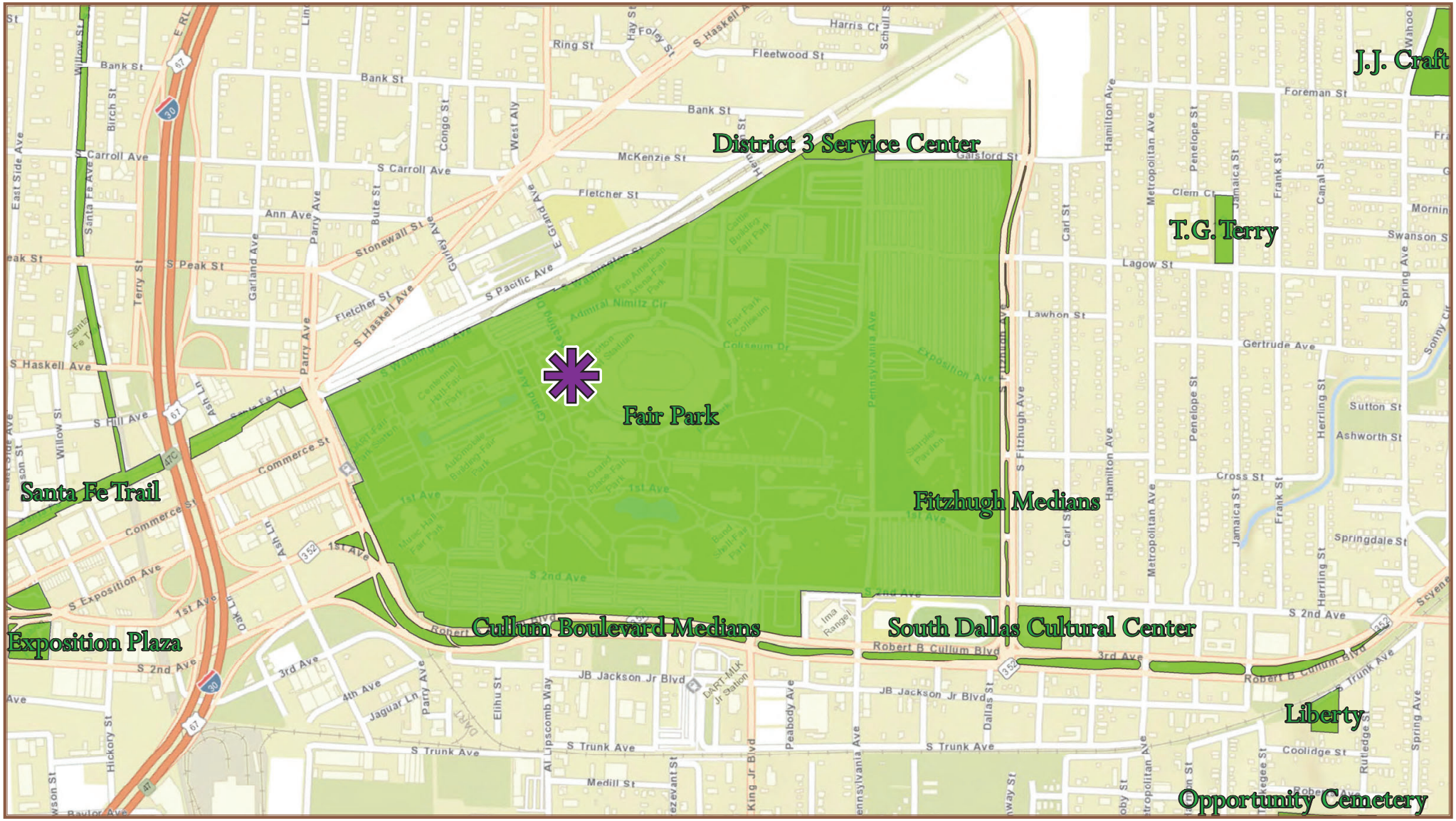
METCO Engineering, Inc.

Barry Bagheri, President

MAP

Attached

powered by Legistar™



Fair Park—Hall of State
(3939 Grand Ave)

Mapsco
46 L,Q

District
7

June 12, 2019

WHEREAS, on March 29, 2019, four bids were received for Construction Services for the construction of the Hall of State Facility Chiller Replacement Project located at 3939 Grand Avenue in Fair Park; and

Bidders	**Base Bid**	**Alter. No. 1****	**Total Bid**
METCO Engineering, Inc.	$ 499,999.00	$12,000.00	$ 511,999.00
Infinity Contractors International, LTD	$ 637,164.00	$98,681.00	$ 735,845.00
Acumen Enterprises, Inc.	$ 797,000.00	$12,000.00	$ 809,000.00
DMI, Inc.	$1,233,744.00	$80,011.00	$1,313,755.00

**Alternate No. 1 – provides for additional insulation for duct work at the Great Hall.

WHEREAS, it is now desirable and in the best interest of the City of Dallas to authorize a construction contract with METCO Engineering, Inc., in an amount not to exceed $511,999.00.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a contract with METCO Engineering, Inc., approved as to form by the City Attorney, for the construction of the Hall of State Chiller Replacement Project located at 3939 Grand Avenue in Fair Park, in an amount not to exceed $511,999.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $511,999.00 to METCO Engineering, Inc. from the Fair Park Improvements (C) Fund, Fund 1V02, Department PKR, Unit VC01, Object 4599, Activity FPRK, Program PK17VC01, Encumbrance/Contract No. PKR-2019-00009981, Commodity 91200, Vendor VS0000025965.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-766 **Item #:** 52.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 3, 7, 9

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a contract for the construction of the Phase 2 Aquatic Facilities Project at Bahama Beach Waterpark Expansion located at 1895 Campfire Circle, Exline Neighborhood Aquatic Center located at 2430 Eugene Street, and Harry Stone Neighborhood Aquatic Center located at 2403 Millmar Drive - Big Sky Construction Co., Inc., best value proposer of five - Not to exceed $14,580,000.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

BACKGROUND

On March 20, 2019, the City of Dallas advertised the Request for Competitive Sealed Proposals (RFCSP) for the construction of the Phase 2 Aquatic Facilities Project. In response to the advertisement, the Office of Procurement Services received submittals from five firms on April 19, 2019.

Proposals based on RFCSP are evaluated on pre-set criteria which include cost, qualifications of the prime contractor, subcontractor experience, construction amount and schedule ratings, which are based on mathematical formulas, with the best price and best schedule being given the highest scores. Ratings "1" to "10" are given for each criterion with "10" being the best rating. These ratings are multiplied by the weighting to obtain the score for each criterion.

The following is a list of the rating criteria and values for each criterion:

Rating Criteria	Value
1. Proposed Construction Contract Amount	40%
2. Qualifications/Experience/References for Prime Firm	15%
3. Subcontractor Experience	10%
4. Business Inclusion and Development Plan	15%
5. Financial Sufficiency	10%
6. Schedule/Time of Completion	10%
	100%

The selection committee scored the proposals and Big Sky Construction Co., Inc., was selected as the best value proposer. One proposal of the five was deemed non-responsive.

This action will authorize a contract with Big Sky Construction Co., Inc., best value proposer of five, for the construction of the Phase 2 Aquatic Facilities Project in an amount not to exceed $14,580,000.00. The facilities include: Bahama Beach Waterpark Expansion ($5,784,000.00); Exline Neighborhood Aquatic Center ($4,204,000.00); and Harry Stone Neighborhood Aquatic Center ($4,592,000.00).

ESTIMATED SCHEDULE OF PROJECT

Began Design	July 2018
Completed Design	March 2019
Begin Construction	August 2019
Complete Construction	May 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 7, 2018, the Park and Recreation Board authorized a professional services contract with Kimley-Horn and Associates, Inc. for architectural and engineering services.

Information about this item was provided to the Quality of Life, Arts and Culture Committee on June 25, 2018.

On June 27, 2018, City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. for architectural and engineering services for the schematic design, design development, construction documents, bidding and negotiation, and construction administration for the Aquatics Phase 2 Projects to be constructed at Bachman Park located at 2750 Bachman Drive, Bahama Beach Waterpark located at 1895 Campfire Circle, Exline Park located at 2525 Pine Street, and Harry Stone Park located at 2403 Millmar Drive by Resolution No. 18-0940.

On May 16, 2019, the Park and Recreation Board authorized a construction contract with Big Sky Construction Co., Inc.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on June 10, 2019.

FISCAL INFORMATION

Park and Recreation Facilities (B) Fund (2017 Bond Funds) - $14,580,000.00

Council District	Amount
3	$ 5,784,000.00
7	$ 4,204,000.00
9	$ 4,592,000.00
Total	$14,580,000.00

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M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE%	M/WBE $
$14,580,000.00	Construction	25.00%	32.54%	$4,744,598.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

The following five proposals were received and opened on April 19, 2019:

*Denotes successful proposer

Proposers	Base Price**	Score
* Big Sky Construction Co., Inc. 507 Exposition Avenue Dallas, Texas 75226	$14,580,000.00	3603.80
MyCon General Contractors/3i	$14,764,000.00	3417.00
Ratcliff Constructors LP	$13,865,711.00	3214.80
CORE Construction Services of Texas, Inc.	$14,890,000.00	2959.60
USA Construction LLC	Non-responsive***	

**Base Price represents best and final offer amount.
***USA Construction LLC was deemed non-responsive due to insufficient bid security.

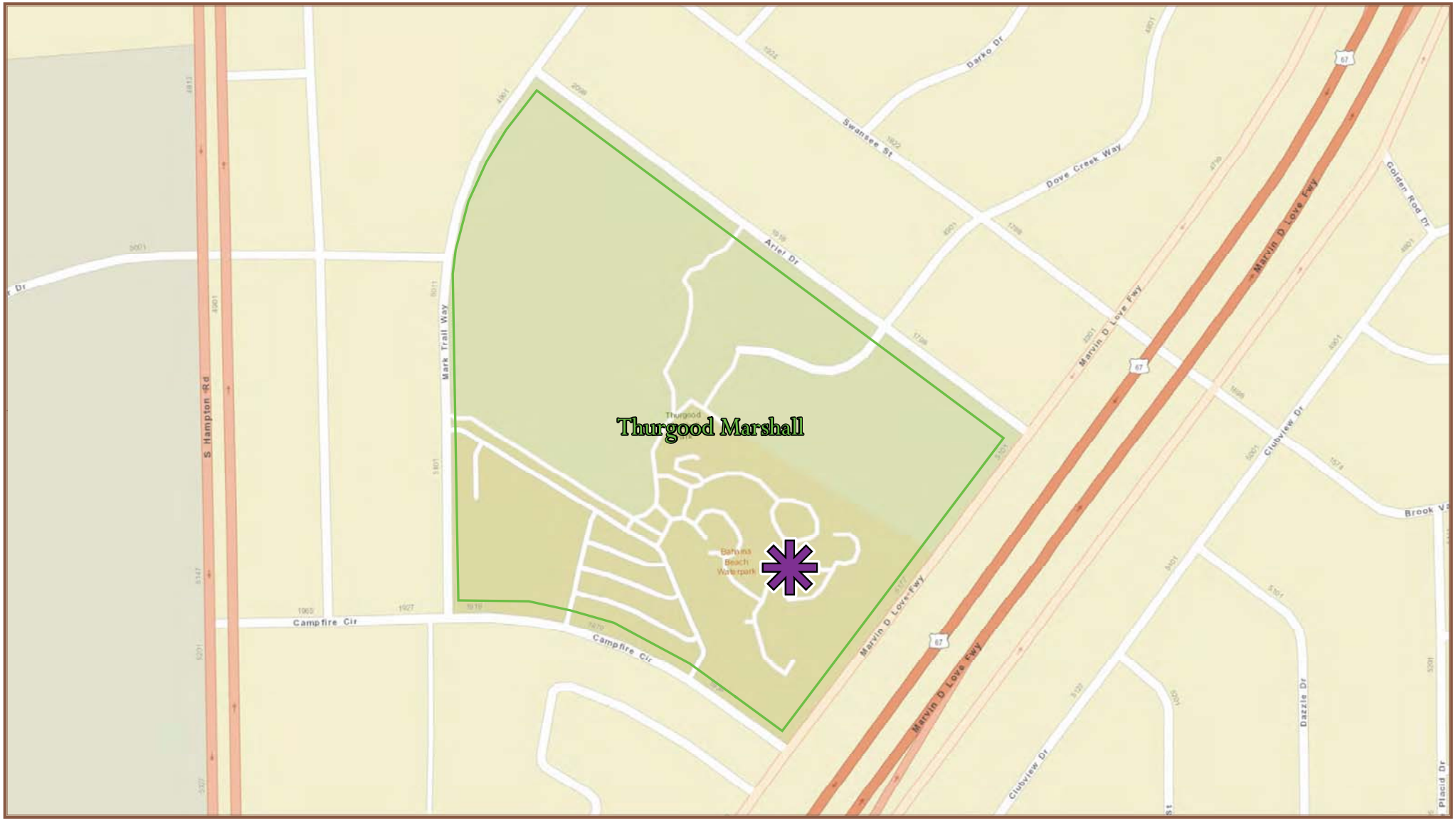
OWNER

Big Sky Construction Co., Inc.

Robert Long, President

MAPS

Attached



0 100 200 400 600 Feet

1 in = 200 ft

Dallas Park & Recreation

Bahama Beach Waterpark Expansion
(1895 Campfire Circle)

District 3



0 100 200 400 600 Feet

1 in = 200 ft

Dallas Park & Recreation

Exline Neighborhood Aquatic Center
(2430 Eugene Street)

District 7



0 100 200 400 600 Feet

1 in = 200 ft

N W E S

Dallas Park & Recreation

Harry Stone Neighborhood Aquatic Center
(2403 Millmar Drive)

District 9

June 12, 2019

WHEREAS, on April 19, 2019, five proposals were received for the construction of the Phase 2 Aquatic Facilities Project; and

Proposers	**Base Price****	**Score**
Big Sky Construction Co., Inc.	$14,580,000.00**	3603.80
MyCon General Contractors/3i	$14,764,000.00	3417.00
Ratcliff Constructors LP	$13,865,711.00	3214.80
CORE Construction Services of Texas, Inc.	$14,890,000.00	2959.60
USA Construction LLC	Non-responsive***	

**Base Price represents best and final offer amount.
***USA Construction LLC was deemed non-responsive due to insufficient bid security.

WHEREAS, it has been determined that acceptance of the best and final offer from Big Sky Construction Co., Inc. for the construction of the Phase 2 Aquatic Facilities Project at Bahama Beach Waterpark Expansion located at 1895 Campfire Circle, Exline Neighborhood Aquatic Center located at 2430 Eugene Street, and Harry Stone Neighborhood Aquatic Center located at 2403 Millmar Drive, in an amount not to exceed $14,580,000.00 is the best value for the City of Dallas.

Now, Therefore,

BE IT RESOLVED THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Big Sky Construction Co., Inc., approved as to form by the City Attorney, for the construction of the Phase 2 Aquatic Facilities Project at Bahama Beach Waterpark Expansion located at 1895 Campfire Circle, Exline Neighborhood Aquatic Center located at 2430 Eugene Street, and Harry Stone Neighborhood Aquatic Center located at 2403 Millmar Drive, in an amount not to exceed $14,580,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $14,580,000.00 to Big Sky Construction Co., Inc., as follows:

Bahama Beach Waterpark Expansion
Park and Recreation Facilities (B) Fund
Fund 1V00, Department PKR, Unit VB02, Object 4599
Activity AQFC, Program PK17VB02, Commodity 91200
Encumbrance/Contract No. CX-PKR-2019-00010413
Vendor VS0000016146 $ 5,784,000.00

SECTION 2. (continued)

Exline Neighborhood Aquatic Center	
Park and Recreation Facilities (B) Fund	
Fund 1V00, Department PKR, Unit VB02, Object 4599	
Activity AQFC, Program PK17VB02, Commodity 91200	
Encumbrance/Contract No. CX-PKR-2019-00010413	
Vendor VS0000016146	$ 4,204,000.00
Harry Stone Neighborhood Aquatic Center	
Park and Recreation Facilities (B) Fund	
Fund 1V00, Department PKR, Unit VK29, Object 4599	
Activity AQFC, Program PK17VK29, Commodity 91200	
Encumbrance/Contract No. CX-PKR-2019-00010413	
Vendor VS0000016146	$ 4,592,000.00
Total amount not to exceed	$14,580,000.00

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-433 **Item #:** 53.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 9, 10, 11

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Halff Associates, Inc., for the engineering design of Storm Drainage Contract No. 2 (list attached to the Agenda Information Sheet) - Not to exceed $965,165.00 - Financing: Storm Drainage Management Capital Construction Fund

BACKGROUND

This action will authorize a professional services contract with Halff Associates, Inc. for the engineering design of three storm drainage improvement projects. This item will provide design for the Sanford Avenue Storm Drainage Relief, the Guildhall-McCree Storm Drainage Relief, and Greenhollow/Sapling/Clearsprings Storm Drainage Relief projects.

This contract addresses three areas with known flooding issues attributed to inadequate storm drainage infrastructure. The Sanford Avenue Storm Drainage Relief Project will address flooding of homes, structures, and property in the vicinity of Sanford Avenue by studying and designing storm drainage system improvements that drain to Ash Creek. The Guildhall-McCree Storm Drainage Relief Project will address flooding of an estimated nine homes, structures, and property in the vicinity of Guildhall Drive and McCree Road by studying and designing storm drainage system improvements that drain to White Rock Creek south of Audelia Road and Northwest Highway. The Greenhollow/Sapling/Clearsprings Storm Drainage Relief Project will address flooding of homes and property, and excessive street flooding in the vicinity of Greenhollow Lane, Sapling Way and Clearsprings Road by studying and designing storm drainage system improvements that drain to Cottonwood Creek south of Midpark Road.

The services provided for this contract include project management, topographic and boundary surveys, easement identification and legal exhibits, subsurface utility exploration, geotechnical investigations, structural analysis, drainage studies including hydrologic and hydraulic stream and storm drainage system modeling, development of conceptual and preliminary construction plans, and development of construction plans and special specifications. The consulting firm was selected following a qualifications-based selection process in accordance with the City of Dallas Administrative Directive 4-5 procurement guidelines.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	July 2019
Complete Design	July 2020
Begin Construction	January 2020
Complete Construction	July 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Storm Drainage Management Capital Construction Fund - $965,165.00

Estimated Future Cost - $9,643,380.00

Council District	Amount
9	$399,860.00
10	$426,170.00
11	$139,135.00
Total	$965,165.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$965,165.00	Architectural & Engineering	25.66%	25.66%	$247,625.00
• This contract meets the M/WBE goal.				

OWNER

Halff Associates, Inc.

Patrick L Kunz, PE, President

MAPS

Attached

powered by Legistar™

Segment List
Contract No. 19-077E
Storm Drainage Contract 2
Stormwater Project Management

District 9

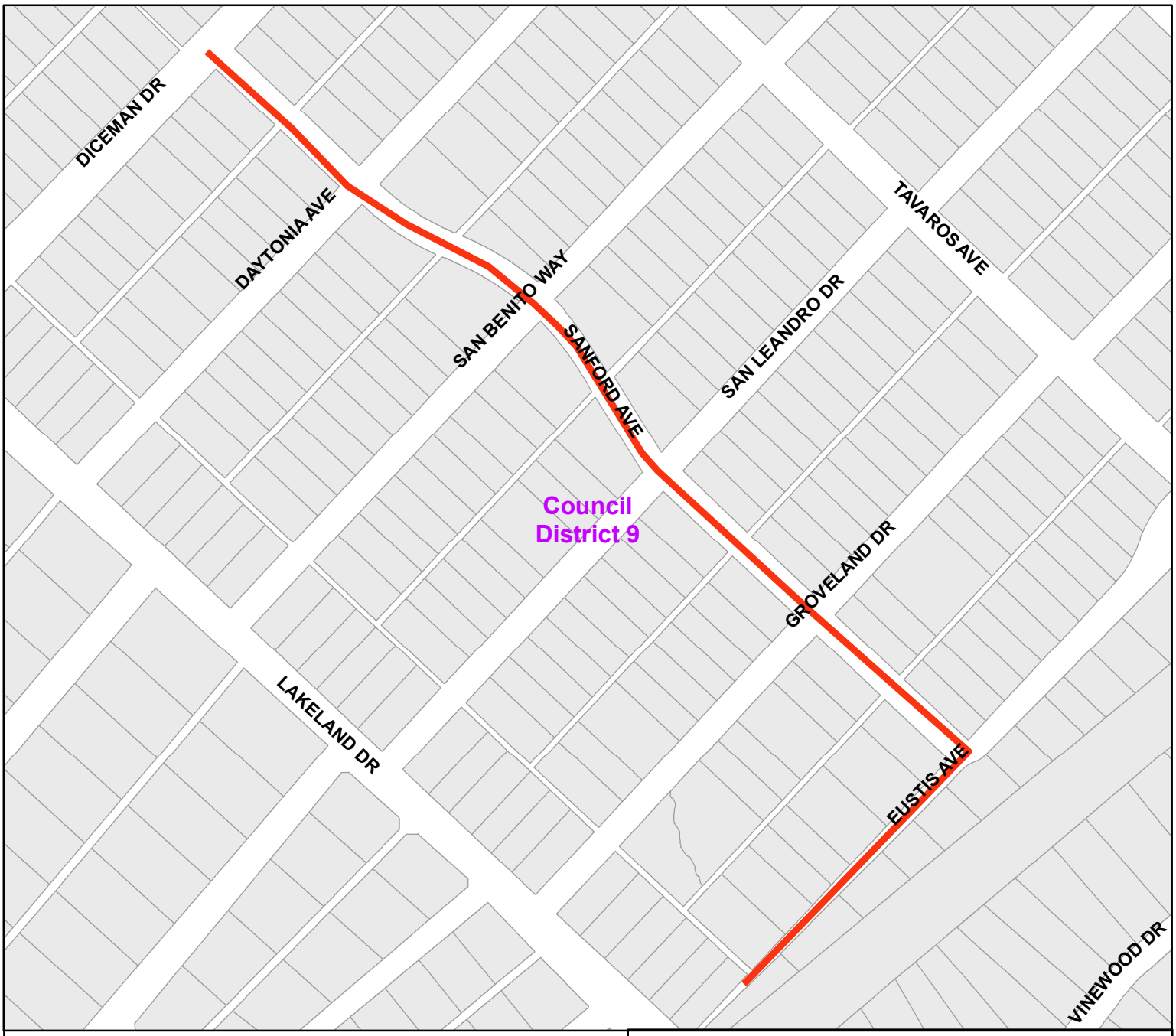
Sanford Avenue Storm Drainage Relief

District 10

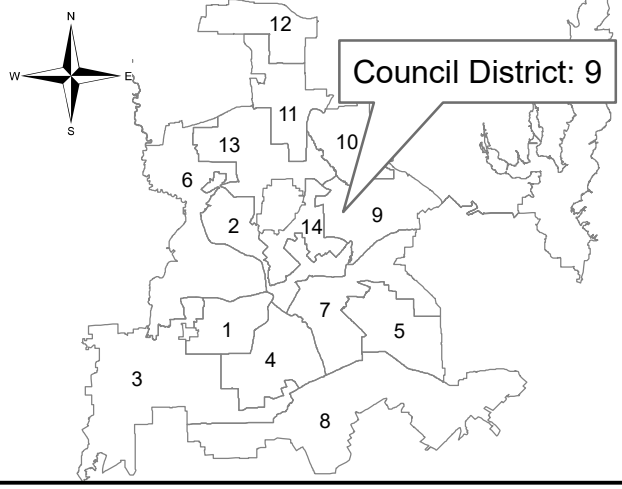
Guildhall-McCree Storm Drainage Relief

District 11

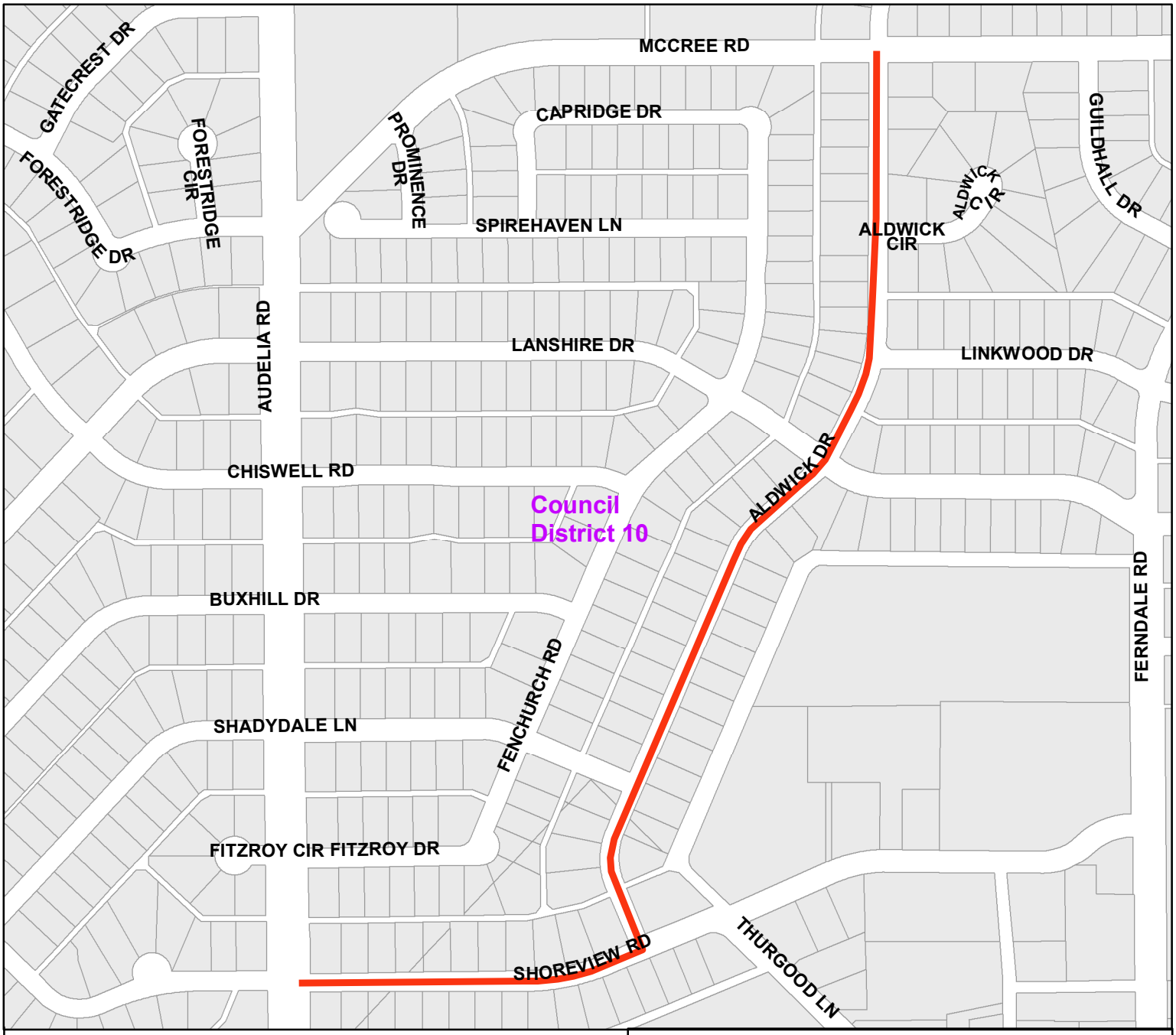
Greenhollow/Sapling/Clearsprings Storm Drainage Relief



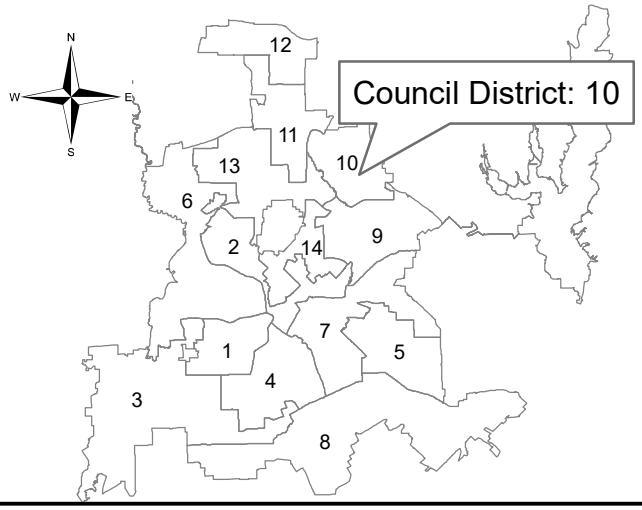
Sanford Avenue
Storm Drainage Relief



Dallas Water Utilities
Contract No. 19-077E
Storm Drainage Contract No. 2
Stormwater Project Management



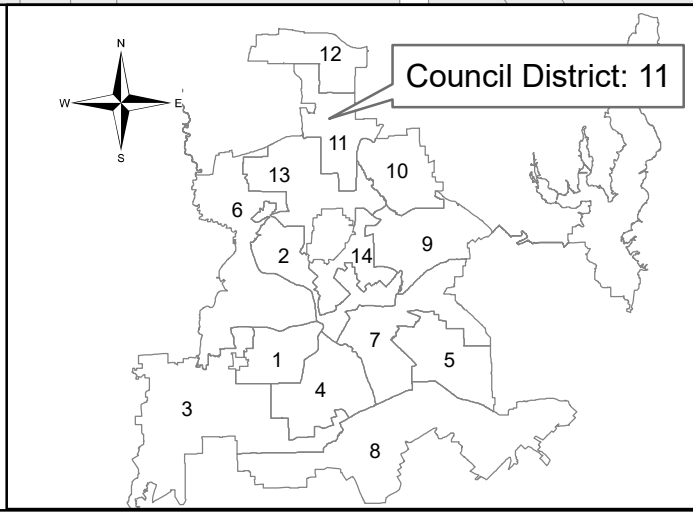
Guildhall-McCree
Storm Drainage Relief



Dallas Water Utilities
Contract No. 19-077E
Storm Drainage Contract No. 2
Stormwater Project Management



Greenhollow/Sapling/Clearsprings
Storm Drainage Relief



Dallas Water Utilities
Contract No. 19-077E
Storm Drainage Contract No. 2
Stormwater Project Management

June 12, 2019

WHEREAS, the City of Dallas has identified a need to address drainage problems occurring at various locations within the City; and

WHEREAS, engineering services are required to design and construct storm sewer infrastructure improvements at three locations for flood protection and storm drainage relief; and

WHEREAS, engineering services will include preliminary investigation, surveying, geotechnical investigation, preliminary design, and development of construction plans and specifications; and

WHEREAS, Halff Associates, Inc., 1201 North Bowser Road, Richardson, Texas 75081, has submitted an acceptable proposal to provide these engineering services.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a professional services contract with Halff Associates, Inc., approved as to form by the City Attorney, for engineering design for Storm Drainage Contract No. 2, in an amount not to exceed $965,165.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $965,165.00 to Halff Associates, Inc. in accordance with the terms and conditions of the contract, as follows:

Storm Drainage Management Capital Construction Fund Fund 0063, Department DWU, Unit W199, Activity SDRS Object 4111, Program TW17W199 Encumbrance/Contract No. CX-DWU-2019-00009208 Vendor 089861	$399,860.00
Storm Drainage Management Capital Construction Fund Fund 0063, Department DWU, Unit W200, Activity SDRS Object 4111, Program TW17W200 Encumbrance/Contract No. CX-DWU-2019-00009208 Vendor 089861	$139,135.00
Storm Drainage Management Capital Construction Fund Fund 0063, Department DWU, Unit W213, Activity SDRS Object 4111, Program TW17W213 Encumbrance/Contract No. CX-DWU-2019-00009208 Vendor 089861	$426,170.00
Total amount not to exceed	$965,165.00

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-604 **Item #:** 54.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 1, 4, 5

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Garver, LLC for the engineering design of Storm Drainage Contract No. 3 (list attached to the Agenda Information Sheet) - Not to exceed $886,940.13 - Financing: Storm Drainage Management Capital Construction Fund

BACKGROUND

This action will authorize a professional services contract with Garver, LLC for the engineering design of three storm drainage improvement projects. The contract will provide for the design of improvements at Coombs Creek adjacent to 1641 Junior Drive, Lisbon Area C, and Pleasant Branch.

The City of Dallas has determined that these locations require improvements to provide adequate capacity for the conveyance of storm water flows and address localized flooding during storm events. Coombs Creek will include the replacement of a failed storm sewer outfall and box culvert near 1641 Junior Drive along with the restoration of adjacent bank loss. Lisbon Area C includes improvements to provide adequate stormwater conveyance capacity in the area bounded by Lea Crest Drive, East Overton Road, Easter Avenue, and Cardinal Drive. The Pleasant Branch project limits are from Tonawanda Drive to Bruton Road and include channel and culvert improvements to convey 100-year storm flows. Enlarged culvert crossings are planned at Tonawanda Drive, Belfast Avenue, and Bruton Road.

Each location has distinct challenges that require engineering analysis and design services. The services provided include project management, topographic and boundary surveys, subsurface utility exploration, geotechnical investigations, permitting assistance, development of conceptual and preliminary construction plans, and development of final construction plans and special specifications.

The consulting firm was selected following a qualifications-based selection process in accordance with the City of Dallas Administrative Directive 4-5 procurement guidelines.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	July 2019
Complete Design	July 2020
Begin Construction	January 2021
Complete Construction	July 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Storm Drainage Management Capital Construction Fund - $886,940.13

Estimated Future Cost - Construction - $7,293,857.00

Council District	Amount
1	$131,420.00
4	$283,062.61
5	$472,457.52
Total	$886,940.13

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$886,940.13	Architectural & Engineering	25.66%	38.19%	$338,742.97
• This contract exceeds the M/WBE goal.				

OWNER

Garver, LLC

Brock Hoskins, President

MAPS

Attached

powered by Legistar™

Segment List
Contract No. 19-079E
Storm Drainage Contract 3
Stormwater Project Management

District 1

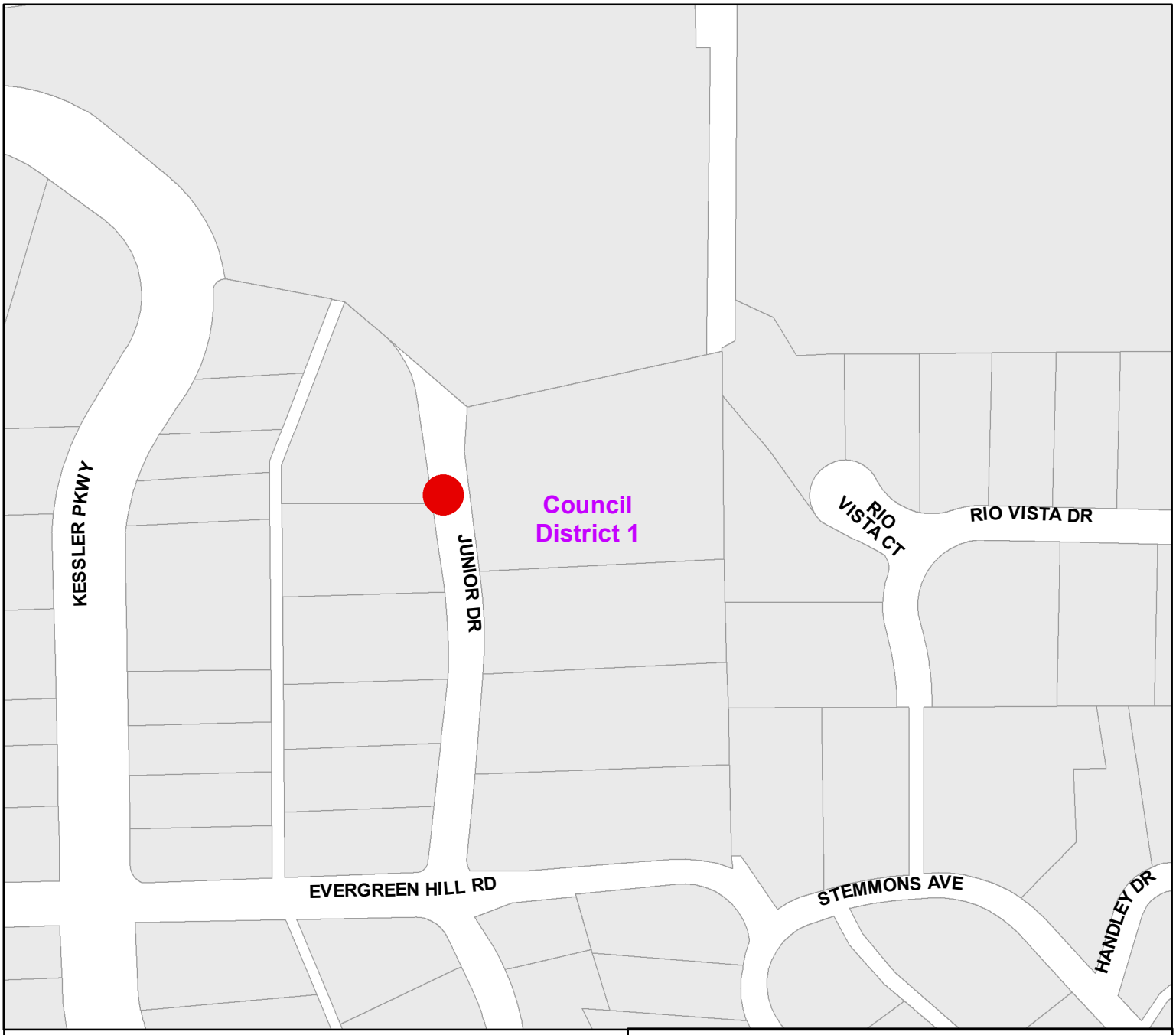
1641 Junior Drive

District 4

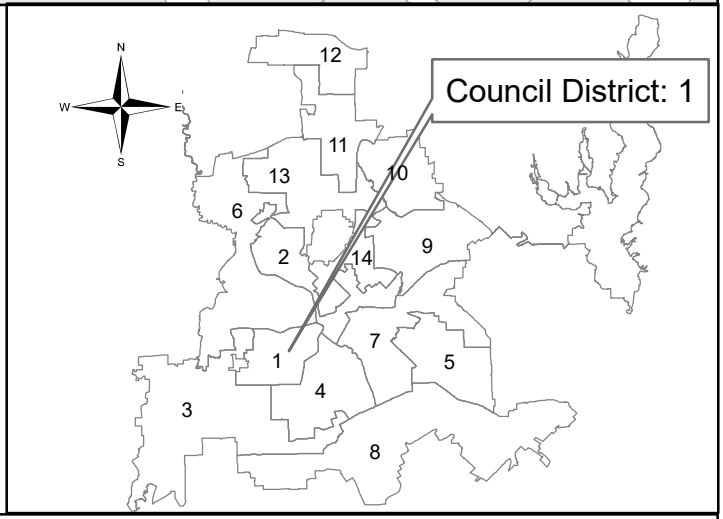
Lisbon Area C

District 5

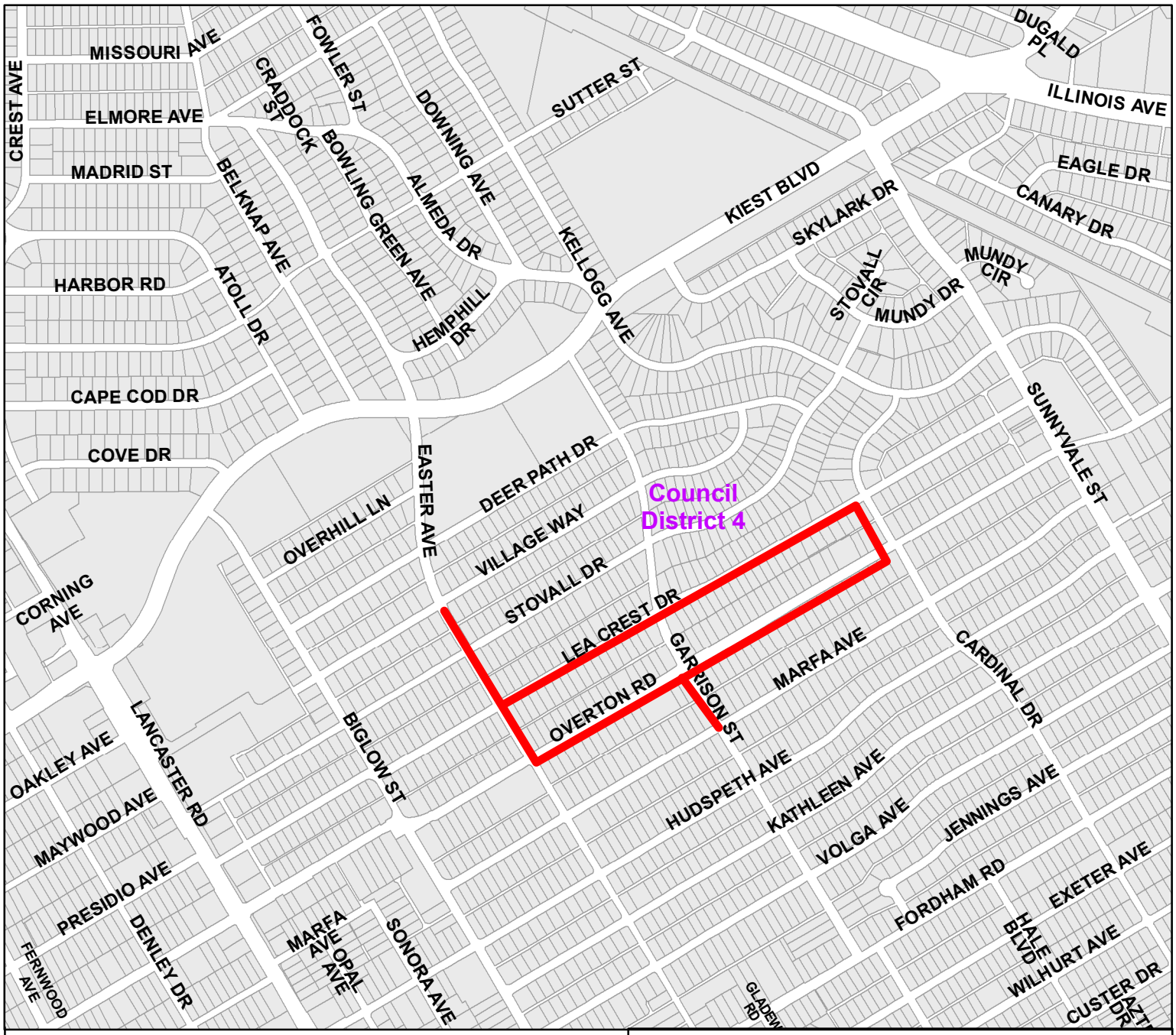
Pleasant Branch from Tonawanda Drive to Bruton Road



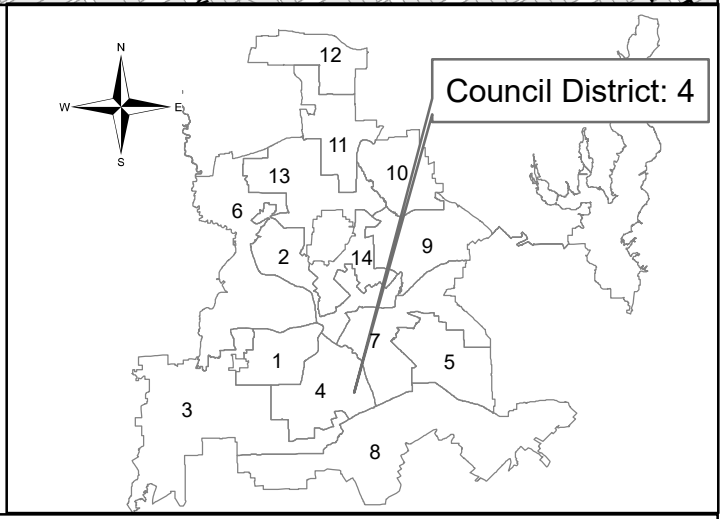
1641 Junior Drive



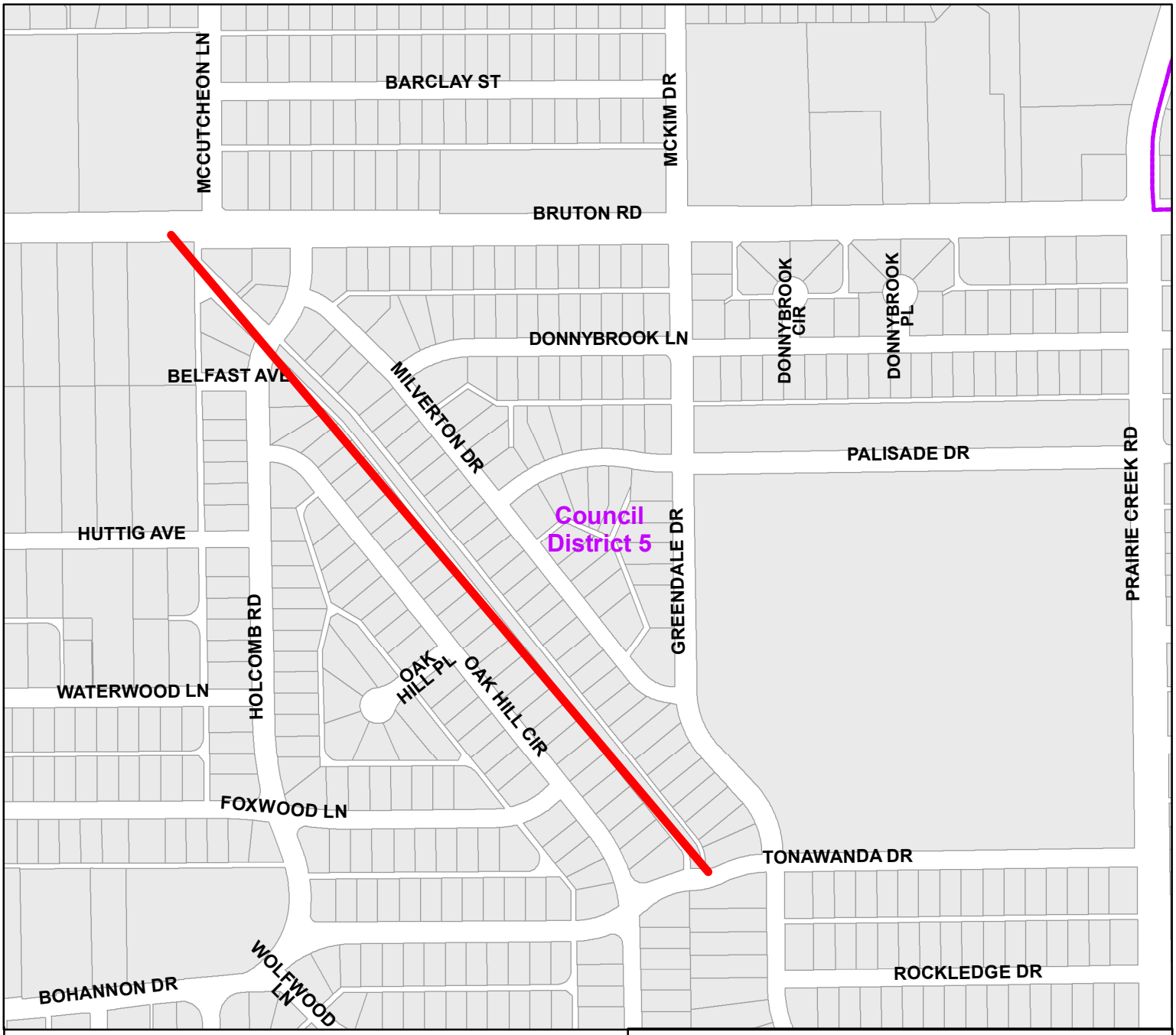
Dallas Water Utilities
Contract No. 19-079E
Storm Drainage Contract No. 3
Stormwater Project Management



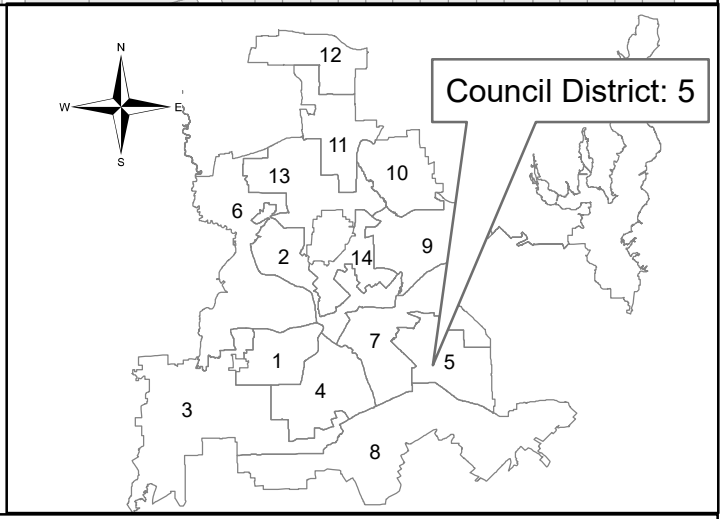
Lisbon Area C



Dallas Water Utilities
Contract No. 19-079E
Storm Drainage Contract No. 3
Stormwater Project Management



Pleasant Branch from
Tonawanda Drive to Bruton Road



Dallas Water Utilities
Contract No. 19-079E
Storm Drainage Contract No. 3
Stormwater Project Management

June 12, 2019

WHEREAS, the City of Dallas has identified a need to make storm drainage system improvements at various locations within the City of Dallas; and

WHEREAS, engineering services are required to design and construct storm sewer infrastructure improvements at three locations; and

WHEREAS, engineering services will include preliminary investigation, surveying, geotechnical investigation, preliminary design, and development of construction plans and specifications; and

WHEREAS, Garver, LLC, 14160 North Dallas Parkway, Suite 850, Dallas, Texas 75254, has submitted an acceptable proposal to provide these engineering services.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a professional services contract with Garver, LLC, approved as to form by the City Attorney, for the engineering design of Storm Drainage Contract No. 3, in an amount not to exceed $886,940.13.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $886,940.13 to Garver, LLC, in accordance with the terms and conditions of the contract:

Storm Drainage Management Capital Construction Fund Fund 0063, Department SDM, Unit W204, Activity SDRS Object 4111, Program SD19W204 Encumbrance/Contract No. CX-DWU-2019-00009209 Vendor VS0000016343	$283,062.61
Storm Drainage Management Capital Construction Fund Fund 0063, Department SDM, Unit W261, Activity SDRS Object 4111, Program SD19W261 Encumbrance/Contract No. CX-DWU-2019-00009209 Vendor VS0000016343	$472,457.52
Storm Drainage Management Capital Construction Fund Fund 0063, Department SDM, Unit W434, Activity SD01 Object 4111, Program SD19W434 Encumbrance/Contract No. CX-DWU-2019-00009209 Vendor VS0000016343	$131,420.00
Total amount not to exceed	$886,940.13

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-608 **Item #:** 55.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Jacobs Engineering Group, Inc. to provide engineering services required for the investigation, preliminary design, development of construction plans and specifications, bid phase services, construction administration and start-up associated with aeration improvements at the Central Wastewater Treatment Plant - Not to exceed $3,474,000.00 - Financing: Sewer Construction Fund

BACKGROUND

The City of Dallas owns and operates two wastewater treatment plants with a combined treatment capacity of 280 million gallons per day. Central Wastewater Treatment Plant (CWTP) is the largest of the two plants, located just south of downtown.

The CWTP consists of two separate activated sludge process trains with blowers that deliver diffused air as part of the treatment process. The existing single-stage centrifugal blowers were installed in 1987 and are reaching the end of their useful life. The five blowers each have a rated capacity of 32,000 cubic feet per minute, and supply air to the two activated sludge complexes, the filter backwash and the post aeration process. The aeration system is critical for wastewater treatment and meeting permit requirement parameters.

Dallas Water Utilities has identified the need to make improvements to the existing aeration process, including new blower facilities, electrical improvements, improved automation and instrumentation and air piping repairs. This action will authorize a professional services contract to evaluate the existing aeration system and design improvements to provide new blower equipment and system redundancy, install necessary instrumentation for the automation of the aeration system, and improve existing piping to reduce air loss and increase efficiency. The estimated future construction cost for these improvements is $25,000,000.00.

The consulting firm for this project was selected following a qualifications-based selection process in accordance with City of Dallas AD 4-5 procurement guidelines.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	July 2019
Complete Design	June 2020
Begin Construction	September 2020
Complete Construction	September 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Sewer Construction Fund - $3,474,000.00

Estimated Future Cost - Construction - $25,000,000.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$3,474,000.00	Architectural & Engineering	25.66%	32.02%	$1,112,331.00
• This contract exceeds the M/WBE goal.				

OWNER

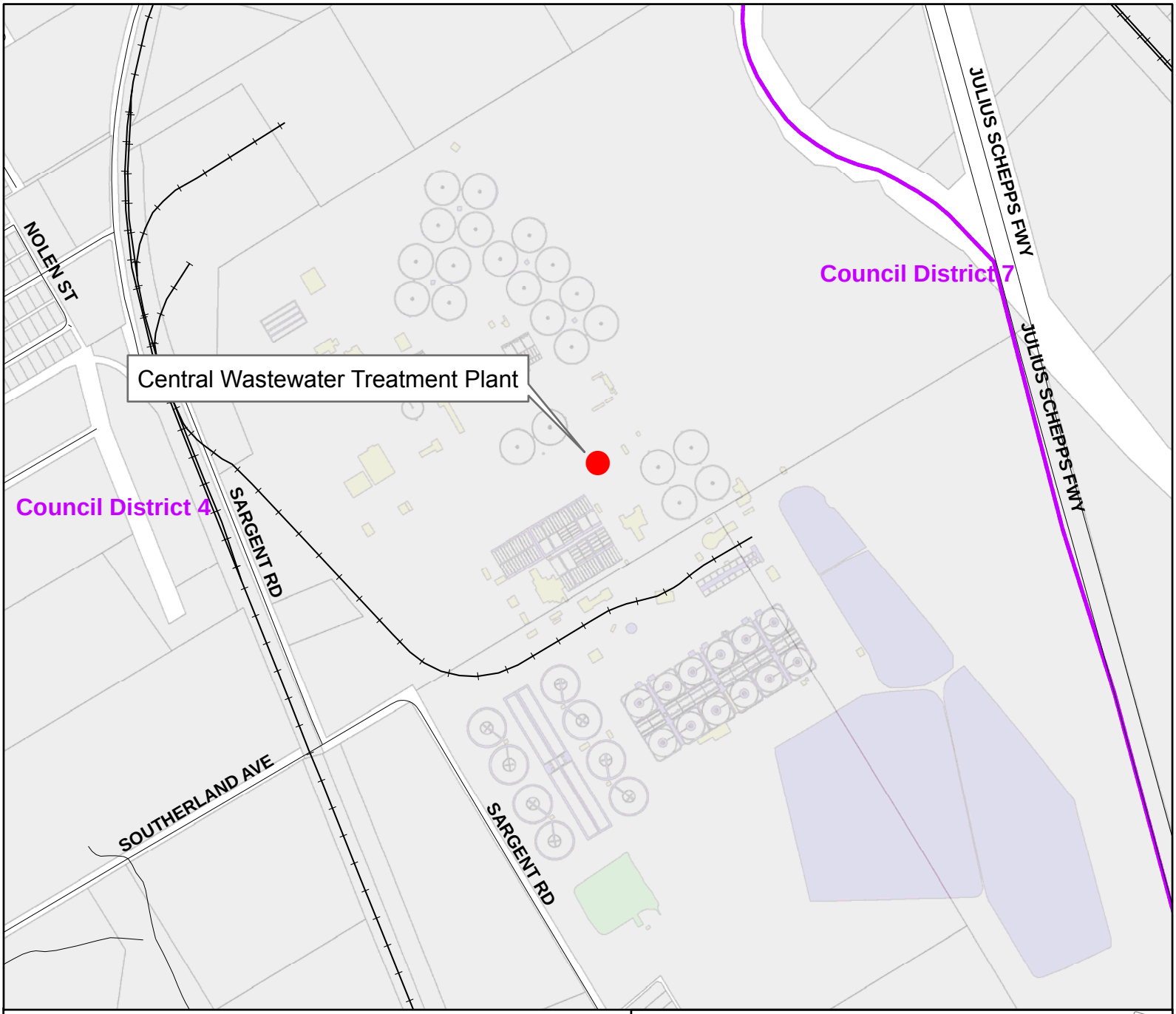
Jacobs Engineering Group, Inc.

C. Raajan Mehta, P.E, Vice President

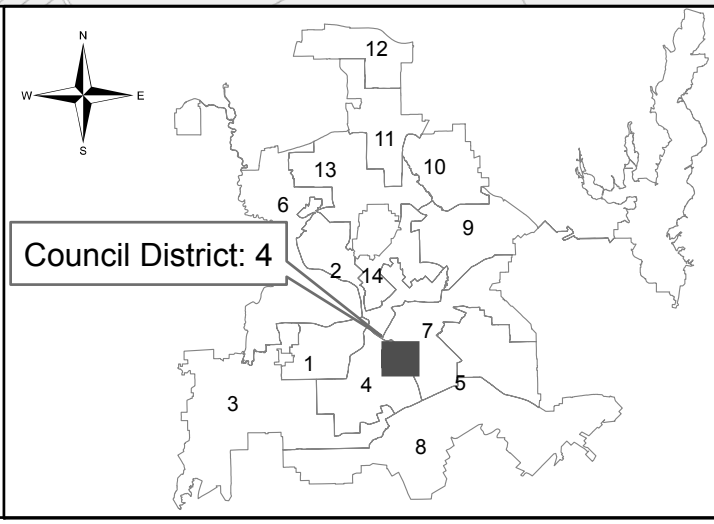
MAP

Attached

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Mapsco: 56 J



Dallas Water Utilities
Contract No. 18-248E
Central Wastewater Treatment Plant
Aeration Improvements

June 12, 2019

WHEREAS, the City of Dallas has identified the need to make improvements to the existing aeration system at the Central Wastewater Treatment Plant to improve reliability and efficiently treat wastewater; and

WHEREAS, engineering services are required for the investigation, design, construction administration and start-up associated with aeration improvements; and

WHEREAS, Jacobs Engineering Group, Inc., 1999 Bryan Street, Suite 1200, Dallas, Texas 75201 has submitted an acceptable proposal to provide these engineering services.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the proposal submitted by Jacobs Engineering Group, Inc., Contract No. 18-248E, in the amount of $3,474,000.00 be approved and the consultant be authorized to perform the required engineering services.

SECTION 2. That the City Manager is hereby authorized to execute a professional services contract with Jacobs Engineering Group, Inc., approved as to form by the City Attorney, to provide engineering services required for the investigation, preliminary design, development of construction plans and specifications, bid phase services, construction administration and start-up associated with aeration improvements at the Central Wastewater Treatment Plant, in an amount not to exceed $3,474,000.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,474,000.00 to Jacobs Engineering Group, Inc. from the Sewer Construction Fund, Fund 0103, Department DWU, Unit CS30, Object 4111, Program 718248, Encumbrance/Contract No. CX-DWU-2019-00009620, Vendor VS0000023961.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-500 **Item #:** 56.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 6, Outside City Limits

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Freese and Nichols, Inc. to provide construction management services for construction contracts related to improvements at the Elm Fork Water Treatment Plant, the East Side Water Treatment Plant, the Bachman Water Treatment Plant, and the Walnut Hill Pump Station - Not to exceed $7,042,700.00 - Financing: Water Capital Improvement Fund

BACKGROUND

This action consists of providing construction management services for the water quality improvement construction contracts at the Elm Fork Water Treatment Plant and the East Side Water Treatment Plant, major maintenance construction at the Bachman Water Treatment Plant and the design-build construction of the Walnut Hill Pump Station. The Elm Fork Water Treatment Plant and the East Side Water Treatment Plant are undergoing treatment process changes to meet regulatory requirements, improve reliability and operations by replacing aging or obsolete infrastructure, and improve overall water quality. In addition, major maintenance construction is planned at the Bachman Water Treatment Plant, and the construction of a new treated water conveyance pump station will begin in Summer 2019 to replace the existing Walnut Hill Pump Station facilities.

The construction management services contract will replace the existing contract and will transition to the new construction manager so that adequate service and oversight is maintained. The contract is planned as a phased approach to incorporate each fiscal year's construction projects with construction management needs. Future authorizations will be brought before council via supplemental agreements to assure continuity in management and review of services to support the capital program at the water treatment plants and other critical water conveyance facilities. This initial authorization will be for services associated with an estimated $246 million of construction.

Under the contract terms, the construction management firm will act as the City's representative and augment City staff to provide planning and coordination of all construction activities for these projects. The construction management firm will be responsible for assuring that all work is accomplished in accordance with the project plans and specifications and in a manner that meets operational objectives, negotiating change orders, and aiding in resolution of any construction conflicts. Additional construction management services include schedule and budget evaluations, value engineering, constructability reviews, cost estimate reviews, monitoring the quality of construction work, and documenting the materials, labor, and equipment used.

Construction management services are critical to efficiently schedule and stage simultaneous and complex construction activities of multiple contractors and vendors. This approach ensures that all construction activities are coordinated in such a way that the water treatment plants and conveyance infrastructure have sufficient capacity to meet daily water demands.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction Services June 2019
Complete Construction Services June 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Water Capital Improvement Fund - $7,042,700.00

Council District	Amount
6	$2,197,646.00
Outside City Limits	$4,845,054.00
Total	$7,042,700.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$7,042,700.00	Architectural & Engineering	25.66%	32.00%	$2,253,664.00
• This contract exceeds the M/WBE goal.				

OWNER

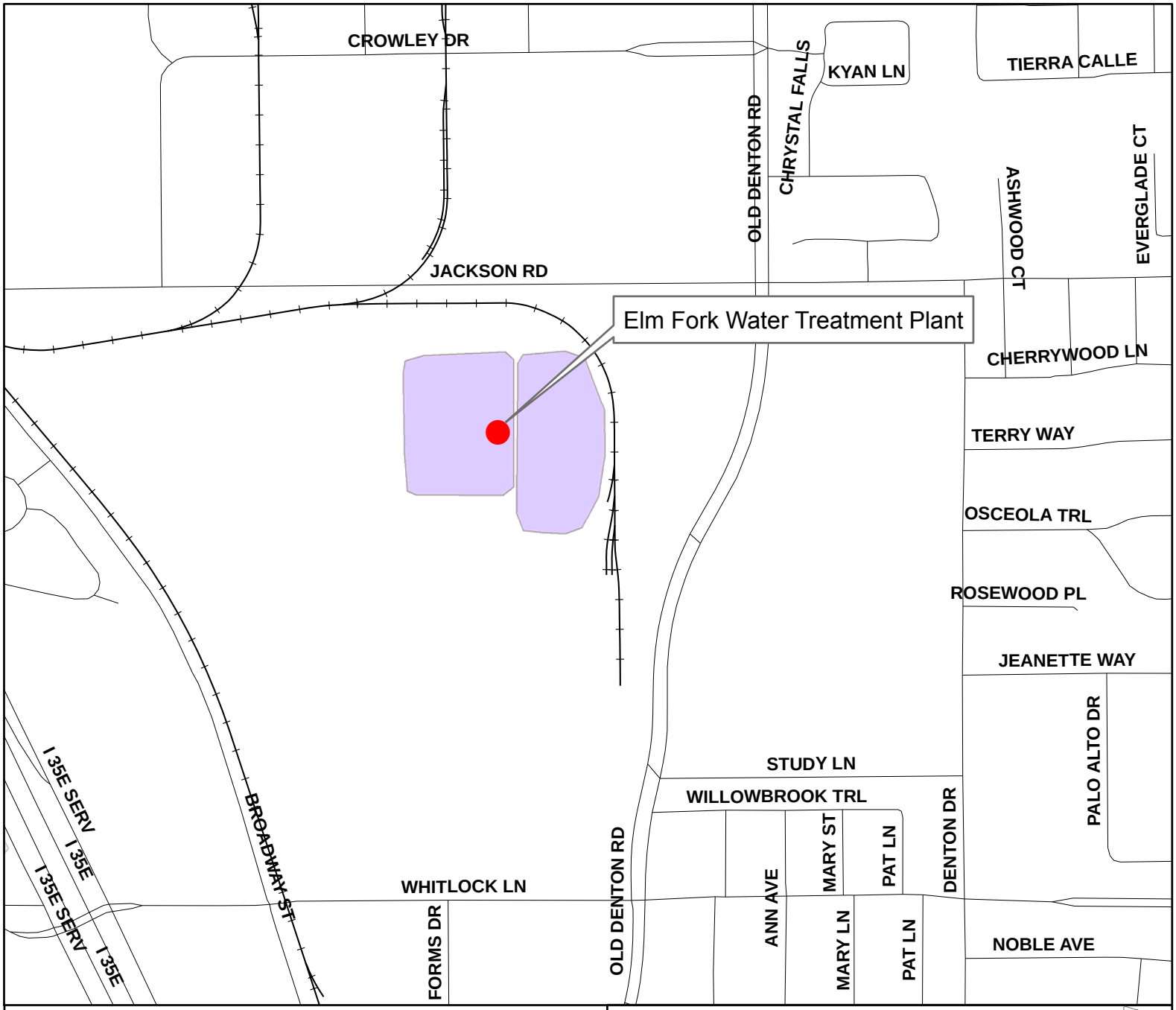
Freese and Nichols, Inc.

Brian Coltharp, P.E., President

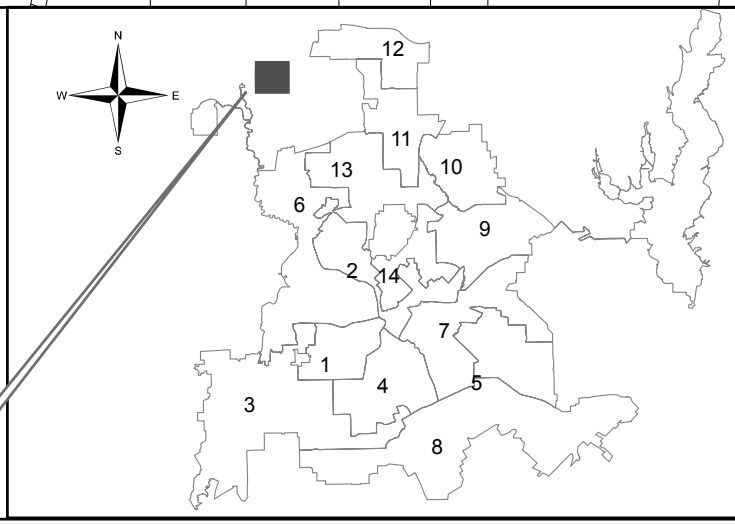
MAPS

Attached

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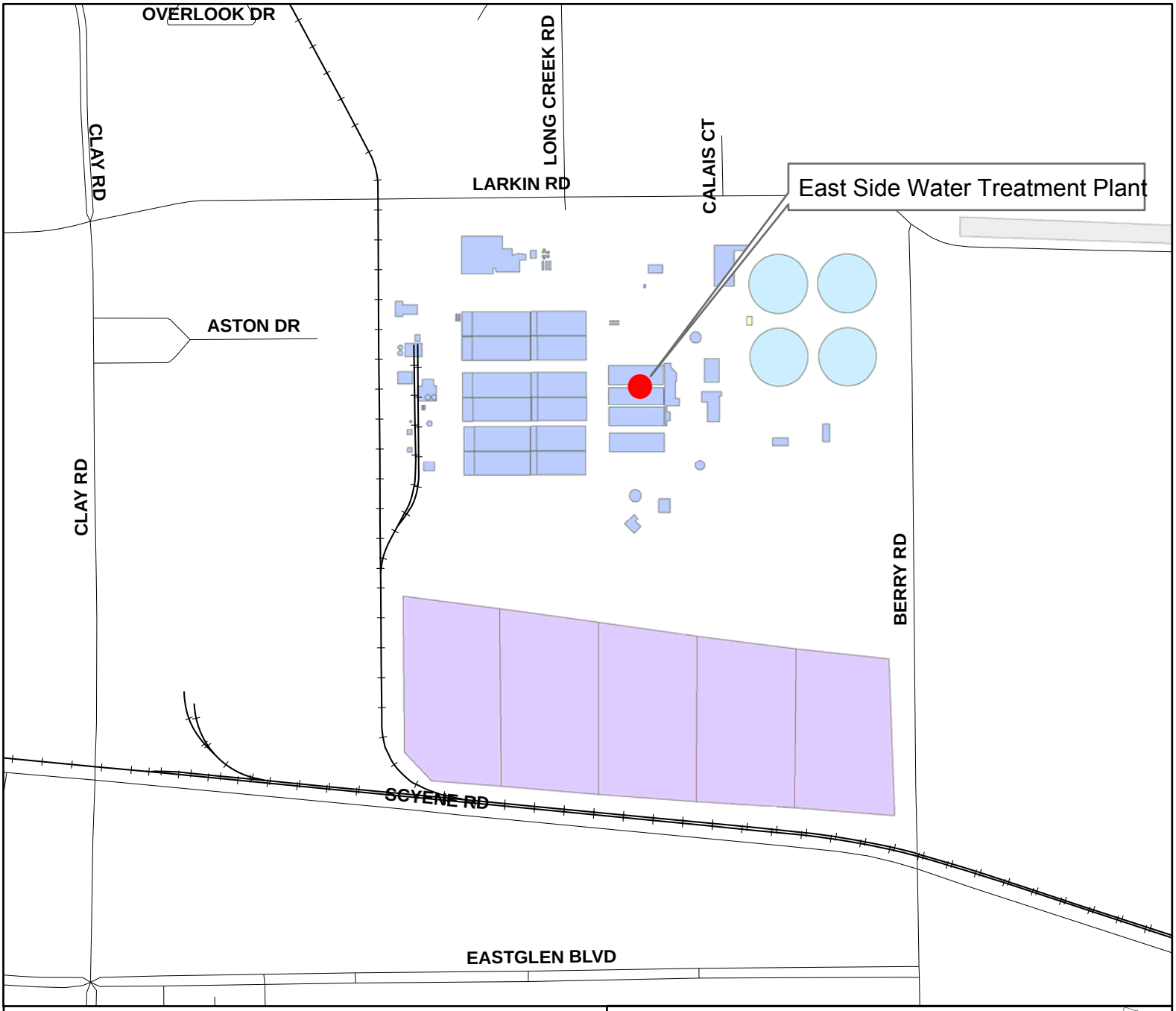


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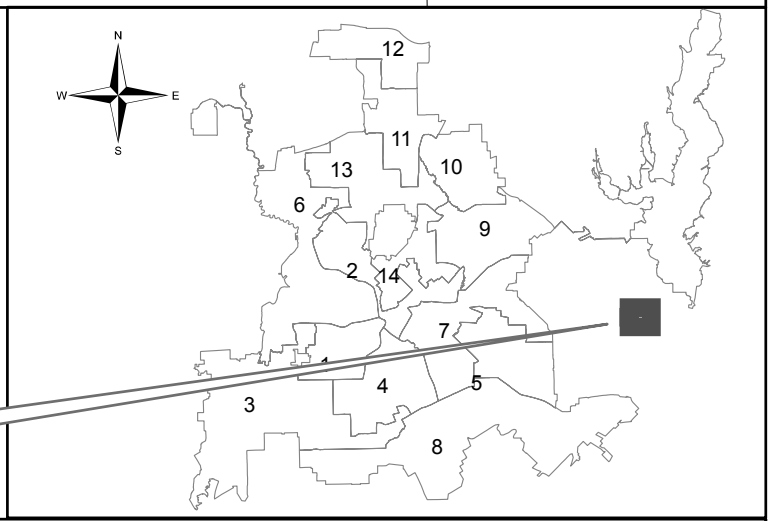


Council District: Outside City Limits

Dallas Water Utilities
Contract No. 19-007E
Elm Fork Water Treatment Plant
Construction Management Services



Mapsco: 50A N S T

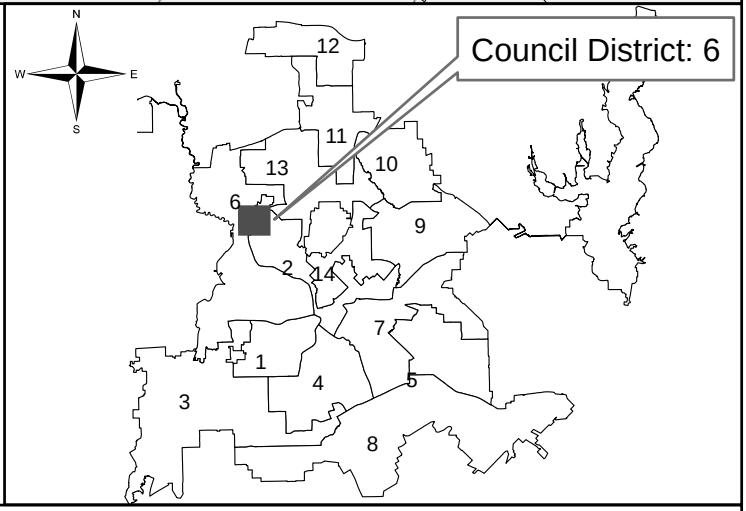


Council District: Outside City Limits

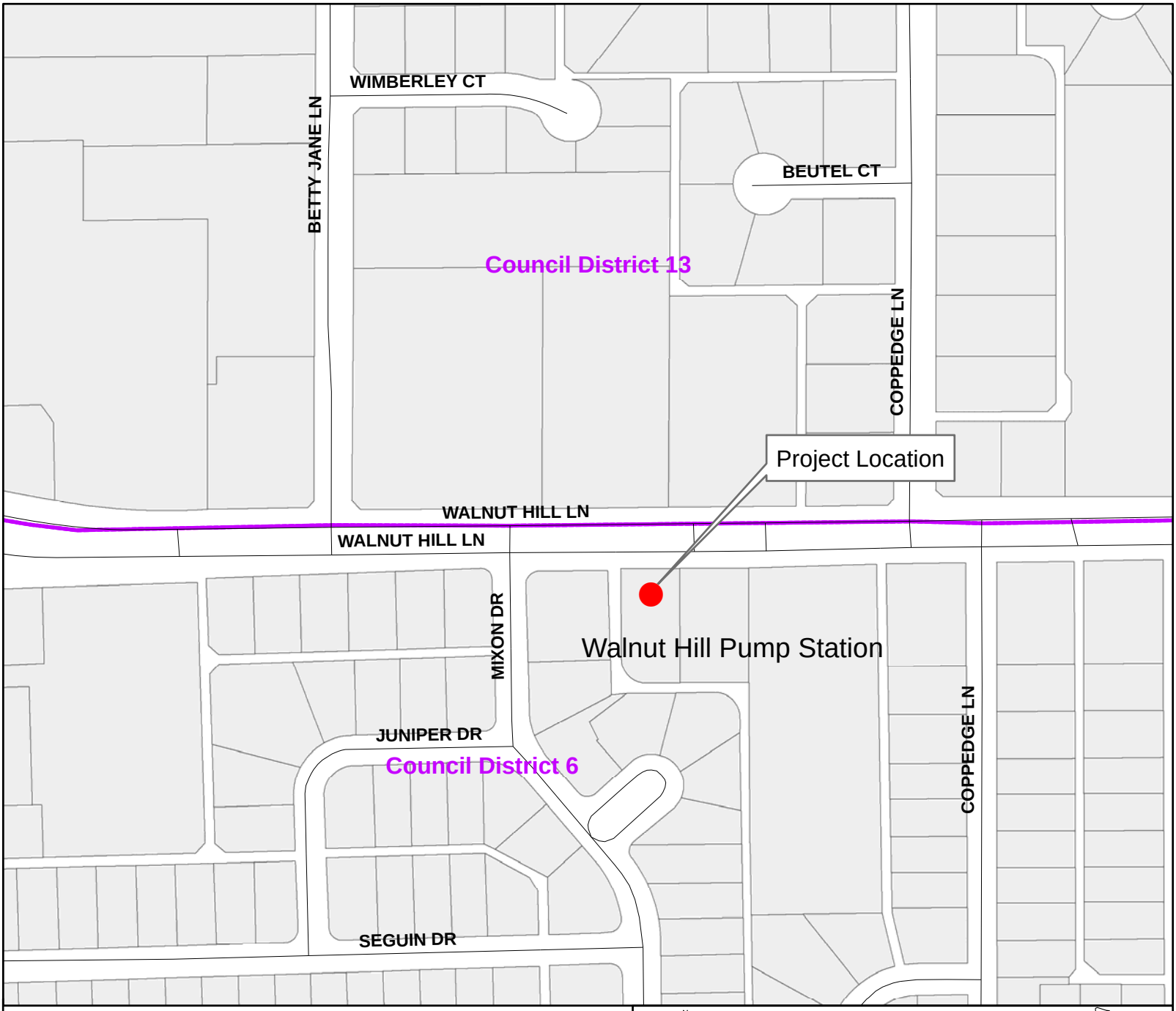
Dallas Water Utilities
Contract No. 19-007E
East Side Water Treatment Plant
Construction Management Services



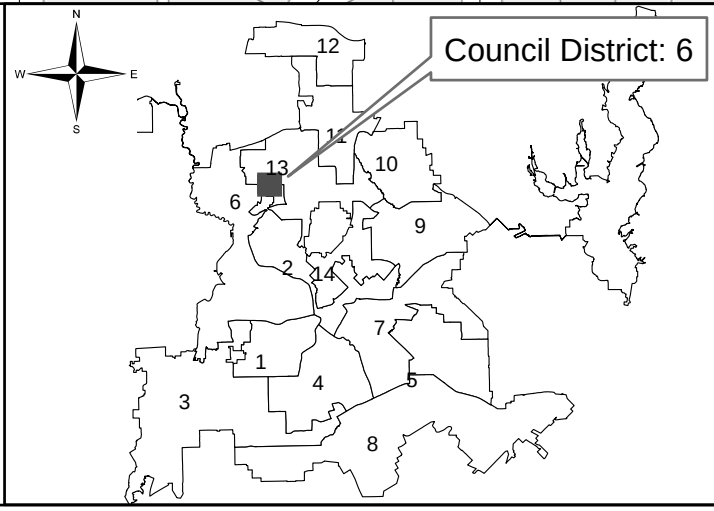
Mapsco: 33 C, G



Dallas Water Utilities
Contract No. 19-007E
Bachman Water Treatment Plant
Construction Management Services



Mapsco: 24 N



Dallas Water Utilities
Contract No. 19-007E
Walnut Hill Pump Station
Construction Management Services

WHEREAS, construction activities at the Elm Fork, East Side, and Bachman Water Treatment Plants, and the Walnut Hill Pump Station are anticipated to cost approximately $246,000,000; and

WHEREAS, it will be necessary to closely supervise, coordinate, and manage the day-to-day activities of multiple contractors; and

WHEREAS, construction management services are necessary to efficiently schedule and stage simultaneous and complex construction activities in a manner that meets operational objectives and daily customer demands; and

WHEREAS, Freese and Nichols, Inc., 2711 North Haskell Avenue, Suite 3300, Dallas, Texas 75204 has submitted an acceptable proposal to provide these construction management services.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the proposal submitted by Freese and Nichols, Inc., Contract No. 19-007E, in the amount of $7,042,700.00 be approved and the consultant be authorized to perform the required construction management services.

SECTION 2. That the City Manager is hereby authorized to execute a professional services contract with Freese and Nichols, Inc., approved as to form by the City Attorney, to provide construction management services for construction contracts related to improvements at the Elm Fork Water Treatment Plant, the East Side Water Treatment Plant, the Bachman Water Treatment Plant, and the Walnut Hill Pump Station, in an amount not to exceed $7,042,700.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $7,042,700.00 to Freese and Nichols, Inc. from the Water Capital Improvement Fund, Fund 3115, Department DWU, Unit PW31, Object 4116, Program 719007, Encumbrance/Contract No. CX-DWU-2019-00009329, Vendor 347200.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-600 **Item #:** 57.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an increase in the construction services contract with MWH Constructors, Inc. for additional work associated with water quality and miscellaneous improvements at the Bachman Water Treatment Plant - Not to exceed $203,201.70, from $48,736,051.75 to $48,939,253.45 - Financing: Water Capital Improvement Fund

BACKGROUND

The Bachman Water Treatment Plant was constructed in the late 1920s and underwent expansions in 1936, 1948 and 2006. The most recent expansion brought it to a capacity of 150 million gallons per day. The Bachman Water Treatment Plant is Dallas' only water treatment plant located within the city limits and can serve areas to the north, south, and east of the plant.

On June 25, 2014, City Council awarded a contract to MWH Constructors, Inc. for the construction of water quality and miscellaneous improvements at the Bachman Water Treatment Plant. The improvements included modifications to the existing treatment basins, construction of new chemical facilities, replacement of a clearwell, flow measurement, and solids handling strategies needed to implement the Water Quality Study recommendations and transition to enhanced organics removal with better stability of the water in the distribution system. On August 12, 2015, City Council awarded Change Order No. 1 and on September 14, 2016, City Council awarded Change Order No. 2 for additional construction work resulting from unforeseen site conditions.

This action will authorize Change Order No. 3 to the construction services contract for additional work identified during construction. The additional work includes a change in the method of shoring for a deep pipe excavation, modifications to the raw water meter vault, and utility relocations due to conflicts with pipes not previously identified on available records or found during project development. This additional work is required for the Bachman Water Treatment Plant to function as intended by the Water Quality improvements, and to continue providing clean drinking water to customers.

ESTIMATED SCHEDULE OF PROJECT

Began Construction August 2014
Complete Construction July 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council authorized a contract with MWH Constructors, Inc. for the construction of water quality and miscellaneous improvements at the Bachman Water Treatment Plant by Resolution No. 14-1045.

On August 12, 2015, City Council authorized Change Order No. 1 to the contract with MWH Constructors, Inc. for additional work related to the construction of water quality and miscellaneous improvements at the Bachman Water Treatment Plant by Resolution No. 15-1411.

On September 14, 2016, City Council authorized Change Order No. 2 to the contract with MWH Constructors, Inc. for additional work associated with the construction of water quality and miscellaneous improvements at the Bachman Water Treatment Plant by Resolution No. 16-1473.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Water Capital Improvement Fund - $203,201.70

Construction	$47,720,500.00
Change Order No. 1	$ 667,812.00
Change Order No. 2	$ 347,739.75
Change Order No. 3 (this action)	$ 203,201.70
Total Project Cost	$48,939,253.45

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$203,201.70	Construction	25.00%	1.15%	$2,339.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				
• Change Order No. 3 - 30.34% Overall M/WBE participation				

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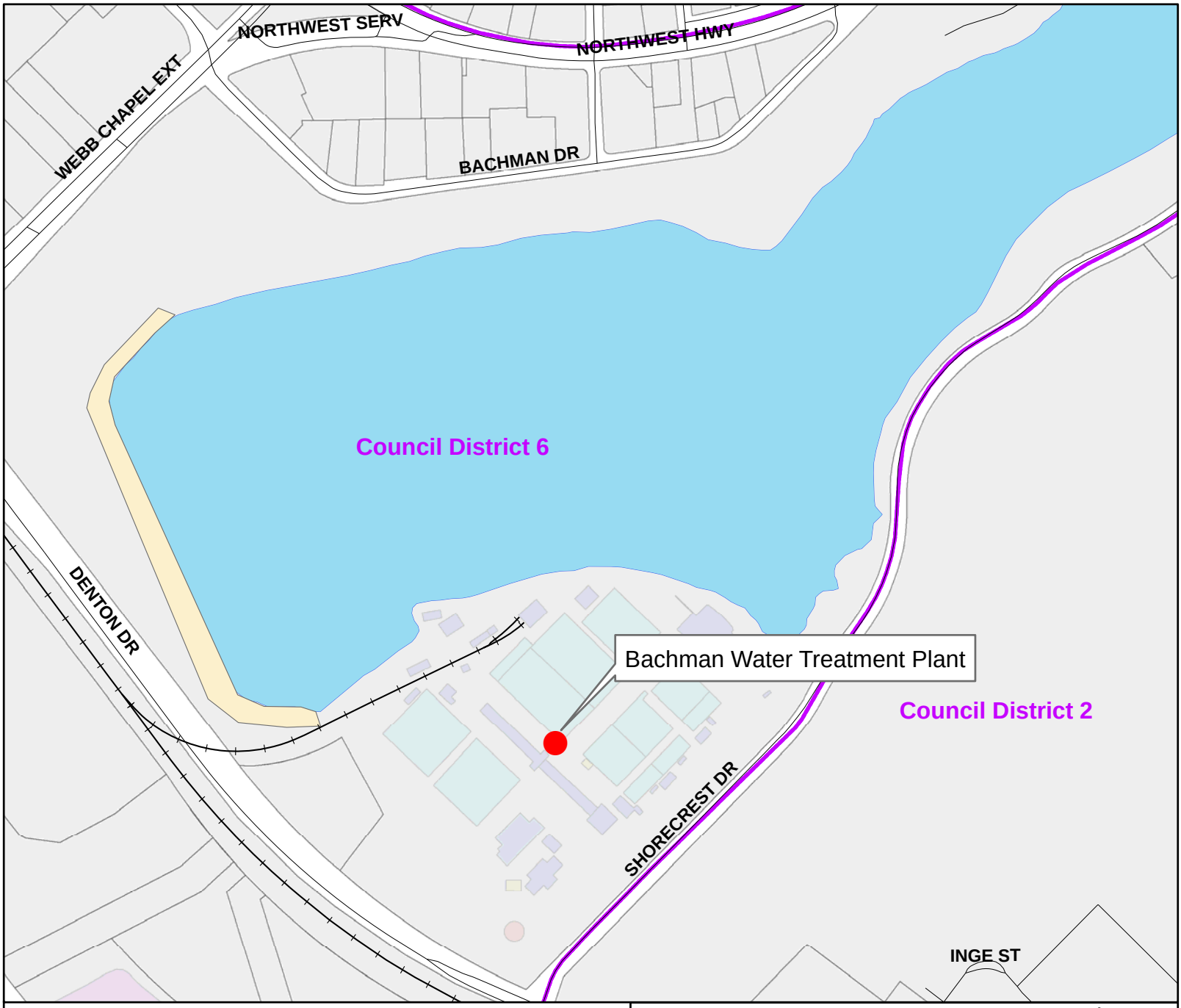
OWNER

MWH Constructors, Inc.

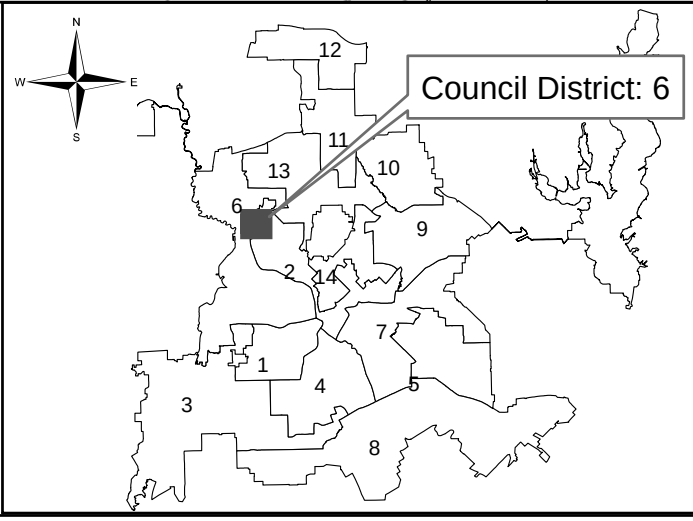
Doug Schmits, District Director
Blair M. Lavoie, Director
Michael Cardito, Director

MAP

Attached



Mapsco: 33 C, G



Dallas Water Utilities
Contract No. 13-125, Change Order No. 3
Bachman Water Treatment Plant
Water Quality Improvements

June 12, 2019

WHEREAS, on June 25, 2014, City Council authorized a contract with MWH Constructors, Inc. for the construction of water quality and miscellaneous improvements at the Bachman Water Treatment Plant, in an amount not to exceed $47,720,500.00, by Resolution No. 14-1045; and

WHEREAS, on August 12, 2015, City Council authorized Change Order No. 1 to the contract with MWH Constructors, Inc. for additional work related to the construction of water quality and miscellaneous improvements at the Bachman Water Treatment Plant, in an amount not to exceed $667,812.00, from $47,720,500.00 to $48,388,312.00, by Resolution No. 15-1411; and

WHEREAS, on September 14, 2016, City Council authorized Change Order No. 2 to the contract with MWH Constructors, Inc. for additional work related to the construction of water quality and miscellaneous improvements at the Bachman Water Treatment Plant, in an amount not to exceed $347,739.75, from $48,388,312.00 to $48,736,051.75, by Resolution No. 16-1473; and

WHEREAS, it is necessary to authorize Change Order No. 3 for additional work to change the method of shoring for a deep pipe excavation, modifications to the raw water meter vault, and utility relocations that were identified during the construction of the water quality improvements at the Bachman Water Treatment Plant; and

WHEREAS, MWH Constructors, Inc., 747 Port America Place, Suite 300, Grapevine, Texas 76051, has submitted an acceptable proposal for this additional work; and

WHEREAS, Dallas Water Utilities recommends that Contract No. 13-125 be increased by $203,201.70, from $48,736,051.75 to $48,939,253.45.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That an increase in the construction services contract with MWH Constructors, Inc. (Change Order No. 3) is authorized for additional work associated with the water quality and miscellaneous improvements at the Bachman Water Treatment Plant, in an amount not to exceed $203,201.70, increasing the contract amount from $48,736,051.75 to $48,939,253.45.

SECTION 2. That the proposed Change Order No. 3 with MWH Constructors, Inc., be accepted and that Contract No. 13-125 be revised accordingly.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $203,201.70 to MWH Constructors, Inc. from the Water Capital Improvement Fund, Fund 3115, Department DWU, Unit PW30, Object 4550, Program 713125, Encumbrance CT-DWU713125CP, Vendor VC0000013103.

SECTION 4. That this contract is designated as Contract No. DWU-2016-00001047.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-614 **Item #:** 58.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 6, Outside City Limits

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an increase in the construction services contract with Oscar Renda Contracting, Inc. for additional work associated with improvements at three meter vaults (list attached to the Agenda Information Sheet) - Not to exceed $482,106.00, from $4,000,000.00 to $4,482,106.00 - Financing: Water Capital Improvement Fund

BACKGROUND

On February 8, 2017, City Council authorized a construction services contract with Oscar Renda Contracting, Inc. for rehabilitation improvements to aging infrastructure at the Irving Jamison Meter Vault (1955) and the Irving North Meter Vault (1975) by Resolution No. 17-0273. Also included was the construction of a new water meter vault adjacent to Cypress Waters Pump Station which serves the far northwest part of Dallas. The new meter vault allows Dallas Water Utilities to better monitor, measure and control water volume and quality delivered to the citizens of far northwest Dallas.

This action will authorize Change Order No. 1 for additional work identified during the construction of the meter vault improvements as a result of differing site conditions. The work includes additional pipe, fittings and electrical materials necessary to connect to existing infrastructure in different locations than shown on the original design plans. This additional work is necessary for the meter vaults to continue functioning as intended.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	August 2017
Complete Construction	December 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 8, 2017, City Council authorized a construction services contract with Oscar Renda Contracting, Inc. for the construction of improvements to water meter vaults at three locations by Resolution No. 17-0273.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Water Capital Improvement Fund - $482,106.00

Construction Contract	$4,000,000.00
Change Order No. 1 (this action)	$ 482,106.00
Total Project Cost	$4,482,106.00

Council District	Amount
6	$350,489.00
Outside City Limits	$131,617.00
Total	$482,106.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$482,106.00	Construction	25.00%	13.07%	$63,033.99
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				
• Change Order No. 1 - 17.68% Overall M/WBE participation				

OWNER

Oscar Renda Contracting, Inc.

Frank Renda, President

MAPS

Attached

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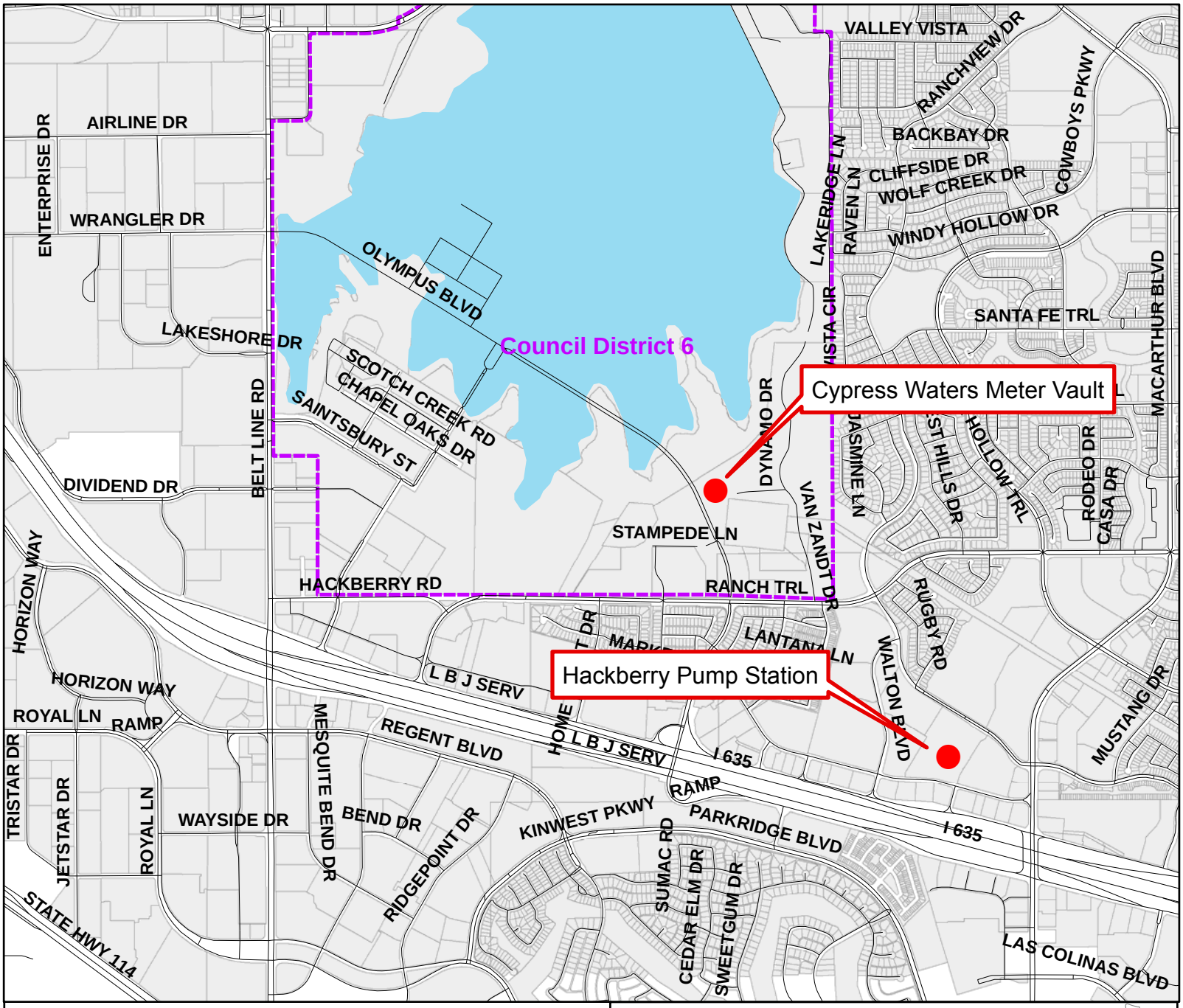
Segment List
Contract No. 17-001 CO #1
Water Meter Vault Improvements

District 6

Cypress Waters Meter Vault
Jamison Meter Vault

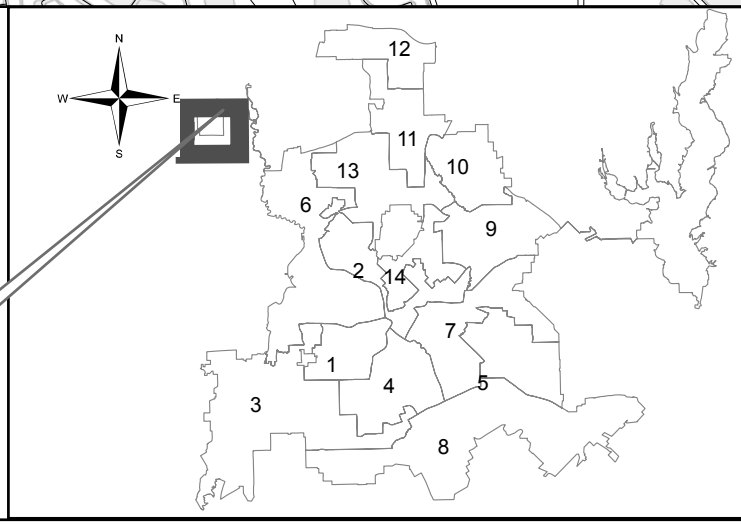
Outside City Limits

Hackberry Pump Station

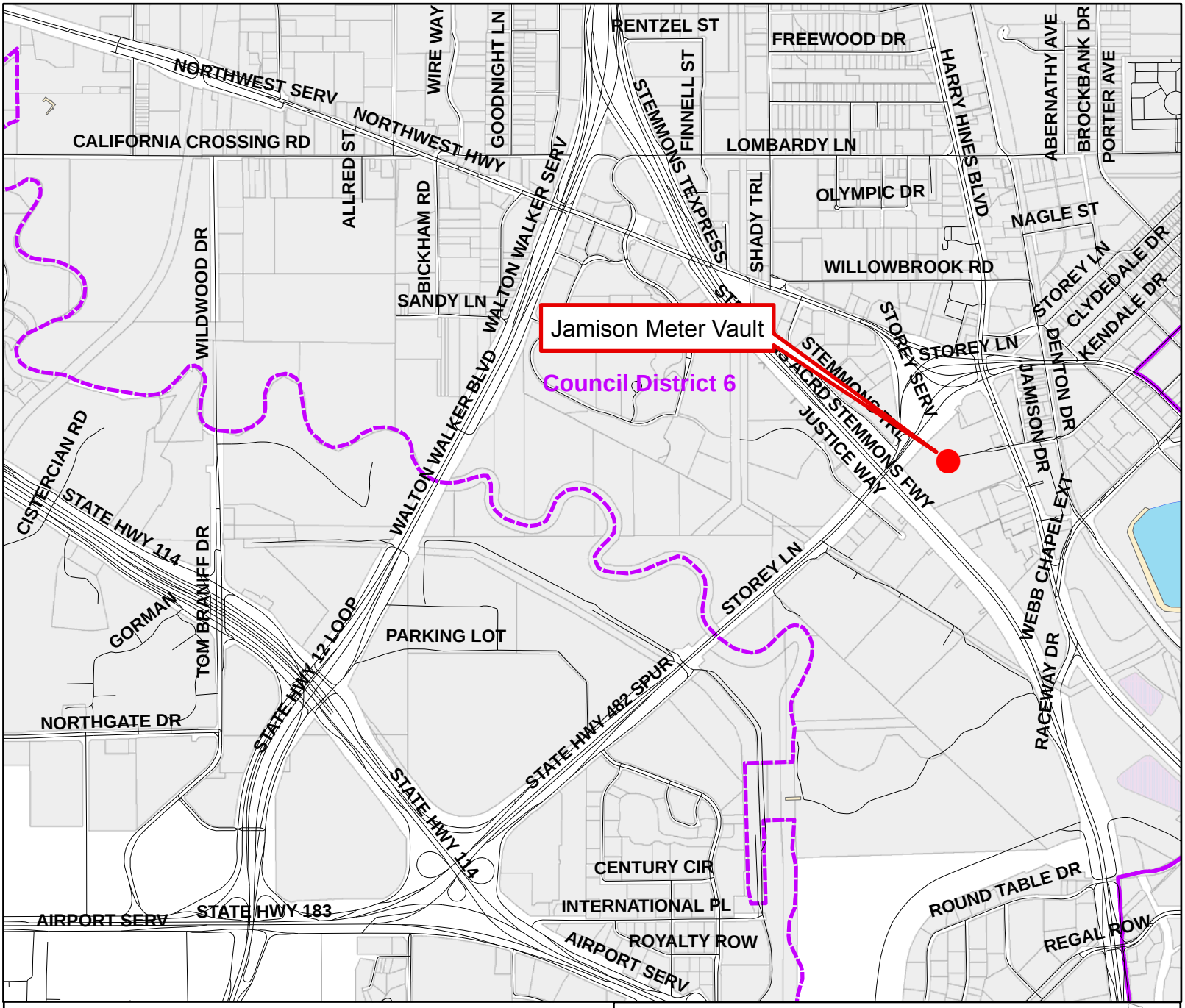


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Council District: 6, Outside City Limits

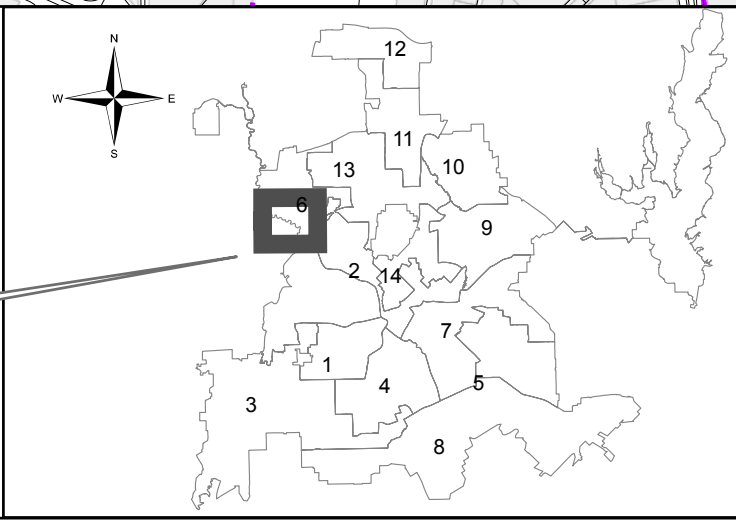


Dallas Water Utilities
Contract No. 17-001 CO#1
Water Meter Vault Improvements



Mapsco: 33 B

Council District: 6



Dallas Water Utilities
Contract No. 17-001
Water Meter Vault Improvements

June 12, 2019

WHEREAS, on February 8, 2017, City Council authorized a contract with Oscar Renda Contracting, Inc. for construction of the major vault and valve project at various locations project, that included the Jamison Meter Vault, the Irving Hackberry, and the Cypress Waters Meter Vault, in an amount not to exceed $4,000,000.00, by Resolution No. 17-0273; and

WHEREAS, additional work is necessary to address differing site conditions; and

WHEREAS, Oscar Renda Contracting, Inc., 608 Henrietta Creek Road, Roanoke, Texas 76262, has submitted an acceptable proposal for this additional work; and

WHEREAS, Dallas Water Utilities recommends that Contract No. 17-001 be increased by $482,106.00, from $4,000,000.00 to $4,482,106.00.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That an increase in the construction services contract with Oscar Renda Contracting, Inc. (Change Order No. 1) is authorized for additional work associated with the construction and rehabilitation of three Dallas Water Utility meter vaults, in an amount not to exceed $482,106.00, increasing the contract amount from $4,000,000.00 to $4,482,106.00.

SECTION 2. That the proposed Change Order No. 1 with Oscar Renda Contracting, Inc. be accepted and that Contract No. 17-001 be revised accordingly.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $482,106.00 to Oscar Renda Contracting, Inc. from Water Capital Improvement Fund, Fund 3115, Department DWU, Unit PW43, Object 4550, Program 717001, Encumbrance CT-DWU717001CP, Vendor 244607.

SECTION 4. That this contract is designated as Contract No. DWU-2016-00001449.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-620 **Item #:** 59.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	June 12, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Water Utilities Department
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize an increase in the construction services contract with BAR Constructors, Inc. for additional work associated with the construction of a new pump station to replace the existing Pump Station No. 1 at the Elm Fork Water Treatment Plant - Not to exceed $644,091.87, from $50,090,500.00 to $50,734,591.87 - Financing: Water Capital Improvement Fund

BACKGROUND

The Elm Fork Water Treatment Plant located in Carrollton, Texas was originally constructed in the 1950s and is the second largest of three water treatment plants serving the customers of Dallas Water Utilities. The existing Pump Station No. 1 was constructed in 1952 and served as the plant's original raw water and potable water pump station.

On September 27, 2017, City Council authorized a contract with BAR Constructors, Inc., for the construction of a new pump station to replace the existing Pump Station No. 1 at the Elm Fork Water Treatment Plant by Resolution No. 17-1563. Due to its age, replacement of the existing pump station is necessary to bring the facility up to current standards and capacity requirements. The construction of this new pump station required an expansion of the Oncor West Electrical Substation located inside the Elm Fork Water Treatment Plant. The expansion of this substation was coordinated with Oncor during design, but shortly after the construction contract was bid, Oncor notified the City of their plans to modify the expansion of the substation. This modified expansion will require the addition of a customer-owned 4160V transformer.

This action will authorize Change Order No. 1 to the construction services contract for the additional labor and materials required to construct the 4160V transformer as well as additional work identified during construction. The additional work includes minor changes to structural, chemical, mechanical and piping work and a video monitoring system for better oversight of construction.

ESTIMATED SCHEDULE OF PROJECT

Began Construction December 2017
Complete Construction January 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 27, 2017, City Council authorized a construction services contract with BAR Constructors, Inc. for the construction of a new pump station to replace the existing Pump Station No. 1 at the Elm Fork Water Treatment Plant by Resolution No. 17-1563.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Water Capital Improvement Fund - $644,091.87

Construction	$50,090,500.00
Change Order No. 1 (this action)	$ 644,091.87
Total Project Cost	$50,734,591,87

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$644,091.87	Construction	25.00%	49.71%	$320,173.36
• This contract exceeds the M/WBE goal.				
• Change Order No. 1 - 43.66% Overall M/WBE participation				

OWNER

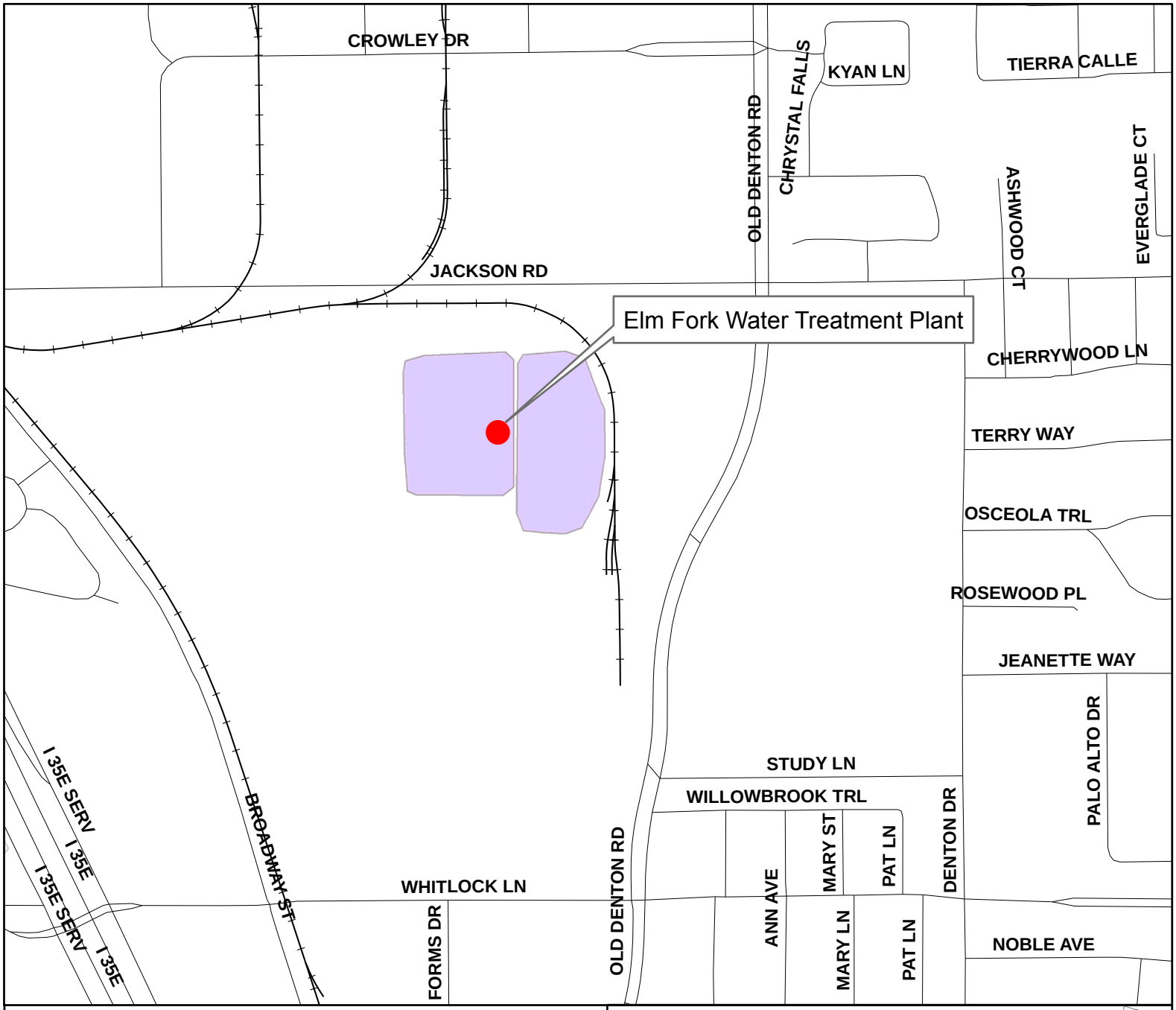
BAR Constructors, Inc.

Isidro Arrambide, President

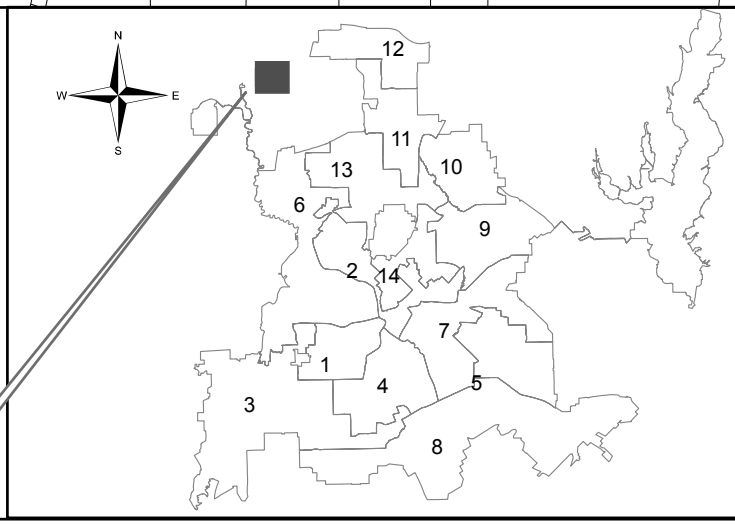
MAP

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Council District: Outside City Limits

Dallas Water Utilities
Contract No. 17-027 CO#1
Elm Fork Water Treatment Plant
Replacement of Pump Station No. 1

June 12, 2019

WHEREAS, on September 27, 2017, City Council authorized a contract with BAR Constructors, Inc. for the construction of a new pump station to replace the existing Pump Station No. 1 at the Elm Fork Water Treatment Plant, in an amount not to exceed $50,090,500.00, by Resolution No. 17-1563; and

WHEREAS, it is necessary to authorize Change Order No. 1 for additional work related to the expansion of the electrical substation and other additional work identified during construction; and

WHEREAS, BAR Constructors, Inc., 805 Katy Street, Lancaster, Texas 75146, has submitted an acceptable proposal for this additional work; and

WHEREAS, Dallas Water Utilities recommends that Contract No. 17-027 be increased by $644,091.87, from $50,090,500.00 to $50,734,591.87.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That an increase in the construction services contract with BAR Constructors, Inc. (Change Order No. 1) is authorized for additional work associated with the construction of a new pump station to replace the existing Pump Station No. 1 at the Elm Fork Water Treatment Plant, in an amount not to exceed $644,091.87, increasing the contract amount from $50,090,500.00 to $50,734,591.87.

SECTION 2. That the proposed Change Order No. 1 with BAR Constructors, Inc. be accepted and that Contract No. 17-027 be revised accordingly.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $644,091.87 to BAR Constructors, Inc. from the Water Capital Improvement Fund, Fund 3115, Department DWU, Unit PW31, Object 4320, Program 717027, Encumbrance/Contract No. CX-DWU-2017-00003120, Vendor 125824.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-568 **Item #:** 60.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with JQ Infrastructure, LLC to provide additional engineering services required for the investigation, preliminary design, development of construction plans and specifications, bid phase services, construction administration and start-up of rehabilitation improvements for influent piping and equipment at the Central Wastewater Treatment Plant - Not to exceed $708,681.00, from $1,095,000.00 to $1,803,681.00 - Financing: Wastewater Capital Improvement Fund

BACKGROUND

On June 27, 2018, City Council awarded a professional services contract to JQ infrastructure, LLC, to evaluate influent piping and equipment associated with wastewater conveyance to the Central Wastewater Treatment Plant (CWWTP). The project includes condition assessments, evaluation of proper rehabilitation and replacement methods, design of recommended improvements, and construction phase services.

In the course of executing the project, additional services were identified to provide hydraulic evaluations and to design structural and mechanical improvements to the primary clarifiers, to rehabilitate the existing 81 and 84-inch influent piping, and for instrumentation and control programing in support of Complex A improvements at CWWTP. This action will authorize Supplemental Agreement No. 1 to address the additional services and complete the project.

The wastewater mains and other equipment included in this project are in need of repair or rehabilitation and are vital to the continued, reliable treatment of wastewater. This infrastructure affects critical process treatment facilities, including the trickling filters, primary clarifiers, chlorine building, tertiary filters and activated sludge complex. Failure would lead to sanitary sewer overflows, inability to treat wastewater and permit violations. In addition, a failure below any of the critical process treatment facilities would greatly reduce the plant's capacity and require expensive emergency repairs.

The estimated total construction cost for this project is $18,000,000.00.

ESTIMATED SCHEDULE OF PROJECT

Began Design	August 2018
Complete Design	October 2019
Begin Construction	November 2019
Complete Construction	May 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 27, 2018, City Council authorized a professional services contract with JQ Infrastructure, LLC to provide engineering services required for the investigation, preliminary design, development of construction plans and specifications, bid phase services, construction administration and start-up of rehabilitation improvements for influent piping and equipment at the Central Wastewater Treatment Plant by Resolution No. 18-0949.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Wastewater Capital Improvement Fund - $708,681.00

Design	$1,095,000.00
Supplemental Agreement No. 1 (this action)	$ 708,681.00
Total Project Cost	$1,803,681.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$708,681.00	Architectural & Engineering	25.66%	71.74%	$508,424.00
• This contract exceeds the M/WBE goal.				
• Supplemental Agreement No. 1 - 77.84% Overall M/WBE participation				

OWNER

JQ Infrastructure, LLC

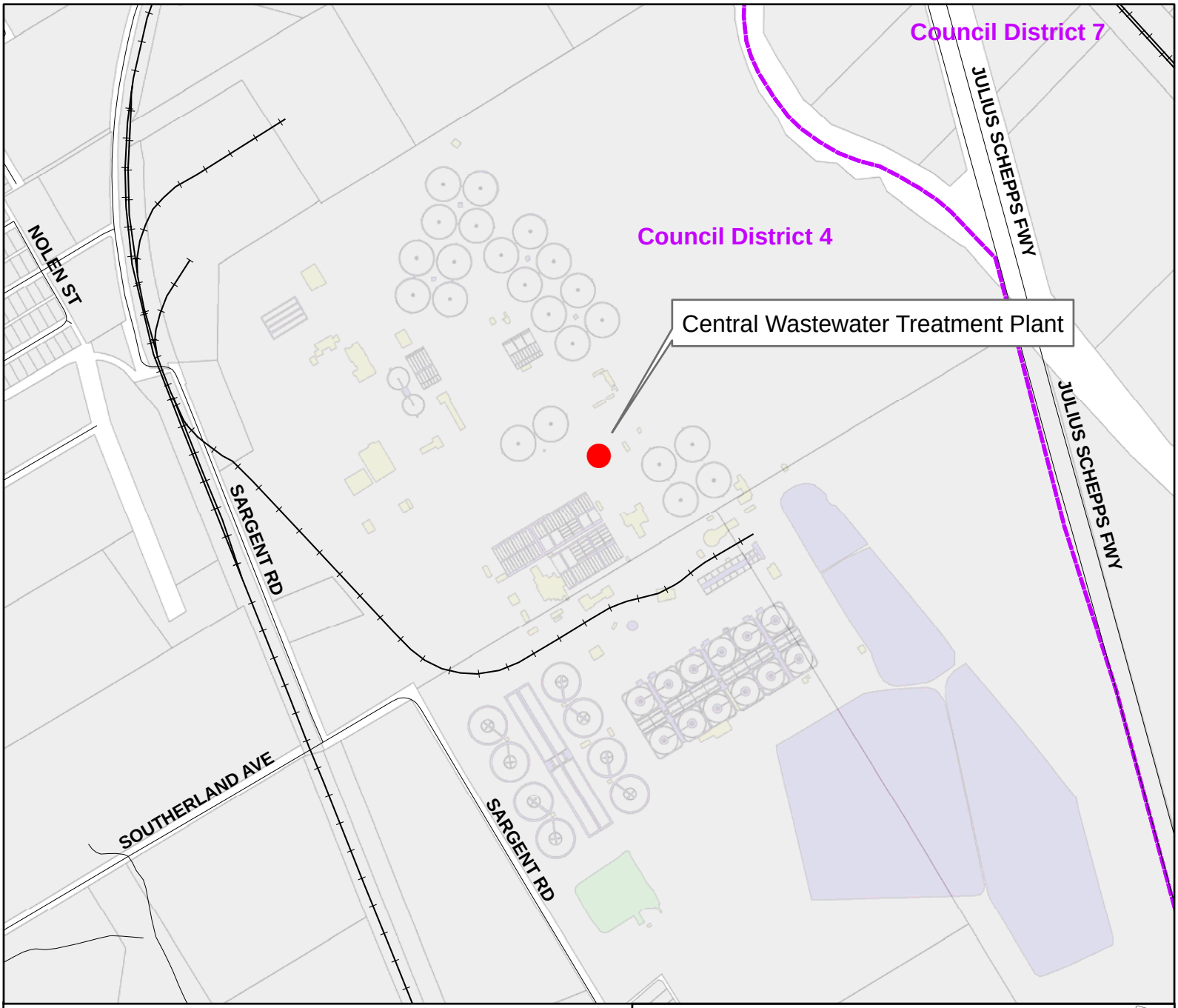
Murali Kariyarveedu, President

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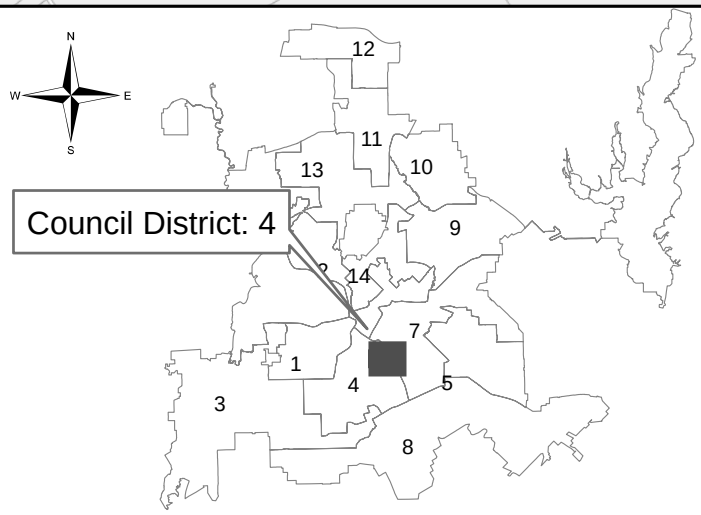
MAP

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Dallas Water Utilities
Contract No. 18-020E SA #1
Central Wastewater Treatment Plant
Influent Piping and Equipment Rehabilitation

June 12, 2019

WHEREAS, on June 27, 2018, City Council authorized a professional services contract with JQ Infrastructure, LLC to provide engineering services required for the investigation, preliminary design, development of construction plans and specifications, bid phase services, construction administration, and start-up of rehabilitation improvements for influent piping and equipment at the Central Wastewater Treatment Plant, in an amount not to exceed $1,095,000.00, by Resolution No. 18-0949; and

WHEREAS, the City of Dallas has identified the need for additional services to provide hydraulic evaluations and to design structural and mechanical improvements to the primary clarifiers, to rehabilitate the existing 81 and 84-inch influent piping, and for instrumentation and control programing in support of Complex A improvements at the Central Wastewater Treatment Plant; and

WHEREAS, JQ Infrastructure, LLC, 100 Glass Street, Suite 201, Dallas, Texas 75201, has submitted an acceptable proposal to provide these engineering services; and

WHEREAS, Dallas Water Utilities recommends that Contract No. 18-020E be increased by $708,681.00, from $1,095,000.00 to $1,803,681.00.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the proposed Supplemental Agreement No. 1 to the professional services contract be accepted and that Contract No. 18-020E with JQ Infrastructure, LLC, be revised accordingly.

SECTION 2. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the professional services contract with JQ Infrastructure, LLC, approved as to form by the City Attorney, to provide additional engineering services required for the investigation, preliminary design, development of construction plans and specifications, bid phase services, construction administration and start-up of rehabilitation improvements for influent piping and equipment at the Central Wastewater Treatment Plant, in an amount not to exceed $708,681.00, increasing the contract amount from $1,095,000.00 to $1,803,681.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $708,681.00 to JQ Infrastructure, LLC from the Wastewater Capital Improvement Fund, Fund 2116, Department DWU, Unit PS30, Object 4114, Program 718020, Encumbrance/Contract No. CX-DWU-2018-00006098, Vendor 517892.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-555 **Item #:** 61.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 2, 5, 7, 9, 10, 11

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with HDR Engineering, Inc. to provide additional engineering services for corrosion prevention design of three priority water transmission pipeline locations - Not to exceed $325,710.00, from $1,644,038.00 to $1,969,748.00 - Financing: Water Capital Improvement Fund

BACKGROUND

Since 2003, Dallas Water Utilities has been proactive with its corrosion prevention program by systematically inspecting and evaluating its large-diameter concrete cylinder pipelines to reduce the risk of catastrophic failures. All concrete water mains are susceptible to galvanic corrosion, which require very specialized engineering to mitigate and prevent corrosion. This proactive approach reduces service interruptions to customers, reduces the risk of catastrophic pipeline failures, and extends the service life of the City's water transmission main assets.

On September 10, 2014, City Council awarded an engineering contract to HDR Engineering, Inc., to develop cathodic protection systems for three large-diameter water transmission mains at different locations by Resolution No. 14-1483. In the course of executing the project, additional services were identified to fully implement the recommended improvements. Supplemental Agreement No. 1 is required to address the additional services and complete the project. The additional services include the replacement of a large valve and other improvements to adequately dewater and access the pipelines for construction. Additional services are also required for extensive coordination with Dallas Area Rapid Transit, Texas Commission on Environmental Quality, and the United States Army Corps of Engineers not fully covered by the scope of the original contract.

The estimated total construction cost for this project is $4,000,000.00.

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2014
Complete Design	July 2019
Begin Construction	December 2019
Complete Construction	May 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 10, 2014, City Council authorized a professional services contract with HDR Engineering, Inc. to provide engineering services for corrosion prevention design for three priority water transmission pipeline locations by Resolution No. 14-1483.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on June 10, 2019.

FISCAL INFORMATION

Water Capital Improvement Fund - $325,710.00

Design	$1,644,038.00
Supplemental Agreement No. 1 (this action)	$ 325,710.00
Total Project Cost	$1,969,748.00

Council District	Amount
2	$ 29,153.77
5	$ 16,083.99
7	$ 79,130.77
9	$ 74,173.59
10	$ 46,011.26
11	$ 81,156.62
Total	$325,710.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$325,710.00	Architectural & Engineering	25.66%	51.12%	$166,510.00
• This contract exceeds the M/WBE goal.				
• Supplemental Agreement No. 1 - 29.07% Overall M/WBE participation				

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OWNER

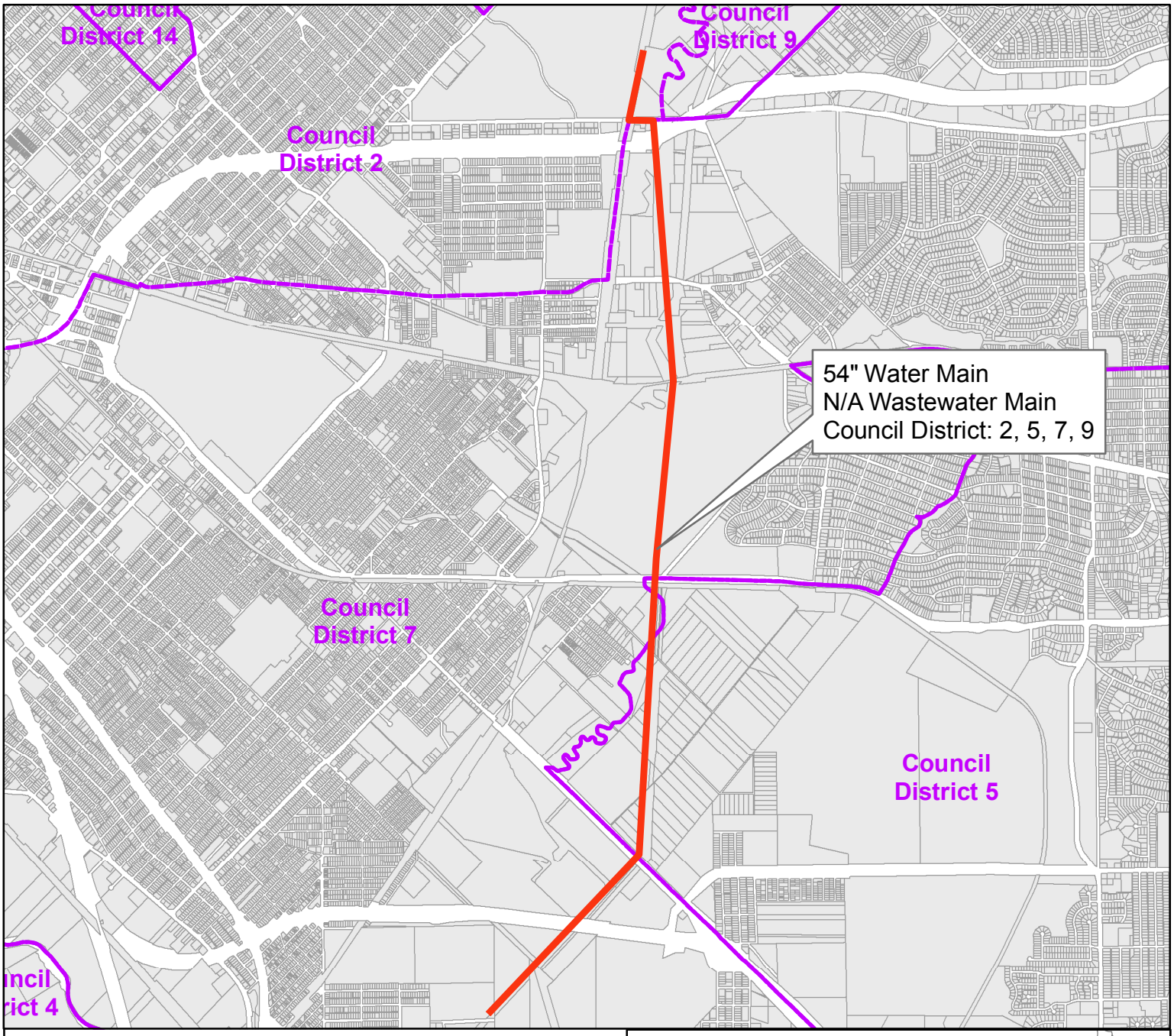
HDR Engineering, Inc.

Eric Keen, Chairman and Chief Executive Officer

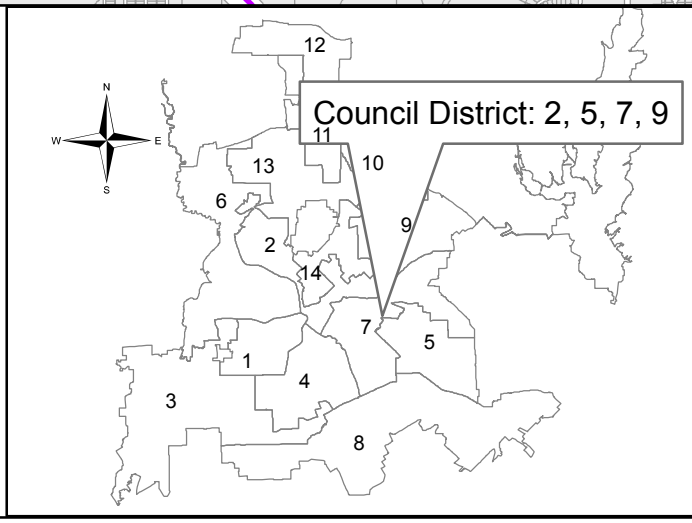
MAPS

Attached

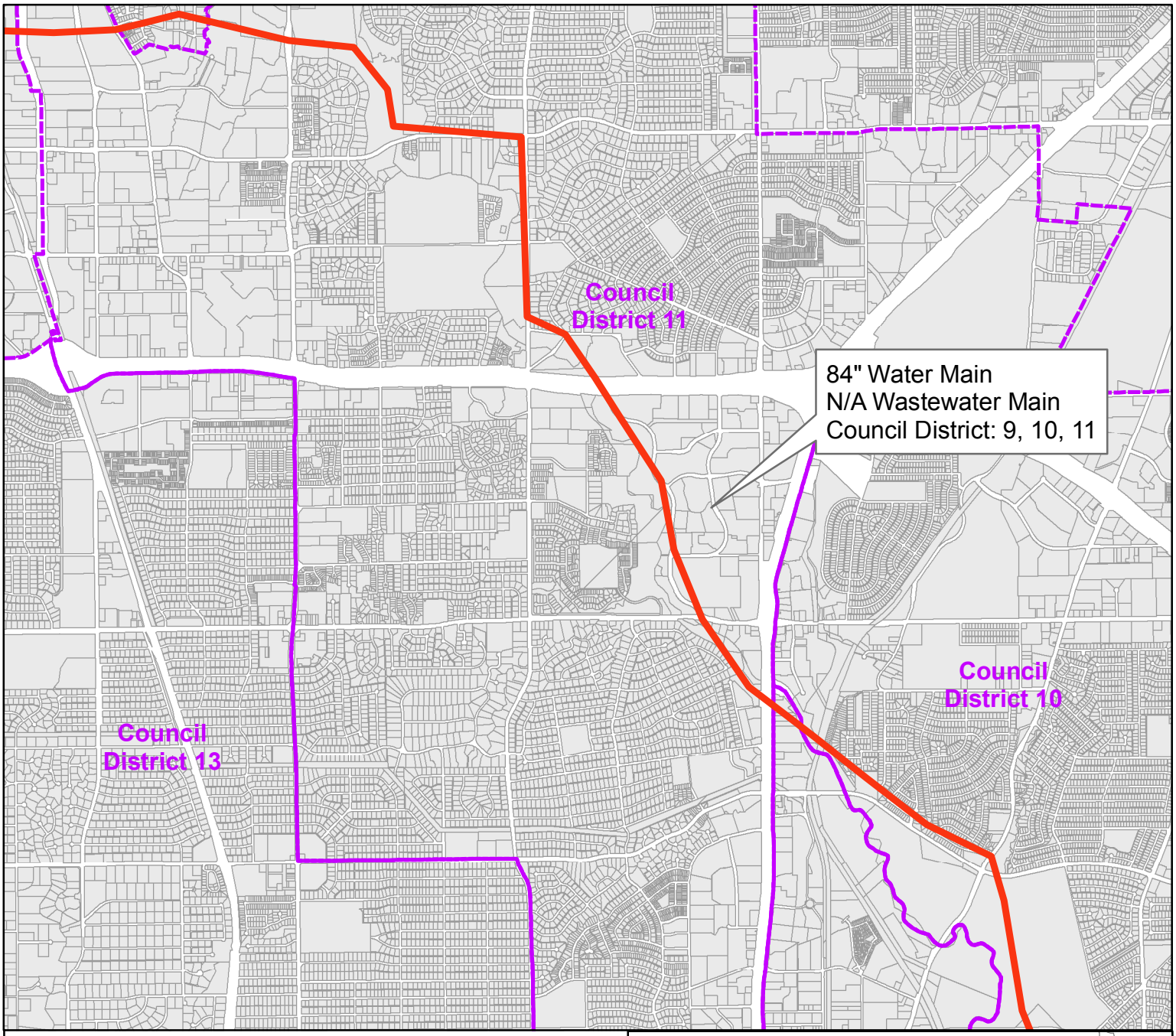
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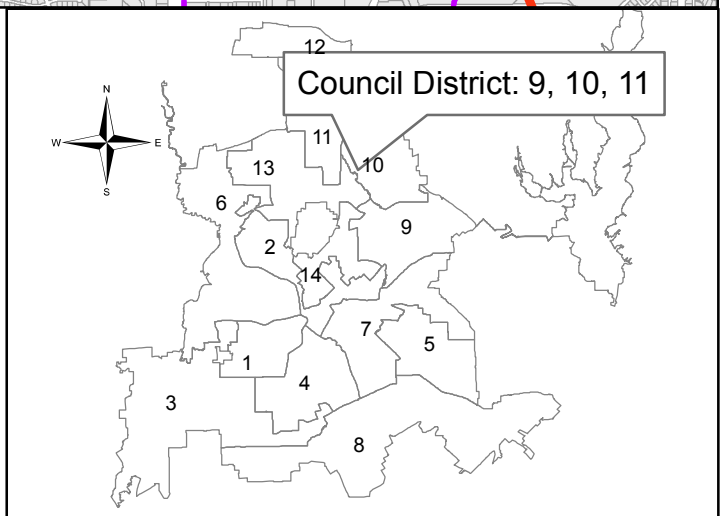
Corrosion Prevention Studies and
Design Improvements on
54" Water Main in White Rock Area



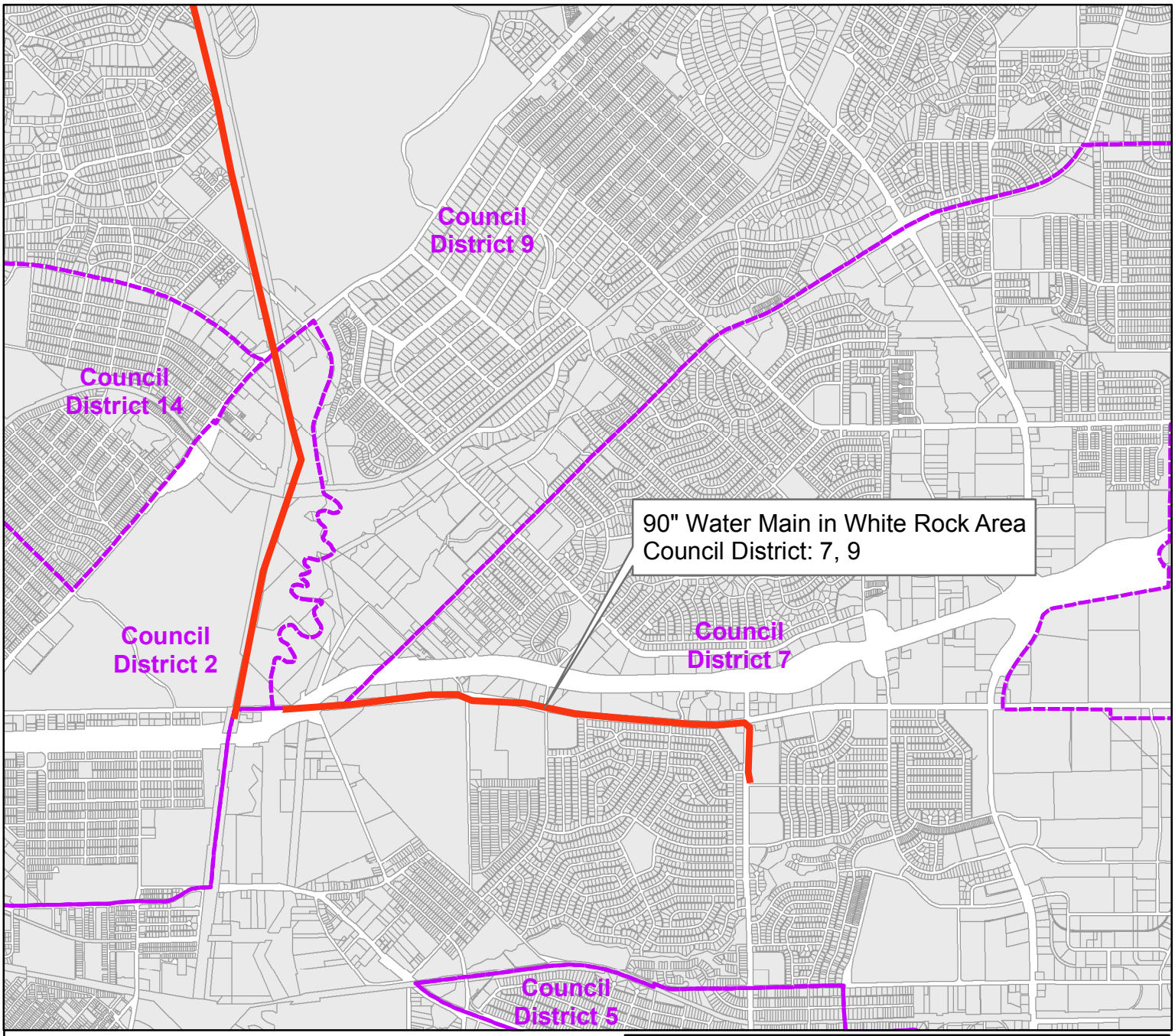
Contract No. 14-155E
Supplemental Agreement No. 1
at 3 Locations



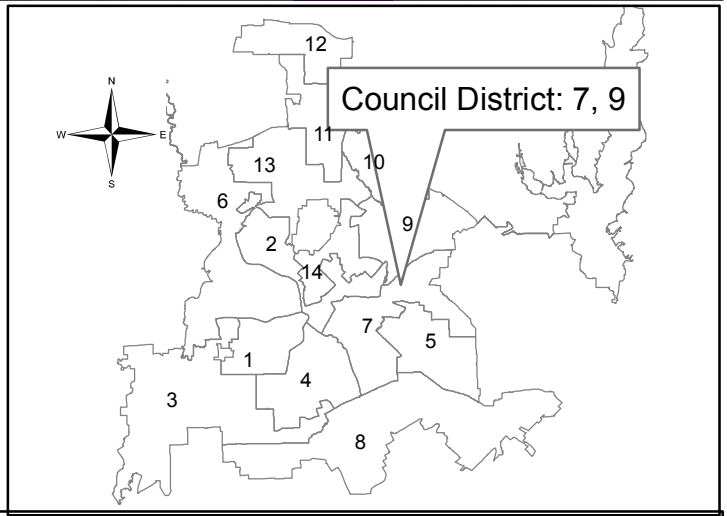
Corrosion Prevention Studies and
Design Improvements on
84" Water Main in White Rock Area



Contract No. 14-155E
Supplemental Agreement No. 1
at 3 Locations



Corrosion Prevention Studies and
Design Improvements on
90" Water Main in Samuel Boulevard and
Jim Miller Road



Contract No. 14-155E
Supplemental Agreement No. 1
at 3 Locations

WHEREAS, aging concrete cylinder water mains are susceptible to corrosion resulting in reduced service levels, extensive maintenance, and/or premature replacement; and

WHEREAS, on September 10, 2014, City Council authorized a professional services contract with HDR Engineering, Inc., to provide engineering services for corrosion prevention design for three priority water transmission pipeline locations, in an amount not to exceed $1,644,038.00, by Resolution No. 14-1483; and

WHEREAS, additional services are required to fully implement the recommended improvements and complete the project; and

WHEREAS, HDR Engineering, Inc., 17111 Preston Road, Suite 300, Dallas, Texas 75248, has submitted an acceptable proposal to provide these engineering services; and

WHEREAS, Dallas Water Utilities recommends that Contract No. 14-155E be increased by $325,710.00, from $1,644,038.00 to $1,969,748.00.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the proposed Supplemental Agreement No. 1 to the professional services contract be accepted and that Contract No. 14-155E with HDR Engineering, Inc., be revised accordingly.

SECTION 2. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the professional services contract with HDR Engineering, Inc., approved as to form by the City Attorney, to provide additional engineering services for the corrosion prevention design of three priority water transmission pipeline locations, in an amount not to exceed $325,710.00, increasing the contract amount from $1,644,038.00 to $1,969,748.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $325,710.00 to HDR Engineering, Inc. from the Water Capital Improvement Fund, Fund 2115, Department DWU, Unit PW40, Object 4111, Program 714155, Encumbrance CT-DWU714155CP, Vendor 181219.

SECTION 4. That this contract is designated as Contract No. DWU-2017-00003286.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-771 **Item #:** 62.

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Secretary’s Office

SUBJECT

Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

Agenda Information Sheet

File #: 19-779 **Item #:** 63.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Mayor and City Council Office

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize the naming of the Texas Buckeye Trail to the Ned and Genie Fritz Texas Buckeye Trail - Financing: This action has no cost consideration to the City (see Fiscal Information)

BACKGROUND

The City of Dallas, in partnership with state and federal regulatory agencies, have spent several decades working on the development of a comprehensive plan for the Great Trinity Forest that addresses flood risk management, ecosystem restoration, and recreational enhancements. Various plans have included approximately 6,000 acres of land along the Trinity River geographically located at approximately the Dallas Area Rapid Transit Bridge connecting the east and west sides of the floodplain downstream of the Corinth Street Bridge, following the natural boundaries near State Highway 310 continuing through Great Trinity Forest Way and southwesterly to the McCommas Landfill, the northeastern boundary of Parkdale Lake to Scyene Road through William Blair Park and southeasterly to Dowdy Ferry Road and Interstate Highway 20.

The Texas Buckeye Trail has been a recreational feature within the Great Trinity Forest located at 7000 Bexar Street. This feature includes hard and soft surface trails that have served the neighboring communities and countless nature enthusiasts. The trails include native flora, fauna and numerous Texas Buckeye Trees that can be found blooming in the spring. This trail also includes views of the natural river channel and provides opportunities for education to users of all ages and interests.

Edward C. “Ned” and Eugenia “Genie” Fritz have served as advocates for environmental initiatives for several decades and worked tirelessly to improve the natural environment through actively participating in and leading efforts to bring awareness to conservation and preservation of nature and wildlife. Together, they created the Texas Land Conservancy, the Texas Conservation Alliance (formerly the Texas Committee on Natural Resources), fought for forestry management across the country and preserved habitat of the Red-Cockaded Woodpecker.

Ned Fritz has been awarded the Lifetime Achievement Award from both the National Audubon Society and the National Wildlife Federation; received the Teddy Roosevelt Award for his efforts advocating for the environment and was instrumental in the efforts that led to the creation of the National Environmental Protection Act in 1969.

Genie Fritz also served in numerous capacities to advance social justice issues and women's rights through her work as a Board Member on the Texas League of Women Voters and President of the Dallas Chapter, President of the Greater Dallas Housing Opportunity and a Board Member of the Tejas Council of Girl Scouts.

Together, Ned and Genie Fritz raised four daughters and created a legacy of perseverance, preservation and protection of the environment. Their efforts in the Great Trinity Forest are well known and have resulted in a number of initiatives that have carried forward over time. This action will rename the Texas Buckeye Trail located at 7000 Bexar Street the "Ned and Genie Fritz Texas Buckeye Trail".

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

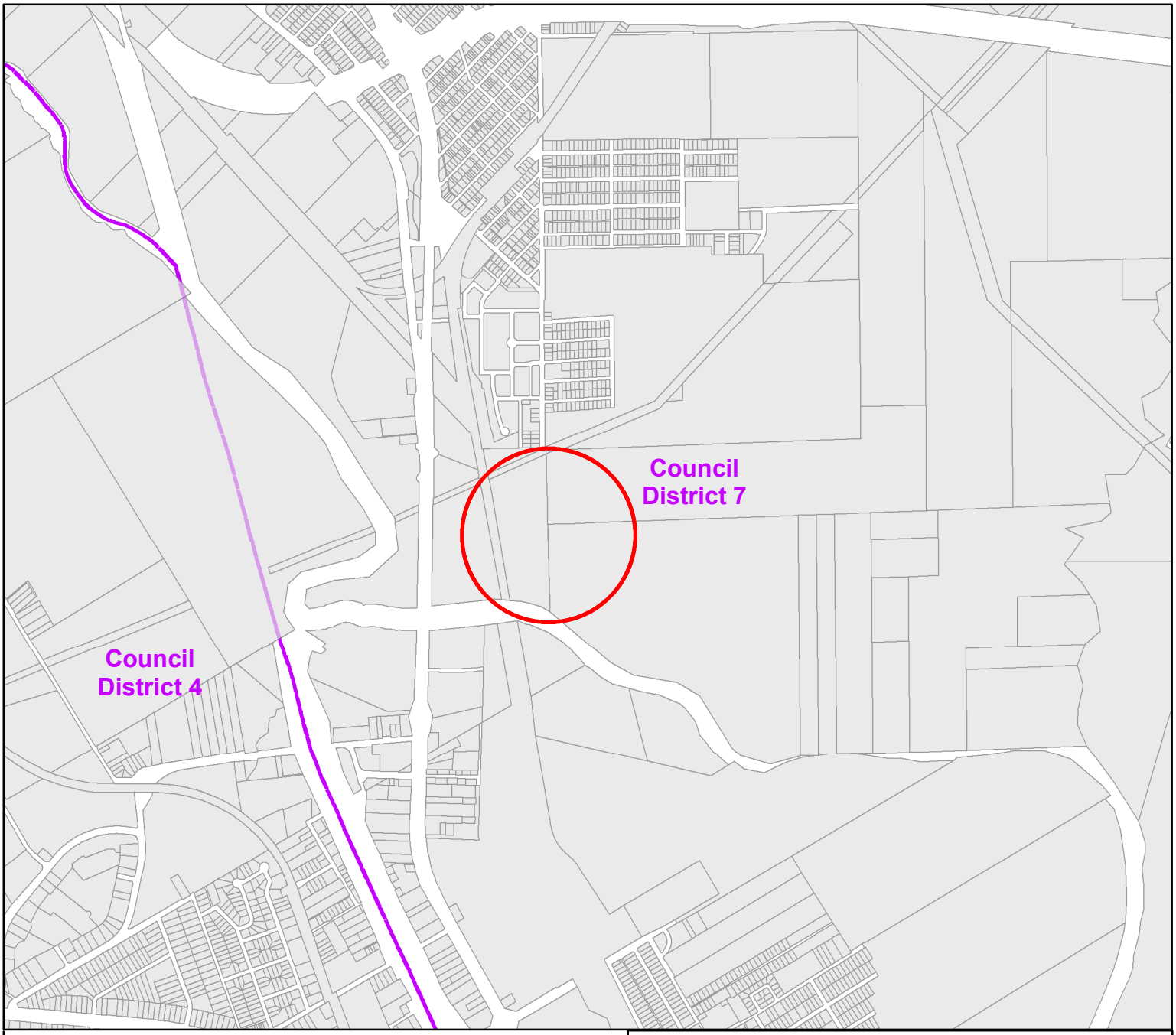
Information about this item will be provided to the Quality of Life, Arts and Culture Committee on June 10, 2019.

FISCAL INFORMATION

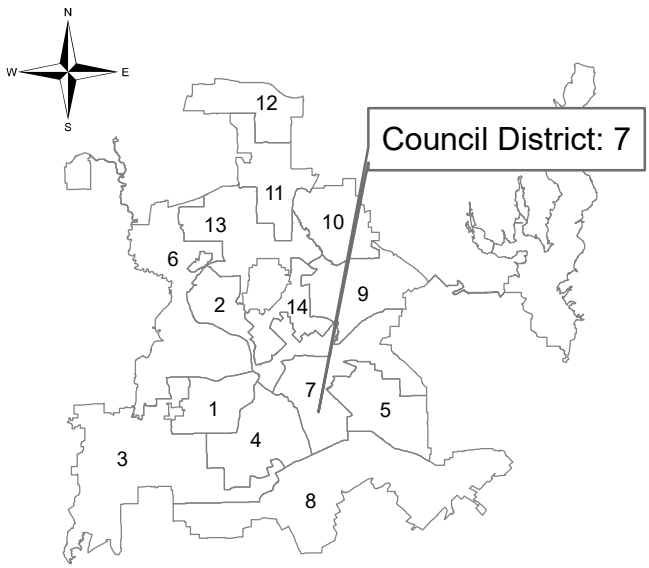
This action has no cost consideration to the City. Future estimated cost will include installation of new signage and printed materials.

MAP

Attached



Texas Buckeye Trail



WHEREAS, Dallas residents Ned and Genie Fritz formed environmental protection partnerships, which has led to a wealth of conservation successes; and

WHEREAS, Ned and Genie Fritz are known for bringing non-structural approaches to floodplain management to national prominence, leading to protection of an exceptional urban forest within the Trinity River floodplain; and

WHEREAS, Ned and Genie Fritz' efforts stopped a proposal to build the Trinity River Barge Canal, which would have negatively impacted Dallas' Great Trinity Forest; and

WHEREAS, Ned Fritz founded the Dallas Audubon Society and fostered other organizations focused on endangered species, land protection, and wildlife habitat; and

WHEREAS, Ned Fritz co-founded the Texas Chapter of The Nature Conservancy, where he negotiated the protection of 16 nature preserves and launched an organization that has led the land trust movement in Texas; and

WHEREAS, Ned and Genie Fritz' work led to the (1) creation of five Texas wilderness areas: Upland Island, Big Slough, Indian Mounds, Turkey Hill, and Little Lake Creek; (2) establishment of the Big Thicket National Preserve; and (3) protection of numerous other public and private wildlife areas; and

WHEREAS, Ned and Genie Fritz founded the Texas Conservation Alliance which is a grassroots advocacy organization that protects and preserves wildlife and wild habitats for the future of Texans; and

WHEREAS, Ned and Genie Fritz founded the Texas Land Conservancy, the state's largest land trust not affiliated with a national organization, protecting more than 85,000 acres on more than 100 preserves; and

WHEREAS, Ned and Genie Fritz' work has led public protection of a 25,000-acre bottomland hardwood forest in the Sulphur River Basin and they filed the first-ever suit under the National Environmental Policy Act; and

WHEREAS, Ned Fritz led the case against the U.S. Forest Service that ended clearcutting on 200,000 acres of national forest in Texas and established the guidelines for management of the endangered Red-Cockaded Woodpeckers throughout the Southeastern United States; and

WHEREAS, Ned Fritz has received many national awards, including: the American Motors Conservation Award, 1983; the Sol Feinstone Environmental Award, 1978; and the Theodore Roosevelt Award, presented by President George H. W. Bush, in 1991 and was awarded an honorary doctorate from Southern Methodist University in 1992; and

WHEREAS, Ned Fritz has also been honored by the National Wildlife Federation, The Nature Conservancy, the National Audubon Society, Sportsmen Conservationists of Texas, the Sierra Club, and the League of Women Voters of Texas; and

WHEREAS, Genie Fritz has served as President and a long-time Board Member of the Dallas League of Women Voters, President of the Women's Southwest Federal Credit Union, Board Member of the Tejas Council of Girl Scouts, Treasurer and President of the Greater Dallas Housing Opportunity Council, and Board Member at the First Unitarian Church of Dallas; and

WHEREAS, Ned and Genie Fritz were instrumental in the protection of Dallas' Great Trinity Forest, including creation and preservation of the Texas Buckeye Trail and the City Council desires to recognize them for their outstanding work.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Council acknowledges and renames the Texas Buckeye Trail the "Ned and Genie Fritz Texas Buckeye Trail" and directs the City Manager to promptly accomplish the renaming of this Trail.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-660 **Item #:** 64.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Mayor and City Council Office

EXECUTIVE: T.C. Broadnax

SUBJECT

A resolution requesting the Board of Adjustment to authorize compliance proceedings for the Club Linares Bar located at 1101 South Haskell Avenue, Dallas, Texas - Financing: No cost consideration to the City (via Councilmembers Felder, Deputy Mayor Pro Tem Medrano, Kingston, Narvaez, and Arnold)

BACKGROUND

The Club Linares Bar is located at 1101 South Haskell Avenue, Dallas Texas. The Club Linares Bar operates under a certificate of occupancy for an alcoholic beverage establishment. The property at 1101 South Haskell Avenue is zoned as a CS Commercial Service District. An alcoholic beverage establishment requires a specific use permit in a CS Commercial Service District. The Club Linares Bar is operating as a nonconforming use because it does not have a specific use permit. Section 51A -4.704(a)(1) allows City Council to request that the Board of Adjustment consider establishing a compliance date for a nonconforming use.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

Memorandum

RECEIVED
2019 APR 24 PM 3:54
CITY SECRETARY
DALLAS, TEXAS

City of Dallas

DATE April XX, 2019

TO The Honorable Michael S. Rawlings

FROM Kevin Felder

SUBJECT **Request for Placement of Agenda Item – Council Member(s)**

ITEM/ISSUE PROPOSED FOR COUNCIL CONSIDERATION:

Pursuant to Section 6.2 of the City Council Rules of Procedure, please post the following item on the first **VOTING** agenda scheduled at least 30 calendar days after receipt of this request:

A resolution requesting the Board of Adjustment to authorize compliance proceedings for the Club Linares Bar located at 1101 South Haskell Avenue, Dallas, Texas – Financing: No cost consideration to the City

BRIEF BACKGROUND:

The Club Linares Bar is located at 1101 South Haskell Avenue, Dallas Texas. The Club Linares Bar operates under a certificate of occupancy for an alcoholic beverage establishment. The property at 1101 South Haskell Avenue is zoned as a CS Commercial Service District. An alcoholic beverage establishment requires a specific use permit in a CS Commercial Service District. The Club Linares Bar is operating as a nonconforming use because it does not have a specific use permit. Section 51A-4.704(a)(1) allows City Council to request that the Board of Adjustment consider establishing a compliance date for a nonconforming use.

Submitted for consideration by:

Kevin Felder, District 7 — Kevin Felder
Printed Name, District # — Signature

Supporting Council Member Signatures (4 Signatures Only):

DMPT Adam Medrano District 2 — Adam Medrano
Printed Name, District # — Signature

Philip Kingston 14 —
Printed Name, District # — Signature

Omar Narvaez 6 —
Printed Name, District # — Signature

Carolyn K Arnold 4

Printed Name, District #

Signature

Attachment: Draft Resolution

c: Honorable Council Members
T.C. Broadnax, City Manager
Christopher J. Caso, Interim City Attorney
Craig D. Kinton, City Auditor
Bilierae Johnson, City Secretary
Scott Goldstein, Chief of Policy and Communications, Office of the Mayor

COUNCIL CHAMBER

[DATE]

WHEREAS, the Club Linares Bar is located at 1101 South Haskell Avenue, Dallas Texas; and

WHEREAS, the Club Linares Bar operates under a certificate of occupancy for an alcoholic beverage establishment; and

WHEREAS, the property at 1101 South Haskell Avenue is zoned as a CS Commercial Service District; and

WHEREAS, an alcoholic beverage establishment requires a specific use permit in a CS Commercial Service District; and

WHEREAS, the Club Linares Bar is operating without a specific use permit as it is a nonconforming use as defined in the Dallas Development Code; and

WHEREAS, the Dallas Development Code authorizes the City Council to request that the Board of Adjustment consider establishing a compliance date for a nonconforming use; **Now, Therefore,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the Board of Adjustment is requested to consider establishing a compliance date for the nonconforming use of an alcoholic beverage establishment known as the Club Linares Bar located at 1101 South Haskell Avenue, Dallas Texas.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

Each councilmember signing the five-person request to place an item on the agenda must review and confirm that they have read and agree with the draft resolution by dating, initialing, and placing their district number below.

4/24/19	4/24/19	4/24/19	4/24/19	4/24/19
DATE	DATE	DATE	DATE	DATE
KF	AM			
CM INITIAL	CM INITIAL	CM INITIAL	CM INITIAL	CM INITIAL
7	2	14	6	4
DIST. NO.	DIST. NO.	DIST. NO.	DIST. NO.	DIST. NO.

June 12, 2019

WHEREAS, the Club Linares Bar is located at 1101 Haskell Avenue, Dallas, Texas; and

WHEREAS, the Club Linares Bar operates under a certificate of occupancy for an alcoholic beverage establishment; and

WHEREAS, the property at 1101 South Haskell Avenue is zoned as a CS Commercial Service District; and

WHEREAS, an alcoholic beverage establishment requires a specific use permit in a CS Commercial Service District; and

WHEREAS, the Club Linares Bar is operating without a specific use permit as it is a nonconforming use as defined in the Dallas Development Code; and

WHEREAS, the Dallas Development Code authorizes the City Council to request that the Board of Adjustment consider establishing a compliance date for a nonconforming use.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the Board of Adjustment is requested to consider establishing a compliance date for the nonconforming use of an alcoholic beverage establishment known as Club Linares Bar located at 1101 South Haskell Avenue, Dallas, Texas.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-755 **Item #:** 65.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize an Interlocal Agreement with the Dallas County Community College District on behalf of Cedar Valley College (CVC) to support the CVC Heating Ventilation Air Conditioning (HVAC) Center of Excellence and create an expanded workforce training program for commercial HVAC technicians for the period July 1, 2019 through June 30, 2021 - Not to exceed $100,000.00 - Financing: Public/Private Partnership Fund

BACKGROUND

CVC has offered residential HVAC certificates and degrees since 1995. Between 2014 and 2017, 257 students have earned a certificate in residential HVAC; of these 42 percent are City of Dallas residents. CVC now intends to add a commercial component (providing four certificate offerings) to its HVAC curriculum offerings to address the projected need for additional HVAC mechanics and installers. The number of jobs in Texas is expected to increase by 28.5 percent between 2017-2027, and the median wage in 2017 was $19.92 per hour ($41,433.00 annually).

For CVC to add the commercial component to its existing HVAC program, the existing HVAC space requires a renovation to add a commercial lab, a simulation lab and a controls classroom. Under the expanded program, 144 certificate students can enroll per year.

The total cost of the HVAC Center of Excellence is approximately $4.5 million. While the majority of the funding will be provided by the Dallas County Community College District (DCCCD), additional funds are needed from community partners. To date, the City of DeSoto has provided $50,000.00 and the City of Lancaster has provided $150,000.00. The funds from Lancaster will serve as a match to access a $150,000.00 High Demand Job Training grant provided by the Texas Workforce Commission. Equipment costs are covered between industry donations and a Jobs and Education Training for Texans grant from the state. Total equipment cost exceeds $1,000,000.00.

To be able to enroll students in the fall that would be eligible for the commercial certificates, additional funds between $70,000.00 and $200,000.00 are needed. CVC is also in discussions with the cities of Duncanville and Hutchins for additional funding.

This Interlocal Agreement would create a partnership between the City of Dallas and CVC for the HVAC Center of Excellence. Under the agreement, at least 115 Dallas residents would receive Certificate training at the center for over two years. The City would provide $70,000.00 as an initial payment to CVC and an additional $30,000.00 once an agreement with Dallas Independent School District has been executed to include the HVAC Center of Excellence in the P-Tech program offerings. CVC would provide biannual reporting on student enrollment and completion, and any employment data for program participants they have.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development and Housing Committee on June 3, 2019.

FISCAL INFORMATION

Public/Private Partnership Fund - $100,000.00

powered by Legistar™

June 12, 2019

WHEREAS, the City of Dallas is a Texas municipal corporation of the State of Texas; and

WHEREAS, the Dallas County Community College District (DCCCD) is a political subdivision of the State of Texas, which furnishes educational and workforce training classes to Dallas County residents; and

WHEREAS, Chapter 791 of the Texas Government Code permits two governmental agencies to contract with each other to perform governmental functions and services; and

WHEREAS, City Council finds that there is a need in the City of Dallas for workforce programs resulting in living wage jobs, and that this program serves the public purpose of workforce development; and

WHEREAS, the City and the DCCCD on behalf of Cedar Valley College (CVC) desire to enter into an Interlocal Agreement to support the CVC Heating Ventilation Air Conditioning (HVAC) Center of Excellence and create an expanded workforce training program for commercial HVAC technicians.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute an Interlocal Agreement with the Dallas County Community College District on behalf of Cedar Valley College (CVC), approved as to form by the City Attorney, to support the CVC Heating Ventilation Air Conditioning (HVAC) Center of Excellence and create an expanded workforce training program for commercial HVAC technicians for the period July 1, 2019 through June 30, 2021, in the amount not to exceed $100,000.00; and execute any and all documents required by the ILA.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $100,000.00 to DCCCD on behalf of CVC from Public/Private Partnership Fund, Fund 0352, Department ECO, Unit W178, Activity PPPF, Object 3072, Encumbrance/Contract No. ECO-2019-00010514, Vendor 256009.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-756 **Item #:** 66.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** a development agreement with the Dallas County Heritage, Society Inc., in an amount not to exceed $650,000.00, payable from exiting and/or future Cedars TIF District Funds, to support restoration of the Park Avenue House and Rall House to be used as co-working office space at the Dallas Heritage Village located at 1515 South Harwood Street; and **(2)** an increase in appropriations in an amount not to exceed $650,000.00 in the Cedars TIF District Fund - Not to exceed $650,000.00 - Financing: Cedars TIF District Fund (subject to appropriation from existing and future tax increment)

BACKGROUND

Dallas County Heritage Society, Inc. (DCHS) currently manages the Dallas Heritage Village located at 1515 South Harwood Street in the Cedars Tax Increment Finance (TIF) District. In October 2018, the Park and Recreation Board approved a Dallas Heritage Village Master Plan for the City-owned park. The approved master plan seeks to enhance the visitor/customer experience at the park.

In support of the Master Plan, DCHS has requested TIF funding assistance for a restoration project on Dallas Heritage Village's campus. The project includes restoration of two homes built circa. 1900 - the Park Avenue House and the Rall House. The total project cost is approximately $1,200,000.00 and the requested $650,000.00 in Cedars TIF District funding would be used to offset construction costs to restore the Park Avenue House only. Restoration of the Rall House, technology upgrades, furnishing and landscaping for both homes and a maintenance endowment will be funded by DCHS through fundraising efforts. DCHS must provide proof of project funds prior to payment of the Cedars TIF District funding. The Cedars TIF District funding will be provided in the form of a grant and will be disbursed to DCHS on a reimbursement basis at regular milestones (but not more frequently than monthly) for costs and expenses incurred for eligible expenditures.

DCHS envisions using the renovated homes for staff offices and leasable co-working space for non-profit organizations in the Cedars area.

As a condition of the Cedars TIF District funding, 90 percent of the revenue generated by the rental of the Park Avenue house must be used for structural repairs to Dallas Heritage Village buildings. Construction of the project must begin by May 2020, allowing a year of fundraising for the DCHS's portion of the project costs.

The proposed project supports the following objectives of the Cedars TIF District Project Plan: (1) support the growth and success of activities at the Dallas Convention Center, Dallas Heritage Village and Farmers Market; (2) secure growth and investment in the Cedars TIF District; (3) encourage economic revitalization through hotel, for-sale and rental housing, retail and office development; and (4) encourage preservation of historic buildings.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	May 2020
Complete Construction	December 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 18, 2018, the Park and Recreation Board adopted the Dallas Heritage Village at Old City Park Master Plan.

On October 18, 2018, the Cedars TIF District Board of Directors reviewed and recommended approval of Cedars TIF District funding in an amount not to exceed $650,000.00 (in the form of a grant) to support restoration of Park Avenue House and Rall House to be used as co-working office space at the Dallas Heritage Village.

On April 4, 2019, the Dallas Park and Recreation Board's Planning and Design Committee was briefed on the proposed restoration project by Dallas County Heritage Society.

Information about this item will be provided to the Economic Development and Housing Committee on June 3, 2019.

FISCAL INFORMATION

Cedars TIF District Fund - $650,000.00 (subject to appropriation from existing and future tax increment)

CONTACT INFORMATION

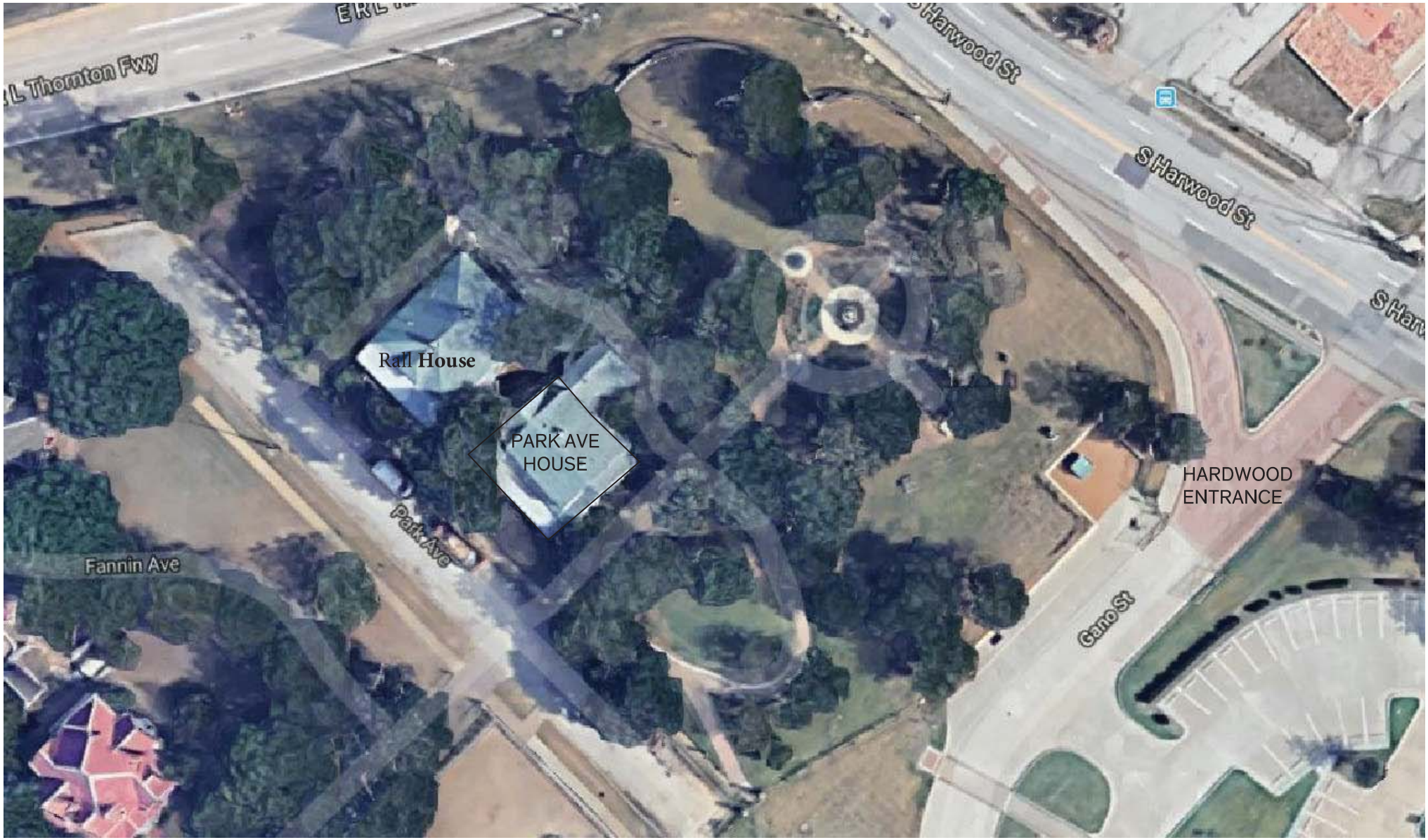
Dallas County Heritage Society

Melissa Prycer, President and Executive Director
1515 S. Harwood Street
Dallas, Texas 75215

MAP

Attached

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Architexas | CREATE + CONSERVE

Project:	Park Avenue House
Location:	Dallas Heritage Village
Phase:	TIFF Review
Date:	March 6, 2018

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, on December 9, 1992, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Four ("Cedars TIF District") in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, Chapter 311 (the "Act") to promote development and redevelopment in the District through the use of tax increment financing by Resolution No. 92-4302; Ordinance No. 21492, as amended; and

WHEREAS, on April 9, 1997, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Cedars TIF District by Resolution No. 97-1225; Ordinance No. 23092, as amended; and

WHEREAS, on October 18, 2018, the Park and Recreation Board adopted the Dallas Heritage Village at Old City Park Master Plan; and

WHEREAS, on October 18, 2018, the Cedars TIF District Board of Directors reviewed and adopted and Economic Development TIF Grant Program for the Cedars TIF District (attached as **Exhibit A**); and

WHEREAS, on October 18, 2018, the Cedars TIF District Board of Directors reviewed and recommended approval of Cedars TIF District funding in an amount not to exceed $650,000.00 to support restoration of Park Avenue House and Rall House ("the Project") to be used as office space at the Dallas Heritage Village; and

WHEREAS, on April 4, 2019, the Dallas Park and Recreation Board's Planning and Design Committee was briefed on the proposed Project by Dallas County Heritage Society, Inc.; and

WHEREAS, the expenditure of Cedars TIF District funds supporting this restoration Project is consistent with promoting development and redevelopment of the Cedars TIF District in accordance with the purposes for its creation, the ordinance adopted by the City Council approving the Cedars TIF District Project Plan and Reinvestment Zone Financing Plan, and is for the purpose of making public improvements consistent with and described in the Cedars TIF District Project Plan and Reinvestment Zone Financing Plan; and

WHEREAS, the proposed restoration Project supports the following goals of the Cedars TIF District's Project Plan and Reinvestment Zone Financing Plan: (1) support the growth and success of activities at the Dallas Convention Center, Dallas Heritage Village, and Farmers Market; (2) secure growth and investment in the Cedars TIF District; (3) encourage economic revitalization through hotel, for-sale and rental housing, retail, and office development; and (4) encourage preservation of historic buildings; and

WHEREAS, to further implement the Cedars TIF District Project Plan and Reinvestment Zone Financing Plan, the City desires to enter into a development agreement with Dallas County Heritage Society, Inc. ("DCHS") in an amount not to exceed $650,000.00 payable in the form of a grant from existing and/or future Cedars TIF District Funds, in consideration of the restoration of the Park Avenue and Rall Houses ("the Project") located at 1515 South Harwood Street.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager, is hereby authorized to execute a development agreement with Dallas County Heritage Society, Inc. ("DCHS") in an amount not to exceed $650,000.00 payable in the form of a grant from existing and/or future Cedars TIF District Funds, approved as to form by the City Attorney, to support restoration of the Park Avenue House and Rall House to be used as office space at the Dallas Heritage Village located at 1515 South Harwood Street. A location map for the project is attached as **Exhibit B**.

SECTION 2. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

SECTION 3. That the City Manager is hereby authorized to increase appropriations associated with the development agreement in an amount not to exceed $650,000.00 in the in Cedars TIF District Fund, Fund 0033, Department ECO, Unit W438, Activity TCED, Object 3016.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the form of a grant in an amount not to exceed $650,000.00 to Dallas County Heritage Society, Inc. ("DCHS") payable from future tax increments and subject to appropriations from Cedars TIF District Fund, Fund 0033, Department ECO, Unit W438, Activity TCED, Object 3016, Encumbrance/Contract No. ECO-2019-00010487, Vendor 126247.

SECTION 5. That nothing in this resolution shall be construed to require the City to approve payment of the Cedars TIF District funding from any source of the City funds other than the Cedars TIF District Fund. Any portion of the Cedars TIF District funding that remains unpaid due to lack or unavailability of Cedars TIF District Funds shall no longer be considered project costs of the Cedars TIF District or the City, and the obligation of the Cedars TIF District to pay DCHS shall automatically expire.

SECTION 6. That in addition to the conditions set out in the sections above, the development agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

A. Cedars TIF District funding shall be used for restoration costs only and none of the Cedars TIF District funding shall be used for furniture, technology upgrades that are not fixtures of the restored homes (i.e. no computers or other equipment that can be removed from the homes) or to fund the maintenance endowment.

B. DCHS shall provide evidence satisfactory to the City that it has secured the remaining $550,000.00 of the project budget in unencumbered funds to complete the Project prior to the release of any Cedars TIF District funding.

C. Preliminary restoration plans for the Park Avenue house have been reviewed by the City's Planning and Urban Design Department and are attached as **Exhibit C**. Prior to applying for a building permit, DCHS shall submit final elevations for all four sides of the Park Avenue and Rall House for review and approval by the City's Historic Preservation division of the Sustainable Development and Construction Department. The elevations shall include notes that describe the historic siding, windows, etc., to be repaired and restored as part of the Project, and any other information requested by the City. No construction shall commence and no Cedars TIF District funding shall be disbursed until all such reviews are complete and approvals are granted.

D. DCHS shall obtain a building permit from the City and commence construction on or before May 31, 2020.

E. DCHS shall obtain a Certificate of Occupancy ("CO") for the Park Avenue and Rall Houses on or before December 31, 2021.

F. Restoration and rehabilitation of the homes shall be in conformance with City approved elevation plans and all applicable Secretary of the Interior's Standards for Rehabilitation, especially in regards to repair and restoration of historic wood siding, trim, and existing wood window light pattern and material. Restoration and rehabilitation must also comply with state, local, and federal laws.

SECTION 6. (continued)

G. DCHS shall comply with the Business Inclusion and Development ("BID") good faith effort goal of twenty-five percent (25%) Minority/Women-owned Business Enterprise ("M/WBE") participation for construction and construction related expenditures for the Project and meet all reporting requirements.

H. Until DCHS has completed all Project improvements and received a CO for the Park Avenue and Rall Houses, DCHS shall submit to the Office of Economic Development quarterly status reports for ongoing work on the Project. Such status reports will be due at the end of each calendar quarter after the City Council approval date.

I. The Director of the Office of Economic Development, upon recommendation of the TIF Board, may authorize an extension of the Project deadlines up to six months.

J. Prior to leasing space in the Park Avenue house for proposed co-working office space, DCHS shall provide documentation of approval of the proposed use and rental rates executed by the Office of Cultural Affairs. No construction shall commence and no Cedars TIF District funding shall be disbursed until such approval is granted.

K. DCHS shall direct 90 percent of revenue generated by leasing office space within the Park Avenue House to a maintenance account dedicated solely to structural repairs of Dallas Heritage Village buildings (excluding routine maintenance, telephone systems, janitorial services, and any other existing obligations of DCHS under the Management and Operation Agreement for Old City Park attached as **Exhibit D**).

L. Construction, use, insurance, management and maintenance for the restored buildings and purchased and/or installed improvements as part of this Project shall be in conformance with the Management and Operation Agreement for Old City Park.

M. DCHS shall provide proof of personal property insurance for the Project.

N. The Park Avenue and Rall Houses shall stay open and operational throughout the term of DCHS's renewal of the Management and Operation Agreement with the City (attached as **Exhibit E**) which expires May 26, 2023.

SECTION 6. (continued)

O. The Cedars TIF District funding will be provided to DCHS in the form of a grant and will be disbursed on a reimbursement basis at regular milestones, but not more frequently than monthly, for costs and expenses incurred for eligible expenditures. Each request for payment from DCHS shall include the following: an invoice from the general contractor detailing costs incurred, progress reports, copies of sub-contractor and supplier invoices, proof of payment to sub-contractors and suppliers who support the Project, and other documentation requested by City.

SECTION 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A

City of Dallas
Cedars Tax Increment Financing District
Economic Development TIF Grant Program
Adopted October 18, 2018

The City of Dallas wishes to establish a Grant Program for the Cedars Tax Increment Financing ("TIF") District, pursuant to Chapter 311 of the Texas Tax Code, to implement the Project and Reinvestment Zone Financing Plan ("Plan") for the Cedars Tax Increment Financing District ("District").

Program Purpose

The purpose of the Cedars TIF District Grant Program is to fulfill the public purposes of: (1) development and diversification of the economy of the District; (2) development or expansion of residential, transportation, business, and commercial activity in the District; (4) elimination of unemployment and underemployment in the District; (5) increasing residential units within the District; (6) public infrastructure improvements that create better pedestrian connections and living environment throughout the District; (7) encouraging preservation of historic buildings within the District; (8) support the growth and success of activities at the Dallas Convention Center, Dallas Heritage Village and Farmers Market; and (9) capitalize on activity centers in and adjacent to the District. The City will achieve these objectives by making Economic Development TIF Grants from the tax increment fund of the District. Specific actions allowed under this program include, but is not limited to, providing grants for the following:

Use of Funds

All grant award amounts and awardees must be recommended by the Cedars TIF Board of Directors and approved by City Council. Nothing contained herein shall obligate the City to provide grant awards, as this Program does not constitute an entitlement. Projects that support the purpose of this program **must** demonstrate the project is not financially feasible *but for* additional public support in the form of an Economic Development TIF Grant. Assistance in the form of an Economic Development TIF Grant is available only for those redevelopment and/or development projects that are desirable and not fully funded with other TIF budget categories. Requests for grants to support purely public infrastructure projects must demonstrate general benefit to the District and must specifically address one or more of the program purposes related to infrastructure improvements.

Payment of Funds

No grant funds will be distributed until all conditions of the grant/development agreement have been fulfilled. Grants can only come from increment contributed by the City and must be budgeted in the Plan, which provides for economic development grants. All grant projects are subject to the City's procurement policies.

Eligible Types of Projects

Project must be at least one of the following types of development:

- Adaptive reuse of existing vacant or underutilized buildings
- Redevelopment of surface parking lots or underdeveloped parcels

- Mixed-income residential projects
- Retail or office development
- High density, mixed-use development
- Relocation of existing buildings to properties within the District
- Projects that provide linkages to existing transit services
- Projects that improve pedestrian, light-rail, car, bicycle and high-speed rail coordination, circulation and design throughout the district, including but not limited to design, lighting, utility burial, signage, wayfinding, streetscaping, landscaping
- Projects that provide offsite public improvements
- Projects that include creation of structured parking
- Public infrastructure projects that create better pedestrian connections and living environment throughout the district
- Projects that create multimodal linkages to other parts of downtown Dallas, including Farmers Market and Convention Center
- Projects applying for North Central Texas Council of Governments' funding programs (i.e. Transportation Alternative Set-Aside Program, Sustainable Development Funding Program, etc.)

General Eligibility Criteria

All grant projects will be reviewed based on the degree to which projects meet or support the following criteria:

- Meet one or more of the Program Purposes
- Activation of the street(s) adjacent to the project
- Project encourages the restoration of historic buildings
- Project incorporates recommendations of the Urban Design Peer Review Panel in to its design
- Project provides linkages to existing public transit, bike system, parking, and park and open spaces.
- Project provides non-project related linkages, improvements or signage to enhance the Cedars neighborhood.
- Project addresses specific district-wide issues such as parking (vehicular and bicycle), pedestrian improvements, mixed income housing, connections to the Central Business district and mobility issues.
- Promotes the development of an east-west traffic corridor within the district
- Promotes employment and business growth within the Cedars community
- Funding will be used as a local match for other grant programs or donations

Additional Requirements for All Grants

- The project and any related development must comply with the Mixed Income Housing Guidelines for the District, if applicable.
- Except in the case of single or limited source procurements (e.g. procurements with utility providers) or other special exceptions, either the developer or the City must competitively bid construction of public improvements and follow the City's Business Inclusion and Development policies for certified minority/women-owned business enterprise (M/WBE) participation in the construction of public improvements.
- The developer must make a good faith effort to achieve a goal of certified minority/women-owned business enterprise (M/WBE) participation for the private improvement construction proportionate to the TIF funding provided.

- The developer must promote hiring of neighborhood residents for any new jobs created.
- The developer must comply with established design guidelines for the District.

Cedars TIF District Grant Program Area

Projects may be located anywhere within the district or outside of the district with additional considerations and pursuant to the Chapter 311 of the Texas Tax Code.

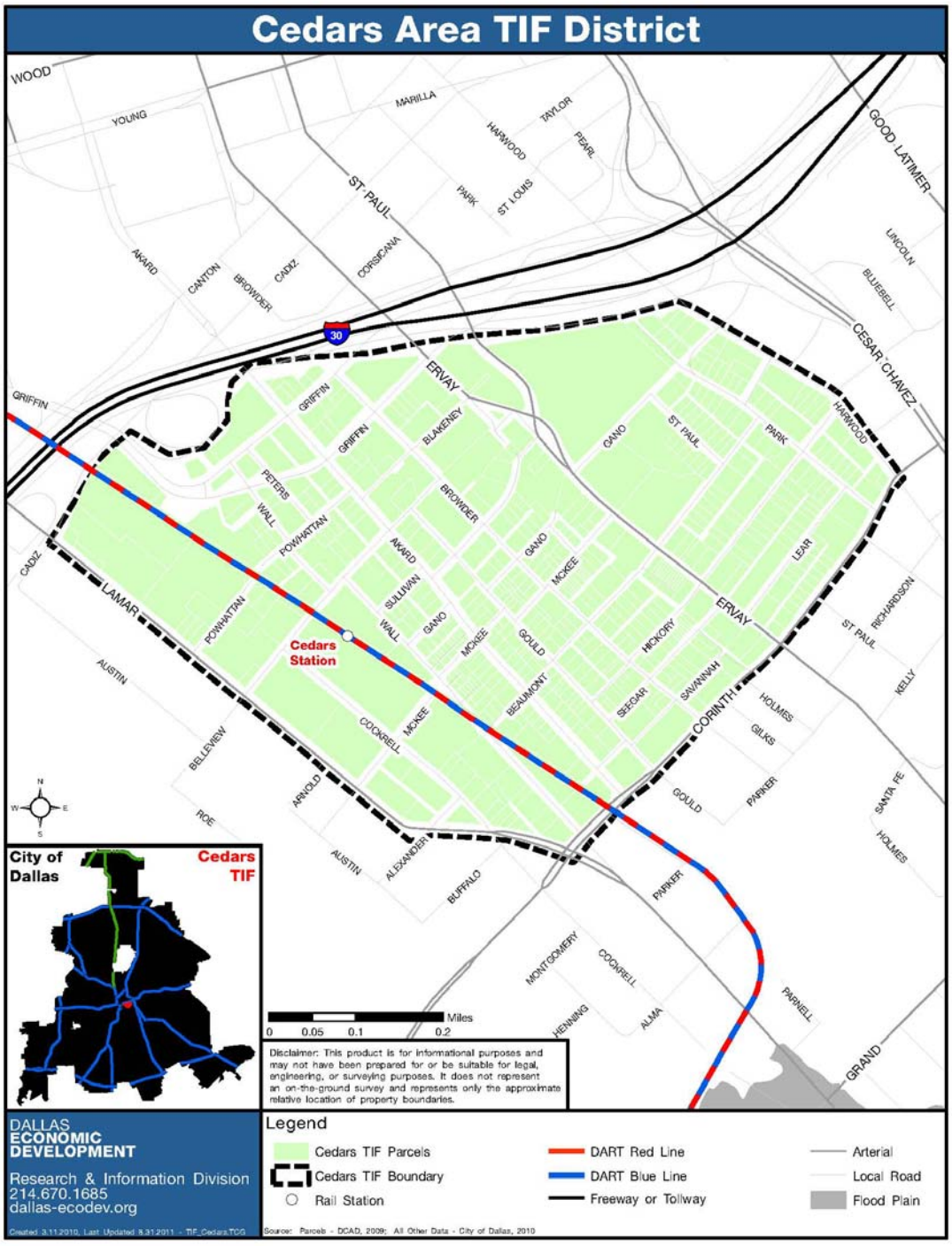
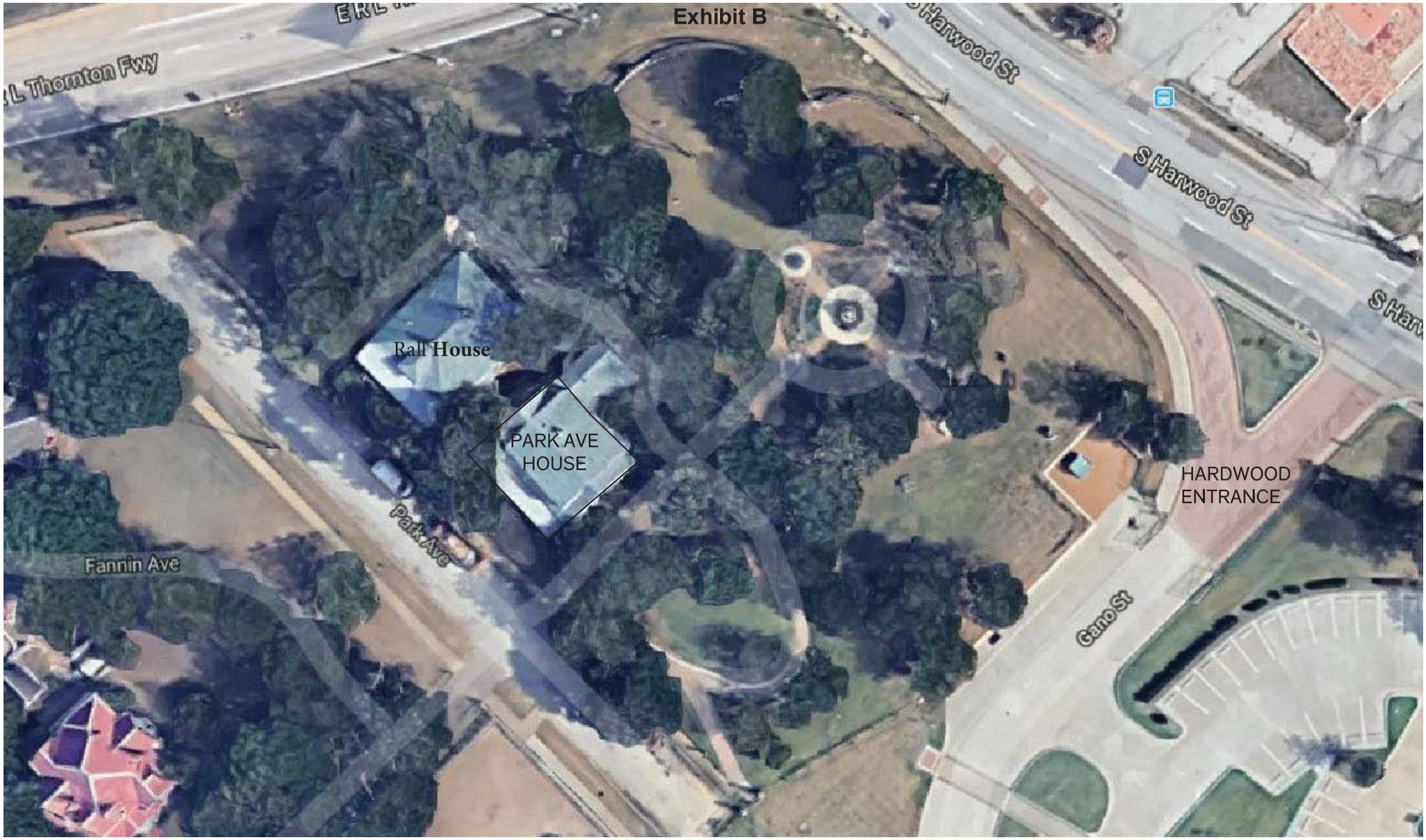


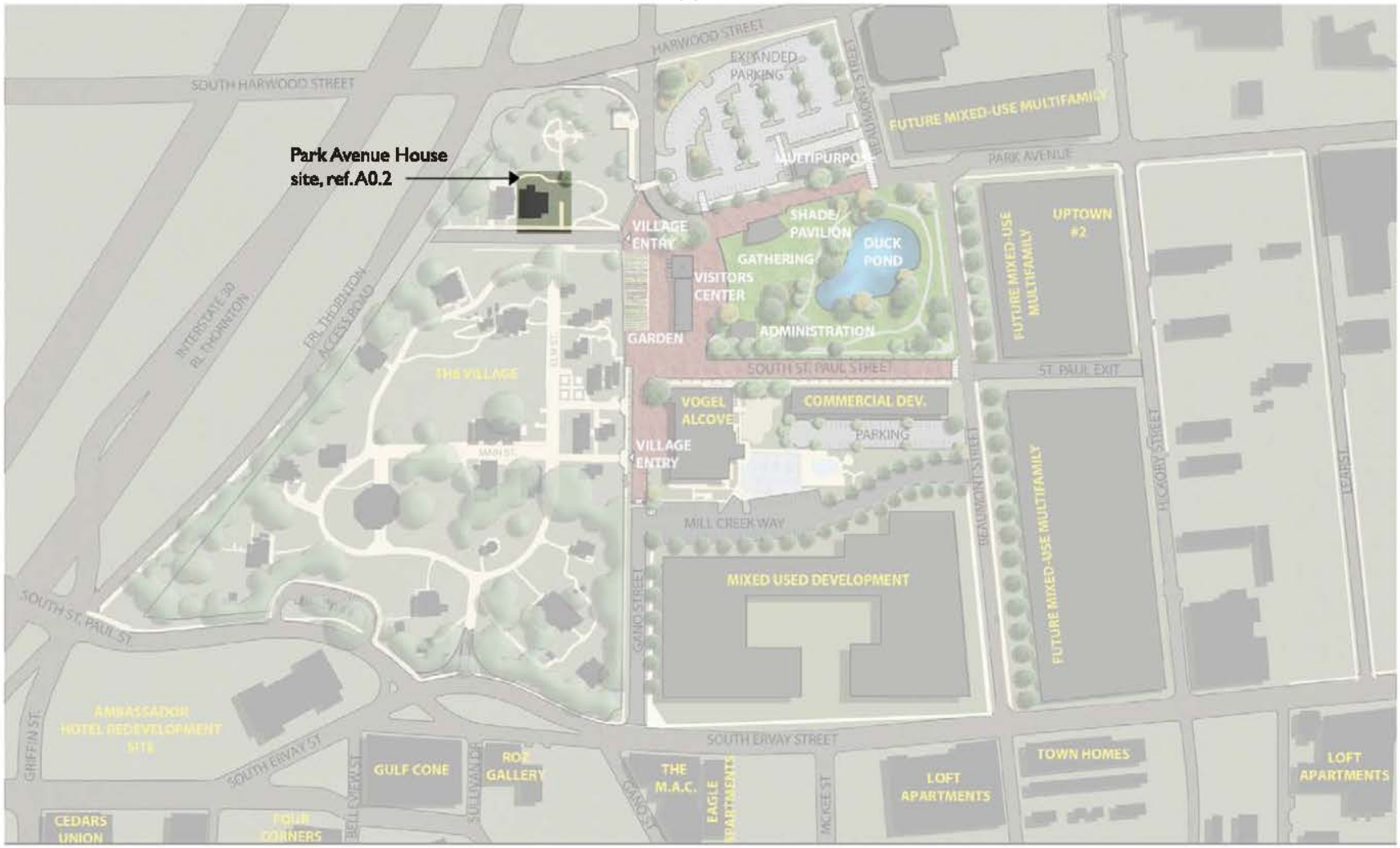
Exhibit B



Architexas | CREATE + CONSERVE

Project:	Park Avenue House
Location:	Dallas Heritage Village
Phase:	TIFF Review
Date:	March 6, 2018

Exhibit C



Architexas CREATE + CONSERVE

Dallas Heritage Village Master Plan

01 MASTER PLAN

SCALE: N.T.S.

DRAWING FROM THE DALLAS HERITAGE VILLAGE MASTER PLAN BY ARCHITEXAS.

qmc

PARK AVENUE HOUSE
DALLAS HERITAGE VILLAGE
1515 SOUTH HARWOOD
DALLAS, TEXAS 75215

A0.1
title | drawing no.

Quimby McCoy Architecture, LLP 3200 Main Street #3.6 Dallas, Texas 75226 ph:214 977-9118 fx:214 977-9119

Exhibit C



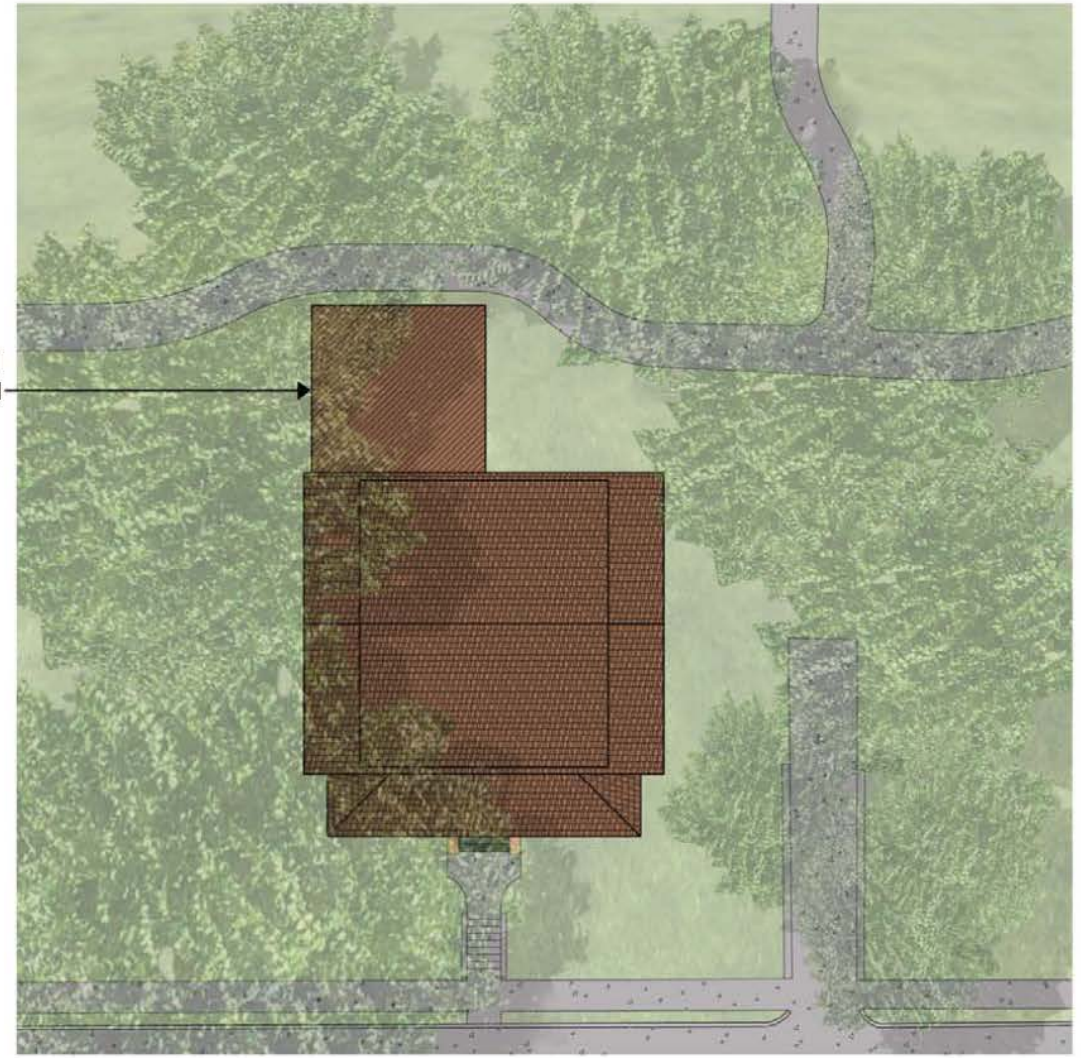
South elevation



North elevation



West elevation



01 EXISTING SITE PLAN
SCALE: 1/16" = 1'-0"

PLAN
NORTH

Quimby McCoy Architecture, LLP 3200 Main Street #3.6 Dallas, Texas 75226 ph:214 977-9118 fx:214 977-9119

Exhibit C



01 ARCHITECTURAL SITE PLAN
SCALE: 1/16" = 1'-0"

PLAN NORTH

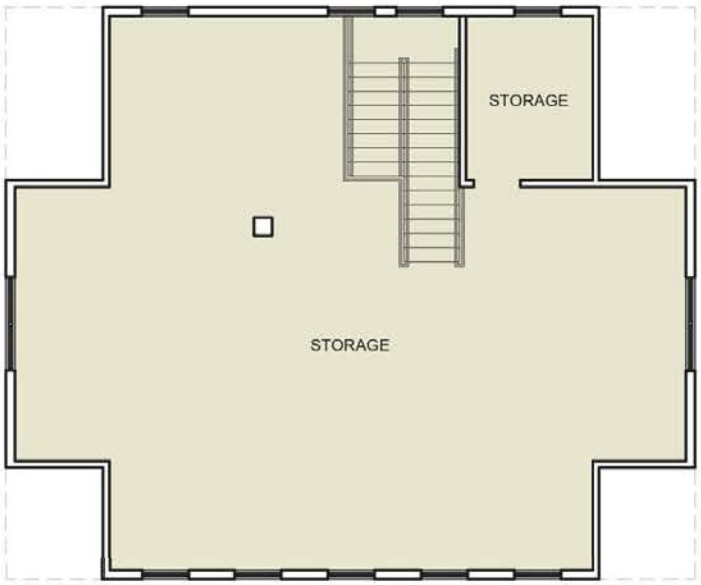
PARK AVENUE HOUSE
DALLAS HERITAGE VILLAGE
1515 SOUTH HARWOOD
DALLAS, TEXAS 75215

A0.3
title | drawing no.

Quimby McCoy Architecture, LLP 3200 Main Street #3.6 Dallas, Texas 75226 ph:214 977-9116 fx:214 977-9119

Exhibit C





01 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

02 SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

qmc

PARK AVENUE HOUSE
DALLAS HERITAGE VILLAGE
1515 SOUTH HARWOOD
DALLAS, TEXAS 75215

A1.1
title | drawing no.

Quimby McCoy Architecture, LLP 3200 Main Street #3.6 Dallas, Texas 75226 ph:214 977-9118 fx:214 977-9119

Exhibit C



01 WEST ELEVATION
SCALE: N.T.S.

PARK AVENUE HOUSE
DALLAS HERITAGE VILLAGE
1515 SOUTH HARWOOD
DALLAS, TEXAS 75215

A3.1
title | drawing no.

Quimby McCoy Architecture, LLP 3200 Main Street #3.6 Dallas, Texas 75226 ph:214 977-9118 fx:214 977-9119

Exhibit D

145386

COUNCIL CHAMBER

May 26, 1993

~~98205~~

DALLAS COUNTY HERITAGE SOCIETY
CONTRACT AGREEMENT

WHEREAS, the Dallas County Heritage Society ("Society") is organized to promote and foster the preservation of the architecture, history and culture of Texas, and particularly of the North Central portion of the state; and

WHEREAS, the City of the Dallas and the Society entered into contracts dated March 27, 1967, February 26, 1973, and October 5, 1983, for the relocation and reconstruction of certain buildings located on the municipal park known as "Old City Park," for the public display and operation of such buildings; and

WHEREAS, the City and the Society desire to develop in Old City Park, or any expansion thereof, a museum of the architecture and cultural history of the North Central Texas region between 1840 and 1910; and

WHEREAS, the museum shall be open and accessible to the general public for cultural, educational, recreational and civic purposes; and

WHEREAS, it is appropriate to renew the contract with the Society for the operation of Old City Park, and to clarify the City's funding obligation for the support of operating and maintenance costs. Now, Therefore:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the proposed contract between the City and the Dallas County Heritage Society for operation of Old City Park as an historical museum be approved for a term of twenty years, with two, five year renewal options.

SECTION 2. That the City Manager and President of the Park and Recreation Board be authorized to execute the contract after approval as to form by the City Attorney.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

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Tim Ketchersid	From Phil Jones
City Attorney's Off	Co. City Hsng Affairs
st.	Phone # 670-4078
* X3615	Fax # 670-1404

APPROVED BY
ITY COUNCIL

MAY 26 1993

City Secretary

APPROVED _____ HEAD OF DEPARTMENT

APPROVED _____ DIRECTOR OF FINANCE

APPROVED _____ CITY MANAGER

S/K 788-036-00s

BUP-98656A

Resolution No. 93- 2083
May 26, 1993

THE STATE OF TEXAS §
§
COUNTY OF DALLAS §

MANAGEMENT AND OPERATION AGREEMENT FOR OLD CITY PARK

THIS AGREEMENT ("Agreement") is entered into this the 26th day of May, 1993 (the "Effective Date"), by and between the City of Dallas, a municipal corporation (the "City"), acting by and through its Park and Recreation Board and the Dallas County Heritage Society (the "Society"), d/b/a Old City Park, a Texas non-profit corporation, duly incorporated under and by virtue of the laws of the State of Texas.

WITNESSETH

(All references in this Agreement to any employee, official, or department of the City shall be deemed to include any persons or departments succeeding to the authority of the employee, official or department so referenced without regard to changes in names, titles or reorganization.)

WHEREAS, the Society is organized to promote and foster the preservation of the architecture, history and culture related to Texas, and particularly of the North Central portion of the State; and

WHEREAS, the City and the Society entered into contracts dated March 27, 1967, February 26, 1973, and October 5, 1983, for the relocation and reconstruction of certain buildings located on the municipal park known as "Old City Park," for the public display and operation of such buildings; and

WHEREAS, such buildings and structures have been relocated by the Society, which has been displaying and operating same; and

WHEREAS, the City and the Society desire to develop a Museum in Old City Park or any enlargement thereof as mutually accepted in the Master Plan or revisions thereto; and

WHEREAS, Old City Park is to be a museum of the architecture and cultural history of the North Central Texas region between 1840 and 1910, and is intended to portray the historical development in the area of the City of Dallas through the use of structures of architectural significance and associated furnishings; and

WHEREAS, the Museum shall be open and accessible to the general public as

WHEREAS, the Museum shall be open and accessible to the general public as provided herein for cultural, educational, recreational and civic purposes; and

WHEREAS, it is the desire of the City to cooperate with the Society in such a worthwhile civic enterprise;

NOW, THEREFORE, for and in consideration of the cultural and educational services made available to the City by the Society and the covenants of the parties each to the other hereinafter contained, the parties agree as follows:

1. PRIOR CONTRACT.

The contract dated October 5, 1983 (the "Prior Contract"), by and between the City and the Society is hereby terminated, and the future rights and obligations of the parties shall be governed by the terms of this Agreement. Any liabilities, however, arising out of the Prior Contract shall survive termination and shall be governed by the terms of the Prior Contract.

2. OPERATION AND MANAGEMENT OF PREMISES

A. EXCLUSIVE RIGHTS. The City and the Society hereby agree that the Society shall have the exclusive right to manage and operate the property known as Old City Park, described in Exhibit "A" attached hereto and made a part hereof for the purpose of providing a first class public museum for the benefit of the citizens of Dallas. Old City Park is sometimes referred to herein as the "Premises."

B. TERM. The term of this Agreement shall commence on the Effective Date and shall continue thereafter for twenty (20) years and two (2) extensions of five (5) years each (the "Agreement Term"), subject to the rights of early termination, in whole or in part, as set forth in Sections 19.0, 20.0 and 25.0 hereafter.

3. HOLDING OVER.

Should the Society, or any of its permitted successors-in-interest, continue its use of the Premises or any part thereof after the expiration of the Agreement Term, unless otherwise agreed to in writing, such use shall constitute and be construed as a tenancy from month-to-month.

4. USE BY THIRD-PARTIES.

The City shall have no right to lease or in any way grant any right to a third party to occupy the Premises without the prior written consent of the Society. Subject to the provisions of this Agreement, the Society reserves the right to contract (whether by sublease or otherwise) for the use of certain of its facilities to third parties for the operation of gift shops, concessions, restaurants, and other uses falling within the stated mission of the Society for terms of one (1) year or less. Such

contracts for terms in excess of one year, however, shall require the City's prior written consent. The Society may rent portions of the grounds, the historic structures and auxiliary structures for single, short term events at such rates as have been approved in advance by the Office of Cultural Affairs. The Society will continue to be allowed to provide concessions services in all indoor and outdoor areas of Old City Park.

5. FUNDS.

A. USE OF REVENUES. The Society shall accumulate funds resulting from the revenues it generates from classes, programs, activities, food service vending, the museum gift shop, rentals, endowments, general admissions, and special exhibition admissions, and such funds shall be used to assist with the operation of Old City Park for the benefit of the public. The Society shall not be required, however, to pay the City for its use of the Premises, nor contribute any funds toward the payment of utilities and security beyond the boundaries of Society property as listed in the Master Plan (roughly bounded by Harwood Street on the east, Ervay Street on the west, Beaumont Street on the south and the eastbound access road of I-30 on the north). All revenues generated from the Society's use of the Premises shall remain the property of the Society, to be expended in accordance with this Agreement.

B. ENDOWMENT FUND. The Society shall maintain an operating endowment fund and shall also use its best efforts to raise contributions from year to year in order to augment such endowment. Earnings shall be used for the benefit of the Society's operations. The City acknowledges that the Society has full legal title to all endowment funds and will at all times remain the property of same.

6. TITLE TO BUILDINGS AND FIXTURES.

The City represents and the Society acknowledges without reservation that the City has legal title to Old City Park dedicated or deeded real property upon which same is located. Upon expiration of this Agreement, the Society shall retain any furnishings, exhibits, food service and gift shop resale items, inventory appliances, tools, machinery, raw materials, and other tangible personal property either purchased by or donated to the Society. Collections, equipment, and other items which have been donated or deeded to or purchased by the City will remain the possession of the City. This provision, however, shall not apply to materials and/or objects on loan or items temporarily used in connection with exhibitions that will be removed following such exhibitions, which personalty shall remain the property of its lawful owner.

7. PUBLIC ACCESS AND ADMISSION FEES.

The parties hereto agree that the Premises and all exhibits and collections shall remain open and be accessible to the public at all reasonable times. The Society

shall have the right to charge admission fees for special events in accordance with a fee schedule which shall be approved by the Office of Cultural Affairs. In addition, the Society shall have the right to charge gate fees during the course of daily operations in accordance with a fee schedule, to include time of free admission, which shall be approved by the Office of Cultural Affairs. It is expressly understood and agreed that all revenues from admission fees shall be applied by the Society toward the operations of the Premises.

8. EVENTS SCHEDULING.

A. OTHER EVENTS. The City shall give the Society prior written notice of each event or events outside or near Old City Park that could adversely impact the operation of the Society. The City shall make a reasonably good faith effort to provide such notice at least thirty (30) days prior to each event, provided however, neither failure to send written notice nor the act of scheduling special or ad hoc events outside or near Old City Park shall subject the City to any liability. In addition, the Society may operate its facility seven days a week and on holidays.

B. CITY SCHEDULING. The City has no right to schedule events at Old City Park without the prior consent of the Society. Such consent will not be unreasonably withheld.

9. DEVELOPMENT AND OPERATION.

A. MASTER PLAN The Park Board and the Society have developed and approved a Master Plan for the development of Old City Park. Any and all proposed changes to the Master Plan will be submitted to the Park Department staff. Staff will assess the proposed changes and determine whether the changes invoke the Park Department's approved Master Plan Process. If so, said changes will be done in accordance with the Master Plan process.

B. MAINTENANCE BY CITY. In addition to other obligations undertaken by the City under this Agreement, the City agrees, subject to annual City Council appropriation, to provide funding in its departmental budgets for the following items for Old City Park:

(1) Structural maintenance and repairs of buildings, building systems and future improvements comprising the premises (excluding telephone systems and janitorial services). The Society shall provide these services using funds allocated through the annual Cultural Services Agreement between the Society and the City;

(2) Design and maintenance of all landscaping, including planting and clean-up of the grounds, to include cleaning of storm sewers, flood damage, property upkeep, and any reasonable safety provisions during inclement weather (e.g., sanding, snow removal). Park Department maintenance

commitment shall, subject to annual City Council appropriation, be consistent with service levels provided upon effective date of contract as more particularly described in Exhibit B. Any expanded maintenance beyond this basic level shall be negotiated on a case by case basis.

(3) Subject to availability of funds, the City shall provide water lines, sewer lines, sanitary sewer trunk lines (excluding laterals to specific structures); provide or arrange for a source of electric service, including general illumination of the Park area; and provide off-street parking areas and appurtenances such as drives and drainage structures, in keeping with the Master Plan.

C. UTILITY SERVICES. The City shall pay the cost of electric, gas, sewer, waste disposal, and water utility services to the Premises.

D. PROPERTY INSURANCE. The City shall maintain in full force and effect during the continuance of this Agreement, all-risk property insurance, covering the buildings on the Premises in amounts equal to the full replacement cost thereof. The Society shall cooperate with the City's insurer on all matters, including but not limited to, facility inspections and loss adjustments. Personal property insurance shall be the responsibility of the Society. In the event that the buildings on the Premises shall suffer damage or destruction that exceeds the insurance deductible, the City shall cause same to be repaired or rebuilt to the extent allowable from the proceeds of insurance. To the extent of the dollar value of the deductible stated in the City's insurance policy covering such loss, however, and for the purposes hereof, the City shall be considered self-insured and shall be responsible for the repair or replacement cost of any loss excluded from such insurance coverage by reason of such deductible amount. Proceeds of personal property insurance shall be used, to the extent available, to replace any personal property which has been destroyed and which is located within the Premises and owned by the City.

E. DIRECT SUPPORT. Direct payments, if any, to the Society shall be made pursuant to its annual Cultural Services Agreement with the City, following City Council approval. All other necessary operating expenses of the Society (excluding those paid by the City under this Agreement) shall be paid by the Society. In addition, the Society from time to time may apply to the Office of Cultural Affairs for additional service contracts for programs or special projects, all in accordance with the City's established policy for procurement of services from cultural organizations, as such policy may exist from time to time. The parties agree, however, that the level of payment authorized by the annual Cultural Services Agreement is solely within the discretion of the City Council.

F. SECURITY. Both the City and the Society acknowledge that security at Old City Park, of visitors, employees and facilities, is a critical issue for the success of the Society. The City shall, subject to availability of funds, continue to provide

funds through the annual Cultural Services Agreement for specific use toward a full time private security guard at Old City Park.

G. DISPLAY BUILDINGS. Subject to the provisions of this Contract, the Society shall perform the following:

(1) The Society shall select the buildings which are to be relocated or constructed to develop the Museum in accordance with the Master Plan and submit such selections to the City for approval prior to any relocation or construction.

(2) The Society shall employ the services of an architect as needed for the preparation of architectural plans and specifications for such buildings and/or their relocation.

(3) Upon approval by the Office of Cultural Affairs and the Park and Recreation Board, the Society shall relocate or construct such buildings and improvements in accordance with the terms of Section 12 (C) through 12 (E)

(4) The Society shall staff and operate the Museum and provide telephone service at its own cost.

(5) The Society shall provide janitorial services for buildings, structures and improvements and shall also provide supplies, tools, materials and equipment necessary to maintain its exhibits and improvements.

(6) The Society shall design and conduct educational programs for the facility.

(7) The Society, using funds provided in its annual Cultural Services Agreement with the City, shall make necessary cosmetic and structural repairs to the historic structures.

10. FURNISHINGS.

A. COLLECTIONS. The Society acknowledges its responsibility to furnish all buildings and structures in the Museum in accordance with accepted professional standards, its historical interpretation of the buildings and structures and in accordance with the theme of the Museum. The Society shall, from time to time, upgrade the collections when items and money are available, or through the sale or exchange of items in its collections, its holdings and furnishings, to provide a high quality educational facility in keeping with the theme of the Museum.

B. CARE. The Society, at its expense, will be responsible for the preservation, conservation, repair and maintenance of its furnishings on display at the Museum or in storage.

C. PROTECTION. The Society shall insure its furnishings located in and about the structures and buildings at Museum at a value not less than eighty percent (80%) of the estimated value, with the exception that upon mutual agreement between the Society and the City, the Society may become self-insuring for the protection of its collections located at the Museum.

11. CONTROLS AND APPROVALS.

Prior to the relocation and/or construction of any buildings or structures at Old City Park, approval shall be obtained from the Office of Cultural Affairs and the Park and Recreation Board. Such buildings and structures shall conform with the Master Plan and all furnishings, decorations and appointments must be within the philosophical framework of the Museum. Museum development through restoration of historic structures does not preclude the Society's ability, in accordance with the Master Plan, of constructing facilities which enhance the Society's ability to further carry out its mission

12. RECONSTRUCTION OF THE MUSEUM.

A. TRANSFER OF TITLE. The Society stipulates and agrees that all of its rights, title and interests whatsoever to the structures in Old City Park have passed from the Society and vested in the City, without reservation. All rights, title and interests whatsoever to any other structure placed on Old City Park by the Society shall pass from the Society and vest in the City after the construction or reconstruction phase of such structure has been completed, and at such time as such structure has been approved and accepted by formal resolution of the Park and Recreation Board and the City Council.

B. DISPLAY SPACE. The City agrees to provide sufficient ground space for structures in accordance with and as shown in the Master Plan.

C. CONSTRUCTION. The Society's contractors shall have the right to select the means and methods of construction, subject to the Director of the Park and Recreation Department and the Building Inspector's right and authority to prohibit means and methods proposed or employed by such Contractor or his subcontractors, which in their judgment:

(1) will constitute or create a hazard to the project, or to persons or property, or be in violation of the City's Charter, Ordinances, Codes or any of its regulations; or

(2) will not produce the finished work in accordance with the expressed agreements and understandings by and between the City and the Society.

The City's approval of the Society's contractors' means or methods of

construction, or its failure to exercise the right and authority to prohibit such improper means or methods, shall not relieve the contractor of his obligation to the Society to accomplish the results intended hereunder; nor shall the exercise of such right to prohibit create a cause of action for damages against the City by either the Society or its contractor, or any third party.

D. INSPECTION. The Society agrees to provide in the contracts with its contractors, that during the performance of the construction work and up to the date of final acceptance by the City that its contractors will cooperate with the Park Department's Engineer and with the Building Inspector of the City, and will allow them to observe, inspect or investigate the project site at any time. The Society's contractors will comply with any directive of such officials made in connection with such inspections.

E. RISK OF LOSS. The Society further agrees to include in the contract with its contractors that during the performance of any construction for the location of a structure in the Museum, and up to the date of final acceptance by the City, the contractors shall be under an absolute obligation to protect the structures against any damage or loss. In the event of such damage, loss or injury, the contractors shall promptly replace or repair such work, whichever the Society and the City shall mutually deem to be preferable under the circumstances. The contractors' obligation to deliver the finished structure in strict compliance with the terms of the construction contract with the Society, prior to final acceptance by the City, shall be an absolute and shall not be affected by the City's approval of or failure to prohibit means and methods of construction of the contractors. Contractors must be required to take all reasonable precautions to protect persons and property on or adjacent to the project site from damage, loss or injury resulting from the contractors' or any subcontractor's operations, except such property as the owners thereof may themselves be under a legal duty to protect. The contractors, subcontractors, their agents, servants and employees shall have the duty to provide, place and adequately maintain at or about the project site, sufficient guards (in addition to normal park patrols provided by the City), lights, barricades, enclosures or other means of warning and protection. Should notice of the occurrence of any loss, damage or injury be first received by the contractors or their subcontractors, then in such event, the contractors shall make a full and complete report to the proper officials of both the City and the Society as soon as possible thereafter.

F BONDS. During construction and/or in the removal of the structure from its original location or storage place, and during its transportation to the project site, and during the reconstruction phase, the Society recognizes and agrees that no mechanic's, materialmen's, laborer's, artisans' or other liens against the structure or real estate will be permitted to accrue or be attempted to be fixed thereon in this connection. The Society's contractor shall be required to furnish and maintain in full force and effect during construction a performance bond as security for the faithful performance of his contract with the Society and a payment bond as security for the payment of all persons performing work and furnishing materials in

connection therewith. Each such bond shall be in an amount equal to the contracted considerations to be agreed upon by and between the contractor and the Society and shall inure to the mutual benefit of the Society and the City.

G. INSURANCE DURING CONSTRUCTION. Prior to the start of any construction activities, the Society shall require the construction contractor to procure and maintain insurance coverages as described in Exhibit C.

13. PARKING.

The Society will provide adequate parking for daily operations of Old City Park. Special events, due to a higher volume of vehicles, will, at times, spill onto grassy areas on adjacent Society properties. Should daily parking exceed existing space, the Society, in accordance with the Master Plan, will develop expanded paved parking areas.

(1) The Society may charge for parking on paved lots existing at Old City Park at the execution of this agreement.

(2) All fees must be approved by the Park and Recreation Board.

(3) Thirty (30) percent of gross revenues will be submitted to the Park and Recreation Department. The Park and Recreation Department reserves the right to audit funds as it deems necessary.

(4) Revenues to the Park Department may be used to support maintenance of the grounds at Old City Park (i.e., the current maintenance level).

(5) The Society may develop parking on society-owned properties and collect fees with no reimbursement to the City.

(6) Should the Park and Recreation Department develop and construct other parking areas adjacent to areas that are part of the DCHS Master Plan, revenues will be retained by the department with no reimbursement to the Society.

(7) Revenues generated by parking areas constructed with joint City and Society funds as part of the DCHS Master Plan will be shared, with no less than 30% of the gross proceeds retained by the Dallas Park and Recreation Department. All construction and fees will be mutually agreed to by DCHS and Park and Recreation Board.

(8) The Park and Recreation Board of the City of Dallas will not be liable for any loss or damage sustained by the Society in the execution of this agreement.

The Society will exercise every reasonable precaution for the safety of the park property and protection of any and all persons and/or property located adjacent to or making passage through said property.

14. CITY RIGHT OF ENTRY.

The City shall have access to the Premises at all times for general visitation and supervision, and for performing the duties devolved upon it by its charter and the ordinances of the City of Dallas and the laws of the State of Texas. The police power and supervision of the City shall extend in and through and to the Premises. The Society may appoint, direct, control, and remove all persons employed within the Premises and in and about the care of same; save and except those persons assigned by the City in the performance of its duties under this Agreement or such duties imposed upon it by the City's charter.

15. SIGNAGE.

The City shall, subject to availability of funding authorized by the City Council, develop and implement directional and locational signs for Old City Park approved by all necessary departments and boards. The City shall continue to develop and implement directional and locational signs for Old City Park, indicating access to Old City Park from primary downtown attractions, major freeways and the immediate neighborhood. In developing sign criteria, the City shall give consideration to all access plans, including access plans developed by the Society.

16. DEFAULT BY DALLAS COUNTY HERITAGE SOCIETY.

Failure to comply with any term, condition, or covenant of this Agreement by either the Society or the City shall constitute an event of default.

A. NOTICE AND OPPORTUNITY TO CURE. The City shall give the Society written notice of any default by the Society. Such notice shall specify what action or lack thereof has led to the Society's default. The Society shall have ninety (90) days following its receipt of any such notice in which to cure the default (the "Cure Period"). If said default cannot be cured within said Cure Period, provided the Society has, with reasonable diligence and good faith, attempted to cure same, the Cure Period shall be extended as needed to permit the Society to cure said default, provided that the Society continues to attempt said cure with due diligence and in good faith. Should the Society fail to cure any default within the Cure Period, the City may pursue its remedies as set forth in this Agreement. Notwithstanding the foregoing, upon receipt of any written notice of default, the Society may (but shall not be obligated to) request a hearing before the City Manager. Such request shall be granted if the Society files such request promptly with the Director of the Office of Cultural Affairs. From any written order of the City Manager issued after any such hearing, but not otherwise, the Society may, within fifteen (15) days of receipt of written notice, ask the City Council to review the subject matter of the controversy

and the City Council in its discretion may pass on the matter or grant a hearing thereon. The decision of the City Council shall be final and binding. Wrongful failure or refusal of the Society to comply with any such order of the City Manager, if the same be not reversed by the City Council, shall authorize the City to terminate this Agreement and assume full control of the Premises.

B. CITY'S REMEDIES FOR DEFAULT. If the Society defaults hereunder, fails to cure any such default within the Cure Period, and upon conclusion of the review procedure set forth above, the City shall have the option to pursue any one or more of the following remedies:

(1) The City and the Society may terminate this Agreement upon thirty (30) days written notice. The Society shall vacate the Premises on or before the thirtieth (30th) day following the date of such notice. If the Society fails to so vacate, the City may, without prejudice to any other remedy which it may have for possession, enter upon and take possession of the Premises and expel or remove the Society and any other person who may be occupying the Premises or any part thereof, except by use of force. Should the City be forced to remove the Society or its personalty from the Premises, excluding property owned or leased by third parties, any personalty so removed shall be handled with due care and shall be stored by the City within a secure storage facility at the Society's expense.

(2) Should the Society refuse to vacate the Premises in accordance with (1) above and if the City is unable to obtain possession of the Premises by a means other than the use of force, the City may pursue such other remedies as are provided to it by statute, by law or in equity.

17. REPRESENTATIVES NOTICES.

A. AUTHORIZED REPRESENTATIVES. This Agreement shall be administered on behalf of the City by the Office of Cultural Affairs, and on behalf of the Society by its duly authorized officials; provided, however, that for the construction of the Improvements, the Director of the Park and Recreation Department shall represent the City. To the extent necessary to comply with the City's obligations under this Agreement, other City departments may perform such obligations. All rights, powers, privileges, immunities, and duties of the City under this Agreement, including, but not limited to, any notices required or permitted to be delivered by the City to the Society hereunder, may, at the City's option, be exercised or performed by the City's authorized agent or attorney. As to all matters where consent of the City is required herein, such consent shall be provided by the Director of the Office of Cultural Affairs or the Director of the Park and Recreation Department as appropriate.

B. NOTICES. Any notices required to be given under this Agreement shall be in writing and shall be hand delivered and addressed to the parties as

follows:

If to the City:

Director, Office of Cultural Affairs
1925 Elm Street, Suite 500
Dallas, Texas 75201

Director
Park and Recreation Department
City of Dallas
City Hall, 6FN
1500 Marilla Street
Dallas, Texas 75201

If to the Society:

President, Old City Park
1717 Gano
Dallas, Texas 75215

18. DALLAS COUNTY HERITAGE SOCIETY RESPONSIBILITIES.

A. ACCEPTANCE OF PREMISES. The Society acknowledges that it has fully inspected the Premises and hereby accepts the Premises as is, where is, with all faults and without any warranties, express or implied, and the Society accepts the Premises as suitable in their present condition for the purposes for which the Society intends to use same. The Society is familiar with State law procedural requirements concerning the use, management and ownership of park and recreation property. As such, the Society hereby waives any obligation or responsibility of the City to follow such procedures in connection with the City's entering into, and compliance with, this Agreement. Further, the Society waives any procedural irregularities in connection with the authorization of this Agreement by the City.

B. USE OF PREMISES; PROGRAM CONTROL. The Society may transfer to and place and arrange in the Premises all of its collections and exhibits and shall have and enjoy the exclusive use of the whole of said Premises, subject to the provisions of this Agreement, during the Agreement Term or until the termination of this Agreement as herein provided. All decisions concerning exhibits and programs, including without limitation, the content, scope, cost, duration and method of presentation of such exhibits and programs shall be within the sole discretion and control of the Society.

C. COMPLIANCE WITH LAWS. The Society agrees that in the

performance of its undertakings under this Agreement, it will strictly observe and abide by the ordinances of the City of Dallas, the laws of the State of Texas and of the United States of America as the same now exist or as the same may hereafter be amended or any new ordinances or laws which may be enacted. The Society shall observe and abide by the highest principles of civic responsibility to the end that neither public funds nor public property shall be used in any manner which is inimical to public confidence in the administration of the City.

D. ELECTION OF DIRECTORS. It is stipulated and agreed by the Society that said organization, through its president, utilizes and manages property owned by the City. The Society hereby expressly agrees to exercise appropriate care, prudence, and diligence in the solicitation of members and the election of directors for the purpose of assuring broad community representation and participation in its programs and the promotion of the Society, and to act always in accordance with community goals and in the highest public interest. The Society agrees that, in making appointments to the Board of Directors, it will take into consideration both the ethnic and geographical composition of the city. Further, the Society hereby expressly agrees to supply, on an annual basis, the names of those persons selected as directors of the Society to the Director of Cultural Affairs for filing as a public record.

E. CHARTER AND BY-LAWS. The Society shall file a true and correct copy of its corporate charter, with amendments, if any, and an accurate and complete copy of its by-laws and any amendments thereto (collectively, the "Corporate Documents") with the Director of Cultural Affairs. The Corporate Documents shall be maintained by the Office of Cultural Affairs as a public record available for inspection by any person upon request during normal business hours. In the event of subsequent amendments to said Corporate Documents, true and correct copies of the same shall be timely filed with the Office of Cultural Affairs.

F. NON-DISCRIMINATION. During the period of this Agreement, the Society agrees not to discriminate against any employee or applicant for employment because of race, creed, color, sex, religion, age, handicap, or national origin; nor shall any person be denied admittance nor be prevented from participating in any portion of any public function or activity at the Premises because of race, creed, color, sex, religion, age, handicap, or national origin.

G. ABATEMENT OF NUISANCES. The Society shall promptly comply with all governmental orders and directives for the correction, prevention, and abatement of nuisances caused by the Society, its activities, its officers, agents, or employees, in or upon or connected with the Premises, and shall pay for any costs of such compliance.

H. REPORTS AND PROPOSED OPERATING BUDGETS. The Society shall submit annually to the Office of Cultural Affairs a proposal for services which shall be assembled in the format required by the Office of Cultural Affairs, and which shall reflect the income and expenditures for the past fiscal year and proposed

expenditures for the next fiscal year. The proposal shall be submitted in complete and final form not later than the annual date set by the Office of Cultural Affairs. The City Manager, with the advice of the Director of the Office of Cultural Affairs and the Cultural Affairs Commission, may recommend to the City Council from year to year that funds be included in the proposed budget of the Office of Cultural Affairs for procurement of services from the Society in operating a History Museum and related facilities (the City acknowledges that it has historically provided such direct payments through the Cultural Services Agreements with the Society). Any payments for such services shall be provided on a monthly reimbursement basis following submission of monthly expenditure reports by the Society to the Office of Cultural Affairs. In no instance shall the cumulative payments for any twelve (12) month period exceed the total of the Society's service contract amount as authorized by the City Council, in its sole discretion. The Society shall provide the Office of Cultural Affairs with such reports as it may request from time to time concerning its operations. At a minimum, the following reports shall be required:

(1) An annual audit prepared by an independent certified public accounting firm, which shall include, but not be limited to, financial reports relative to the income, expense, assets, liabilities and financial stability of the Society, and other reports as may be customarily available with such audits, and

(2) Any other reports as may reasonably be required.

I. INSURANCE AND INDEMNITY. Society shall procure and maintain during the term of this Agreement the minimum insurance coverages contained in Exhibit D.

19. ACKNOWLEDGEMENTS IN PRINTED MATERIALS.

Society agrees to acknowledge the City for its support in all appropriate printed materials. The City reserves the right to approve, in whole or in part, the form of such acknowledgements which the Society proposes to include in any printed materials.

20. AFFIRMATIVE ACTION.

The Society shall agree to develop, implement and maintain an affirmative operational policy, consistent with the City's affirmative action goals, to ensure accessibility of the Society's operations to all citizens of Dallas.

21. CONFLICT OF INTEREST OF CITY EMPLOYEES.

The following section of the Charter of the City of Dallas shall be one of the conditions of, and a part of, the consideration of this Agreement, to-wit:

"Chapter XXII. Sec. 11. FINANCIAL INTEREST OF EMPLOYEE OR OFFICER PROHIBITED - No officer or employee shall have any financial interest, direct or indirect, in any contract with the City or be financially interested, directly or indirectly, in the sale to the City of any land, materials, supplies or services, except on behalf of the City as an officer or employee. Any violation of this section shall constitute malfeasance in office, and any officer or employee guilty thereof shall thereby forfeit his office, or position with the City. Any violation of this section, with knowledge, express or implied, of the person or corporation contracting with the City shall render the contract involved voidable by the City Manager or the City Council.

The alleged violations of this section shall be matters to be determined either by the Trial Board in the case of employees who have the right to appeal to the Trial Board, and by the City Council in the case of other employees.

The provisions of this section shall not apply to the participation by City employees in federally funded housing programs to the extent permitted by applicable federal or state law.

22. GIFT TO PUBLIC SERVANT.

(1) The City may terminate this Agreement immediately if the Society has offered, conferred, or agreed to confer any benefit on a City employee or official that the City employee is prohibited by law from accepting. (The City has been advised by the prosecuting authorities that the Section 36.10(4) exception to Sections 36.08 and 36.09 of the Texas Penal Code is not available to public servants who have no legal reporting requirements.)

(2) For purposes of this Section, "benefit" means anything reasonably regarded as economic gain and economic advantage, including benefit to any other person in whose welfare the beneficiary is interested, but does not include a contribution or expenditure made and reported in accordance with law.

(3) Notwithstanding any other legal remedies, the City may require the Society to remove any employee of the Society who has violated the restrictions of this section or similar state or federal law, and obtain reimbursement for any expenditures made to the Society as a result of the improper offer, agreement to confer, or conferring of a benefit to a City employee or official.

23. SUCCESSORS AND ASSIGNS.

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and, except as otherwise provided in this Agreement, their assigns. Neither the Society, nor its successors or assigns, shall

mortgage or otherwise encumber any leasehold rights created hereunder.

24. APPLICABLE LAWS.

This Agreement is made subject to the Charter and ordinances of the City, as amended, and all applicable laws of the State of Texas. This Agreement shall be construed under and governed by the laws and court decisions of the State of Texas.

25. NO PARTNERSHIP; NO AGENCY RELATIONSHIP.

Nothing contained in this Agreement shall be deemed to constitute the City and the Society partners or joint venturers with each other. Further, nothing contained in this Agreement is intended, nor shall it be construed, to create the relationship of principal and agent or to create any fiduciary obligations between the City and the Society.

26. NO WAIVERS.

No waiver by the City or the Society or any default or breach of any term, covenant, or condition of this Agreement shall be treated as a waiver of any subsequent default or breach of the same or any other terms, covenant, or condition of this Agreement.

27. FORCE MAJEURE.

If (a) the Premises or any portion thereof are destroyed or damaged by fire or other calamity so as to prevent the use of the Premises for the purposes and during the periods specified in this Agreement, or (b) the use of the Premises by the Society is, in whole or in part, prevented by act of God, strike, lockout, material or labor restrictions by any governmental authority, civil riot, flood, or any other cause beyond the control of the City, the parties hereto shall be excused from performance hereunder for such period of time as is reasonably necessary after such occurrence until the condition preventing such use has passed or been remedied.

28. VENUE.

The obligations of the parties under this Agreement are performable in Dallas County, Texas, and if legal action is necessary to enforce same, exclusive venue shall lie in Dallas County, Texas.

29. GOVERNING LAW.

This Agreement shall be governed by and construed in accordance with the laws and court decision of the State of Texas.

30. LEGAL CONSTRUCTION.

In case any one or more of the provisions contained in this Agreement for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be considered as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

31. CAPTIONS.

The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

32. AMENDMENT.

This Agreement may not be amended or altered except by an instrument in writing executed by all the parties hereto.

EXECUTED this 1st day of August, A.D. 1994, as authorized by City Council, to be effective as of the date first written above.

APPROVED AS TO FORM
SAM LINDSEY, CITY ATTORNEY

BY: _____

ATTEST:

BY: _____

CITY OF DALLAS
JOHN WARE, CITY MANAGER

BY: _____

PARK AND RECREATION BOARD
OF THE CITY OF DALLAS

BY: _____

ATTEST:

By: _____
Corporate Secretary

DALLAS COUNTY HERITAGE SOCIETY
d/b/a OLD CITY PARK

By: _____
President

Exhibit D

145386

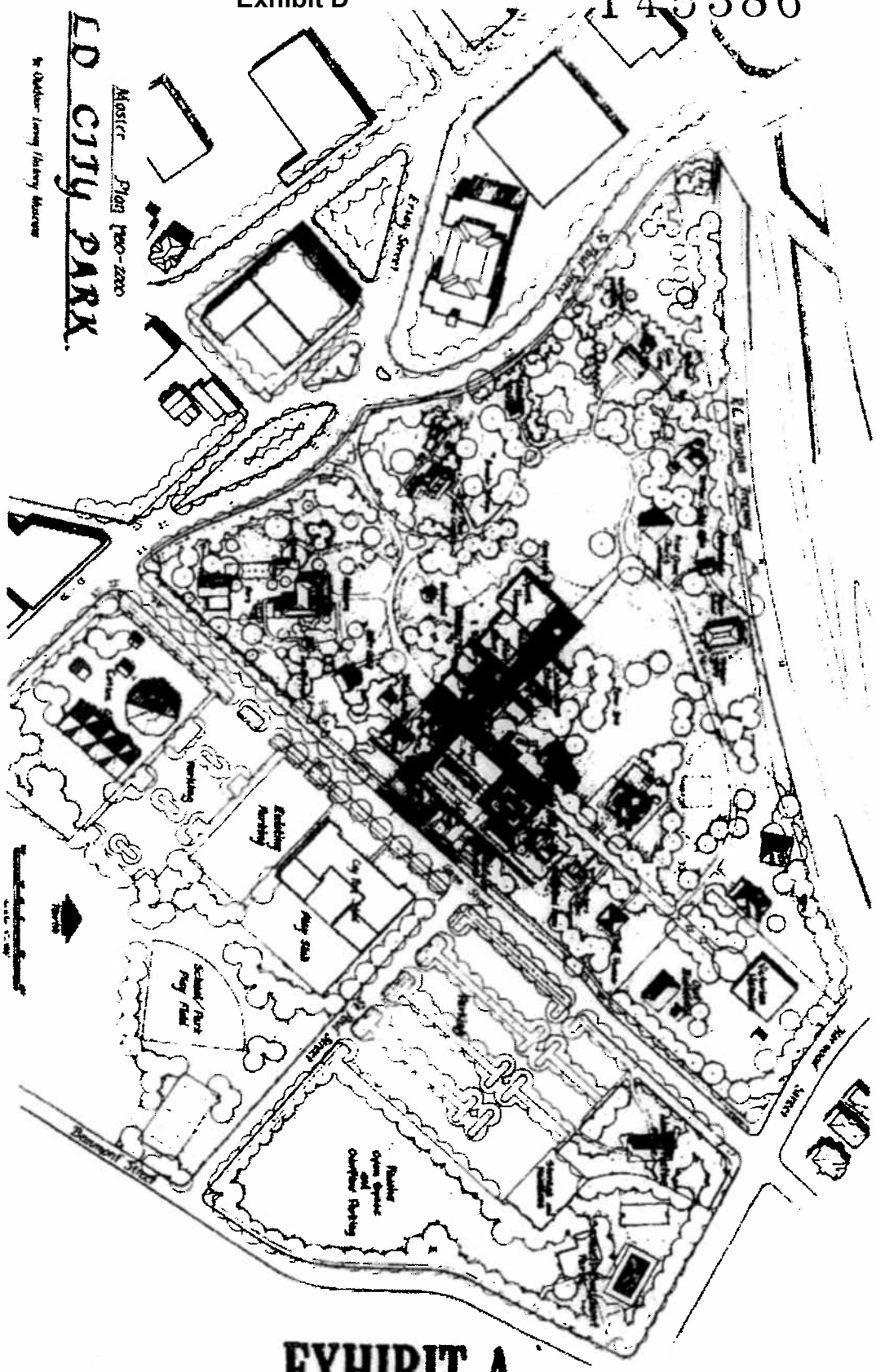


EXHIBIT A

FORESTRY

2 - Park Keeper 6 — 32.0 hrs. yearly
1 - Day labor

SPECIAL EVENTS

2 - Park Keeper 6 — 18.0 hrs. yearly
2 - Park Keeper 5

The total worker hours per year would be 2,834. If any further information is needed please contact me at 670-7635.

Richard Lyon sv.

Richard Lyon
Park Maintenance Supervisor
East Region, District III

jlh

cc J. B. Gassaway
file

Exhibit D

145386

EXHIBIT C

CONSTRUCTION INSURANCE & INDEMNIFICATION

SECTION A. Prior to the commencement of construction, CONTRACTOR shall furnish a completed Insurance Certificate to the City's Director's Office, which shall be completed by an agent authorized to bind the named underwriter(s) to the coverages, limits, and termination provisions shown thereon, and which shall furnish and contain all required information referenced or indicated thereon. CITY SHALL HAVE NO DUTY TO PAY OR PERFORM THIS CONTRACT OR AGREEMENT UNTIL SUCH CERTIFICATE SHALL HAVE BEEN DELIVERED TO THE DIRECTOR'S OFFICE, and no officer or employee shall have authority to waive this requirement.

INSURANCE COVERAGE REQUIRED

SECTION B. CITY reserves the right to review the insurance requirements of this section during the effective period of the contract and to adjust insurance coverages and their limits when deemed necessary and prudent by City's Office of Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the CONTRACTOR.

SECTION C. Subject to CONTRACTOR'S right to maintain reasonable deductibles in such amounts as are approved by CITY, CONTRACTOR shall obtain and maintain in full force and effect for the duration of this contract, and any extension hereof, at CONTRACTOR'S sole expense, insurance coverage written by companies approved by the State of Texas and acceptable to CITY, in the following type(s) and amounts:

1.	**Workers' Compensation** and **Employers Liability**	Statutory $100,000/500,000/100,000
2.	**Commercial General (public) Liability** insurance including coverage for the following: a. Premises/Operations b. Independent contractors c. Products/completed operations d. Personal & Advertising Injury e. Contractual liability f. Medical payments g. CITY'S property in CONTRACTOR'S care, custody, or control h. Explosion, underground & collapse hazards i. Amendment of Aggregate	Combined single limit for bodily injury and property damage of $1,000,000 per occurrence or its equivalent

	Limit per Project (CG2503)	
3.	**Comprehensive Automobile Liability** insurance, including coverage for loading and unloading hazards, for: a. Owned/leased vehicles b. Non-owned vehicles c. Hired vehicles	Combined single limit for bodily injury and property damage of $1,000,000 occurrence or its equivalent
4.	**All-Risk Builders Risk or Installation Floater** covering the building(s), additions, renovations and any other construction. Coverage to include but not limited to perils of fire, extended coverage, vandalism & transit City shall be Loss Payee	100% of the replacement costs of the defined property

ADDITIONAL POLICY CONDITIONS

CITY shall be entitled, upon request and without expense, to receive copies of the policies and all endorsements thereto and may make any reasonable request for deletion, revision, or modification of particular policy terms, conditions, limitations, or exclusions (except where policy provisions are established by law or regulation binding upon either of the parties hereto or the underwriter of any of such policies). Upon such request by CITY, CONTRACTOR shall exercise reasonable efforts to accomplish such changes in policy coverages, and shall pay the cost thereof.

REQUIRED PROVISIONS

CONTRACTOR agrees that with respect to the above required insurance, all insurance contracts and certificate(s) of insurance will contain and state, in writing, the following required provisions:

a. Name the Society and the City of Dallas and its officers, employees, and elected representatives as additional insureds, (as the interests of each insured may appear) as to all applicable coverage;
b. Provide for 30 days notice to CITY for cancellation, nonrenewal, or material change; notice to be mailed to CITY at the two addresses shown below by registered mail;
c. Provide for an endorsement that the "other insurance" clause shall not apply to the City of Dallas where CITY is an additional insured shown on the policy;

d. CONTRACTOR agrees to waive subrogation against the City of Dallas, its officers and employees for injuries, including death, property damage, or any other loss;

e. Provide that all provisions of this contract concerning liability, duty, and standard of care, together with the indemnification provision, shall be underwritten by contractual liability coverage sufficient to include such obligations within applicable policies.

NOTICES

CONTRACTOR shall notify CITY in the event of any changes in coverage and shall give such notices not less than 30 days prior to the change, which notice must be accompanied by a replacement CERTIFICATE OF INSURANCE. All notices shall be given to CITY at the following addresses:

Director, Office of Cultural Affairs
City of Dallas
1925 Elm Street, Suite 500
Dallas, Texas 75201

Director of Risk Management
City of Dallas
1500 Marilla, 1C-North
Dallas, Texas 75201

SECTION D. Approval, disapproval or failure to act by the CITY regarding any insurance supplied by the CONTRACTOR shall not relieve the CONTRACTOR of full responsibility or liability for damages and accidents as set forth in the contract documents. Neither shall the bankruptcy, insolvency or denial of liability by the insurance company exonerate the CONTRACTOR from liability.

INDEMNITY

CONTRACTOR agrees to defend, indemnify and hold CITY, its officers, agents and employees, harmless against any and all claims, lawsuits, judgements, costs, and expenses for personal injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by CONTRACTOR'S breach of any of the terms or provisions of this contract, or by any other negligent or strictly liable act or omission of CONTRACTOR, its officers, agents, employees, or subcontractors, in the performance of this contract; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of CITY, its officers, agents, or employees and in the event of joint and concurrent negligence or fault of CONTRACTOR and CITY, responsibility, and indemnity, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without waiving any governmental immunity available to the City under Texas law and without waiving any defenses of the parties under Texas law. The

provisions of this paragraph are solely for the benefit of the parties hereto and are not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

EXHIBIT D

INSURANCE

SECTION A. Prior to the approval of this contract by the City, SOCIETY shall furnish a completed Insurance Certificate to the City's Director's Office, which shall be completed by an agent authorized to bind the named underwriter(s) to the coverages, limits, and termination provisions shown thereon, and which shall furnish and contain all required information referenced or indicated thereon. CITY SHALL HAVE NO DUTY TO PAY OR PERFORM THIS CONTRACT OR AGREEMENT UNTIL SUCH CERTIFICATE SHALL HAVE BEEN DELIVERED TO THE DIRECTOR'S OFFICE, and no officer or employee shall have authority to waive this requirement.

INSURANCE COVERAGE REQUIRED

SECTION B. CITY reserves the right to review the insurance requirements of this section during the effective period of the contract and to adjust insurance coverages and their limits when deemed necessary and prudent by City's Office of Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the SOCIETY.

SECTION C. Subject to SOCIETY'S right to maintain reasonable deductibles in such amounts as are approved by CITY, SOCIETY shall obtain and maintain in full force and effect for the duration of this contract, and any extension hereof, at SOCIETY'S sole expense, insurance coverage written by companies approved by the State of Texas and acceptable to CITY, in the following type(s) and amounts:

1.	**Workers' Compensation** and **Employers Liability**	Statutory $100,000/500,000/100,000
2.	**Commercial General (public) Liability** insurance including coverage for the following:	Combined single limit for bodily injury and property damage of $2,000,000 per occurrence or its equivalent
	a. Premises/operations	
	b. Independent contractors	
	c. Products/completed operations	
	d. Personal injury and advertising injury	
	e. Contractual liability	
	f. Medical payments	
	g. Fire legal liability (only if occupying a	$250,000

city-owned facility)

3.	**Comprehensive Automobile Liability** insurance, including coverage for loading and unloading hazards, for: a. Owned/leased vehicles b. Non-owned vehicles c. Hired vehicles	Combined single limit for bodily injury and property damage of $600,000 per occurrence or its equivalent
4.	Property Insurance to include coverage for all of Society's owned property and all non-owned property if required by agreement to insure	All-risk coverage written for a minimum of 100% of the defined property's replacement cost
5.	IF alcoholic beverages are sold, given, dispensed or otherwise made available to the Public by the Society or for the Society: Liquor Liability insurance	$1,000,000 each common cause
6.	If valet parking is provided by the Society: Garagekeepers Legal Liability	$100,000 limit

ADDITIONAL POLICY CONDITIONS

CITY shall be entitled, upon request and without expense, to receive copies of the policies and all endorsements thereto and may make any reasonable request for deletion, revision, or modification of particular policy terms, conditions, limitations, or exclusions (except where policy provisions are established by law or regulation binding upon either of the parties hereto or the underwriter of any of such policies). Upon such request by CITY, SOCIETY shall exercise reasonable efforts to accomplish such changes in policy coverages, and shall pay the cost thereof.

REQUIRED PROVISIONS

SOCIETY agrees that with respect to the above required insurance, all insurance contracts and certificate(s) of insurance will contain and state, in writing, the following required provisions:

a. Name the City of Dallas and its officers, employees, and elected

representatives as additional insureds, (as the interests of each insured may appear) as to all applicable coverage;

b. Provide for 30 days notice to CITY for cancellation nonrenewal,or material change at the two addresses shown below by registered mail;

c. Provide for an endorsement that the "other insurance" clause shall not apply to the City of Dallas where CITY is an additional insured shown on the policy;

d. SOCIETY agrees to waive subrogation against the City of Dallas, its officers and employees for injuries, including death, property damage, or any other loss;

e. Provide that all provisions of this contract concerning liability, duty, and standard of care, together with the indemnification provision, shall be underwritten by contractual liability coverage sufficient to include such obligations within applicable policies.

NOTICES

SOCIETY shall notify CITY in the event of any changes in coverage and shall give such notices not less than 30 days prior to the change, which notice must be accompanied by a replacement CERTIFICATE OF INSURANCE. All notices shall be given to CITY at the following addresses:

Director, Office of Cultural Affairs
City of Dallas
1925 Elm Street, Suite 500
Dallas, Texas 75201

Director of Risk Management
City of Dallas
1500 Marilla, 1C-North
Dallas, Texas 75201

SECTION D. Approval, disapproval or failure to act by the CITY regarding any insurance supplied by the SOCIETY shall not relieve the SOCIETY of full responsibility or liability for damages and accidents as set forth in the contract documents. Neither shall the bankruptcy, insolvency or denial of liability by the insurance company exonerate the SOCIETY from liability.

INDEMNITY

SOCIETY agrees to defend, indemnify and hold CITY, its officers, agents and employees, harmless against any and all claims, lawsuits, judgements, costs, and expenses for personal injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by SOCIETY'S breach of any of the terms or provisions of this contract, or by any other negligent or strictly liable act or omission of SOCIETY, its officers, agents, employees, or subcontractors, in the performance of

this contract; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of CITY, its officers, agents, or employees and in the event of joint and concurrent negligence or fault of SOCIETY and CITY, responsibility, and indemnity, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without waiving any governmental immunity available to the City under Texas law and without waiving any defenses of the parties under Texas law. The provisions of this paragraph are solely for the benefit of the parties hereto and are not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

Exhibit D

145386

214 670 7637
E: REGION DIST. 3 TEL:214-670-7637 Jul 08.93 7:52 No.002 P.02

Memorandum

CITY OF DALLAS

DATE July 8, 1993

TO Ralph Mendez

SUBJECT Responsibilities at Old City Park

The following information is a summation of District III's responsibilities at Old City Park.

CARETAKER

1 - Park Keeper 6 (Caretaker)	27.5 hrs. weekly

MOW\TRIM CREW

1 - Park Keeper 6	4.0 hrs. weekly
1 - Park Keeper 5	
2 - Day laborers	

PARKMASTER

1 - Park Keeper 6	2.0 hrs. weekly

72" TRACTOR

1 - Park Keeper 6	3.0 hrs. weekly

IRRIGATION

1 - Irrigation Technician 8	2.0 hrs. weekly
1 - Park Keeper 5	

HORTICULTURE

1 - Park Keeper 6	40.0 hrs. yearly
1 - Park Keeper 4	

PARK FURNITURE REPAIR

1 - Park Keeper 6	32.0 hrs. yearly
1 - Park Keeper 5	

EXHIBIT B

Exhibit D

145386

RECEIVED
2014 FEB 20 AM 10:24
CITY SECRETARY
DALLAS, TEXAS

THE STATE OF TEXAS §
§ SUPPLEMENTAL AGREEMENT NO. 1
§ TO OLD CITY PARK AGREEMENT
COUNTY OF DALLAS §

THIS SUPPLEMENTAL AGREEMENT No. 1 to that certain Management and Operation Agreement for Old City Park authorized by City Council Resolution Number 93-2083 approved by City Council on May 26, 1993 ("Old City Park Agreement"), is entered into by and between the CITY OF DALLAS, TEXAS, a Texas municipal corporation acting by and through its Park and Recreation Board ("Board"), hereinafter called "CITY", and the Dallas County Heritage Society (the "Society"), d/b/a Old City Park, a Texas non-profit corporation, duly incorporated under and by virtue of the laws of the state of Texas and provided as follows:

WITNESSETH

WHEREAS, City and Society entered into the Old City Park Agreement that was approved by City Council on May 26, 1993, and executed by the parties on August 1, 1994 whereby City authorizes Society to manage, operate, and maintain the municipal park known as "Old City Park", for the public display and operation of the multiple buildings on Old City Park; and

WHEREAS, the term of the Agreement was for a twenty-year period, commencing on August 1, 1994, with two extensions of five years; and

WHEREAS, the parties now desire to exercise the first (5) five-year renewal option commencing on May 26, 2013 and ending on May 26, 2018; and

WHEREAS, the parties also desire to replace the existing B with the new Exhibit B-1, attached to and made a part of this Supplemental Agreement No. 1.

NOW, THEREFORE, for and in consideration of the mutual undertakings herein provided and other good and valuable consideration, the receipt and sufficiency of which are hereby confessed, the parties agree as follows:

1. The parties agree to exercise the first (5) five-year renewal option, commencing on August 1, 2013 and ending on August 1, 2018.

2. Exhibit B of the Old City Park Agreement will be replaced with the new Exhibit B-1, attached hereto and made a part of this Supplemental Agreement No. 1.

3. This Supplemental Agreement No. 1 is subject to the provisions of Section 2-86 of the Dallas City Code, as amended, relating to requirements for filing a notice of a breach of contract claim against City. Section 2-86 of the Dallas City Code, as amended, is expressly incorporated by reference and made a part of this Supplemental

Agreement No. 1 as if written word for word in this Supplemental Agreement No. 1. Society shall fully comply with the requirements of this ordinance as a condition precedent to any claim relating to the Old City Park Agreement and this Supplemental Agreement No. 1, in addition to all other requirements in this Old City Park Agreement and Supplemental Agreement No. 1 related to claims and notice of claims.

4. **Society agrees to defend, indemnify and hold CITY, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs, and expenses for personal injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by Society's breach of any of the terms or provisions of this Agreement, or by any negligent or strictly liable act or omission of Society, its officers, agents, associates, employees or subconsultants, in the performance of this Supplemental Agreement No. 1; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of CITY, its officers, agents, employees or separate contractors, and in the event of joint and concurrent negligence or fault of both Society and CITY, responsibility and indemnity, if any, shall be apportioned in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to CITY under Texas law and without waiving any defenses of the parties under Texas law. The provisions of this paragraph are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity.**

5. As a condition of this Contract, Society covenants that Society will take all necessary actions to insure that, in connection with any operations under this Supplemental Agreement No. 1, Society, its officers, employees and subcontractors, will not discriminate in the treatment or employment of any individual or groups of individuals on the grounds of race, color, religion, national origin, age, gender, sexual orientation, military or veteran status, or disability unrelated to job performance, either directly, indirectly or through contractual or other arrangements. Society shall also comply with all applicable requirements of the Americans with Disabilities Act, 42 U.S.C.A. §§12101-12213, as amended. In this regard, Society shall keep, retain and safeguard all records relating to this Supplemental Agreement No. 1 or work performed hereunder for a minimum period of three (3) years from final Contract completion, with full access allowed to authorized representatives of City, upon request, for purposes of evaluating compliance with this and other provisions of the Supplemental Agreement No. 1.

6. All other terms, provisions, conditions, and obligations of the Old City Park Agreement between the CITY and Society shall remain in full force and effect, and said Old City

Park Agreement, as same may have been previously amended, and this Supplemental Agreement No. 1 shall be construed together as a single contractual agreement.

EXECUTED this the 14th day of February, 2013, by the City, signing by and through its City Manager, duly authorized to execute same Administrative Action No. 14-5386, approved on 2/14/2014, and executed this 19th day of February, 2014, by Society, acting through its duly authorized officials.

APPROVED AS TO FORM:
WARREN M.S. ERNST
CITY ATTORNEY

BY: Christine Lanner C.L.
Assistant City Attorney

CITY OF DALLAS
A.C. GONZALEZ,
~~INTERIM~~ CITY MANAGER

BY:
Assistant City Manager

ATTEST:

Secretary

J.J.
PARK AND RECREATION BOARD KB

BY:
President

DALLAS COUNTY HERITAGE SOCIETY

BY: Melissa Prycer

Melissa Prycer
(Print name and title)

Interim Executive Director

Exhibit E

CITY OF DALLAS

May 17, 2018

Whereas, on May 26, 1993, the City of Dallas, through the approval of the Park and Recreation Board and City Council, entered into a contract with the Dallas County Heritage Society ("Dallas Heritage Village") to develop and operate Old City Park located at 1515 South Harwood Street. The term for the contract was set for twenty (20) years from the date of execution (City Council Resolution #93-2083) on August 1, 1994;

Whereas, Section 2.B of the contract allows for the contract to be renewed on the same terms and conditions for two consecutive five-year period upon the election by the City (through its Director) to renew;

Whereas, Dallas Heritage Village extended the contract for the first one five-year period on May 26, 2013 through May 26, 2018;

Whereas, Dallas Heritage Village has stated their interest to renew the contract for the second five-year period;

Now, therefore, the City (through its Director) hereby renews its contract with Dallas Heritage Village on the same terms and conditions for one five-year period effective May 26, 2018 and ending May 26, 2023.

Melissa Prycer
President & Executive Director
Dallas County Heritage Society

Willis C. Winters, FAIA
Director
City of Dallas Park and Recreation Department

Agenda Information Sheet

File #: 19-836 **Item #:** 67.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Homeless Solutions

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize **(1)** the acceptance of a Continuum of Care ("CoC") Grant (Grant No. TX0236L6T001810 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project in an amount not to exceed $739,943.00, to provide project-based rental assistance and case management for single chronically homeless persons for the period October 1, 2019 through September 30, 2020; **(2)** an assignment of the CoC Grant to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas under the grant agreement; and **(3)** execution of any and all documents required for the grant and grantee substitution - Financing: No cost consideration to the City (This item was deferred on May 22, 2019)

BACKGROUND

On August 24, 2018, the City of Dallas Office of Procurement Services advertised a Request for Competitive Sealed Proposals ("RFCSP") (#BTZ1802) for CoC Administration, under which the City sought proposals from local area non-profit organizations to assume the grantee responsibilities under the CoC Grant that funds the Gateway to Permanent Supportive Housing Project ("Project). The RFCSP closed on September 20, 2018. PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas ("PWA Coalition") submitted a proposal to assume and operate the Project as a substitute grantee, with all rights and obligations of the CoC Grant, and was recommended for award.

On September 26, 2018, City Council authorized the acceptance of a CoC Grant from the U.S. Department of Housing and Urban Development ("HUD") for the Project, in an amount not to exceed $718,103.00, to provide project-based rental assistance and case management for single chronically homeless persons for the period October 1, 2018 through September 30, 2019, by Resolution No. 18 -1376.

Based on the RFCSP award, on November 28, 2018, City Council authorized an assignment to PWA Coalition as recipient grantee in place of the City of Dallas under the CoC Grant that funds the Project, for the period December 1, 2018 through September 30, 2019, by Resolution No. 18-1692. Pursuant to the assignment, PWA Coalition agreed to operate the Project and assume all rights,

duties, and obligations under the CoC Grant that funds the Project. On April 10, 2019, by Resolution No. 19-0516, City Council authorized an amendment to Resolution No. 18-1692, to delay the start date of the assignment, from December 1, 2018 to April 1, 2019, due to a delay in executing the required documents as a result of the federal government shutdown.

Under the CoC Grant, the Project pays rent and utilities for 70 one-bedroom units for chronically homeless persons annually who are high utilizers of public services (e.g., emergency room, jail, etc.). Clients are housed in three locations (The Vineyards at Forest Edge, The Vineyards at the Ranch, and The Way Apartments). Rental payments are made directly to the apartment complex based on the reasonable rent for the area. Clients are eligible to receive rental assistance permanently depending on the client needs.

The grant includes funding for three to four project staff (including case management and administrative staff) to carry out the Project. The CoC Program requires that social or rehabilitative services be provided to all persons residing in permanent supportive housing, such as case management, drug treatment, medications, psychiatric counseling, legal aid, employment, and training. In addition, the CoC Program requires that all eligible funding costs under the CoC Grant be matched with no less than a 25 percent cash match or in-kind contribution.

On January 26, 2019, HUD announced the new FY 2018 CoC funding awards, including the renewal of the CoC Grant (Grant No. TX0236L6T001810 and CFDA No. 14.267) that funds the Project in the amount of $739,943.00, for the period October 1, 2019 through September 30, 2020, with a required 25 percent match of $184,986.00. At the time of the renewal award, the City of Dallas was still the grantee for the CoC Grant that funds the Project. For this reason, it is necessary for the City of Dallas to accept the renewal of the CoC Grant, and execute a new assignment to PWA Coalition for the renewal of the CoC Grant.

As substitute grantee, PWA Coalition assumes all rights, duties, and obligations under the CoC Grant, including the payment of rents/utilities, provision/coordination of supportive services, administration of the Project, and provision of the required 25 percent cash or in-kind match, at no cost to the City.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 26, 2018, City Council authorized the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project, to provide project-based rental assistance and case management for single chronically homeless persons for the period October 1, 2018 through September 2019, by Resolution No. 18-1376.

On November 28, 2018, City Council authorized an assignment to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas, for the period December 1, 2018 through September 30, 2019, of the grant agreement for the Continuum of Care Grant (Grant No. TX0236L6T001709 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project, to provide project-based rental assistance and case management for single chronically homeless persons; and an amendment to Resolution No. 18-1376, previously approved on September 26, 2018, to decrease the local cash match from the City of Dallas for the CoC Grant for the Project, and increase the matching contribution from the local partner agencies by Resolution No. 18-1692.

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On April 10, 2019, City Council authorized an amendment to Resolution No. 18-1692, previously approved on November 28, 2018, to: revise the term of the assignment to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas, from the period December 1, 2018 through September 30, 2019 to April 1, 2019 through September 30, 2019 for the Continuum of Care Grant (Grant No. TX0236L6T001709 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project, to provide project-based rental assistance and case management for single chronically homeless persons; and increase the local cash match from the City of Dallas for the CoC Grant for the Project, and decrease the matching contribution from the local partner agencies by Resolution No. 19-0516.

Information about this item was provided to the Human and Social Needs Committee on May 6, 2019.

On May 22, 2019, this item was deferred by Mayor Pro Tem Casey Thomas.

FISCAL INFORMATION

No cost consideration to the City.

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WHEREAS, the City of Dallas recognizes the need to assist single chronically homeless persons by providing Rental assistance, in conjunction with support services, to break the cycle of homelessness; and

WHEREAS, the City of Dallas is grantee under a Continuum of Care ("CoC") Grant from the U.S. Department of Housing and Urban Development ("HUD") for the City of Dallas' Gateway to Permanent Supportive Housing Project ("Project"), to provide project-based rental assistance and case management for single chronically homeless persons; and

WHEREAS, the City of Dallas Office of Procurement Services advertised a Request for Competitive Sealed Proposals (#BTZ1802) for CoC Administration, under which the City sought proposals from local area non-profit organizations to assume the grantee responsibilities under the CoC Grant that funds the Project, and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas ("PWA Coalition") was recommended for award; and

WHEREAS, on November 28, 2018, City Council authorized an assignment to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas, for the period December 1, 2018 through September 30, 2019, of the grant agreement for the Continuum of Care Grant (Grant No. TX0236L6T001709 and CFDA No. 14.267), in an amount not to exceed $718,103.00, from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project, to provide project-based rental assistance and case management for single chronically homeless persons; and an amendment to Resolution No. 18-1376, previously approved on September 26, 2018, to decrease the local cash match from the City of Dallas for the CoC Grant for the Project, by $66,629.00, from $96,550.00 to $29,921.00, and increase the matching contribution from the local partner agencies by $66,629.00, from $82,976.00 to $149,605.00, by Resolution No. 18-1692; and

WHEREAS, on April 10, 2019, City Council authorized an amendment to Resolution No. 18-1692, previously approved on November 28, 2018, to: revise the term of the assignment to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas, from the period December 1, 2018 through September 30, 2019 to the period April 1, 2019 through September 30, 2019 for the Continuum of Care Grant (Grant No. TX0236L6T001709 and CFDA No. 14.267), in an amount not to exceed $718,103.00 from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project, to provide project-based rental assistance and case management for single chronically homeless persons; and increase the local cash match from the City of Dallas for the CoC Grant for the Project, by $49,697.00, from $29,921.00 to $79,618.00 and decrease the matching contribution from the local partner agencies by $49,697.00, from $149,605.00 to $99,908.00, by Resolution No. 19-0516; and

WHEREAS, HUD has approved the City of Dallas FY 2018 renewal application for the Project and, on January 26, 2019, awarded grant funds in the amount of $739,943.00 to renew the CoC Grant that funds the Project; and

WHEREAS, at the time of the renewal award, the City of Dallas was still the grantee for the CoC Grant that funds the Project, and it is necessary for the City of Dallas to accept the renewal of the CoC Grant, and execute a new assignment to PWA Coalition.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to: **(1)** accept a Continuum of Care ("CoC") Grant (Grant No. TX0236L6T001810 and CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' Gateway to Permanent Supportive Housing Project, in an amount not to exceed $739,943.00, to provide project-based rental assistance and case management for single chronically homeless persons for the period October 1, 2019 through September 30, 2020; **(2)** execute an assignment of the CoC Grant to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as recipient grantee in place of the City of Dallas under the grant agreement; and **(3)** execute any and all documents required for the grant and grantee substitution, approved as to form by the City Attorney.

SECTION 2. That the grant agreement is designated as Contract No. OHS-2019-00009799.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-798 **Item #:** 68.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract 2 within Planned Development District No. 812, on the northwest corner of Fran Way and Compton Street
Recommendation of Staff and CPC: Approval, subject to a perimeter fence and gated streets plan
Z178-300(SM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z178-300(SM)	**DATE FILED:**	July 11, 2018
LOCATION:	Northwest corner of Fran Way and Compton Street		
COUNCIL DISTRICT:	4	**MAPSCO:**	55 F
SIZE OF REQUEST:	Approx. 6.494 acres	**CENSUS TRACT:**	49.00

OWNER/APPLICANT: Fiji Property Owners Association, Inc. and attached list of property owners

REPRESENTATIVE: Tekevwe Okobiah

REQUEST: An application for an amendment to Tract 2 within Planned Development District No. 812.

SUMMARY: The purpose of the request is to erect four vehicular gates. One gate is proposed across Tonga Street, approximately 45 feet from the north curb line of Compton Street; a second is proposed to cross Fiji Street, approximately 56 feet from the west curb line of Fran Way; and two gates are proposed to cross the nearby alleys north of Fiji Street and Compton Street. The applicants propose to allow a private street or alley by right.

CPC RECOMMENDATION: **Approval**, subject to a perimeter fence and gated streets plan.

STAFF RECOMMENDATION: **Approval**, subject to a perimeter fence and gated streets plan.

BACKGROUND INFORMATION:

- On August 26, 2009, City Council approved Planned Development District No. 812, which then contained three Tracts.

- Tract 2 is the subject site and is developed with 49 single-family attached units that were constructed in 2017, according to Dallas Central Appraisal District records.

Zoning History: There have been three zoning changes requested in the vicinity in the past five years.

1. **Z145-255:** On August 12, 2015, the City Council approved a WMU-5 Walkable Mixed Use District on property zoned an RR Regional Retail District located on the south line of East Clarendon Drive, west of South Corinth Street Road.

2. **Z145-310:** On January 10, 2018, the City Council approved Planned Development District No. 998 on property zoned an IR Industrial Research District, a CS Commercial Service District, a P(A) Parking District, an R-5(A) Single Family District, a CR Community Retail District, and an RR Regional Retail District with consideration given to appropriate zoning for the area including use, development standards, and other appropriate regulations, on property generally bounded by a Texas Utility Easement on the northeast, Cedar Crest Boulevard on the east, both sides of East 11th Street on the south, Corinth Street on the west, and a DART right-of-way on the northwest.

3. **Z145-247:** On December 12, 2015, the City Council approved Tract IV within Planned Development District No. 812 for mixed uses on property zoned an R-5(A) Single Family District and a CR Community Retail District located at the southeast corner of East 11th Street and Fran Way.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not have a negative impact on the surrounding street system.

Thoroughfares/Streets:

Street	Type	ROW
Fran Way	Local	62-67 feet
Compton Street	Local	51.5 feet
Fiji Street	Local	56 feet
Tonga Street	Local	56 feet
Sphinx Street	Local	56 feet

Street Abandonment: In conjunction with the request, the applicant has made application for the abandonment and rededication of Fiji, Tonga, and Sphinx Streets. Staff will coordinate this item, Z178-300, to be placed on the same Council agenda as the abandonment application.

COMPREHENSIVE PLAN:

The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

There are no goals or policies supporting or opposing the request.

Area Plan: The request site is within the boundaries of Subarea 3 (The Heights) of the *Tenth Street Land Use Study*, approved by City Council on August 26, 1999. The focus of the study revolved around two areas: 1) review of land use, zoning, housing and other quality of life factors perceived to have impeded growth and development within the Tenth Street community, and 2) development of a "housing model" to encourage restoration of the Tenth Street Historic District. The study determined that future development/redevelopment be residential in nature. The request, subject to the attached recommended conditions and plan, complies with the vision of this land use study.

Trinity River Corridor Comprehensive Land Use Plan: While just outside of the boundary of the study, the site is adjacent to the Tenth Street Bottoms and Skyline Heights study areas. The vision for the Tenth Street Bottoms area (north of the request area) is focused on revitalization of the adjacent neighborhood, inclusive of low density residential and community serving retail. The area south of 11th Street in the Skyline Heights study area (east of the request area) is envisioned to be residential in character.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 812 Tract 2	Single family
North	PDD No. 812 Tract 1 and 3	Retirement housing and undeveloped
East	PDD No. 812 Tract 4 and R-5(A)	Undeveloped
South	PDD No. 812 Tract 2	Single family and undeveloped
West	MF-2(A)	DART light rail ROW (Blue line)

Land Use Compatibility:

The purpose of this request is to allow the existing single family community to secure access into the existing neighborhood which is largely surrounded by a mix of residential development and undeveloped land. Because the rights of way must be abandoned (i.e. bought from the City of Dallas), in order to become private, which also entails dedicating easements and access to emergency services and because the application includes a plan that the gates and perimeter fence must adhere to, staff supports the request.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is identified within an “I” MVA cluster, it abuts an “E” MVA cluster.

CPC Action
April 4, 2019

Motion: In considering an application for an amendment to Tract 2 within Planned Development District No. 812, on the northwest corner of Fran Way and Compton Street, it was moved to **hold** this case under advisement until May 2, 2019.

Maker: Schulte
Second: Carpenter
Result: Carried: 13 to 0

For: 13 - MacGregor*, Schulte, Criss, Johnson, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley*

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 159
Replies: For: 7 Against: 1

Speakers: None

CPC Action
May 2, 2019

Motion: It was moved to recommend **approval** of an amendment to Tract 2, subject to a perimeter fence and gated streets plan within Planned Development District No. 812, on the northwest corner of Fran Way and Compton Street.

Maker: Johnson
Second: MacGregor
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis*, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 159
Replies: For: 12 Against: 1

Speakers: For: None
For (Did not speak): Tekevwe Okobiah, 3030 LBJ Fwy., Dallas, TX, 75234
Against: None

Property Owners

S/N	Owner	Unit#	Street Name	Blk #	Lot #
1	Katherine Blair	1583	Fiji Street	E/5914	1
2	Kiesha Dunlap	1577	Fiji Street	E/5914	2
3	Joseph Skotnik	1571	Fiji Street	E/5914	3
4	Tan Le	1565	Fiji Street	E/5914	4
5	Estelle T. Gregory	1559	Fiji Street	E/5914	5
6	Arturo Torres Irizarry	1553	Fiji Street	E/5914	6
7	Jeremy Forteneaux	1541	Fiji Street	E/5914	7
8	Stephen DeShazo	1535	Fiji Street	E/5914	8
9	Kirk & Christie Scott	1529	Fiji Street	E/5914	9
10	Taylor Jack	1523	Fiji Street	E/5914	10
11	Amy Mashburn	1517	Fiji Street	E/5914	11
12	Jeffrey Bauer	1511	Fiji Street	E/5914	12
13	Lateefah Wade	307	Tonga Street	E/5914	13
14	Maxx Nakwaasah	313	Tonga Street	E/5914	14
15	Nina Norman	319	Tonga Street	E/5914	15
16	Onochie Onyegbule	325	Tonga Street	E/5914	16
17	Danielle Wilson	331	Tonga Street	E/5914	17
18	Matthew Oldham	337	Tonga Street	E/5914	18
19	Tiffany Chan	343	Tonga Street	E/5914	19
20	Amarachi Oji	349	Tonga Street	E/5914	20
21	Roxana Franco	355	Tonga Street	E/5914	21
22	Jhoena Martinez	361	Tonga Street	E/5914	22
23	Demond Fernandez	367	Tonga Street	E/5914	23
24	Carlos Alba	373	Tonga Street	E/5914	24
25	Carol Hunt	379	Tonga Street	E/5914	25
26	Jennifer Taylor	385	Tonga Street	E/5914	26
27	Edlin Vo	1511	Compton Street	D/5914	1
28	Aurielle Granger	1517	Compton Street	D/5914	2
29	Dana Norris	1523	Compton Street	D/5914	3
30	Langela Malone	1529	Compton Street	D/5914	4
31	Janet Grant	1535	Compton Street	D/5914	5
32	Jennifer Misigaro	1541	Compton Street	D/5914	6
33	LJ Beck	1547	Compton Street	D/5914	7
34	Crystal Lofton	1553	Compton Street	D/5914	8
35	Carlene Kowlessar	1559	Compton Street	D/5914	9
36	Lance Polvado	1565	Compton Street	D/5914	10
37	John Phan	1571	Compton Street	D/5914	11
38	Leticia Taylor	1577	Compton Street	D/5914	12
39	Wilhurst Investors	1512	Sphinx Street	D/5914	13
40	Glenn Calvert	1518	Sphinx Street	D/5914	14
41	Michael Vela	1524	Sphinx Street	D/5914	15
42	Anne Claire Crawford	1530	Sphinx Street	D/5914	16
43	Oghenetekevwe Okobiah	1536	Sphinx Street	D/5914	17
44	Frederick Hinton, Jr.	1542	Sphinx Street	D/5914	18
45	Donyel Johnson	1572	Fiji Street	D/5914	19
46	Sherene Philip	1578	Fiji Street	D/5914	20
47	Jeffrey Savage	1584	Fiji Street	D/5914	21
48	Wilhurst Investors	1590	Fiji Street	D/5914	22
49	Jackson Henry, LLC	1596	Fiji Street	D/5914	23

Partners, Principals, Officers

- Wilhurst Investors – Ruel Hamilton
- Jackson Henry, LLC – Chris Hamilton & Anne Hamilton.

Fiji Property Owners Association Inc.

3030 LBJ Freeway, #1350 Dallas, TX 75234
Email:manager@fijipoa.org
Office: 214-342-1400

List of Principal: PD 812 Amendment Application

1. President -- Jay Oji:
2. Vice President -- Joseph Agumadu;
3. Secretary -- Adolphus Oji

CPC RECOMMENDED AMENDMENTS TO

ARTICLE 812.

PD 812.

SEC. 51P-812.101. LEGISLATIVE HISTORY.

PD 812 was established by Ordinance No. 27645, passed by the Dallas City Council on August 26, 2009. (Ord. 27645)

SEC. 51P-812.102. PROPERTY LOCATION AND SIZE.

PD 812 is established on property located at the northwest corner of Compton Street and Fran Way. The size of PD 812 is approximately 15.147 acres. (Ord. Nos. 27645; 29962)

SEC. 51P-812.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article,

(1) LIVE/WORK UNIT means an interior space that combines a single occupancy residential use and an office or retail and personal service use. A live/work unit is considered a nonresidential use.

(2) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Chapter 455 of the Texas Occupation Code, as amended.

(3) MOBILE FOOD ESTABLISHMENT means a container or vehicle-mounted food establishment that is designed to be readily moveable and from which food is distributed, sold, or served to an ultimate consumer. The term includes mobile food preparation vehicles and pushcarts.

(4) TATTOO OR BODY PIERCING STUDIO means an establishment in which tattooing is performed, or body piercing for the purpose of wearing jewelry in the pierced body part (for any body part other than earlobes) is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) Tracts I and II are considered to be residential zoning districts. Tracts III and IV are considered to be nonresidential zoning districts. (Ord. Nos. 27645; 29962)

SEC. 51P-812.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 812A: Tract I and Tract II development plan/Tract III conceptual plan.

(2) Exhibit 812B: Tract IV development/landscape plan.

(3) Exhibit 812C: Tract II perimeter fence and gated streets plan. (Ord. Nos. 27645; 29962)

SEC. 51P-812.105. CONCEPTUAL PLAN.

For Tract III, development and use of property must comply with the Tract I and Tract II development plan/Tract III conceptual plan (Exhibit 812A). If there is a conflict between the text of this article and the Tract I and Tract II development plan/Tract III conceptual plan, the text of this article controls. (Ord. 27645)

SEC. 51P-812.106. DEVELOPMENT PLAN.

(a) For Tract I and Tract II, development and use of the Property must comply with the Tract I and Tract II development plan/Tract III conceptual plan (Exhibit 812A). If there is a conflict between the text of this article and the Tract I and Tract II development plan/Tract III conceptual plan, the text of this article controls.

(b) For Tract III, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls.

(c) For Tract IV, development and use of the Property must comply with the Tract IV development/landscape plan (Exhibit 812B). If there is a conflict between the text of this article and the Tract IV development/landscape plan, the text of this article controls. (Ord. Nos. 27645; 29962)

SEC. 51P-812.107. MAIN USES PERMITTED.

The following uses are the only main uses permitted:

(1) Tract I.

-- Local utilities.
-- Retirement housing.

(2) Tract II.

-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3) is not met.]*
-- Local utilities.
-- Private street or alley. *[See Section 51P-812.114.1 for additional provisions.]*
-- Single family.

(3) Tract III.

(A) Miscellaneous uses.

-- Temporary construction or sales office.

(B) Office uses.

-- Office.

(C) Residential uses.

-- Handicapped group dwelling unit.*[SUP required if spacing component of Section 51A-4.209(b)(3) is not met.]*
-- Retirement housing.
-- Single family.

(D) Retail and personal service uses.

-- Business school.
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.
-- Nursery, garden shop, or plant sales.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service.

-- Swap or buy shop. *[SUP]*
-- Temporary retail use.

(E) Transportation uses.

-- Transit passenger shelter.

(F) Utility and public service uses.

-- Local utilities. *[RAR may be required. See Section 51A-4.212(4).]*

(4) Tract IV.

(A) Commercial and business service uses.

-- Catering service.
-- Custom business services.

(B) Institutional and community service uses.

-- Child-care facility.
-- Community service center. *[SUP]*
-- Library, art gallery, or museum.
-- Private school or open-enrollment charter school. *[SUP]*
-- Public school.

(C) Office uses.

-- Financial institution without drive-in window.
-- Medical clinic or ambulatory surgical center. *[SUP]*
-- Office.

(D) Residential uses.

-- Handicapped group dwelling unit.
-- Live/work unit.
-- Multifamily.
-- Retirement housing.
-- Single family.

(E) Retail and personal service uses.

-- Alcoholic beverage establishments. *[SUP]*

-- Animal shelter or clinic without outside runs. *[SUP]*
-- Animal shelter or clinic with outside runs. *[SUP]*
-- Business school.
-- Commercial amusement (inside). *[SUP]*
-- Convenience store with drive-through. *[SUP]*
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.
-- Household equipment and appliance repair.
-- Mobile food establishment. *[Must be located on private property and may not be a permanent structure.]*
-- Nursery, garden shop, or plant sales.
-- Personal service uses. *[Massage establishment and tattoo or body piercing studio are prohibited.]*
-- Restaurant without drive-in or drive-through service.
-- Restaurant with drive-in or drive-through service. *[SUP]*
-- Surface parking.
-- Temporary retail use.
-- Theater.

(F) Utility and public service uses.

-- Local utilities. *[RAR may be required. See Section 51A-4.212(4).]* (Ord. Nos. 27645; 29962)

SEC. 51P-812.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 27645)

SEC. 51P-812.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front yard.

(1) Tract I. Minimum front yard is 15 feet.

(2) Tract II.

(A) Except as provided in the paragraph, minimum front yard is 15 feet.

(B) For an accessory community center (private), no minimum front yard.

(3) Tract III. Minimum front yard is 15 feet.

(4) Tract IV. Minimum front yard setback is five feet. Balconies, canopies, and window bays may encroach up to five feet into the front yard setback.

(b) Side and rear yard.

(1) Tract I. No minimum side and rear yard.

(2) Tract II. Except as noted on the Tract I and Tract II development plan/Tract III conceptual plan, no minimum side and rear yard.

(3) Tract III. No minimum side and rear yard.

(4) Tract IV. No minimum side and rear yard.

(c) Density.

(1) Tract I. Maximum number of dwelling units or suites is 130.

(2) Tract II. Maximum number of dwelling units is 50.

(3) Tract III. No maximum density.

(4) Tract IV. No maximum density.

(d) Floor area.

(1) Tract I. No maximum floor area.

(2) Tract II.

(A) Except as provided in this paragraph, no maximum floor area.

(B) For an accessory community center (private), maximum floor area is 3,000 square feet.

(3) Tract III. Maximum floor area is 20,000 square feet.

(4) Tract IV. No maximum floor area.

(e) Height.

(1) Residential proximity slope. For Tracts I and III, if any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(2) Tract I. Unless further restricted under Paragraph (1), maximum structure height is 50 feet.

(3) Tract II. Maximum structure height is 35 feet.

(4) Tract III. Unless further restricted under Paragraph (1), maximum structure height is 50 feet.

(5) Tract IV. Maximum structure height is 80 feet.

(f) Lot coverage.

(1) In general. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(2) Tract I. Maximum lot coverage is 25 percent.

(3) Tract II. Maximum lot coverage is 65 percent.

(4) Tract III. Maximum lot coverage is 80 percent.

(5) Tract IV. Maximum lot coverage is 90 percent.

(g) Lot size.

(1) Tract I. No minimum lot size.

(2) Tract II.

(A) Minimum lot size for residential uses is 2,000 square feet.

(B) For local utilities and an accessory community center (private), no minimum lot size.

(3) Tract III. No minimum lot size.

(4) Tract IV. No minimum lot size.

(h) Stories.

(1) Tract I. Maximum number of stories above grade is four.

(2) Tract II. Maximum number of stories above grade is two.

(3) Tract III. Maximum number of stories above grade is four.

(4) Tract IV. Maximum number of stories above grade is seven. (Ord. Nos. 27645; 29962)

SEC. 51P-812.110. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For Tract I and Tract III, off-street parking as required by Subsection (a) is reduced by 15 percent.

(c) For an accessory community center (private) and accessory game court (private), no off- street parking is required.

(d) For Tract III, off-street parking is prohibited in the front yard.

(e) Screening of off-street parking areas from the street must attain a minimum height of three feet above the parking surface. Except as provided in Subsection 51P-812.112(d), screening materials must be either, or a combination of, the following:

(1) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet in width.

(2) Evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on-center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.

(f) In Tract I, carports must be architecturally compatible with the main structure the carport serves.

(g) For Tract IV, a minimum of 275 off-street parking spaces are required. (Ord. Nos. 27645; 29962)

SEC. 51P-812.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 27645)

SEC. 51P-812.112. LANDSCAPING

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) Open space.

(1) Open Space No. 1 through Open Space No. 7, as shown on the Tract I and Tract II development plan/Tract III conceptual plan, must include a minimum of two of the following:

(A) Park benches.

(B) Bicycle racks.

(C) Trash receptacles.

(D) A minimum of two additional large canopy trees with a minimum caliper of three inches each.

(2) A minimum aggregate of 15,000 square feet of land area must be provided for all of Open Space No. 1 through Open Space No. 7, as shown on the Tract I and Tract II development plan/Tract III conceptual plan.

(c) Site trees. For single family and handicapped group dwelling unit uses in Tract II, a minimum of one large tree must be provided for each lot.

(d) Tract I and Tract III Fran Way street frontage.

(1) Street trees must be provided at a ratio of one large tree for each 30 feet of frontage. Any street tree that is required to be planted horizontally within 20 feet of an overhead utility line may be a small tree species as approved by the building official.

(2) Screening of off-street parking must consist of landscape materials that are a minimum of three feet in height at the time of planting and capable of obtaining a solid appearance within three years.

(3) A minimum 15-foot perimeter landscape buffer must be provided along the frontage. This buffer may count as a design standard as required by Article X.

(4) Automatic irrigation is required for all perimeter landscape buffers.

(e) Tract IV. Landscaping must comply with the Tract IV development/landscape plan.

(f) Maintenance. Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 27645; 29960)

SEC. 51P-812.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII. (Ord.27645)

SEC. 51P-812.114. SIDEWALKS.

(a) Except as provided in this section, sidewalks along Compton Street and Fran Way must have an unobstructed sidewalk width of five feet.

(b) In Tract IV, sidewalks must have an unobstructed sidewalk width of six feet. The director may approve an alternate sidewalk width that does not comply with this subsection where a six foot sidewalk is not possible. An alternate sidewalk approved by the director may be no less than four feet.

(c) The board of adjustment may not grant a variance to the sidewalk requirements of this section. (Ord. Nos. 27645; 29962)

SEC. 51P-812.114.1. TRACT II ADDITIONAL PROVISIONS.

(a) Development and use of the following in Tract II must comply with the Tract II perimeter fence and gated streets plan (Exhibit 812C). If there is a conflict between the text of this article and the Tract II perimeter fence and gated streets plan, the text of this article controls.

(1) Private street or alley use.

(2) Fences constructed within 50 feet of the Tract II properties.

(b) Except for fences within 100 feet of the western boundary line of Tract II, gates across private streets or private alleys and perimeter fences must be constructed of wrought iron or similar materials with a maximum height of six feet.

(c) Except as provided in this subparagraph, fence, screening and visibility obstruction regulations in Section 51A-4.602 apply. At the intersection of Alley B and Compton Street, a motorized sliding gate may be located within a visibility triangle as shown in Exhibit 812C.

SEC. 51P-812.115. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) Garage doors are prohibited from facing Compton Street or Fran Way.

(d) Each exterior facade of a main structure, excluding fenestration, must be at least 50 percent brick, stone, masonry, or glass. Fiber cement siding is prohibited as an exterior facade material. (Ord. 27645)

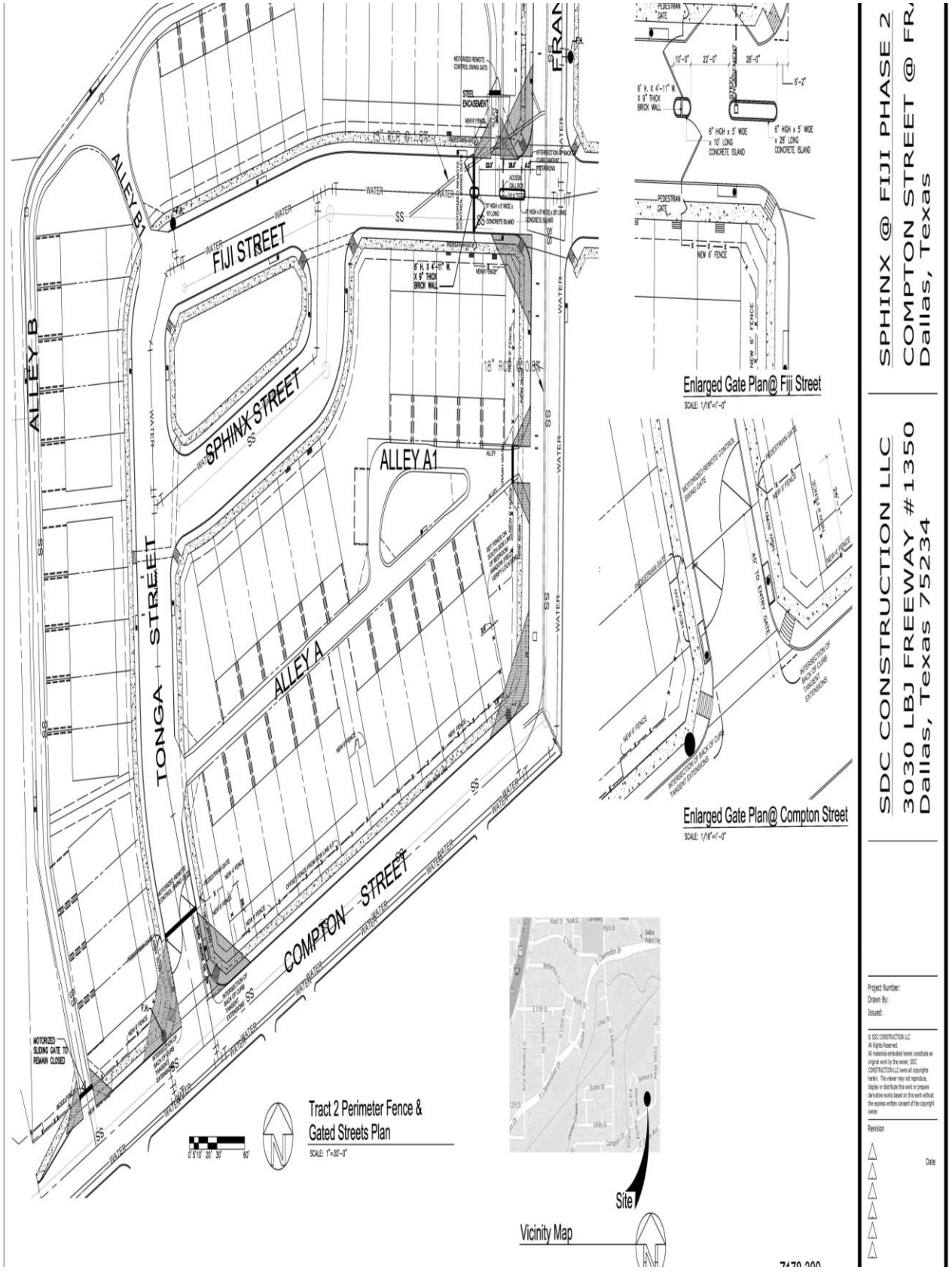
SEC. 51P-812.116. COMPLIANCE WITH CONDITIONS.

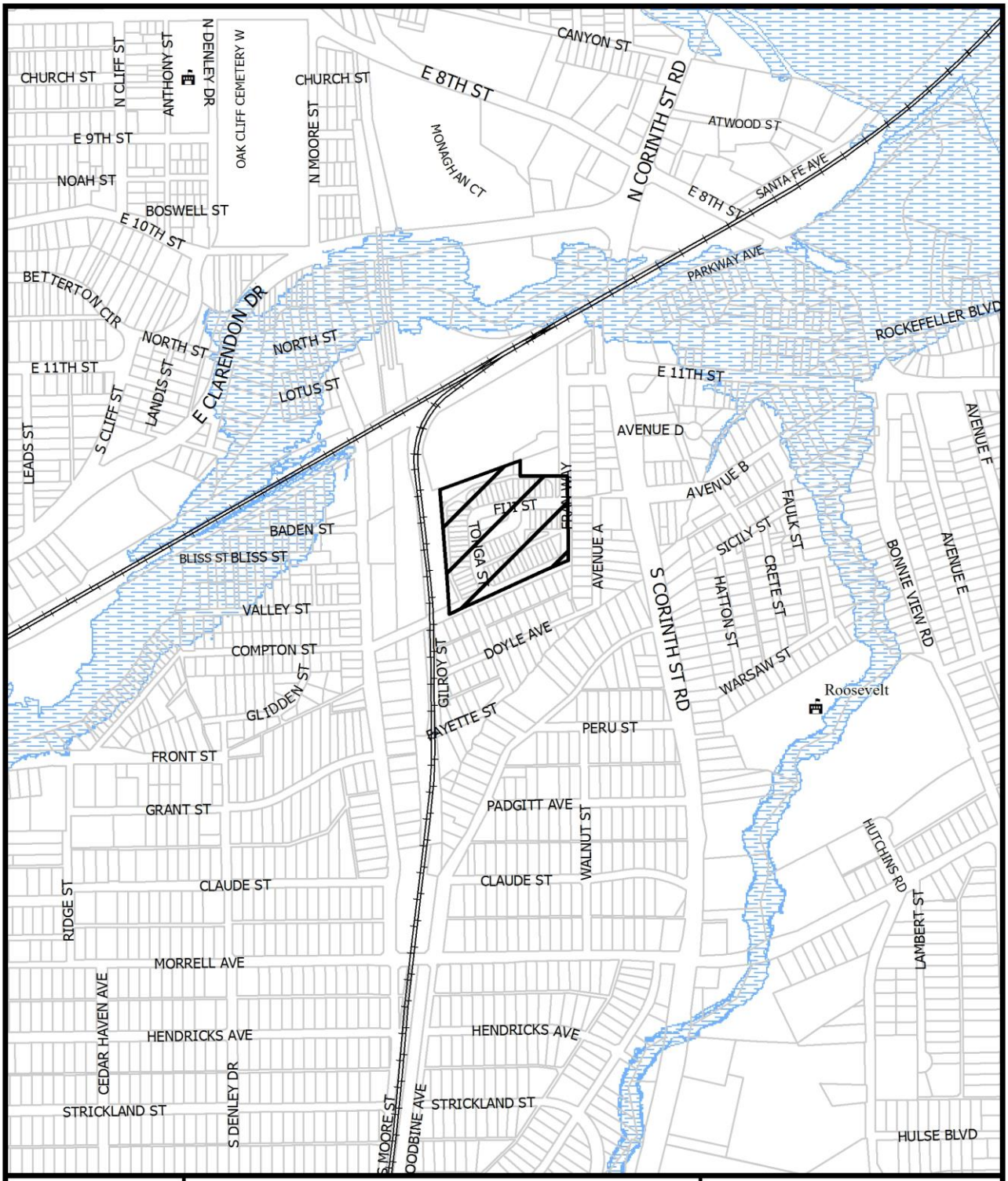
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a

certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 27645)

CPC Recommended Exhibit 812C:
Tract II Perimeter Fence and Gated Streets Plan





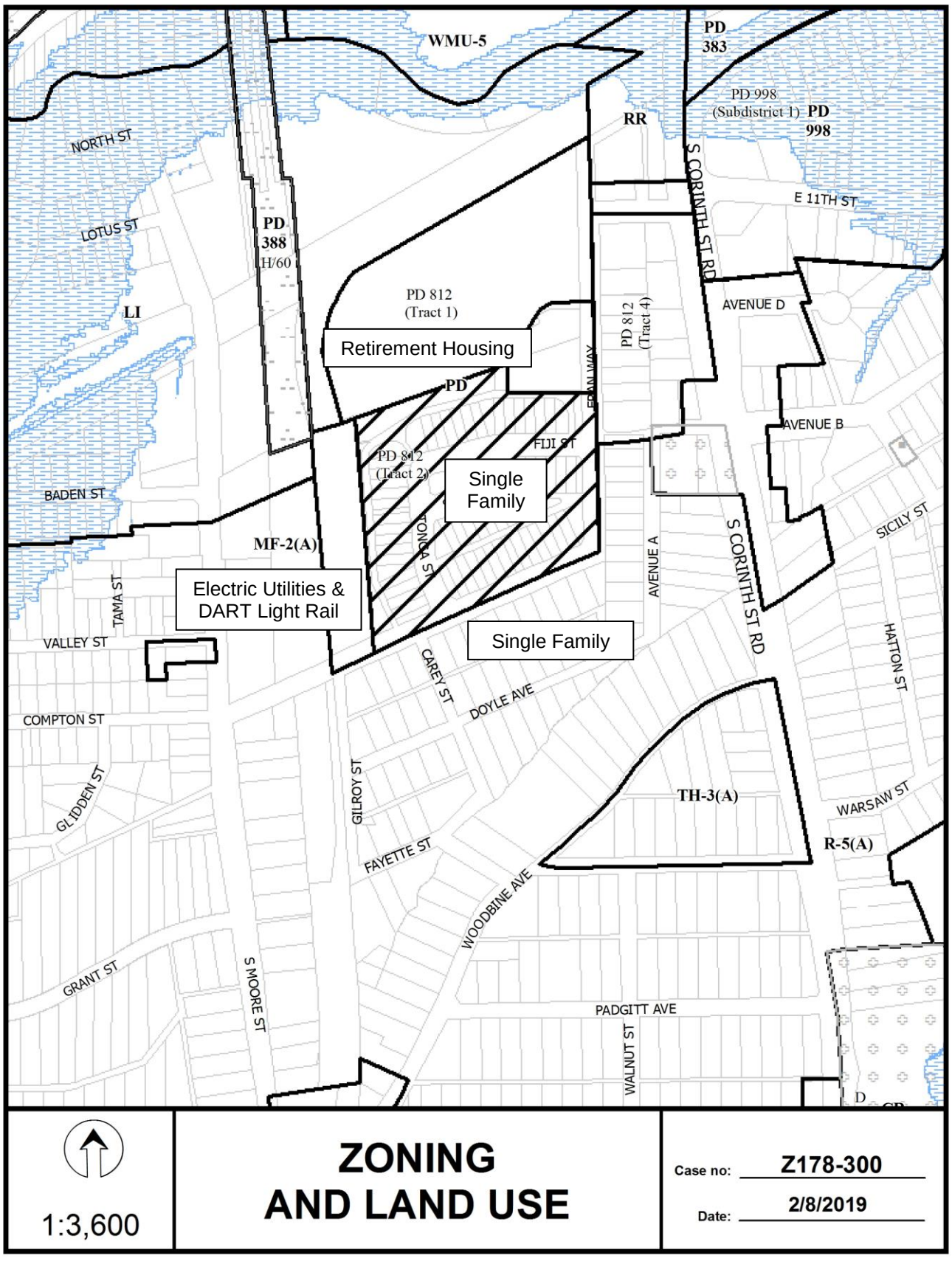
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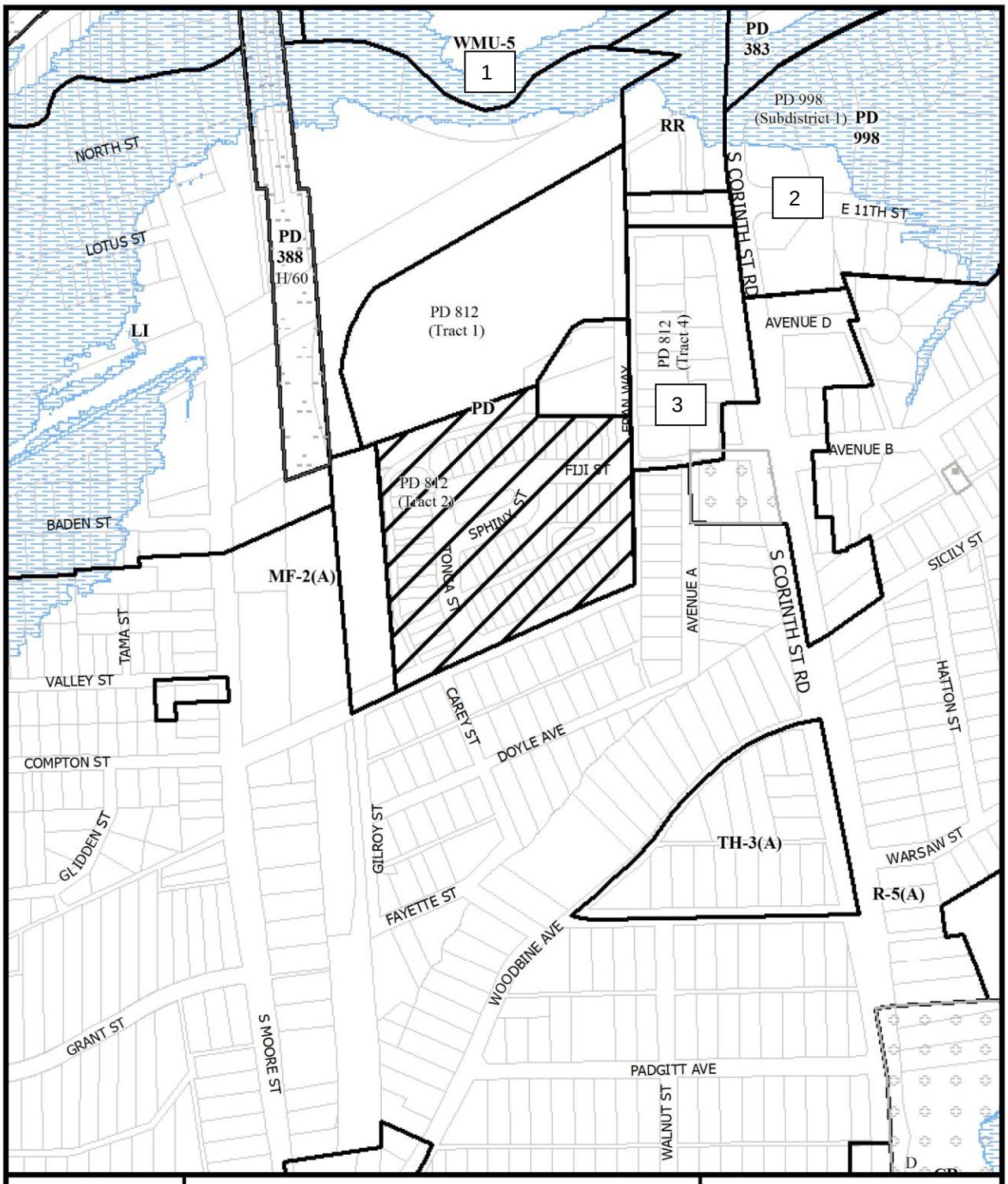
VICINITY MAP

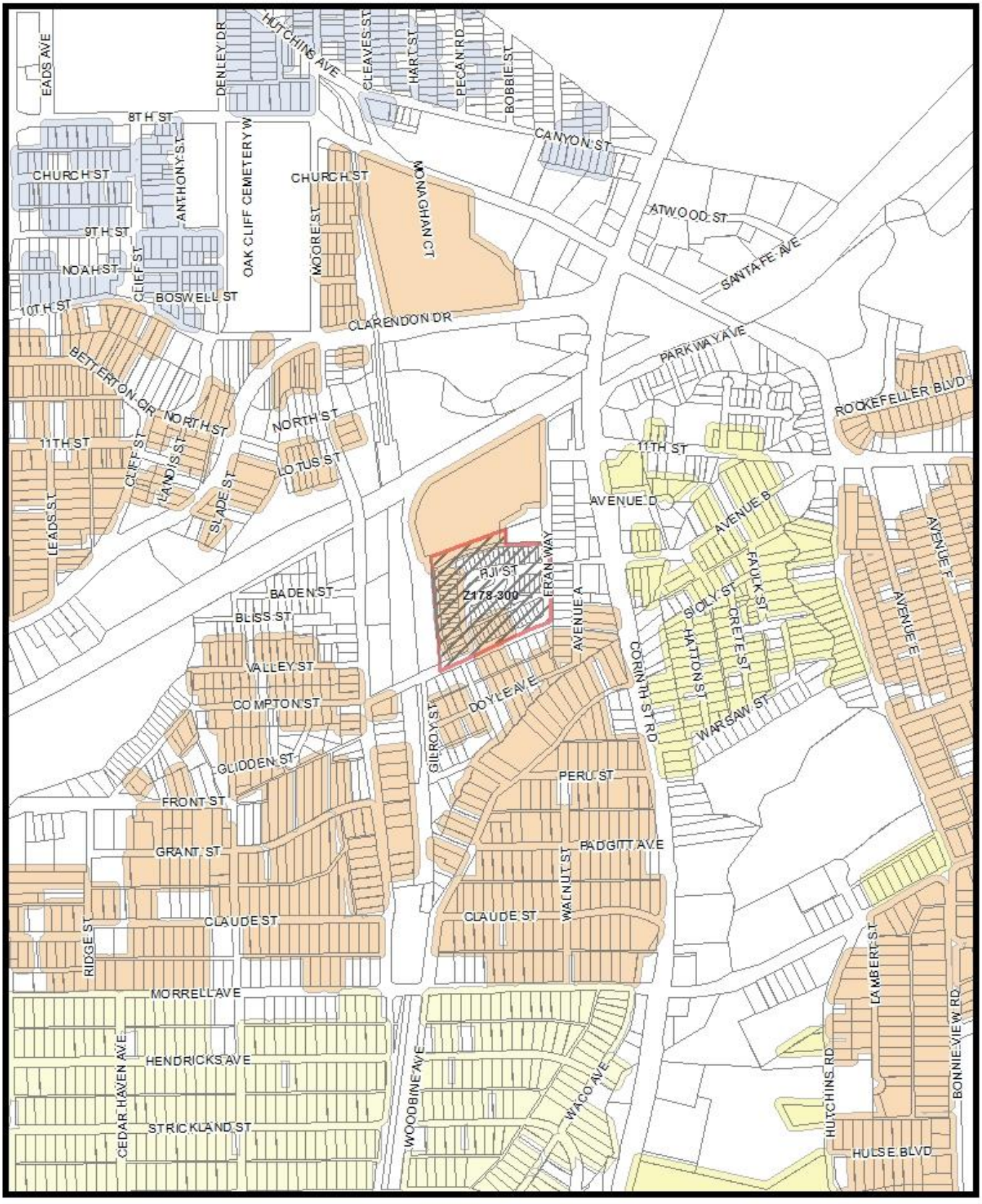
Case no: Z178-300

Date: 2/8/2019


NORTH ST
LOTUS ST
AVENUE A
E 11TH ST
AVENUE D
AVENUE B
FIJI ST
FRAN WAY
SPHINX ST
TONGA ST
BADEN ST
BLISS ST
TAMA ST
VALLEY ST
COMPTON ST
GEORGIA ST
GILROY ST
EARLY ST
DOYLE AVE
FAYETTE ST
WOODBINE AVE
PERU ST
GRANT ST
S MOORE ST
PADGITT AVE
WALNUT ST
S CORINTH ST RD
S CORINTH ST RD
D ST
SICILY ST
HATTON ST
WARSAW ST
1:3,600
AERIAL MAP
Case no: Z178-300
Date: 2/8/2019


WMU-5
PD 383
PD 998
(Subdistrict 1)
RR
NORTH ST
S CORINTH ST RD
E 11TH ST
LOTUS ST
PD 388 H/60
LI
PD 812 (Tract 1)
Retirement Housing
PD 812 (Tract 4)
AVENUE D
PD
FIJI ST
AVENUE B
PD 812 (Tract 2)
Single Family
BADEN ST
MF-2(A)
TONGA ST
AVENUE A
SICILY ST
Electric Utilities & DART Light Rail
TAMA ST
VALLEY ST
Single Family
CAREY ST
DOYLE AVE
HATTON ST
COMPTON ST
GILROY ST
TH-3(A)
WARSAW ST
GLIDDEN ST
R-5(A)
FAYETTE ST
WOODBINE AVE
GRANT ST
S MOORE ST
PADGITT AVE
WALNUT ST
1:3,600
ZONING
AND LAND USE
Case no: Z178-300
Date: 2/8/2019


WMU-5
1
PD 383
PD 998 (Subdistrict 1)
PD 998
RR
2
E 11TH ST
S CORINTH ST RD
NORTH ST
LOTUS ST
PD 388 H/60
LI
PD 812 (Tract 1)
PD 812 (Tract 4)
3
AVENUE D
PD
PD 812 (Tract 2)
FIJI ST
SPHINX ST
TONICA ST
ERIN WAY
AVENUE B
BADEN ST
MF-2(A)
AVENUE A
SICILY ST
TAMA ST
VALLEY ST
CAREY ST
DOYLE AVE
HATTON ST
COMPTON ST
GILROY ST
GLIDDEN ST
TH-3(A)
WARSAW ST
R-5(A)
FAYETTE ST
WOODBINE AVE
GRANT ST
S MOORE ST
PADGITT AVE
WALNUT ST
D
1:3,600
ZONING HISTORY
Case no: Z178-300
Date: 2/8/2019

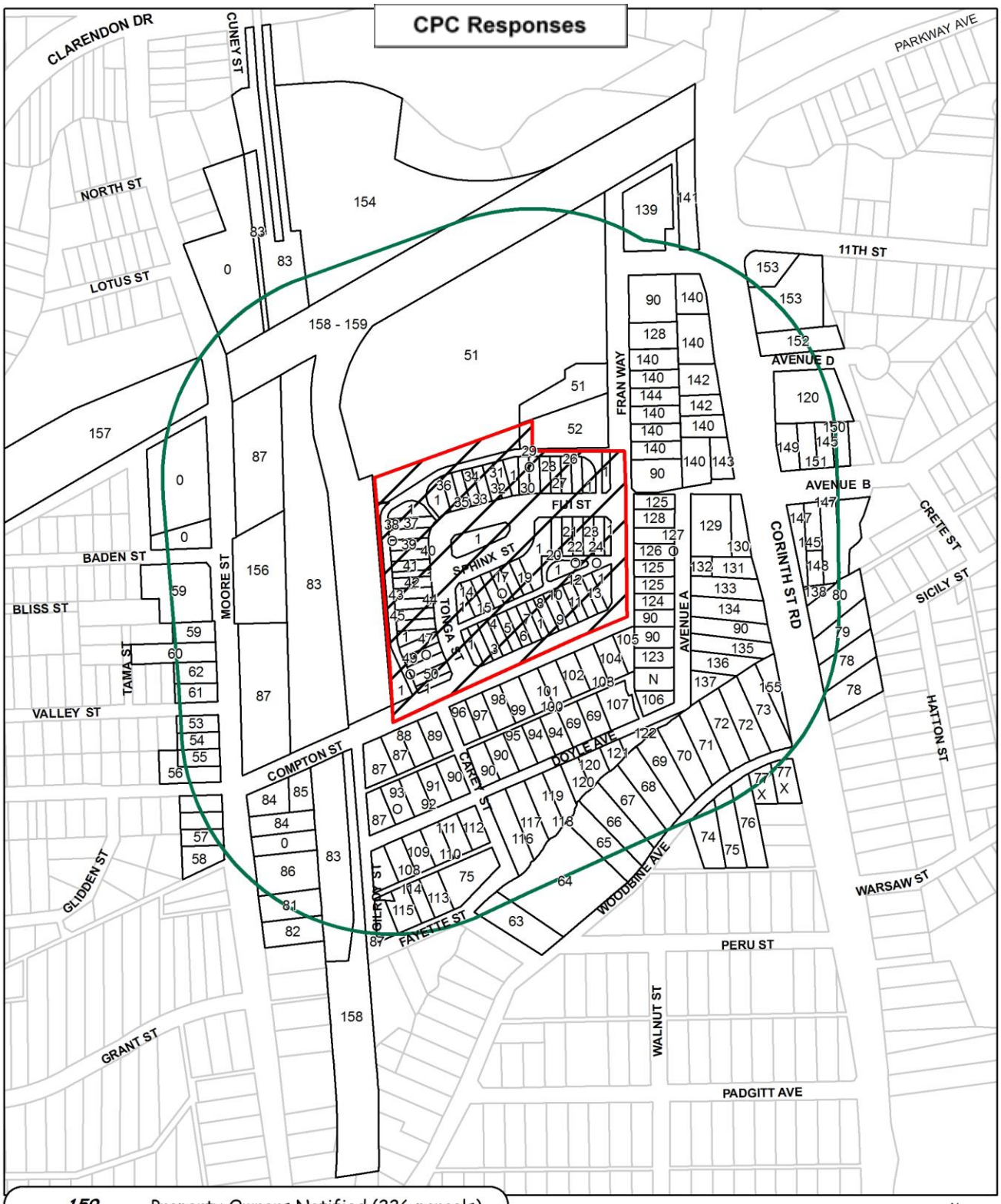


MVACluster A B C D E F G H I NA

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Market Value Analysis

Printed Date: 2/8/2019


CPC Responses
CLARENDON DR
CUNEY ST
PARKWAY AVE
NORTH ST
LOTUS ST
11TH ST
AVENUE D
AVENUE B
FRAN WAY
FITZ ST
SPHINX ST
TONGA ST
BADEN ST
BLISS ST
MOORE ST
TAMA ST
VALLEY ST
COMPTON ST
CARET ST
DOYLE AVE
AVENUE A
CORINTH ST RD
CRETE ST
SICILY ST
HATTON ST
GLIDDEN ST
GILROY ST
FAYETTE ST
WOODBINE AVE
WARSAW ST
PERU ST
WALNUT ST
PADGITT AVE
GRANT ST
154
139
153
152
51
52
158 - 159
157
156
158
83
87
0
159 Property Owners Notified (226 parcels)
12 Replies in Favor (12 parcels)
1 Replies in Opposition (2 parcels)
500' Area of Notification
5/2/2019 Date
Z178-300
CPC
N
W
E
S
1:3,600

05/01/2019

Reply List of Property Owners

Z178-300

159 Property Owners Notified ***12 Property Owners in Favor*** ***1 Property Owner Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	1	COMPTON ST	FIJI PROPERTY OWNERS ASSN INC
O	2	1511	COMPTON ST	VO EDLIN
	3	1517	COMPTON ST	GRANGER AURIELLE
	4	1523	COMPTON ST	NORRIS DANA
	5	1529	COMPTON ST	MALONE LANGELA MICHELLE
	6	1535	COMPTON ST	GRANT JANET
	7	1541	COMPTON ST	MISIGARO JENNIFER &
	8	1547	COMPTON ST	BECK LJ III &
	9	1553	COMPTON ST	LOFTON CRYSTAL G
	10	1559	COMPTON ST	KOWLESSAR JAIME M & CARLENE A
	11	1565	COMPTON ST	POLVADO LANCE
	12	1571	COMPTON ST	PHAN JOHN
	13	1577	COMPTON ST	TAYLOR LETICIA R
	14	1512	SPHINX ST	WILHURT INVESTORS LLC
	15	1518	SPHINX ST	CALVERT GLENN W
	16	1524	SPHINX ST	VELA MICHAEL A
O	17	1530	SPHINX ST	CRAWFORD ANN MARIE
	18	1536	SPHINX ST	OKOBIAH OGHENETEKEVWE
	19	1542	SPHINX ST	HINTON FREDERICK H JR
	20	1572	FIJI ST	JOHNSON DONYEL
	21	1578	FIJI ST	PHILIP SHERENE
O	22	1584	FIJI ST	SAVAGE JEFFREY MICHAEL
	23	1590	FIJI ST	WILHURT INVESTORS LLC
O	24	1596	FIJI ST	JACKSON HENRY LLC
O	25	1583	FIJI ST	BLAIR KATHERINE L
	26	1577	FIJI ST	DUNLAP KEISHA R

Reply	*Label #*	*Address*		*Owner*
	27	1571	FIJI ST	SKOTNIK JOSEPH
	28	1565	FIJI ST	LE TAN M
O	29	1559	FIJI ST	GREGORY ESTELLE T
	30	1553	FIJI ST	IRIZARRY ARTURO TORRES &
	31	1541	FIJI ST	FONTENEAUX JEREMY E
	32	1535	FIJI ST	DESHAZO STEPHEN T
	33	1529	FIJI ST	SCOTT CHRISTINE & KIRK WILLIAM
	34	1523	FIJI ST	REED TAYLOR J &
	35	1517	FIJI ST	MASHBURN AMY
	36	1511	FIJI ST	BAUER JEFFREY M
	37	307	TONGA ST	WADE LATEEFAH
O	38	313	TONGA ST	NAKWAASAH MAXX &
	39	319	TONGA ST	NORMAN NINA
	40	325	TONGA ST	ONYEGBULE ONOCHIE
	41	331	TONGA ST	WILSON DANIELLE
	42	337	TONGA ST	OLDHAM MATTHEW JOHN &
	43	343	TONGA ST	CHAN TIFFANY PHOEBE
	44	349	TONGA ST	OJI AMARACHI NWABUNDO
	45	355	TONGA ST	FRANCO ROXANNA
	46	361	TONGA ST	MARTINEZ JHOENA &
O	47	367	TONGA ST	FERNANDEZ DEMOND
O	48	373	TONGA ST	ALBA CARLOS ANTONIO
O	49	379	TONGA ST	HUNT CAROL
	50	385	TONGA ST	TAYLOR JENNIFER
	51	201	FRAN WAY	SDC FIJI SENIOR LP
	52	319	FRAN WAY	SPHINX DEVELOPMENT CORP
	53	531	S MOORE ST	LOPEZ AURELIANO
	54	533	S MOORE ST	JACKSON BILLY MORRIS
	55	537	S MOORE ST	CORTEZ AURELIA H
	56	541	S MOORE ST	MIRELES OVIDIO JR
	57	607	S MOORE ST	BOWIE LOUISE B

Reply	*Label #*	*Address*		*Owner*
	58	611	S MOORE ST	CERDA ERIC
	59	513	S MOORE ST	CHAPEL HILL BAPTIST
	60	519	S MOORE ST	CHAPEL HILL BAPTIST
	61	527	S MOORE ST	ATTAWAY LEONARD & ALICE M
	62	523	S MOORE ST	AHMAD ISHTIAQ
	63	563	WOODBINE AVE	SAMUEL JOSIE LORRAINE &
	64	551	WOODBINE AVE	RODRIGUEZ JESUS M &
	65	543	WOODBINE AVE	SMITH MARTHA ANN
	66	539	WOODBINE AVE	ODEGBARO CHRISTINE &
	67	535	WOODBINE AVE	ODEGBARO CHRISTINE &
	68	531	WOODBINE AVE	GIPSON ERMA M EST OF
	69	527	WOODBINE AVE	THOMPSON DINO
	70	523	WOODBINE AVE	CISNEROS JOSE TAMAYO &
	71	519	WOODBINE AVE	CISNEROS JOSE T &
	72	515	WOODBINE AVE	KELLEY MANDELL
	73	507	WOODBINE AVE	MAGDALENO HERIBERTO &
	74	530	WOODBINE AVE	DALLAS CITY OF COUNTY OF
	75	524	WOODBINE AVE	BRIGHT EDWIN B
	76	520	WOODBINE AVE	HOLLINS ROBERT EST OF
X	77	518	WOODBINE AVE	NEW BEGINNING FREEDOM BAPTIST CHURCH
	78	514	S CORINTH ST RD	J EDWARD LEE MINISTRIES INC
	79	508	S CORINTH ST RD	CHANDLER DONALD &
	80	506	S CORINTH ST RD	CHANDLER DONALD &
	81	622	S MOORE ST	LEYVA ARMANDO
	82	628	S MOORE ST	JACKSON DEBORAH YOUNG
	83	1325	COMPTON ST	TEXAS UTILITIES ELEC CO
	84	602	S MOORE ST	TORRES MANUEL
	85	1300	COMPTON ST	ST JOSEPH LG 1310 AF&AM
	86	614	S MOORE ST	LAGOW DEV PROJECT LLC
	87	1400	COMPTON ST	DALLAS AREA RAPID TRANSIT
	88	1410	COMPTON ST	SDC SACHSE SENIOR VILLAS LLC

Reply	*Label #*	*Address*		*Owner*
	89	1414	COMPTON ST	SDC SACHSE SEMOR VILLAS
	90	1419	DOYLE AVE	SPHINX DEVELOPMENT CORPORATION
	91	1415	DOYLE AVE	CHURCH OF THE LIVING GOD
	92	1409	DOYLE AVE	SPHINX DEVELOPMENT CORPORATION
O	93	1407	DOYLE AVE	SCOTT PATRICIA ANN
	94	1519	DOYLE AVE	BETHEL ENTERPRISE INC
	95	1511	DOYLE AVE	TAKADA INC
	96	1502	COMPTON ST	CERDA CYNTHIA PEREZ
	97	1508	COMPTON ST	BARNES CLARA
	98	1510	COMPTON ST	BELTRAN MONICA & MIGUEL A
	99	1514	COMPTON ST	BELTRAN MIGUEL
	100	1518	COMPTON ST	SDC SACHSE SENIOR VILLAS
	101	1522	COMPTON ST	MANJREKAR ASHISH
	102	1526	COMPTON ST	STANTON LUTHER ET AL
	103	1530	COMPTON ST	HAPPY FAMILY RENTALS LLC
	104	1534	COMPTON ST	ELVISARA LLC
	105	1538	COMPTON ST	KING ALONZO
	106	441	AVE A	MILLER GORGE
	107	1535	DOYLE AVE	THOMPSON MAE E
	108	1406	DOYLE AVE	MALAC LTD
	109	1410	DOYLE AVE	WRIGHT BERNICE EST OF
	110	1414	DOYLE AVE	ODOM FRANCES
	111	1418	DOYLE AVE	BELTRAN MIGUEL ANGEL
	112	1422	DOYLE AVE	VALDIVIA JOSE JUAN &
	113	1415	FAYETTE ST	BANKS ETTA
	114	1411	FAYETTE ST	LAGOW DEV PROJECT LLC
	115	1407	FAYETTE ST	MCINTOSH JAMES D EST OF
	116	1502	DOYLE AVE	HILLIARD RALPH
	117	1506	DOYLE AVE	EARLE DEVAN &
	118	1510	DOYLE AVE	DIRKS LUBERTIA
	119	1512	DOYLE AVE	FIELDS HARON EST OF

Reply	*Label #*	*Address*		*Owner*
	120	1518	DOYLE AVE	SDC SACHSE SENIOR VILLAS LLC
	121	1526	DOYLE AVE	KIMBROUGH AURELIA
	122	1530	DOYLE AVE	THOMPSON DONOVAN
	123	435	AVE A	MEYER STEVE
	124	423	AVE A	SDC SACHSE SENIOR VILLAS LLC
	125	419	AVE A	SDC SACHSE SENIOR VILLAS LLC
	126	411	AVE A	SDC SACHSE SENIOR VILLAS
O	127	409	AVE A	NEARER TO NATURE LLC
	128	407	AVE A	SDC SACHSE SENIOR VILLAS LLC
	129	1502	AVE B	TEXAS SDC LLC
	130	301	S CORINTH ST RD	TEXAS SDC LLC
	131	415	CORINTH ST	SDC SACHSE SR VILLAS LLC
	132	414	AVE A	SDC SACHSE SR VILLAS LLC
	133	417	CORINTH ST	CHANDLER DONALD S &
	134	422	AVE A	CANAS LUIS ALBERTO GONZALEZ
	135	430	AVE A	SPHINX DEVELOPMENT CORPORATION
	136	434	AVE A	DYSON PAULA ET AL &
	137	438	AVE A	CANAS JUAN
	138	424	S CORINTH ST RD	CHANDLER DONALD &
	139	219	AVENUE A	LIBERTY BAPTIST CHURCH
	140	215	S CORINTH ST RD	SDC MIXED DEVELOPMENT LLC
	141	191	S CORINTH ST RD	BALLAS VICTOR
	142	301	S CORINTH ST RD	SDC SACHSE SENIOR VILLAS LLC
	143	327	S CORINTH ST RD	BOLDEN CEDRIC
	144	315	AVE A	SPHINX DEVELOPMENT CORP
	145	1606	AVE B	DANIELS MARKUS
	146	1622	AVE B	BOLDEN CEDRIC
	147	1614	AVE B	SMITH ALEXANDREA ROSE
	148	416	S CORINTH ST RD	SMITH ALEXANDREA ROSE SMITH
	149	316	S CORINTH ST RD	ENGLISH WANDA
	150	1615	AVE B	BROWN BOBBY

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	151	1607	AVE B	HERNDON SUSAN W &
	152	1601	AVE D	HERNANDEZ JUAN
	153	260	S CORINTH ST RD	BLACKMAN JOHN B &
	154	4524	E CLARENDON DR	DALLAS AREA RAPID TRANSIT
	155	503	WOODBINE AVE	County of Dallas
	156	2300	AL LIPSCOMB WAY	BNSF RAILWAY
	157	401	S BUCKNER BLVD	DART
	158	555	2ND AVE	DART
	159	555	2ND AVE	DART

Agenda Information Sheet

File #: 19-799 **Item #:** 69.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property zoned Subdistrict 1 within Planned Development District No. 621 and Planned Development District No. 442, north of the intersection of North Stemmons Freeway Service Road and Slocum Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z178-314(CY)

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HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY JUNE 12, 2019**
ACM: Michael Mendoza

FILE NUMBER:	Z178-314(CY)	**DATE FILED:**	July 27, 2018
LOCATION:	North of the intersection of North Stemmons Freeway Service Road and Slocum Street		
COUNCIL DISTRICT:	6	**MAPSCO:**	45 J
SIZE OF REQUEST:	Approx. 3.278 acres	**CENSUS TRACT:**	100.00

OWNER/APPLICANT: Cabana Development, LLC

REPRESENTATIVE: J. Prabha Cinclair, Miklos Cinclair, PLLC

REQUEST: An application for a new subdistrict within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property zoned Subdistrict 1 within Planned Development District No. 621 and Planned Development District No. 442.

SUMMARY: The applicant proposes to rezone the portion of the property zoned Planned Development District No. 442, and to create a new subdistrict to allow for an increase in height and floor area ratio. The purpose of the request is to allow for the restoration of an existing building to be occupied as a hotel use, and to allow for a future mixed-use development to include multifamily and retail and personal service uses.

CPC RECOMMENDATION: **Approval**, subject to conditions.

STAFF RECOMMENDATION: **Approval**, subject to conditions.

BACKGROUND INFORMATION:

- Planned Development District No. 442 was established by City Council on May 8, 1996, and contains approximately 0.226 acres.

- Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, was established by the City Council on August 28, 2002, and contains approximately 421 acres divided into 11 subdistricts.

- The area of request is zoned PD No. 442 on a portion, and the remainder is zoned Subdistrict 1 within PD No. 621. The site is currently developed with a vacant ten-story building and a five-level parking structure.

- The existing ten-story building was constructed circa 1963 as a hotel [Cabana Hotel]. In 1984, the building was converted into a jail facility operated by Dallas County [Decker Detention Center]. Later, in 2009, the building was occupied with a halfway house use until 2013, when the building was vacated.

- The applicant is requesting to rezone the portion of the site zoned PD No. 442 and create a new subdistrict within PD No. 621 with additional height bonuses and an increase in the allowable floor area ratio (FAR).

- The purpose of the request is to allow for the restoration of the existing ten-story building to accommodate a hotel use and to allow for a future mixed-use development to include a residential tower addition above the existing parking structure, and ground-story retail and personal service uses.

Zoning History: There have been two zoning changes in the surrounding area in the past five years.

1. **Z145-170** On March 23, 2016, the City Council approved an amendment to Planned Development District No. 582, the Victory Planned Development District on property located east of North Stemmons Freeway and north of Woodall Rogers Freeway, east of the area of request.

2. **Z156-369** On January 25, 2017, the City Council approved Subdistrict 1I within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property located at the southwest intersection of Inspiration Drive and North Stemmons Freeway, north of the area of request.

Thoroughfares/Streets:

Thoroughfare/Street	Type	ROW
Slocum Street	Minor Arterial	80
Interstate 35 (North Stemmons Freeway)	Interstate highway	Variable

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS.

Policy 1.3.1 Create housing opportunities throughout Dallas.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.1 Focus economic development efforts on revitalization of the Trinity River Corridor.

URBAN DESIGN

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.3 Ensure attractive gateways into the city

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use Plan:

STEMMONS CORRIDOR-SOUTHWESTERN MEDICAL DISTRICT AREA PLAN (2010)

The Stemmons Corridor – Southwestern Medical District Plan Area contains approximately 3,885 acres (about six square miles) and is generally bounded by the Trinity River, Mockingbird Lane, Downtown, and the City's Uptown area.

The area of request is located within the Design District. The Area Plan identifies the Design District as a 'magnet' for residential development due to its proximity to Downtown and the potential connectivity to surrounding amenities.

The Land Development Vision Plan of the study area identifies the area of request within an Urban Mixed-Use Medium development block which is envisioned to provide for residential development in mid to high-rise structures. The mixed-use areas are intended to create urban places that allow people to live, work, shop and play in the same neighborhood.

Within the Urban Mixed-Use Medium development block, the area plan identifies the area of request within one of two general areas. This area is generally located between Inwood Boulevard to the north and Continental Avenue to the south and bounded between the Trinity River levee and the Trinity Meanders. The Dallas Design District is also located within this area. Generally, this area is envisioned as appropriate for a mix of uses including residential, retail or wholesale showrooms, office, and mixed-use buildings. Currently the area is changing from a predominance of warehousing and some hotel uses with some recent multifamily residential development to a more vibrant mixed-use neighborhood with a variety of uses in close proximity.

TRINITY RIVER CORRIDOR COMPREHENSIVE LAND USE PLAN (2005)

The subject site is located within the Trinity River Corridor Comprehensive Land Use Plan, Downtown-Lakes District. The study identifies that the area will continue to have the most intense development pattern in Dallas. With the highest development intensity in this plan, this area extends across IH-35 from Downtown Dallas to the Trinity River levees and continues across the river to Oak Cliff and West Dallas. This development pattern should extend the existing downtown fabric and take full advantage of the appealing amenities planned in the central part of the Trinity River Corridor. Other land use modules provide for mixed use urban development as well. Mixed Use – High Density; Mixed Use – Adaptive Reuse; Residential Urban and Residential Riverside modules are all included in the plans for this district. The result should be a variety of exciting new urban neighborhoods and business areas.

THE 360 PLAN (2017)

The 360 Plan, adopted by Council in 2017, is an update to 2011's Downtown Dallas 360. The Plan is a strategic document that sets a clear, cohesive vision for Downtown Dallas and its surrounding neighborhoods.

The plan recognizes the importance of planning the vision of Downtown Dallas as a complete and connected center containing a strong collection of mutually supportive districts. These supportive districts include the districts adjacent to the freeway loop that defines the Downtown area.

The 360 Plan provides a framework for a complete and connected City Center that provides enhanced opportunities for living, employment, education, and open space. The plan identifies the area of request within the Design District, one of the supporting districts, which is described as a unique destination for art, home furnishings, and design goods. In recent years, however, the Design District has emerged as a vibrant, mixed-use neighborhood as residential buildings and additional commercial services have come online.

The area plan acknowledges that the Design District has become one of the most successfully-branded destinations in Dallas and indicates that, as the Design District continues to grow and diversify, it is necessary to retain its industrious, creative energy for its continued success.

The Dallas Design District is emerging into more than an attraction for interior designers, with numerous residential and other commercial projects adding to the district’s vitality. In the future, the district is envisioned to continue its role as the premier destination for interior design-oriented business and innovation, while increasing its role as an integral part of the overall Downtown experience.

Land Use:

	Zoning	Land Use
Site	Subdistrict 1 within PD No.621	Vacant building, parking structure
North	Subdistrict 1 within PD No.621	Electrical substation
East	Subdistrict I-2 within PD No. 193, South Subdistrict within PD No. 582	IH-35 (N. Stemmons Fwy.), Office, commercial parking lot, multifamily
Southwest	Subdistrict 2 within PD No. 621	Bus or rail transit vehicle maintenance or storage
West	Subdistrict 1 within PD No.621	Warehouse, office/showroom warehouse, vacant building, electrical substation.

Land Use Compatibility:

The approximate 3.278-acre area of request is zoned Planned Development District No. 442 and Subdistrict 1 within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District.

PD No. 442 was established by City Council on May 8, 1996 to allow for IR Industrial Research District uses and a halfway house use. PD No. 621 was adopted by the City Council on August 28, 2002, and is divided into 11 subdistricts. Ten of these subdistricts [1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H and 1I] are transit-oriented, mixed-use zoning districts for development of combinations of medium to high-density residential, retail and office uses while retaining the potential for limited industrial and warehouse uses. Subdistrict 2 is for MU-3 Mixed Use District uses plus bus or rail transit vehicle maintenance or storage facility use.

Prior to the creation of PD No. 621, the approximate 422-acre area was zoned CS, Commercial Service, IR Industrial Research and MU-3 Mixed-Use Districts, and was primarily developed with various commercial, warehouse and industrial uses. Since then, the area has experienced the redevelopment of various parcels that are more mixed use in nature.

The subject site, of a triangular shape, is currently developed with a ten-story building and a five-level parking structure that have been vacant for approximately six years. The ten-story building was built circa 1963 and once contained a hotel use [Cabana Hotel]. Later, in 1984, the use of the building changed to a jail and then, was subsequently converted to a halfway house in 2009.

The applicant is proposing to restore the existing building while maintaining the structure's primary façade[1], and reinstate it as a hotel use with the inclusion of restaurant and bar uses at ground level. Additionally, the applicant proposes to construct a residential tower atop the existing parking structure. The purpose of the request is to rezone the portion of the site zoned PD No. 442 and create a new subdistrict within PD No. 621 to allow for the development of the mixed-use project to include hotel, retail and personal service (restaurants) and multifamily uses.

A new subdistrict is required to allow for an increase in the floor area ratio and allowable height to accommodate the proposed high-density redevelopment while preserving the existing ten-story building.

The existing regulations in PD No. 442 limit the floor area ratio to 0.5 for retail and personal service uses and to 0.75 for any combination of lodging, office and retail and personal service. The PD District also limits the maximum height to 200 feet with RPS restrictions and prohibits residential uses.

The floor area ratio and height regulations in Subdistrict 1 within PD No. 621 restrict development to a maximum FAR of 4.0 and a maximum height of 130 feet or 150 feet for buildings with an FAR for residential uses of 0.5 or more. For some subdistricts within the PD District, additional floor area and height bonuses may be achieved by complying with certain additional provisions.

The applicant proposes similar provisions to achieve a maximum FAR of 5.5 and a maximum height of 400 feet. These provisions, in addition to incorporating the criteria already used in some of the recently created subdistricts for mixed-use developments, include conditions that tie the increase in development rights to the preservation of the existing ten-story building. For this purpose, the existing building is designated as a legacy building which will be required to meet specific criteria to qualify as such.

Furthermore, the PD conditions will require that development in the proposed subdistrict must include the rehabilitation and adaptive reuse of the legacy building to receive any of the height bonuses.

In order for the floor area ratio to be increased from 4.0 to 5.5 the proposed development will be required to be a *legacy building mixed-use project*. A legacy building mixed-use project is being defined as a project containing more than two uses and with at least one use contained in the legacy building[2]. Additionally, to increase the FAR, the proposed development will be required to contain a multifamily use, have a building façade within 20 feet of the property line along Slocum Street, and provide for a minimum of 5,700 square feet of retail and personal service located on the ground floor.

[1] The applicant is also working on getting the building listed on the National Register of Historic Places in order to qualify for Historic Tax Credits.

[2] Legacy building is being defined as a building constructed on or before 1963 and that contains a hotel use and that is individually listed on the National Register of Historic Places.

A list of different bonuses granting gradual increases in height can be combined to achieve the maximum height of 400 feet. The applicant proposes the development in the new subdistrict to be eligible for most of the existing bonuses applicable to other subdistricts, with three additional bonuses. A height bonus of 25 feet is proposed for any new development being architecturally compatible with the legacy building. Also, an additional 15-foot height bonus is proposed for providing a minimum six-foot wide, unobstructed sidewalk along Slocum Street. Finally, an additional 35-foot height bonus is proposed for providing mixed-income housing. This list of bonuses, along with a comparison between the proposed subdistrict and the existing subdistricts, is found in the Development Standards section of this report.

One of the two bonuses the proposed subdistrict would not be eligible for is a 50-foot increase in height for the development of a sports practice facility on the site. The existing conditions define a sports practice facility as a private recreation center, club or area that includes a combination of the following: two full basketball courts, lockers rooms, plunge pools, weight room and training area, a lounge area and offices for staff. Because the proposed redevelopment of the area of request will not include this use as specifically defined, the option of this bonus will not be applicable to the proposed subdistrict.

The second bonus that will not be applicable to the proposed subdistrict, is a 75-foot increase in height for providing a public trail from the subject site connecting to the existing DART Victory Station across North Stemmons Freeway. The applicant did not propose including this bonus because it was considered that the site's location presents challenges in meeting the required standards for hike and bike trails.

Properties surrounding the area of request are developed with a bus or rail transit vehicle maintenance or storage to the southwest [Greyhound lines facility], a self-storage warehouse, office/showroom warehouse uses, a vacant building and an electrical substation are to the west. Across I-35 to the east, there are office, commercial parking lot and multifamily uses and to the north there is an electrical substation abutting the site followed by office/showroom warehouse uses [Dallas Design Center] further north.

Staff considers the request is consistent with the surrounding area, with the purpose of PD No. 621, and with the clear transition of the area into a vibrant, mixed-use neighborhood as residential buildings and additional commercial services are proliferating in the vicinity. The proposed development is foreseen as a catalytic agent to extend this type of development to the southern part of the Design District. As a result, staff recommends approval of the request subject to the proposed conditions.

Development Standards:

The following charts detail a comparison between the development standards in the existing zoning and the proposed subdistrict, and the existing and proposed height bonuses.

PROVISION	EXISTING SUBD. 1 in PD No. 621	EXISTING PD 442	PROPOSED SUBD. 1— in PD No. 621
USES	Mixed uses; medium to high density	IR District uses + Halfway house	Mixed uses; medium to high density
F/S/R YARD SETBACKS	0'/0'/0'	0' (urban form setback 20' over 45' ht.)/ 20' when adjacent to residential, no min in all other + Tower spacing	Per PD 621
DENSITY	No maximum	--	No maximum
FAR	4.0	0.5 for retail and personal service uses; 0.75 for any combination of lodging, office and retail and personal service uses; and 2.0 for all uses combined. Halfway house max. 23,500 sf	5.5 with mix of design criteria
STRUCTURE HEIGHT	130' (150' with 0.5 FAR residential component)	200' with RPS restriction	130'; 150' w/0.5 FAR residential component; Up to 400' with bonuses.
LOT COVERAGE	100%	100%	100%
STORIES	No maximum	15 stories (parking garages are exempt)	No maximum
LANDSCAPING	Specific landscape regulations	Per Art X	Per PD 621
OFF-STREET PARKING	Dallas Development Code plus specific use parking ratios	Per Dallas Development Code, as amended	Per PD 621
DESIGN CRITERIA	Specific regulations	---	Per PD 621
SIGNS	Business zoning district plus specific retail and personal service attached signage	Business zoning district	Per PD 621

Height bonuses

BONUS	Height (feet)	SUBDISTRICT													
		1	1A	1B	1C	1D	1E	1F	1G	1H	1I	1_	2
Base	130	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
Base w/residential	150	☐	☑	☑	☐	☑	☑	☑	☑	☑	☑	☑	☐
(A) Tower size and orientation	60	☐	☑	☑	☐	☑	☑	☐	☑	☑	☐	☑	☐
(B) Conceal ground level parking	36	☐	☑	☑	☐	☑	☑	☑	☑	☑	☑	☑	☐
(C) LEED Certification	12	☐	☑	☑	☐	☑	☑	☑	☑	☑	☑	☑	☐
(D) Pedestrian amenities (if 25 points achieved)	12	☐	☑	☑	☐	☑	☑	☑	☑	☑	☑	☑	☐
(E) Public art or water feature*	15	☐	☐	☐	☐	☐	☑	☑	☑	☑	☑	☑	☐
(F) 5 electric veh. charging stations	15	☐	☐	☐	☐	☐	☑	☑	☑	☑	☑	☑	☐
(G) Public open space 1,000 sf or greater*	40	☐	☐	☐	☐	☐	☐	☑	☐	☑	☑	☑	☐
(H) Sports practice facility	50	☐	☐	☐	☐	☐	☐	☐	☐	☐	☑	☐	☐
(I) Public trail to DART AAC	75	☐	☐	☐	☐	☐	☐	☐	☐	☐	☑	☐	☐
(J) Architecturally Compatible New Dev.	25	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☑	☐
(K) Enhanced Sidewalk width	15	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☑	☐
(L) Mixed-income housing	35	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☑	☐
TOTAL MAX. HEIGHT AVAILABLE		150	270	270	150	270	300	300**	300	300**	350**	400	150

*15' bonus height not added if if 40' achieved by providing open space

** Maximum height allowed regardless of combination of bonuses used.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of request site is not within an identifiable MVA Category; however, it is in proximity to a "C" MVA Cluster to the northeast across Interstate Highway 35 (North Stemmons Freeway).

Parking:

At the time of development, off-street parking will be provided in accordance with Section 51P-621.110 *Off-street parking and loading*

Landscaping:

At the time of development, landscaping must be provided in accordance with Section. 51P-621.112.

CPC ACTION
April 18, 2019

Motion I: It was moved to recommend **approval** of a new subdistrict within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, subject to conditions to include a modification to the language in Section (5.1) to reflect achievement of height bonuses be conditioned upon preservation of the legacy building on property zoned Subdistrict 1 within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, and Planned Development District No. 442, north of the intersection of North Stemmons Freeway Service Road and Slocum Street.

Friendly Amendment: Commissioner Ridley offered a friendly amendment to Section (5.1) to condition achievement of height bonuses upon preservation of the Legacy Building. Commissioner Carpenter, the maker of the motion, and Commissioner Schulte, the seconder of the motion, accepted the friendly amendment.

Maker: Carpenter
Second: Schulte
Result: **Commissioner Carpenter withdrew her motion. Commissioner Schulte withdrew his second.**

Motion II: In considering an application for a new subdistrict within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property zoned Subdistrict 1 within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, and Planned Development District No. 442, north of the intersection of North Stemmons Freeway Service Road and Slocum Street, it was moved to **hold** this case under advisement until May 2, 2019, to allow time to clarify language concerning the preservation of the legacy building.

Maker: Carpenter
Second: Schulte
Result: Carried: 10 to 0

For: 10 - Schulte, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy*, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12
Conflict: 1 - Johnson**
Abstain: 2 - MacGregor***, Criss***

*out of the room, shown voting in favor
**out of the room, when vote taken
***abstained due to absence from bus tour

Notices: Area: 500 Mailed: 36
Replies: For: 1 Against: 2

Speakers: For: J. Prabha Cinclair, 1800 Valley View Ln., Farmers Branch, TX, 75234
Sean Terry, 1800 Valley View Ln., Farmers Branch, TX, 75234
For (Did not speak): Matthew Giese, 25 Highland Park Village, Dallas, TX, 75205
Against: None

CPC Action
May 2, 2019.

Motion: It was moved to recommend **approval** of a new subdistrict within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, subject to conditions on property zoned Subdistrict 1 within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, and Planned Development District No. 442, north of the intersection of North Stemmons Freeway Service Road and Slocum Street.

Maker: Carpenter
Second: Lewis
Result: Carried: 9 to 0

For: 9 - Schulte, Shidid, Carpenter, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley*

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12
Conflict: 1 - Johnson**
Abstain: 3 - MacGregor***, Criss***, Brinson

*out of the room, shown voting in favor
**out of the room, when vote taken
***abstained due to absence from bus tour

Notices: Area: 500 Mailed: 36
Replies: For: 1 Against: 2

Speakers: None

List of Officers

Cabana Development, LLC

- Cabana Development LLC, a Texas limited liability company
- By: MMM Ventures LLC, a Texas limited liability company, its manager
- By: 2M Ventures LLC, a Delaware limited liability company, its manager
- By: Mehrdad Moayedi its manager

CPC RECOMMENDED CONDITIONS.

ARTICLE 621.

PD 621.

Old Trinity and Design District Special Purpose District

SEC. 51P-621.101. LEGISLATIVE HISTORY.

PD 621 was established by Ordinance No. 25013, passed by the Dallas City Council on August 28, 2002. (Ord. 25013)

SEC. 51P-621.102. PROPERTY LOCATION AND SIZE.

PD 621 is established on property generally bounded by Sylvan Avenue/Wycliff Avenue on the northwest, the meanders of the old channel of the Trinity River on the north, Interstate 35 on the east, Continental Avenue on the south, and the Trinity River Floodway on the west. The size of PD 621 is approximately 421.0323 acres. (Ord. Nos. 25013; 25560; 27006; 29127)

SEC. 51P-621.102.1. CREATION OF SUBDISTRICTS.

(a) Name. This special purpose district is to be known as the Old Trinity and Design District Special Purpose District.

(b) Creation of subdistricts.

(1) This special purpose district is divided into **12**~~1~~ subdistricts. Exhibit 621A describes the boundaries of each subdistrict. The map labeled Exhibit 621B shows the boundaries of each subdistrict. In case of a conflict, the verbal description in Exhibit 621A controls over the map in Exhibit 621B.

(2) Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, [~~and~~]1I**, and 1-** are transit-oriented, mixed-use zoning districts for the development of combinations of medium to high- density residential, retail, and office uses. Development should encourage residential, retail, office, and lodging uses in compatible combinations within walking distance of DART light-rail stations; conserve energy; provide for efficient traffic circulation; conserve land; minimize vehicular travel; encourage both day-time and night-time activity; encourage use of mass transit; increase pedestrian activity; and encourage bicycle usage. Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G 1H, ~~and~~ 1I, **and 1-** retain the potential for limited industrial and warehouse uses.

(3) Subdistrict 2 is for MU-3 Mixed Use District uses, bus or rail transit vehicle maintenance or storage facility uses, and commercial bus station and terminal uses. (Ord. Nos. 25013; 26975; 27006; 27280; 28231; 28819; 30040; 30041; 30042; 30347)

SEC. 51P-621.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions in Chapter 51A apply to this article. The following definitions apply to this special purpose district:

(1) ANTIQUE SHOP means an establishment for the retail sale of articles such as glass, china, furniture, or similar furnishings and decorations that have value and significance as a result of age, design, or sentiment.

(2) ART GALLERY means an establishment where original works of art or limited editions of original works of art are bought, sold, loaned, appraised, or exhibited to the general public.

(3) ART OR CRAFT PRODUCTION FACILITY means a facility for the production of handcrafted art or craft products through processes such as kiln firing, glass blowing, welding, or woodworking and for sale of the products to the general public.

(4) BEER OR WINE MANUFACTURING means an enclosed facility that processes and manufactures alcoholic beverages. This use does not include the processing or manufacturing of distilled spirits.

(5) BUS OR RAIL TRANSIT VEHICLE MAINTENANCE OR STORAGE FACILITY means a facility for the maintenance, repair, or storage of bus, rail, or other transit vehicles, including the following accessory uses: sleeping facilities for bus, rail or transit vehicle drivers, vehicle paint and body shop, vehicle washing, vehicle fueling facilities, sanitary hoppers, oil storage, package express services, bus charter sales, offices, training facilities, vehicle storage, vehicle sales, and communication antennas.

(6) CANOPY TREE means a species of tree that normally bears crown foliage no lower than six feet above ground upon maturity.

(7) DUMPSTER means a movable container holding two cubic yards or more of garbage.

(8) FACADE means any separate face of a building that is visible from a street, alley, or railbed.

(9) **LEGACY BUILDING means a building constructed on or before 1963 and:**

(A) contains a hotel use; and

(B) is individually listed in the National Register of Historic Places (United States National Park Service).

(10) **LEGACY BUILDING MIXED-USE PROJECT means a project containing more than two uses developed as a single project and must include at least one use in a legacy building.**

(11) (~~9~~) MAJOR MODIFICATION means reconstruction, alteration, or renovation of an original building that exceeds 50 percent of the value of the original building assessed by the Dallas Central Appraisal District or any increase in the floor area of an original building if the expansion is over 50 percent for nonresidential projects, over 65 percent for mixed use projects, and over 75 percent for residential projects.

(12) (~~10~~) MASSAGE ESTABLISHMENT means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. "MASSAGE" means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

(13) (~~11~~) MEANDERS OF THE OLD TRINITY RIVER CHANNEL means the old Trinity River channel within this special purpose district, as shown on the map labeled Exhibit 621C.

(14) (~~12~~) MIXED USE PROJECT means a development, on a single building site, that contains more than one use.

(15) (~~13~~) NEW CONSTRUCTION means construction of a main structure that is not an original building.

(16) **NEW DEVELOPMENT means any work that increases the total floor area on a building site.**

(17) (~~14~~) OPENING means a door, window, passageway, or any other similar architectural feature through which light or solid objects may pass.

(18) (~~15~~) ORIGINAL BUILDING means a structure existing on the date of the establishment of this special purpose district but does not include a structure that has undergone a major modification.

(19) (~~16~~) OUTSIDE SEATING means the area between an omitted wall line and the structural wall when the area is used solely for seating of patrons.

(20) (~~17~~) PIERCING SALON means a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.

(21) (~~18~~) SPORTS PRACTICE FACILITY means a private recreation center, club, or area that includes a combination of the following: two full basketball courts, locker rooms, plunge pools, weight room and training area, a lounge area, and offices for staff.

(22) (~~19~~) RAILBEDS means the areas shown on the map labelled Exhibit 621D.

(23) (~~20~~) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

(24) (~~21~~) WALKING DISTANCE means the distance from the nearest point of a parking lot to the nearest public entrance of a main use, measured along the most convenient pedestrian walkway.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This special purpose district is considered to be a mixed use zoning district.

(d) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol *[L]* appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A-4.218, "Limited Uses.")

(3) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(4) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803, "Site Plan Review." ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800, "Development Impact Review.")

(5) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, "Site Plan Review," a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review generally, see Division 51A-4.800, "Development Impact Review.") (Ord. Nos. 25013; 25560; 28231; 30347)

SEC. 51P-621.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 621A: Property and Subdistrict Descriptions.

(2) Exhibit 621B: Subdistrict Map.

(3) Exhibit 621C: Meanders of the Old Trinity River Channel.

(4) Exhibit 621D: Existing Railbeds.

(5) Exhibit 621E: List of Native Plants.

(6) Exhibit 621F: The Old Trinity and Design District "Woonerf-Living Streets" Conceptual Plan.

(7) Exhibit 621G: Tower Diagrams for Subdistrict 1A.

(8) Exhibit 621H: Tower Orientation.

(9) Exhibit 621I: Tower Diagram for Subdistrict 1E.

(10) Exhibit 621J: Tower Diagram for Subdistrict 1F.

(11) Exhibit 621K: Tower Diagram for Subdistrict 1G. (Ord. Nos. 28231; 30040; 30041; 30042)

(12) **Exhibit 621 _: Tower Diagram for Subdistrict 1-**

SEC. 51P-621.104. CONCEPTUAL PLAN.

There is no conceptual plan for this special purpose district. (Ord. 25013)

SEC. 51P-621.105. DEVELOPMENT PLAN.

(a) Except as otherwise provided in this article, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

(b) Development of the railbeds as woonerf, as described in Exhibit 621F, is encouraged. The provisions of Exhibit 621F are not required. (Ord. Nos. 25013; 25560)

SEC. 51P-621.106. MAIN USES PERMITTED.

(a) Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, [~~and~~] 1I, **and 1_.**

(1) Agricultural uses.

-- None permitted.

(2) Commercial and business service uses.

-- Building repair and maintenance shop. [RAR]
-- Catering service.
-- Commercial cleaning or laundry plant. [SUP]
-- Custom business services.
-- Custom woodworking, furniture construction, or repair.
-- Electronics service center.
-- Job or lithographic printing. [RAR]
-- Labor hall. [SUP]
-- Machine or welding shop. [RAR]
-- Medical or scientific laboratory.
-- Technical school.
-- Tool or equipment rental.

(3) Industrial uses.

-- Beer or wine manufacturing. *[Limited to Subdistricts 1C, 1D, and 1I]*
-- Industrial (inside) for light manufacturing.
-- Industrial (inside). *[RAR]*
-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

-- Adult day care facility.
-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center. [*SUP]*
-- Convent or monastery.
-- Halfway house. *[SUP]*
-- Hospital. *[RAR]*
-- Library, art gallery, or museum.
-- Open-enrollment charter school. *[SUP]*
-- Private school other than open-enrollment charter school. *[SUP]*
-- Public school other than open-enrollment charter school. *[SUP]*

(5) Lodging uses.

-- Hotel or motel. *[RAR]*
-- Lodging or boarding house. *[SUP]*

(6) Miscellaneous uses.

-- Carnival or circus (temporary). *[By special authorization of the building official]*
-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window. *[SUP, except with RAR only for lots adjacent to Oak Lawn Avenue, Market Center Boulevard, or Turtle Creek Boulevard]*
-- Medical clinic or ambulatory surgical center.
-- Office.

(8) Recreation uses.

-- Country club with private membership.
-- Private recreation center, club, or area. *[See Section 51P-621.117(c) for use with a seating capacity of 10,000 or more in Subdistrict 1I.]*
-- Public park, playground, or golf course.

(9) Residential uses.

-- College dormitory, fraternity, or sorority house. *[SUP]*
-- Duplex.
-- Group residential facility. *[SUP required if the spacing component of Section 51A-4.209(3) is not met. Permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District]*
-- Handicapped group dwelling unit. *[SUP required if the spacing component of Section 51A-4.209(3.1) is not met. Permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District]* -- Multifamily.
-- Retirement housing. *[SUP]*
-- Single family.

(10) Retail and personal service uses.

-- Alcoholic beverage establishments. ***[Allowed by right in Subdistrict 1-]*** *[SUP, except that a microbrewery, micro-distillery, or winery is permitted by right in Subdistrict 1I. See Section 51A-4.210(b)(4).]*
-- Ambulance service. *[RAR]*
-- Animal shelter or clinic without outside run. *[RAR]*
-- Animal shelter or clinic with outside run. *[SUP]*
-- Antique shop.
-- Art gallery.
-- Art or craft production facility. *[Limited to 5,000 square feet or less of floor area.]*
-- Auto service center. *[SUP]*
-- Billiard hall. *[SUP]*
-- Bingo parlor. *[SUP]*
-- Business school.
-- Car wash. *[SUP]*
-- Commercial amusement (inside). *[See Section 51A-4.210(b)(7). Except as otherwise provided, permitted in this subdistrict subject to the same*

requirements as if located in an MU-3 Mixed Use District. Class E dancehalls, as defined in Chapter 14 of the Dallas City Code, are not permitted. Billiard hall by SUP only. Bingo parlor by SUP only. In Subdistrict 1I, see Section 51P-621.117(c) for use with a seating capacity of 10,000 or more.]

-- Commercial parking lot or garage.
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.
-- Home improvement center, lumber, brick, or building materials sales yard.
-- Household equipment and appliance repair.
-- Liquor store.
-- Massage establishment. *[SUP]*
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station. *[SUP]*
-- Nursery, garden shop, or plant sales.
-- Outside sales. *[SUP]*
-- Personal service uses.
-- Piercing salon. *[SUP]*
-- Restaurant without drive-in or drive-through service.
-- Restaurant with drive-in or drive-through service.*[SUP]*
-- Swap or buy shop. *[SUP]*
-- Taxidermist.
-- Tattoo studio. *[SUP]*
-- Temporary retail use.
-- Theater. *[Limited to 1,000 seats or fewer, except in Subdistrict 1I. See Section 51P-621.117(c) for use with a seating capacity of 10,000 or more in Subdistrict 1I.]*
-- Truck stop. *[SUP]*
-- Vehicle display, sales, and service. *[SUP]*

(11) Transportation uses.

-- Heliport. *[SUP]*
-- Helistop. *[SUP]*
-- Railroad passenger station. *[SUP]*
-- Transit passenger shelter.
-- Transit passenger station or transfer center. *[By SUP or city council resolution.]*

(12) Utility and public service uses.

-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Post office.
-- Radio, television, or microwave tower. *[RAR]*
-- Tower/antenna for cellular communication.

-- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

-- Auto auction. *[SUP]*
-- Contractor's maintenance yard. *[RAR]*
-- Mini-warehouse. *[SUP, except with RAR only if all on-site circulation is internal to the structure.]*
-- Office showroom/warehouse.
-- Recycling drop-off container. *[SUP required if the requirements of -- Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]*
-- Trade center.
-- Warehouse.

(b) Subdistrict 2.

(1) Except as otherwise provided in this subsection, the uses permitted in this subdistrict are the same as those uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the MU-3 Mixed Use District only by specific use permit (SUP) is permitted in this special purpose district only by SUP; a use subject to development impact review (DIR) in the MU-3 Mixed Use District is subject to DIR in this special purpose district; etc.

(2) The following use is permitted in this subdistrict subject to residential adjacency review:

-- Bus or rail transit vehicle maintenance or storage facility. *[RAR]*

(3) The following use is permitted in this subdistrict by specific use permit only:

-- Commercial bus station and terminal. *[SUP]*

(Ord. Nos. 25013; 25560; 26975; 27280; 28231; 28819; 30040; 30041; 30042; 30347)

SEC. 51P-621.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, see Section 51A-4.217.

(b) The following accessory uses are not permitted in Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, **and 1-**:

-- Accessory medical/infectious waste incinerator.
-- Accessory pathological waste incinerator.
-- Amateur communications tower.
-- Day home.
-- General waste incinerator.

-- Private stable.

(c) Except as otherwise provided in this section, accessory uses in Subdistrict 2 must comply with the accessory use regulations applicable to the MU-3 Mixed Use District.

(d) The following accessory uses are permitted by SUP only:

-- Accessory outside storage. *[SUP]*

-- Pedestrian skybridges. *[SUP]* (Ord. Nos. 25013; 25560; 26975; 27280; 28231; 28819; 30347)

SEC. 51P-621.108. CREATION OF A BUILDING SITE.

(a) The building official shall not issue a certificate of occupancy or a building permit until:

(1) a building site has been established under Section 51A-4.601, "Creation of a Building Site"; or

(2) the yard, lot, and space requirements of a lot or parcel can be determined from property lines described in deed records. (Ord. 25013)

SEC. 51P-621.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, [~~and~~] 1I**, and 1-.**

(1) Front yard. No minimum front yard.

(2) Side and rear yard. No minimum side or rear yard.

(3) Density. No maximum density.

(4) Floor area.

(A) For Subdistricts 1, 1A, 1C, and 1D, maximum floor area ratio is 4.0.

(B) For Subdistrict 1B, maximum floor area is 449,316 square feet.

(C) Except as provided in this subparagraph, for Subdistrict 1E, maximum floor area is 186,437 square feet.

(i) Mix of uses with a hotel or motel use. Maximum floor area may be increased to 450,000 square feet if a structure contains a hotel or motel use with a minimum of 150

guest rooms and a minimum of 7,000 square feet of floor area for retail and personal service uses at street level.

(aa) If a restaurant without drive-in or drive-through service is located at street level, an outside seating area of 700 square feet, for all restaurants combined, must be provided and must face a public right-of-way or abandoned railroad right-of-way.

(bb) An outside seating area does not count toward the minimum 7,000 square feet of floor area requirement for retail and personal service uses.

(ii) Mix of uses without a hotel or motel use. Maximum floor area may be increased to 450,000 square feet if a multifamily use with a minimum of 135 dwelling units has a minimum of 7,000 square feet of floor area for retail and personal service uses at street level.

(aa) If a restaurant without drive-in or drive-through service is located at street level, an outside seating area of 700 square feet, for all restaurants combined, must face a public right-of-way or abandoned railroad right-of-way.

(bb) An outside seating area does not count toward the minimum 7,000 square feet of floor area requirement for retail and personal service uses.

(D) Except as provided in this subparagraph, for Subdistrict 1F, maximum floor area is 268,330 square feet. Maximum floor area may be increased to 295,000 square feet if a structure contains a minimum of 3,000 square feet of floor area for retail and personal service uses located at street level.

(i) If a restaurant without drive-in or drive-through service is located at street level as part of the 3,000 square feet of floor area requirement for retail and personal service uses, an outside seating area of 800 square feet, for all restaurants combined, must be provided along Edison Street and the southeastern Property line.

(ii) An outside seating area does not count toward the minimum 3,000 square feet of floor area requirement for retail and personal service uses.

(E) Except as provided in this subparagraph, for Subdistrict 1G, maximum floor area is 245,678 square feet.

(i) Mix of uses with a hotel or motel use. Maximum floor area may be increased to 450,000 square feet if a structure contains a:

(aa) hotel or motel use with a minimum of 100 guest rooms;

(bb) a multifamily use with a minimum of 120 dwelling units; and

(cc) a minimum of 4,000 square feet of floor area for retail and personal service uses at ground level.

(11) If a restaurant without drive-in or drive-through service is located at ground level, an outside seating area of 500 square feet, for all restaurants combined, must be provided and must face a Property line other than Stemmons Freeway.

(12) An outside seating area does not count toward the minimum 4,000 square feet of floor area requirement for retail and personal service uses.

(ii) Mix of uses without a hotel or motel use. Maximum floor area may be increased to 450,000 square feet if a structure contains a multifamily use with a minimum of 200 dwelling units and a minimum of 4,000 square feet of floor area for retail and personal service uses located at ground level.

(aa) If a restaurant without drive-in or drive-through service is located at ground level, an outside seating area of 500 square feet, for all restaurants combined, must be provided and must face a Property line other than Stemmons Freeway.

(bb) An outside seating area does not count toward the minimum 4,000 square feet of floor area requirement for retail and personal service uses.

(F) Except as provided in this subparagraph, in Subdistrict 1H, maximum floor area ratio is 4.0. Maximum floor area ratio may be increased to 5.0 for a residential use if it complies with the following:

(i) Any ground-story blank wall area, as defined in Section 51A-13.201(5), along Hi Line Drive does not exceed a maximum of 30 linear feet.

(ii) A minimum of 70 percent of the lot width along Hi Line Drive contains a building facade within 20 feet of the Property line.

(iii) A minimum of 75 percent of a structure at street level along Hi-Line Drive must have one or more of the following:

(aa) residential units with direct street level access to the sidewalk;

(bb) for the portion of the structure that contains a lobby, a ground-story facade providing a minimum of 50 percent window pane surface area that allows views into the structure at a minimum depth of four feet; or

(cc) a publicly accessible open space area that complies with the criteria of Section 51P-621.109(a)(5.1)(G).

(iv) The sidewalk along Hi Line Drive has a minimum unobstructed width of eight feet.

(G) Except as provided in this subparagraph, in Subdistrict 1I, maximum floor area ratio is 4.0. Maximum floor area ratio may be increased to 5.5 for mixed-uses if it complies with the following:

(i) Any ground-story blank wall area, as defined in Section 51A-13.201(5), along Inspiration Drive does not exceed a maximum of 20 linear feet.

(ii) A minimum of 70 percent of the lot width along Inspiration Drive contains a building facade within 20 feet of the Property line.

(iii) A minimum of 75 percent of a structure at street level along Inspiration Drive has one or more of the following:

(aa) if a restaurant without drive-in or drive-through service is located at ground level, an outside seating area of at least 500 square feet, for all restaurants combined, is provided and faces a Property line other than the one along Stemmons Freeway;

(bb) residential units with direct street level access to the sidewalk;

(cc) for the portion of the structure that contains a non-residential use, a ground-story facade providing a minimum of 50 percent window pane surface area that allows views into the structure at a minimum depth of four feet; or

(dd) a publicly accessible open space area that complies with the criteria of Section 51P-621.109(a)(5.1)(G).

(H) Except as provided in this subparagraph, in Subdistrict 1-, maximum floor area ratio is 4.0. Maximum floor area ratio may be increased to 5.5 for a legacy building mixed-use project when all the following provisions are met:

(i) contains a multifamily use,

(ii) **a minimum of 70 percent of the lot width along Slocum Street contains a building facade within 20 feet of the property line, and**

(iii) **includes a minimum of 5,700 square feet of retail and personal service uses located on the ground floor.**

(aa) **if a restaurant without drive-in or drive-through service is located on the ground floor, an outside seating area of at least 500 square feet, for all restaurants combined, must be provided and must face a public right-of-way.**

(bb) **an outside seating area does not count toward the minimum 5,700 square feet of floor area requirement for retail and personal service uses.**

(5) Height.

(A) Except as provided in this subsection, maximum height is:

(i) 150 feet for buildings having an FAR for residential uses of 0.5 or more; and

(ii) 130 feet for all other buildings and structures.

(B) In Subdistricts 1E, 1F, 1G, 1H, [~~and~~] 1I**, and 1-**, mechanical equipment, elevator overrides, penthouses, parapet walls, and related equipment and structures may extend an additional 10 feet in height above the maximum structure height.

(5.1) Height bonuses for Subdistricts 1A, 1B, 1D, 1E, 1F, 1G, 1H, [~~and~~] 1I**, and 1-**. One or more of the following height bonuses may be combined to achieve a maximum building height of 270 feet for Subdistricts 1A, 1B, and 1D, a maximum building height of 300 feet for Subdistricts 1E, 1F, 1G, and 1H, ~~and~~ a maximum building height of 350 feet for Subdistrict 1I**, and a maximum building height of 400 feet for Subdistrict 1-**. In Subdistrict 1F, the development must comply with Section 51P-621.109(a)(4)(D)(i) and (ii) to receive a height bonus. In Subdistrict 1G, the development must comply with Section 51P-621.109(a)(4)(E)(i) or (ii) to receive a height bonus. In Subdistrict 1H, the development must comply with Section 51P-621.109(a)(4)(F)(i) through (iv) to receive a height bonus. In Subdistrict 1I, once the following height bonuses are used to reach a building height of 350 feet, a structure may be built to any legal height allowed by the Federal Aviation Administration. **In subdistrict 1-, the development must include the rehabilitation and adaptive reuse of a legacy building to receive a height bonus. In this Subsection, REHABILITATION means the process of returning a building to a state of utility in accordance with the United States Department of the Interior guidelines, as stated in the Secretary of the Interior's "Standards for Rehabilitation."**

(A) Tower size and orientation. Building height may be increased a maximum of 60 feet if (See Exhibit 621G for Subdistrict 1A. See Exhibit 621H for Subdistrict 1B. See Exhibit 6211 for Subdistrict 1E. See Exhibit 621J for Subdistrict 1F. See Exhibit 621K for Subdistrict 1G. See Exhibit 621L for Subdistrict 1H. **See Exhibit 621_ for Subdistrict 1-**):

(i) in Subdistrict 1A and 1D:

(aa) the portion of the building above 75 feet in height has a floor plate of 12,500 square feet or less; and

(bb) the tower dimension perpendicular to the east Trinity River levee is at least three times longer than the tower dimension parallel to the east Trinity River levee (tower dimension is measured at the widest point of the building facade).

(ii) in Subdistrict 1B:

(aa) the portion of the building above 75 feet has a floor plate of 25,000 square feet or less;

(bb) the tower is oriented as indicated on Exhibit 621H; and

(cc) the longer tower dimension is at least three times longer than the short tower dimension (tower dimension is measured at the widest point of the building facade).

(iii) in Subdistricts 1E and 1G:

(aa) the portion of the building above 85 feet has a floor plate of 25,000 square feet or less;

(bb) the tower is oriented as indicated on Exhibit 6211 (for Subdistrict 1E) or Exhibit 621K (for Subdistrict 1G); and

(cc) the longer tower dimension is at least two times longer than the short tower dimension (tower dimension is measured at the widest point of the building facade).

(iv) in Subdistrict 1F:

(aa) the portion of the building above 75 feet has a floor plate of 25,000 square feet or less;

(bb) the tower is oriented as indicated on Exhibit 621J; and

(cc) the longer tower dimension is at least one-and-a-half times longer than the short tower dimension (tower dimension is measured at the widest point of the building facade).

(v) in Subdistrict 1H:

(aa) the portion of a building above 85 feet has a floor plate of 25,000 square feet or less;

(bb) towers are oriented as indicated on Exhibit 621L; and

(cc) the longer tower dimension is at least one and a half times longer than the short tower dimension (tower dimension is measured at the widest point of the building facade).

(vi) in Subdistrict 1-:

(dd) **the portion of a building that is above 75 feet, has a floor plate of 25,000 square feet or less;**

(ee) **the tower is oriented as indicated on Exhibit 621-; and**

(ff) **the longer tower dimension is at least three times longer than the short tower dimension (tower dimension is measured at the widest point of the building facade).**

(B) Street-level parking structure concealment. Building height may be increased a maximum of 36 feet if:

(i) the building is located in Subdistricts 1A, 1B, 1D, or 1H and:

(aa) the building has street-level office showroom/warehouse, office, restaurant, or residential uses that conceal 100 percent of the street-level parking structure facade; and

(bb) the street-level uses have a minimum depth of 30 feet measured from the building facade.

(ii) the building is located in Subdistrict 1E and except as provided in this subparagraph:

(aa) the development complies with Section 51P 621.109(a)(4)(C)(i) or (ii);

(bb) one hundred percent of the street-level parking structure facade is screened as follows:

(I) the building has street-level office showroom/warehouse, office, restaurant, hotel or motel, retail and personal service, or residential uses that conceal a minimum of 85 percent of the street-level parking structure facade (excluding driveway entrances);

(II) the remainder of the street-level parking structure facade is screened with a solid material that is architecturally compatible with the main building.

(cc) the street-level uses have a minimum depth of 30 feet measured from the building facade.

(iii) the building is located in Subdistrict 1F and:

(aa) the building has street-level office showroom/warehouse, office, restaurant, hotel or motel, retail and personal service, or residential uses that conceal 100 percent of the street-level parking structure facade facing Edison Street (excluding driveway entrances);

(bb) any street-level parking structure facade must provide screening that is architecturally compatible with the building and conceals a minimum of 50 percent of the street level parking structure facade facing Stemmons Freeway (excluding driveway entrances); and

(cc) the street-level uses have a minimum depth of 30 feet measured from the building facade.

(iv) the building is located in Subdistrict 1G and:

(aa) except as provided in this provision, the building has ground-level office showroom/warehouse, office, restaurant, hotel or motel, retail and personal service, or

residential uses that conceal 70 percent of the ground-level parking structure facade on the south side of the parking structure;

(bb) the ground-level uses have a minimum depth of 30 feet measured from the building facade; and

(cc) for facades facing Stemmons Freeway, ground-level office showroom/warehouse, office, restaurant, hotel or motel, retail and personal service, or residential uses or screening of any portion of a ground-level parking structure facade are not required.

(v) the building is located in Subdistrict 1I and:

(aa) except as provided in this provision, the building has ground-level office showroom/warehouse, office, restaurant, hotel or motel, retail and personal service, or residential uses that conceal 70 percent of the ground-level parking structure facade. The remainder of the street-level parking structure facade must be screened with a solid material that is architecturally compatible with the main building.

(bb) the ground-level uses have a minimum depth of 30 feet measured from the building facade; and

(cc) for facades facing Stemmons Freeway, ground-level office showroom/warehouse, office, restaurant, hotel or motel, retail and personal service, or residential uses or screening of any portion of a ground-level parking structure facade are not required.

(vi.) the building is located in Subdistrict 1- and:

(aa) **complies with Section 51P-109(a)(4)(H);**

(bb) **the building has ground-level retail and personal service uses, or residential uses that conceal a minimum of 50 percent of the ground-level street-facing parking structure facade. The remainder parking structure facades must provide screening that is architecturally compatible with the main building.**

(cc) **The street-level uses have a minimum depth of 30 feet measured from the building façade.**

(C) LEED rating.

(i) Building height may be increased a maximum of 12 feet if the building is eligible for silver, gold, or platinum designation under the United States Green Building Leadership in Energy and Environmental Design (LEED) rating system.

(ii) Determination of eligibility.

(aa) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) checklist, effective May 1, 2004, must be submitted with an

application for a building permit for development, indicating how development will comply with a certified designation. The development plans submitted for a building permit must be certified by a LEED accredited professional designated by the department of sustainable development and construction.

(bb) Before the issuance of a building permit, the building official shall determine that the project is consistent with the standards and criteria for a LEED certified designation.

(cc) If the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

(dd) The checklist, certified development plans, and any supporting documents and templates related to the points previously approved by the city for the LEED certified level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department of sustainable development and construction certifies that the building complies with the LEED certified designation.

(D) Pedestrian amenities. Building height may be increased a maximum of 12 feet if the building achieves 25 points under Section 51P-621.113(c)(3).

(E) Public art or water feature. In Subdistricts 1E, 1F, 1G, 1H, [~~and~~] 1I**, and 1-**, building height may be increased a maximum of 15 feet if:

(i) in Subdistricts 1E, and 1F, the building achieves 15 points under Section 51P-621.113(c)(4);

(ii) the public art or water feature is located in exterior open space and has a minimum of 600 square feet of land area, and includes a minimum of two of the following:

(aa) benches and/or seat walls;

(bb) trash receptacles;

(cc) shade structure, awning, trees; and

(iii) In Subdistrict 1E, the development complies with Section 51P-621.109(a)(4)(C)(i) or (ii).

(F) Electric charging stations. In Subdistricts 1E, 1F, 1G, 1H, [~~and~~] 1I**, and 1-**, building height may be increased a maximum of 15 feet if the development provides a minimum of five electric charging stations for the charging of electrically-powered motor vehicles, with a minimum of two of the stations that are accessible to the public. For purposes of this subparagraph, accessible to the public means an electric charging station that is visible from a public right-of-way or signage or other identification if either or all of the spaces are located within a structure.

(G) Publicly accessible open space. In Subdistricts 1F, 1H, [~~and~~] 1I**, and 1-**, building height may be increased a maximum of 40 feet if street-level publicly accessible open space is provided in accordance with this subparagraph. If building height is increased under this subparagraph, it may not be increased an additional 15 feet under Subparagraph (E) for the same open space.

(i) The open space must have a minimum of 1,000 square feet of land area.

(ii) The open space must be clearly visible and adjacent to, or a part of, a public sidewalk, subject to the following maximum elevations between the grade of the sidewalk and the grade of the open space:

Publicly Accessible Open Space Elevation

Open Space Land Area	**Maximum elevation above sidewalk grade**
500 square feet or less	6 inches or less
501-1,000 square feet	12 inches or less
1,001-2,000 square feet	2 feet or less
2,001-3,000 square feet	3 feet or less
3,001 square feet and greater	4 feet or less

(iii) The open space may not be designed to allow vehicular access.

(iv) In Subdistrict 1F, obstructions are not allowed above the plaza except awnings, trellises, or similar structures to enhance usability. In Subdistricts 1H and 1I, obstructions with a minimum clearance of 14 feet in height from the grade of the plaza are allowed within the publicly accessible open space.

(v) A minimum of 25 percent of the land area must be improved with plantings, sculptures, pools, or similar features.

(vi) A minimum of 25 percent of the land area must be improved to provide shade, using trees, awnings, shade structures, or other means to provide users refuge from the elements.

(vii) Lighting must be provided to maintain a minimum of 0.2 foot candles across all walkable and seating areas inside and adjacent to the open space area. Illumination must be provided from one hour after sunset to one hour after sunrise.

(viii) All light sources that illuminate the open space area must be shielded from direct view.

(ix) The open space must provide a minimum of three of the following:

(aa) seating areas.

(bb) children's play area.

(cc) water feature.

(dd) public art.

(ee) historical monument.

(ff) trash and recycling receptacles.

(gg) windows and doors from an abutting building facing the public art.

(hh) drinking fountains.

(H) Sports practice facility. In Subdistrict 1I, building height may be increased a maximum of 50 feet if a sports practice facility is constructed

(I) Public trail. In Subdistrict 1I, building height may be increased a maximum of 75 feet if a public trail is provided extending from Slocum Street along the southern boundary of Subdistrict 1I and connecting to the existing DART Victory Station. The public trail must meet the park and recreation department standards for hike and bike trails, measuring a minimum of 12 feet in width and composed of a minimum of five-inch-thick reinforced concrete with a minimum shoulder of 24 inches. Amenities such as trash receptacles, benches, bubblers, lighting, signage, striping, traffic control devices, and other trail-related items must be included if required by park and recreation department staff during the design of the trail. Other trail-related items include landscaping which coordinates with the development. The public trail must be reviewed and approved by the park board. Upon connection to the DART Victory Station, a 25foot easement must be dedicated exclusively to the city to assure its availability to the public for pedestrian access. Upon dedication to the city, maintenance will be completed by the city.

(i) A development agreement approved by the city council that details infrastructure and service provisions and phasing and assigns cost responsibilities for the provision of recreational services and facilities is required before this this provision is satisfied.

(ii) If the Texas Department of Transportation or DART denies the application to connect the trail through right-of-way to the DART Victory Station and no other reasonable means of connection is available; or, if the park and recreation department, park board, and property owner cannot come to an agreement for the design of the trail, then in-lieu of providing the trail connection and to satisfy the requirement of this bonus, a contribution may be made to the Old Trinity and Design District Open Space Fund as described in Section 51P-621.112(b)(6)(A). The contribution will be determined based on an estimate of the cost of the construction of the proposed trail. The estimate must be provided by the developer and approved by the park and recreation department.

(J) **New development design. In Subdistrict 1-, height may be increased a maximum of 25 feet if new development is architecturally compatible with the legacy building. In**

this Subparagraph, COMPATIBLE means similar and consistent in appearance and style; but does not necessarily mean identical.

(K) **Sidewalks. In Subdistrict 1-, height may be increased a maximum of 15 feet if a minimum six-foot wide, unobstructed sidewalk is constructed along Slocum Street.**

(L) **Mixed-income housing. In subdistrict 1-, when a multifamily use complies with the requirements in Section 51P-621.117, the proposed, height may be increased a maximum of 35 feet, in the following increments:**

(aa) ten feet if a minimum of five percent of the units are available to households earning between 51 and 60 percent of the area median family income (AMFI) for the Dallas TX HUD Metro FMR Area and offered at affordable rent prices

(bb) ten feet if a minimum of five percent of the units are available to households earning between 61 and 80 percent of the area median family income (AMFI) for the Dallas TX HUD Metro FMR Area and offered at affordable rent prices

(cc) 15 feet if a minimum of five percent of the units are available to households earning between 81 and 100 percent of the area median family income (AMFI) for the Dallas TX HUD Metro FMR Area and offered at affordable rent prices.

(6) Building site coverage.

(A) Except as provided in this paragraph, maximum building site coverage is 100 percent.

(B) For Subdistricts 1A, 1B, and 1F, any portion of a building that is above 75 feet in height may not have a floor plate greater than 60 percent of the lot area or 25,000 square feet, whichever is less (See Exhibit 621G for Subdistrict 1A. See Exhibit 621H for Subdistrict 1B. See Exhibit 621J for Subdistrict 1F.).

(C) For Subdistricts 1E, 1G, and 1H any portion of a building that is above 85 feet in height may not have a floor plate greater than 60 percent of the lot area or 25,000 square feet, whichever is less (See Exhibit 621I for Subdistrict 1E. See Exhibit 621K for Subdistrict 1G. See Exhibit 621L for Subdistrict 1H.)

(D) In Subdistrict 1I, except as provided in this subparagraph, any portion of a building that is above 130 feet in height may have a floor plate of up to 60 percent of the lot area or 40,000 square feet, whichever is less.

(i) A building containing a commercial amusement (inside) use with a seating capacity of more than 12,500, is not subject to this floor plate limitation.

(ii) A development plan for a building referenced in Romanette (i) above must be approved by the city plan commission confirming that the tower dimension perpendicular to views of downtown to the east is at least two times longer than the tower dimension parallel to views to the southeast (tower dimension is measured at the widest point of the building facade).

(E) For Subdistrict 1-, any portion of a building that is above 75 feet in height may not have a floor plate greater than 60 percent of the lot area or 25,000 square feet, whichever is less (See Exhibit 621__)

(7) Building site size. No minimum building site size.

(8) Stories. No maximum number of stories.

(b) Subdistrict 2.

(1) Except for a bus or rail transit vehicle maintenance or storage facility, the yard, lot, and space regulations applicable to the MU-3 Mixed Use District, as amended, apply to this subdistrict.

(2) The following yard, lot, and space regulations apply to bus or rail transit vehicle maintenance or storage facility uses:

(A) Front yard. No minimum front yard.

(B) Side and rear yard. No minimum side or rear yard.

(C) Density. No maximum density.

(D) Floor area. Maximum floor area ratio (FAR) is 4.0.

(E) Height. Maximum structure height is 200 feet.

(F) Building site coverage. Maximum building site coverage is 100 percent.

(G) Building site size. No minimum building site size.

(H) Stories. No maximum number of stories. (Ord. Nos. 25013; 25560; 26975; 27280; 28231; 28819; 30040; 30041; 30042; 30347)

SEC. 51P-621.110. OFF-STREET PARKING AND LOADING.

(b) General requirements applicable to all subdistricts.

(1) Except as otherwise provided in this section, off-street parking and loading must be provided in compliance with Division 51A-4.300, "Off-Street Parking and Loading Regulations." In the event of a conflict between this section and Division 51A-4.300, this section controls.

(2) If several uses are located on a single building site, the off-street parking requirement is the sum of the requirements for each use, and off-street parking spaces for one use may not be counted toward the off-street parking requirement of another use, except as otherwise provided in this section.

(3) If more than 10 off-street parking spaces are required, handicapped parking must be provided pursuant to Section 51A-4.305, "Handicapped Parking Regulations."

(c) Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, [~~and]~~ 1I**, and 1-**.

(1) Except for the uses listed below, consult the use regulations in Division 51A¬4.200, "Use Regulations," for the specific off-street parking requirements for each use.

(A) Alcoholic beverage establishment. One space per 105 square feet of floor area. No parking is required for outside seating up to 10 percent of the total floor area of the alcoholic beverage establishment. Outside seating may not be converted to interior floor area unless the additional required parking is provided.

(B) Antique shop. One space per 600 square feet of floor area.

(C) Art gallery. One space per 600 square feet of floor area.

(D) Art or craft production facility. One space per 1,000 square feet of floor area.

(E) Beer or wine manufacturing. One space per 600 square feet of floor area.

(F) Dance hall. One space per 25 square feet of floor area.

(G) Duplex.

(i) One space per dwelling unit with one or fewer bedrooms.

(ii) Two spaces per dwelling unit with more than one bedroom.

(iii) In Subdistrict 1B, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.

(H) Furniture store. One space per 1,000 square feet of floor area.

(I) General merchandise or food store 3,500 square feet or less. One space per 275 square feet of floor area.

(J) General merchandise or food store greater than 3,500 square feet. One space per 275 square feet of floor area.

(K) Multifamily.

(i) One-and-one-half spaces per dwelling unit.

(ii) In Subdistricts 1B and 1I, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.

(L) Office. One space per 358 square feet of floor area.

(M) Office showroom/warehouse. One space per 1,100 square feet of floor area up to 20,000 square feet, and one space per 4,100 square feet of floor area over 20,000 square feet.

(N) Personal service uses. One space per 275 square feet of floor area.

(O) Restaurant. One space per 105 square feet of floor area. No parking is required for outside seating up to 10 percent of the total floor area of the restaurant. Outside seating may not be converted to interior floor area unless the additional required parking is provided.

(P) Single family.

(i) One space per dwelling unit with one or fewer bedrooms.

(ii) Two spaces per dwelling unit with more than one bedroom.

(iii) In Subdistrict 1B, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.

(2) Parking reductions.

(A) Bicycle parking. The off-street parking requirement for nonresidential uses located within 600 feet of the center point of the intersection of Slocum Street and Cole Street may be reduced by 10 percent if:

(i) one five-bicycle parking stand for each 100 feet of street frontage is provided in the front yard of the building site; and

(ii) a minimum 12-foot-wide pedestrian and bicycle path is provided to link the building site with a DART light rail station.

(B) Employment centers adjacent to shuttle or bus stops. The following uses may provide off-street parking as specified if the use is within 1,000 feet of a shuttle stop or bus stop that provides a direct link to the Victory rail transit station or the Market Center rail transit station and if the use has 75,000 or more square feet of floor area:

(i) Industrial (inside). One space per 750 square feet of floor area.

(ii) Office. One space per 450 square feet of floor area.

(C) On-street parking. On-street parking spaces adjacent to a building site may be credited toward the off-street parking requirement of uses on the building site, even if the parking, backing, or maneuvering must be performed in the public right-of-way. On-street parking must be striped in accordance with standard city specifications.

(i) Head-in parking. One head-in parking space may be credited for each nine feet of frontage of the building site. Angled head-in parking must be angled more than 60 degrees but less than 90 degrees to the curb. The closest point of any angled head-in parking space may not be located closer than 10 feet to any perpendicular (90 degree) head-in parking space.

(ii) Parallel parking. One parallel parking space may be credited for each 22 feet of frontage of the building site.

(D) Special exception. The board of adjustment may grant a special exception of up to 50 percent of the required off-street parking upon the findings and considerations listed in Section 51A-4.311. The board of adjustment may impose conditions on the special exception.

(3) Delta theory.

(A) Except as otherwise provided in this paragraph, see Section 51A-4.704(b)(4). In the event of a conflict between this paragraph and Section 51A-4.704(b)(4), this section controls.

(B) The right to carry forward nonconforming parking and loading spaces does not terminate.

(4) Special parking.

(A) In general. Except as otherwise provided in this paragraph, see Division 51A-4.320, "Special Parking Regulations."

(B) Special parking allowed. Except as specifically modified in this section, required off-street parking may be special parking.

(C) Remote parking for nonresidential uses.

(i) Required off-street parking for nonresidential uses may be remote parking.

(ii) Remote parking for nonresidential uses must be located within 1,000 feet of the use served by the remote parking. The building official may extend the distance for remote parking to no more than 1,500 feet if a shuttle from the remote parking is provided. A license is required to authorize an extension of distance beyond 1,500 feet.

(iii) Remote parking lots must meet on-site parking landscape requirements.

(iv) Parking located in a railbed may be used as remote parking.

(D) Shared parking. Except for residential uses in Subdistrict 1B, if more than one type of use is located on a building site, all uses on the building site must share parking. Table 1 must be used to calculate the required off-street parking spaces when parking is shared. The number of off-street parking spaces that must be provided for the development is the largest number of spaces required under any of the five time-of-day columns. For example, in the morning, a development with residential

and office uses must provide 80 percent of the off-street parking that would normally be required for the residential uses and 100 percent of the off-street parking that would normally be required for the office uses. Likewise, in the afternoon, that development must provide 60 percent of the off-street parking that would normally be required for the residential uses and 100 percent of the off-street parking that would normally be required for the office uses. A similar calculation must be performed for each time of day. If the number of spaces required in the morning is greater than the number of spaces required during any other time of day, then the number of spaces required in the morning must be provided. Likewise, if the number of spaces required in the late afternoon is greater than the number of spaces required during any other time of day, then the number of spaces required in the late afternoon must be provided.

Table 1: Shared Parking Table
(For calculating the parking requirement for shared parking)

	%	%	%	%	%
Use Category	Morning	Noon	Afternoon	Late Afternoon	Evening
Residential	80	60	60	70	100
Office-related	100	80	100	85	35
Retail-related	60	75	70	65	70
Bar and Restaurant	20	100	30	30	100
Warehouse/					
Showroom	100	75	100	65	35
All other	100	100	100	100	100

(5) Cash in lieu of required parking. A property owner may make a one-time cash payment to the Old Trinity and Design District Parking Fund in lieu of providing required parking for a use in an original building. The amount of the payment is calculated by using the following formula:

National median cost per square foot x 350 x Dallas cost index x Number of required spaces not provided x .75 = Payment required

where "national median cost per square foot" is the national median cost per square foot of a parking space in a parking garage. Both the "national median cost per square foot" and the "Dallas cost index" must be derived from the most recent issue of Building Construction Cost Data, published by the Robert Snow Means Company, Inc., of Kingston, Massachusetts, unless another comparable publication is designated by the director. The department shall administer a city account to be known as the Old Trinity and Design District Parking Fund. Funds from the Old Trinity and Design District Parking Fund must be used only for the acquisition or construction of parking garages or other parking improvements within Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, [~~and~~] 1I**, and 1-.** The payment into the Old Trinity and Design District Parking Fund is due at the time of application for a building permit.

(6) Fees for required parking. Fees may be charged for use of required parking.

(7) Parking structure screening. In Subdistricts 1E, 1F, 1G, 1H, and 1I, any portion of a street-level parking structure facade that is concealed by a street-level use is considered screened.

(c) Subdistrict 2. The off-street parking requirement for a bus or rail transit vehicle maintenance or storage facility is one space per 1,500 square feet of floor area. For all other uses, consult the use

regulations contained in Division 51A-4.200, "Use Regulations," for the specific off-street parking/loading requirements for each use. (Ord. Nos. 25013; 25560; 26975; 27280; 28231; 28819; 30040; 30041; 30042; 30347)

SEC. 51P-621.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 25013)

SEC. 51P-621.112. LANDSCAPING.

(a) General requirements applicable to all subdistricts.

(1) Required tree species. All required trees must be from the following list of Texas native species:

Scientific name	Common name
Aesculus glaba v. arguta	Texas buckeye
Aesculus pavia	Red buckeye
Bumelia lanuginosa	Woolly-bucket bumelia
Carya illinoinensis	Pecan
Carya texana	Black hickory
Cercis canadensis v. Canadensis	Eastern redbud
Diospyros virginiana	Common persimmon
Ilex decidua	Deciduous holly
Ilex vomitoria	Yaupon holly
Juglans nigra	Black walnut
Juniperus virginiana	Eastern red cedar
Morus rubra	Red mulberry
Myrica cerifera	Wax myrtle
Prunus mexicana	Mexican plum
Quercus macrocarpa	Bur oak
Quercus marilandica	Blackjack oak
Quercus shumardii	Shumard red oak
Quercus stellata	Post oak
Quercus virginiana	Live Oak
Rhamnus caroliniana	Carolina buckthorn
Rhus copallina	Flameleaf sumac
Rhus virens	Evergreen sumac
Sapindus drummondii	Western soapberry
Sophora affinis	Eve's necklace
Taxodium distichum	Bald cypress
Ulmus americana	American elm
Ulmus crassifolia	Cedar elm
Viburnum rufidulum	Rusty blackhaw viburnum
Zanthoxylum clavaherculis	Hercules' club

(2) Prohibited trees.

(A) The following trees may not be planted within this special purpose district:

Scientific name	Common name
Populus deltoides	Cottonwood
Albizia julbrissen	Mimosa

(B) Bradford pears (pyrus calleryana) may be planted as site trees. Bradford pears may not be used as street trees, used as landscape buffer trees, or planted in the public right-of-way.

(3) Street trees.

(A) In Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, [~~and~~] 1I**, and 1-**, one street tree must be provided per 25 feet of street frontage, with a minimum of one street tree per building site. In Subdistrict 2, one street tree must be provided per 50 feet of street frontage, with a minimum of one street tree per building site.

(B) Street trees must be located on the building site within 50 feet of the projected street curb, except that street trees may be located in the public right-of-way if all private licensing requirements of the city code and charter are met and a right-of-way landscape permit is obtained from the city. For purposes of this subparagraph, "projected street curb" means the future location of the street curb consistent with the City of Dallas Thoroughfare Plan as determined by the director of public works and transportation.

(C) Street trees must be provided for all new construction.

(4) Landscaping in the public right-of-way.

(A) Landscaping may be located in the public right-of-way if a right-of-way landscape permit is obtained from the city.

(B) Plants in the public right-of-way may not obstruct visibility or create a traffic hazard. See Section 51A-4.602(d), "Visual Obstruction Regulations."

(C) The city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this special purpose district for the exclusive purpose of authorizing compliance with the landscaping requirements of this special purpose district. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a right-of-way landscape permit in accordance with the Dallas Building Code. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when

the purpose or use of the license is likely to become a nuisance or threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(D) A property owner or tenant is not required to comply with any right-of-way landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of a right-of-way landscape permit or the revocation of the private license granted under this subsection.

(E) Upon the installation of landscaping in the public right-of-way, the owners or tenants shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than $1,000,000 for each occurrence, and $2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(F) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, and for keeping the premises safe and in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to make repairs or maintain the landscaping. The granting of a license for landscaping under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees and landscaping in the public right-of-way.

(5) Visual obstruction regulations. A property owner is not required to comply with the landscaping requirements of this section to the extent that compliance is made impossible by Subsection (d), "Visual Obstruction Regulations," of Section 51A-4.602, "Fence, Screening, and Visual Obstruction Regulations."

(b) Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, [~~and~~] 1I**, and 1-**.

(1) General requirement. Except as otherwise provided in this section, landscaping must be provided as required by Article X.

(2) Landscaping in railbeds.

(A) Any landscaping planted in the area to the centerline of a railbed may be used to satisfy required landscaping for the adjacent property. Landscaping planted in a railbed may not be located in an access easement.

(B) The requirements of Section 51A-10.125(b)(5), "Parking Lot Trees," do not apply to parking located within a railbed.

(3) Parking lot buffer. A five-foot-wide landscaped strip must be located along any edge of a parking lot or parking structure that is visible at grade level from a street. A minimum three-inch caliper tree must be located every 15 feet, or fraction thereof, or clustered every 30 feet within the landscaped strip.

(4) Plant requirements. Plants used to satisfy the landscape requirements must comply with the following requirements:

(A) A large evergreen shrub must have the ability to grow to a minimum height of three feet within three years.

(B) Solid sod or hydro-mulch grass may be used.

(C) Artificial plant materials may not be used.

(D) Any required landscaping that dies must be replaced.

(5) Landscape plan. A landscape plan must accompany any application for a building permit to expand floor area if the expansion is over 50 percent for nonresidential projects, over 65 percent for mixed use projects, or over 75 percent for residential projects. A landscape plan must earn at least 50 points (out of a total of 155 possible points.) The points awarded for providing these features are provided in parentheses. Existing landscaping qualifies for points.

(A) Lighting. (Total possible points = 20) Ten points each are awarded for providing tree lighting, light bollards, light poles, building facade lighting, or landscaped area lighting, up to a maximum of 20 points. The lighting provided must be at least 1.5 foot-candles in intensity over adjacent pedestrian areas.

(B) Landscaping on rooftops and facades. (Total possible points = 30) Ten points each are awarded for large planters, hanging planters, exterior embedded or extended planters, and vine supports on rooftops or along front facades up to a maximum of 30 points. Vines within ground-based planters must be able to extend above one-half the total height of the ground story of the main structure.

(C) Landscape buffer. (Total possible points = 25) The landscape buffer must be a minimum of 80 square feet. A mix of plant materials may be used.

(D) Tree canopy at the street frontage. (Total possible points = 20) Points may be obtained for planting canopy trees along the entire street frontage, exclusive of vehicular and pedestrian entrances and exits. The trees may be planted in the right-of-way if a right-of-way landscape permit is obtained. Ten points are awarded for planting these trees at a density of one tree per 30 linear feet of street frontage and 20 points are awarded for planting these trees at a density of one tree per 15 linear feet of street frontage. Note: Power lines may affect the types of trees used.

(E) Seasonal color landscaping. (Total possible points = 20) Points may be obtained for providing a landscape area for seasonal color in planting beds, raised planters, or pots. Five points are awarded for a landscape area that is equal to at least one-fourth of a square foot multiplied by the number of feet of street frontage. Ten points are awarded for a landscape area that is equal to at least

one-half of a square foot multiplied by the number of feet of street frontage. Fifteen points are awarded for a landscape area that is equal to at least three-fourths of a square foot multiplied by the number of feet of street frontage. The plants in the landscape area must be changed at least twice per year with the appropriate seasonal color plants. This area must contain the appropriate seasonal landscaping at all times except when the landscaping is being changed at the beginning of a new season.

(F) Native plant landscaping. (Total possible points = 20) Points may be obtained for providing a landscape area containing native plants. Five points are awarded for a landscape area that is equal to at least one-fourth of a square foot multiplied by the number of feet of street frontage. Ten points are awarded for a landscape area that is equal to at least one-half of a square foot multiplied by the number of feet of street frontage. Fifteen points are awarded for a landscape area that is equal to at least three-fourths of a square foot multiplied by the number of feet of street frontage. Native plants listed in Exhibit 621E must be used.

(G) Creation of open space. (Total possible points = 20) Five points are awarded per 200 square feet of open space if the open space is a minimum of 500 feet from the building site but within this special purpose district. For purposes of this subparagraph, "open space" means a space containing no structures or pavement at or above grade, and containing only grass or other vegetation. Open space must be available for use by the public. The open space must be maintained in a state of good repair and neat appearance at all times by the owner of the property for which the building permit was issued.

(6) Open space fund. If a property owner in Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1H, ~~and~~ 1I**, and 1-** cannot plant all of the required trees on the building site, or the property owner in Subdistricts 1G and 1I cannot plant all of the required trees on the building site or within 1,000 feet of the building site, the property owner shall comply with the following requirements for no more than 50 percent of the required trees:

(A) Make a payment into the Old Trinity and Design District Open Space Fund. The department shall administer a city account to be known as the Old Trinity and Design District Open Space Fund. Funds from the Old Trinity and Design District Open Space Fund must be used only for acquiring and maintaining property for parks and open-space within this special purpose district. The amount of the payment required per tree not planted is calculated by using the formula for appraising the value of a two-inch-caliper tree, as derived from the most recent edition of the *Guide for Establishing Values of Trees and Other Plants* published by the Council of Tree and Landscape Appraisers, unless another publication is designated by the building official, and adding the cost of planting and maintaining a two-inch tree for two years.

(B) Plant trees within:

(i) portals to the Trinity River (as identified in the Trinity River Corridor Comprehensive Land Use Plan) within this special purpose district,

(ii) along that portion of the Old Trinity Trail within this special purpose district, or

(iii) along the meanders of the Old Trinity River channel, as shown.

(7) Parking/landscaping zone. Where there is at least a 70-foot space between buildings, a parking/landscaping zone meeting the following requirements is allowed in the space between the two buildings but is not required. The composition of the parking/landscaping zone, moving from one building façade across to the other building façade, is as follows:

(A) First, a minimum six-foot-wide sidewalk parallel to the façade of the first building.

(B) Second, a parking area between six feet from the first building façade to 16 feet from the first building façade. This parking area must have angled head-in parking at an angle of 60 degrees to 90 degrees. A landscaped area containing one tree must be located between every fifth parking stall. Trees in the parking area must be spaced 46 to 50 feet on center, and must be 12 to 16 feet away from the first building façade. One parking stall may be omitted to allow for a loading dock to remain functional.

(C) Third, a minimum of 26 feet of right-of-way for the two-way traffic in the middle.

(D) Fourth, a matching parking area from between 16 feet from the second building façade to six feet from the second building façade.

(E) Fifth, a matching six-foot-wide sidewalk parallel to the façade of the second building.

(c) Subdistrict 2. Except as otherwise provided in this section, all properties in Subdistrict 2 must comply with Article X. (Ord. Nos. 25013; 25560; 26975; 27280; 28231; 28819; 30040; 30041; 30042; 30347)

SEC. 51P-621.113. ARCHITECTURAL DESIGN GUIDELINES.

(a) Purpose. The architectural design guidelines of this section are intended to preserve the historical, cultural, and architectural importance and significance of Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, [~~and~~]1I**, and 1-**. These architectural design guidelines are intended to encourage adaptive reuse of existing buildings; new contemporary and creative construction and major modifications that will enhance the architectural character of the district; and sustainable, green, energy efficient design and construction.

(b) Facade requirements for new construction and major modifications in Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, [~~and~~]1I**, and 1-**.

(1) Facades must be brick, concrete masonry, glass, hollow tile, stone, or other fireproof materials, except that wooden siding, wooden sheets, and metal may not be used on more than 50 percent of any facade.

(2) Facades consisting of more than 80 percent glass, excluding glass block, are prohibited.

(3) The maximum permitted reflectance of glass used as a facade material varies depending on where the glass is used. The reflectance of glass used on the first two stories may not exceed 15 percent. The reflectance of glass used above the first two stories may not exceed 27 percent. Reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. The higher the percentage, the more visible light reflected and the more mirror-like the glass will appear.

(c) Design test requirements in Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, [~~and~~] 1I**, and 1-**. New construction or a major modification must earn at least 50 points for properties with a floor area ratio of 2.0 or less, and at least 70 points for properties with floor area ratios greater than 2.0 (out of 205 possible points). The total possible points in any category are provided in parentheses.

(1) Maintenance of original facades. (Total possible points = 10) Ten points are awarded for the adaptive reuse of an original building if its original facade design elements are not altered.

(2) Ground floor uses, building facades, and roofs. (Total possible points = 20) Points may be earned as follows:

(A) Retail and showroom uses. Ten points are awarded if a building's ground floor (excluding halls, restrooms, utility areas, and other public spaces) is allocated to retail and personal service uses or office showroom/warehouse uses.

(B) Restaurant uses. Ten points are awarded if a building's ground floor (excluding halls, restrooms, utility areas, and other public spaces) includes restaurant uses.

(C) Facade treatments. Ten points are awarded if the building's front facade is given texture and complexity by the inclusion of ground level entries more than 14 feet in height, porticos, indented entries, belt coursing or other horizontal banding, grid coursing, articulation of window openings, corner pilasters, rustication of the first floor, changes of color, or ornamental iron.

(3) Pedestrian amenities. (Total possible points = 25) Five points each are awarded for benches, trash receptacles, awnings/canopies, bicycle parking racks, and pedestrian street lamps. These items should be creative and contemporary. Pedestrian amenities must be located within the curb-to building area of the building site, but, if a hardship prohibits locating these in the curb-to-building area of the building site, the amenities may be placed within the public right-of-way as long as they meet city standards and licensing requirements and do not block free movement of pedestrians. Pedestrian amenities must be maintained and operated by the owner of the building site. If there is more than one owner, all owners are jointly responsible for maintenance. Such amenities include:

(A) Benches or exterior seating areas (maximum of one every 50 feet).

(B) Trash receptacles (maximum of five points).

(C) Awnings/canopies along the front facade.

(D) One five-bicycle stand per 100 feet of street frontage.

feet (E) At least one pedestrian street lamp (freestanding or wall mounted) per 50 of street frontage.

(4) Public art or water features. (Total possible points = 15) Fifteen points are awarded for public art or water features costing at least $2,500, limited to one per building site. In order to qualify for public art points, the public art must be visible from a public right-of-way at all times. Examples of public art could include art in an atrium or lobby that is visible from a public right-of-way, art incorporated into the sidewalk or building facade, or freestanding art. For purposes of this paragraph, "water features" means: fountains, pools, mechanical water jets, or similar water devices.

(5) Paving material. (Total possible points = 15) Five points are awarded per one-third increment of an outdoor private walkway area accessible to the public that is covered by decorative pavement. For purposes of this paragraph, "decorative pavement" means: colored concrete pavers; brick; stone; stamped, textured, or colored concrete; and exterior grade tile.

(6) Pedestrian orientation of building facade. (Total possible points = 20) Twenty points are awarded if a minimum of 25 percent of the front facade has transparent display windows or windows affording views into retail, office, or lobby space. The transparency requirement applies to the first 16 feet of height of the facade.

(7) Structured parking facilities. (Total possible points = 50) Fifty points are awarded for a structured parking facility if the design matches the facade of a new building or architecturally complements the facade of an original building.

(8) Energy conservation. (Total possible points = 15) Ten points are awarded for using solar, geothermal, or other non-petroleum, non-coal energy sources. Five points are awarded for planting twice the number of canopy trees required by Section 51P-621.112, "Landscaping."

(9) Permeable surface. (Total possible points = 15) Five points are awarded each third of an outdoor walkway or driveway with a permeable surface.

(10) LEED's credit. (Total possible points = 20) Twenty points are awarded for a project with a floor area ratio of more than 2 0 when the project complies with the following:

(A) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) Checklist, effective May 1, 2004, must be submitted with an application for a building permit for development, indicating how development will comply with a certified designation (26 to 32 project points). The development plans submitted for a building permit must be certified by a LEED accredited professional designated by the department of sustainable development and construction. Prior to the issuance of a building permit, the building official shall determine that the project is consistent with the standards and criteria for a LEED certified designation.

(B) If the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

(C) All supporting documentation and templates related to the points previously approved by the city for the LEED certified level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department of sustainable development and construction certifies that the building complies with the LEED certified designation (26 to 32 project points).

(d) Approval by development plan. The city plan commission may approve new construction or a major modification that does not meet the requirements of Subsections (b) and (c) of this section if the development plan and elevations show that the new construction or major modification is consistent with the spirit and intent of this section.

(e) Fences and Walls in Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, [~~and~~]1I**, and 1-**. Fences and walls longer than 200 feet adjacent to any public street must be designed to prevent visual monotony through use of offsets, changes of materials and textures, gates or openings, or landscaping. (Ord. Nos. 25013; 25560; 26975; 27280; 28231; 28819; 30040; 30041; 30042; 30347)

SEC. 51P-621.114. SITE DESIGN REQUIREMENTS.

(a) Above-grade off-street parking. Parking is permitted on any level of a building.

(b) Median and curb cuts along Industrial Boulevard. Median and curb cuts to access railbeds for off-street parking from Industrial Boulevard, between Continental Avenue and Sylvan/Wycliff Avenue, must be approved by the director of public works and transportation. Traffic must be one-way from Industrial Boulevard westbound to Levee Street.

(c) Sidewalk standards for new construction.

(1) In general.

(A) Sidewalks complying with the standards of this subsection must be provided for all new construction.

(B) If a sidewalk is to be located in a front yard, a sidewalk easement must be dedicated to the city to assure its availability to the public for pedestrian access.

(C) Except as otherwise provided in this subsection, the requirements of Chapter 43, "Streets and Sidewalks," apply to all sidewalks.

(2) Location.

(A) Sidewalks must be located along the entire length of the street frontage.

(B) On state highways, sidewalks must be provided in the parkway, subject to Texas Department of Transportation approval. If Texas Department of Transportation approval cannot be obtained, the property is exempt from this requirement.

(C) Sidewalks must be located between five feet and 10 feet from the back of the projected street curb, except that sidewalks on Oak Lawn Avenue, Irving Boulevard, Market Center Boulevard, and Turtle Creek Boulevard must be located between five feet and 12 feet from the back of the projected street curb. Sidewalks may be located farther from the projected street curb to the extent necessary to preserve existing trees or structures or to comply with landscaping requirements.

(D) In Subdistricts 1E, 1F, 1G, [~~and~~]1I**, and 1-**, design and construction must be level with any connecting sidewalk for sidewalks crossing drive approaches.

(3) Width.

(A) Sidewalk widths must match the width of existing sidewalks in front of adjacent properties at the point of convergence. Where there are different sidewalk widths on each side of the street frontage, the new sidewalk must taper or expand to meet the incongruous sidewalks.

(B) Sidewalks must have an unobstructed minimum width of four feet, except that sidewalks on Oak Lawn Avenue, Irving Boulevard, Market Center Boulevard, and Turtle Creek Boulevard must have an unobstructed minimum width of six feet, and sidewalks in Subdistrict 1I must have a minimum unobstructed width of eight feet. For purposes of this provision, "unobstructed" means by structures or landscaping, excluding utility poles and service boxes.

(d) License to allow compliance with ADA requirements.

(1) If there is no other way to install ramps required by the Americans with Disabilities Act or similar state laws other than to install the ramps in the public right-of-way, the city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this special purpose district for the exclusive purpose of authorizing compliance with the Americans with Disabilities Act or similar state laws. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a building permit in accordance with the Dallas Building Code. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(2) Upon the installation of ramp in the public right-of-way, the owners or tenants shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than $1,000,000 for each occurrence, and $2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation,

expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(3) Each owner or tenant is responsible for maintaining any ramps in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to make repairs or maintain any ramps. The granting of a license for ramps under this subsection does not release the owner or tenant from liability for the installation or maintenance of ramps in the public right-of-way.

(e) Exemption for Subdistrict 2. The site design requirements of this section do not apply to a bus or rail transit vehicle maintenance or storage facility use in Subdistrict 2. (Ord. Nos. 25013; 25560; 26102; 30040; 30041; 30042; 30347)

SEC. 51P-621.115. SCREENING REGULATIONS.

(a) Parking lot screening.

(1) Except as otherwise provided in this section, Section 51A-4.301(f), "Screening Provisions for Off-Street Parking," applies to all parking lots and parking structures.

(2) Fences may complement but not substitute for parking lot trees and shrubbery screening.

(3) The provision of screening for surface parking only applies to new construction. All surface parking must be screened from a street or access easement by using one or more of the following three methods to separately or collectively attain a minimum height of three feet above the parking surface:

(A) Earthen berm planted with turf grass or groundcover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height per three feet of width.

(B) A fence constructed of one or more of the following: brick, stone, concrete masonry, stucco, concrete, wood, or other durable material. Wrought iron fences are allowed.

(C) Hedge-like evergreen plant materials recommended for local area use by the city arborist. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed 36 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

(b) Screening of off-street loading spaces, dumpsters, and garbage storage areas.

(1) Except as otherwise provided in this subsection, screening of off-street loading spaces, dumpsters, and garbage storage areas must be provided in compliance with Section 51A-4.602, "Fence, Screening, and Visual Obstruction Regulations."

(2) All off-street loading spaces, dumpsters, and garbage storage areas must be screened from all public streets adjacent to the building site. Screening is not required on sides that are not visible from a public street.

(3) Screening of all off-street loading spaces, dumpsters, and garbage storage areas must be at least six feet in height.

(4) Screening is not required in the railbeds.

(c) Outdoor storage areas. Except for vehicle display, sales, and service uses and nursery, garden shop, and plant sales uses, all outdoor storage areas for commercial and business services uses and industrial uses must be entirely screened by an eight-foot solid screening fence, vegetative materials, or other alternative deemed appropriate by the building official.

(d) Exemption for Subdistrict 2. The screening regulations of this section do not apply to a bus or rail transit vehicle maintenance or storage facility use in Subdistrict 2. (Ord. Nos. 25013; 25560)

SEC. 51P-621.116. SIGNS.

(a) Except as otherwise provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

(b) In Subdistrict 2, detached premise signs existing on the date of establishment of this special purpose district may remain, provided the sign and sign supports are maintained in a state of good repair and neat appearance at all times. See Section 51A-7.210, "General Maintenance."

(c) Projecting attached premise signs for retail and personal service uses are allowed, provided they do not project more than five feet from the building façade and are between nine and 15 feet above the sidewalk. For purposes of this provision, a "projecting attached premise sign" means an attached premise sign projecting more than 12 inches from a building at an angle other than parallel to the façade. (Ord. Nos. 25013; 25560)

SEC. 51P-621.117. MIXED-INCOME HOUSING FOR SUBDISTRICT 1-.

(a) Except as provided in this section, compliance with Division 51A-4.1100 is required to obtain the development bonuses in Section 51P-621.109(5.1) (L).

(b) Compliance with Section 51A-4.1107 is not required.

SEC. 51P-621.117~~7~~8. ADDITIONAL PROVISIONS.

(a) The entire Property and any improvements in the public right-of-way must be properly maintained in a state of good repair and neat appearance. The city may remove any improvements in the public right-of-way that are not maintained in a state of good repair and neat appearance at the sole expense of the property owner, and may use any available legal remedy to recover the cost of removal from the property owner.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) In Subdistrict 1I, a traffic impact analysis is required in addition to the development impact review requirements in Division 51A-4.800 for a commercial amusement (inside), private recreation center, club, or area, or theater with a seating capacity of 10,000 or more. The area subject to review will include Subdistrict 1I and all property within a quarter mile. All infrastructure improvements essential to the operation of the use must be in place prior to the issuance of a certificate of occupancy for the use. The time period for review of the traffic impact analysis and development impact review is extended to 60 calendar days. (Ord. Nos. 25013; 25560; 26102; 30347)

SEC. 51P-621.118~~8~~9. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work or a certificate of occupancy to authorize the operation of a use in this special purpose district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 25013; 26102)

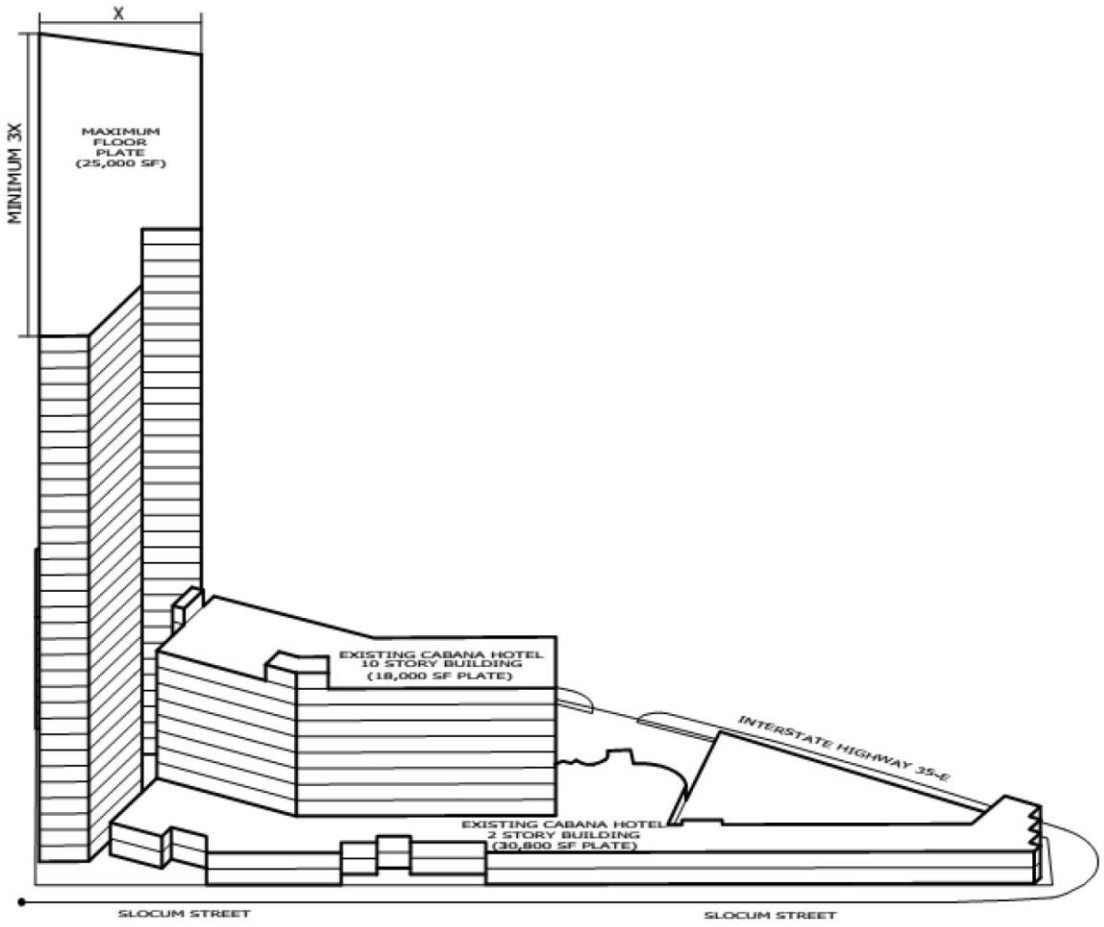
EXHIBIT 621 L
TOWER DIAGRAMS FOR SUBDISTRICT 1J

Tower size and orientation. Building height may be increased a maximum of 60 feet if:

(1) the portion of the building above 75 feet in height has a floor plate of 25,000 square feet or less; and

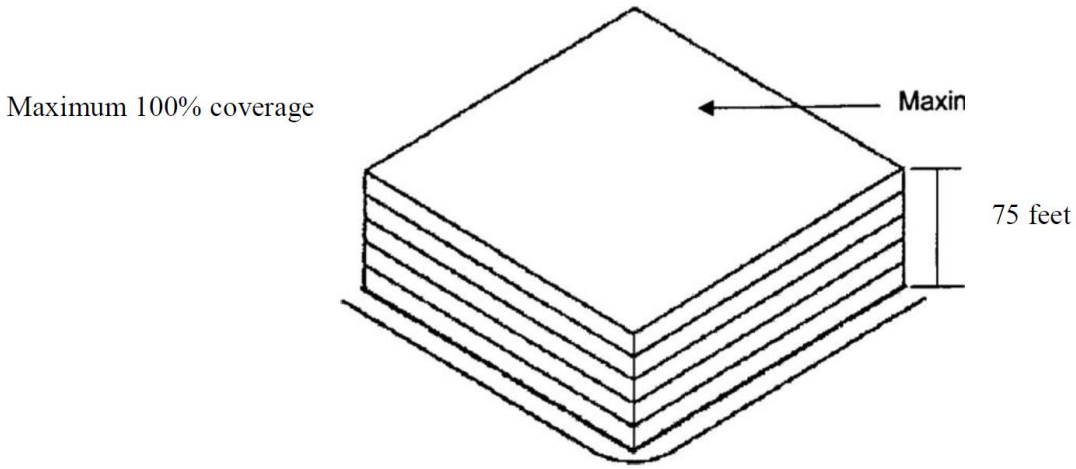
(2) the tower dimension perpendicular to the east Trinity River levee is at least three times longer than the tower dimension parallel to the east Trinity River levee (tower dimension is measured at the widest point of the building facade).

TOWER DIAGRAM

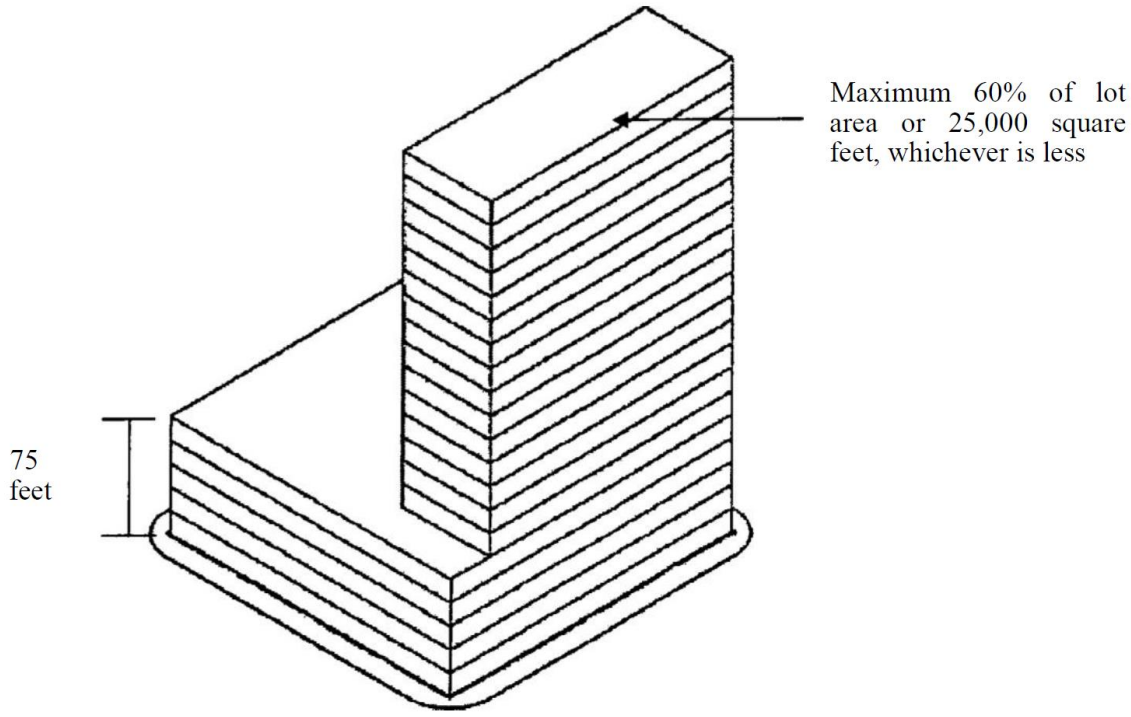


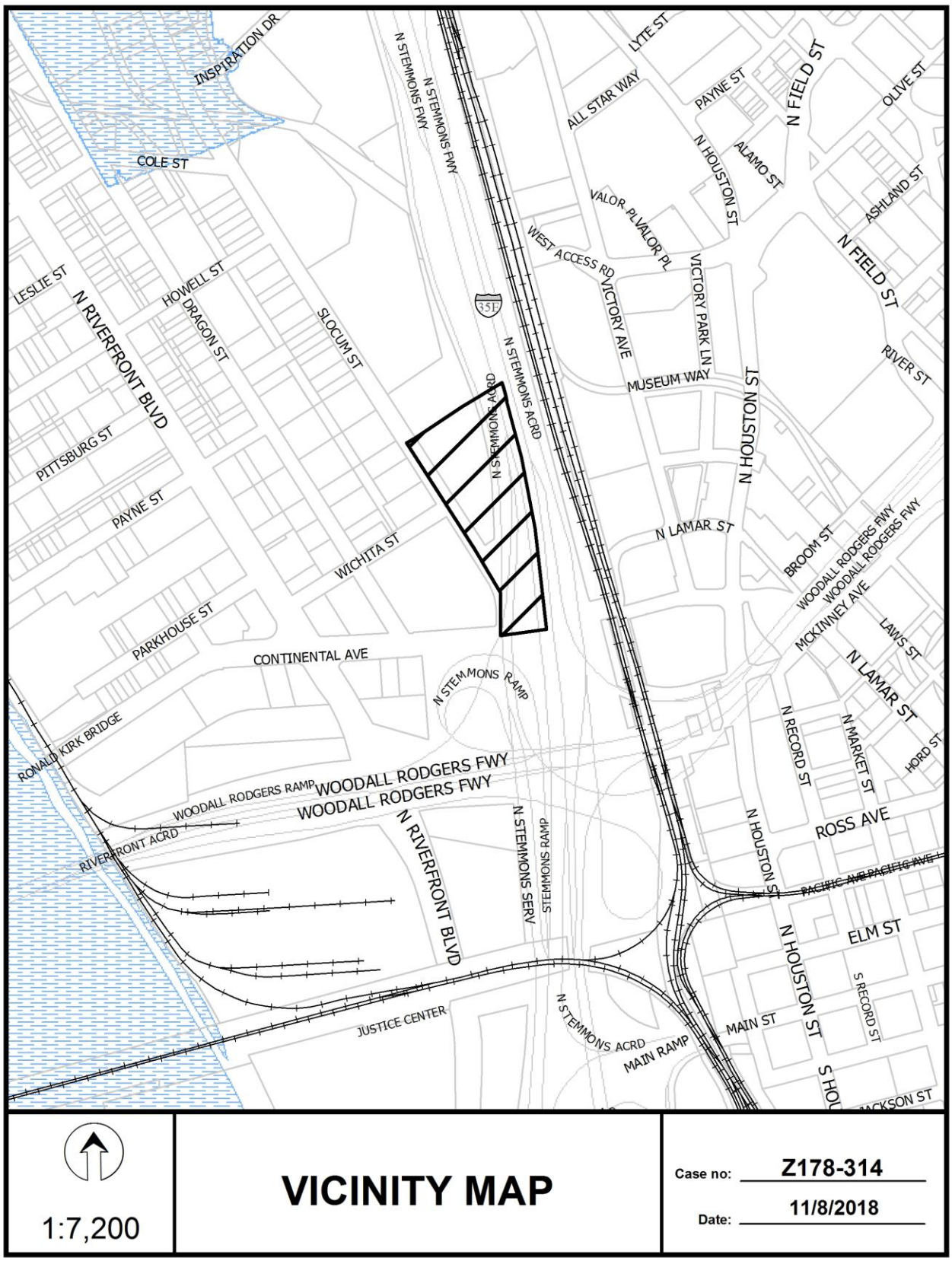
Building Site Coverage

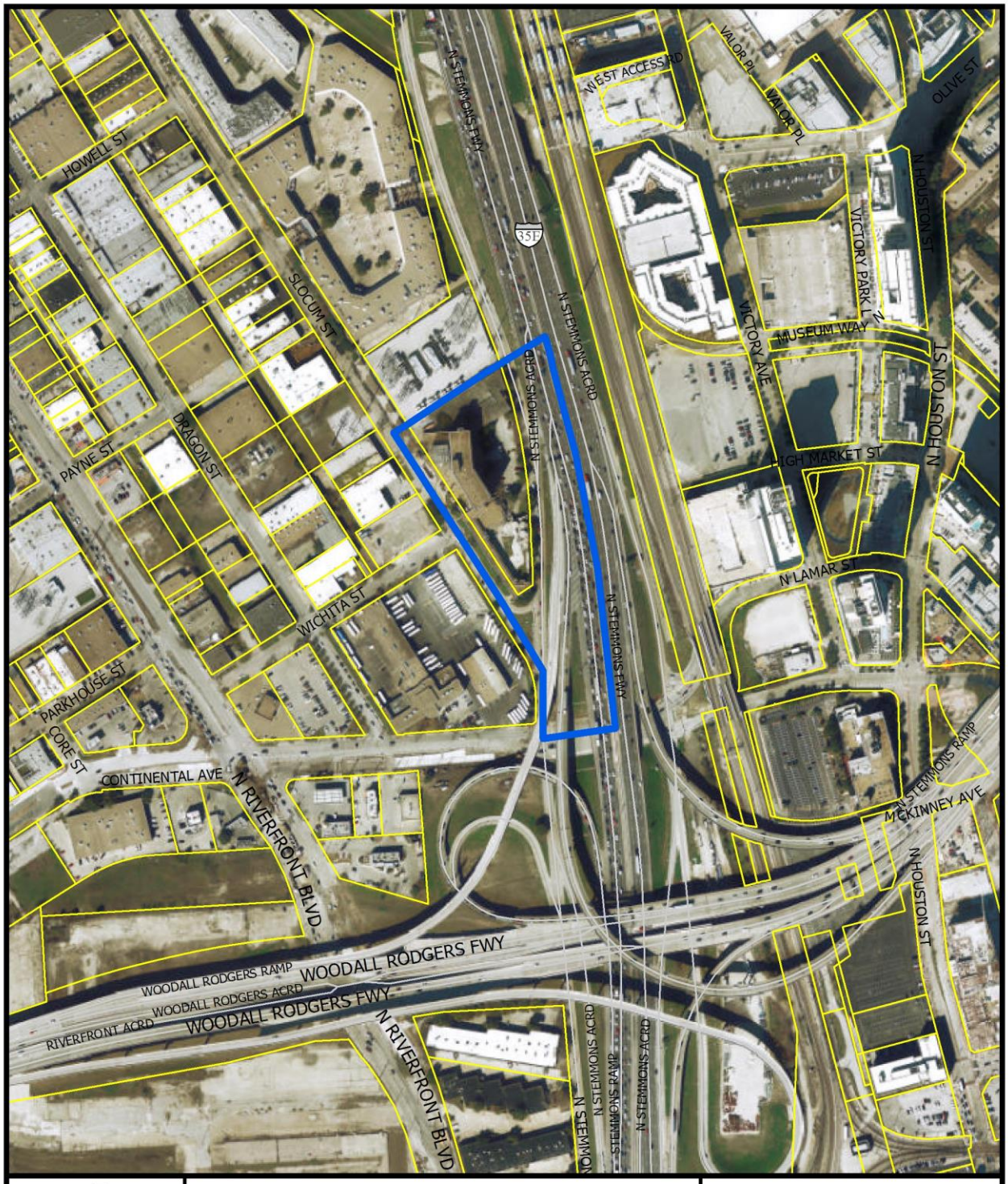
Maximum building site coverage for that portion of the building 75 feet or less in height is 100 percent.



For Subdistrict 1J, any portion of the structure that is above 75 feet in height may not have a floor plate greater than 60 percent of the lot area or 25,000 square feet, whichever is less




INSPIRATION DR
COLE ST
N STEMMONS FWY
LYTE ST
ALL STAR WAY
PAYNE ST
N FIELD ST
OLIVE ST
N HOUSTON ST
ALAMO ST
ASHLAND ST
VALOR PL
VALOR PL
WEST ACCESS RD
VICTORY AVE
VICTORY PARK LN
LESLIE ST
N RIVERFRONT BLVD
HOWELL ST
DRAGON ST
SLOCUM ST
351
N STEMMONS ACRD
MUSEUM WAY
RIVER ST
PITTSBURG ST
PAYNE ST
WICHITA ST
N LAMAR ST
BROOM ST
WOODALL RODGERS FWY
WOODALL RODGERS FWY
MCKINNEY AVE
LAWS ST
PARKHOUSE ST
CONTINENTAL AVE
N STEMMONS RAMP
RONALD KIRK BRIDGE
WOODALL RODGERS RAMP
WOODALL RODGERS FWY
WOODALL RODGERS FWY
RIVERFRONT ACRD
N RIVERFRONT BLVD
N STEMMONS SERV
STEMMONS RAMP
N RECORD ST
N MARKET ST
HORD ST
ROSS AVE
PACIFIC AVE
PACIFIC AVE
ELM ST
S RECORD ST
JUSTICE CENTER
N STEMMONS ACRD
MAIN RAMP
MAIN ST
S HOUSTON ST
JACKSON ST
1:7,200
VICINITY MAP
Case no: Z178-314
Date: 11/8/2018

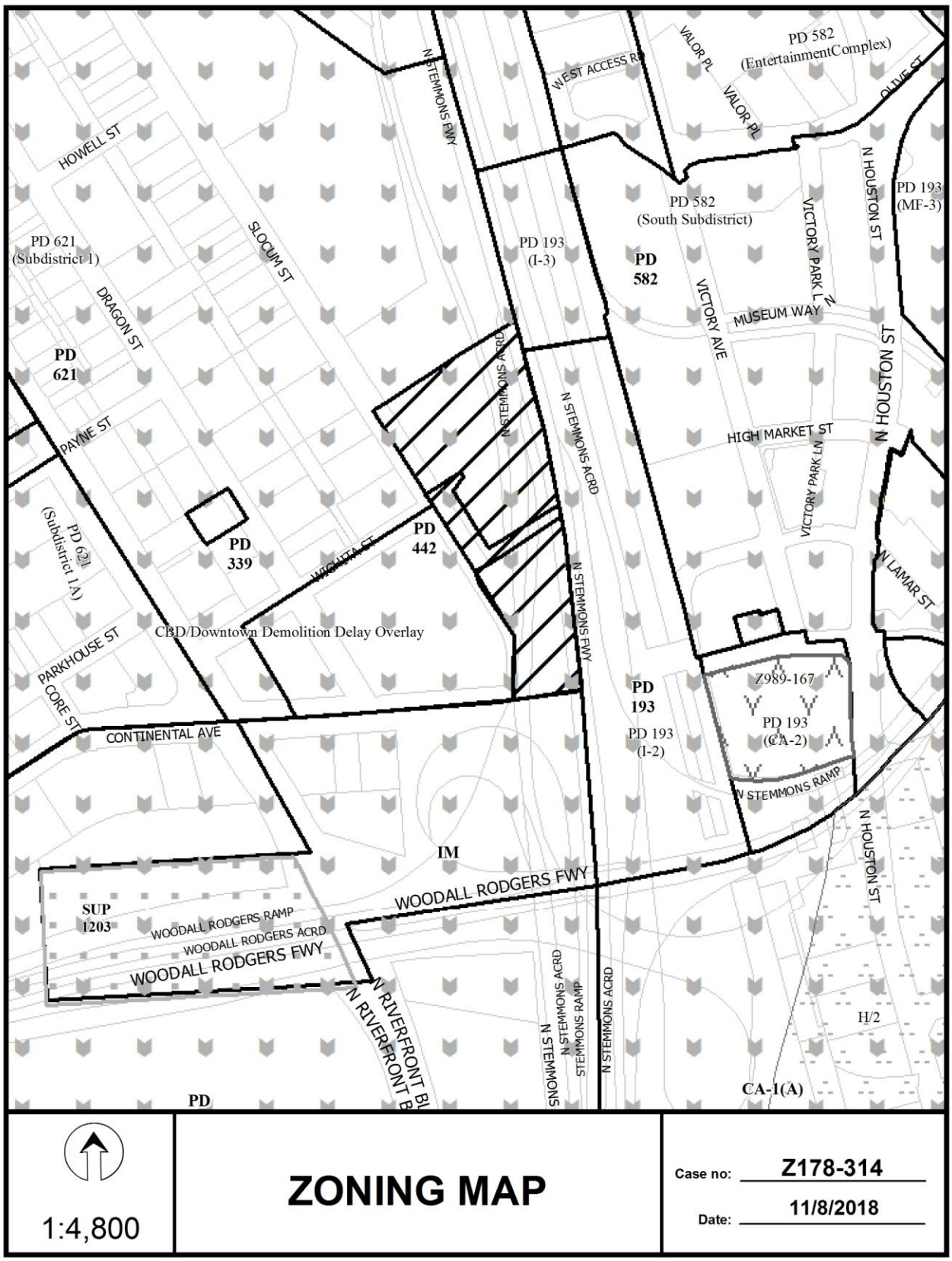


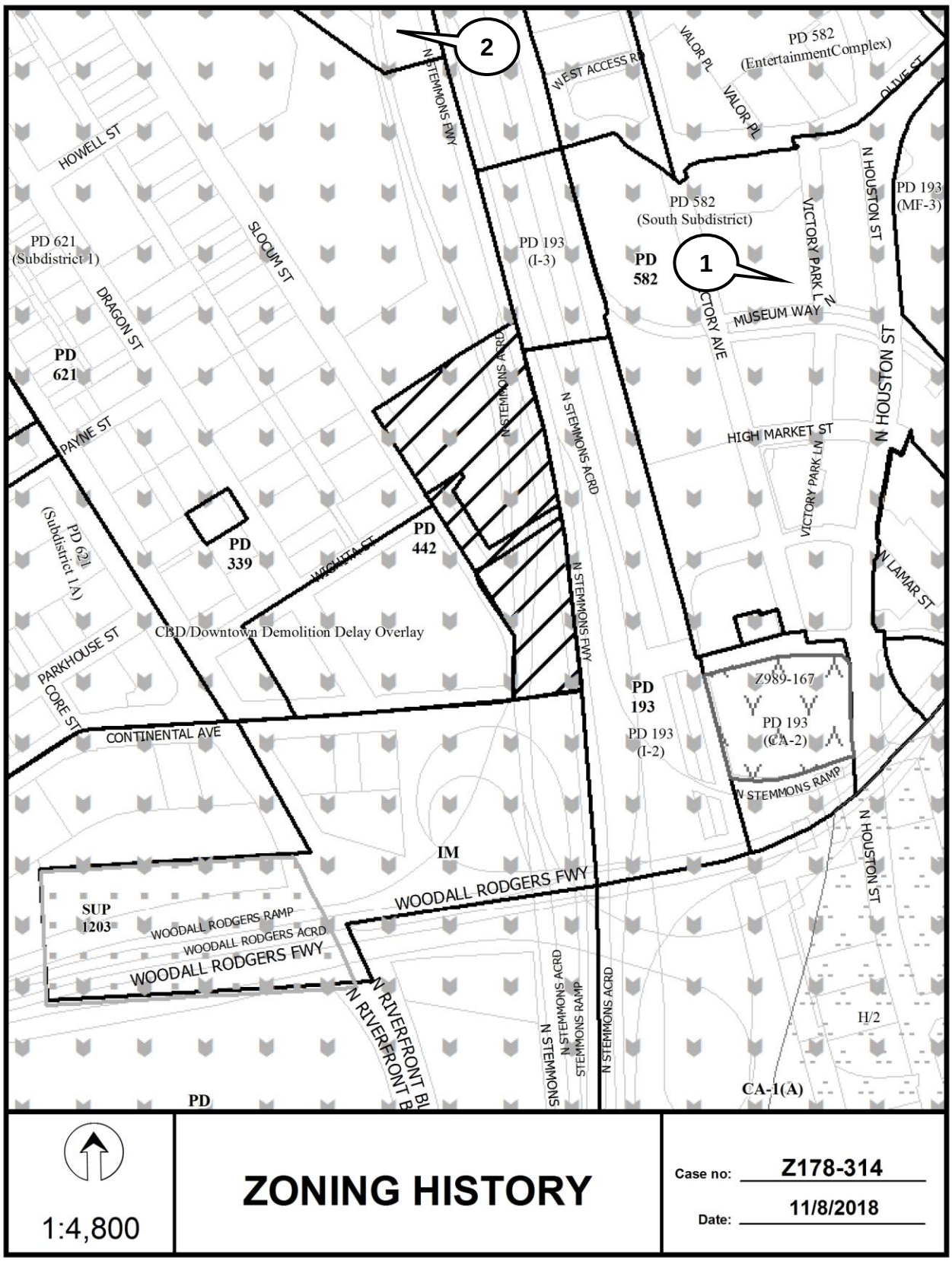
1:4,800

AERIAL MAP

Case no: Z178-314

Date: 11/8/2018


HOWELL ST
N STEMMONS FWY
WEST ACCESS RD
VALOR PL
PD 582
(EntertainmentComplex)
OLIVE ST
PD 621
(Subdistrict 1)
SLOCUM ST
PD 193
(I-3)
PD 582
(South Subdistrict)
VICTORY PARK LN
N HOUSTON ST
PD 193
(MF-3)
DRAGON ST
PD 582
VICTORY AVE
MUSEUM WAY
PD 621
N STEMMONS ACRD
N STEMMONS ACRD
HIGH MARKET ST
PAYNE ST
VICTORY PARK LN
PD 621
(Subdistrict 1A)
PD 339
PD 442
WRIGHT ST
N LAMAR ST
CBD/Downtown Demolition Delay Overlay
PARKHOUSE ST
CORE ST
N STEMMONS FWY
PD 193
Z989-167
PD 193
(I-2)
PD 193
(CA-2)
CONTINENTAL AVE
N STEMMONS RAMP
IM
N HOUSTON ST
WOODALL RODGERS FWY
SUP
1203
WOODALL RODGERS RAMP
WOODALL RODGERS ACRD
WOODALL RODGERS FWY
N RIVERFRONT BLVD
N STEMMONS ACRD
N STEMMONS RAMP
N STEMMONS ACRD
H/2
PD
CA-1(A)
1:4,800
ZONING MAP
Case no: Z178-314
Date: 11/8/2018

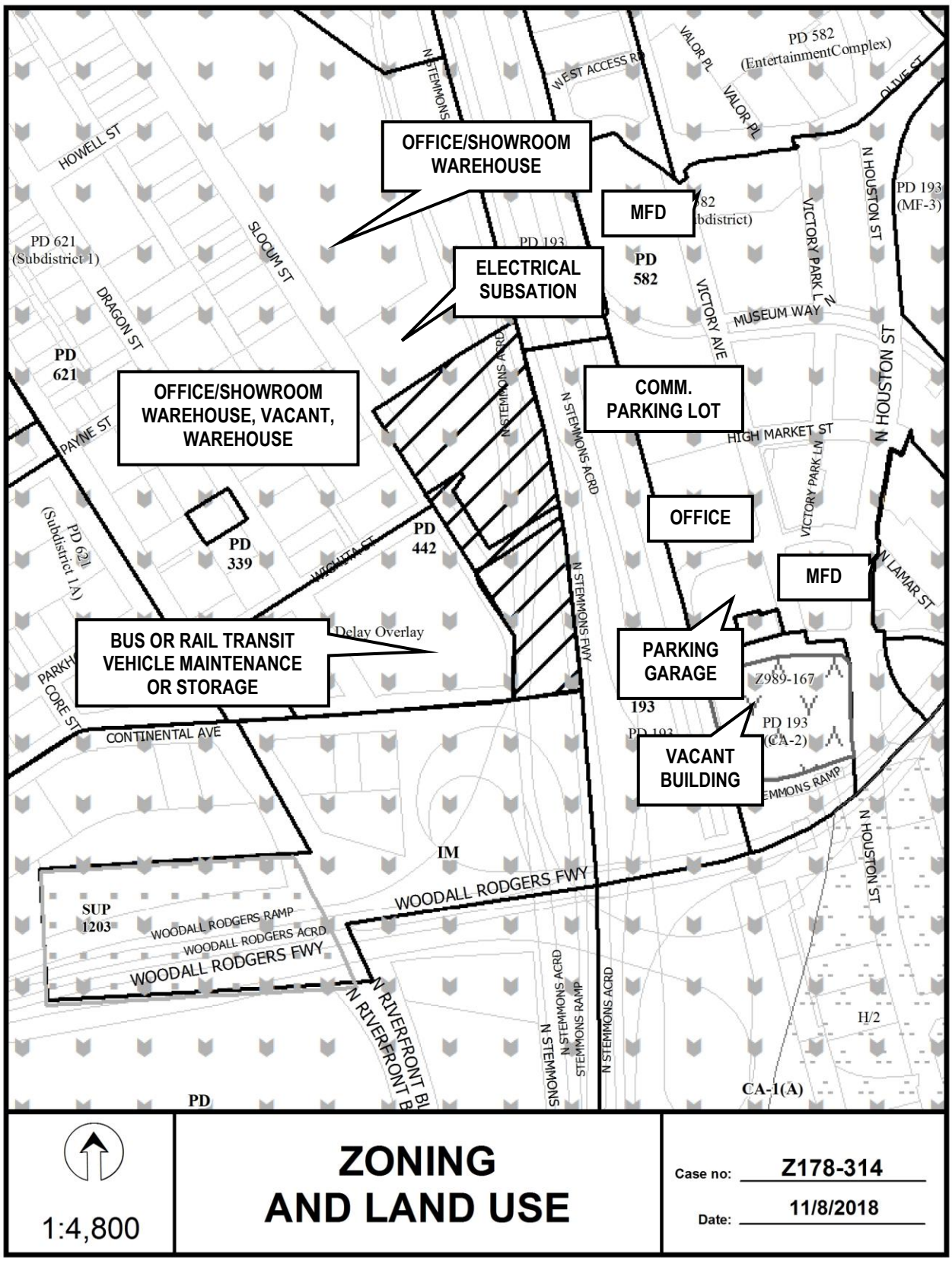


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ZONING HISTORY

Case no: Z178-314

Date: 11/8/2018

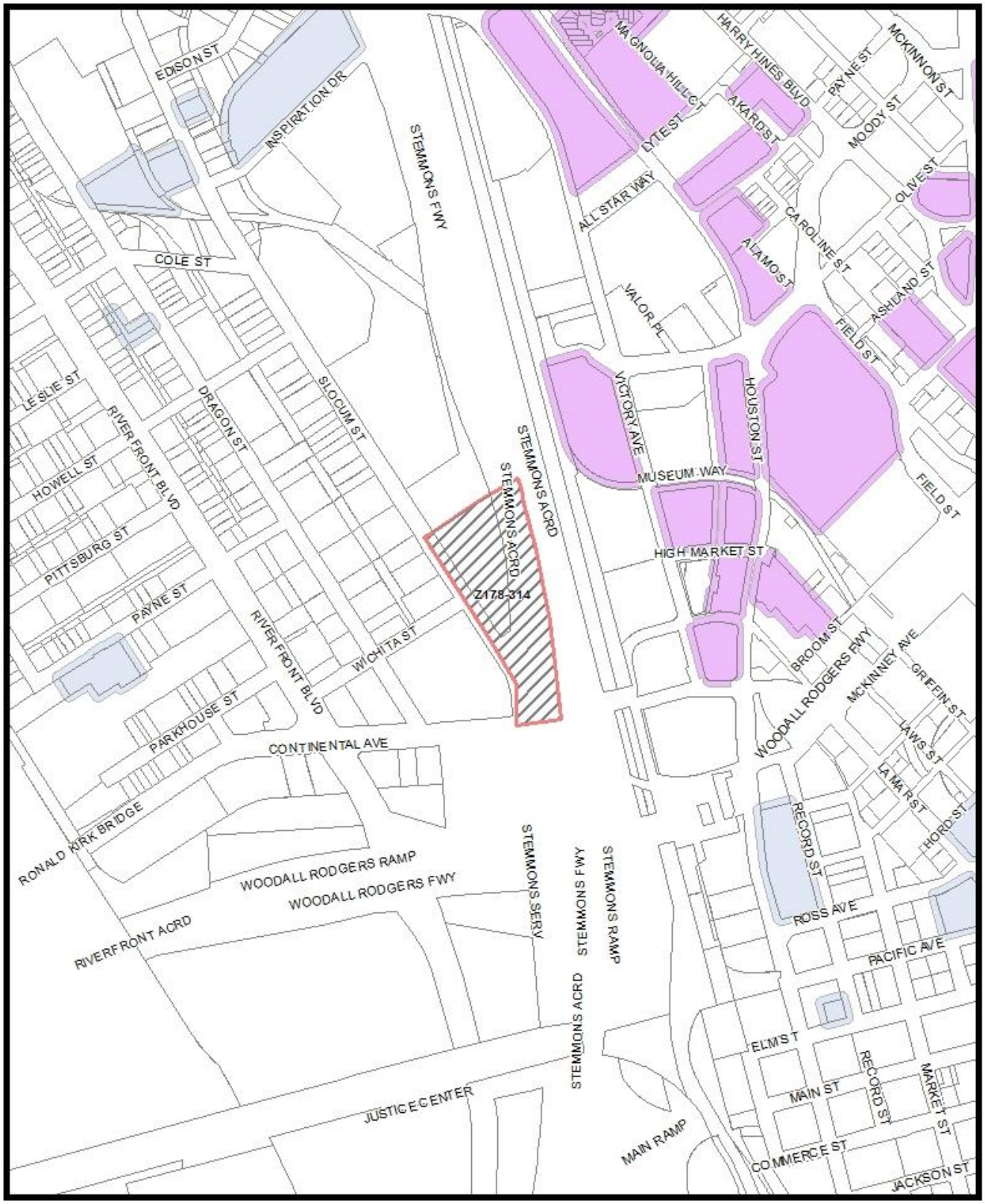


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ZONING AND LAND USE

Case no: Z178-314

Date: 11/8/2018



MVA Cluster A B C D E F G H I NA

1:7,200

Market Value Analysis

Printed Date: 11/9/2018



36	Property Owners Notified (36 parcels)
1	Replies in Favor (1 parcels)
2	Replies in Opposition (2 parcels)
500'	Area of Notification
5/2/2019	Date

Z178-314
CPC

N
W E
S

1:3,600

05/01/2019

Reply List of Property Owners

Z178-314

36 Property Owners Notified ***1 Property Owner in Favor*** ***2 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	899	N STEMMONS FWY	CABANA DEVELOPMENT LLC
	2	1025	N STEMMONS FWY	TEXAS UTILITIES ELEC CO
	3	1025	N STEMMONS FWY	TEXAS UTILITIES ELEC CO
	4	1023	N STEMMONS FWY	TEXAS UTILITIES ELEC CO
	5	1112	BROOM ST	DALLAS AREA RAPID TRANSIT
	6	923	SLOCUM ST	FEIZY PROPERTIES LTD
X	7	955	SLOCUM ST	HODGEPODGE REALTY TRUST
	8	960	DRAGON ST	CANTONI PROPERTIES INC
	9	915	SLOCUM ST	COUSINS ROBERT B IV &
	10	922	DRAGON ST	DOTY JOHN M &
	11	908	DRAGON ST	EVERETT CHILDRENS TRUSTS
	12	900	DRAGON ST	ADELPHI GROUP LTD
	13	918	DRAGON ST	918 DRAGON BLDG INC
	14	315	CONTINENTAL AVE	GLI ACQUISITION CO
	15	600	CONTINENTAL AVE	DALLAS TERM RY & UN DEPOT
	16	2371	VICTORY AVE	HICO VICTORY CENTER LP
	17	965	SLOCUM ST	MONDOVI REAL ESTATE LP
	18	1000	DRAGON ST	MORRIS MARTHA A
	19	2425	VICTORY AVE	GS ARPEGGIO LP
	20	1025	N STEMMONS FWY	DD DUNHILL 2017 LLC &
	21	703	MCKINNEY AVE	VICTORY BREWERY 2013 LP
	22	703	MCKINNEY AVE	DALLAS AREA RAPID TRANSIT
O	23	903	SLOCUM ST	STORAGE CHOICE DESIGN DISTRICT LTD
	24	300	WICHITA ST	TXU ELECTRIC CO
X	25	2223	VICTORY AVE	BLOCKS GKM LP
	26	222	CONTINENTAL AVE	PNYX LTD

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	27	650	N RIVERFRONT BLVD	PRESCOTT INTERESTS
	28	1006	DRAGON ST	D&M MORRIS FAMILY PARTNERS LTD
	29	555	2ND AVE	DART
	30	555	2ND AVE	DART
	31	1900	OAK LAWN AVE	DART & FT WORTH TRANSP AUTH
	32	1900	OAK LAWN AVE	DART & FT WORTH TRANSP AUTH
	33	1900	OAK LAWN AVE	DART & FT WORTH TRANSP AUTH
	34	2323	VICTORY AVE	CLPF ONE VICTORY LP
	35	2323	VICTORY AVE	VICTORY RETAIL I LP
	36	2323	VICTORY AVE	BLOCK L LAND LP

Agenda Information Sheet

File #: 19-800 **Item #:** 70.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1339 for an open enrollment charter school on property zoned an R-7.5(A) Single Family District, on the northwest corner of Rylie Road and Tufts Road
Recommendation of Staff and CPC: Approval, subject to a revised site plan, revised traffic management plan and conditions
Z189-171(CY)

powered by Legistar™

HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z189-171(CY)	**DATE FILED:**	January 18, 2019
LOCATION:	Northwest corner of Rylie Road and Tufts Road		
COUNCIL DISTRICT:	8	**MAPSCO:**	69 G
SIZE OF REQUEST:	Approx. 31.5 acres	**CENSUS TRACT:**	116.02

APPLICANT/OWNER: A+ Charter Schools Inc.

REPRESENTATIVE: Audra Buckley, Permitted Development

REQUEST: An application for an amendment to Specific Use Permit No. 1339 for an open enrollment charter school on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of this request is to allow for the following changes at the existing open enrollment charter school [A+ Charter School]: 1) the demolition of some of the existing buildings to be replaced with new buildings and additional parking spaces; 2) the renovation and expansion of an existing football field to include a track, lighting, and new bleachers; and 3) the replacement of an existing baseball field with a new practice football field. With the proposed modifications, the overall building area will be reduced by approximately 9,477 square feet for a total of 72,816 square feet. No increase in the number of classrooms is proposed.

CPC RECOMMENDATION: **Approval**, subject to a revised site plan, revised traffic management plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised site plan, revised traffic management plan and conditions

BACKGROUND INFORMATION:

- The area of request is zoned R-7.5(A) Single Family District and is currently developed with an open-enrollment charter school use [A+ Charter School]. According to the Dallas Central Appraisal District, the school was built in 1954.

- Specific Use Permit No. 1339 for an open-enrollment charter school, was approved by City Council on August 8, 1997.

- On October 25, 2006, City Council approved an amendment to SUP No. 1339 to increase the number of classrooms from 18 to 41.

- On August 8, 2012, City Council approved an amendment to SUP No. 1339 to increase the number of classrooms from 41 to 60 and require the open-enrollment charter school to be subject to a traffic management plan.

- SUP No. 1339 expires on August 8, 2022.

Zoning History: There has been one zoning change request in the vicinity in the past five years.

1. **Z145-196** On August 12, 2015, the City Council approved SUP No. 2088 for a vehicle display sales and service use on property located on the east line of Cade Road, south of C.F. Hawn Freeway, north of the area of request.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Required ROW
Rylie Road	Residential collector	60 ft.	60 ft.
Tufts Road	Minor arterial	60 ft.	50 ft.
Cade Road	Minor arterial	60 ft.	50 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the amendment and determined that it will not impact the surrounding street system. Staff reviewed the revised Traffic Management Plan that will be attached to the ordinance and recommends approval of the request. The applicant will be required, as with all Traffic Management Plans, to submit a traffic study to the director each even-numbered year to determine if the Traffic Management Plan is being implemented effectively.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas!* Comprehensive Plan was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

NEIGHBORHOOD PLUS

Policy 4.2 SUPPORT AND LEVERAGE EMERGING SCHOOL QUALITY AND SCHOOL CHOICE PROGRAMS.

> **Action 4.2.2** Engage DISD and charter school organizations in the super-neighborhood structure to support neighborhood based education improvement efforts through school choice programs.

Land Use:

	Zoning	Land Use
Site	R-7.5(A) Single Family District with SUP No. 1339	Open-enrollment charter school
North	IM-D-1 Industrial Manufacturing District with D-1 Liquor Control Overlay, R-7.5(A) Single Family District, CS-D-1 Commercial Service District with D-1 Liquor Control Overlay and SUP No. 777, Subdistrict 2 within PD No. 535 with D-1 Liquor Control Overlay	Vacant industrial building, single family, machine or welding shop, office.
East	R-7.5(A) Single Family District with SUP No. 2100	Single family, vacant church, cemetery
South	R-7.5(A) Single Family District	Single family.
West	R-7.5(A) Single Family District	Single family, undeveloped land.

Land Use Compatibility:

The approximate 31.5-acre site is zoned R-7.5(A) Single Family District with Specific Use Permit No. 1339 and is currently developed with an open-enrollment charter school use with an enrollment capacity of 850 students in grades Pre-K through 6th grade.

Specific Use Permit No. 1339 was approved by City Council on August 8, 1997, for a ten-year period with eligibility for automatic renewals for additional ten-year periods. There have been two subsequent amendments to the SUP.

The first amendment was approved on October 2006 for a ten-year period with eligibility for automatic renewals for additional ten-year periods [Expiration date: October 25, 2016]. This amendment revised the allowed use from public or private school to an open-enrollment charter school, amended the number of classrooms to increase them from 18 to 41, and also amended the landscape regulations to require compliance with Article X of the Dallas Development Code, as amended.

The second amendment was approved on August 2012 for a ten-year period with eligibility for automatic renewals for additional ten-year periods [Expiration date: August 8, 2022]. With this amendment, the number of classrooms was increased from 41 to 60 and additional conditions for off-street parking and for the traffic management plan were incorporated.

The purpose of this current request is to amend the SUP to allow for 1) the demolition of some of the existing buildings to be replaced with new buildings and additional parking spaces; 2) the renovation and expansion of an existing football field to include a track, new lighting fixtures, and new bleachers; and 3) the replacement of an existing baseball field with a new practice football field. No increase in the number of classrooms is being proposed.

Single family uses are concentrated primarily to the southwest and to the south of the area of request. A public school [Nancy Moseley Elementary School] is located to the southeast, across Rylie Road.

Uses to the east and across Tuffs Road include a cemetery, a vacant church building, and additional single family uses. Located to the north of the area of request there is a mix of a vacant industrial building, a single family use, and machine or welding shop uses.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards.

From all the proposed changes, and due to the close proximity of residential uses, staff considered the renovation and expansion of the existing athletic fields as those with more potential impact on the surrounding areas.

The proposed renovations include the replacement of existing lighting fixtures that initially were proposed to be 90 feet. Since the site is located in an R-7.5(A) District, structures are not subject to the residential proximity slope (RPS) height restrictions. Therefore, a one-to-three slope, similar to RPS, was utilized by staff as a tool to evaluate the impact of the proposed light poles height on the adjacent residential uses. Out of the four proposed light poles, only one of them, located on the west side of the football field, would encroach into the one-to-three slope originated from a residential property line to the south of the area of request. With a distance of 200 feet from the residential property, the light pole would need to be restricted to a maximum of 67 feet in height, 23 feet shorter than the initially proposed 90-foot poles in order to comply with the hypothetical RPS. Understanding the need to provide for enhanced illumination for the athletic fields, staff recommended limiting the height of the light poles to 80 feet, to which the applicant agreed. At that height, the encroachment of that one light pole into the three-to-one slope will be 13 feet.

It is important to note that since an open-enrollment charter school is categorized as an institutional use, and the athletic fields are accessory to the school use, they are not subject to the maximum district height of 30 feet [1]. Therefore, with the inclusion of this provision, the SUP would still be consistent with the height regulations of the underlying zoning district.

Additional lighting conditions recommended by staff and which the applicant was amenable to, are the requirement for the outdoor lighting to be directed down and away from adjacent properties and requiring lights to be turned off no later than 9:00 p.m. on four out of the seven days of the week and no later than 10:00 p.m. on the remaining days. These hours are consistent with the proposed hours of operation of the athletic fields.

Lastly, a condition to regulate the use of amplified sound speakers was also included. This provision requires the amplified sound speakers to be used only during games and practice games and to prohibit its use between 9:00 p.m. and 7:00 a.m. of any day of the week.

Staff also recommends maintaining the current expiration date [August 8, 2022] to allow for the evaluation of the impact of the proposed modifications on the surrounding areas within the next few years. This will also provide for the opportunity to reevaluate the use, with the opportunity to improve land use compatibility if additional or modified conditions are needed.

With the inclusion of the above mentioned conditions into the SUP ordinance, staff recommends approval of the applicant’s request for an amendment to Specific Use Permit No. 1339 for an open enrollment charter school as it is not foreseen to have a negative impact in the surrounding areas.

[1] Reference Section 51A-4.408(a)(1) of the Dallas Development Code.

Development Standards

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A)	Min. 25'	5'	1 dwelling unit / 7,500 sf	30'	45%	-	Single Family.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an identifiable MVA Category; however, it is in proximity to an "F" MVA Cluster to the east, south and west, and to a "G" MVA Cluster to the north across Cade Road.

Parking:

The existing SUP conditions require that parking must be provided as shown on the site plan.

According to the applicant, out of the existing 60 classrooms, 46 are for elementary [Pre-K through fifth (5th) grade] and 14 are for middle school [sixth (6th) grade]. Based on those numbers, a total of 118 off-street parking spaces are required[2] as depicted on the site plan, a total of 340 parking spaces are being provided. This amount includes 112 new parking spaces proposed as part of the renovations.

Landscaping: Landscaping will be provided in accordance with Article X, as amended.

[2] Elementary school: 1.5 spaces x 46 classrooms = 69
Middle school: 3.5 spaces x 14 classrooms = 49
Total = 118 spaces

CPC Action
March 21, 2019

Motion: In considering an application for an amendment to Specific Use Permit No. 1339 for an open enrollment charter school on property zoned an R-7.5(A) Single Family District, on the northwest corner of Rylie Road and Tufts Road, it was moved to **hold** this case under advisement until April 4, 2019.

Maker: Lewis
Second: Housewright
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schultz
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 500 Mailed: 79
Replies: For: 0 Against: 0

Speakers: None

CPC Action
April 4, 2019

Motion: In considering an application for an amendment to Specific Use Permit No. 1339 for an open enrollment charter school on property zoned an R-7.5(A) Single Family District, on the northwest corner of Rylie Road and Tufts Road, it was moved to **hold** this case under advisement until May 2, 2019.

Maker: Lewis
Second: Schulte
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Lewis, Jung, Housewright*, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 79
Replies: For: 0 Against: 0

Speakers: None

CPC Action
May 2, 2019

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1339 for an open-enrollment charter school, subject to a revised site plan, revised traffic management plan and revised conditions (as briefed) on property zoned an R-7.5(A) Single Family District, on the northwest corner of Rylie Road and Tufts Road.

Maker: Lewis
Second: Schulte
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss*, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley*

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 79
Replies: For: 0 Against: 0

Speakers: For: Audra Buckley, 1414 Belleview St., Dallas, TX, 75215
Against: None

LIST OF BOARD MEMBERS

A+ Charter Schools Inc.

- Theda Marie Green — President
- Ernest Charles Crowley — Member
- Charles Oliver — Vice President
- Linda Davis — Secretary
- Diana Cruz — Member
- Jeanne Campbell — Member
- Karen Belknap — Member / Founder
- Dr. Brenton White — Chief Administrative Officer

AMENDED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan

3. TIME LIMIT: This specific use permit expires on August 8, 2022 but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).

4. ATHLETIC FIELDS:
    A. Hours of operation. The athletic fields shown on the site plan may not operate between 9:00 p.m. and 7:00 am. Saturday through Tuesday, and between 10:00 p.m. and 7:00 a.m. Wednesday through Friday.

    B. Lighting:
        i. Light poles may not exceed 80 feet in height.

        ii. Exterior lighting must be directed away from adjoining properties.

        iii. All light poles must be full cut-off fixtures. The term “full cut-off fixture” means a light fixture that does not emit light above the fixture’s horizontal angel. Full cut-off fixtures direct light down to the ground.

        iv. Exterior lights must be turned off by 9:00 p.m. Saturday through Tuesday and by 10:00 p.m. Wednesday through Friday.

    C. Amplified sound speakers. Amplified sound speakers may only be used during games and practice games and may not be used between 9:00 p.m. and 7:00 a.m.

5. CLASSROOMS: The maximum number of classrooms is 60.

6. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.

7. [~~6.~~] LOADING AND UNLOADING: Passenger loading and unloading must be provided in the location shown on the attached site plan and in accordance with the traffic management plan.

8. [~~7~~] PARKING: Parking must be located as shown on the attached site plan. ~~–~~ And in accordance to the Dallas Development Code, as amended.

9. [~~8~~] TRAFFIC MANAGEMENT PLAN:
   A. In general. The operation of an open-enrollment charter school must comply with the attached traffic management plan.

   B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

   C. Traffic study.
      i. The property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by November 1, 2014. After the initial traffic study, the property owner or operator shall submit updates of the traffic study to the director by November 1 of each even-numbered year.

      ii. The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:
         a. Ingress and egress points;
         b. queue lengths;
         c. number and location of personnel assisting with loading and unloading of students;
         d. drop-off and pick-up locations;
         e. drop-off and pick-up hours for each grade level;
         f. hours for each grade level; and
         g. circulation.

      iii. Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.
         a. If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.
         b. If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the

director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

D. Amendment process.

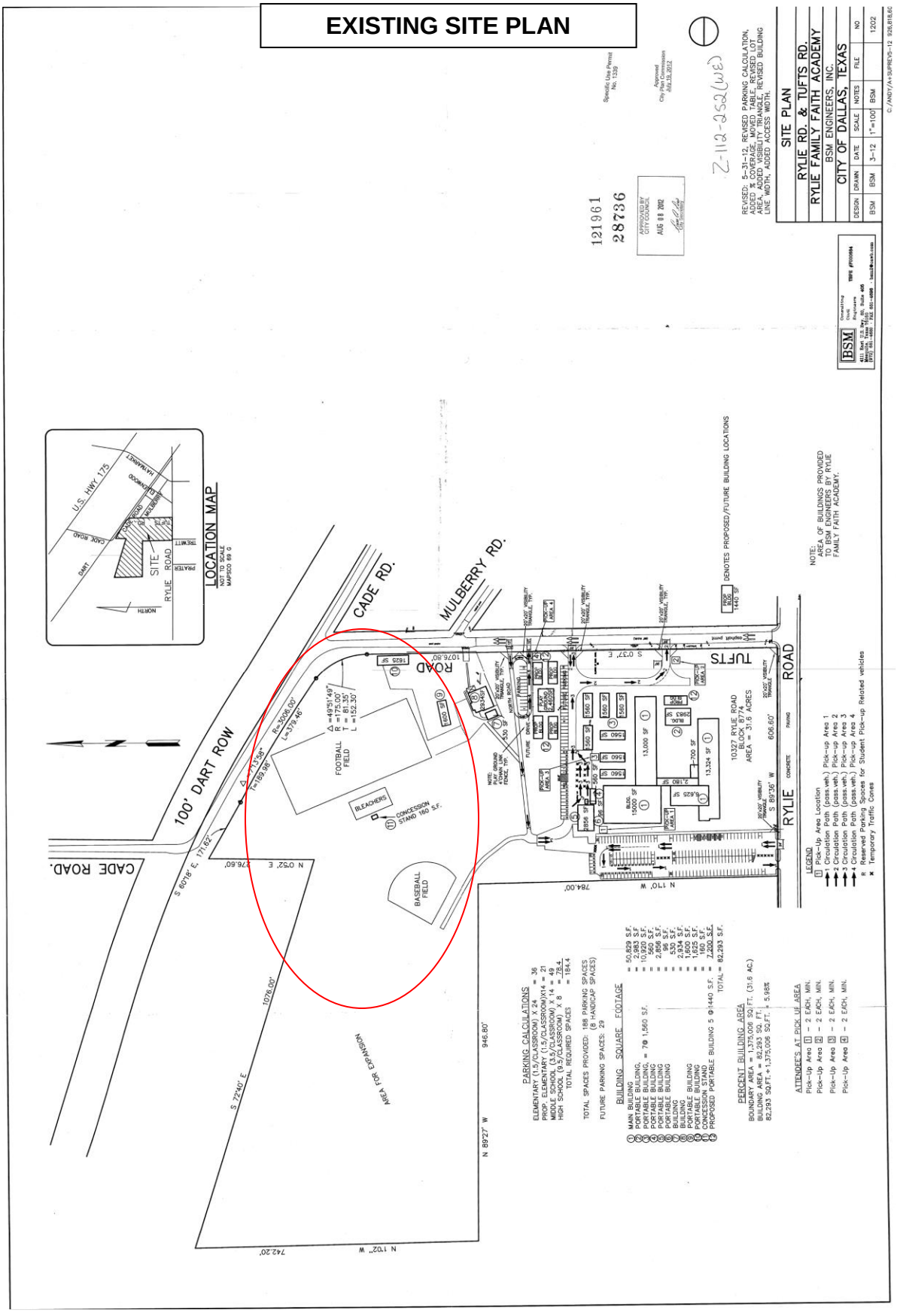
i. A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

ii. The city plan commission shall authorize changes in the traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

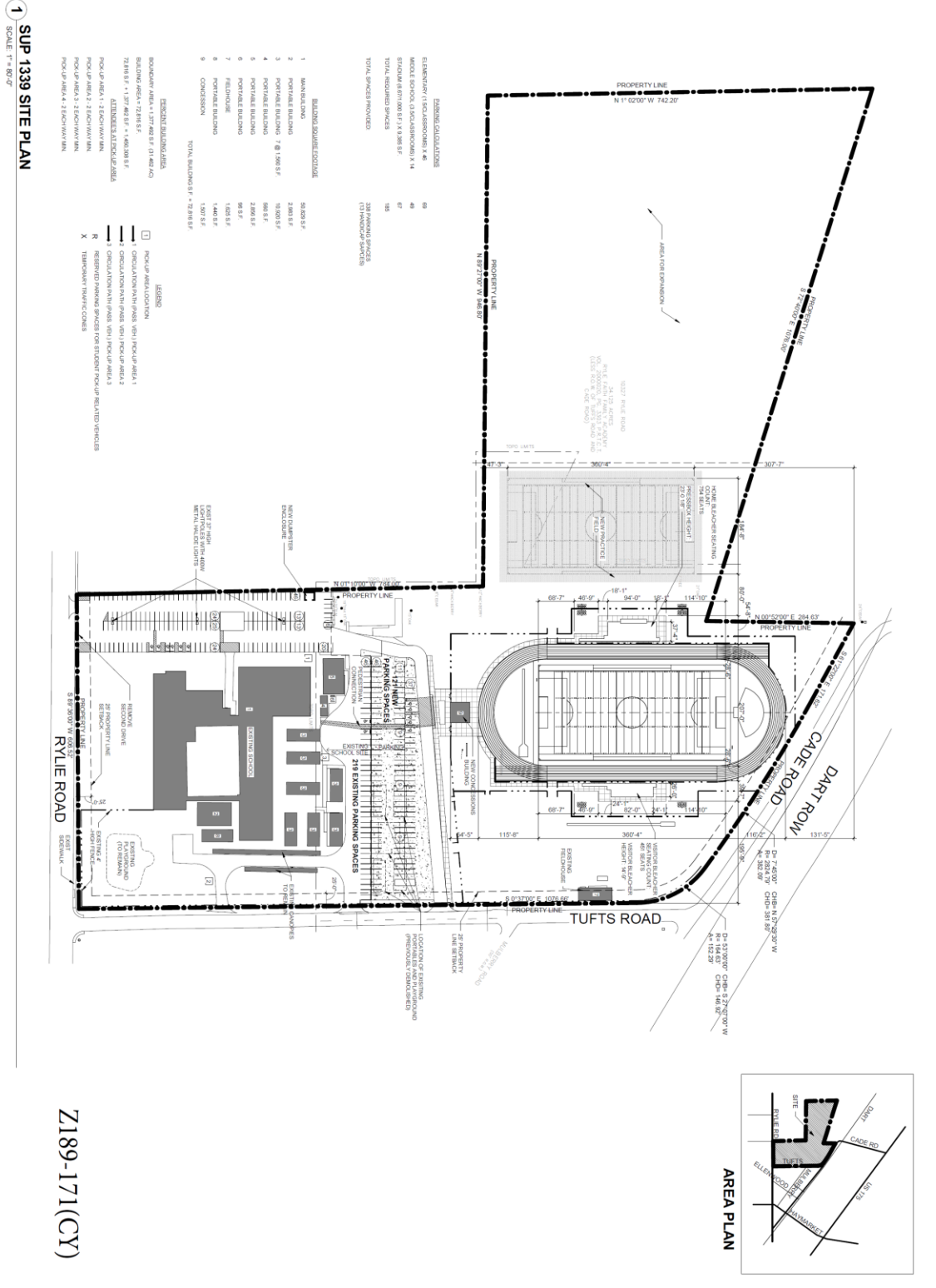
10. [~~9~~] MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

11. [~~10~~] GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations. And with all ordinances, rules and regulations of the City of Dallas.

EXISTING SITE PLAN



AMENDED SITE PLAN



Z189-171(CY)

1.03DI S. J.	CLAYCOMB ASSOCIATES, ARCHITECTS CLAYCOMB ASSOCIATES, ARCHITECTS 6600 LBJ FREEWAY * SUITE 200 DALLAS, TEXAS 75240 * WWW.CLAYCOMB.NET	RYLIE FIELD STADIUM & CONCESSION A+ CHARTER SCHOOLS, INC. Dallas, Texas	A+ Charter School Inc.		DATE: 04.30.2018 ISSUE: BID SET JOB NO. 21763

REVISED TRAFFIC MANAGEMENT PLAN

TRAFFIC MANAGEMENT PLAN FOR

A+ ACADEMY

IN DALLAS, TEXAS

DeShazo Project No. 18153

Prepared for:

A+ & Inspired Vision Academies

P.O. Box 171626

Dallas, Texas 75217

Prepared by:

DeShazo Group, Inc.

Texas Registered Engineering Firm F-3199

400 South Houston Street, Suite 330

Dallas, Texas 75202

214.748.6740

April 29, 2019



04/29/2019

Traffic Management Plan for

A+ Charter

~ DeShazo Project No. 18153 ~

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DeShazo Group

Traffic. Transportation Planning. Parking. Design.

Texas Registered Engineering Firm F-3199

Technical Memorandum

To: Mr. Tony Valdez — A+ Charter Schools, INC

From: DeShazo Group, Inc.

Date: April 29, 2019

Re: Traffic Management Plan Update for A+ Charter
DeShazo Project Number 18153

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm based in Dallas, Texas, providing licensed engineers and planners skilled in the field of traffic and transportation engineering. DeShazo's services were retained by A+ Charter Schools, INC to provide a traffic management plan (TMP) for A+ Academy located at 10327 Rylie Road in Dallas, Texas.

The school is currently in operation at the subject site with an enrollment capacity of 850 students in grades Pre-K through 6th.

The school site is zoned R-7.5(A) (Single Family) and will be undergoing construction of a track and field directly north of the school buildings. As part of the approval process, submittal of a TMP to the City of Dallas is required as a record of the preferred strategies to be used by the school to ensure overall traffic safety and efficiency. This TMP is intended to assess existing and anticipated traffic conditions at the school during the morning drop-off and afternoon pick-up peak periods on the basis of satisfying these objectives. By consent of the TMP, the school agrees to be held self-accountable for the enforcement of the strategies presented herein until and unless the City of Dallas deems further measures are necessary. (NOTE: In this report, the term "parent" refers to any individual who is involved in the drop-off or pick-up of one or more students at the school.)

TRAFFIC MANAGEMENT PLAN

A school TMP is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up. By properly managing the vehicular traffic generated during critical periods, the safety and efficiency of other modes of travel—including pedestrian traffic—will also inherently improve and the operational impact on the public street system should also be minimized. **This plan, however, should not be considered a comprehensive set of instructions to ensure adequate safety; it should be used as a tool to facilitate a safer and more efficient environment.**

EXISTING TRAFFIC CONDITIONS

School Operational Characteristics

As required by the City of Dallas, DeShazo observed on-site traffic on six different occasions at the following times.

- Friday, December 14, 2018, during student dismissal
- Monday, December 17, 2018, during student dismissal
- Tuesday, December 18, 2018, during student arrival
- Tuesday, November 18, 2018, during student dismissal
- Monday, April 8, 2019, during student arrival
- Monday, April 8, 2019, during student dismissal

Field observations indicate that current practices during the morning drop-off and afternoon pick-up periods do not present a significant obstruction to vehicular traffic. However, a significant number of parents parked on the WB direction of Rylie Road and created a long queue outside school boundary. Arrival of vehicles in the morning is notably more sporadic than any traffic generated during the afternoon pick-up period. **Table 1** summarizes the school's operational characteristics assumed in this analysis.

Table 1. School Operational Characteristics

	Existing Conditions	**Proposed Conditions**
Enrollment (by grade)	Pre-K – 88 students Kindergarten – 110 students 1st Grade – 94 students 2nd Grade – 88 students 3rd Grade – 110 Students 4th Grade – 110 Students 5th Grade – 117 Students 6th Grade – 126 Students *Total: 843 students*	*Total: 850 students*
Daily Start/End Schedule	All Grades: >Start: 7:40 AM >End: 3:20 PM	No changes
Approximate Percentage of Students Travelling by Mode Other Than Drop-off/Pick-up	By Van: ≅ 6%	No significant changes

NOTE #1: To the highest degree practical, the accounts of "existing conditions" presented in this report were based upon actual on-site observations conducted by DeShazo during typical school day(s)/conditions and from personal interviews of school representatives. The analyses and recommendations presented in this report for "proposed" or "future" conditions were based upon evaluations of "existing conditions" and may be supplemented by DeShazo's professional judgment and experience. "Proposed"/" Future" conditions are intended to reflect the anticipated day-to-day conditions at full occupancy.

NOTE #2: Occasional functions or other events may be held at the school, which generate traffic outside of the traditional peak drop-off and pick-up periods. While some of the measures presented in this report may be applicable in such cases, traffic circulation plan other than those directly associated with the primary drop-off and pick-up periods are not the subject of this analysis.

Site Access and Circulation

The school is located at the north-west corner of Rylie Road and Tufts Road intersection. Tufts Road is approximately 25 ft wide while Rylie Road is approximately 42 ft wide. Tufts Road currently operates one way only (SB direction) during school hours. The school currently has one point of ingress and one point of egress for the west side parking lot on Rylie Road. In addition, there are three access points for the parking lot on Tufts Road. The northernmost access point serves as a point of ingress, the middle access point serves as both a point of ingress and egress, and the southernmost access point serves as a point of egress.

Student Loading

Morning Drop-Off

During the morning drop-off period almost all students, regardless of grade, are dropped-off in the parking lot (Loading zone A). Several parents are seen parking their car on both side of Rylie Road and walking the student to the school.

As previously mentioned, arrival of vehicles in the morning is notably more sporadic than afternoon. Observations found a total of 40 vehicles queued in the parking lot to the west of the school with a spillover of two vehicles on Rylie Road. Ten other vehicles queued in the parking lot to the north of the school (Loading zone B) during the peak drop-off time.

Afternoon Pick-Up

During the afternoon pick-up period parents picking up students of Pre-K through 2nd grade either form a double queue in the parking lot to the west of the school or park on north side (WB direction) of Rylie Road. Students of Pre-K are seen picked up by parents at 3:00 PM. These parents mostly parked on both side of Rylie Road, walked into the campus, picked up their kid/(s) and went back to the car. Observations found a total of 40 vehicles double queued in the parking lot while 46 vehicles were parked on Rylie Road during the pick-up time.

Parents picking up students in 3rd and 4th grade proceed to the parking lot to the north of the school in a single queue upon arriving to the loading area. Observations found a total of 36 vehicles queued in the parking lot during the pick-up time.

The 5th and 6th graders are picked-up at the old church, owned by the school, on the east side of Tufts Road adjacent to the school. These students are directed by five school staff members and a crossing guard from the school to this site during dismissal to be picked-up by their parents. Queueing operations here are also well enforced by school staff. Observations indicated a total of 16 vehicles double queued in the parking lot with a spillover of 40 vehicles on Mulberry Street and Ellenwood Street during the pick-up time.

Attendance Zone Distribution

The students of A+ Academy come to the school from twenty-four different zip code locations. Based on the location of this zip code in respect to the location of the school and convenience of driving, various different routes are chosen for inbound movement (**Appendix A1**). At the end, two routes eventually meet at the school location which eventually bring the passenger cars to the school (**Appendix A2**). The major route from the north and east brings about 557 vehicles, whereas the other route brings about 242 vehicles. During afternoon peak hour, due to the expected traffic assignment, if Tufts Road runs two directional, the NB outgoing traffic is expected to create conflicts with the Sb left turning vehicles on Mulberry St. Moreover, the EB left turning

vehicles is expected to conflict with SB left turning vehicles. Hence, during morning drop-off and afternoon dismissal, Tufts Road is suggested to keep one directional- SB only movement.

School Stadium Traffic

The proposed athletic facilities include a track and football field stadium. The school's Athletic Department is expected to coordinate various activities throughout the year. Top traffic-generating event is expected to be soccer games where attendance is expected to include school participants, parents and visiting teams. The proposed stadium will have a maximum capacity of 754 home seats and 451 away seats.

With reasonable certainty, a soccer game will be the most significant traffic generator scenario. The traffic impact from the proposed athletic facilities was analyzed during a typical athletic activity with approximately 350 spectators in Gainesville High School Stadium. The total observed parking demand during this game was about 126 vehicles.

A published, technical methodology to calculate the projected trip generation for high school football stadiums is not available. Instead of an established equation or rate, DeShazo evaluated the traffic characteristics for such events. A trip generation rate of *0.26 trip-ends per seat* was determined based upon the following considerations.

- The average parking demand ratio observed at three high school football events and published in the *Shared Parking* (2nd Edition) by the Urban Land Institute is 0.26 parked vehicles per attendee. Although parking ratios are not directly related to trip-ends, the published rate is indicative of a number of vehicles per unit ratio.
- DeShazo also studied the trip generation characteristics of other land uses provided in the Institute of Transportation Engineers (ITE) *Trip Generation* manual (9th Edition).

The trip generation rate is considered appropriate for this analysis based upon factors that accurately reflect specific traffic conditions at school stadiums. Using a 0.26 park-vehicle per attendee, the proposed parking is expected to be adequate for any athletic activity attendees.

All outbound traffic will be directed towards Rylie Road and Tufts Road at the end of any major game (**Exhibit 1**). Off-duty Police Officer and school staffs are required to circulate traffic during major game.

PROPOSED TRAFFIC CIRCULATION PLAN

According to the City of Dallas Traffic management plan Guidelines, all traffic should be contained inside the school property.

School observations consistently indicate that maximum queues occur during the afternoon peak period when students are being picked-up—the morning period is typically not a significant traffic issue since drop-off activities are more temporally distributed and occurs much more quickly than student pick-up. The projected peak number of vehicles during each dismissal time is provided in Table 2.

Table 2. Peak On-Site Vehicle Demand during Afternoon Peak-Up Period

	LOADING ZONE A	LOADING ZONE B	LOADING ZONE C
	Pre-2nd Grade 3:20 PM	**3rd-4th Grade 3:20 PM**	**5th-6th Grade 3:20 PM**
Approx. Peak Number of Vehicles	86 vehicles	36 vehicles	56 vehicles

These measures need to be taken for proper traffic management for loading and unloading during pickup/drop-off period-

1. All traffic will either enter from the driveway on Rylie road or from the northern most driveway on Tufts Road during *morning drop-off*. A+ Charter should accommodate all morning arrival traffic operations in accordance with **Exhibit 2.**

2. During afternoon dismissal, all traffic must enter either from the northern most driveway on Tufts Road or from the south driveway on Rylie Road. Based on the existing traffic observations, the total LF required to hold the queue inside the school is 4,005 ft (or 178 vehicles with an avg. length of 22.5 ft). Due to the city of Dallas regulations, no parking or queueing is allowed during drop-off or pick-up periods on public streets. If followed accurately, the new circulation plan is expected to provide 3,290 LF of space for approximately 146 vehicles. All afternoon dismissal traffic operations should be in accordance with **Exhibits 3**, depending on the students' grade.

    a. The Prek-2nd grade passenger vehicles will enter from the south-western driveway on Rylie Road and make a double-queue inside the parking lot and move towards Loading Zone A. Loading Zone A provides 880 LF of on-site vehicular queueing or storage for up to 39 vehicles at 22.5 feet per vehicle. Existing traffic shows approximately 21 LF/car required for this section and hence for conservative analysis 22.5 LF is used instead of 23.5 LF. This capacity is expected to accommodate at least 45% of the vehicle demand for PreK- 2nd grade students. All of the 46 vehicles that were queued on Rylie Road are required to park at the available parking spaces inside the school boundary and walk to pick up students. After picking up the students, vehicles will exit from the Rylie Road. Both left and right turn exit movement is allowed from this driveway.

    b. The 3-4th grades pickup will be on the north side of the school and will exit from the middle driveway on the Tufts road. The loading Zone B is expected to provide 1,040 LF of on-site storage for up to 46 vehicles at 22.5 feet per vehicle.

    c. The 5-6th grades will be picked-up on the eastern side of the school and will exit on the southernmost driveway on Tufts Road. The loading Zone C is expected to provide 1,370 LF of on-site storage for up to 61 vehicles at 22.5 feet per vehicle.

3. Parking or queueing during school hours on Rylie Road or Tufts Road is strictly prohibited. Violators will be ticketed.

4. At the beginning of each school term, parents should be issued hang tags with unique identification that pairs them with their corresponding student(s). During the pick-up period, the hang tags should be displayed in vehicle's windshield while parents circulate through the prescribed routes. School staff should be positioned at strategic locations ahead of the loading areas and relay the sequence of parent arrival back to the loading area so the students can be aligned for pick-up.

5. For the efficient circulation, efficient management plan is crucial. The designated loading/unloading zone can hold 6-16 vehicles in a single/double queue. It is suggested that, all designated locations should have enough staff during both the pickup and dismissal period to avoid any queue spillover on the street due to lack of proper management. School staff should always try to maximize efficiency of student loading operations. Maximum accumulation of vehicles is subject to both the rate of arrival traffic and the rate at which the school staff is able to load/unload students into their corresponding cars; any delay or inadequacy in the loading/unloading operations results in unwarranted accumulation of traffic.

Furthermore, three off-duty police officers is expected to be beneficial for the efficient movement of traffic during afternoon dismissal period. They will be stationed at the Rylie Road and Tufts Road access points. A+ Charter Schools also reserves the rights to place up to 3 TMOs in the street during high traffic congestion times such as school drop-off, pick-up as well as during all special events to enforce compliance with the traffic management plan.

RECOMMENDATIONS

The school administration should continue to implement an active management of student loading to expedite queueing operations and reduce the maximum accumulation of traffic. Queue pick-up participation is a challenge that schools face constantly. Despite the anticipated practices and operational characteristics at A+ Charter, full cooperation of all school staff members, students and parents is crucial for the success of the systematic queue. Proper training of school staff on the duties and expectations pertaining to this plan is recommended. Sufficient communication at the beginning of each school term (and otherwise, as needed) with students and parents on their duties and expectations is also recommended. DeShazo recommends consideration of the following recommendations to optimize queue operations:

Traffic Queue Operations

- Implementation of an "Advance Passenger Identification System" to expedite queue operations. This system uses hangtags displayed through the windshield of arriving vehicles to identify arriving vehicles with the name(s) of corresponding student(s).
- Use of apps or software (e.g., Driveline Dispatch®) to expedite queue operations. This software efficiently displays family names of upcoming vehicles on indoor screens and provides students and school staff with a chart of vehicles approaching the loading zone.
- Staff participating in student drop-off/pick-up operations should, in lieu of simple hand gestures, procure and use reversible hand-paddle signs with the messages "STOP" and "SLOW". Optional

additional equipment for staff may include whistles (for audible warnings) and flashlights (for visual warnings) in order to gain the attention of motorists.

- Morning arrival and afternoon dismissal traffic operations should be managed in accordance with the traffic circulation, loading zones, and parking depicted in **Exhibit 2** and **Exhibit 3**. These plans include the recommended configuration of temporary traffic control devices (such as traffic cones, etc.) that shall be installed on a daily basis when typical traffic conditions are expected. An appropriate number of school staff shall be assigned to fulfill the duties of student supervision, traffic control, and other related duties as generally depicted on the plan.
- Parents should refrain from parking on Street.
- **Parents should not arrive more than 30 minutes prior to the student's dismissal time.**

Student Safety

- Student safety should remain paramount at all times. School administration should continuously remind students, parents and staff of their expectations relative to this traffic management plan throughout the school year.
- School administration should review traffic operations and address any problems concerning this traffic management plan and identify solutions in the interest of student safety.
- In accordance with the Transportation Code, Section 545.4252, State law prohibits the use of wireless communication devices while operating a motor vehicle during the time a school zone is in effect. Restrictions do not apply to stopped vehicles or the use of handheld free devices.

SUMMARY

This TMP should be used by A+ Charter to provide safe and efficient transportation of students, staff, and faculty to and from the site. The plan was developed with the intent of optimizing safety and efficiency and the goal of accommodating vehicular traffic generated by the school within the site at peak traffic periods. School administration should review details of this TMP on a regular basis to confirm its effectiveness.

END OF MEMO

SCHOOL REVIEW AND COMMITMENT

This plan was developed for A+ Charter with the intent of optimizing safety and efficiency related to vehicular traffic generated by the School during peak traffic periods. A concerted effort and full participation by the School administration, staff, students and parents are essential to maintain safe and efficient traffic operations.

The School has reviewed the Traffic Management Plan and is in support of the strategies presented herein.

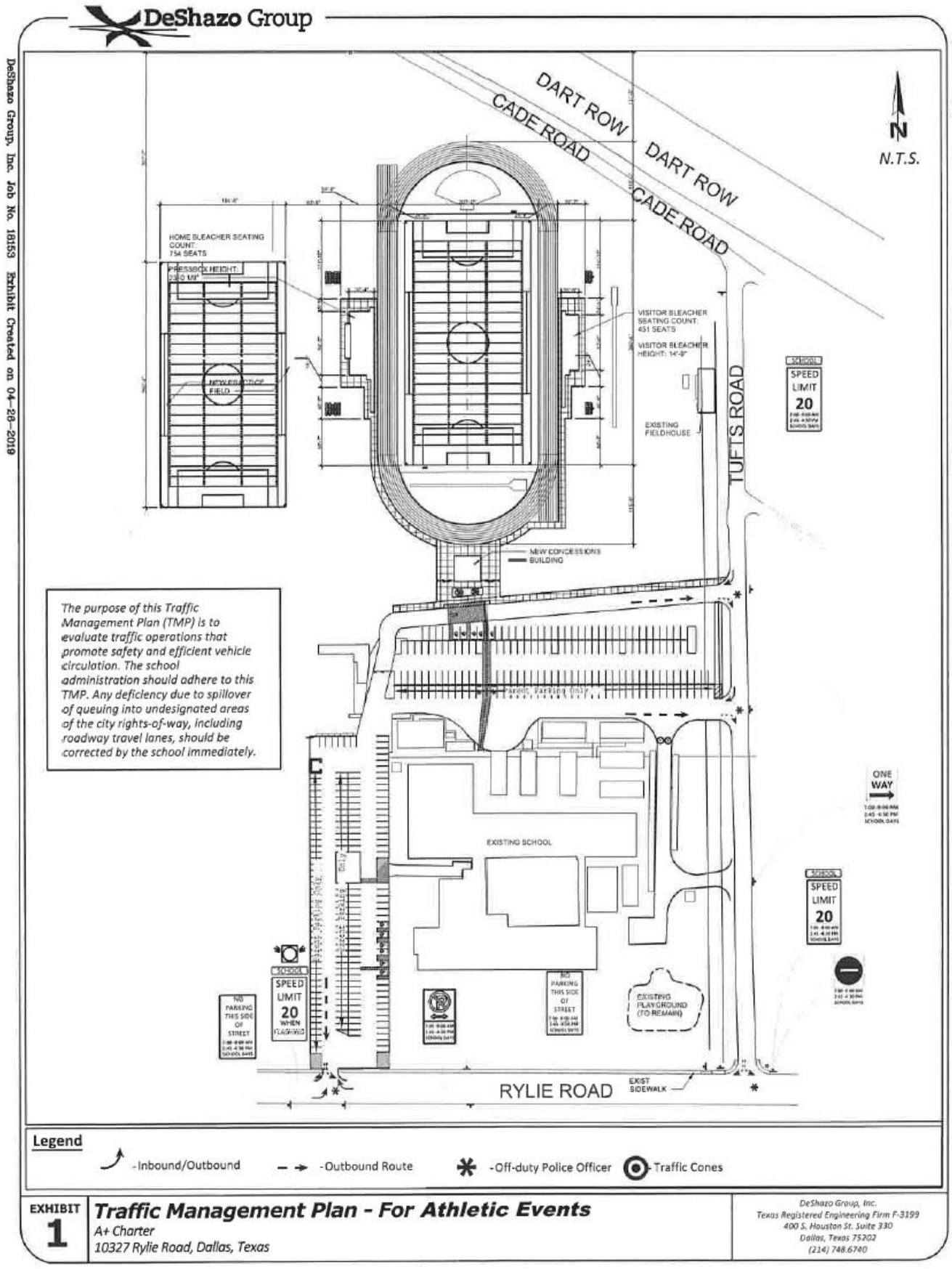
The School is committed to continually reviewing and assessing the effectiveness of the TMP and if warranted, will implement changes in the interest of increasing safety, efficiency and minimizing impacts on the surrounded community.

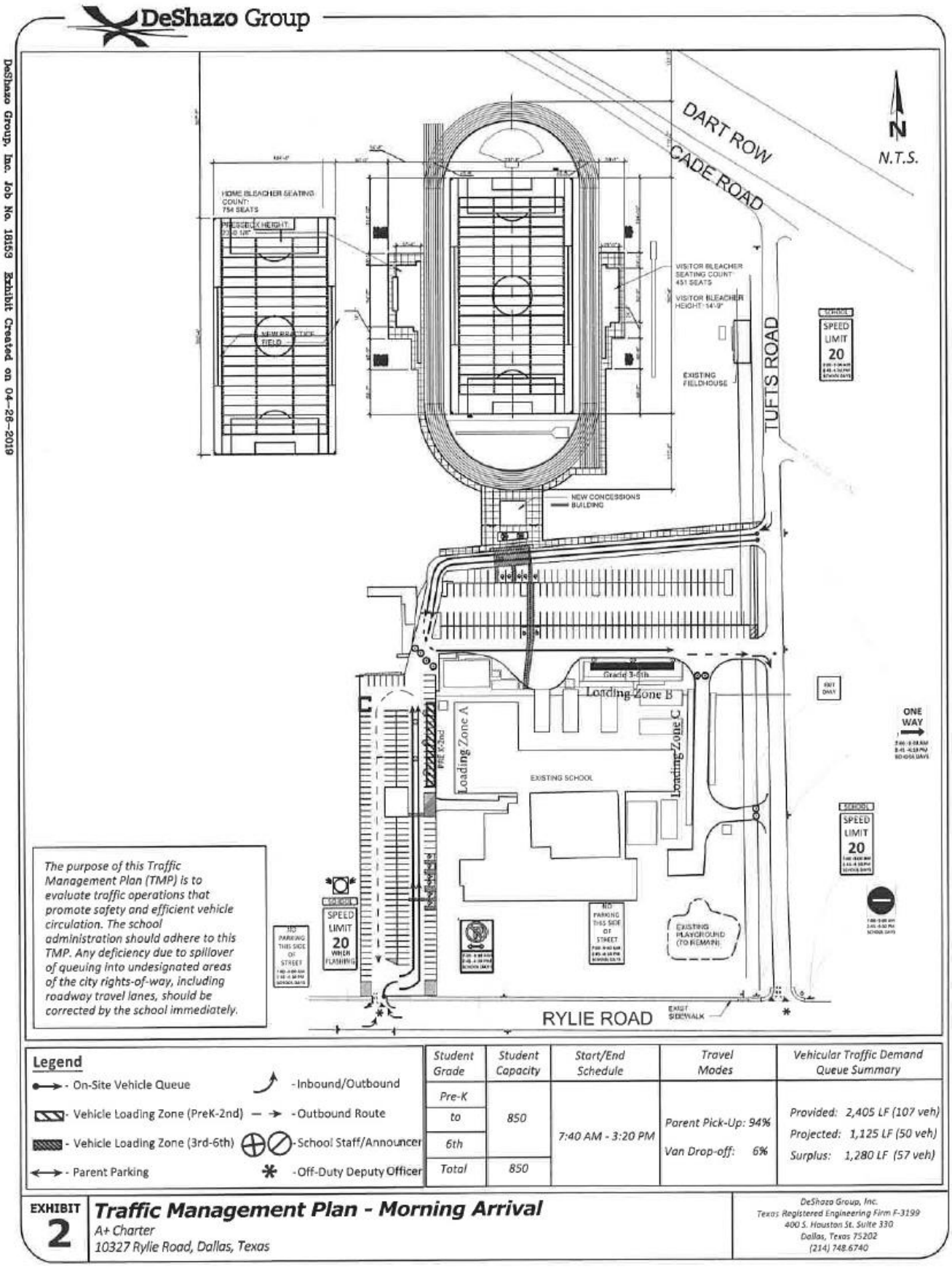
Tony Valdez

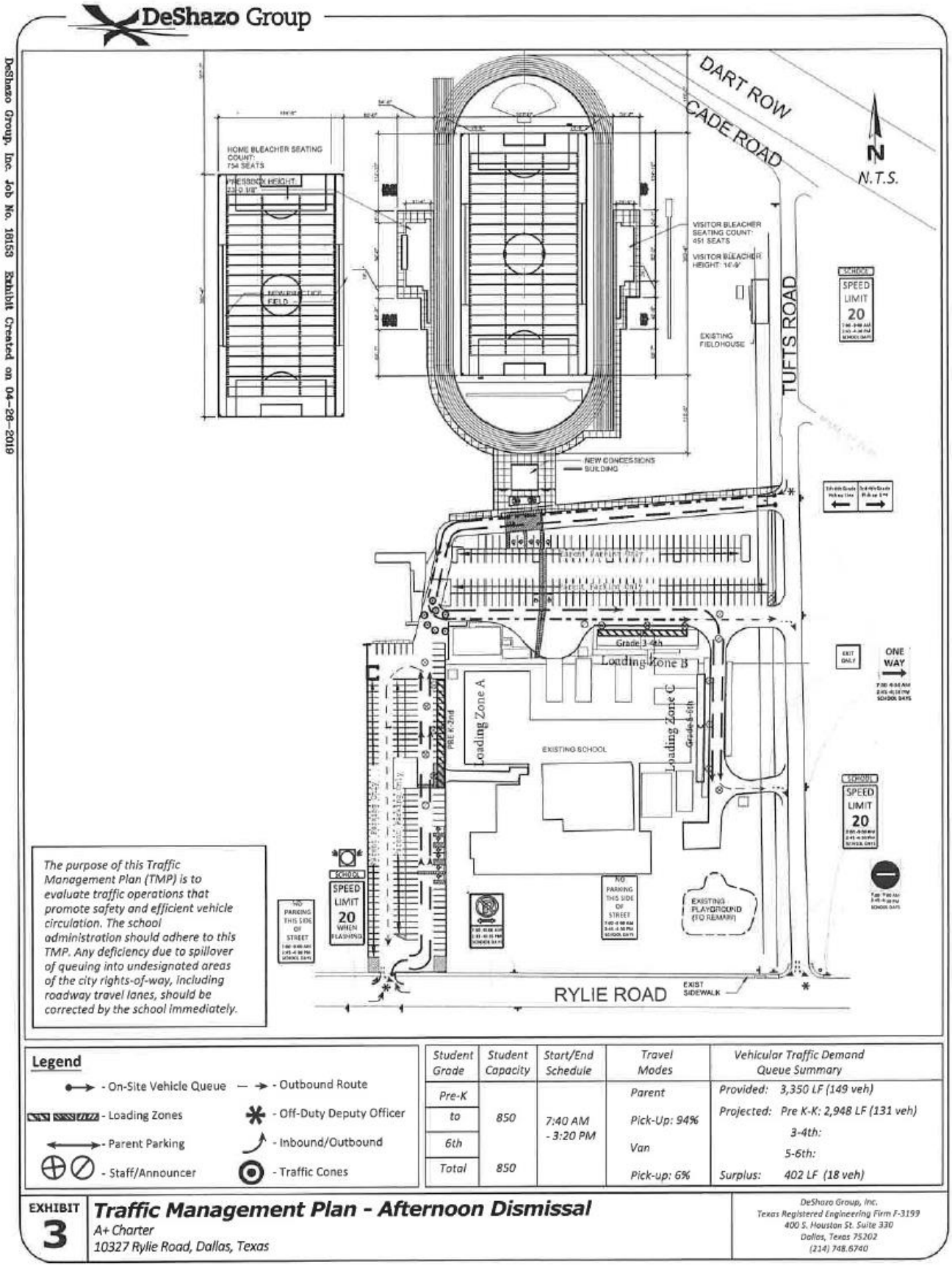
Tony Valdez, Director of Maintenance
A+ Charter

4-29-2019

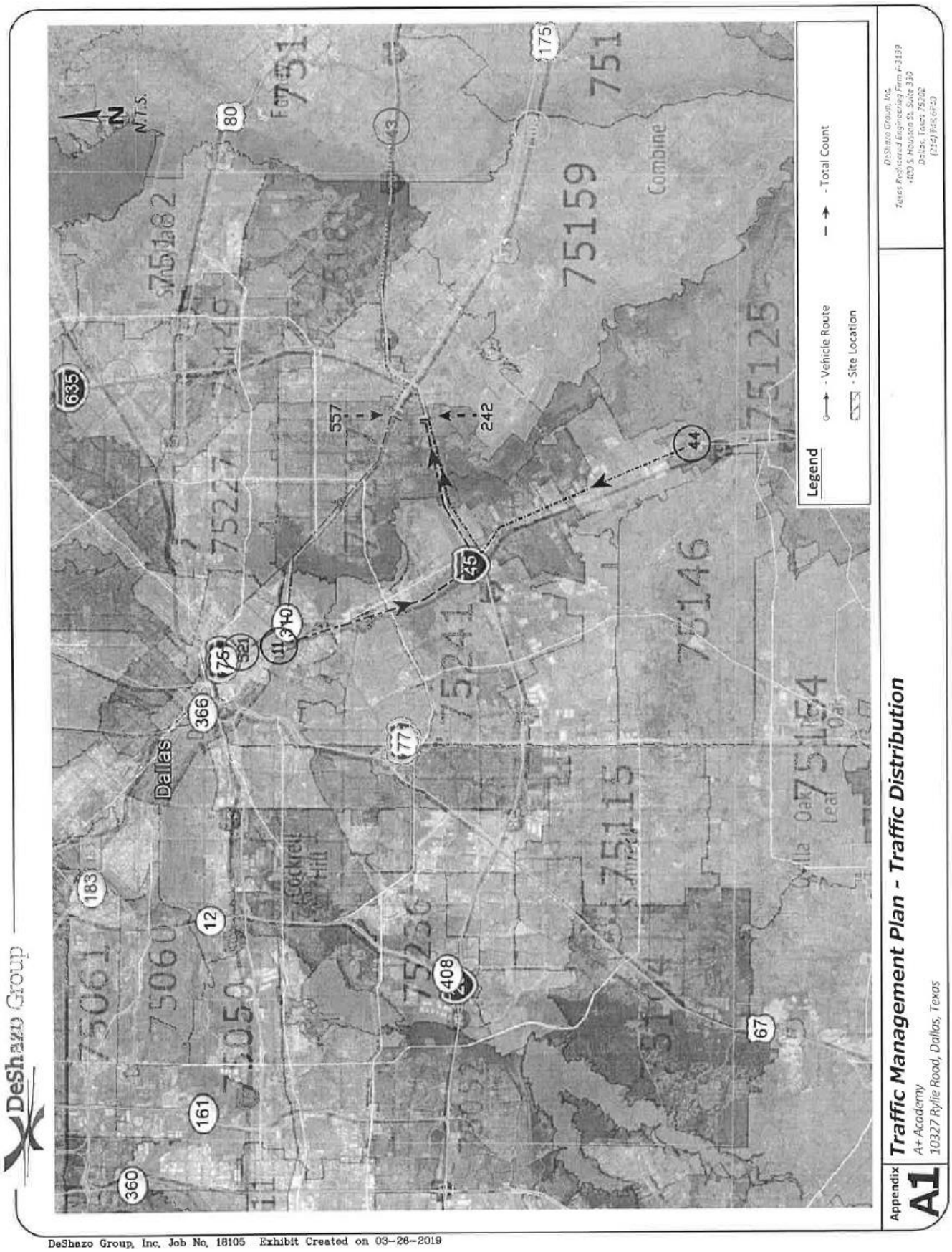
Date


DeShazo Group
DeShazo Group, Inc. Job No. 18153 Exhibit Created on 04-28-2019
DART ROW
CADE ROAD
DART ROW
CADE ROAD
N
N.T.S.
HOME BLEACHER SEATING COUNT: 754 SEATS
PRESSBOX HEIGHT: 23'-0 1/8"
NEW ELECTRIC FIELD
VISITOR BLEACHER SEATING COUNT: 451 SEATS
VISITOR BLEACHER HEIGHT: 14'-8"
EXISTING FIELDHOUSE
TUFTS ROAD
SCHOOL
SPEED LIMIT 20
NEW CONCESSIONS BUILDING
The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. The school administration should adhere to this TMP. Any deficiency due to spillover of queuing into undesignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.
Parent Parking Only
ONE WAY
EXISTING SCHOOL
SCHOOL
SPEED LIMIT 20 WHEN FLASHING
NO PARKING THIS SIDE OF STREET
NO PARKING THIS SIDE OF STREET
EXISTING PLAYGROUND (TO REMAIN)
RYLIE ROAD
EXIST SIDEWALK
Legend
-Inbound/Outbound
-Outbound Route
-Off-duty Police Officer
-Traffic Cones
EXHIBIT 1
Traffic Management Plan - For Athletic Events
A+ Charter
10327 Rylie Road, Dallas, Texas
DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748.6740

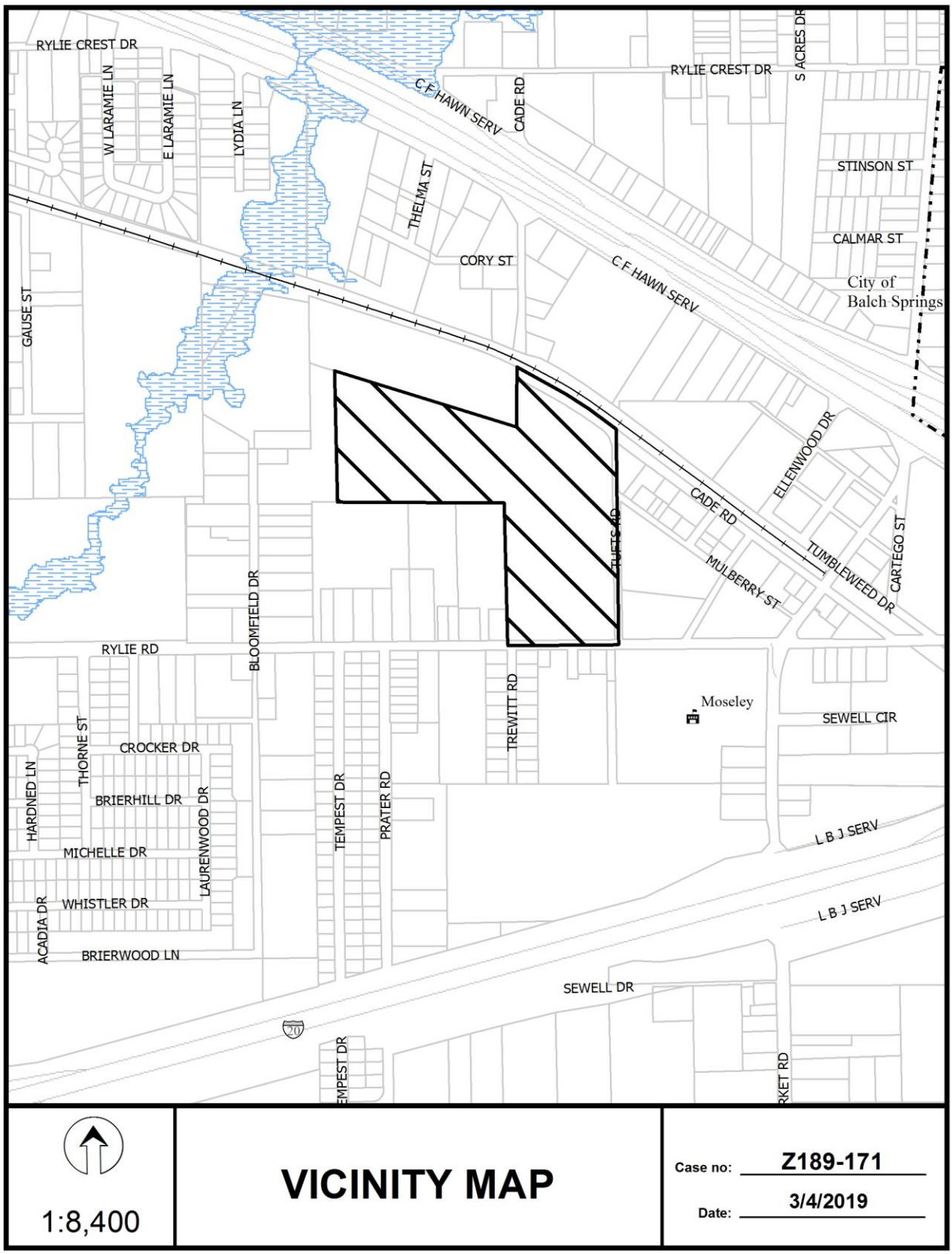

DeShazo Group
DeShazo Group, Inc. Job No. 18153 Exhibit Created on 04-26-2019
DART ROW
CADE ROAD
N
N.T.S.
HOME BLEACHER SEATING COUNT: 754 SEATS
PRESSBOX HEIGHT: 21'-0 1/8"
VISITOR BLEACHER SEATING COUNT: 451 SEATS
VISITOR BLEACHER HEIGHT: 14'-9"
NEW PRACTICE FIELD
EXISTING FIELDHOUSE
TUFTS ROAD
SCHOOL SPEED LIMIT 20
NEW CONCESSIONS BUILDING
Grade 3-6th
Loading Zone B
Loading Zone A
Pre K-2nd
Loading Zone C
EXIT ONLY
ONE WAY
EXISTING SCHOOL
SCHOOL SPEED LIMIT 20
NO PARKING THIS SIDE OF STREET
SCHOOL SPEED LIMIT 20 WHEN FLASHING
EXISTING PLAYGROUND (TO REMAIN)
RYLIE ROAD
EXIST SIDEWALK
The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. The school administration should adhere to this TMP. Any deficiency due to spillover of queuing into undesignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.
Legend
- On-Site Vehicle Queue
- Vehicle Loading Zone (PreK-2nd)
- Vehicle Loading Zone (3rd-6th)
- Parent Parking
- Inbound/Outbound
- Outbound Route
- School Staff/Announcer
- Off-Duty Deputy Officer
Student Grade: Pre-K to 6th
Student Capacity: 850
Total: 850
Start/End Schedule: 7:40 AM - 3:20 PM
Travel Modes: Parent Pick-Up: 94%; Van Drop-off: 6%
Vehicular Traffic Demand Queue Summary: Provided: 2,405 LF (107 veh); Projected: 1,125 LF (50 veh); Surplus: 1,280 LF (57 veh)
EXHIBIT 2
Traffic Management Plan - Morning Arrival
A+ Charter
10327 Rylie Road, Dallas, Texas
DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748.6740


DeShazo Group
DeShazo Group, Inc. Job No. 18153 Exhibit Created on 04-26-2018
DART ROW
CADE ROAD
N
N.T.S.
HOME BLEACHER SEATING COUNT: 754 SEATS
VISITOR BLEACHER SEATING COUNT: 451 SEATS
VISITOR BLEACHER HEIGHT: 14'-9"
EXISTING FIELDHOUSE
TUFTS ROAD
SCHOOL SPEED LIMIT 20
NEW CONCESSIONS BUILDING
Grade 3-4th
Loading Zone B
Loading Zone A
Loading Zone C
Grade 5-6th
PRE K-2nd
EXISTING SCHOOL
EXIT ONLY
ONE WAY
SCHOOL SPEED LIMIT 20 WHEN FLASHING
NO PARKING THIS SIDE OF STREET
EXISTING PLAYGROUND (TO REMAIN)
RYLIE ROAD
EXIST SIDEWALK
The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. The school administration should adhere to this TMP. Any deficiency due to spillover of queuing into undesignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.
Legend
- On-Site Vehicle Queue
- Outbound Route
- Loading Zones
- Off-Duty Deputy Officer
- Parent Parking
- Inbound/Outbound
- Staff/Announcer
- Traffic Cones
Student Grade: Pre-K to 6th; Total
Student Capacity: 850; 850
Start/End Schedule: 7:40 AM - 3:20 PM
Travel Modes: Parent Pick-Up: 94%; Van Pick-up: 6%
Vehicular Traffic Demand Queue Summary
Provided: 3,350 LF (149 veh)
Projected: Pre K-K: 2,948 LF (131 veh)
3-4th:
5-6th:
Surplus: 402 LF (18 veh)
EXHIBIT 3
Traffic Management Plan - Afternoon Dismissal
A+ Charter
10327 Rylie Road, Dallas, Texas
DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748.6740

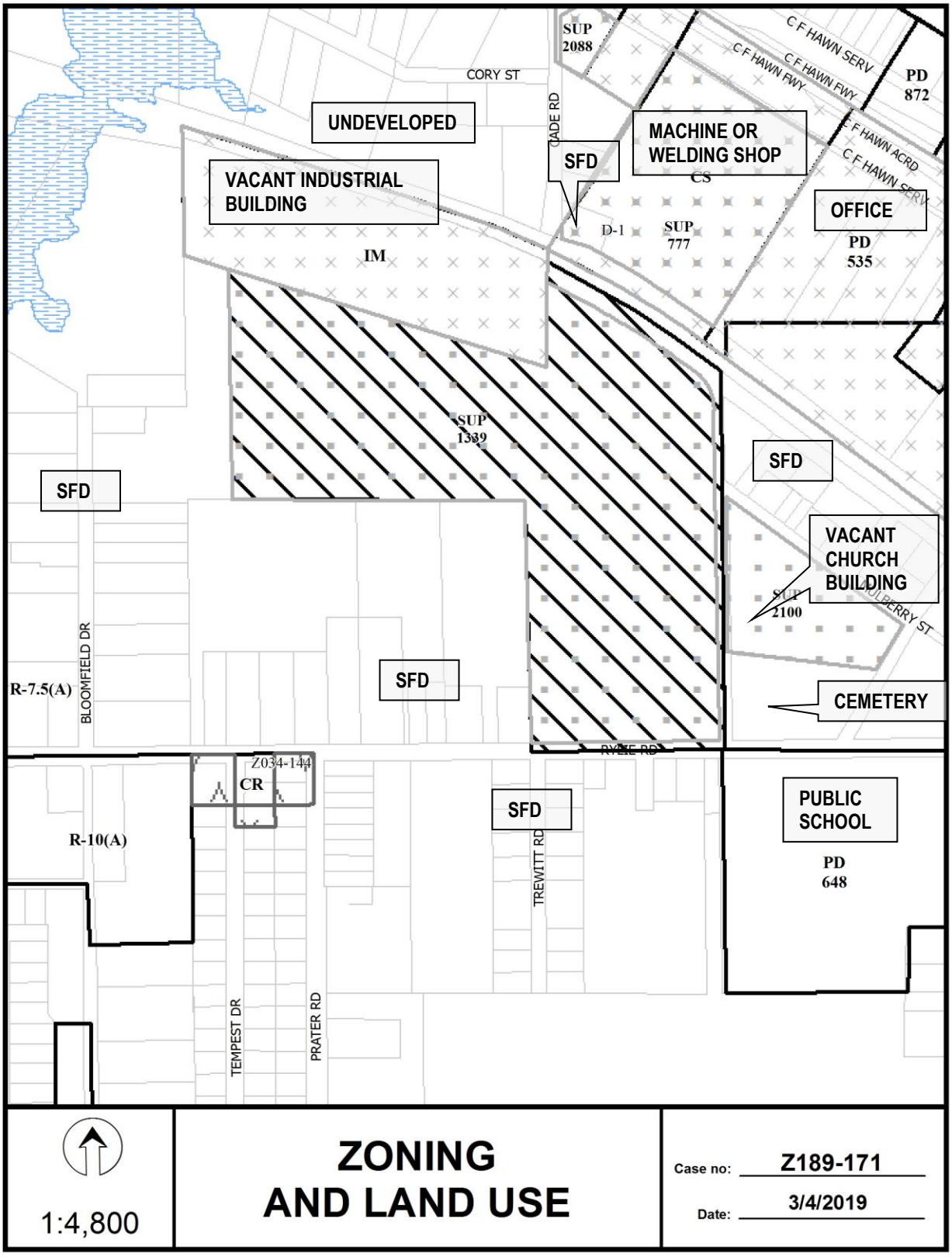
Appendix

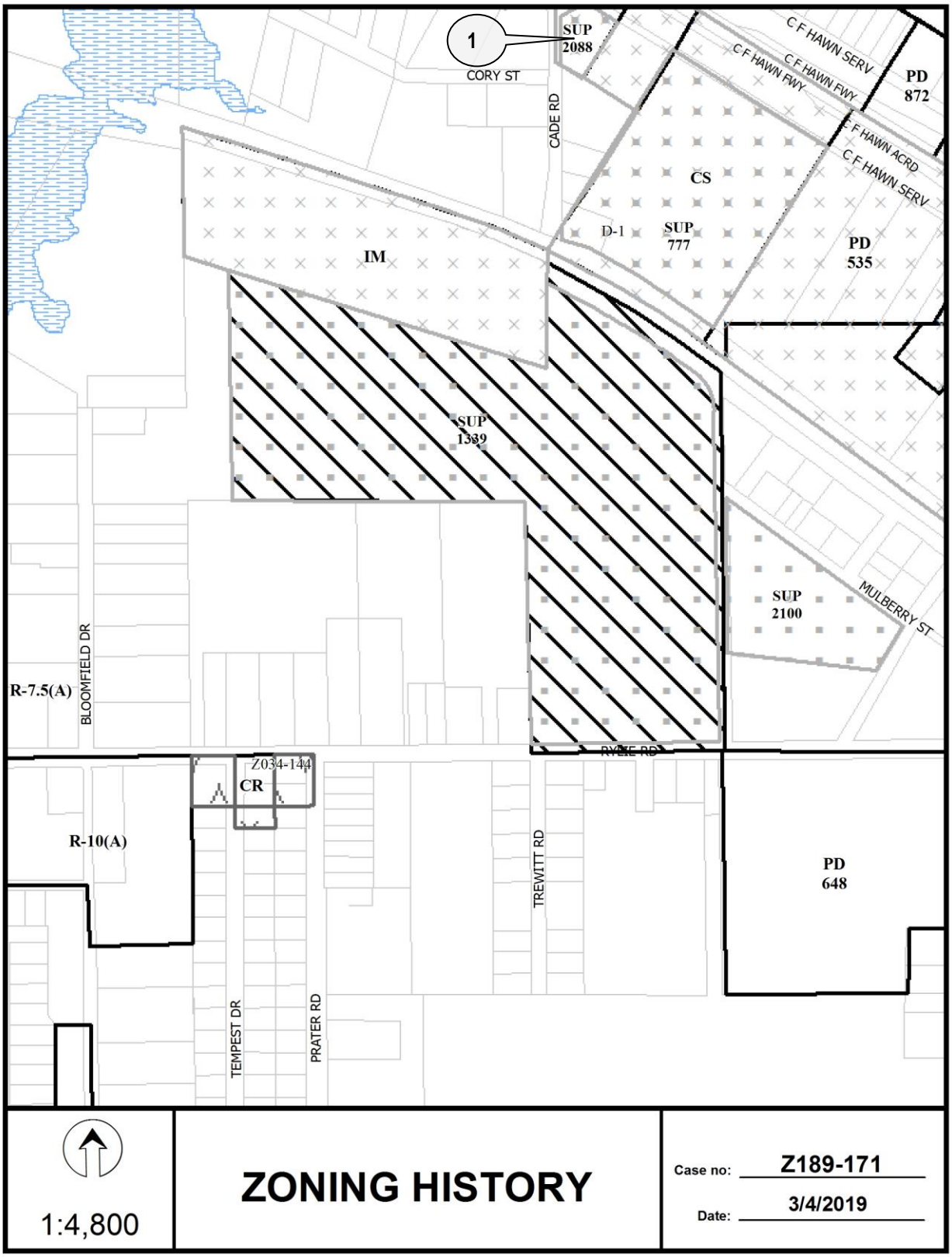

DeShazo Group
N
N.T.S.
Legend
- Vehicle Route
- Site Location
- Total Count
Dallas
Combine
Cockrell Hill
Oak Leaf
635
80
175
557
242
366
183
12
161
360
408
67
45
44
DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
1620 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748-6740
Appendix
A1
Traffic Management Plan - Traffic Distribution
A+ Academy
10327 Rylie Road, Dallas, Texas
DeShazo Group, Inc. Job No. 18105 Exhibit Created on 03-28-2019

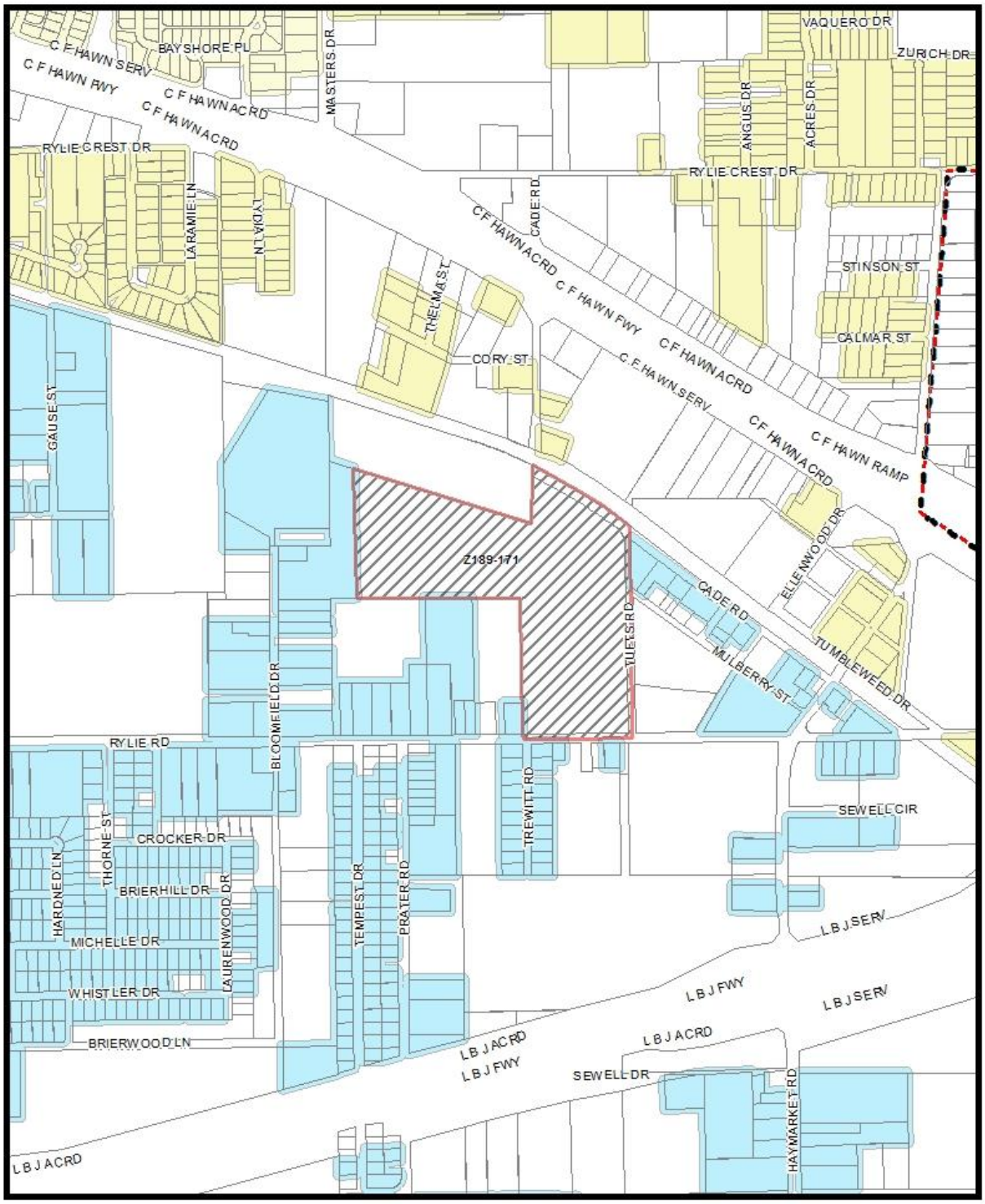
DeShazo Group
N
N.T.S.
557
242
DART ROW
CADE ROAD
TUTTS ROAD
RYLIE ROAD
Legend
- Vehicle Route
- Total Count
Appendix
A2
Traffic Management Plan - Traffic Assignment
A+ Academy
10327 Rylie Road, Dallas, Texas
DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748 6740
DeShazo Group, Inc. Job No. 18105 Exhibit Created on 04-03-2019


RYLIE CREST DR
W LARAMIE LN
E LARAMIE LN
LYDIA LN
C F HAWN SERV
CADE RD
THELMA ST
CORY ST
RYLIE CREST DR
S ACRES DR
STINSON ST
CALMAR ST
City of Balch Springs
GAUSE ST
ELLENWOOD DR
CADE RD
TUMBLEWEED DR
CARTEGO ST
MULBERRY ST
CURTIS RD
BLOOMFIELD DR
RYLIE RD
Moseley
SEWELL CIR
TREWITT RD
THORNE ST
CROCKER DR
HARDINED LN
BRIERHILL DR
LAURENWOOD DR
TEMPEST DR
PRATER RD
MICHELLE DR
WHISTLER DR
ACADIA DR
BRIERWOOD LN
L B J SERV
L B J SERV
SEWELL DR
20
1:8,400
VICINITY MAP
Case no: Z189-171
Date: 3/4/2019

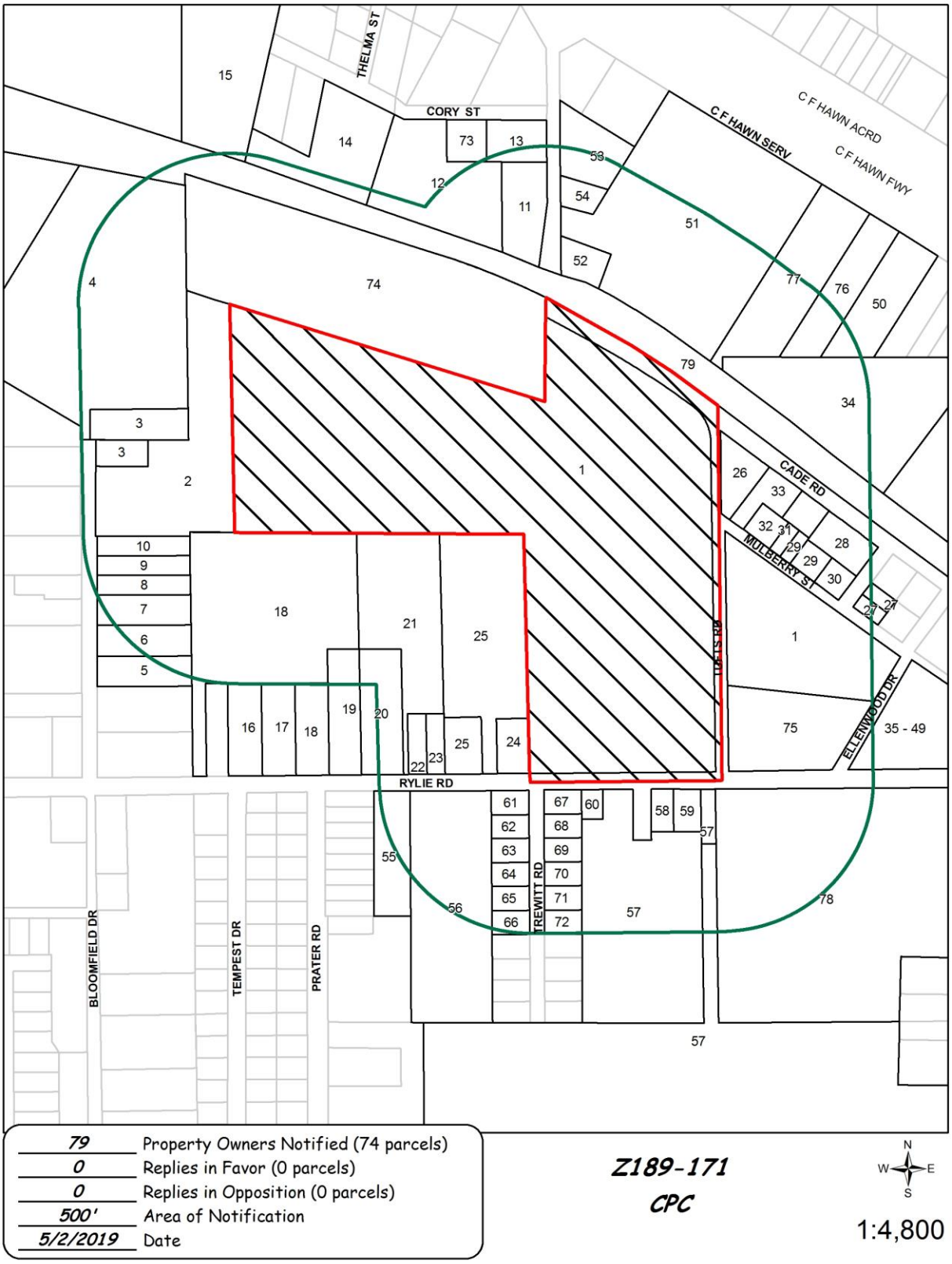

CORY ST
CADE RD
C F HAWN FWY
C F HAWN SERV
C F HAWN FWY
C F HAWN ACRD
C F HAWN SERV
MULBERRY ST
MORNINGMIST DR
TUFTS RD
ELLENWOOD DR
RYLIE RD
BLOOMFIELD DR
TEMPEST DR
PRATER RD
TREWITT RD
1:4,800
AERIAL MAP
Case no: Z189-171
Date: 3/4/2019


SUP 2088
CORY ST
C F HAWN SERV
C F HAWN FWY
PD 872
UNDEVELOPED
CADE RD
SFD
MACHINE OR WELDING SHOP
CS
C F HAWN ACRD
VACANT INDUSTRIAL BUILDING
D-1
SUP 777
OFFICE
PD 535
IM
SUP 1389
SFD
SFD
VACANT CHURCH BUILDING
SUP 2100
MULBERRY ST
BLOOMFIELD DR
R-7.5(A)
SFD
CEMETERY
RYLIE RD
Z034-144
CR
SFD
PUBLIC SCHOOL
PD 648
R-10(A)
TREWITT RD
TEMPEST DR
PRATER RD
1:4,800
ZONING AND LAND USE
Case no: Z189-171
Date: 3/4/2019


1
SUP 2088
CORY ST
CADE RD
C F HAWN SERV
C F HAWN FWY
PD 872
C F HAWN ACRD
CS
D-1
SUP 777
PD 535
IM
SUP 1389
SUP 2100
MULBERRY ST
BLOOMFIELD DR
R-7.5(A)
Z034-144
CR
R-10(A)
TREWITT RD
PD 648
TEMPEST DR
PRATER RD
1:4,800
ZONING HISTORY
Case no: Z189-171
Date: 3/4/2019


C F HAWN SERV
BAYSHORE PL
C F HAWN FWY
C F HAWN ACRD
MASTERS DR
VAQUERO DR
ZURICH DR
ANGUS DR
ACRES DR
RYLIE CREST DR
LARAMIE LN
LYDIA LN
CADE RD
THELMA ST
CORY ST
STINSON ST
CALMAR ST
C F HAWN RAMP
GAUSE ST
Z189-171
ELLENWOOD DR
TUELL RD
MULBERRY ST
TUMBLEWEED DR
BLOOMFIELD DR
RYLIE RD
THORNE ST
CROCKER DR
HARDNED LN
BRIERHILL DR
MICHELLE DR
LAURENWOOD DR
WHISTLER DR
BRIERWOOD LN
TEMPEST DR
PRATER RD
TREWITT RD
SEWELL CIR
LBJ SERV
LBJ FWY
LBJ ACRD
SEWELL DR
HAYMARKET RD
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:8,400
Market Value Analysis
Printed Date: 3/4/2019

CPC RESPONSES



05/01/2019

Reply List of Property Owners

Z189-171

79 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	1000	ELLENWOOD DR	A+ CHARTER SCHOOLS INC
	2	1120	BLOOMFIELD DR	HERNANDEZ ANDRES
	3	1106	BLOOMFIELD DR	FUENTES ABELINA O & ERNESTO M
	4	1015	BLOOMFIELD DR	FUENTES ERNESTO &
	5	1212	BLOOMFIELD DR	SHORT DAN EST OF
	6	1206	BLOOMFIELD DR	SOUTHALL FLAVAL MILDRED
	7	1150	BLOOMFIELD DR	AVILA ERNESTO RODRIGUEZ &
	8	1142	BLOOMFIELD DR	AVILA ERNESTO RODRIGUEZ & CLAUDIA G RODRIGUEZ
	9	1138	BLOOMFIELD DR	AVILA ERNESTO RODRIGUEZ &
	10	1134	BLOOMFIELD DR	FUENTES ISMAEL
	11	1015	CADE RD	FUENTES ROBERTO AVINA
	12	10402	CORY ST	VALLE JORGE A & MATILDE
	13	1009	CADE RD	HERNANDEZ ALBERTO
	14	10316	CORY ST	COLUNGA EDMUNDO
	15	10296	C F HAWN FWY	ALRABRIEH GHANEM ALI
	16	10121	RYLIE RD	HENDERSON LYNDELL
	17	10141	RYLIE RD	PEMBERTON PAUL EDWARD
	18	10151	RYLIE RD	CISNEROS INMAR A &
	19	10225	RYLIE RD	PARADA JOSE RENATO &
	20	10231	RYLIE RD	JOVE FRANCISCO &
	21	10233	RYLIE RD	JONES JAMES EARL EST OF
	22	10235	RYLIE RD	GOSS JAMES & MICHELLE G
	23	10239	RYLIE RD	MALDONADO BLAS &
	24	10249	RYLIE RD	SANCHEZ JOSE SANTOS
	25	10245	RYLIE RD	A+ CHARTER SCHOOLS
	26	10600	CADE RD	KHAKI INVESTMENTS LLC

Reply	*Label #*	*Address*		*Owner*
	27	10707	MULBERRY ST	HERRON CYNTHIA RENEE
	28	10620	CADE RD	KHALIL NADIR
	29	10615	MULBERRY ST	BUTLER TREVELYAN A
	30	1207	MORNINGMIST DR	ARGUELLO LUIS CARLOS G &
	31	10801	MULBERRY ST	BARRON JUAN &
	32	10801	MULBERRY ST	DIAZ SARAH
	33	10606	CADE RD	SHUBERT GLENNA F GENTHNER &
	34	10818	C F HAWN FWY	OMEGA INDUSTRIES INC
	35	1221	HAYMARKET RD	SANCHEZ LEONEL TRUSTEE
	36	10850	MULBERRY ST	GARCIA VIRGINIA
	37	10850	MULBERRY ST	DIMENSIONS INVESTMENT GROUP
	38	10850	MULBERRY ST	RAMIREZ MARIA D SALAZAR
	39	10850	MULBERRY ST	PIEDRA FERNANDO
	40	10850	MULBERRY ST	SOTO LITZY B
	41	10850	MULBERRY ST	HUFFMAN JESSE
	42	10850	MULBERRY ST	MURILLO LETICIA
	43	10850	MULBERRY ST	DIAZ LIBORIO
	44	10850	MULBERRY ST	MARTINEZ CRYSTAL
	45	10850	MULBERRY ST	CABALLERO DANIEL
	46	10850	MULBERRY ST	LOLLAR JESSEY
	47	10850	MULBERRY ST	TREJO, JOSE
	48	10850	MULBERRY ST	NAJERA JAIME
	49	10850	MULBERRY ST	CALZADA LIZETH
	50	10718	C F HAWN FWY	FARAHMAND FARZAD
	51	10560	C F HAWN FWY	BLUMAC LTD
	52	1030	CADE RD	GARDNER MARK ROBERT
	53	10516	C F HAWN FWY	VALDEZ JOHNNY
	54	1022	CADE RD	SANCHEZ PATRICIO MENDOZA &
	55	10232	RYLIE RD	RODRIGUEZ JOSE
	56	10240	RYLIE RD	RYLIE CHURCH OF CHRIST
	57	10328	RYLIE RD	LIBERTY BANKER LIFE INSURANCE CO

Reply	*Label #*	*Address*		*Owner*
	58	10330	RYLIE RD	PARADA KEVIN JOEL &
	59	10334	RYLIE RD	BUENO SERGIO
	60	10314	RYLIE RD	MILLER LISA GAIL
	61	1301	TREWITT RD	MACKENZIE SUE PROPERTIES
	62	1305	TREWITT RD	GUAJARDO YOLANDA
	63	1309	TREWITT RD	GOMEZ GABRIEL & MAURA
	64	1315	TREWITT RD	OGAZ FRANCISCO J & THELMA
	65	1319	TREWITT RD	PULIDO JAVIER & MARIA
	66	1323	TREWITT RD	JUAREZ MATIAS & BEATRIZ PESINA CRUZ
	67	1300	TREWITT RD	MORA JOSE ALFREDO TIRADO &
	68	1304	TREWITT RD	DE LEON JUAN &
	69	1308	TREWITT RD	RESENDIZ MARIA & FIDEL ROJO
	70	1312	TREWITT RD	CARRALES RAMIRO
	71	1318	TREWITT RD	DELEON E JAIME
	72	1322	TREWITT RD	MARTINEZ MARIA ISABEL &
	73	10436	CORY ST	DELEON JUAN JR
	74	1033	CADE RD	BUILDERS CONCRETE
	75	10410	RYLIE RD	RILEY CEMETERY ASSOC
	76	10704	C F HAWN FWY	PROFICIENT CONCRETE LLC
	77	10580	C F HAWN FWY	RUIBAL FARMS LP
	78	10400	RYLIE RD	Dallas ISD
	79	401	S BUCKNER BLVD	DART

Agenda Information Sheet

File #: 19-801 **Item #:** 71.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing on property zoned an RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the north corner of South Harwood Street and Coombs Street
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions
Z189-173(JM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z189-173(JM)	**DATE FILED:**	January 18, 2019
LOCATION:	North corner of South Harwood Street and Coombs Street		
COUNCIL DISTRICT:	7	**MAPSCO:**	45 V, 46 S
SIZE OF REQUEST:	Approx. 16,040 sq. ft.	**CENSUS TRACT:**	34.00

APPLICANT/OWNER: Soriano Bonifacio

REPRESENTATIVE: Jose Garcia

REQUEST: An application for the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing on property zoned an RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The purpose of this request is to continue the operation of resurfacing raw metals with a material that is weather-resistant through a metal coating and finishing process in an 8,427-square-foot warehouse. The procedure requires submerging various types of materials into a chemically treated liquid to perform the metal coating and finishing process. The applicant receives the various materials from a local business. The overall metal finishing alters the surface of metal products to enhance: corrosion resistance, wear resistance, electrical conductivity, electrical resistance, reflectivity and appearance (e.g., brightness or color), torque tolerance, solderability, tarnish resistance, chemical resistance, ability to bond to rubber (e.g., vulcanizing), and hardness.

CPC RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

BACKGROUND INFORMATION

- On February 26, 2014, City Council approved SUP No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing for a two-year period.

- On February 10, 2016, City Council renewed SUP No. 2074 for a two-year period. On June 13, 2018, City Council renewed the SUP for a one-year period. The SUP expires on June 13, 2019.

- There are no changes proposed with this request.

Zoning History: There have not been any zoning changes in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
South Harwood Street	Collector	60 ft.	60 ft.
Coombs Street	Collector	80 ft.	107 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The proposed zoning request meets the following goal and objective of the comprehensive plan.

Economic Element

Goal 2.1 Promote balanced growth

> Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Land Use Compatibility:

Location	Zoning	Land Use
Site	PD No. 595 (RS-I) and SUP No. 2074	Potentially incompatible industrial use (existing)
Northeast	PD No. 513	Undeveloped
Southeast	PD No 595 (RS-C)	Warehouse
South	PD No. 595 (FWMU-3)	Multifamily
Southwest	PD No. 595 (RS-I)	Industrial
Northwest	PD No. 513	Multifamily

The surrounding properties are transitioning from industrial and is currently a mixture of multifamily and industrial uses as noted in the chart above.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards.

The use has been in operation for three years and although multifamily uses exist to the northwest and south, the use is contained within a building. The multifamily use to the north is separated from the site with approximately 120 feet of covered parking. The multifamily use to the south is approximately 100 feet away, across South Harwood Street. Additionally, the use of the area is minimal as there is no heavy machinery and only three employees who work from approximately 7:00 am to 4:00 pm. Since the use is physically separated from multifamily uses, fully enclosed within a building, and because the area is transitioning to a mixed use area, staff supports the renewal of SUP No. 2074 but only for a two-year period.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
RS-I Regional Service Industrial	15'	15' adjacent to residential OTHER: No Min.	1.0 combined 1.0 office 0.5 retail	70' 5 stories	80%	Proximity Slope Visual Intrusion	Commercial and business service, office, Industrial

Environmental:

The facility operates under what is called a conditional certificate of closure through the Texas Commission on Environmental Quality. This means that the environmental impacts have been addressed and there is no risk to human health or the public so long as engineering controls are intact. The engineering controls are to maintain pavement surfaces. The certificate must provide a bi-annual report to TCEQ to ensure compliance. The next deadline is July 31, 2019. Since 2017, there are no known violations or any other conditions jeopardizing the certificate of closure. The site is in compliance.

Landscaping:

Landscaping will not be triggered because neither the floor area nor parking will be expanded.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. While the subject site is not located within a designated market type, Category E is adjacent to the site for the remainder of the block to the north and northeast.

Parking:

The parking requirement for an industrial (inside) potentially incompatible industrial use is one space per 600 square feet of floor area. The site contains an 8,427-square-foot warehouse which requires 14 parking spaces. The site has 16 parking spaces located inside the structure.

CPC Action
March 21, 2019

Motion: In considering an application for the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing on property zoned RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the north corner of South Harwood Street and Coombs Street, it was moved to **hold** this case under advisement until May 2, 2019.

Maker: Lewis
Second: Housewright
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schultz
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 200 Mailed: 9
Replies: For: 2 Against: 1

Speakers: None

CPC Action
May 2, 2019

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2074 for a potentially incompatible industrial use limited to metal or metal product treatment or processing for a two-year period, subject to conditions on property zoned RS-I Regional Service Industrial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the north corner of South Harwood Street and Coombs Street.

Maker: Brinson
Second: Schulte
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 9
Replies: For: 2 Against: 1

Speakers: None

CPC Recommended
SUP No. 2074 Conditions

1. USE: The only use authorized by this specific use permit is a potentially incompatible industrial use limited to metal or metal product treatment or processing.

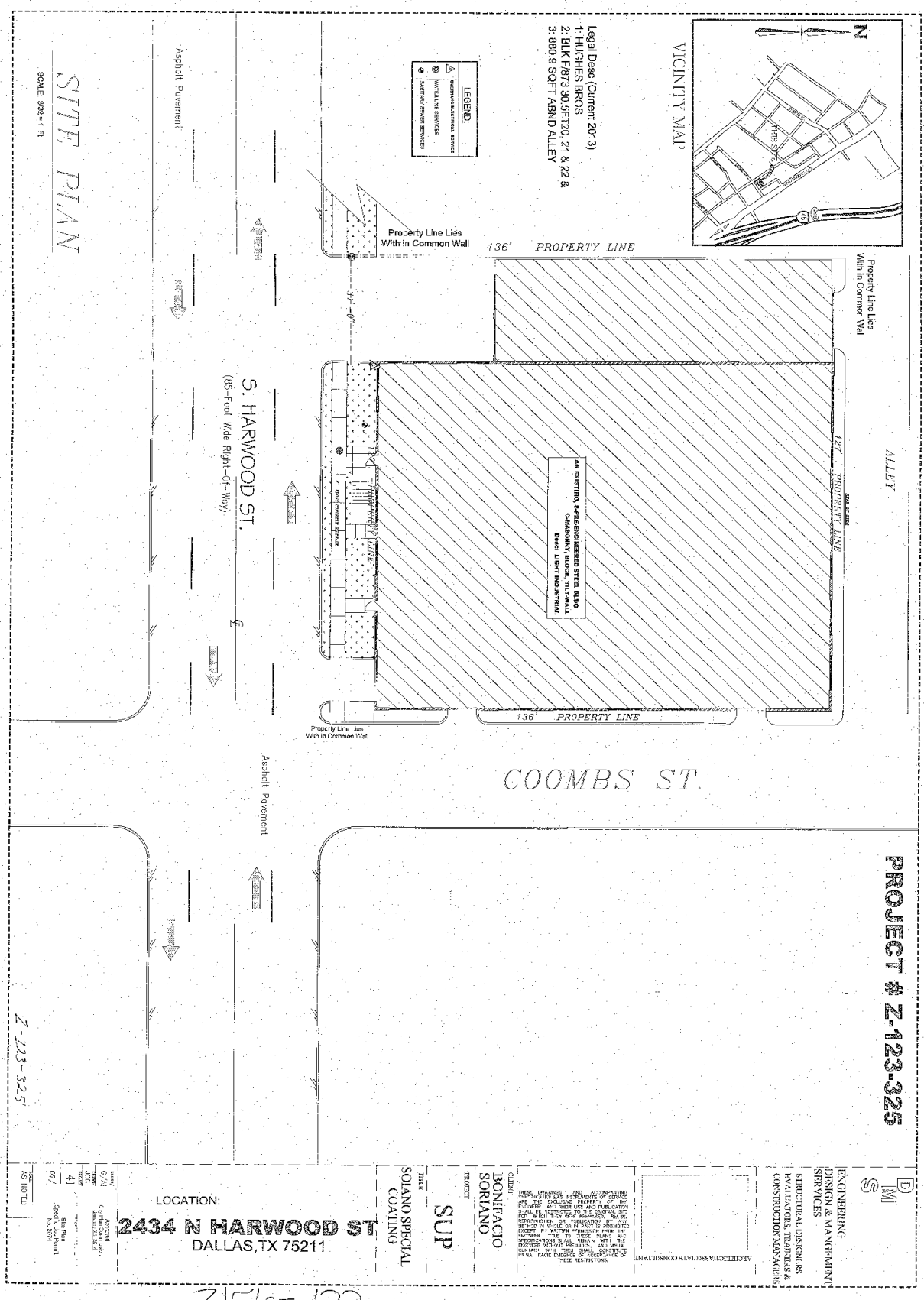
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

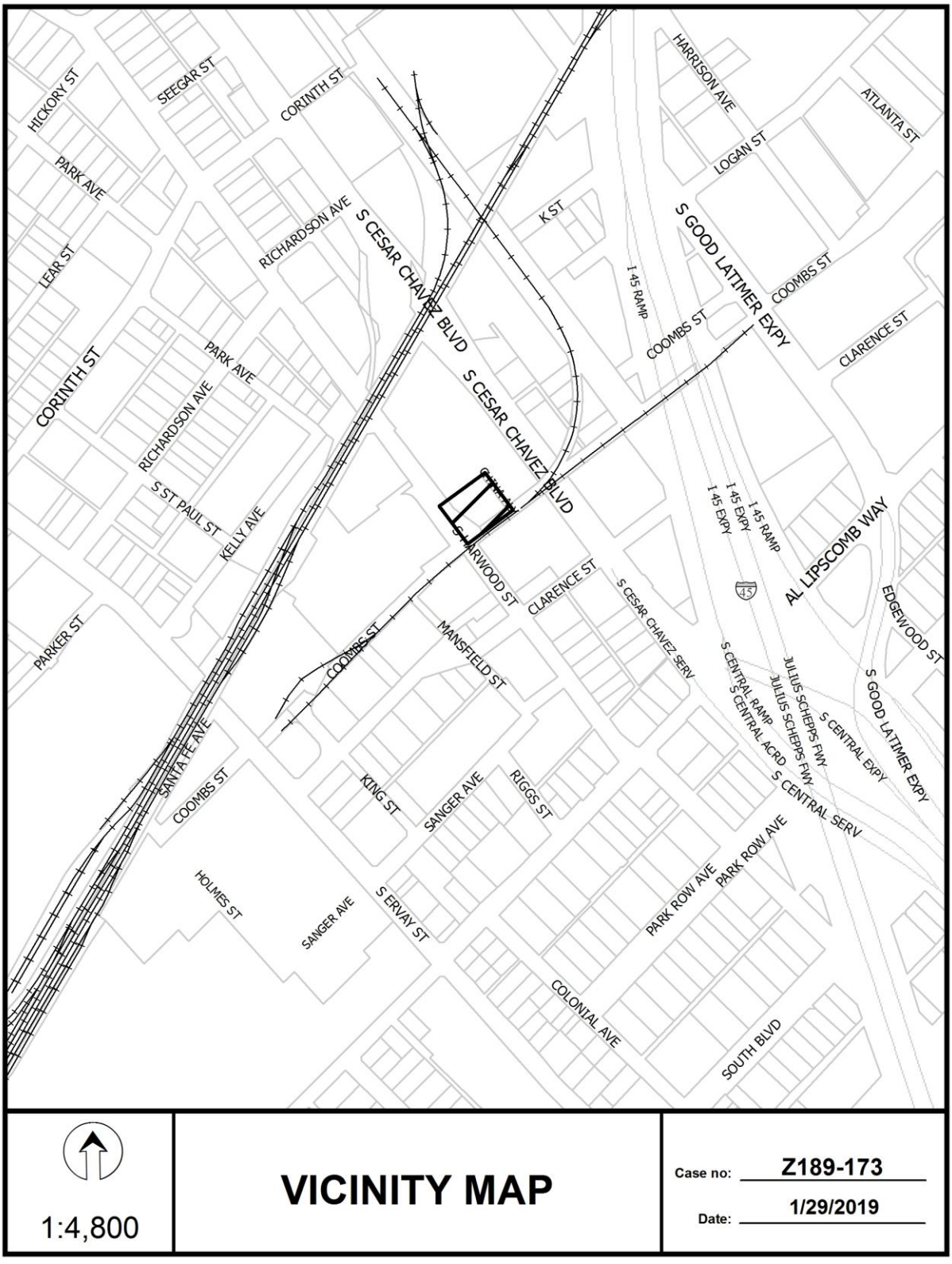
3. TIME LIMIT: This specific use permit expires on two years from the passage of this ordinance [~~June 13, 2019~~].

4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

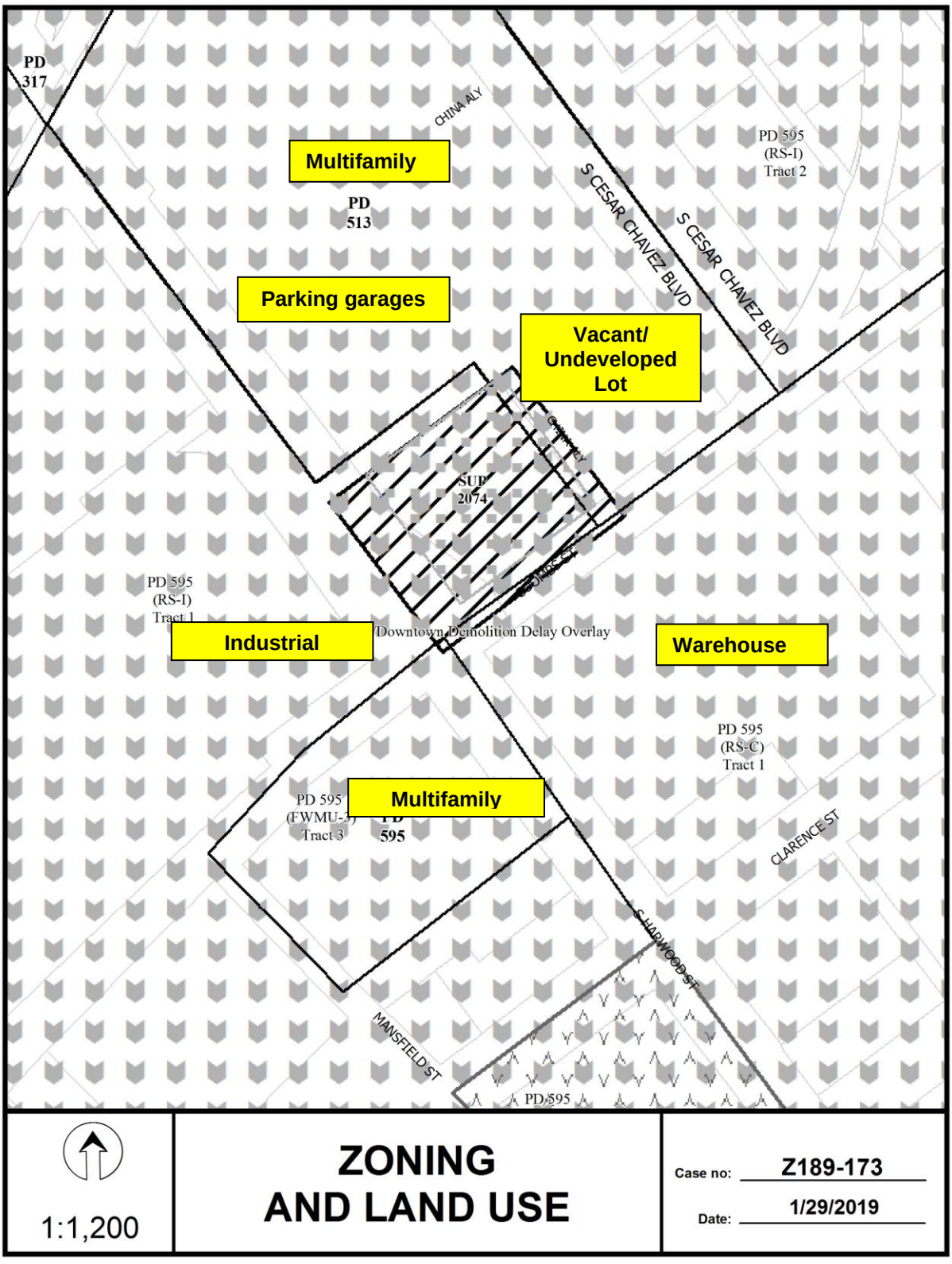
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

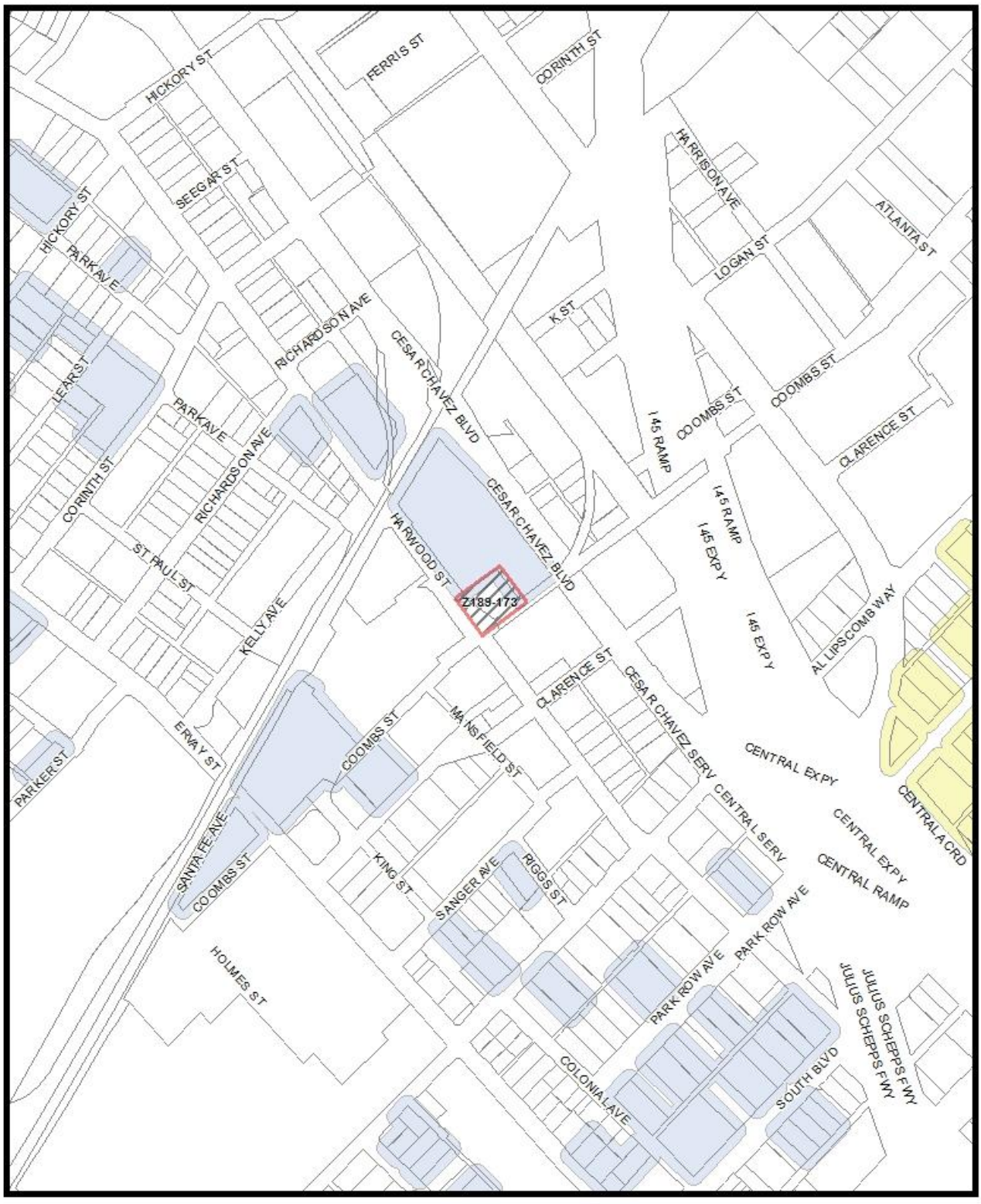
EXISTING SITE PLAN
(no changes)




HICKORY ST
SEEGAR ST
CORINTH ST
HARRISON AVE
ATLANTA ST
PARK AVE
LOGAN ST
RICHARDSON AVE
S CESAR CHAVEZ BLVD
K ST
S GOOD LATIMER EXPY
LEAR ST
I 45 RAMP
COOMBS ST
CLARENCE ST
CORINTH ST
PARK AVE
RICHARDSON AVE
S ST PAUL ST
KELLY AVE
AL LIPSCOMB WAY
I 45 EXPY
I 45 RAMP
EDGEWOOD ST
PARKER ST
MANSFIELD ST
S CESAR CHAVEZ SERV
S CENTRAL RAMP
JULIUS SCHEPPS FWY
S CENTRAL EXPY
S GOOD LATIMER EXPY
SANTA FE AVE
KING ST
SANGER AVE
RIGGS ST
S CENTRAL SERV
HOLMES ST
S ERVAY ST
PARK ROW AVE
COLONIAL AVE
SOUTH BLVD
1:4,800
VICINITY MAP
Case no: Z189-173
Date: 1/29/2019


CHINA ALY
S CESAR CHAVEZ BLVD
S CESAR CHAVEZ BLVD
CHINA ALY
COOMBS ST
CLARENCE ST
S HARWOOD ST
MANSFIELD ST
1:1,200
AERIAL MAP
Case no: Z189-173
Date: 1/29/2019


PD 317
CHINA ALY
Multifamily
PD 513
PD 595 (RS-I) Tract 2
S CESAR CHAVEZ BLVD
S CESAR CHAVEZ BLVD
Parking garages
Vacant/ Undeveloped Lot
SUP 2074
PD 595 (RS-I) Tract 1
Industrial
Downtown Demolition Delay Overlay
Warehouse
PD 595 (RS-C) Tract 1
PD 595 (FWMU-3) Tract 3
Multifamily
PD 595
CLARENCE ST
S HARWOOD ST
MANSFIELD ST
PD 595
1:1,200
ZONING AND LAND USE
Case no: Z189-173
Date: 1/29/2019



MVACluster A B C D E F G H I NA

1:4,800

Market Value Analysis

Printed Date: 3/8/2019

CPC RESPONSES



05/01/2019

Reply List of Property Owners

Z189-173

9 Property Owners Notified ***2 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
X	1	2425	S CESAR CHAVEZ BLVD	CITY POCKET LTD
O	2	2434	S HARWOOD ST	SORIANO BONIFACIO
	3	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	4	9999	NO NAME ST	UNION PACIFIC RR CO
	5	2500	S HARWOOD ST	TIERRA NUEVA REAL ESTATE LLC
	6	2405	S HARWOOD ST	TOWNSEND MURRELL
	7	2501	S HARWOOD ST	HARWOOD LOFTS LLC
	8	2515	S HARWOOD ST	SMITH DARRELL & ALMA
O	9	1815	COOMBS ST	WAUGH JERRY W

Agenda Information Sheet

File #: 19-802 **Item #:** 72.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a public library on property zoned an MF-2(A) Multifamily District on the north line of Park Lane, between Greenville Avenue and Ridgecrest Road
Recommendation of Staff and CPC: Approval for a permanent period, subject to a site plan and conditions
Z189-181(PD)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z189-181(PD)	**DATE FILED:**	January 28, 2019
LOCATION:	North line of Park Lane, between Greenville Avenue and Ridgecrest Road		
COUNCIL DISTRICT:	13	**MAPSCO:**	26 T
SIZE OF REQUEST:	± 4.02 acres	**CENSUS TRACT:**	78.15

APPLICANT/ REPRESENTATIVE: Elizabeth Brant

OWNER: City of Dallas

REQUEST: An application for a Specific Use Permit for a public library on property zoned an MF-2(A) Multifamily District.

SUMMARY: The request will allow for the construction of an approximately 18,000-square-foot, one-story, public library use with a maximum height of 23 feet.

CPC RECOMMENDATION: **Approval** for a permanent period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a permanent period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently undeveloped.
- The City of Dallas purchased the 4.02-acre site in November 2009, with 2006 Bond allocation.
- The Acacia apartments, an aging complex built in the 1970s was demolished in June 2010, after relocating tenants with the intention of building a new library branch on the site.
- The City of Dallas is proposing to construct a public library [The Vickery Meadow Branch Library].
- The request seeks to allow the construction of a one-story, public library use with a maximum floor area of 18,000 square feet, a maximum height of 23 feet, and a proposed lot coverage of 9.72 percent.

Zoning History: There have been no recent zoning requests in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Park Lane	Major Arterial	100 feet
Ridgecrest Road	Minor Arterial	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the proposed request and determined that the request will not have a negative impact on the existing street system.

Surrounding Land Uses:

	Zoning	Land Use
Site	MF-2(A)	Undeveloped
North	MU-2, DR Z845-329, MF-2(A), PDD No. 720	Restaurant w/drive thru, Church, Public Schools
East	Tract 2 within PDD No. 65	Retail, Public Service
South	NS(A), MF-2(A) & PDD No. 182	Retail, Personal service, restaurant, Multifamily
West	MU-2, DR Z067-108	Retail, Personal service

STAFF ANALYSIS

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request generally complies with land use goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.4 Capitalize on transit-oriented development opportunities.

Implementation Measures 1.1.4.2 Initiate Area Plans to identify and evaluate land for high-density mixed-use development near transit centers. Coordinate public investment and land use regulations with development activity. Include area business leaders as well as neighborhood stakeholders when creating Area Plans

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Implementation Measures 1.1.5.1 Recognize adopted area/neighborhood plans in guiding development and zoning decisions.

Implementation Measures 1.1.5.2 Encourage applicants for zoning changes to meet with neighborhood organizations prior to the zoning review process.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Implementation Measure 5.1.1.3 Apply urban design tools in pedestrian or transit-oriented districts when approving zoning cases and when developing Area Plans.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

AREA PLAN:

Prior to the establishment of the Vickery Meadow Station Are Plan approved in 2013, the City of Dallas was awarded a Housing and Urban Development (HUD) Community Challenge Planning Grant to enhance transit-oriented development through focused planning aimed at developing workforce, mixed income, and mixed-use housing at multiple DART light rail stations. Dallas Transit-Oriented Development (Dallas TOD) is an action-oriented project of the City of Dallas to spur the transformation of neighborhoods surrounding seven Dallas Area Rapid Transit (DART) light rail stations.

The Vickery Meadow: Walnut Hill and Park Lane stations (Red Line) is one of five area plans, which include seven different DART stations throughout the City along three separate DART lines. The Vickery Meadow Station Area Plan details specific initiatives to create a better future for the Vickery Meadow area, with particular attention to reinvigorating housing, addressing land use density, and improving modal connectivity and pedestrian access.

As a result, the Vickery Meadow Public Improvement District (VMPID) was established in 1993 to enhance security and public safety, maintenance, economic development activities, special event and other services for the Vickey Meadow neighborhood. The VMPID is operated by the Vickery Meadow Management Corporation, a non-profit organization.

The purpose of the area plan is to spur transformation of Dallas DART station areas through catalytic projects, public-private partnerships, and reuse and rehabilitation of existing buildings. The Plan envisions development of the proposed site to create the greatest level of positive change in Vickey Meadow.

In reviewing zoning requests, staff primarily focus is land use and conformity of the Comprehensive Plan. Additionally, staff will consider area plans as a means of guidance when addressing the strengths, weakness, opportunities and threats of areas within the city. Upon examination of the Area Plan, staff believes the request complies with the original intent to develop the site as a “single project” consisting of a library. Original beliefs were that financing a new library as a single project would be a challenge; however, developing the library as part of a larger mixed-use project could be more feasible.

While the proposed project will provide a vital element of the area plan, as originally proposed, the site will also reserve a portion of the western lot undeveloped to allow for future development. Additionally, the proposed request seeks to further support the area plan by ensuring that the proposed development meets the needs of the community by encouraging use of inviting outdoor areas adjacent to the street. The request proposes

to design a detention pond to serve as not only drainage but also an amenity to the site. The detention pond is proposed to be broad and shallow surrounded by a future grass amphitheater, lined with stone or natural seating. Thus, the detention pond will not only provide functionality but serve as an amenity tastefully implemented to add life to the sidewalks and neighborhoods, and potentially stimulate further development as envisioned in the Area Plan.

Urban Form:

The *forwardDallas!* Vision Illustration identifies Park Lane as a "Main Street." Main Streets are typically no more than a mile long with active areas consisting of buildings one to four stories in height, usually constructed up to the sidewalk with parking available on the street. Additionally, Urban Design elements recommends a minimum 0 feet and maximum 5 feet setbacks, a minimum of 80 percent building street frontage and a maximum 20 percent parking, garage doors, and/or blank walls with 50 percent of ground-level transparency.

While possible site reconfiguration options were recommended, ultimately staff's consideration focus did not center on a single aspect of physical planning but rather an incorporation of numerous aspects of planning to advance the overall vision, policies and goals of the Comprehensive Plan and the Area Plan. In doing so, staff not only considered urban form but also a planning approach that promotes the physical environment as a setting for human activities. In doing so, staff considered functionality, amenity, unique design, aesthetic character and efficiency. Additionally, staff considered the public interest at large, rather than the singular interests of individuals or special groups within the community.

The proposed library will function as a resource for information to the community and will accommodate and feature a variety of community servicing amenities such outdoor programs, a gathering lawn, a stage, a playground, and a plaza as an anticipated location where community events can be hosted. The design will function to create not only a serene environment around the proposed development but will also calm traffic and deter traffic from short-cutting through the site by the purposefully curved design of the parking lot. The placement of the library was studied early on, with several orientations and placements discussed. The specific location and orientation have been selected not only to address topography but also optimize an energy efficient design. The east-facing entry and elliptical shape provide a natural pedestrian pathway to patrons walking from the southwest or southeast corners of the proposed site, as well as children and pedestrians walking from adjacent public school uses to the north and east. In either case, those approaching the library — whether from north or south — will be presented with the front of the library rather than the rear.

Additionally, the proposed orientation was selected because the topography of the site. The existing grades are fairly flat where the library is proposed, but the remainder of the site generally slopes from its higher northeast corner down to its far southwest corner. Locating the library as proposed works well with the inherent natural drainage patterns of the site and allows for less re-grading. This also allows for the City required detention

basin to be placed toward the lower portion of the site, further minimizing the amount of grading that needs to occur.

Further encouraging the proposed orientation allows for a unique design, resource-efficiency and energy-efficiency. The library was designed to optimize natural daylight coming from the north and east and to minimize harsh heat gain coming from the south and west. In pursuit of LEED Gold certification, the proposed layout and orientation with the main entrance and transparency to the east, is optimal. Alternatively, if the library is rotated to the south, it would be difficult to obtain energy efficiency certification.

Land Use Compatibility:

The request site is approximately 4.02 acres and zoned an MF-2(A) Multifamily District. The applicant's request is for an SUP to allow for the development of a public library.

The surrounding land uses are institutional and community service, & retail and personal service uses to the north, retail and public service uses to the east and west, and retail, personal service and residential to the south.

To promote a more walkable, pedestrian-friendly development, the Department of Public Works is proposing to replace the existing sidewalks adjacent to the proposed library site to include a crosswalk with activated flashers to provide safe and visible crossing from the neighboring elementary and middle schools inclusive of two 12-foot travel lanes, a 6-foot side walk on the south side of Ridgecrest Road, a 10-foot sidewalk on the north side of Ridgecrest Road and a 5-foot parkway on both sides of the roadway with work tentatively scheduled to begin in the Summer of 2020. Additionally, the Department of Transportation proposes the reconstruction of Park Lane from Greenville Avenue to Hemlock Avenue to accommodate bike lanes, sidewalks and intersection improvements with work tentatively scheduled to begin in 2022.

While, the City plans to replace existing sidewalks along Park Lane and Ridgecrest Road in the future, the applicant intends to install an enhanced 7-foot sidewalk with a 5-foot landscape buffer along Park Lane and a 4-foot 9-inch sidewalk along Ridgecrest Road as shown on the proposed site plan.

Additionally, staff determined that the proposed request is considered a Transit Oriented Development (TOD). Transit-Oriented Development, or TOD for short, is at the heart of the City of Dallas' long-range land use plan, *forwardDallas! Comprehensive Plan!* The request site is considered a TOD due to the proximity to a transit station. Specifically, Park Lane Station is situated less than 1,000 feet west of the site with a bus stop immediately adjacent along Park Lane. Generally, consideration of increased development rights and the associated building massing for TOD's are situated within one-quarter mile walking distance (1,320 feet) from a transit station with reduced headways during peak hours. However, the request complies with the existing development rights and is seeking a decrease in the maximum allowed height and lot coverage.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff supports the request because we believe the proposed library use will be an invaluable asset to the community at large. More than being mere repositories for books, libraries often offer meeting space, community message boards, computer and financial literacy programs, research resources, internet access, printers, and a host of other benefits, all at a low cost or free to users. Additionally, with the proximity of the elementary school and middle school uses to the north and the more than 11,000 multifamily dwelling units to the east, the proposed library use will be an irrefutable community serving resource.

Development Standards:

DISTRICT	SETBACKS Front	SETBACKS Side/Rear	Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
Existing							
MF-2(A) Multifamily	15’	15’	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36’	60%	Proximity Slope	Multifamily, duplex, single family

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of request is not within an identifiable MVA category; however, it is in proximity to an “E” MVA cluster to the west, north and east to a “G” MVA cluster to the south, across Park Lane.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a library, is one space per 500 square feet of floor area and the total square footage of the proposed library determines the number of required parking spaces. The total square footage of the proposed library is 18,000 square feet.

The number of required off-street parking spaces for the proposed library is 36 spaces and the applicant is proposing to provide 36 off-street parking spaces.

Landscaping:

The proposed library will comply with landscape requirements as outlined in Article X, as amended.

CPC Action
May 2, 2019

Motion: It was moved to recommend **approval** of a Specific Use Permit for a public library for a permanent period, subject to a revised site plan and revised conditions (as briefed) with the following amendments, 1) remove "future" from the art reference on the site plan; 2) subparagraph (b) of section 12 to read "Sidewalks are to be tabled above surface of adjacent parking lot as shown on the attached site plan"; and 3) under Urban Design, add a subparagraph (d) to read "A minimum of 20 percent transparency along the south façade of the building" on property zoned an MF-2(A) Multifamily District, on the north line of Park Lane, between Greenville Avenue and Ridgecrest Road.

Maker: Murphy
Second: Schultz
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss*, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 20
Replies: For: 0 Against: 2

Speakers: For: Robert Meckfessel, 115 W. Greenbriar Ln., Dallas, TX, 75208
Liz Harling, 6329 Ridgecrest Rd., Dallas, TX, 75231
Irene Barraza, 7002 Fair Oaks Dr., Dallas, TX, 75231
Audrey Hinton, 8522 Park Ln., Dallas, TX, 75231
Alexander Quintanilla, 327 Bon Aire Dr., Dallas, TX, 75218
Dalene Buhl, 7732 Glen Albens Cr., Dallas, TX, 75225
For (Did not speak): Amanda Popken, 2519 Catherine St., Dallas, TX, 75211
Ken Benson, 1527 Waterside Ct., Dallas, TX, 75218
Against: None
Staff: Rick Galceran, Director of Bond Program, Department of Public Works

CPC Recommended Conditions

1. USE: The only use authorized by this specific use permit is a public library.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit has no expiration date.

4. DUMPSTER: Dumpsters located on site must be screened from any public street by a minimum 6-foot-tall masonry screening wall with an access gate.

5. FLOOR AREA: The maximum floor area for the public library is 18,000 square feet.

6. HEIGHT: The maximum height for the Library is 23 feet.

7. HOURS OF OPERATION: The library may only operate between 7:00 a.m. and 10:00 p.m., Monday through Sunday.

8. INGRESS-EGRESS:
    a. Ingress and egress must be provided as shown on the attached site plan.

    b. No other ingress or egress drive approaches are permitted.

9. OUTDOOR PLAY AREA: The outdoor play area must be located as shown on the attached site plan.

10. OUTSIDE SPEAKERS:
    a. Outside speakers must be located a minimum of 30 feet inside the screening fence and must be directed toward the interior of the Property.

    b. Outside speakers may only operate between 7:00 a.m**.** and 9:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 9:00 p.m., Saturday and Sunday.

11. PARKING: Parking must be located as shown on the attached site plan.

12. SIDEWALKS:
    a. Sidewalks are to be located as shown on the attached site plan.

    b. Sidewalks are to be tabled above surface of adjacent parking lot as shown on the attached site plan.

13. PEDESTRIAN AMENITY:
    a. The detention basin must be designed to accommodate a future amphitheater use with vegetative ground cover and stone or concrete seating.

14. URBAN DESIGN:
    a. Enhanced paving must be integral colored concrete with a textured finish.

    b. Enhanced paving must be located as shown on the attached site plan.

    c. A minimum of 27 percent transparency is required along the primary façade as shown on the attached site plan.

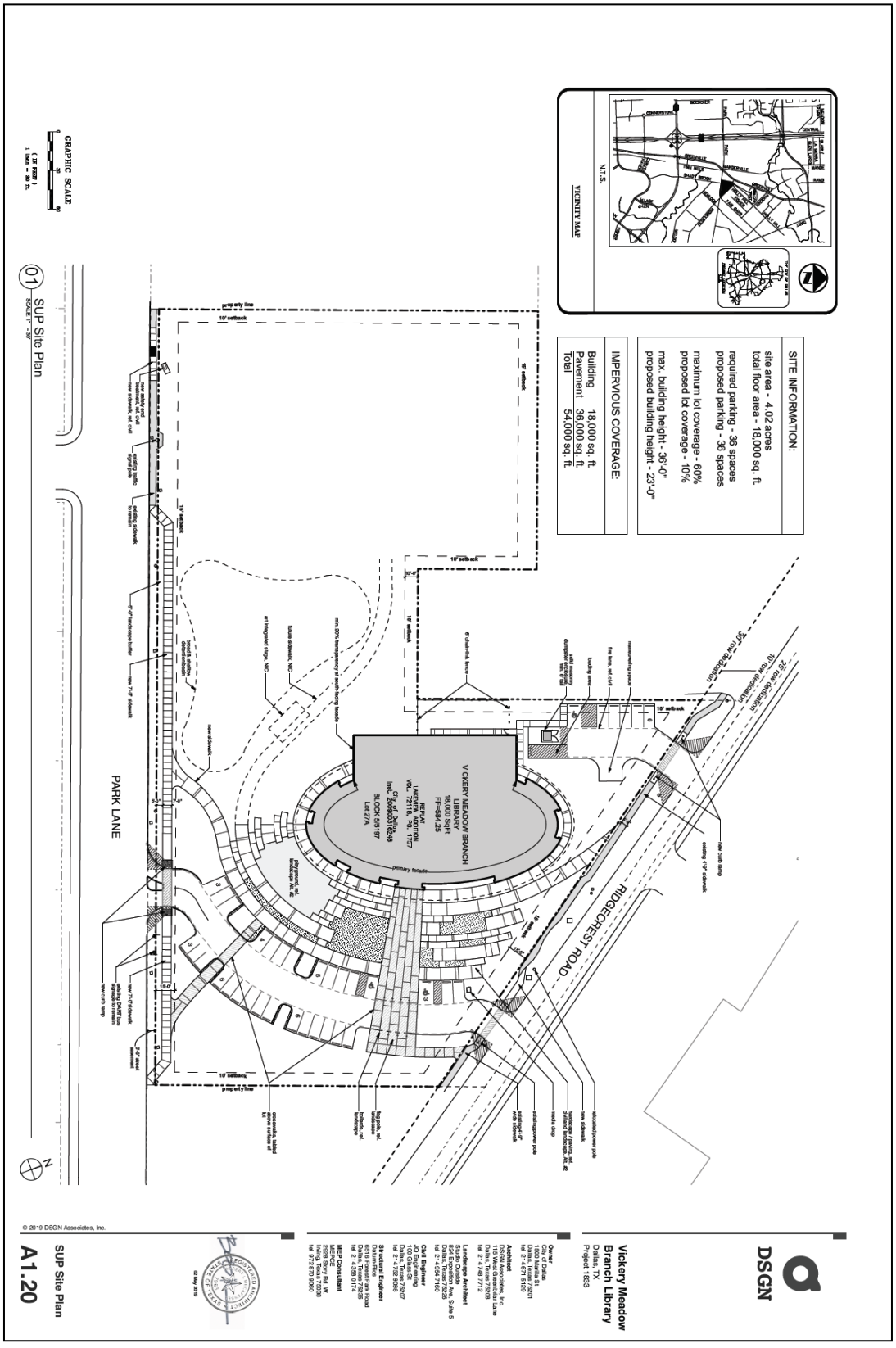
    d. A minimum of 20 percent transparency is required along the south façade of the building.

15. CROSSWALKS: Where sidewalks cross driveways cuts, sidewalks must be "tabled" clear and continuous, as the same level of the existing sidewalks across all drives. Crossings should be demarcated with alternative paving materials or color.

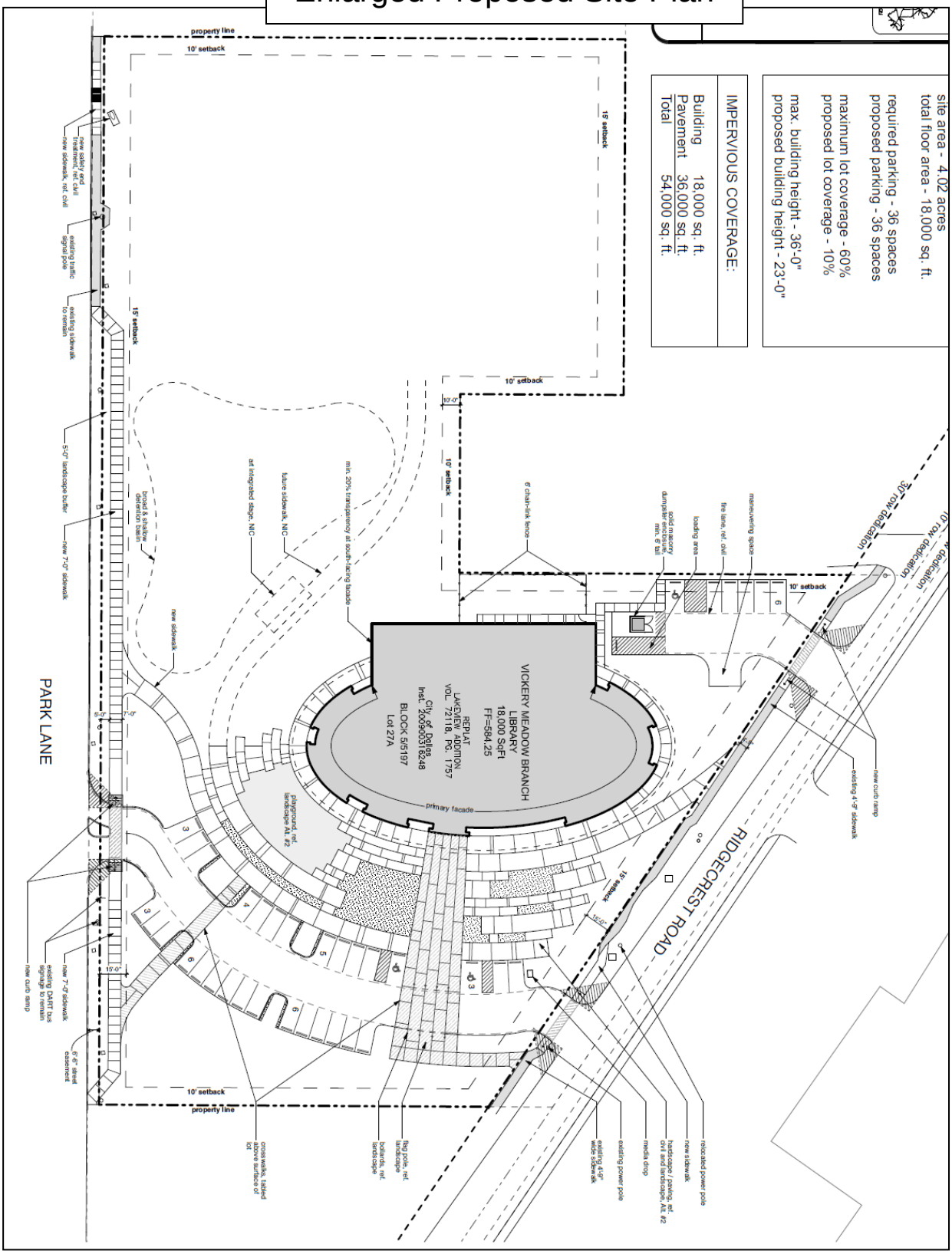
16. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

17. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

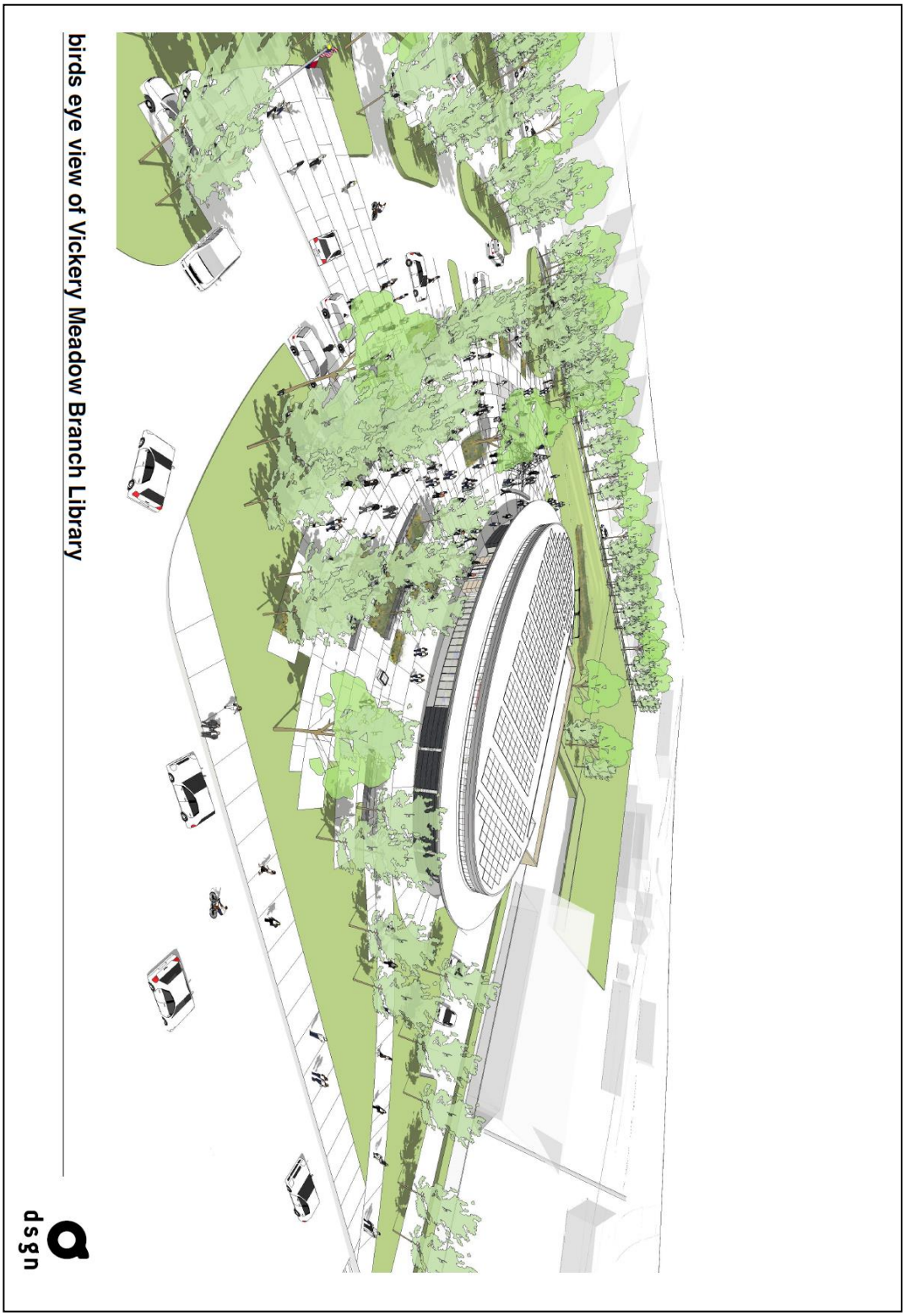
Proposed Site Plan

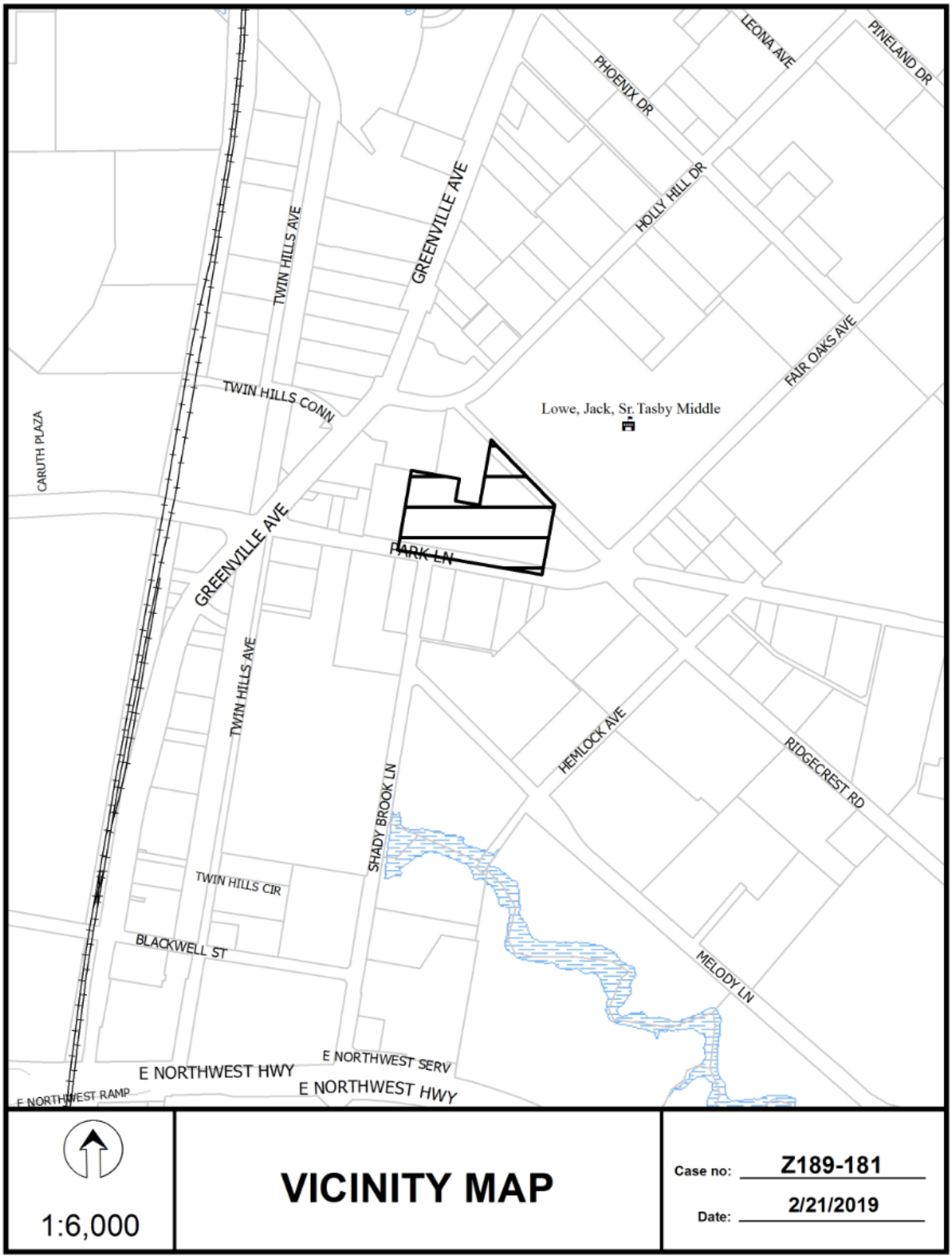


Enlarged Proposed Site Plan



Aerial Rendering
For Illustrative Purposes Only




LEONA AVE
PINELAND DR
PHOENIX DR
HOLLY HILL DR
GREENVILLE AVE
TWIN HILLS AVE
FAIR OAKS AVE
TWIN HILLS CONN
Lowe, Jack, Sr. Tasby Middle
CARUTH PLAZA
PARK LN
GREENVILLE AVE
TWIN HILLS AVE
HEMLOCK AVE
RIDGECREST RD
SHADY BROOK LN
TWIN HILLS CIR
BLACKWELL ST
MELODY LN
E NORTHWEST SERV
E NORTHWEST HWY
E NORTHWEST HWY
E NORTHWEST RAMP
1:6,000
VICINITY MAP
Case no: Z189-181
Date: 2/21/2019

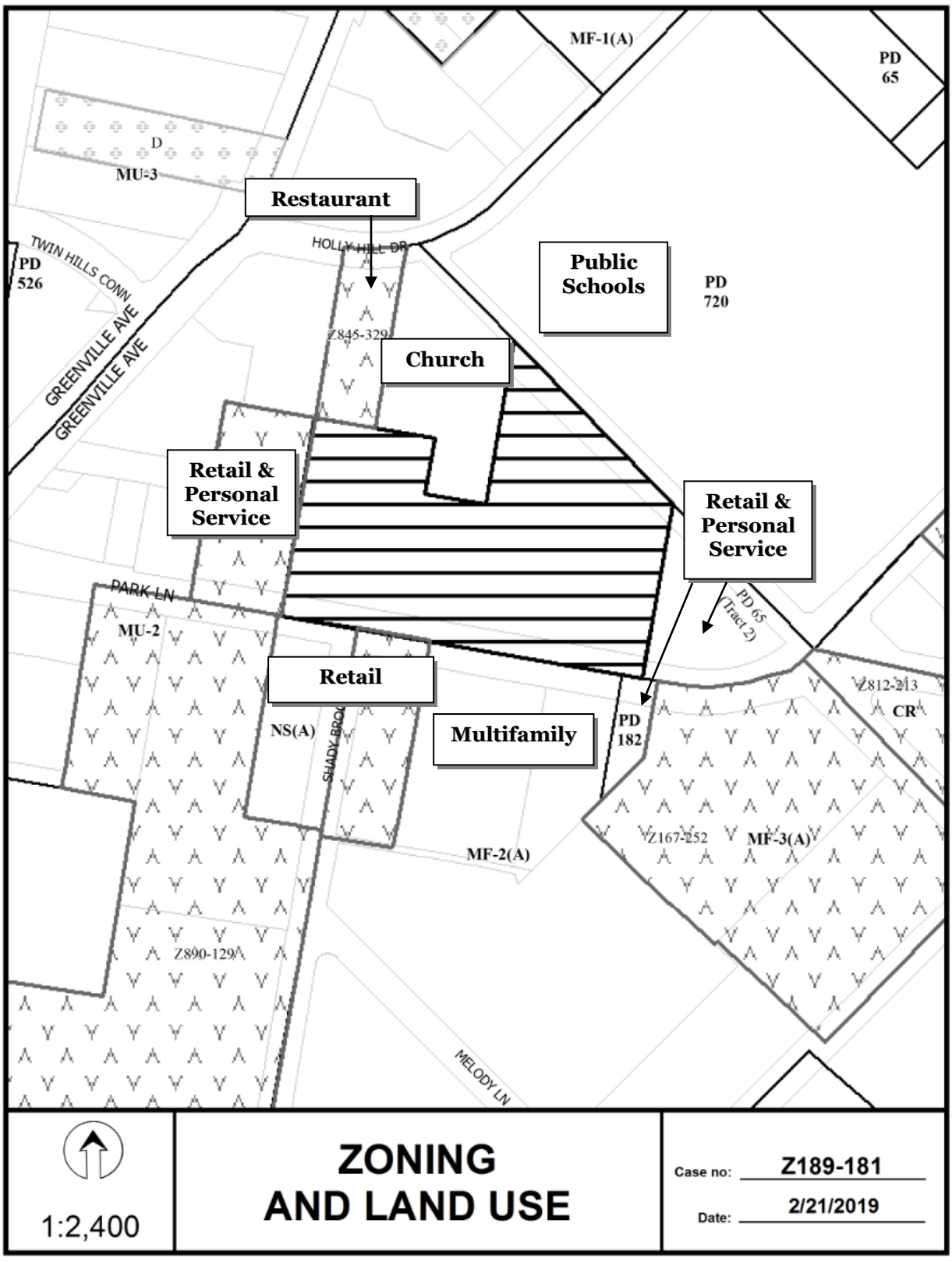


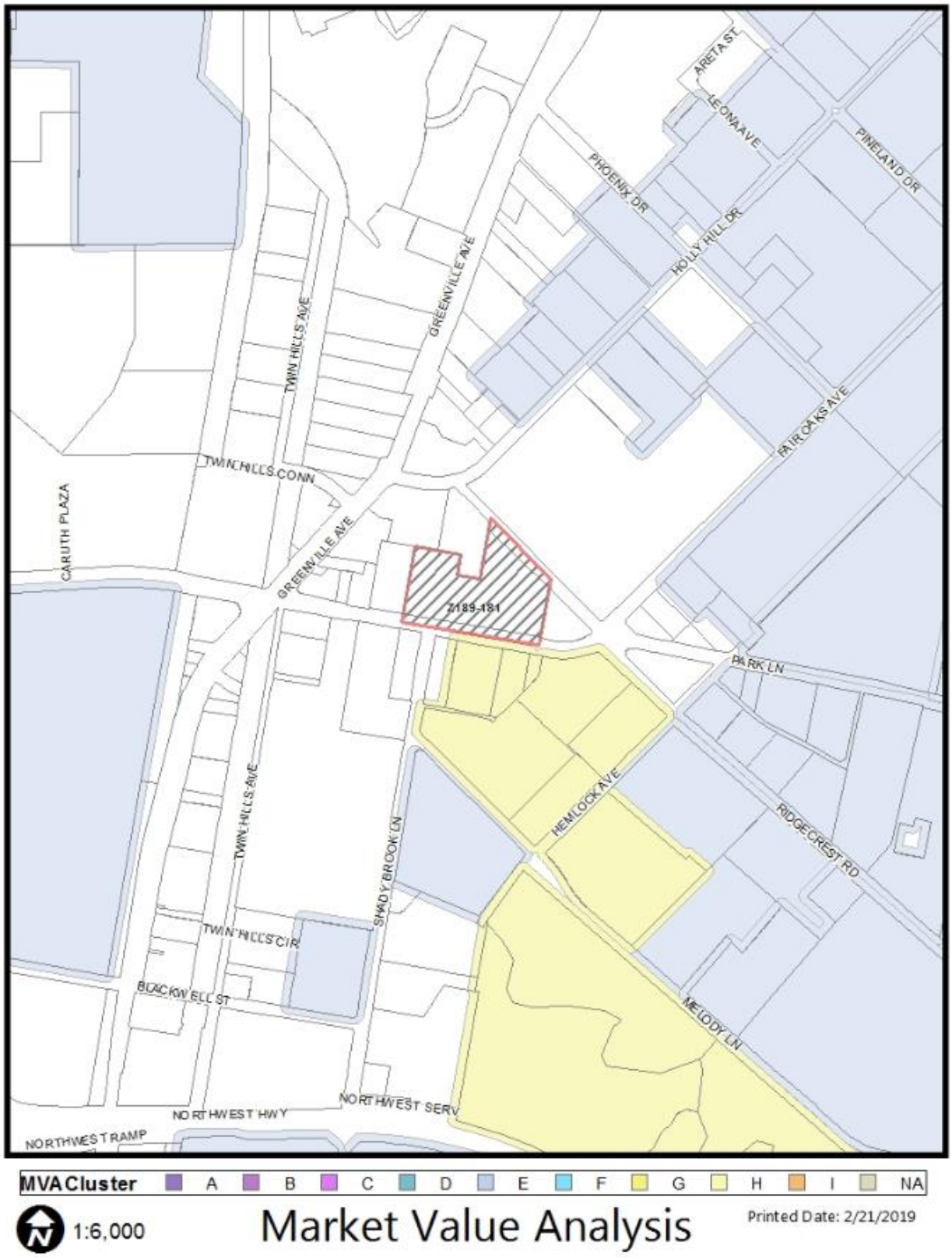
1:2,400

AERIAL MAP

Case no: Z189-181

Date: 2/21/2019


MF-1(A)
PD 65
D
MU-3
Restaurant
TWIN HILLS CONN
PD 526
HOLLY HILL DR
Public Schools
PD 720
GREENVILLE AVE
GREENVILLE AVE
Z845-329
Church
Retail & Personal Service
Retail & Personal Service
PARK LN
MU-2
PD 65 (Tract 2)
Retail
Z812-213
CR
NS(A)
SHADY BROOK
Multifamily
PD 182
Z167-252
MF-3(A)
MF-2(A)
Z890-129
MELODY LN
1:2,400
ZONING AND LAND USE
Case no: Z189-181
Date: 2/21/2019


ARETA ST
LEONA AVE
PINELAND DR
PHOENIX DR
HOLLY HILL DR
GREENVILLE AVE
TWIN HILLS AVE
FAIR OAKS AVE
TWIN HILLS CONN
CARUTH PLAZA
GREENVILLE AVE
Z189-181
PARK LN
HEMLOCK AVE
RIDGECREST RD
TWIN HILLS AVE
SHADY BROOK LN
TWIN HILLS CIR
BLACKWELL ST
MELODY LN
NORTHWEST HWY
NORTHWEST SERV
NORTHWEST RAMP
MVACluster A B C D E F G H I NA
1:6,000
Market Value Analysis
Printed Date: 2/21/2019

CPC Responses



05/01/2019

Reply List of Property Owners

Z189-181

20 Property Owners Notified ***0 Property Owners in Favor*** ***2 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	5814	RIDGECREST RD	VICKERY BAPTIST CHURCH
	2	6918	GREENVILLE AVE	VICKERY FEED STORE TRUST
	3	8219	PARK LN	OLIVERIE GERALD C &
	4	8227	PARK LN	FONBERG INVEST CORP ET AL
	5	8231	PARK LN	VIC PO LTD
	6	8347	PARK LN	WADFH PARTNERSHIP
X	7	6889	SHADY BROOK LN	SHADYBROOK SQUARE LTD
	8	8350	PARK LN	BUENA VIDA CRP 17 LP
	9	8320	PARK LN	DALLAS HOUSING AUTHORITY
	10	5929	MELODY LN	APARTMENT VENTURES LLC
	11	7001	FAIR OAKS AVE	Dallas ISD
	12	6950	GREENVILLE AVE	WEINBERG LLC
	13	6940	GREENVILLE AVE	WILLINGHAM WILLIAM W III
	14	8209	PARK LN	DEVEN AJAY LLC
X	15	7010	GREENVILLE AVE	PARK GREENVILLE PPTIES I &
	16	7028	GREENVILLE AVE	PARK GREENVILLE PPTIES I &
	17	8224	PARK LN	RIVERPARK ASSOCIATES LP
	18	8282	PARK LN	GREENVILLE CENTRE LC
	19	8336	PARK LN	BELAYE MESFIN &
	20	8330	PARK LN	NORTHWEST PARK CONDOMINIUM LLC

Agenda Information Sheet

File #: 19-803 **Item #:** 73.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 12

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an MU-1 Mixed Use District and a CS Commercial Service District, on the east line of Dickerson Street, north of Ronnie Drive
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z189-184(SM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z189-184(SM)	**DATE FILED:**	January 30, 2019
LOCATION:	East line of Dickerson Street, north of Ronnie Drive		
COUNCIL DISTRICT:	12	**MAPSCO:**	6 J
SIZE OF REQUEST:	Approx.1.816 acres	**CENSUS TRACT:**	317.19

APPLICANT: Crown Castle

OWNER: Bellar Communications, Bob Bellar, sole officer

REPRESENTATIVE: Vincent Huebinger, Vincent Gerard & Associates, Inc.

REQUEST: An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned an MU-1 Mixed Use District and a CS Commercial Service District.

SUMMARY: The applicant proposes to replace the existing 380-foot tall guy-wire supported cellular communication tower with a 190-foot tall monopole cellular communication tower. The proposed tower will support T-Mobile, AT&T, DFW, and other cellular carriers to be determined later and will be screened from the DART light rail line with a six-foot solid pre-fabricated masonry fence.

CPC RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The site is developed with an existing 380-foot tall guy-wire supported tower and outside storage that is connected to Dickerson Street with a shared access drive that is approximately 700 feet long.

- The existing tower was erected prior to annexation into the City of Dallas and is therefore nonconforming.

- The applicant proposes to replace the existing 380-foot tall, guy-wire supported tower to be replaced with a 190-foot tall monopole tower for cellular communication. The proposed tower will support T-Mobile, AT&T, DFW, and other cellular carriers to be determined later and will be screened from the DART light rail line with a 6-foot solid pre-fabricated masonry fence.

Zoning History: There has been one recent zoning case requested in the area in the past five years.

1. **Z145-213**: On June 17, 2015, City Council approved an amendment to Planned Development District No. 921 located on the east line of Coit Road, north of West Campbell Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Street Width
Dickerson Street	Local	60’ ROW

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request.

There are no goals or policies supporting or opposing the request.

STAFF ANALYSIS:

Surrounding Land Uses:

Location	Zoning	Land Use
Site	MU-1 and CS	Nonconforming cell tower
North	TH-2(A) with SUP No. 1305	Public school
East	MF-1 (A)	Undeveloped
South	CR, MF-1(A) with DR No. Z823-223, and CS	Private recreation area, multifamily, and DART light rail line
West	MU-1 and MF-1(A)	Right-of-way and multifamily

Land Use Compatibility:

The applicant proposes to replace the existing nonconforming 380-foot tall guy-wire supported cellular communication tower with a 190-foot tall self-supported cellular communication tower. The proposed tower will be screened from the DART light rail line with a six-foot solid pre-fabricated masonry fence. The site is surrounded by a public school to the north; undeveloped land to the east; private playfields and multifamily, across the abutting DART light rail line to the south; and a multifamily use on the west line of Dickerson Street.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Section 51A-4.408 of the Dallas Development Code provides an exception of maximum structure height for utility and public service uses, including a tower/antenna for wireless communication, but requires compliance with residential proximity slope (RPS). Therefore, the maximum structure height of 80 feet for a structure with no mix of uses in

the MU-1 Mixed District does not apply to a tower/antenna for cellular communication. However, since the MU-1 Mixed District also specifies that RPS applies, RPS does govern the maximum height of utility and public service uses. Therefore, a one-to-three residential proximity slope can be used as a tool to evaluate how the height of the proposed monopole tower relates to surrounding properties.

The applicant proposes to replace the existing monopole tower at this location with one approximately half the height to continue to provide cellular coverage to users within the vicinity and has provided depictions of the existing T-Mobile antenna sites on pages six of this report.

For the proposed 190-foot tall tower, inclusive of the four-foot-tall lightning rod, to comply with a one-to-three slope from single family properties, it requires a 570-foot separation. The location of the proposed replacement tower is approximately 668 feet southeast of the nearest single family properties on the north line of Marybeth Drive.

Staff supports the height of the proposed replacement tower because the height of the proposed tower is almost half of the existing tower, the height and placement of the tower complies with a one-to-three slope to single family properties, the lease site will be screened with a masonry wall to the adjacent DART rail line, and the tower will provide continued coverage.

Parking:

Parking will be provided in accordance to the parking requirements in the Dallas Development Code, as amended, which is one space if the cellular communication tower/antenna has an auxiliary building housing electronic and communication equipment (“auxiliary building”) greater than 120 square feet. No auxiliary building is proposed and therefore no additional parking is triggered by the development of this use.

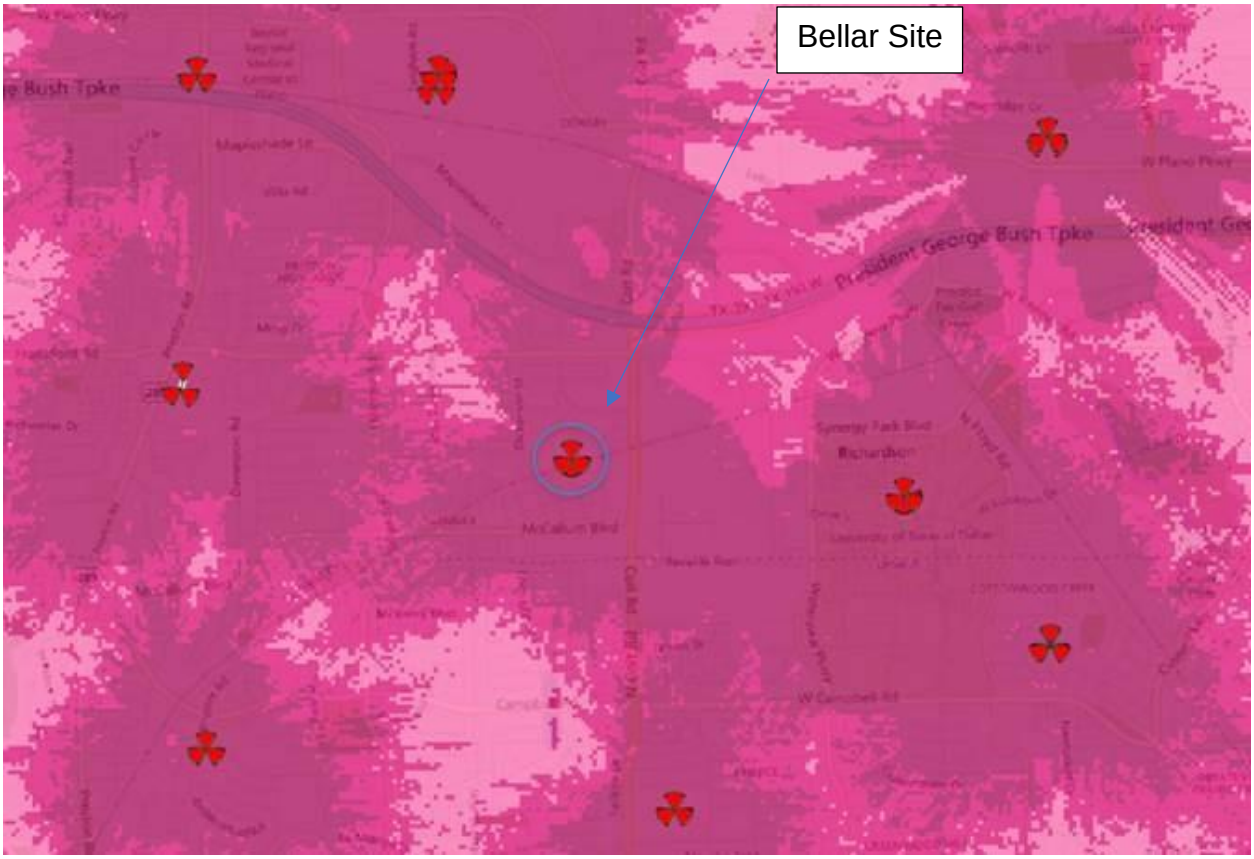
Landscaping:

In general, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. Per the current proposal, the area of request will not be required to provide landscaping because less than 2,000 square feet of non-permeable surface will be installed.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. Although the area of request is not within an identifiable MVA category, it is north of an “E” MVA cluster, east of a “D” MVA cluster, and south and west of a “B” MVA cluster.

T-Mobile Wireless Existing Coverage Ring – Bellar Communications



CPC Action
May 2, 2019

Motion: It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions on property zoned an MU-1 Mixed Use District and a CS Commercial Service District, on the east line of Dickerson Street, north of Ronnie Drive.

Maker: Shidid
Second: Schultz
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12
Conflict: 1 - Jung**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 48
Replies: For: 1 Against: 0

Speakers: For: None
For (Did not speak): Vincent Huebinger, 1715 Capital Texas Hwy., Austin, TX, 78746
Against: None

Crown Castle Officers

Name	Current Position
J. Landis Martin	Independent Chairman of the Board
Jay Brown	President, Chief Executive Officer, Director
Daniel Schlanger	Chief Financial Officer, Senior Vice President, Treasurer
Robert Ackerman	Senior Vice President and Chief Operating Officer—Towers and Small cells
James Young	Chief Operating Officer- Fiber, Senior Vice President
Kenneth Simon	Senior Vice President, General Counsel
Michael Kavanagh	Senior Vice President, Chief Commercial Officer
Philip Kelley	Senior Vice President - Corporate Development and Strategy
P. Robert Bartolo	Independent Director
Cindy Christy	Independent Director
Ari Fitzgerald	Independent Director
Robert Garrison	Independent Director
Andrea Goldsmith	Independent Director
Lee Hogan	Independent Director
Edward Hutcheson	Independent Director
Robert McKenzie	Independent Director
Anthony Melone	Independent Director
Ben Lowe	Vice President -Corporate Finance

CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is a tower/antenna for cellular communication.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevation.

3. TIME LIMIT: This specific use permit expires on (ten years from the passage of the ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. COLLOCATION: Any tower/antenna for cellular communication over 80 feet in height must be constructed to support the antenna arrays for at least two other wireless communications carriers and the tower/antenna for cellular communication must be made available to other carriers upon reasonable terms.

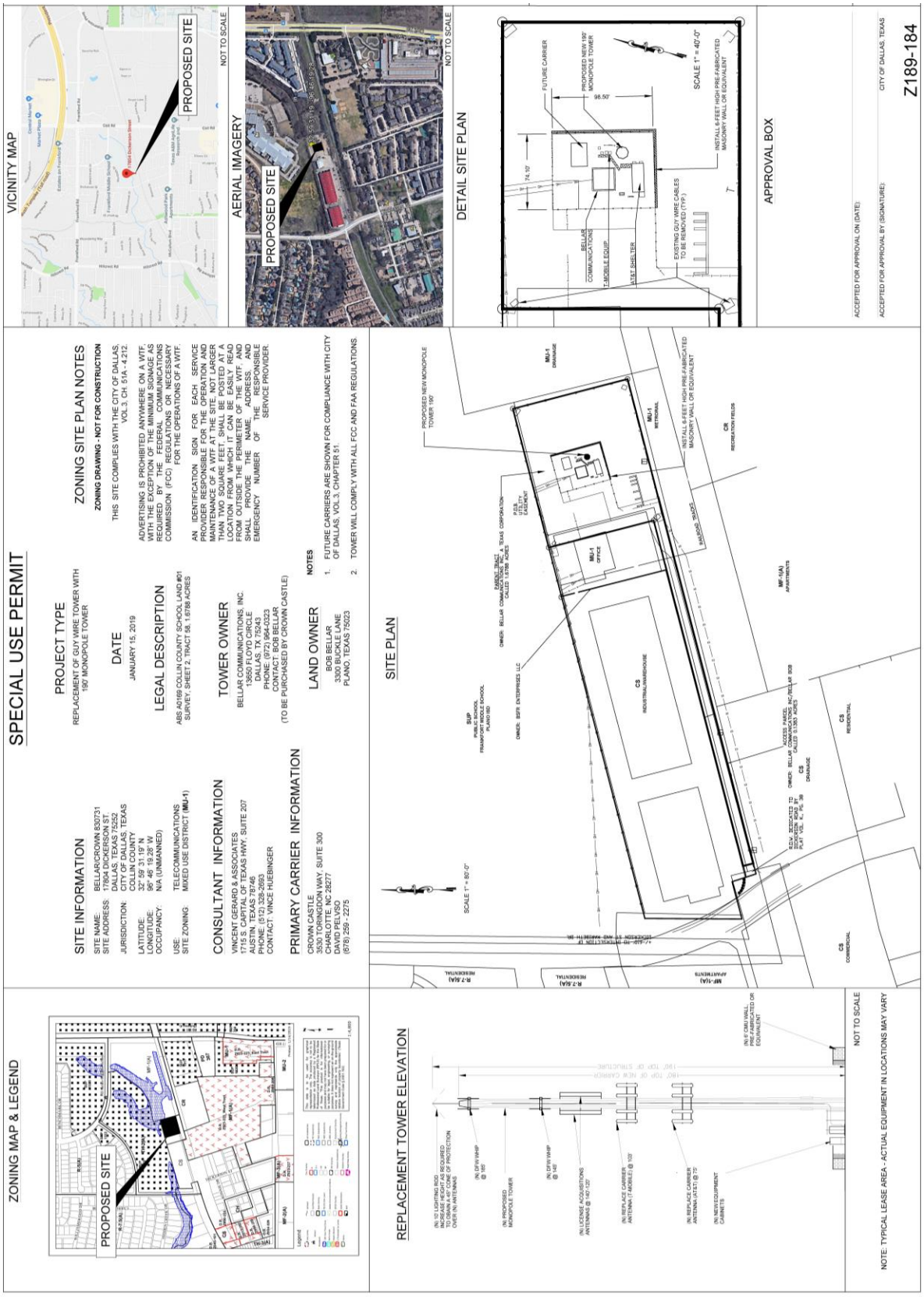
5. HEIGHT: The tower/antenna for cellular communication may not exceed 190 feet in height.

6. SCREENING: The lease area must be screened to the adjacent rail line by a six-foot-tall masonry wall in the location shown on the attached site plan.

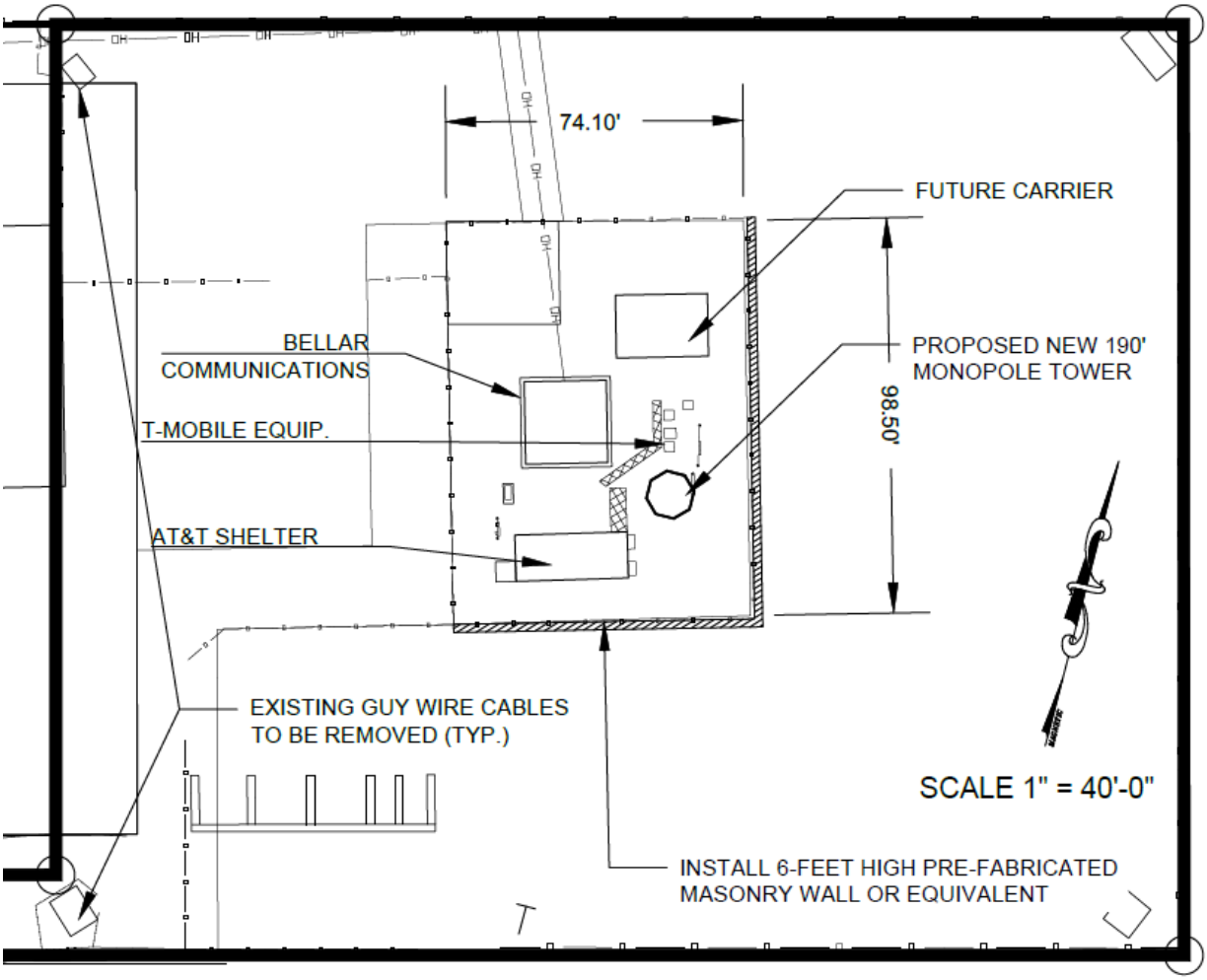
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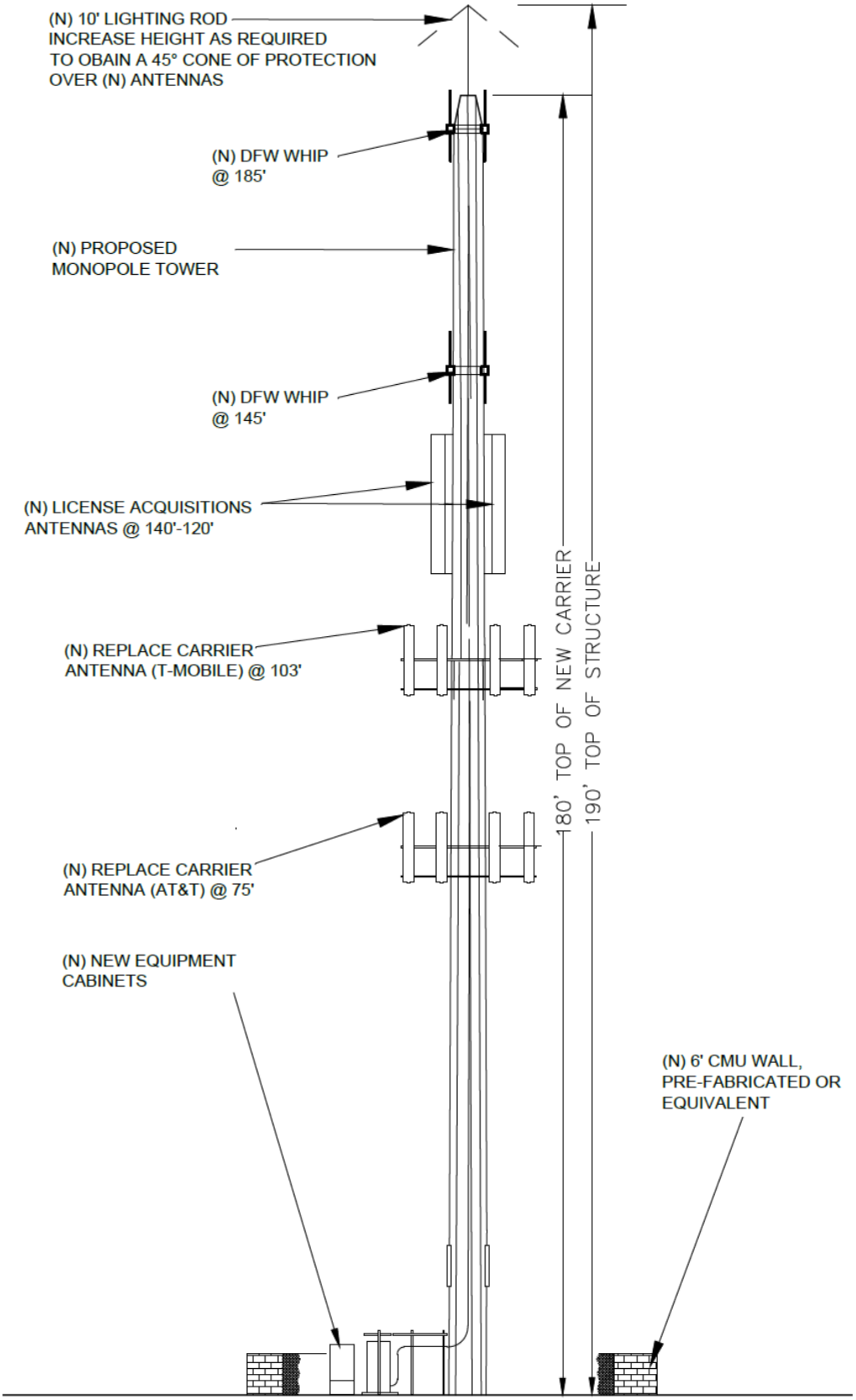
CPC RECOMMENDED SITE PLAN

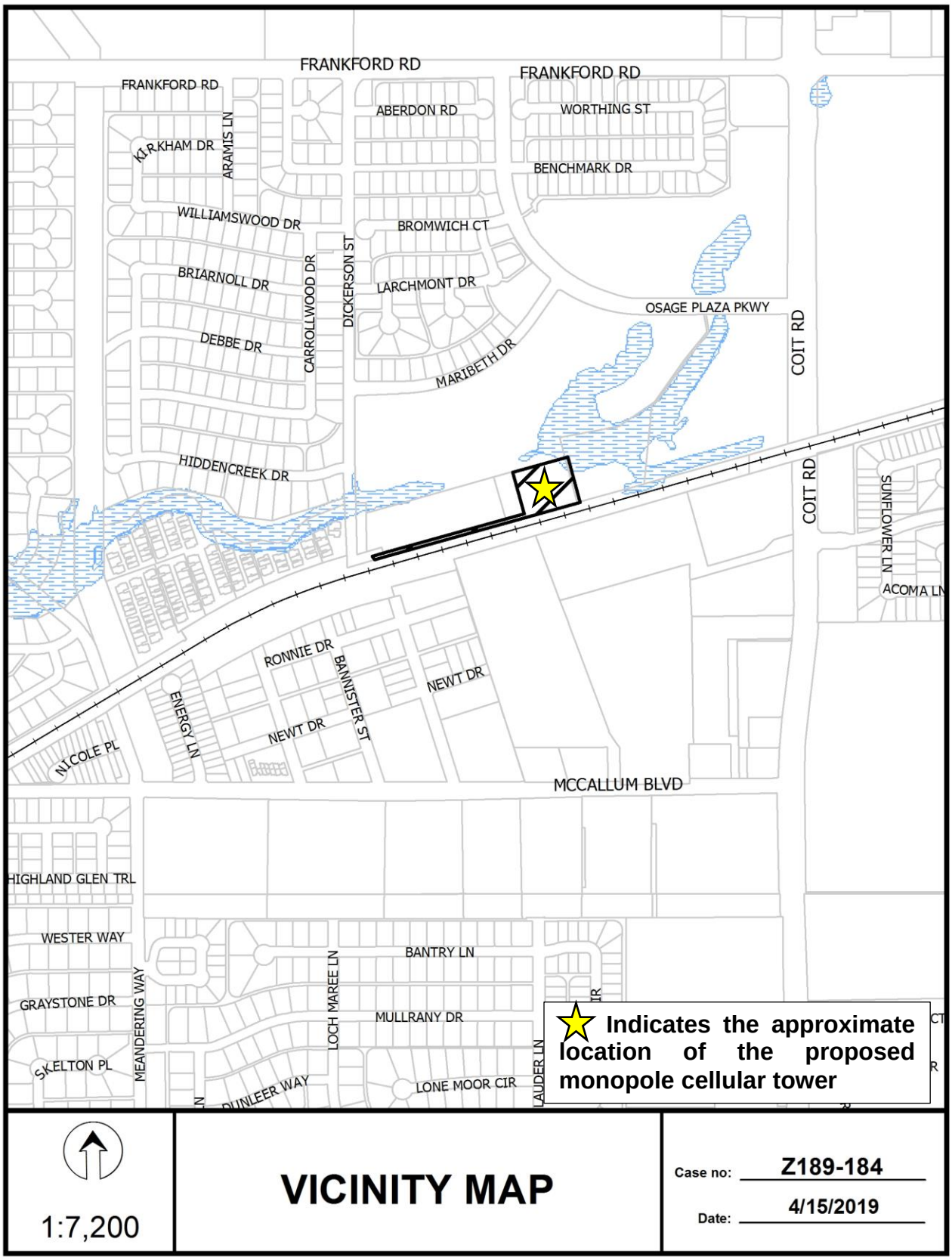


ENLARGED DETAIL SITE PLAN

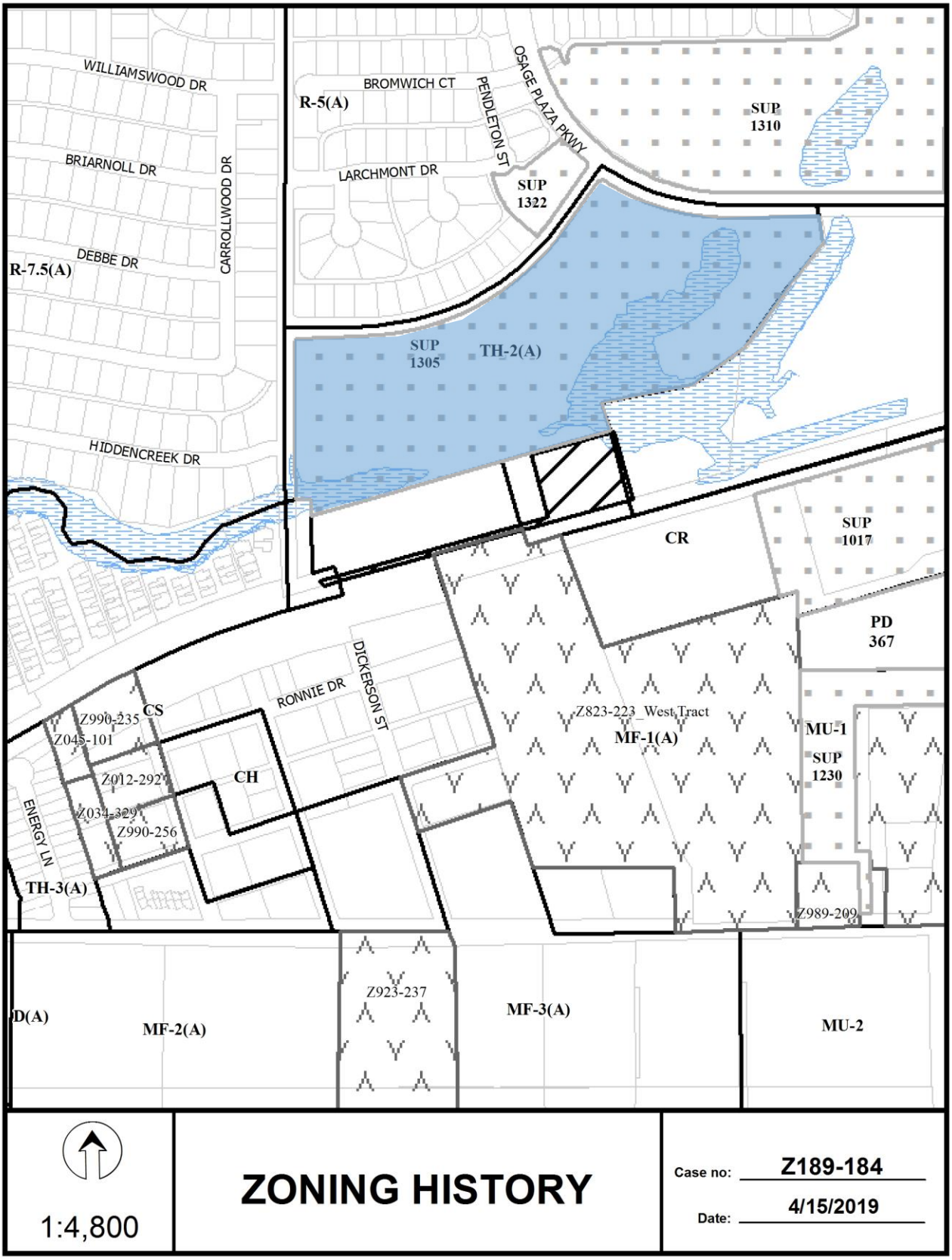


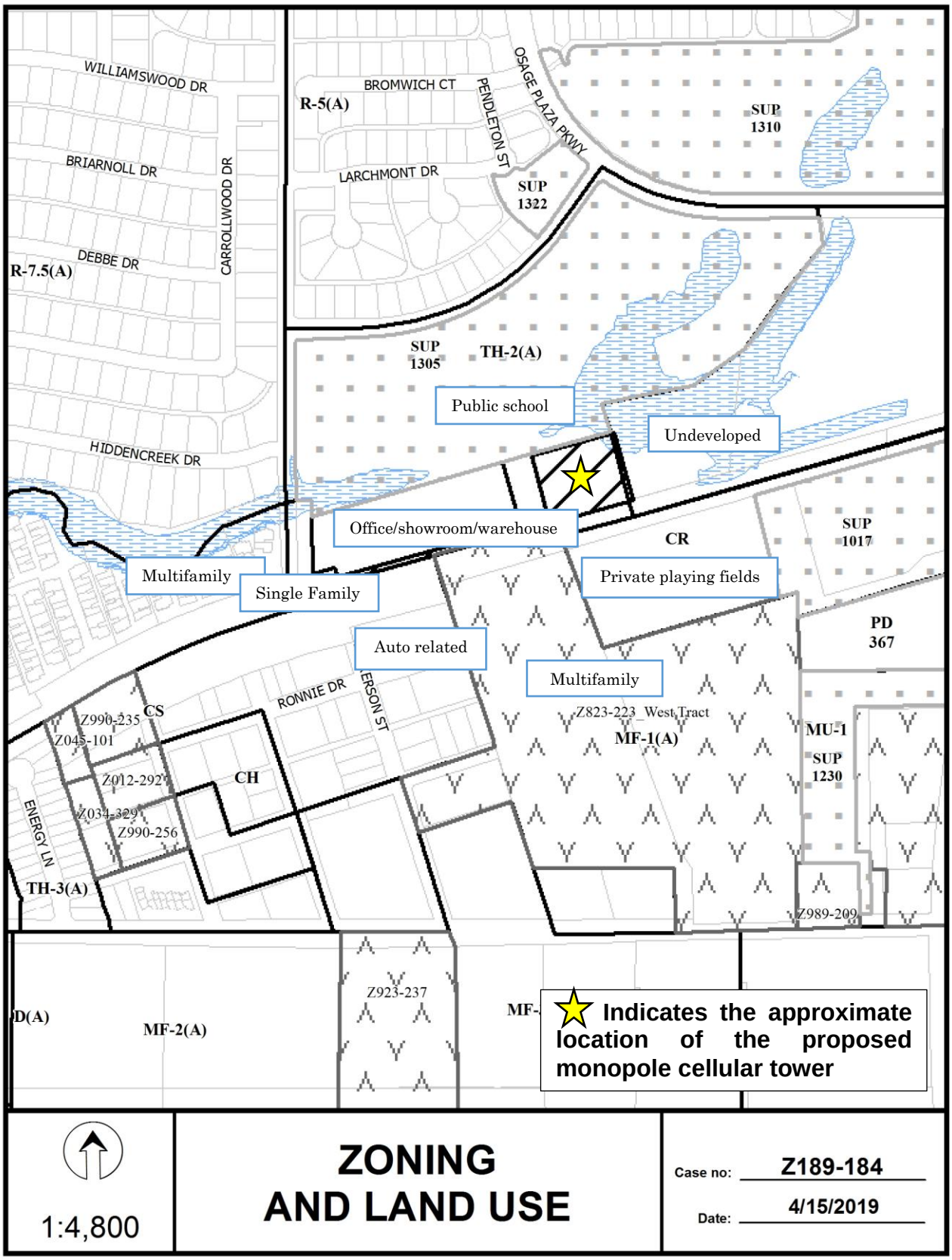
ENLARGED REPLACEMENT TOWER ELEVATION

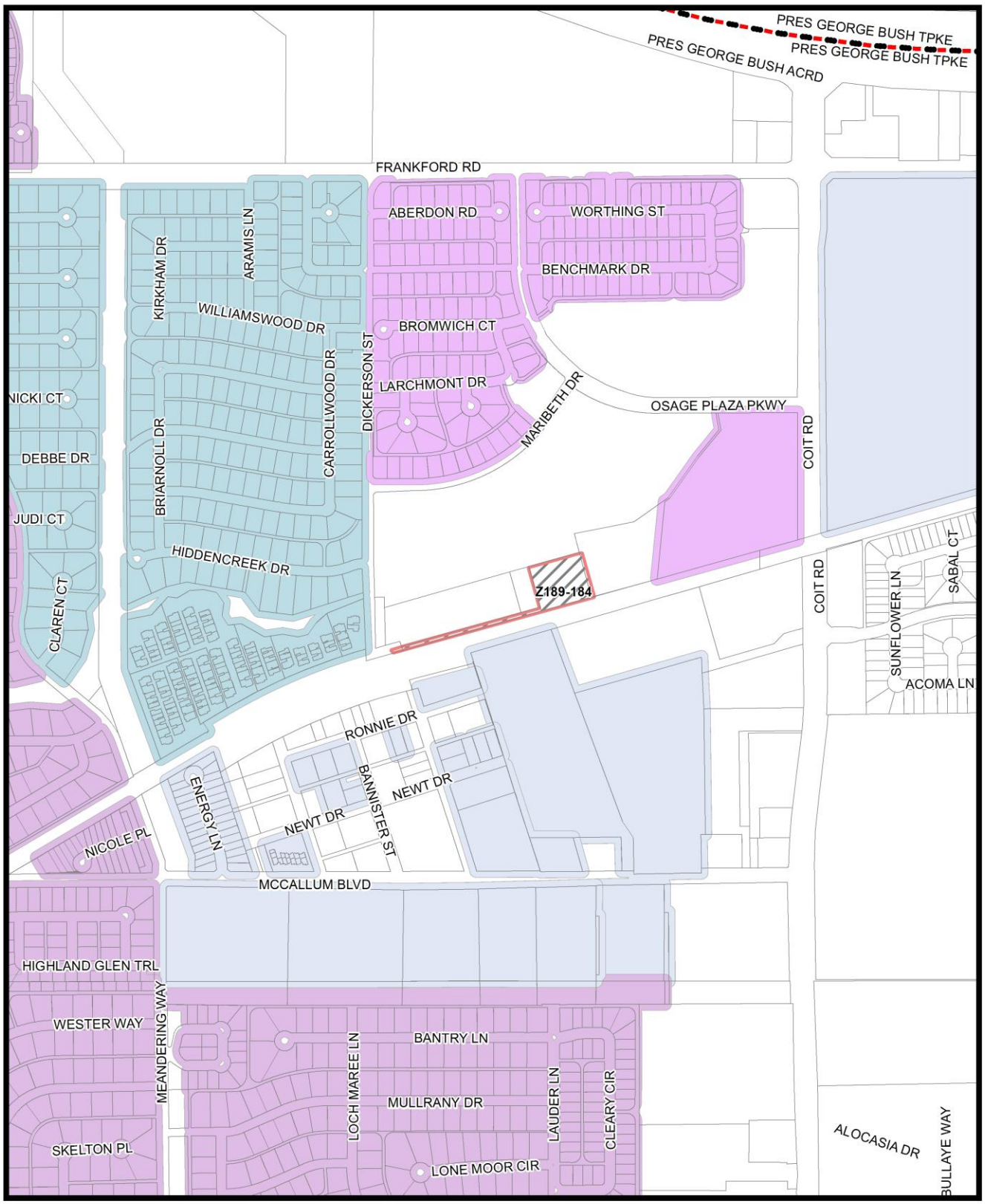


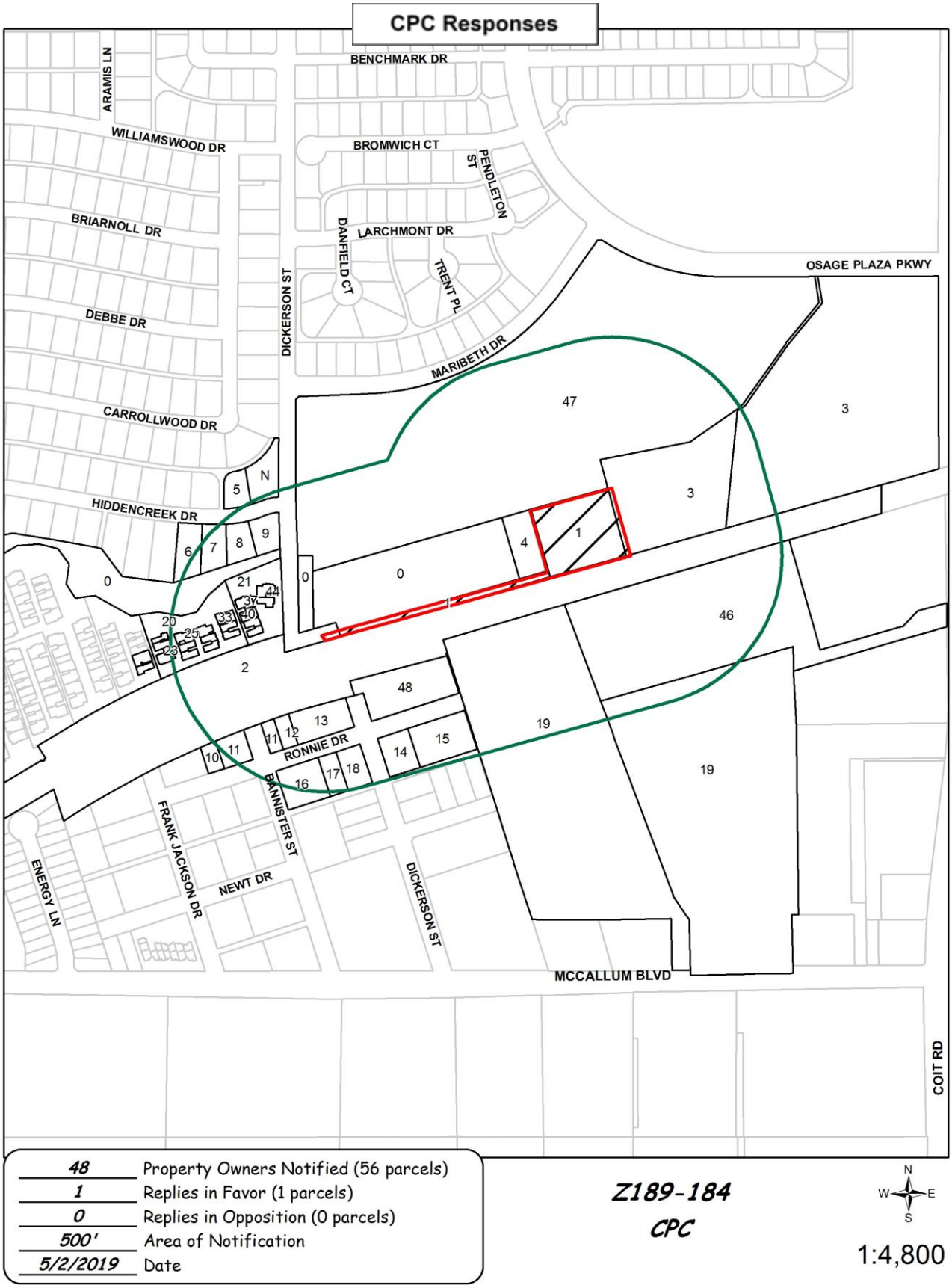

FRANKFORD RD
FRANKFORD RD
FRANKFORD RD
ABERDON RD
WORTHING ST
BENCHMARK DR
KIRKHAM DR
ARAMIS LN
WILLIAMSWOOD DR
BROMWICH CT
BRIARNOLL DR
CARROLLWOOD DR
DICKERSON ST
LARCHMONT DR
OSAGE PLAZA PKWY
DEBBE DR
MARIBETH DR
COIT RD
HIDDENCREEK DR
COIT RD
SUNFLOWER LN
ACOMA LN
RONNIE DR
BANNISTER ST
NEWT DR
ENERGY LN
NEWT DR
NICOLE PL
MCCALLUM BLVD
HIGHLAND GLEN TRL
WESTER WAY
BANTRY LN
GRAYSTONE DR
MEANDERING WAY
LOCH MAREE LN
MULLRANY DR
SKELTON PL
DUNLEER WAY
LONE MOOR CIR
LAUDER LN
Indicates the approximate location of the proposed monopole cellular tower
1:7,200
VICINITY MAP
Case no: Z189-184
Date: 4/15/2019


WILLIAMSWOOD DR
BROMWICH CT
PENDLETON ST
BRIARHILL DR
LARCHMONT DR
OSAGE PLAZA PKWY
OSAGE PLAZA PKWY
CARROLLWOOD DR
DICKERSON ST
DUBE DR
MARIBETH DR
HIDDENCREEK DR
RONNIE DR
BANNISTER ST
NEWT DR
NEWT DR
NEWT DR
FRANKJACKSON DR
ENERGY LN
MCCALLUM BLVD
Indicates the approximate location of the proposed monopole cellular tower
1:4,800
AERIAL MAP
Case no: Z189-184
Date: 4/15/2019


WILLIAMSWOOD DR
BRIARNOLL DR
DEBBE DR
R-7.5(A)
CARROLLWOOD DR
HIDDENCREEK DR
BROMWICH CT
R-5(A)
PENDLETON ST
OSAGE PLAZA PKWY
LARCHMONT DR
SUP 1310
SUP 1322
SUP 1305
TH-2(A)
CR
SUP 1017
PD 367
RONNIE DR
DICKERSON ST
Z990-235
Z045-101
CS
Z012-292
CH
Z034-329
Z990-256
ENERGY LN
TH-3(A)
Z823-223_West Tract
MF-1(A)
MU-1
SUP 1230
Z989-209
Z923-237
D(A)
MF-2(A)
MF-3(A)
MU-2
1:4,800
ZONING HISTORY
Case no: Z189-184
Date: 4/15/2019


WILLIAMSWOOD DR
BRIARNOLL DR
DEBBE DR
CARROLLWOOD DR
R-7.5(A)
BROMWICH CT
R-5(A)
PENDLETON ST
OSAGE PLAZA PKWY
LARCHMONT DR
SUP 1310
SUP 1322
SUP 1305
TH-2(A)
Public school
Undeveloped
HIDDENCREEK DR
Office/showroom/warehouse
CR
SUP 1017
Multifamily
Single Family
Private playing fields
PD 367
Auto related
Multifamily
RONNIE DR
Z823-223_West Tract
MF-1(A)
MU-1
SUP 1230
Z990-235
Z045-101
CS
Z012-292
CH
Z034-329
Z990-256
ENERGY LN
TH-3(A)
Z989-209
Z923-237
D(A)
MF-2(A)
MF-
Indicates the approximate location of the proposed monopole cellular tower
1:4,800
ZONING AND LAND USE
Case no: Z189-184
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PRES GEORGE BUSH TPKE
PRES GEORGE BUSH TPKE
PRES GEORGE BUSH ACRD
FRANKFORD RD
ABERDON RD
WORTHING ST
BENCHMARK DR
ARAMIS LN
KIRKHAM DR
WILLIAMSWOOD DR
BROMWICH CT
DICKERSON ST
CARROLLWOOD DR
LARCHMONT DR
MARIBETH DR
OSAGE PLAZA PKWY
COIT RD
NICKI CT
DEBBE DR
BRIARNOLL DR
JUDI CT
HIDDENCREEK DR
CLAREN CT
Z189-184
SABAL CT
SUNFLOWER LN
ACOMA LN
RONNIE DR
BANNISTER ST
NEWT DR
NEWT DR
ENERGY LN
NICOLE PL
MCCALLUM BLVD
HIGHLAND GLEN TRL
WESTER WAY
MEANDERING WAY
BANTRY LN
LOCH MAREE LN
MULLRANY DR
LAUDER LN
CLEARY CIR
SKELTON PL
LONE MOOR CIR
ALOCASIA DR
BULLAYE WAY
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:7,200
Market Value Analysis
Printed Date: 4/17/2019


CPC Responses
BENCHMARK DR
ARAMIS LN
WILLIAMSWOOD DR
BROMWICH CT
PENDLETON ST
BRIARNOLL DR
LARCHMONT DR
DANFIELD CT
TRENT PL
DICKERSON ST
OSAGE PLAZA PKWY
DEBBE DR
MARIBETH DR
CARROLLWOOD DR
HIDDENCREEK DR
RONNIE DR
BANNISTER ST
FRANK JACKSON DR
NEWT DR
ENERGY LN
DICKERSON ST
MCCALLUM BLVD
COIT RD
48 Property Owners Notified (56 parcels)
1 Replies in Favor (1 parcels)
0 Replies in Opposition (0 parcels)
500' Area of Notification
5/2/2019 Date
Z189-184
CPC
N
W
E
S
1:4,800

05/01/2019

Reply List of Property Owners

Z189-184

48 Property Owners Notified ***1 Property Owner in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	17804	DICKERSON ST	BELLAR COMMUNICATIONS INC
	2			DALLAS AREA RAPID TRANSIT
	3	17817	COIT RD	TEXCAN VENTURES XII LTD
	4	17804	DICKERSON ST	BSFR ENTERPRISES LLC
	5	7417	HIDDENCREEK DR	MAO YIPING & LUOYUAN SUN
	6	7414	HIDDENCREEK DR	BROWNE BRUCE D & LESLIE D
	7	7418	HIDDENCREEK DR	GREENE MICHAEL B & ROSEMARY K
	8	7422	HIDDENCREEK DR	MILLER CECIL H & CHERYL A
	9	7426	HIDDENCREEK DR	BEJARANO JULIO & BRENDA
	10	7663	RONNIE DR	PASK TRUST
	11	7671	RONNIE DR	SCHMITZ JOSEPH D
	12	7705	RONNIE DR	SENDER ARNOLD
	13	17727	DICKERSON ST	KREYMER TRUST
	14	17720	DICKERSON ST	NEW LIFE IN JESUS CHRIST MINISTRIES
	15	7758	RONNIE DR	7758 RONNIE LLC
	16	7700	RONNIE DR	HUANG WU & WANG LLC
	17	7712	RONNIE DR	KEY DAVID
	18	17721	DICKERSON ST	KELLY II LIVING TRUST
	19	7825	MCCALLUM BLVD	DFW CHATHAM APARTMENTS LLC
	20	17490	MEANDERING WAY	ARMSTRONG RICHARD LINCOLN
	21	17490	MEANDERING WAY	REINHEIMER LYDA
	22	17490	MEANDERING WAY	TREVINO PATRICIA
	23	17490	MEANDERING WAY	VOGT JANIS G
	24	17490	MEANDERING WAY	VU-OTIS KATRINA
	25	17490	MEANDERING WAY	DELGADO HENRY
	26	17490	MEANDERING WAY	WERNER STEPHEN A

05/01/2019

Reply	*Label #*	*Address*		*Owner*
O	27	17490	MEANDERING WAY	BARLOW HISAKO
	28	17490	MEANDERING WAY	FURMAN TIJUANA JEAN
	29	17490	MEANDERING WAY	BOSTWICK FRANCES
	30	17490	MEANDERING WAY	KUHLMAN ROBERT P
	31	17490	MEANDERING WAY	COBB MICHAEL R
	32	17490	MEANDERING WAY	CARLTON WILLIAM
	33	17490	MEANDERING WAY	KUEBLER RICK D
	34	17490	MEANDERING WAY	POWERS SHARON R
	35	17490	MEANDERING WAY	DEGRACIA MILDRED
	36	17490	MEANDERING WAY	COLON EVELYN
	37	17490	MEANDERING WAY	LUNDGREN MELANIE
	38	17490	MEANDERING WAY	CICHOCKI KENNETH J
	39	17490	MEANDERING WAY	LINDEMANN RICHARD C JR
	40	17490	MEANDERING WAY	BAILEY BRETT
	41	17490	MEANDERING WAY	CHERUKU MAHESH
	42	17490	MEANDERING WAY	KIRKPATRICK DONALD
	43	17490	MEANDERING WAY	CASSIDY CAROLE
	44	17490	MEANDERING WAY	PETERS JODI &
	45	17490	MEANDERING WAY	MARSH ANDREW W
	46	17713	COIT RD	HILDERBRAND PARTNERSHIP THE
	47	7706	OSAGE PLAZA PKWY	PLANO ISD
	48	7759	RONNIE DR	7759 RONNIE LLC

Agenda Information Sheet

File #: 19-804 **Item #:** 74.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 5

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the south line of Lake June Road, between Hawley Lane and Oak Hill Circle

Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Z189-212(CT)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z189-212(CT) **DATE FILED:** February 22, 2019

LOCATION: South line of Lake June Road, between Hawley Lane and Oak Hill Circle

COUNCIL DISTRICT: 5 **MAPSCO:** 58 M

SIZE OF REQUEST: ±2.7 acres **CENSUS TRACT:** 92.02

REPRESENTATIVE: La Sierra Planning Group

OWNERS/APPLICANT: Sikka Investments, LLC

REQUEST: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The proposed request will allow the sale of alcoholic beverages within a fueling station [Fox Fuels].

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently improved with a motor vehicle fueling station, general merchandise or food store, and laundry store use.
- On Wednesday, February 11, 2015, the City Council approved an ordinance creating Special Use Permit No. 2137 for sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period, expiring February 1, 2017.
- On Wednesday, January 11, 2015, the City Council approved the renewal of Special Use Permit No. 2137 for an additional two-year period, expiring January 11, 2019.
- The applicant allowed Specific Use Permit No. 2137 to lapse. The current application is to create a new Specific Use Permit for the site.

Zoning History: There has been one zoning change requested in the area in the last five years.

1. **Z167-146** On October 24, 2018, City Council approved a request for a CR Community Retail District on property zoned R-7.5(A) Single Family District.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Lake June Road	**Principal Arterial**	**100 ft.**

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the existing roadway system.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The proposed zoning request meets the following goals and objectives of the Comprehensive Plan.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

In general, the applicant's request is consistent with the goals and policies of the Comprehensive Plan.

STAFF ANALYSIS:

Land Use:

	Zoning	Land Use
Site	CR	Fueling Station GMFS > 3,500 sq. ft. Laundry Store
North	CR	Single Family Undeveloped land
South	MF-1 R-7.5(A)	Single Family Undeveloped land
East	CR R-7.5(A)	Personal Service Single Family
West	RR R-7.5(A)	Car Wash Fueling Station

Land Use Compatibility:

The site is zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and is currently developed with a general merchandise or food store greater than 3,500 square feet and a motor vehicle fueling station. The surrounding land uses consist of a variety of auto related, personal service, and convenience stores with fueling station uses along Lake June Road. There are two convenience stores with fueling stations

that are located on the southeast and southwest corners of Lake June Road and Holcomb Road. Properties north of the request site are developed with residential uses and the undeveloped land was recently approved a zoning change to allow certain CR Community Retail District uses.

The applicant proposes to continue to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is requires a Specific Use Permit in the D-1 Liquor Control Overlay.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually. The site is currently in compliance with Chapter 12B.

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. Staff supports the proposed two-year time period with five-year automatic renewals because it will require that the request be reevaluated to ensure the use is compatible with the commercial nature of Lake June Road, and surrounding single family residences.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of request is not within an identifiable MVA category; however, it surrounded by an "F" MVA cluster on the immediate southeast, south, and southwest, as well as an "F" MVA cluster to the southwest and north.

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area, two spaces for a motor vehicle fueling station, and one space for each 200 square feet of floor area dry cleaning or laundry store use. Therefore, the development requires 50 spaces and 57 are provided on site.

Landscaping:

Landscaping of any development will be in accordance with Article X, as amended.

Police Report:

A copy of a police report of the past five years of offenses was provided by the Dallas Police Department. According to the report, since 2014, there were 134 calls, 16 incidents, and 13 arrests. The list of arrests is provided below.

IncidentNum	ArrestNumber	ArArrestDate	ArArrestTime	ArLAddress	NIBRS_Crime	PClass	ChargeDesc
117896-2017	17-021525	5/25/2017	10:00:00 PM	8620 LAKE JUNE RD	SIMPLE ASSAULT	MA	ASSAULT -BODILY INJURY ONLY
117896-2017	17-021525	5/25/2017	10:00:00 PM	8620 LAKE JUNE RD	IMPERSONATION	F3	IMPERSONATE PUBLIC SERVANT
155760-2017	17-028246	7/9/2017	3:00:00 PM	8620 LAKE JUNE RD	APOWW	NA	APOWW (SOCIAL SERVICES REFERRAL)
281465-2017	17-049631	12/12/2017	11:30:00 PM	8620 LAKE JUNE RD	WARRANT-DALLAS PD (ALIAS)	NA	WARRANT-DALLAS PD (ALIAS)
286185-2017	17-050358	12/18/2017	3:20:00 AM	8620 LAKE JUNE RD	APOWW	NA	APOWW (SOCIAL SERVICES REFERRAL)
137824-2018	18-021872	6/25/2018	12:30:00 PM	8620 LAKE JUNE RD	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
184492-2018	18-029945	8/20/2018	3:45:00 PM	8620 LAKE JUNE RD	APOWW	NA	APOWW (SOCIAL SERVICES REFERRAL)
198637-2018	18-032392	9/7/2018	2:33:00 AM	8620 LAKE JUNE RD	DRUG/ NARCOTIC VIOLATIONS	MB	POSS MARIJUANA <2OZ
243290-2018	18-039766	11/9/2018	1:15:00 AM	8620 LAKE JUNE RD	WARRANT-DALLAS PD (ALIAS)	NA	WARRANT-DALLAS PD (ALIAS)
243290-2018	18-039767	11/9/2018	1:15:00 AM	8620 LAKE JUNE RD	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
026448-2019	19-004649	2/8/2019	5:30:00 AM	8620 LAKE JUNE RD	WARRANT-DALLAS PD (CAPIAS)	NA	WARRANT-DALLAS PD (CAPIAS)
078762-2019	19-013848	4/21/2019	5:00:00 AM	8620 LAKE JUNE RD	WEAPON LAW VIOLATIONS	F3	UNLAWFUL POSS FIREARM BY FELON

CPC ACTION:
MAY 2, 2019

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan (as briefed) and conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the south line of Lake June Road between Hawley Lane and Oak Hill Circle.

Maker: Shidid
Second: Schultz
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung*, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 53
Replies: For: 0 Against: 0

Speakers: None

List of Officers

Sikka Investments LLC

Alex Daredia

Shazeb Daredia

CPC RECOMMENDED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

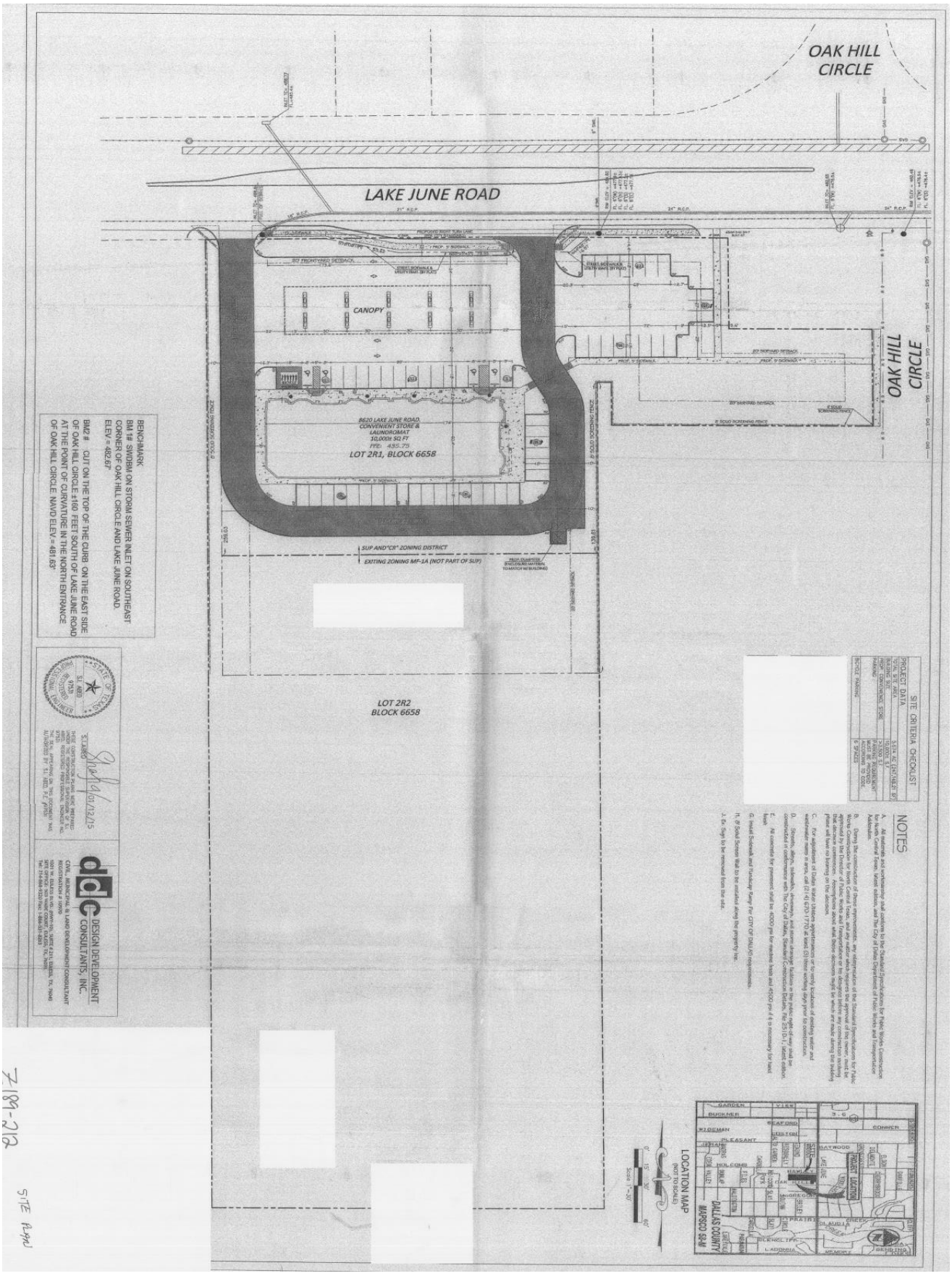
3. TIME LIMIT: This specific use permit expires on (five years from the passage of this Ordinance), but is eligible for automatic renewals for additional five-year periods pursuant to section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For Automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: the Code currently provides that applications for automatic renewal must be filed after the 10 and before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.

4. MAINTENANCE: The property must be properly maintained in a state of good repair and neat appearance.

5. GENERAL REQUIREMENT: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules and regulations of the City of Dallas.

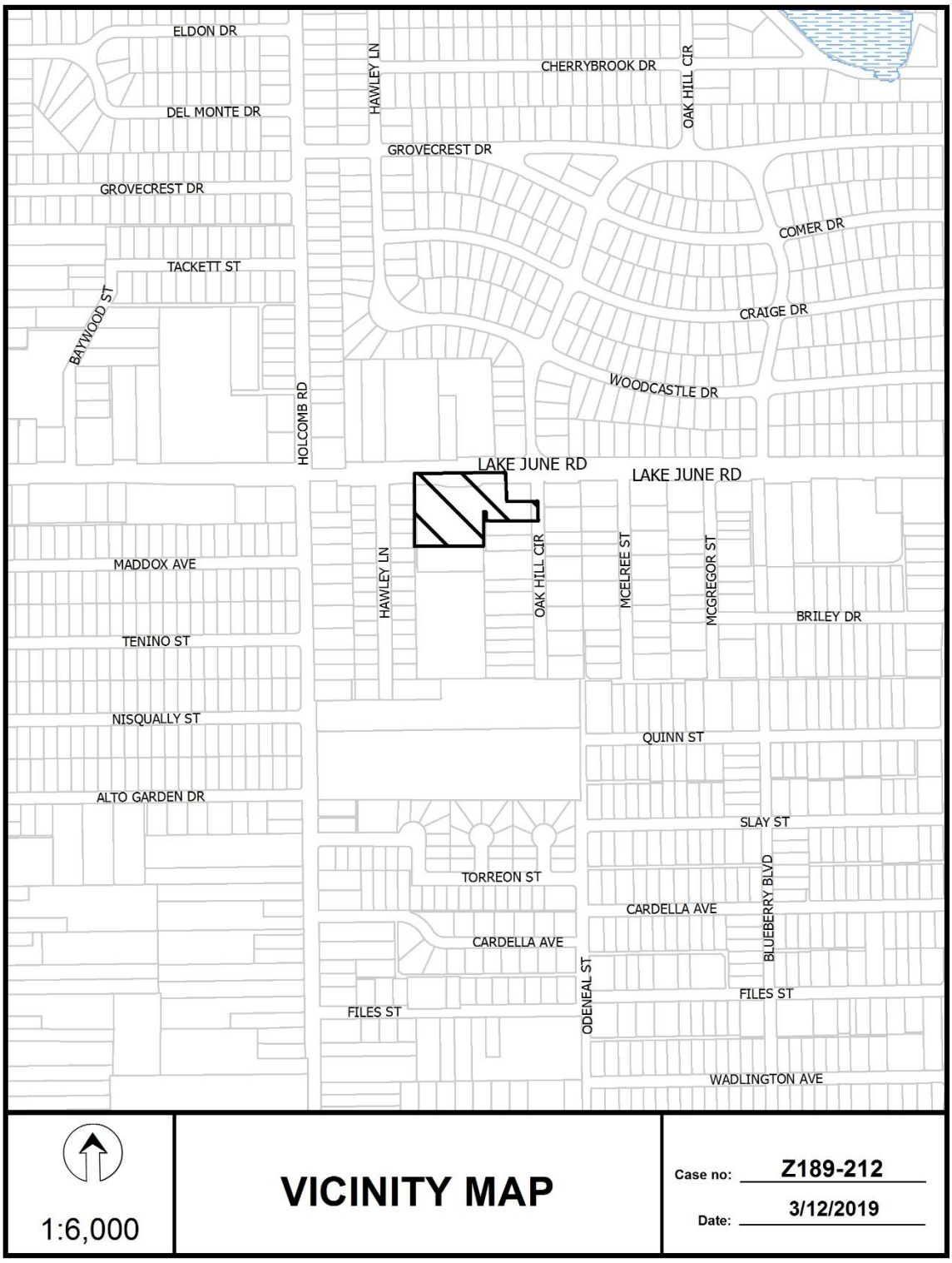
Z189-212(CT)

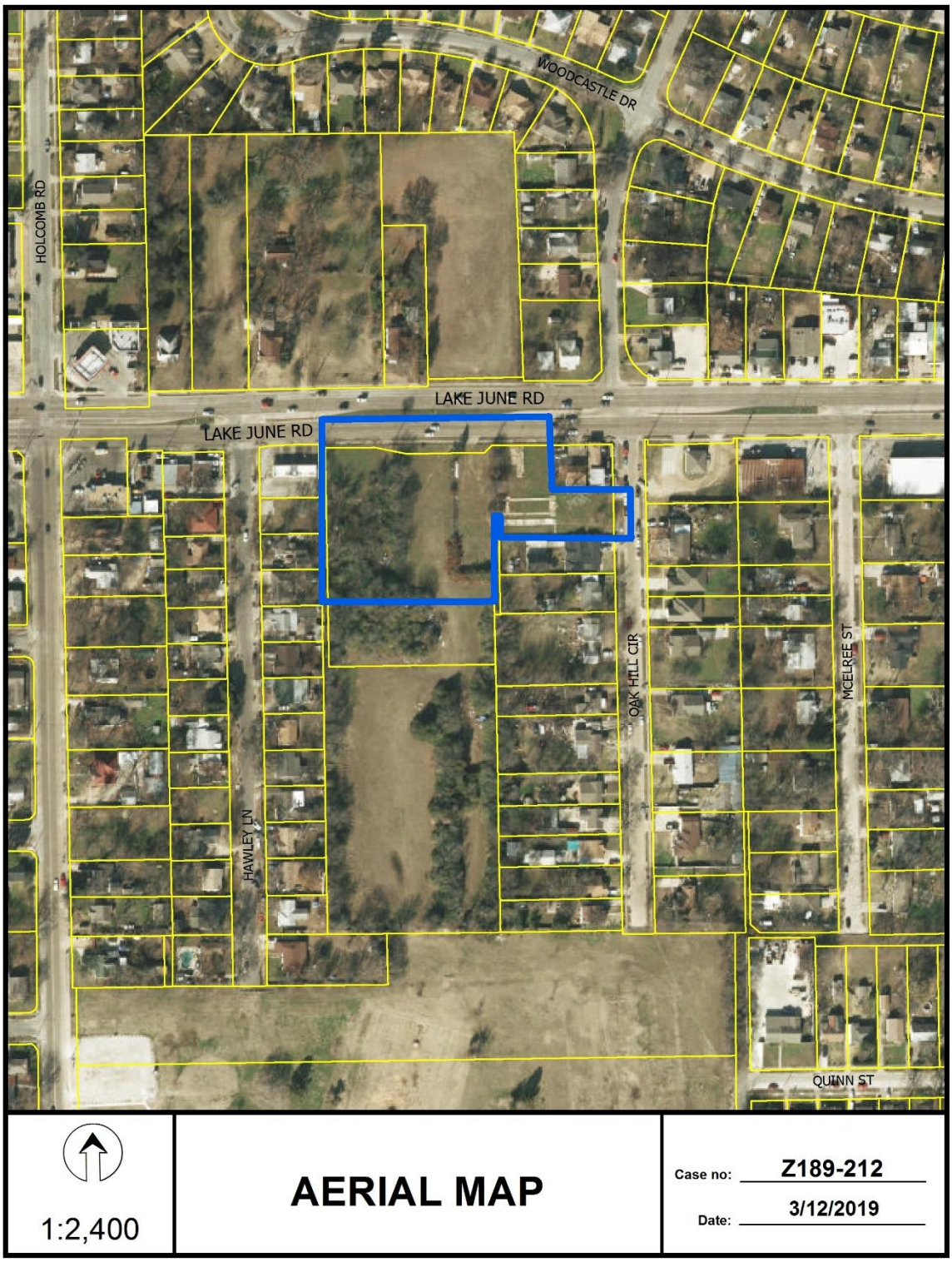
Proposed Site Plan

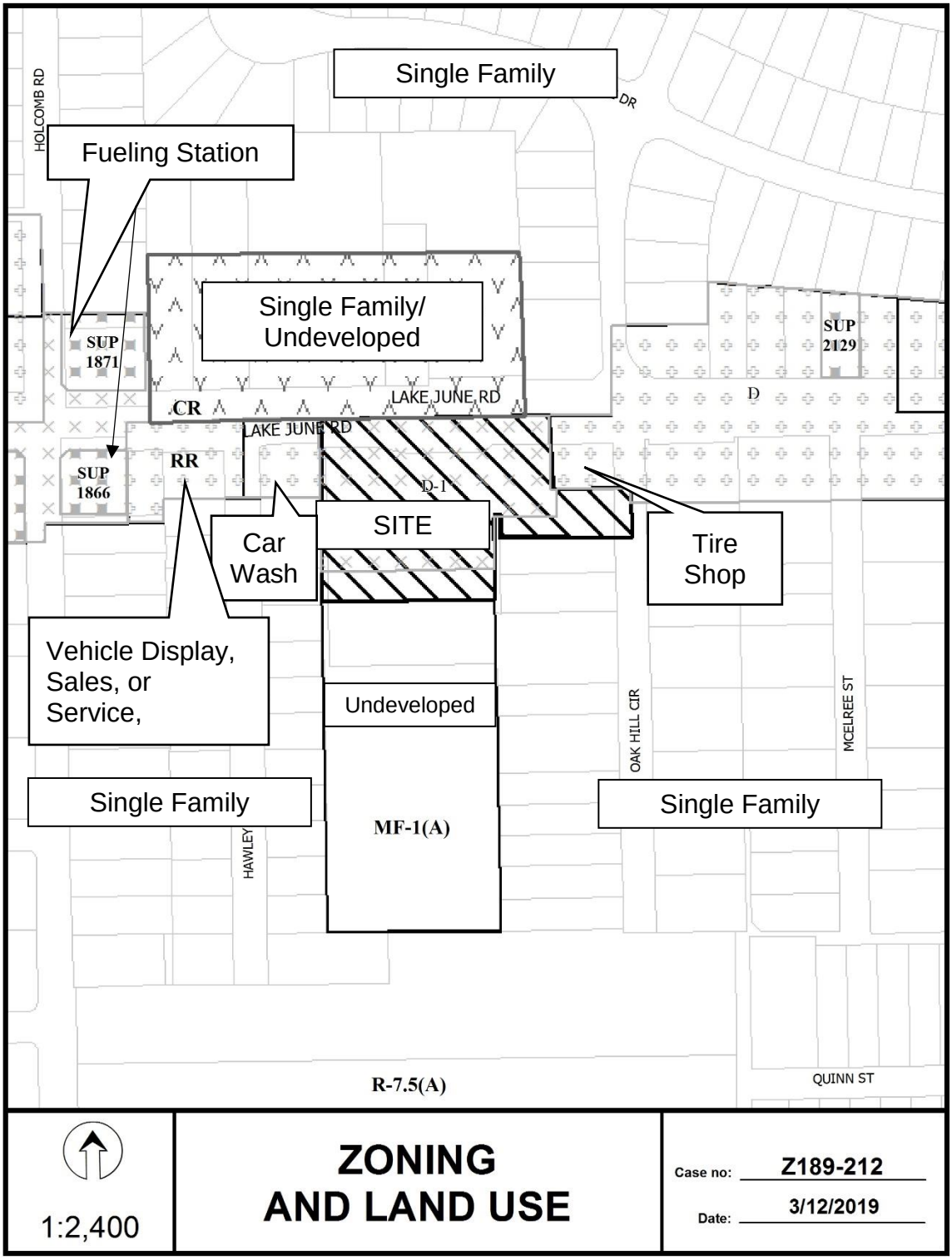


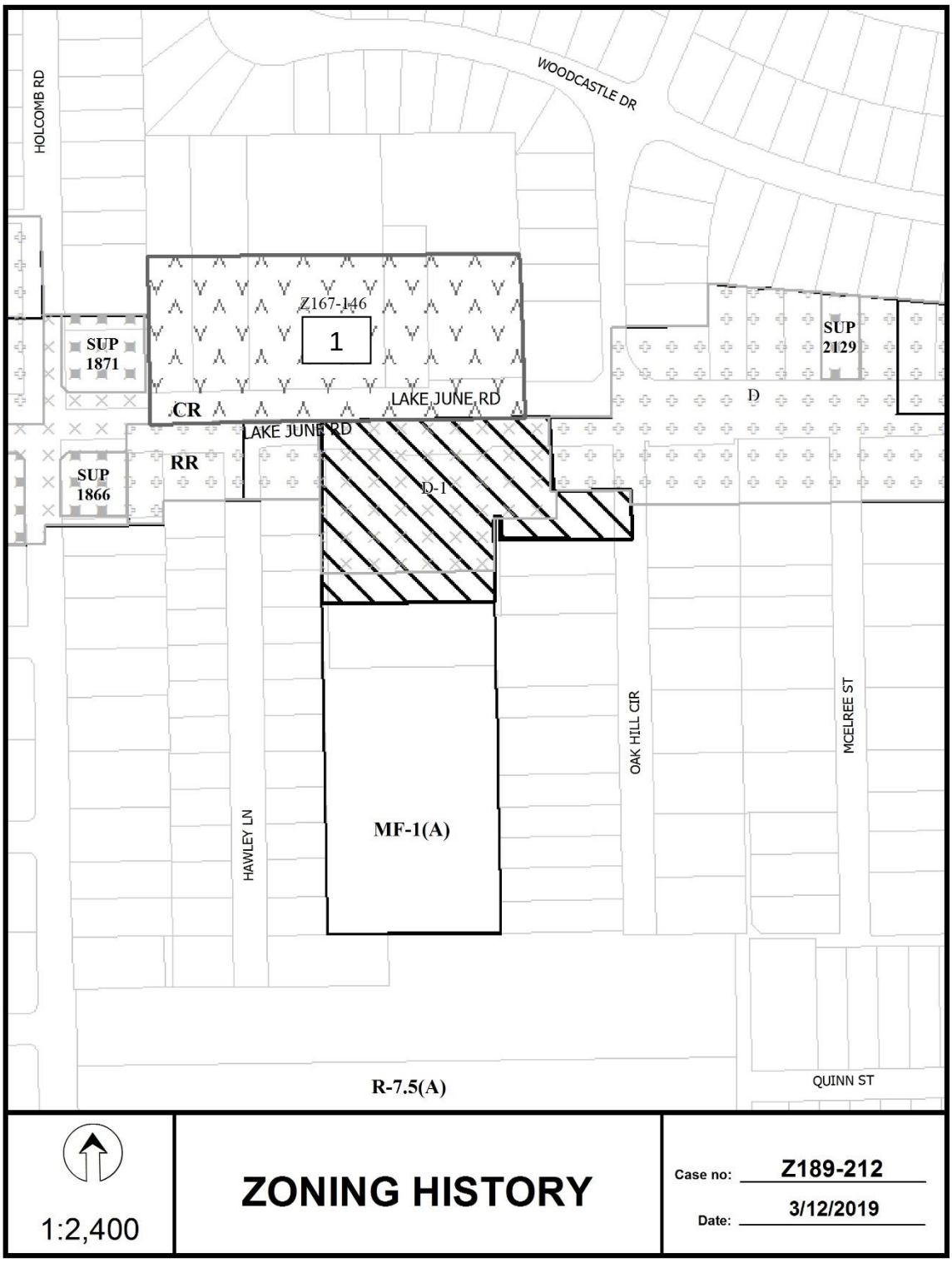
Z189-212

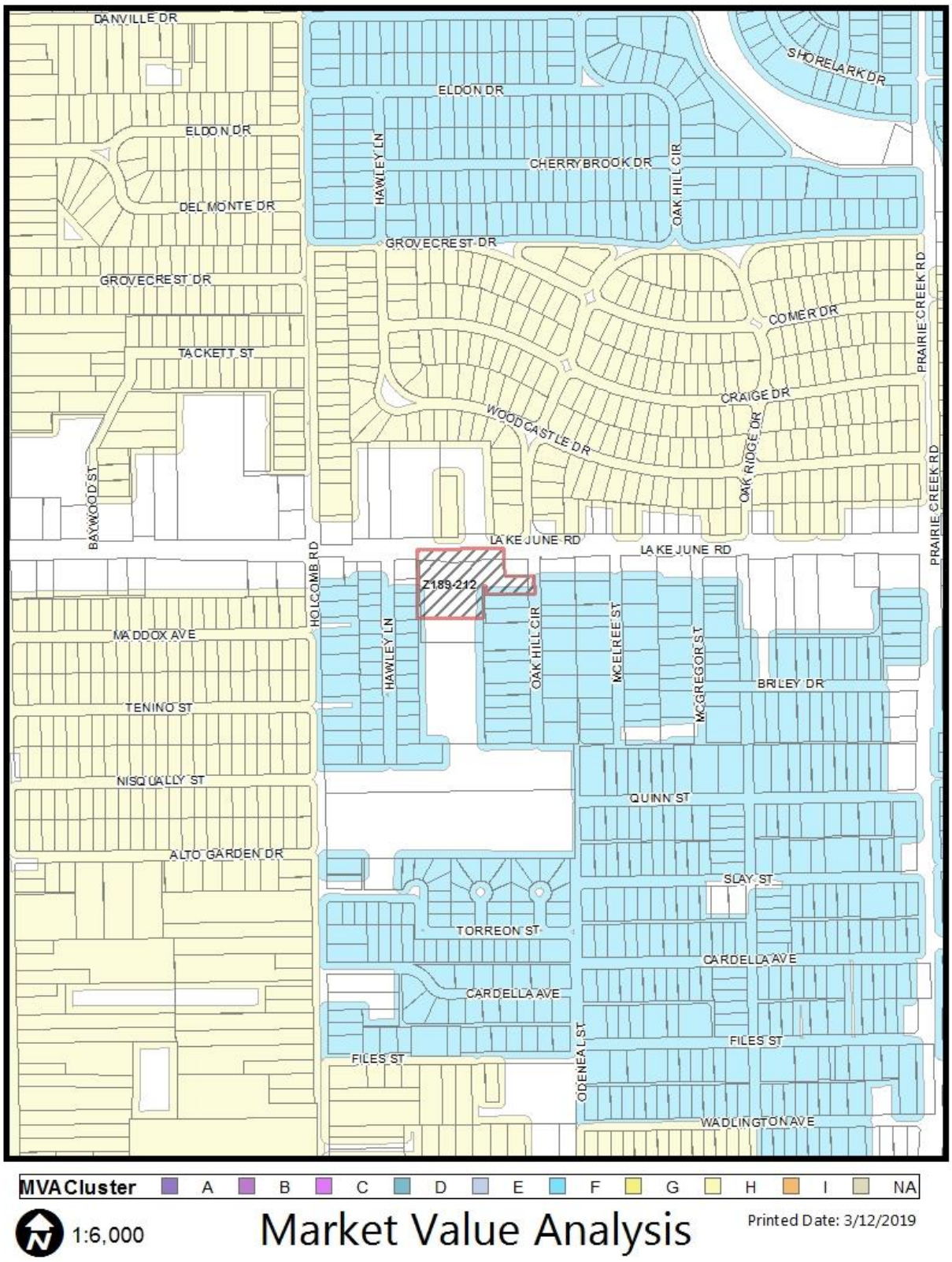
SITE PLAN


ELDON DR
DEL MONTE DR
GROVECREST DR
GROVECREST DR
TACKETT ST
BAYWOOD ST
HOLCOMB RD
HAWLEY LN
CHERRYBROOK DR
OAK HILL CIR
COMER DR
CRAIGE DR
WOODCASTLE DR
LAKE JUNE RD
LAKE JUNE RD
MADDOX AVE
TENINO ST
NISQUALLY ST
ALTO GARDEN DR
HAWLEY LN
OAK HILL CIR
MCELREE ST
MCGREGOR ST
BRILEY DR
QUINN ST
SLAY ST
TORREON ST
CARDELLA AVE
CARDELLA AVE
BLUEBERRY BLVD
ODENEAL ST
FILES ST
FILES ST
WADLINGTON AVE
1:6,000
VICINITY MAP
Case no: Z189-212
Date: 3/12/2019


WOODCASTLE DR
HOLCOMB RD
LAKE JUNE RD
LAKE JUNE RD
OAK HILL CIR
MCELREE ST
HAWLEY LN
QUINN ST
1:2,400
AERIAL MAP
Case no: Z189-212
Date: 3/12/2019


Single Family
HOLCOMB RD
Fueling Station
Single Family/
Undeveloped
SUP
1871
SUP
2129
CR
LAKE JUNE RD
LAKE JUNE RD
D
RR
SUP
1866
D-1
SITE
Car
Wash
Tire
Shop
Vehicle Display,
Sales, or
Service,
Undeveloped
OAK HILL CIR
MCELREE ST
Single Family
Single Family
MF-1(A)
HAWLEY
R-7.5(A)
QUINN ST
1:2,400
ZONING
AND LAND USE
Case no: Z189-212
Date: 3/12/2019


HOLCOMB RD
WOODCASTLE DR
Z167-146
1
SUP 1871
SUP 2129
CR
LAKE JUNE RD
LAKE JUNE RD
RR
SUP 1866
D-1
D
OAK HILL CIR
MCELREE ST
HAWLEY LN
MF-1(A)
R-7.5(A)
QUINN ST
1:2,400
ZONING HISTORY
Case no: Z189-212
Date: 3/12/2019


DANVILLE DR
ELDON DR
ELDON DR
DEL MONTE DR
GROVECREST DR
GROVECREST DR
TACKETT ST
BAYWOOD ST
HAWLEY LN
CHERRYBROOK DR
OAK HILL CIR
SHORELARK DR
COMER DR
CRAIGE DR
WOODCASTLE DR
OAK RIDGE DR
PRAIRIE CREEK RD
PRAIRIE CREEK RD
LAKE JUNE RD
LAKE JUNE RD
Z189-212
HOLCOMB RD
HAWLEY LN
OAK HILL CIR
MCELREE ST
MCGREGOR ST
BRILEY DR
MADDOX AVE
TENINO ST
NISQUALLY ST
ALTO GARDEN DR
QUINN ST
SLAY ST
TORREON ST
CARDELLA AVE
CARDELLA AVE
FILES ST
FILES ST
ODENEAL ST
WADLINGTON AVE
MVA Cluster A B C D E F G H I NA
1:6,000
Market Value Analysis
Printed Date: 3/12/2019


CRAIGE DR
WOODCASTLE DR
LAKE JUNE RD
HOLCOMB RD
HAWLEY LN
OAK HILL CIR
MCELREE ST
TENINO ST
QUINN ST
53 Property Owners Notified (59 parcels)
0 Replies in Favor (0 parcels)
0 Replies in Opposition (0 parcels)
300' Area of Notification
5/2/2019 Date
Z189-212
CPC
N
W
E
S
1:2,400

05/01/2019

Reply List of Property Owners

Z189-212

53 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	8640	LAKE JUNE RD	VILLEGAS VICTOR & MARIA
	2	8620	LAKE JUNE RD	SIKKA INVESTMENTS LLC
	3	8601	LAKE JUNE RD	MUMITH FAHIM
	4	8555	LAKE JUNE RD	MUMITH OMRAN
	5	8713	LAKE JUNE RD	GARCIA ROSALBA S
	6	8709	LAKE JUNE RD	LIVAY LLC
	7	8701	LAKE JUNE RD	MONSIVAIS AMALIA ALONZO
	8	1306	OAK HILL CIR	FISHER MICHAEL W & BETTY R
	9	1310	OAK HILL CIR	HERNANDEZ CYNTHIA
	10	8639	LAKE JUNE RD	MONSIVAIS GUADALUPE & YOMHARA
	11	1309	OAK HILL CIR	BENITEZ NORMA
	12	1313	OAK HILL CIR	HENDERSON LYNDELL &
	13	1236	HOLCOMB RD	DURAN JOSE JORGE
	14	1224	HOLCOMB RD	MARTINEZ JACINTO &
	15	1218	HOLCOMB RD	MAGANA MARIA
	16	1212	HOLCOMB RD	LOPEZ JUAN JOSE
	17	1232	HOLCOMB RD	DURAN YOENA
	18	1231	HAWLEY LN	HERNANDEZ ROGELIO
	19	1227	HAWLEY LN	MENDEZ BELEN V
	20	1223	HAWLEY LN	RODRIGUEZ LISA ANN
	21	1219	HAWLEY LN	HARPER EARLIE B
	22	1213	HAWLEY LN	ESTRADA JOSE L
	23	1209	HAWLEY LN	PEREZ CANDELARIO & GRACIELA
	24	1203	HAWLEY LN	JASSO ANTONIO
	25	1135	HAWLEY LN	GARCIA PAUL M
	26	8600	LAKE JUNE RD	MUMITH FAHIM & OMRAN

Reply	*Label #*	*Address*		*Owner*
	27	1230	HAWLEY LN	BEDOLLA MARTIN
	28	1226	HAWLEY LN	MECCA APRIL INC
	29	1222	HAWLEY LN	GONZALEZ EFRAIN & ANDREA
	30	1218	HAWLEY LN	GARZA ARTEMIO & CLAUDINA
	31	1212	HAWLEY LN	DENOVA CELESTINO & NORMA P
	32	1208	HAWLEY LN	ORTIZ EUGENIO JR
	33	1202	HAWLEY LN	BRIASHE MANAGEMENT LLC
	34	1134	HAWLEY LN	SORIANO HUBER MALDONADO
	35	1130	HAWLEY LN	GUERRERO UVALDO
	36	1219	OAK HILL CIR	SMITH JIMMIE R EST OF
	37	1207	OAK HILL CIR	BASSDALE INVESTMENTS LLC
	38	1131	OAK HILL CIR	RUEDA JESUS
	39	1203	OAK HILL CIR	ORTIZ JOSE E & VERONICA MENDEZ
	40	1229	OAK HILL CIR	SIMENTAL FELIPE DEJESUS S &
	41	1225	OAK HILL CIR	RUEDA ALFREDO & MAYELA
	42	8700	LAKE JUNE RD	MENDOZA JUAN R &
	43	1232	OAK HILL CIR	THOMAS EMMA EST OF
	44	1214	OAK HILL CIR	MARTINEZ ANTONIO
	45	1208	OAK HILL CIR	SEGOVIA JOSE L
	46	8718	LAKE JUNE RD	BRAZORIA SMITH LEASE LLC
	47	1231	MCELREE ST	GUZMAN BULMARO F
	48	1221	MCELREE ST	CANO ISABEL C &
	49	1217	MCELREE ST	LLAMAS MARIA C &
	50	1215	MCELREE ST	MENDOZA STEPHANIE N & EDUARDO M
	51	8505	LAKE JUNE RD	CLUB CREEK RENTAL PROPERTY LLC
	52	1228	OAK HILL CIR	RANGEL ISABEL
	53	1224	OAK HILL CIR	OSNAYA MARIA GUADALUPE

Agenda Information Sheet

File #: 19-805 **Item #:** 75.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 3

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding a City Council authorized hearing to determine proper zoning on property zoned Subdistricts S-1a, S-1b, S-2a, S-2b, S-9, and S-10 in the South Zone of Planned Development No. 521 with consideration being given to appropriate zoning for the areas including use, development standards, and other appropriate regulations on property generally on: (1) the west side of Mountain Creek Parkway from I-20 to West Camp Wisdom Road (S-1b); (2) the southwest corner of Mountain Creek Parkway and West Camp Wisdom Road (S-1a); (3) the southwest corner of West Camp Wisdom Road and Eagle Ford Drive (S-2b); (4) the north side of West Camp Wisdom Road at the terminus of Eagle Ford Drive (S-2a); and (5) the south side of West Camp Wisdom Road from west of Timberbrook Lane to Clark Road (S-9, S-10) and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval of amendments to Planned Development District No. 521
Z156-325(NW)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z156-325(NW) **DATE FILED:** June 23, 2016

LOCATION: Generally on: 1) the west side of Mountain Creek Parkway from I-20 to West Camp Wisdom Road (S-1b), 2) the southwest corner of Mountain Creek Parkway and West Camp Wisdom Road (S-1a), 3) the southwest corner of West Camp Wisdom Road and Eagle Ford Drive (S-2b), 4) the north side of West Camp Wisdom Road at the terminus of Eagle Ford Drive (S-2a), and 5) the south side of West Camp Wisdom Road from west of Timberbrook Lane to Clark Road (S-9, S-10).

COUNCIL DISTRICT: 3 **MAPSCO:** 61A Q; R; U; V; Y; Z; 61B S; T; U; X; Y

SIZE OF REQUEST: Approx. 267 acres **CENSUS TRACT:** 165.21 & 165.10

PROPOSAL: A City Council authorized hearing to determine proper zoning on property zoned Subdistricts S-1a, S-1b, S-2a, S-2b, S-9, and S-10 in the South Zone of Planned Development District No. 521 with consideration being given to appropriate zoning for the areas including use, development standards, and other appropriate regulations.

SUMMARY: The purpose of this authorized hearing is to allow for appropriate land uses and regulations to ensure compatibility with existing and future development; to incentivize mixed use development through density and development standards; and to create the opportunity for neighborhood serving retail and personal service uses in compatibility with existing residential neighborhoods.

CPC RECOMMENDATION: **Approval** of amendments to Planned Development District No. 521.

STAFF RECOMMENDATION: **Approval** of amendments to Planned Development District No. 521.

BACKGROUND INFORMATION:

- Planned Development District No. 521 was established by the Dallas City Council on November 11, 1998.

- On June 15, 2016 the City Council voted to initiate a zoning case on property zoned as Subdistricts S-1a, S-1b, S-2a, S-2b, S-9, and S-10 – South Zone within Planned Development District No. 521.

- On February 15, 2018, an initial community meeting was held, hosted by Mayor Pro Tem Thomas, to gather input from members of the community. 90 notices were mailed to property owners within the area of request, 17 attendees signed in.

- On April 17, 2018, Mayor Pro Tem Thomas appointed a Steering Committee comprised of 20 members. Four members represent property owners within the subject area of the Authorized Hearing, 14 members own property in the surrounding area, and 1 member represented a local church.

- Between May 31, 2018, and December 13, 2018, staff met with the Steering Committee 12 times to discuss proposed zoning changes for the area. An average of 9 Steering Committee members attended these meetings.

- On January 10, 2019, the second community meeting was held. 90 notices were mailed to property owners within the area of request, 32 attendees signed in.

- On February 21, 2019, this case was heard by the City Plan Commission and was held under advisement until March 21, 2019.

- On March 21, 2019, this case was heard by the City Plan Commission and was held under advisement until May 2, 2019.

- On May 2, 2019, the City Plan Commission recommended approval of the amendments to Planned Development District No. 521.

Zoning History

1. **Z156-327:** On January 11, 2017, an amendment to Planned Development District No. 521 was approved by the City Council to change the boundaries of S-1c, S-1d, and S-2a, to create a conceptual plan for development of the area, and to change regulations for uses, setbacks, floor area ratio, lot coverage, height, lighting, landscaping, open space, signage, architectural design standards, and transportation improvements.

Thoroughfares/Streets

Thoroughfare/Street	Type	Thoroughfare Plan
Mountain Creek Pkwy	Major Arterial	107 feet of right-of-way (S-6-D)
W Camp Wisdom Rd	Major Arterial	107 feet of right-of-way (S-6-D)
Clark Rd	Major Arterial	120 feet of right-of way (SPCL 6D)
Eagle Ford Dr	Minor Arterial	80 feet of right-of-way (S-4-D)

Traffic

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed zoning and determined it will not have a negative impact on the existing street system.

Comprehensive Plan

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

Policy 2.5.2 Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY

Policy 5.1.3 Encourage complementary building height, scale, design and character.

GOAL 5.2 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 5.2.1 Maintain neighborhood scale and character.

The proposed zoning changes meet the vision of the *forwardDallas! Comprehensive Plan* by strengthening existing neighborhoods, promoting strong and distinctive neighborhoods, and encourage complementary building height, scale, design and character. The recommended changes focused on allowing appropriate land uses and regulations to ensure compatibility with existing and future development.

STAFF ANALYSIS:

Planned Development District No. 521 covers almost 3000 acres in the southwestern most corner of Dallas. The massive district is divided into two zones, the North Zone and the South Zone, by Interstate Highway 20. Many changes have occurred since the creation of Planned Development District No. 521 in 1998. The North Zone has predominately been developed with warehouses and distribution centers. In stark contrast, the South Zone was developed with single family creating established neighborhoods with churches, schools, libraries—and most recently multifamily. Although the two zones took on two very different identities since the inception of Planned Development District No. 521, the ordinance was never amended to reflect the character of the two zones that were forming on either side of IH-20. This disconnect between the perceived identities of the two zones and the reality of permitted land uses allowed by right in different subdistricts in Planned Development District No. 521 became evident with a zoning application submitted by First Industrial to amend development regulations to develop a warehouse allowed by right south of IH-20. Unable to prevent this use from developing, community leaders realized that other undeveloped and underdeveloped properties in the South Zone, in close proximity to residential areas, required evaluation for appropriate and compatible uses. This led to the Authorized Hearing made up of six, noncontiguous subdistricts along West Camp Wisdom Road, between IH-20 and the established neighborhoods of the South Zone, to examine the appropriate zoning and development standards.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. Subdistricts S-1a and S-1b are not within an identifiable MVA Category; however, they are in proximity to an "F" MVA Cluster to the east, south and west. A portion of Subdistrict S-2a is in an MVA Category of "E". Subdistrict S-2b is not within an identifiable MVA Category; however, it is in proximity to an "F" MVA Cluster to the south and west with an MVA Category of "E" to the north. Portions of Subdistrict S-9 are in an MVA Category of "E". Subdistrict S-10 is not within an identifiable MVA Category; however, it is surrounded by an "E" MVA Cluster to the south and west.

Subdistrict S-1a

General Overview (S-1a):

Subdistrict S-1a is approximately 14.96 acres. It is located on the southwest corner of the intersection of West Camp Wisdom Road and Mountain Creek Parkway. There is a creek on the west and southwest of the site. This subdistrict looks to act as a transition from the more intense land uses north of West Camp Wisdom Road and the established single family neighborhoods south of West Camp Wisdom Road. The site is considered a business subdistrict in the ordinance.

Surrounding Land Uses (S-1a):

	Zoning	Land Use
Site	Planned Development District No. 521 (S-1a)	Vacant
North	Planned Development District No. 521 (S-1b)	Vacant and Single Family
East	Planned Development District No. 521 (S-6)	Single Family
South	Planned Development District No. 521 (S-3)	Church
West	Planned Development District No. 521 (S-3)	Single Family

Land Uses (S-1a):

Below is a list of uses currently allowed. If a use is struck through, that use is proposed to be deleted. If a use is underlined, it is proposed to be added.

- Crop production
- Catering service
- Custom business service
- Electronics service center
- Job or lithographic printing
- Medical or scientific laboratory
- ~~Technical school~~
- Technical school with SUP
- Temporary concrete or asphalt batching plant* By special authorization of the building official
- Adult day care facility
- Child-care facility
- Church
- College, university, or seminary
- Community service center
- ~~Convalescent and nursing homes, hospice care, and related institutions~~
- Convalescent and nursing homes, hospice care, and related institutions with SUP
- ~~Hospital~~
- Hospital with SUP
- Library, art gallery, or museum
- ~~Public school~~
- ~~Private school or open enrollment charter school~~
- ~~Hotel or motel~~
- ~~Carnival or circus (temporary)~~
- Temporary construction or sales office
- Financial institution without drive-in window
- Financial institution with drive-in window
- Medical clinic or ambulatory surgical center
- Office
- Country club with private membership
- Private recreation center, club, or area
- Public park, playground, or golf course
- Handicapped group dwelling unit
- Multifamily
- Retirement Housing
- Single family
- Animal shelter or clinic without outside run
- Business school
- ~~Carwash~~
- Commercial amusement (inside)
- ~~Commercial amusement (outside)~~
- ~~Commercial parking lot or garage~~
- Dry cleaning or laundry store
- Furniture store
- General merchandise or food store 3,500 square feet or less
- ~~General merchandise or food store greater than 3,500 square feet~~
- ~~Home improvement center, lumber, brick or building materials sales yard~~
- ~~Household equipment and appliance repair~~
- ~~Mortuary, funeral home, or commercial wedding chapel~~
- Motor vehicle fueling station
- Nursery, garden shop, or plant sales
- ~~Outside sales~~
- Personal service uses (no tattoo studio or massage establishment)
- Restaurant without drive-in or drive-through service
- ~~Restaurant with drive-in or drive-through service~~
- ~~Surface parking~~
- Temporary retail use
- ~~Vehicle display, sales, or service~~
- ~~Heliport~~
- ~~Helistop~~
- Private street or alley
- Transit passenger shelter
- ~~Transit passenger station or transfer center~~

- ~~Commercial radio or television transmitting station~~
- ~~Electrical substation~~
- Local utilities
- Police or fire station
- Post office
- Radio, television, or microwave tower with SUP
- ~~Tower/antenna for cellular communication~~
- Tower/antenna for cellular communication with SUP
- Utility or government installation other than listed with SUP
- ~~Office showroom/warehouse~~

Setbacks (S-1a):

Current: The front yard setback is 15 ft.

Proposed: No change is recommended.

Rationale: The front yard setback is appropriate; therefore, no change is needed.

Current: No setback requirements for the side and rear yard.

Proposed: 20 feet when adjacent to residential use and no side and rear yard setback in all other cases.

Rationale: No change, except for added distance when adjacent to residential use.

Dwelling Unit Density (S-1a):

Current: The dwelling unit density is 12 units per acre.

Proposed: A range of 15 units per acre to 25 units per acre, depending on the mix of uses to incentivize mixed use projects. The proposed requirements are as follows: 15 dwelling units per acre for base, or no mixed use; 20 dwelling units per acre for a mixed use project with two categories; and 25 dwelling units per acre for a mixed use project with three or more categories.

A mixed income housing development bonus for increased density of up to 65 additional units may be obtained if 5 percent of the total units are reserved for eligible households making between 61 to 80 percent AMFI in compliance with Division 51A-4.1100, however compliance with the design standards in that division are not required.

Rationale: Incentivize mixed use projects by allowing greater density by right for the greater number of mixed uses—similar to density standards in a MU-1 Mixed Use District.

Floor Area Ratio (S-1a):

Current: the floor area ratio (FAR) is 0.23.

Proposed: A range of 0.4 to 1.1, depending on the mix of uses to incentivize mixed use projects. The proposed requirements are as follows:

MAXIMUM FLOOR AREA RATIO					
Use Categories	Base (no MUP)	MUP=2 (no Res)	MUP=2 (with Res)	MUP=3 (no Res)	MUP=3 (with Res)
Lodging	0.8	0.85	0.9	0.85	0.95
Office	0.8	0.85	0.9	0.85	0.95
Residential	0.8	---	0.95	---	0.95
Retail and personal service	0.4	0.5	0.5	0.6	0.6
TOTAL DEVELOPMENT	0.8	0.9	1.0	1.0	1.1

Rationale: Incentivize mixed use projects by allowing a greater floor area density by right for the greater number of mixed uses.

Height (S-1a):

Current: The maximum height for residential structures is 36 ft. and 54 ft. for non-residential structures.

Proposed: A maximum height of 45 ft. for all structures.
Rationale: Unify the height regulation under one standard.

There is no maximum number of stories as the regulation of the height of structures will be determined by the figures above.

Lot Coverage (S-1a):

Current: The maximum lot coverage is 60%.

Proposed: A maximum lot coverage of 80% for non-single family development.

Rationale: A maximum lot coverage of 80% for non-single family development promotes development.

Lot Size (S-1a):

Current: Minimum lot size for a single family residential use is 2000 square feet.

Proposed: No change to the lot size.

Rationale: The lot size is appropriate; therefore, no change is needed.

Lighting (S-1a):

In addition to all applicable height and lighting requirements in Chapter 51A, light fixtures attached to poles may not be located above 35 feet in height; all light sources mounted on poles or attached to buildings must utilize a 15-degree below horizontal, full, visual cut-off fixture; and lighting must be LED or similar lighting and fixtures to lessen the glare and light spillover to neighboring properties.

Sidewalks (S-1a):

A sidewalk with a minimum average width of six feet must be provided along all street frontages. All sidewalks must be clear and unobstructed for a minimum of five feet in width. Tree grates do not count toward the minimum unobstructed sidewalk width. If the building official determines that the location of a local utility or protected tree, as defined in Article X, would prevent a five-foot minimum width, the sidewalk may be reduced to four feet in width in that location. Sidewalks must be located in an area parallel to and between two feet and 15 feet of the back of the projected street curb.

Additional Development Standards (S-1a):

Residential Proximity Slope is proposed for all structures built in S-1a.

On lots less than 5,000 square feet, the minimum front yard is eight ft., there is no minimum side and rear yard, and the maximum lot coverage is 60% for single family residential use.

On lots greater than 5,000 square feet, the minimum front yard is 25 ft., the minimum side and rear yard is five ft., and the maximum lot coverage is 45% for single family residential use.

Subdistrict S-1b

General Overview (S-1b):

S-1a is approximately 78.33 acres. It is located west of Mountain Creek Parkway between I-20 and West Camp Wisdom Road. The site is completely vacant with large utility wires over the northern section of the subdistrict. It also contains the exit ramp from Interstate Highway 20 for Mountain Creek Parkway. This subdistrict has been identified as a gateway entrance to the effected neighborhoods in the South Zone of Planned Development District No. 521, therefore, the proposed development standards aim to achieve that vision. The property is considered a business subdistrict in the ordinance.

Surrounding Land Uses (S-1b):

	Zoning	Land Use
Site	Planned Development District No. 521 (S-1b)	Vacant
North	Planned Development District No. 521 (B) & Single family district 7,500 square feet [R-7.5(A)]	Vacant and Warehouse
East	Planned Development District No. 521 (S-1c) & Planned Development District No. 521 (S-1d)	Vacant (Proposed Warehouse)
South	Planned Development No. 521 (S-1a)	Vacant
West	Planned Development No. 101 & R-7.5(A)	Single Family and Outside salvage or reclamation

Land Uses (S-1b):

Below is a list of uses currently allowed. If a use is struck through, that use is proposed to be deleted. If a use is underlined, it is proposed to be added.

- ~~Animal production~~
- Crop production
- Catering service
- Custom business service
- Electronics service center
- Job or lithographic printing
- Medical or scientific laboratory
- Technical school
- Tool or equipment rental
- ~~Industrial (inside) light manufacturing~~
- Industrial (inside) light manufacturing with SUP
- Temporary concrete or asphalt batching plant* By special authorization of the building official
- Adult day care facility
- Child-care facility
- Church
- College, university, or seminary
- Community service center
- ~~Convalescent and nursing homes, hospice care, and related institutions~~
- Convalescent and nursing homes, hospice care, and related institutions with SUP
- ~~Hospital~~
- Hospital with SUP
- Library, art gallery, or museum
- ~~Public school~~
- ~~Private school or open enrollment charter school~~
- Hotel or motel
- ~~Carnival or circus (temporary)~~
- Temporary construction or sales office
- Financial institution without drive-in window
- Financial institution with drive-in window
- Medical clinic or ambulatory surgical center
- Office
- Country club with private membership
- Private recreation center, club, or area
- Public park, playground, or golf course
- Handicapped group dwelling unit
- Multifamily
- Retirement Housing
- Single family

- Animal shelter or clinic without outside run
- Business school
- ~~Carwash~~
- Commercial amusement (inside)
- ~~Commercial amusement (outside)~~
- Commercial amusement (outside) with SUP
- ~~Commercial parking lot or garage~~
- Convenience store with drive-through
- Dry cleaning or laundry store
- Furniture store
- General merchandise or food store 3,500 square feet or less
- General merchandise or food store greater than 3,500 square feet
- Home improvement center, lumber, brick or building materials sales yard
- ~~Household equipment and appliance repair~~
- Mortuary, funeral home, or commercial wedding chapel
- Motor vehicle fueling station
- Nursery, garden shop, or plant sales
- Outside sales
- Personal service uses (no tattoo studio or massage establishment)
- Restaurant without drive-in or drive-through service
- Restaurant with drive-in or drive-through service
- ~~Surface parking~~
- Temporary retail use
- Theater
- ~~Vehicle display, sales, or service~~
- ~~Heliport~~
- ~~Helistop~~
- Private street or alley
- Transit passenger shelter
- ~~Transit passenger station or transfer center~~
- ~~Commercial radio or television transmitting station~~
- ~~Electrical substation~~
- Local utilities
- Police or fire station
- Post office
- Radio, television, or microwave tower with SUP
- ~~Tower/antenna for cellular communication~~
- Tower/antenna for cellular communication with SUP
- Utility or government installation other than listed with SUP
- Mini-warehouse with SUP
- ~~Office showroom/warehouse~~
- ~~Trade Center~~
- ~~Warehouse~~

Setbacks (S-1b):

Current: The front yard setback is 15 ft.

Proposed: A minimum front yard setback of 15 ft. and a maximum front yard setback of 65 ft. with a 50% street frontage requirement. Additional structures may exceed the maximum front yard setback once the street frontage requirement of 50% is met.

Rational: The min/max and street frontage requirement aim to improve the quality of development by requiring structures to be built relatively close to the street and prevent large parking lots from street view.
Current: There are no setback requirements for the side and rear yard.

Proposed: 20 feet when adjacent to residential use and no side and rear yard setback in all other cases.

Rationale: No change, except for added distance when adjacent to residential use.

Dwelling Unity Density (S-1b):

Current: The dwelling unit density is 12 units per acre.

Proposed: Staff recommends a range of 22 units per acre to 35 units per acre, depending on the mix of uses to incentivize mixed use projects. The proposed requirements are as follows: 22 dwelling units per acre for base, or no mixed use; 27 dwelling units per acre for a mixed-use project with two categories; and 35 dwelling units per acre for a mixed use project with three or more categories.

Rationale: Incentivize mixed use projects by allowing greater density by right for the greater number of mixed uses—similar to density standards in a MU-1 Mixed Use District.

Floor Area Ratio (S-1b):

Current: The floor area ratio (FAR) is 0.15.

Proposed: A range of 0.4 to 1.1, depending on the mix of uses to incentivize mixed use projects. The proposed requirements are as follows:

MAXIMUM FLOOR AREA RATIO					
Use Categories	Base (no MUP)	MUP=2 (no Res)	MUP=2 (with Res)	MUP=3 (no Res)	MUP=3 (with Res)
Lodging	0.8	0.85	0.9	0.85	0.95
Office	0.8	0.85	0.9	0.85	0.95
Residential	0.8	---	0.95	---	0.95
Retail and personal service	0.4	0.5	0.5	0.6	0.6
TOTAL DEVELOPMENT	0.8	0.9	1.0	1.0	1.1

Rationale: Incentivize mixed use projects by allowing a greater floor area density by right for the greater number of mixed uses.

Height (S-1b):

Current: The maximum height for residential structures is 36 ft. and 54 ft. for non-residential structures.

Proposed: A maximum height of 54 ft. for all structures.

Rationale: Unify the height regulation under one standard.

There is no maximum number of stories as the regulation of the height of structures will be determined by the figures above.

Lot Coverage (S-1b):

Current: The maximum lot coverage is 60%.

Proposed: A maximum lot coverage of 80% for non-single family development.

Rationale: A maximum lot coverage of 80% for non-single family development promotes development.

Lot Size (S-1b):

Current: Minimum lot size for a single family residential use is 5000 square feet.

Proposed: Minimum lot size for a single family residential use is 2000 square feet.

Rationale: Allows for a wider range of single family uses.

Lighting (S-1b):

In addition to all applicable height and lighting requirements in Chapter 51A, light fixtures attached to poles may not be located above 35 feet in height; all light sources mounted on poles or attached to buildings must utilize a 15-degree below horizontal, full, visual cut-off fixture; and lighting must be LED or similar lighting and fixtures to lessen the glare and light spillover to neighboring properties.

Sidewalks (S-1b):

A sidewalk with a minimum average width of six feet must be provided along all street frontages. All sidewalks must be clear and unobstructed for a minimum of five feet in width. Tree grates do not count toward the minimum unobstructed sidewalk width. If the building official determines that the location of a local utility or protected tree, as defined in Article X, would prevent a five-foot minimum width, the sidewalk may be reduced to four feet in width in that location. Sidewalks must be located in an area parallel to and between two feet and 15 feet of the back of the projected street curb.

Additional Development Standards (S-1b):

Three architectural design standards for building wall articulation were added. (1) The height of the exterior walls fronting on a public right-of-way must have vertical articulation with a minimum of two feet in vertical height for every 150 feet of horizontal length. (2) Horizontal recesses and indentations must be incorporated at the entry and planned office areas of a building. Recesses and indentations must be a minimum of three feet deep and occur no less than every 25 feet of horizontal wall distance. The horizontal recess feature must occur within the first 60 feet of a corner at any planned office area. (3) Canopies or sunscreens must be incorporated at entry and planned office areas of a building to provide protection from the elements and to create “shade and shadow” visual effects on the walls.

On lots less than 5,000 square feet, the minimum front yard is eight ft., there is no minimum side and rear yard, and the maximum lot coverage is 60% for single family residential use.

On lots greater than 5,000 square feet, the minimum front yard is 25 ft., the minimum side and rear yard is five ft., and the maximum lot coverage is 45% for single family residential use.

Subdistrict S-2a

General Overview (S-2a):

S-2a is approximately 85.69 acres. It is located north of West Camp Wisdom Road between Mountain Creek Road and Clark Road. The site contains multifamily use. Interstate Highway 20 is to the north, an electrical substation to the east, vacant land to the southeast, a private school to the south, single family to the southwest, and a warehouse under construction to the west. It is considered a non-business subdistrict.

Surrounding Land Uses (S-2a):

	Zoning	Land Use
Site	Planned Development District No. 521 (S-2a)	Multifamily and Vacant
North	Planned Development District No. 521 (B)	Interstate Highway 20
East	Agricultural district [A(A)]	Electrical Substation
South	Planned Development District No. 521 (S-2b)	Private School
West	Planned Development District No. 521 (S-1c) & Planned Development District No. 521 (S-1d)	Vacant (Warehouse Under Construction)

Land Uses (S-2a):

Below is a list of uses currently allowed. If a use is struck through, that use is proposed to be deleted. If a use is underlined, it is proposed to be added.

- ~~Animal production~~
- Crop production
- Temporary concrete or asphalt batching plant* By special authorization of the building official
- Child-care facility
- Church
- Public school with SUP
- Private school or open enrollment charter school with SUP
- Temporary construction or sales office
- Country club with private membership
- Private recreation center, club, or area

- Public park, playground, or golf course
- Handicapped group dwelling unit
- Multifamily
- Retirement housing with SUP
- Single family
- General merchandise or food store 3,500 square feet or less
- Personal service uses (no tattoo studio or massage establishment)
- Private street or alley
- Transit passenger shelter
- Electrical substation with SUP
- Local utilities
- Police or fire station with SUP
- Tower/antenna for cellular communication with SUP
- Utility or government installation other than listed with SUP

Setbacks (S-2a):

Current: The front yard setback is 15 ft. and the side and rear yard setbacks are 5 ft.

Proposed: No change to the setbacks.

Rationale: The setbacks are appropriate; therefore, no change is needed.

Dwelling Unit Density (S-2a):

Current: The dwelling unit density is 15 units per acre.

Proposed: No change to the dwelling unit density.

Rationale: The dwelling unity density is appropriate; therefore, no change is needed.

Floor Area Ratio (S-2a):

Current: There is no floor area ratio requirement.

Proposed: A floor area ratio of 0.5.

Rationale: A floor area ratio of 0.5 is appropriate for the neighborhood serving uses that are proposed for this subdistrict.

Height (S-2a):

Currently: The maximum structure height is 36 ft.

Proposed: No change to the height.

Rationale: The maximum height is appropriate; therefore, no change is needed.

There is no maximum number of stories as the regulation of the height of structures will be determined by the figures above.

Lot Coverage (S-2a):

Current: The maximum lot coverage is 60%.

Proposed: A maximum lot coverage of 60% for non-single family development.

Rationale: The maximum lot coverage is appropriate for non-single family development.

Lot Size (S-2a):

Current: There is no minimum lot size.

Proposed: Minimum lot size is 2000 square feet.

Rationale: Establish a minimum lot size.

Lighting (S-2a):

In addition to all applicable height and lighting requirements in Chapter 51A, light fixtures attached to poles may not be located above 35 feet in height; all light sources mounted on poles or attached to buildings must utilize a 15-degree below horizontal, full, visual cut-off fixture; and lighting must be LED or similar lighting and fixtures to lessen the glare and light spillover to neighboring properties.

Sidewalks (S-2a):

A sidewalk with a minimum average width of six feet must be provided along all street frontages. All sidewalks must be clear and unobstructed for a minimum of five feet in width. Tree grates do not count toward the minimum unobstructed sidewalk width. If the building official determines that the location of a local utility or protected tree, as defined in Article X, would prevent a five-foot minimum width, the sidewalk may be reduced to four feet in width in that location. Sidewalks must be located in an area parallel to and between two feet and 15 feet of the back of the projected street curb.

Additional Development Standards (S-2a):

On lots less than 5,000 square feet, the minimum front yard is eight ft., there is no minimum side and rear yard, and the maximum lot coverage is 60% for single family residential use.

On lots greater than 5,000 square feet, the minimum front yard is 25 ft., the minimum side and rear yard is five ft., and the maximum lot coverage is 45% for single family residential use.

Subdistrict S-2b

General Overview (S-2b):

S-2b is approximately 23.02 acres. It is located southwest of the intersection of West Camp Wisdom Road and Eagle Ford Road and is completely developed with a private school. Multifamily use is to the north, vacant land to the east, Emerald Lake Park to the southeast, single family to the south and west, and proposed warehouse to the northwest. The site is considered a non-business subdistrict.

Surrounding Land Uses (S-2b):

	Zoning	**Land Use**
Site	Planned Development District No. 521 (S-2b)	Private School
North	Planned Development District No. 521 (S-1c) & Planned Development District No. 521 (S-2a)	Vacant (Warehouse Under Construction) and Multifamily
East	Planned Development District No. 521 (S-6)	Vacant
South	Planned Development District No. 521 (S-6)	Vacant and Single family
West	Planned Development District No. 521 (S-6)	Single family

Land Uses (S-2b):

Below is a list of uses currently allowed. If a use is struck through, that use is proposed to be deleted. If a use is underlined, it is proposed to be added.

- Crop production
- Temporary concrete or asphalt batching plant* By special authorization of the building official
- Child-care facility
- Church
- Public school with SUP
- Private school or open enrollment charter school with SUP
- Temporary construction or sales office
- Country club with private membership
- Private recreation center, club, or area
- Public park, playground, or golf course
- Handicapped group dwelling unit
- Multifamily
- Retirement housing with SUP
- Single family
- General merchandise or food store 3,500 square feet or less
- Personal service uses (no tattoo studio or massage establishment)
- Private street or alley
- Transit passenger shelter
- Electrical substation with SUP
- Local utilities
- Police or fire station with SUP
- Tower/antenna for cellular communication with SUP
- Utility or government installation other than listed with SUP

Setbacks (S-2b):

Current: The front yard setback is 15 ft. and the side and rear yard setbacks are 5 ft.

Proposed: No change to the setbacks.

Rationale: The setbacks are appropriate; therefore, no change is needed.

Dwelling Unit Density (S-2b):

Current: The dwelling unit density is 20 units per acre.

Proposed: No change to the dwelling unit density.

Rationale: The dwelling unity density is appropriate; therefore, no change is needed.

Floor Area Ratio (S-2b):

Current: There is no floor area ratio requirement.

Proposed: A floor area ratio of 0.5.

Rationale: A floor area ratio of 0.5 is appropriate for the neighborhood serving uses that are proposed for this subdistrict.

Height (S-2b):

Currently: The maximum structure height is 36 ft.

Proposed: No change to the height.

Rationale: The maximum height is appropriate; therefore, no change is needed.

There is no maximum number of stories as the regulation of the height of structures will be determined by the figures above.

Lot Coverage (S-2b):

Current: The maximum lot coverage is 60%.

Proposed: A maximum lot coverage of 60% for non-single family development.

Rationale: The maximum lot coverage is appropriate for non-single family development.

Lot Size (S-2b):

Current: There is no minimum lot size.

Proposed: Minimum lot size is 2000 square feet.

Rationale: Establish a minimum lot size.

Lighting (S-2b):

In addition to all applicable height and lighting requirements in Chapter 51A, light fixtures attached to poles may not be located above 35 feet in height; all light sources mounted on poles or attached to buildings must utilize a 15-degree below horizontal, full, visual cut-off fixture; and lighting must be LED or similar lighting and fixtures to lessen the glare and light spillover to neighboring properties.

Sidewalks (S-2b):

A sidewalk with a minimum average width of six feet must be provided along all street frontages. All sidewalks must be clear and unobstructed for a minimum of five feet in width. Tree grates do not count toward the minimum unobstructed sidewalk width. If the building official determines that the location of a local utility or protected tree, as defined in Article X, would prevent a five-foot minimum width, the sidewalk may be reduced to four feet in width in that location. Sidewalks must be located in an area parallel to and between two feet and 15 feet of the back of the projected street curb.

Additional Development Standards (S-2b):

Staff introduced Residential Proximity Slope for all structures built in S-2b.

On lots less than 5,000 square feet, the minimum front yard is eight ft., there is no minimum side and rear yard, and the maximum lot coverage is 60% for single family residential use.

On lots greater than 5,000 square feet, the minimum front yard is 25 ft., the minimum side and rear yard is five ft., and the maximum lot coverage is 45% for single family residential use.

Subdistrict S-9

General Overview (S-9):

S-9 is approximately 47.63 acres. It is located southwest of the intersection of West Camp Wisdom Road and Clark Road. The site contains a mix of single family uses, multifamily uses, and vacant land. There is vacant land and multifamily use to the north, mini-warehouse use to the east, single family to the southeast, vacant land to the

south, a linguistic center to the west, and single family to the northwest. The property is considered a non-business subdistrict.

Surrounding Land Uses (S-9):

	Zoning	Land Use
Site	Planned Development District No. 521 (S-6)	Single family, Vacant land, Multifamily
North	Limited Office district 1 (LO-1), Agricultural district [A(A)], Duplex district [D(A)], Mutlifamily district 1 affordable [MF-1(A)(SAH)], Regional retail district (RR)	Office, Vehicle or engine repair or maintenance, Multifamily, Vacant land
East	Planned Development District No. 521 (S-10) & Planned Development District No. 521 (S-8)	Single family, Mini-warehouse, Vacant land
South	Planned Development District No. 521 (S-7) & Planned Development District No. 521 (S-8)	Vacant land
West	Planned Development District No. 88	Office

Land Uses (S-9):

Below is a list of uses currently allowed. If a use is struck through, that use is proposed to be deleted. If a use is underlined, it is proposed to be added.

- Crop production
- Temporary concrete or asphalt batching plant* By special authorization of the building official
- Child-care facility
- Church
- College, university, or seminary with SUP
- Convalescent and nursing homes, hospice care, and related institutions with SUP
- Convent or monastery with SUP
- Public school with SUP
- Private school or open enrollment charter school with SUP
- Temporary construction or sales office
- Office with SUP
- Country club with private membership
- Private recreation center, club, or area
- Public park, playground, or golf course
- College dormitory, fraternity, or sorority house with SUP
- Handicapped group dwelling unit
- Multifamily
- Retirement housing with SUP
- Single family
- General merchandise or food store 3,500 square feet or less
- Personal service uses (no tattoo studio or massage establishment)
- Private street or alley
- Transit passenger shelter
- Electrical substation with SUP
- Local utilities
- Police or fire station with SUP
- Tower/antenna for cellular communication with SUP
- Utility or government installation other than listed with SUP

Setbacks (S-9):

Current: The front yard setback is 15 ft. and the side and rear yard setbacks are 5 ft.

Proposed: No change to the setbacks.

Rationale: The setbacks are appropriate; therefore, no change is needed.

Dwelling Unity Density (S-9):

Current: The dwelling unit density is 24 units per acre.

Proposed: No change to the dwelling unit density.

Rationale: The dwelling unity density is appropriate; therefore, no change is needed.

Floor Area Ratio (S-9):

Current: There is a floor area ratio of 0.15.

Proposed: A floor area ratio of 0.5.

Rationale: A floor area ratio of 0.5 is appropriate for the neighborhood serving uses that are proposed for this subdistrict.

Height (S-9):

Currently: The maximum structure height is 36 ft.

Proposed: No change to the height.

Rationale: The maximum height is appropriate; therefore, no change is needed.

There is no maximum number of stories as the regulation of the height of structures will be determined by the figures above.

Lot Coverage (S-9):

Current: The maximum lot coverage is 60%.

Proposed: A maximum lot coverage of 60% for non-single family development.

Rationale: The maximum lot coverage is appropriate for non-single family development.

Lot Size (S-9):

Current: There is no minimum lot size.

Proposed: Minimum lot size is 2000 square feet.

Rationale: Establish a minimum lot size.

Lighting (S-9):

In addition to all applicable height and lighting requirements in Chapter 51A, light fixtures attached to poles may not be located above 35 feet in height; all light sources mounted on poles or attached to buildings must utilize a 15-degree below horizontal, full, visual cut-off fixture; and lighting must be LED or similar lighting and fixtures to lessen the glare and light spillover to neighboring properties.

Sidewalks (S-9):

A sidewalk with a minimum average width of six feet must be provided along all street frontages. All sidewalks must be clear and unobstructed for a minimum of five feet in width. Tree grates do not count toward the minimum unobstructed sidewalk width. If the building official determines that the location of a local utility or protected tree, as defined in Article X, would prevent a five-foot minimum width, the sidewalk may be reduced to four feet in width in that location. Sidewalks must be located in an area parallel to and between two feet and 15 feet of the back of the projected street curb.

Additional Development Standards (S-9):

Staff introduced Residential Proximity Slope for all structures built in S-9.

On lots less than 5,000 square feet, the minimum front yard is eight ft., there is no minimum side and rear yard, and the maximum lot coverage is 60% for single family residential use.

On lots greater than 5,000 square feet, the minimum front yard is 25 ft., the minimum side and rear yard is five ft., and the maximum lot coverage is 45% for single family residential use.

Subdistrict S-10

General Overview (S-10):

S-10 is approximately 17.08 acres. It is located on the southwest corner of the intersection of West Camp Wisdom Road and Clark Road. The site contains a mix of mini-warehouse use and vacant land. There is vacant land to the north, retail to the east, single family to the south, and multifamily to the west. The property is considered a business subdistrict.

Surrounding Land Uses (S-10):

	Zoning	Land Use
Site	Planned Development District No. 521 (S-10)	Mini-warehouse and Vacant land
North	Regional retail district (RR)	Vacant
East	The City of Duncanville	Personal service
South	Planned Development District No. 521 (S-10)	Single Family
West	Planned Development District No. 521 (S-8)	Multifamily

Land Uses (S-10):

Below is a list of uses currently allowed. If a use is struck through, that use is proposed to be deleted. If a use is underlined, it is proposed to be added.

- Crop production
- Catering service
- Custom business service
- Electronics service center
- Job or lithographic printing
- Medical or scientific laboratory
- Technical school
- Tool or equipment rental
- ~~Industrial (inside) light manufacturing~~
- Industrial (inside) light manufacturing with SUP
- Temporary concrete or asphalt batching plant* By special authorization of the building official
- Adult day care facility
- Child-care facility
- Church
- College, university, or seminary
- Community service center
- Convalescent and nursing homes, hospice care, and related institutions
- Hospital
- Library, art gallery, or museum
- ~~Public school~~
- Public school with SUP
- ~~Private school or open enrollment charter school~~
- Private school or open enrollment charter school with SUP
- Hotel or motel
- ~~Carnival or circus (temporary)~~
- Temporary construction or sales office
- Financial institution without drive-in window
- Financial institution with drive-in window
- Medical clinic or ambulatory surgical center
- Office
- Country club with private membership
- Private recreation center, club, or area
- Public park, playground, or golf course
- Handicapped group dwelling unit
- Multifamily
- Retirement Housing
- Single family
- Animal shelter or clinic without outside run
- Business school

- Carwash
- Commercial amusement (inside)
- ~~Commercial amusement (outside)~~
- ~~Commercial parking lot or garage~~
- Convenience store with drive-through
- Dry cleaning or laundry store
- Furniture store
- General merchandise or food store 3,500 square feet or less
- General merchandise or food store greater than 3,500 square feet
- Home improvement center, lumber, brick or building materials sales yard
- Household equipment and appliance repair
- Mortuary, funeral home, or commercial wedding chapel
- Motor vehicle fueling station
- Nursery, garden shop, or plant sales
- Outside sales
- Personal service uses (no tattoo studio or massage establishment)
- Restaurant without drive-in or drive-through service
- Restaurant with drive-in or drive-through service
- ~~Surface parking~~
- Temporary retail use
- Theater
- ~~Vehicle display, sales, or service~~
- ~~Heliport~~
- ~~Helistop~~
- Private street or alley
- Transit passenger shelter
- ~~Transit passenger station or transfer center~~
- ~~Commercial radio or television transmitting station~~
- Commercial radio or television transmitting station with SUP
- Electrical substation
- Local utilities
- Police or fire station
- Post office
- Radio, television, or microwave tower with SUP
- Tower/antenna for cellular communication
- Utility or government installation other than listed with SUP
- Mini-warehouse with SUP
- ~~Office showroom/warehouse~~

Setbacks (S-10):

Current: The front yard setback is 15 ft.

Proposed: No change is recommended.

Rationale: The front yard setback is appropriate; therefore, no change is needed.

Current: No setback requirements for the side and rear yard.

Proposed: 20 feet when adjacent to residential use and 5 ft. side and rear yard setback in all other cases.

Rationale: No change, with the exception of added distance when adjacent to residential use.

Dwelling Unity Density (S-10):

Current: The dwelling unit density is 24 units per acre.

Proposed: No change to the dwelling unit density.

Rationale: The dwelling unity density is appropriate; therefore, no change is needed.

Floor Area Ratio (S-10):

Current: There is a floor area ratio of 0.23.

Proposed: A floor area ratio of 0.5.

Rationale: A floor area ratio of 0.5 is appropriate for the neighborhood serving uses that are proposed for this subdistrict.

Height (S-10):

Current: The maximum height for residential structures is 36 ft. and 160 ft. for non-residential structures.

Proposed: A maximum height of 54 ft. for non-residential structures and 45 ft. for residential structures.

Rationale: A more appropriate height to complement existing development.

There is no maximum number of stories as the regulation of the height of structures will be determined by the figures above.

Lot Coverage (S-10):

Current: The maximum lot coverage is 60%.

Proposed: A maximum lot coverage of 80% for non-single family development.

Rationale: A maximum lot coverage of 80% for non-single family development promotes development.

Lot Size (S-10):

Current: Minimum lot size for a single family residential use is 2000 square feet.

Proposed: No change to the lot size.

Rationale: The lot size is appropriate; therefore, no change is needed.

Lighting (S-10):

In addition to all applicable height and lighting requirements in Chapter 51A, light fixtures attached to poles may not be located above 35 feet in height; all light sources mounted on poles or attached to buildings must utilize a 15-degree below horizontal, full, visual cut-off fixture; and lighting must be LED or similar lighting and fixtures to lessen the glare and light spillover to neighboring properties.

Sidewalks (S-10):

A sidewalk with a minimum average width of six feet must be provided along all street frontages. All sidewalks must be clear and unobstructed for a minimum of five feet in width. Tree grates do not count toward the minimum unobstructed sidewalk width. If the building official determines that the location of a local utility or protected tree, as defined in Article X, would prevent a five-foot minimum width, the sidewalk may be reduced to four feet in width in that location. Sidewalks must be located in an area parallel to and between two feet and 15 feet of the back of the projected street curb.

Additional Development Standards (S-10):

Staff introduced Residential Proximity Slope for all structures built in S-10.

On lots less than 5,000 square feet, the minimum front yard is eight ft., there is no minimum side and rear yard, and the maximum lot coverage is 60% for single family residential use.

On lots greater than 5,000 square feet, the minimum front yard is 25 ft., the minimum side and rear yard is five ft., and the maximum lot coverage is 45% for single family residential use.

CPC ACTION

February 21, 2019

Motion: In considering a City Council authorized hearing to determine proper zoning on property zoned Subdistricts S-1a, S-1b, S-2a, S-2b, S-9, and S-10 in the South Zone of Planned Development No. 521 with consideration being given to appropriate zoning for the areas including use, development standards, and other appropriate regulations on property generally on: 1) the west side of Mountain Creek Parkway from I-20 to West Camp Wisdom Road (S-1b), 2) the southwest corner of Mountain Creek Parkway and West Camp Wisdom Road (S-1a), 3) the southwest corner of West Camp Wisdom Road and Eagle Ford Drive (S-2b), 4) the north side of West Camp Wisdom Road at the terminus of Eagle Ford Drive (S-2a), and 5) the south side of West Camp Wisdom Road from west of Timberbrook Lane to Clark Road (S-9, S-10), it was moved to **hold** this case under advisement until March 21, 2019.

Maker: Criss
Second: Carpenter
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 200 Mailed: 240
Replies: For: 1 Against: 3

Speakers: For: None
Against: Kim Perez, 5507 Palladium Dr., Dallas, TX, 75249

March 21, 2019

Motion: In considering a City Council authorized hearing to determine proper zoning on property zoned Subdistricts S-1a, S-1b, S-2a, S-2b, S-9, and S-10 in the South Zone of Planned Development No. 521 with consideration being given to appropriate zoning for the areas including use, development standards, and other appropriate regulations on property generally on: 1) the west side of Mountain Creek Parkway from I-20 to West Camp Wisdom Road (S-1b), 2) the southwest corner of Mountain Creek Parkway and West Camp Wisdom Road (S-1a), 3) the southwest corner of West Camp Wisdom Road and Eagle Ford Drive (S-2b), 4) the north side of West Camp Wisdom Road at the terminus of Eagle Ford Drive (S-2a), and 5) the south side of West Camp

Wisdom Road from west of Timberbrook Lane to Clark Road (S-9, S-10), it was moved to **hold** this case under advisement until May 2, 2019.

Maker: Criss
Second: Schulte
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schultz
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 200 Mailed: 240
Replies: For: 2 Against: 7

Speakers: For: Ellen Taft, 7924 Glenway Dr., Dallas, TX, 75249
Against: Kim Perez, 5507 Palladium Dr., Dallas, TX, 75249
Tim Van Slyke, 8118 Max Dr., Dallas, TX, 75249
Ronald Stinson, Summit Parc, Dallas, TX, 75249
Trevor Kollinger, 1800 Valley View Ln., Farmers Branch, TX, 75234
Rene Garcia, 5808 Foxglove Ln., Dallas, TX, 75249
Michael Renolds, 11936 Forest Lakes Ln., Dallas, TX, 75230
Ena Chacon De Guerra, 5542 Mandarin Way, Dallas, TX, 75249

May 2, 2019

Motion: It was moved to recommend **approval** of proposed amendments to Planned Development District No. 521 with the following changes: 1) in subdistrict S-1a convenience store with drive-through, general merchandise or food store greater than 3500 sq. ft., and restaurant with drive-in or drive-through service are not allowed uses; 2) in subdistricts S-1a, S-1b, S-2a, S-2b, S-9, and S-10 where personal service uses are allowed the personal service uses of tattoo parlors and massage parlors are not allowed with definitions for those uses to be added to the definitions section; and 3) a mixed income housing development bonus for increased density of up to 65 additional units may be obtained if 5 percent of the total units are reserved for eligible households making between 61 to 80 percent AMFI in compliance with Division 51A-4.1100, however compliance with the design standards in Division 51A-4.1100 are not required, on property zoned Subdistricts S-1a, on property generally located on: 1) the west side of Mountain Creek Parkway from I-20 to West Camp Wisdom Road (S-1b), 2) the southwest corner of Mountain Creek Parkway and West Camp Wisdom Road (S-1a), 3) the southwest corner of West Camp Wisdom Road and Eagle Ford Drive (S-2b), 4) the north side of West Camp Wisdom Road at the terminus of Eagle Ford

Drive (S-2a), and 5) the south side of West Camp Wisdom Road from west of Timberbrook Lane to Clark Road (S-9, S-10).

Maker: Criss
Second: Schulte
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12
Abstain: 2 - Johnson***, Brinson***

***abstained due to absence from bus tour

Notices: Area: 200 Mailed: 240
Replies: For: 2 Against: 7

Speakers: For: Ellen Taft, 7924 Glenway Dr., Dallas, TX, 75249
Against: Kim Perez, 5507 Palladium Dr., Dallas, TX, 75249
Jose Rojas, Jr, 5935 Woodoak Dr., Dallas, TX, 75249

CPC Proposed Amendments

ARTICLE 521.

PD 521.

SEC. 51P-521.101. LEGISLATIVE HISTORY.

PD 521 was established by Ordinance No. 23711, passed by the Dallas City Council on November 11, 1998. Ordinance No. 23711 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 23711 was amended by Ordinance No. 24190, passed by the Dallas City Council on February 23, 2000, and Ordinance No. 24425, passed by the Dallas City Council on October 11, 2000. (Ord. Nos. 10962; 19455; 23711; 24190; 24425; 24914)

SEC. 51P-521.102. PROPERTY LOCATION AND SIZE.

PD 521 is established on property generally located along both sides of Interstate Highway 20 between Spur 408 and Clark Road on the east and Mountain Creek Parkway and FM 1382 on the west. The size of PD 521 is approximately 2924.4699 acres. (Ord. Nos. 23711; 24425; 24914)

SEC. 51P-521.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article:

(1) DATA CENTER means a facility whose primary service is data processing and is used to house computer systems and associated components, such as telecommunications and storage systems, including not limited to web hosting organizations and internet service organizations.

(2) GOVERNMENT INSTALLATION FOR AN INDOOR GUN RANGE means an installation owned or leased by a government agency limited for the exclusive use of the Dallas Police Department for operations related to firing and training of firearms.

(3) MASSAGE ESTABLISHMENT and MASSAGE means a massage establishment or massage as defined by Texas Occupations Code Chapter 455, as amended.

(4) MIXED USE PROJECT means a development that contains two or more of the following uses—lodging, office, residential, or retail and personal service—and the combined floor areas of each use equal or exceed 15 percent of the total floor area of the project with the exception of retail and personal service which requires a combined floor area of 10 percent of the total floor area of the project.

(5[~~3~~]) PARKWAY means the portion of a street right-of-way between the projected curb and the lot line of the Property.

(6) STREET FRONTAGE means the portion of a building that must be located within the required setback area, expressed as a percentage of lot width.

(7[4]) SUBDISTRICT means one of the subdistricts in this district. Each zone in this district contains several subdistricts.

(8[5]) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

(9[6]) THIS DISTRICT means the entire planned development district created by this article.

(10[7]) ZONE means the North Zone or the South Zone.

(b) Unless otherwise stated, all references to code articles, divisions, or sections are to Chapter 51A.

(c) Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1c, S-1d, and S-10 are considered to be business zoning districts.

(d) Subdistricts S-2a, S-2b, S-3, S-4, S-5, S-6, S-7, S-8, S-9, and E are considered to be non-business zoning districts. (Ord. Nos. 24425; 24914; 25481; 27716; 29785; 29989; 30305)

SEC. 51P-521.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 521A: concept development plan – north zone and concept development plan – south zone.

(2) Exhibit 521B: zone descriptions.

(3) Exhibit 521C: subdistrict property descriptions.

(4) Exhibit 521C1: Subdistricts B and B-1 property descriptions.

(5) Exhibit 521C2: Subdistrict B-2 property description.

(6) Exhibit 521D: single-family subdivision plats.

(7) Exhibit 521E: PD 187 development plans.

(8) Exhibit 521F: side and rear yard landscape buffer for shared truck courts.

(9) Exhibit 521G: business park entry feature.

(10) Exhibit 521H: Subdistrict B-2 development plan.

(11) Exhibit 521I: Subdistrict S-1c conceptual plan. (Ord. Nos. 29587; 29785; 30305)

SEC. 51P-521.104. CREATION OF SEPARATE ZONES AND SUBDISTRICTS.

(a) In general. This district is divided into a series of separate zones and subdistricts as described in this article. The boundaries of all zones and subdistricts are shown on the conceptual plans (Exhibit 521A).

(b) Zones. The largest subdivided areas in this district are the "zones." There are two zones: the North Zone and the South Zone. Both zones are described in Exhibit 521B.

(c) Subdistricts.

(1) The North Zone is divided into seven subdistricts: A, B, B-1, B-2. C, D, and E.

(2) The South Zone is divided into 14 subdistricts: S-1a, S-1b, S-1c, S-1d, S-2a, S-2b, S-3, S-4, S-5, S-6, S-7, S-8, S-9, and S-10.

(3) Subdistricts B and B-1 are described in Exhibit 521C1. Subdistrict B-2 is described in Exhibit 521C2. All other subdistricts are described in Exhibit 521C. (Ord. Nos. 23711; 24425; 24914; 27716; 29785)

SEC. 51P-521.105. CONCEPTUAL PLANS.

(a) Except as provided in this section, development and use of the Property must comply with the conceptual plans entitled, "Concept Development Plan - North Zone" and "Concept Development Plan - South Zone." If there is a conflict between the text of this article and the conceptual plans, the text of this article controls.

(b) In Subdistrict S-1c, development and use of the Property must comply with the Subdistrict S-1c conceptual plan (Exhibit 521I). If there is a conflict between the text of this article and the Subdistrict S-1c conceptual plan, the text of this article controls. (Ord. Nos. 24425; 24914; 30305)

SEC. 51P-521.106. DEVELOPMENT PLAN.

(a) A development plan for each phase of development must be approved by the city plan commission before issuance of any building permit within that phase. (See Subsection 51P-521.118(c) for additional requirements.)

(b) There is no time requirement for the submittal of a development plan within this district, and the portion of Paragraph (4) of Subsection (c), "Site Plan Procedure," of Section 51A-4.702, providing for submission of a development plan within six months of the city council approval of the PD ordinance, does not apply.

(c) For any single family detached development, an approved preliminary plat may be submitted to the city plan commission for approval as a development plan.

(d) Single family subdivision plats, approved and recorded at the county records building as of the date of passage of Ordinance No. 23711, for property located in this district, are recognized as approved development plans. Refer to Exhibit 521D for copies of these plats.

(e) The development plans that were approved pursuant to Planned Development District No. 187 are recognized as approved development plans within this district. Refer to Exhibit 521E for copies of these development plans.

(f) In Subdistrict B-2, development and use of the Property must comply with the Subdistrict B-2 development plan (Exhibit 521H). If there is a conflict between the text of this article and the Subdistrict B-2 development plan, the text of this article controls.

(g) If an applicant simultaneously submits a specific use permit request along with a request for development plan approval, no site plan is required for the specific use permit portion of the request. (Ord. Nos. 24425; 24914; 29785)

SEC. 51P-521.107. MAIN USES.

(a) Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1c, S-1d, and S-10. The following main uses are permitted in Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1c, S-1d, and S-10.

(1) Agricultural uses.

-- Animal production. *[Subdistricts A, B, B-1, B-2, C, D, ~~S-1b~~, and S-1d only.]*
-- Commercial stable. [*Subdistricts A, B, B-1, B-2, C, and D only.]*
-- Crop production. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, ~~and~~ S-1d, and S-10 only.]*

(2) Commercial and business service uses.

-- Building repair and maintenance shop. *[Subdistricts B, B-1, and B-2 only.]*
-- Catering service. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Commercial cleaning or laundry plant. *[Subdistricts B, B-1, and B-2 only; SUP required.]*
-- Custom business services. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only]*
-- Electronics service center. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Job or lithographic printing. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Machinery, heavy equipment, or truck sales and services. *[Subdistricts B, B-1, and B-2 only.]*
-- Medical or scientific laboratory. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Technical school. *[SUP required in Subdistrict S-1a; otherwise, by right in Subdistricts A, B, B-1, B-2, C, D, S-1b, S-1d, and S-10 ~~only~~.]*
-- Tool and equipment rental. *[Subdistricts A, B, B-1, B-2, C, D, S-1b, S-1d, and S-10 only.]*

(3) Industrial uses.

-- Gas drilling and production. *[By SUP only in Subdistrict B-1.]*
-- Industrial (inside) for light manufacturing. *[SUP required in Subdistricts S-1b and S-10; otherwise, by right in Subdistricts A, B, B-1, B-2, C, D, ~~S-1b,~~ S-1c, and S-1d~~, and S-10 only~~.] [In Subdistricts B and S-1c, the floor area limitation for industrial (inside) for light manufacturing in Chapter 51A does not apply; however, this use is limited to the FAR requirements in Sec. 51P-521.109(a)(3)(C) and Sec. 51P-521.109(a)(3)(H).]*
-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

-- Adult day care facility. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Cemetery or mausoleum. *[Subdistricts A, B, B-1, B-2, C, and D only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Child-care facility. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Church. *[Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- College, university, or seminary. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Community service center. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Convent or monastery. *[Subdistricts A, B, B-1, B-2, C, D, and S-10 only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Convalescent and nursing homes, hospice care, and related institutions. *[SUP required in Subdistricts S-1a, and S-1b; otherwise, by right in Subdistricts A, B, B-1, B-2, C, D, ~~S-1a, S-1b,~~ S-1d, and S-10 only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Hospital. *[SUP required in Subdistricts S-1a and S-1b; otherwise, by right in Subdistricts A, B, B-1, B-2, C, D, ~~S-1a, S-1b,~~ S-1d, and S-10 only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Library, art gallery, or museum. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Public or private school. *[SUP required in Subdistrict S-10; otherwise, by right in Subdistricts A, B, B-1, B-2, C, D, ~~S-1a, S-1b, and~~ S-1d~~, and S-10 only~~. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*

(5) Lodging uses.

-- Hotel or motel. *[In Subdistricts B, B-1, and B-2, SUP required for hotel or motel containing 80 rooms or less; otherwise, by right in Subdistricts A, C, D, ~~S-1a,~~ S-1b, S-1d, and S-10.]*

(6) Miscellaneous uses.

-- Carnival or circus (temporary). *[By special authorization of the building official. Subdistricts A, B, B-1, B-2, C, D, ~~S-1a, S-1b~~, and S-1d only~~, and S-10 only~~.]*
-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Financial institution with drive-in window. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Medical clinic or ambulatory surgical center. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Office.

(8) Recreation uses.

-- Country club with private membership. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Private recreation center, club, or area. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Public park, playground, or golf course.

(9) Residential uses.

-- College dormitory, fraternity, or sorority house. *[Subdistricts A, B, B-1, B-2, C, and D only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Duplex. *[Subdistricts A, B, B-1, B-2, C, and D only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Multifamily. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b and S -10 only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Retirement housing. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, and S-10 only. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase.]*
-- Single family. *[Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase. Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3) is not met. Not permitted within 300 feet of a gas well that is in the drilling, fracturing, production, or reworking phase. Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*

(10) Retail and personal service uses.

-- Ambulance service. *[Subdistricts B, B-1, and B-2 only.]*
-- Animal shelter or clinic with outside run. *[Subdistricts B, B-1, and B-2 only.]*
-- Animal shelter or clinic without outside run. *[Subdistricts B, B-1, S-1a, S-1b, and S-10 only.]*
-- Auto service center. *[Subdistricts B, B-1, and B-2 only.]*
-- Alcoholic beverage establishments. *[Subdistricts B, B-1, and B-2 only; SUP required.]*
-- Business school. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Carwash. *[Subdistricts B, B-1, B-2, ~~S-1a, S-1b,~~ S-1d, and S-10 only.]*
-- Commercial amusement (inside). *[Subdistricts B, B-1, B-2, S-1a, S-1b, S-1d, and S-10 only. SUP required in Subdistrict B; otherwise, by right.]*
-- Commercial amusement (outside). *[Subdistricts B, B-1, B-2, ~~S-1a, S-1b,~~ and S-1d~~, and S-10~~ only. SUP required in Subdistricts B and S-1b; otherwise, by right.]*
-- Commercial parking lot or garage. *[Subdistricts A, B, B-1, B-2, C, D, ~~S-1a, S-1b,~~ and S-1d only~~, and S-10 only~~.]*
-- Convenience store with drive-through. *[Subdistricts S-1b and S-10 only.]*
-- Dry cleaning or laundry store. *[Subdistricts B, B-1, B-2, S-1a, S-1b, S-1d, and S-10 only.]*
-- Furniture store. *[Subdistricts B, B-1, B-2, S-1a, S-1b, S-1d, and S-10 only.]*
-- General merchandise or food store 3,500 square feet or less. *[Subdistricts B, B-1, B-2, S-1a, S-1b, S-1d, and S-10 only.]*
-- General merchandise or food store greater than 3,500 square feet. *[Subdistricts B, B-1, B-2, ~~S-1a,~~ S-1b, S-1d, and S-10 only.]*
-- Home improvement center, lumber, brick, or building materials sales yard. *[Subdistricts B, B-1, B-2, ~~S-1a,~~ S-1b, S-1d, and S-10 only.]*
-- Household equipment or appliance repair. *[Subdistricts B, B-1, B-2, ~~S-1a, S-1b,~~ S-1d, and S-10 only.]*
-- Mortuary, funeral home, or commercial wedding chapel. *[Subdistricts B, B-1, B-2, ~~S-1a,~~ S-1b, S-1d, and S-10 only.]*
-- Motor vehicle fueling station. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Nursery, garden shop, or plant sales. *[Subdistricts B, B-1, B-2, S-1a, S-1b, S-1d, and S-10 only.]*
-- Outside sales. *[Subdistricts B, B-1, B-2, ~~S-1a,~~ S-1b, S-1d, and S-10 only.]*
-- Personal service use. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only. No tattoo studio or massage establishment in S-1a, S-1b, and S-10.]*
-- Restaurant without drive-in or drive-through service. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Restaurant with drive-in or drive-through service. *[SUP required in Subdistrict B; otherwise, by right in Subdistricts A, B-1, B-2, C, D, ~~S-1a,~~ S-1b, S-1d, and S-10.]*

-- Surface parking. *[Subdistricts A, B, B-1, B-2, C, D, ~~S-1a, S-1b,~~ and S-1d only~~, and S-10 only~~.]*
-- Temporary retail use. *[Subdistricts B, B-1, B-2, S-1a, S-1b, S-1d, and S-10 only.]*
-- Theater. *[Subdistricts B, B-1, B-2, D, S-1b, S-1d, and S-10 only. SUP required in Subdistrict B; otherwise, by right.]*
-- Truck stop. *[Subdistrict B-2 only.]*
-- Vehicle display, sales, and service. *[Subdistricts B, B-1, B-2, ~~S-1a, S-1b,~~ and S-1d only~~, and S-10 only~~.]*

(11) Transportation uses.

-- Heliport. *[SUP. Subdistricts A, B, B-1, B-2, C, D, ~~S-1a, S-1b,~~ and S-1d only~~, and S-10 only~~.]*
-- Helistop. *[SUP. Subdistricts A, B, B-1, B-2, C, D, ~~S-1a, S-1b,~~ and S-1d only~~, and S-10 only~~.]*
-- Private street or alley. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Transit passenger shelter. *[SUP required in Subdistricts B, B-1, and B-2; otherwise, by right in Subdistricts A, C, D, S-1a, S-1b, S-1d, and S-10.]*
-- Transit passenger station or transfer center. *[SUP required in Subdistricts B, B-1, and B-2; otherwise, by right in Subdistricts A, C, D, ~~S-1a, S-1b,~~ and S-1d only~~, and S-10 only~~.]*

(12) Utility and public service uses.

-- Commercial radio or television transmitting station. *[SUP required in Subdistrict S-10; otherwise, by right in Subdistricts A, B, B-1, B-2, C, D, ~~S-1a, S-1b~~, and S-1d~~, and S-10 only~~.]*
-- Electrical substation. *[Subdistricts A, B, B-1, B-2, C, D, ~~S-1a, S-1b,~~ S-1d, and S-10 only.]*
-- Local utilities.
-- Police or fire station.
-- Post office. *[Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Radio, television, or microwave tower. *[SUP. Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*
-- Tower/antenna for cellular communication. *[Permitted as if located in a CR Community Retail District; see Section 51A-4.212(10.1). SUP required in Subdistricts S-1a and S-1b; otherwise, by right in Subdistricts A, B, B-1, B-2, C, D~~, S-1a, S-1b,~~ S-1d, and S-10 only.]*
-- Utility or government installation other than listed. *[SUP. Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1d, and S-10 only.]*

(13) Wholesale, distribution, and storage uses.

-- Auto auction. *[Subdistricts A, C, and D only; SUP required.]*
-- Data center. *[Subdistrict S-1c only.]*
-- Freight terminal. *[Subdistricts A, B, B-1, B-2, C, and D only. SUP required in Subdistricts B, B-1, and B-2; otherwise, by right.]*
-- Manufactured building sales lot. *[Subdistricts A, C, and D only; SUP required.]*

-- Mini-warehouse. *[Subdistricts A, B, B-1, B-2, C, D, S-1b, S-1c, S-1d, and S-10; SUP required.]*
-- Office showroom/warehouse. *[Subdistricts A, B, B-1, B-2, C, D, S-1c, S-1d, and S-1d.]*
-- Trade center. *[Subdistricts A, B, B-1, B-2, C, D, ~~S-1b~~, S-1c, S-1d, and S-10 only.]*
-- Warehouse. *[SUP required in Subdistrict S-10; otherwise, by right in Subdistricts A, B, B-1, B-2, C, D, ~~S-1b,~~ S-1c, and S-1d~~, and S-10 only~~.]*

(b) Subdistricts S-2a, S-2b, S-3, S-4, S-5, S-6, S-7, S-8, S-9, and E. The following main uses are permitted in Subdistricts S-2a, S-2b, S-3, S-4, S-5, S-6, S-7, S-8, S-9, and E.

(1) Agricultural uses.

-- Animal production. *[Subdistricts ~~S-2a~~ and E only.]*
-- Commercial stable. *[Subdistrict E only.]*
-- Crop production. *[Subdistricts E, S-2a, S-2b, S-9, and S-6 only.]*

(2) Industrial uses.

-- Industrial (inside) for light manufacturing. *[Subdistrict E only.]*
-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(3) Institutional and community service uses.

-- Adult day care facility. *[Subdistrict E only.]*
-- Child-care facility.
-- Church.
-- College, university, or seminary. *[Subdistricts S-7 and S-9 only; SUP required.]*
-- Convalescent and nursing homes, hospice care, and related institutions. *[Subdistricts E, S-7, and S-9 only; SUP required.]*
-- Convent or monastery. *[Subdistricts S-7 and S-9 only; SUP required.]*
-- Public or private school. *[SUP]*

(4) Miscellaneous uses.

-- Temporary construction or sales office.

(5) Office uses.

-- Office. *[Subdistricts S-7, S-9, and E only; SUP required only in Subdistricts S-7 and S-9.]*

(6) Recreation uses.

-- Country club with private membership.
-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(7) Residential uses.

-- Duplex. *[Subdistrict E only.]*
-- Multifamily. *[Subdistricts S-2a, S-2b, S-9, and E only.]*
-- Retirement housing. *[Subdistricts S-2a, S-2b, S-7, S-9, and E only; SUP required only in Subdistricts S-2a, S-2b, S-7, and S-9.]*
-- Single family.
-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
-- Group residential facility. *[This use must comply with the provisions of Section 51A-4.209(b)(3). Subdistrict E only.]*
-- College dormitory, fraternity, or sorority house. *[Subdistricts E, S-7, and S-9 only; SUP required.]*

(8) Retail and personal service uses.

-- Dry cleaning or laundry store. *[Subdistrict E only.]*
-- General merchandise or food store 3,500 square feet or less. *[Subdistrict E, S-2a, S-2b, and S-9 only.]*
-- Motor vehicle-fueling station. *[Subdistrict E only.]*
-- Personal service use. *[Subdistrict E, S-2a, S-2b, and S-9 only. No tattoo studio or massage establishment in S-2a, S-2b, and S-9.]*
-- Surface parking. *[Subdistrict E only.]*
-- Temporary retail use. *[Subdistrict E only.]*

(9) Transportation uses.

-- Private street or alley.
-- Transit passenger shelter.

(10) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Government installation for an indoor gun range. *[Subdistrict E only.]*
-- Local utilities.
-- Police or fire station. *[SUP]*
-- Tower/antenna for cellular communication. *[SUP]*
-- Utility or government installation other than listed. *[SUP]*

(11) Wholesale, distribution, and storage uses.

-- Warehouse. *[Subdistrict E only.]* (Ord. Nos. 24425; 24914; 25481; 27716; 29785; 29989; 30305)

SEC. 51P-521.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. Nos. 24425; 24914)

SEC. 51P-521.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1c, S-1d, and S-10.

(1) Front yard.

(A) Except as provided in this paragraph, minimum front yard is 15 feet.

(B) Subdistrict S-1b.

(i) Maximum front yard setback is 65 feet.

(ii) Minimum street frontage is 50 percent.

(aa) Additional structures may exceed maximum front yard setback once street frontage is met.

(C[~~B~~]) Subdistrict S-1c.

(i) Main use.

(aa) Minimum front yard is 270 feet along Mountain Creek Parkway.

(bb) Minimum front yard is 480 feet along Camp Wisdom Road.

(ii) For an accessory guard house:

(aa) Minimum front yard is 100 feet along Mountain Creek Parkway.

(bb) Minimum front yard of 350 feet along Camp Wisdom Road.

(2) Side and rear yard.

(A) No minimum side and rear yard in Subdistricts A, C, and D~~, S-1a, and S-10~~.

(B) Minimum side and rear yard in Subdistrict~~s S-1b, and~~ S-1d is five feet.

(C) Minimum side and rear yard in Subdistricts B, B-1, and B-2 are 10 feet.

(D) Minimum side and rear yard in Subdistricts S-1a and S-1b are:

(i) 20 feet where adjacent to or directly across an alley from a non-business subdistrict in this district or a residential use, except an agricultural use; and

(ii) no minimum in all other cases.

(E[D]) Subdistrict S-1c.

(i) Minimum side yard is 100 feet along the northern property line.

(ii) Minimum side yard is 335 feet along the eastern property line.

(iii) No minimum rear yard.

(F) Minimum side and rear yard in Subdistrict S-10 is:

(i) 20 feet where adjacent to or directly across an alley from a non-business subdistrict in this district or a residential use, except an agricultural use; and

(ii) five feet in all other cases.

(3) Maximum floor area ratios (FAR), maximum floor areas, net developable acres, and maximum dwelling unit densities. In these subdistricts, floor area ratio applies only to nonresidential development.

(A) Maximum floor area, dwelling unit density, and net developable acres for Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1c, S-1d, and S-10 are as follows:

Subdistrict	Net Developable Acres	Maximum Permitted Floor Area (In square feet)	Dwelling Unit Density (Units Per Acre)
A	150.0	Refer to Paragraph (4) below	24
B, B-1, and B-2	501.10	Refer to Paragraph (4) below	24
C	150.0	Refer to Paragraph (4) below	24
D	51.77	Refer to Paragraph (4) below	7
S-1a	11.3	113,212	Refer to Paragraph (3)(A)(i) below [12]
S-1b	52.9	345,648	Refer to Paragraph (3)(A)(ii) below [5]
S-1c	104.51	1,205,280	0
S-1d	12.53	81,870.02	5
S-10	15.5	155,792	24

(i) For Subdistrict S-1a, maximum dwelling unit density varies depending on whether the development is a mixed use project as follows:

(aa) 15 dwelling units per acre for base, or no mixed use.

(bb) 20 dwelling units per acre for a mixed use project with two categories.

(cc) 25 dwelling units per acre for a mixed use project with three or more categories.

(ii) For Subdistrict S-1a, a mixed income housing development bonus for increased density of up to 65 additional units may be obtained if 5 percent of the total units are reserved for eligible households making between 61 to 80 percent AMFI in compliance with Division 51A-4.1100 however compliance with the design standards in that division are not required.

(iii) For Subdistrict S-1b, maximum dwelling unit density varies depending on whether the development is a mixed use project as follows:

(aa) 22 dwelling units per acre for base, or no mixed use.

(bb) 27 dwelling units per acre for a mixed use project with two categories.

(cc) 35 dwelling units per acre for a mixed use project with three or more categories.

(B) For Subdistrict A, maximum FAR is as follows:

(i) 0.39 for the industrial (inside) for light manufacturing use, institutional and community service uses, lodging uses, office uses, recreation uses, utility and public service uses, and wholesale, distribution, and storage uses.

(ii) 0.10 for all other uses.

(C) For Subdistricts B, B-1, and B-2, maximum FAR is as follows:

(i) 0.75 for office uses.

(ii) 0.45 for the warehouse use.

(iii) 0.30 for retail and personal service uses.

(iv) 0.5538 for the industrial (inside) for light manufacturing use, institutional and community service uses, lodging uses, recreation uses, utility and public service uses, and, excluding the warehouse use, wholesale, distribution, and storage uses.

(v) 0.1420 for all other uses.

(D) For Subdistrict C, maximum FAR is as follows:

(i) 0.39 for the industrial (inside) for light manufacturing use, institutional and community service uses, lodging uses, office uses, recreation uses, utility and public service uses, and wholesale, distribution, and storage uses.

(ii) 0.10 for all other uses.

(E) For Subdistrict D, maximum FAR is as follows:

(i) 0.507 for the industrial (inside) for light manufacturing use, institutional and community service uses, lodging uses, office uses, recreation uses, utility and public service uses, and wholesale, distribution, and storage uses.

(ii) 0.13 for all other uses.

(F) ~~For Subdistrict S-1a, maximum FAR is 0.23.~~ For Subdistricts S-1a and S-1b, maximum FAR varies depending on whether the development is a mixed use project (MUP) as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is "residential." The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two or more other use categories.]

MAXIMUM FLOOR AREA RATIO					
Use Categories	**Base (no MUP)**	**MUP=2 (no Res)**	**MUP=2 (with Res)**	**MUP=3 (no Res)**	**MUP=3 (with Res)**
Lodging	0.8	0.85	0.9	0.85	0.95
Office	0.8	0.85	0.9	0.85	0.95
Residential	0.8	---	0.95	---	0.95
Retail and personal service	0.4	0.5	0.5	0.6	0.6
TOTAL DEVELOPMENT	0.8	0.9	1.0	1.0	1.1

(G) For Subdistrict~~s S-1b and~~ S-1d, maximum FAR is 0.15.

(H) For Subdistrict S-1c, maximum FAR is 0.27.

(I) For Subdistrict S-10, maximum FAR is 0.5 [~~0.23~~].

(4) Maximum permitted floor areas in Subdistricts A, B, B-1, B-2, C, and D.

(A) Maximum permitted floor area in Subdistrict A is 653,400 square feet of retail floor area, or its equivalent.

(B) Maximum permitted floor area in Subdistricts B, B-1, and B-2 combined is 3,099,564 square feet of retail floor area, or its equivalent.

(C) Maximum permitted floor area in Subdistrict C is 653,400 square feet of retail floor area, or its equivalent.

(D) Maximum permitted floor area in Subdistrict D is 293,163 square feet of retail floor area, or its equivalent.

(E) To calculate the maximum permitted floor area of uses other than retail uses, the following floor area equivalencies apply.

(i) For the following uses or category of uses, 3.9 square feet of floor area is equivalent to 1 square foot of retail floor area:

-- Industrial (inside) for light manufacturing use.
-- Institutional and community service uses.
-- Lodging uses.
-- Office uses.
-- Recreation uses.
-- Utility and public service uses.
-- Wholesale, distribution, and storage uses.

(ii) For all other uses, one square foot of floor area is equivalent to one square foot of retail floor area.

(5) Height.

(A) Subdistricts A, B, B-1, B-2, C, and D~~, and S-10~~.

(i) Except as provided in this provision and in provision (iii), maximum structure height for non-residential structures is 160 feet. For a gas drilling and production use, maximum structure height for a temporary structure, which must be authorized by the building official, is 170 feet.

(ii) Maximum structure height for residential structures is 36 feet.

(iii) In Subdistricts A, B, B-1, B-2, C, and D, maximum structure height for wholesale, distribution, and storage uses is 45 feet north of Grady Niblo Road and 75 feet south of Grady Niblo Road.

(B) Subdistrict S-1a.

(i) Maximum structure height is 45 feet.

(ii) The residential proximity slope in Section 51A-4.412 is expressly incorporated into the height regulations of this section.

(iii) If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(C) Maximum structure height in Subdistrict S-1b is 54 feet.

(D[~~B~~]) Subdistricts ~~S-1a, S-1b,~~ S-1c~~,~~ and S-1d.

(i) Maximum structure height for non-residential structures is 54 feet.

(ii) Maximum structure height for residential structures is 36 feet.

(E) Subdistrict S-10.

(i) Maximum structure height for non-residential structures is 54 feet.

(ii) Maximum structure height for residential structures is 45 feet.

(iii) The residential proximity slope in Section 51A-4.412 is expressly incorporated into the height regulations of this section.

(iv) In Subdistrict S-10, if any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(6) Lot coverage.

(A) Subdistricts B, B-1, and B-2.

(i) Maximum lot coverage for office uses is 30 percent.

(ii) Maximum lot coverage for all other uses is 60 percent.

(B) Subdistricts A, C, D, ~~S-1a, S-1b,~~ and S-1d~~,~~. Maximum lot coverage is 60 percent.

(C) Subdistricts S-1a, S-1b, and S-10. Maximum lot coverage is 80 percent for non-single family residential use.

(D[~~C~~]) Subdistrict S-1c. Maximum lot coverage is 30 percent.

(7) Lot size. Minimum lot size for a single family residential use is:

(A) 2,000 square feet in Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, and S-10; and

(B) 5,000 square feet in Subdistrict~~s S-1b and~~ S-1d.

(8) Stories.

(A) Subdistricts A, B, B-1, B-2, C, D, S-1c, and S-1d.

(i[~~A~~]) Except as provided in this subsection, maximum number of stories for non-residential structures is 12.

(ii[~~B~~]) Maximum number of stories for residential structures is three.

(iii[~~C~~]) Maximum number of stories in Subdistrict S-1c is two.

(B) Subdistricts S-1a, S-1b, and S-10. No maximum number of stories.

(9) Lighting.

(A) Subdistricts B, B-1, B-2, S-1a, S-1b, ~~and~~ S-1c, and S-10.

(i) Light fixtures attached to poles may not be located above 35 feet in height.

(ii) All light sources mounted on poles or attached to buildings must utilize a 15-degree below horizontal, full, visual cut-off fixture.

(iii) In Subdistricts S-1a, S-1b, S-1c and S-10, lighting must be LED or similar lighting and fixtures to lessen the glare and light spillover to neighboring properties.

(B) Subdistricts A, C, D, S-1a, S-1b, S-1c, S-1d, and S-10. Lighting must comply with all applicable height and lighting requirements in Chapter 51A.

(10) Additional provisions in Subdistrict S-1c. Structures, except guardhouses, are limited to the building area location shown on the Subdistrict S-1c conceptual plan. Guardhouses, parking, drives (except the three drives shown on the Subdistrict S-1c conceptual plan from Mountain Creek Parkway into Subdistrict S-1c), and other access/maneuvering areas are limited to the developable area and building area locations shown on the Subdistrict S-1c conceptual plan.

(11) Additional provisions in Subdistricts S-1a, S-1b, and S-10.

(A) Single family residential use on lots less than 5,000 square feet:

(i) Minimum front yard is eight feet.

(ii) There is no minimum side and rear yard.

(iii) Maximum lot coverage is 60 percent.

(B) Single family residential use on lots 5,000 square feet or greater:

(i) Minimum front yard is 25 feet.

(ii) Minimum side and rear yard is five feet.

(iii) Maximum lot coverage is 45 percent.

(b) Subdistricts S-2a, S-2b, S-3, S-4, S-5, S-6, S-7, S-8, S-9, and E.

(1) Front yard. Minimum front yard is 15 feet.

(2) Side and rear yard.

(A) Subdistricts S-2a, S-2b, S-3, S-4, S-6, and S-9. Minimum side and rear yard in Subdistricts S-2a, S-2b, S-3, S-4, S-6, and S-9 is five feet.

(B) Subdistricts S-5, S-7, and S-8. No minimum side and rear yard in Subdistricts S-5, S-7, and S-8.

(C) Subdistrict E.

(i) Except as provided in this subparagraph, no minimum side and rear yard.

(ii) For a residential use, a minimum setback of 100 feet must be provided from the northern property line.

(3) Maximum dwelling unit density and minimum lot size.

DISTRICT	DENSITY	MINIMUM LOT SIZE
S-2a	15.0 units per acre	2,000 sq. ft. ~~[N/A]~~
S-2b	20.0 units per acre	2,000 sq. ft. ~~[N/A]~~
S-3	6.0 units per acre	5,000 sq. ft
S-4	5.0 units per acre	6,000 sq. ft.
S-5	7.5 units per acre	2,000 sq. ft.
S-6	5.5 units per acre	5,000 sq. ft.
S-7	5.0 units per acre	2,000 sq. ft.
S-8	5.5 units per acre	2,000 sq. ft.
S-9	24.0 units per acre	2,000 sq. ft. ~~[N/A]~~
E	24.0 units per acre	2,000 sq. ft. (no minimum for multifamily and retirement housing.)

(4) Floor area ratio.

(A) Subdistrict E. Maximum floor area ratio in Subdistrict E is:

(i) 0.195 for institutional and community service uses, recreation uses, and utility and public service uses;

(ii) 0.30 for industrial (inside) for light manufacturing;

(iii) 0.25 for office uses;

(iv) 0.15 for retail and personal service uses;

(v) 0.25 for warehouse uses; and

(vi) 0.05 for all other uses.

(B) Subdistricts S-2a, S-2b, and S-9. Maximum floor area ratio in Subdistrict~~s~~ S-2a, S-2b, and S-9 is 0.5.

(C[~~B~~]) Subdistrict~~s~~ S-7 ~~and S-9~~. Maximum floor area ratio in Subdistrict~~s~~ S-7 ~~and S-9~~ is 0.15.

(D[~~C~~]) Applicability of floor area ratio. In Subdistricts S-2a, S-2b, S-7, S-9, and E, maximum floor area ratio applies only to non-residential development.

(5) Maximum permitted floor area in Subdistrict E.

(A) Maximum permitted floor area is 293,163 square feet of retail floor area, or its equivalent. To calculate the maximum permitted floor area of uses other than retail uses, the floor area equivalencies below apply.

(B) For the following uses or categories of uses, 3.9 square feet of floor area is equivalent to 1 square foot of retail floor area:

-- Industrial (inside) for light manufacturing use.
-- Institutional and community service uses.
-- Lodging uses.
-- Office uses.
-- Recreation uses.
-- Utility and public service uses.
-- Wholesale, distribution, and storage uses.

(C) For all other uses, one square foot of floor area is equivalent to one square foot of retail floor area.

(6) Height.

(A) In general. Except as provided in this paragraph, maximum structure height is 36 feet.

(B) Subdistrict E. Maximum structure height is 36 feet for residential uses and 75 feet for non-residential uses.

(C) Subdistricts S-2b and S-9.

(i) The residential proximity slope in Section 51A-4.412 is expressly incorporated into the height regulations of this section.

(ii) If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(7) Lot coverage. Maximum lot coverage is 60 percent for non-single family residential use.

(8) Stories.

(A) Subdistricts S-3, S-4, S-5, S-6, S-7, S-8, and E. Maximum number of stories for residential structures is three. For non-residential structures, no maximum number of stories. (Ord. Nos. 24425; 24914; 27716; 29587; 29785; 29989; 30305)

(B) Subdistricts S-2a, S-2b, and S-9. No maximum number of stories.

(9) Lighting.

(A) Subdistricts S-2a, S-2b, and S-9.

(i) Except as provided in this section, lighting must comply with all applicable height and lighting requirements in Chapter 51A.

(ii) Light fixtures attached to poles may not be located above 35 feet in height.

(iii) All light sources mounted on poles or attached to buildings must utilize a 15-degree below horizontal, full, visual cut-off fixture.

(iv) Lighting must be LED or similar lighting and fixtures to lessen the glare and light spillover to neighboring properties.

(11) Additional provisions in Subdistricts S-2a, S-2b, and S-9.

(A) Single family residential use on lots less than 5,000 square feet:

(i) Minimum front yard is eight feet.

(ii) There is no minimum side and rear yard.

(iii) Maximum lot coverage is 60 percent.

(B) Single family residential use on lots 5,000 square feet or greater:

(i) Minimum front yard is 25 feet.

(ii) Minimum side and rear yard is five feet.

(iii) Maximum lot coverage is 45 percent.

SEC. 51P-521.110. OFF-STREET PARKING AND LOADING.

(a) In general. Except as otherwise provided in this article, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(b) In Subdistricts B, B-1, and B-2. In addition to the authority of the board of adjustment to consider parking special exceptions under Section 51A-4.311, the board of adjustment may grant a special exception to authorize a reduction of up to 75 percent of the number of off-street parking spaces for wholesale, distribution, and storage uses in Subdistricts B, B-1, and B-2. All other provisions of Section 51A-4.311 shall apply to such an exception.

(c) Data center. One space per 2,000 square feet of floor area is required. (Ord. Nos. 24425; 24914; 25481; 27716; 29785; 30305)

SEC. 51P-521.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 24425; 24914)

SEC. 51P-521.112. LANDSCAPING.

(a) In general.

(1) Except as provided in this section, landscaping must be provided in compliance with Article X.

(2) Plant materials must be maintained in a healthy, growing condition.

(b) In Subdistricts B, B-1, B-2, and E, the following additional landscaping requirements apply.

(1) A landscape buffer, a minimum of 35 feet in width, is required along the entire length of lot frontage adjacent to a divided thoroughfare, excluding points of ingress and egress.

(2) A landscape buffer, a minimum of 20 feet in width, is required along the entire length of lot frontage adjacent to an undivided thoroughfare, excluding points of ingress and egress.

(3) Prior to the issuance of a certificate of occupancy for a use with loading docks that face Mountain Creek Parkway, the following must be provided:

(A) A landscape buffer, a minimum of 60 feet in width, along the entire length of lot frontage adjacent to Mountain Creek Parkway, excluding points of ingress and egress.

(B) A minimum five-foot-high landscaped earthen berm with continuous three-foot-high evergreen plantings located within the 60-foot-wide landscape buffer.

(4) Except as provided in this paragraph, a side and rear yard landscape buffer, a minimum of 10 feet in width, is required. If two or three contiguous lots share truck loading areas, no landscape buffer is required along the shared side yard used for truck loading and maneuvering. See Exhibit 521F for an illustration of this landscaping provision.

(A) For industrial uses and wholesale, distribution, and storage uses, a minimum of one large canopy tree must be provided for each 150 linear feet of a side and rear yard landscape buffer, to be planted no closer together than 50 feet on center.

(B) Where a rear yard backs up to a floodway management area or floodway easement, the 10-foot buffer minimum planting requirements do not apply. This provision does not apply to drainage easements erected under direction of the U.S. Army Corps of Engineers.

(5) For the uses listed, a minimum of the following area must be landscaped:

(A) For industrial and wholesale, distribution, and storage uses, a landscaped area consisting of grass, shrubs, or trees equal to five percent of the lot area.

(B) For office uses, a landscaped area consisting of grass, shrubs, or trees equal to 10 percent of the lot area.

(C) For retail and personal service uses and commercial and business service uses, a landscaped area consisting of grass, shrubs, or trees equal to 15 percent of the lot area.

(6) In Subdistrict E:

(A) For industrial uses and wholesale, distribution, and storage uses, site trees must be provided at a ratio of one tree for each 6,000 square feet of site area.

(B) The total caliper of replacement trees may equal 25 percent of the total caliper of protected trees removed or seriously injured if:

(i) the building official approves a tree removal and mitigation plan; and

(ii) a conservation easement covering at least 20 acres of the Property that complies with Article X is dedicated to the city prior to the issuance of the first certificate of occupancy.

(c) Subdistrict S-1c.

(1) Street trees may be planted within 70 feet of the back of the established curb line.

(2) A landscape buffer with a minimum width of 60 feet is required along the entire frontage adjacent to Mountain Creek Parkway, excluding points of ingress or egress.

(3) A berm with a minimum height of 10 feet, a minimum width of 100 feet, and a maximum slope of 5:1, is required on the south side of the developable area as shown on the Subdistrict S-1c conceptual plan.

(A) The berm must be covered in native grasses.

(B) For every 150 linear feet of the berm, one large canopy tree must be planted a maximum of 20 feet from the crest of the berm.

(C) Large evergreen shrubs capable of obtaining a solid appearance within three years and achieving a minimum height of three feet, must be located along the top portion of the berm.

(D) Trees must be irrigated.

(4) Three berms with a minimum height of 10 feet, a minimum width of 100 feet and a maximum slope of 5:1 must be located on the west side of the developable area as shown on the Subdistrict S-1c conceptual plan.

(A) Berms must be covered with native grasses.

(B) For every 150 linear feet of a berm, one large canopy tree must be planted a maximum of 20 feet from the crest of the berm.

(C) Large evergreen shrubs capable of obtaining a solid appearance within three years and achieving a minimum height of three feet, must be located along the top portion of the berms.

(D) Trees must be irrigated.

(E) For each drive approach on Mountain Creek Parkway, 10 flowering trees (Texas Mountain Laurel, Crepe Myrtle, American Red Bud or similar species) must be planted and an approximately 1,000 pound natural stone must be placed on either side of the drive approach.

(5) Two open space areas must be provided as shown on the Subdistrict S-1c conceptual plan. Total open space area must be a minimum of 26 acres.

(6) A large canopy tree must be planted and maintained for every 150 linear feet along the north side of the subdistrict adjacent to the Oncor property.

(7) A large canopy tree must be planted and maintained for every 150 linear feet along the south side of the subdistrict adjacent to Camp Wisdom Road.

(8) A large canopy tree must be planted and maintained for every 150 linear feet along Mountain Creek Parkway (large canopy trees planted on the berms count towards this landscaping requirement.)

(9) A minimum of five percent of the total lot area must be landscaped.

(10) Landscaping must be designed with water-wise and native plant materials approved by the building official.

(11) Required tree mitigation must be done on the Property to the extent the developed site reasonably allows, and must be approved by the building official.

(12) Open space must remain natural and undistributed except as required for utilities, emergency access, landscaping/mitigation, or excavation/grading. If distributed (other than for emergency access, landscaping/mitigation, or sidewalks) the area must be returned to a natural state using native plant materials. Emergency access through the open areas must be constructed using permeable paving material as approved by the building official.

(d) Private license granted in Subdistricts B, B-1, B-2, E, and S-1c.

(1) The city council hereby grants a revocable, non-exclusive license to the owners, or with the written consent of the owner, to the tenants ("property owner") of all property in this subdistrict for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit in accordance with the Dallas Building Code, or Subsection (e[~~d~~]) of this section. This private license shall not terminate at the end of any specific time period, however, the city council reserves and has the absolute right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city of the necessity for such termination shall be final and binding and the city shall become entitled to possession of the premises without giving any notice and without the necessity of legal proceedings to obtain possession whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or when the purpose or use of this license is likely to become a nuisance or a public safety issue. Upon termination of the license by the director, each property owner shall remove all improvements and installations in the public rights-of-way in a manner satisfactory to the director of public works and transportation.

(2) A property owner is not required to comply with any landscaping requirement if compliance is made impossible due to the director's revocation of a landscape permit or the revocation of the license granted herein affecting landscaping.

(3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the property owner shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the license granted herein, with combined single limits of liability for bodily injury and property damage of not less than $1,000,000 for each occurrence, $2,000,000 annual aggregate. Coverage under this liability policy shall be on an "occurrence" basis and the city shall be named as additional insured. Proof of such insurance shall be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, 1/C/North, Dallas, Texas 75201 and the policy shall provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent same are covered by this liability insurance policy.

(4) Each property owner shall be responsible for maintaining the landscaping and related amenities in good repair and condition and to keep the premises safe and from deteriorating in value or condition, at no expense to the city, and the city shall be absolutely exempt from any requirements to make repairs or to maintain the landscaping and related amenities. The granting of a license for landscaping and related amenities under this section does not release the property owner from liability in the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(e) Parkway landscape permit in Subdistricts B, B-1, B-2, E, and S-1c.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the director shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the director determines that the construction and planting or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the director shall issue a parkway landscape permit to the property owner; otherwise, the director shall deny the permit.

(3) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the director's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the director is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the director's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees or other amenities in the public right-of-way. (Ord. Nos. 24425; 24914; 25481; 27716; 29785; 29989; 30305)

SEC. 51P-521.113. SIGNS.

(a) Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1b, S-1c, S-1d, S-10, and E.

(1) In general. Except as provided in this subsection, signs in Subdistricts A, B, B-1, B-2, C, D, S-1a, S-1c, S-1d, S-10, and E must comply with the provisions for nonresidential zoning districts in Article VII.

(2) Signs in Subdistricts B, B-1, and B-2. The following additional sign regulations apply:

(A) Detached non-premise signs are prohibited.

(B) Roof top signs are prohibited.

(C) No sign attached to a pole support may exceed 25 feet in height.

(D) No detached sign may exceed 400 square feet in effective area.

(E) A detached sign with a maximum effective area of 60 feet may be located up to the property line if the sign does not exceed six feet in height above grade.

(3) Signs in Subdistrict S-1c. The following additional sign regulations apply:

(A) Detached non-premise signs are prohibited.

(B) Roof top signs are prohibited.

(C) A detached monument sign having a maximum effective area of 60 feet may be located up to the Property line if the sign does not exceed six feet in height above grade.

(D) A maximum of three monument signs are permitted along Mountain Creek Parkway. One monument sign may be located at each access point to the Property from Mountain Creek Parkway.

(E) All monument signs adjacent to a public right-of-way must be designed and constructed to blend with and must be complimentary to the adjacent building. Monument signs must incorporate aesthetics, materials, and colors from the adjacent building. The materials must include 20 percent natural stone as used on the adjacent building. Monument signs must be externally illuminated utilizing ground-mounted light fixtures, and must have groundcover and low shrubbery around the sign to screen the light fixtures from view.

(F) Attached signs are limited to a maximum effective area of 400 square feet and are not permitted to face Camp Wisdom Road.

(4) Business Park Entry Feature.

(A) In Subdistrict B, a Business Park Entry Feature that meets the specifications in Exhibit 521G is allowed at the entrance of the Mountain Creek Business Park located at the intersection of Mountain Creek Parkway and the LBJ Freeway (I-20), in a location that is between 160 to 165 feet from the centerline of the LBJ service road.

(B) A Business Park Entry Feature means an entry feature that identifies and contributes to the character or type of development; it is an entry feature which is located at a primary entrance and indicates a uniform development. A Business Park Entry Feature is a monument-style premise sign situated on a grade-level support structure (not a pole support) with no separation.

(C) The city retains its rights to the public right-of-way and easements as may be necessary or convenient for the purpose of erecting, constructing, maintaining, and operating utility over, across, under and through the premises in the designated set-back areas, or within the public right-of-way.

(D) The city retains its rights to remove the Business Park Entry Feature or any sign within the public right-of-way should the director determine that these features have become a nuisance or public safety issue.

(E) The city shall not be responsible for any expenses involved in removal or reconstruction of the Business Park Entry Feature should the director deem it necessary in accordance with Subparagraphs (C) or (D).

(5) Private license granted.

(A) The city council hereby grants a revocable, non-exclusive license to the owners, or with the written consent of the owner, to the tenants ("property owner") of all property in this subdistrict for the exclusive purpose of Business Entry Feature. This private license shall not terminate at the end of any specific time period, however, the city council reserves and has the absolute right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city of the necessity for such termination shall be final and binding and the city shall become entitled to possession of the premises without giving any notice and without the necessity of legal proceedings to obtain possession whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or when the purpose or use of this license is likely to become a nuisance or a public safety issue. Upon termination of the license by the director, each property owner shall remove all improvements and installations in the public rights-of-way in a manner satisfactory to the director of public works and transportation.

(B) Upon the installation of a Business Park Entry Feature, a detached sign, and related amenities, in the public rights-of-way, the property owner shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the license granted herein, with combined single limits of liability for bodily injury and property damage of not less than $1,000,000 for each occurrence, $2,000,000 annual aggregate. Coverage under this liability policy shall be on an "occurrence" basis and the city shall be named as additional insured. Proof of such insurance shall be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, 1/C/North, Dallas, Texas 75201 and the policy shall provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal or

material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent same are covered by this liability insurance policy.

(C) Each property owner shall be responsible for maintaining the landscaping and related amenities in good repair and condition and to keep the premises safe and from deteriorating in value or condition, at no expense to the city, and the city shall be absolutely exempt from any requirements to make repairs or to maintain the landscaping and related amenities. The granting of a license for landscaping and related amenities under this section does not release the property owner from liability in the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(b) All other subdistricts. Signs in all other subdistricts must comply with the provisions for non-business zoning districts in Article VII. (Ord. Nos. 24425; 24914; 25481; 26102; 27716; 29785; 29989; 30305)

SEC. 51P-521.114. FLOOD PLAIN AND ESCARPMENT ZONE REGULATIONS.

Development within this district must comply with Article V. (Ord. Nos. 24425; 24914)

SEC. 51P-521.115. DEVELOPMENT PHASING SCHEDULE.

(a) Notwithstanding any other provision in this article, development within this district must be phased in accordance with the provisions of this section.

(b) To determine the applicability of roadway improvements as specified in Subsections (c) through (e), the following equivalency chart must be used to calculate maximum permitted floor areas for permitted uses other than retail uses.

(1) For the following uses, 3.90 square feet of floor area will be considered as 1.0 square foot of retail floor area.

-- Industrial (inside) for light manufacturing.
-- Adult day care facility.
-- Cemetery or mausoleum.
-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center.
-- Convalescent and nursing home, hospice care, and related institutions.
-- Convent or monastery.
-- Hospital.
-- Library, art gallery, or museum.
-- Public or private school.
-- Hotel or motel.
-- Financial institution without drive-in window.
-- Financial institution with drive-in window.
-- Medical clinic or ambulatory surgical center.
-- Office.

-- Country club with private membership.
-- Private recreation center, club, or area.
-- Public park, playground, or golf course.
-- College dormitory, fraternity, or sorority house.
-- Commercial radio and television transmitting station.
-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Post office.
-- Radio, television, or microwave tower.
-- Tower/antenna for cellular communication.
-- Utility or government installation other than listed.
-- Auto auction.
-- Freight terminal.
-- Manufactured building sales lot.
-- Mini-warehouse.
-- Office showroom/warehouse.
-- Trade center.
-- Warehouse.

(2) For all residential uses, except the college dormitory, fraternity, or sorority house use, one dwelling unit or suite is equivalent to 222 square feet of retail floor area.

(3) For all other uses, one square foot of floor area is equivalent to one square foot of retail floor area.

(c) Except as provided in this subsection, no building permit may be issued to authorize work that would cause the total floor area within Subdistrict A and the southern half of Subdistrict C to exceed 204,800 square feet of floor area or its equivalent, until Merrifield Road from Mountain Creek Parkway to Grady Niblo Road has been improved to the width and cross-section required by the City of Dallas Thoroughfare Plan. A building permit may be issued if a development contract has been executed for the construction of the required improvement. A certificate of occupancy, however, may not be issued authorizing the use of the additional floor area until the improvement has been completed.

(d) Except as provided in this subsection, no building permit may be issued to authorize work that would cause the total floor area within Subdistrict D and the Northern half of Subdistrict C to exceed 204,800 square feet of retail floor area or its equivalent, until Grady Niblo Road from Mountain Creek Parkway to Merrifield Road has been improved to the width and cross-section required by the City of Dallas Thoroughfare Plan. A building permit may be issued if a development contract has been executed for the construction of the required improvement. A certificate of occupancy, however, may not be issued authorizing the use of the additional floor area until the improvement has been completed.

(e) Except as provided in this subsection, no building permit may be issued to authorize work that would cause the total floor area within Subdistricts S-1a, S-1b, S-1c, S-1d, S-2a, S-2b, S-3, S-4, S-5, and S-6 to exceed 1,482,140 square feet of retail floor area or its equivalent, until Mountain Creek Parkway from Camp Wisdom Road to IH-20 has been improved to the width and cross section required by the City of Dallas Thoroughfare Plan. A building permit may be issued if a development contract has been executed for the construction of the required improvement. A certificate of occupancy, however, may not be issued authorizing the use of the additional floor area until the improvement has been completed.

(f) Before a building permit to authorize work that would cause the number of dwelling units to exceed 900 within Subdistricts A and C combined, the Property owner must submit in writing to the building official a signal warrant study prepared by a professional traffic engineer that analyzes the impact that over 900 dwelling units will have on the intersection of Mountain Creek Parkway and Interstate Highway 20. If the signal warrant study shows that a traffic signal or other infrastructure is required, the traffic signal or other infrastructure must be provided. Final design and construction of a traffic signal or other infrastructure must be approved by the transportation division of the streets department. (Ord. Nos. 24425; 24914; 26792; 29587)

SEC. 51P-521.116. TRANSPORTATION IMPROVEMENTS.

(a) Median openings on Mountain Creek Parkway may be spaced no closer than 1000 feet apart unless closer spacing is approved in writing by the director of public works and transportation.

(b) In order to provide free right turn lanes and dual left turn lanes within this district, where a principal arterial intersects with another principal arterial, a minor arterial, or a freeway, the public right-of-way must be a minimum of 20 feet wider than the right-of-way required for the through lanes for a distance of 400 feet from the intersection.

(c) In Subdistrict S-1c, median openings between Camp Wisdom Road and the northern boundary of the subdistrict must be located as shown on the Subdistrict S-1c conceptual plan. Median openings, stacking lanes for protected left-turns, and driveway openings must be designed to accommodate commercial vehicles for length, width, and turning radius. (Ord. Nos. 24425; 24914; 30305)

SEC. 51P-521.117. NET DEVELOPABLE AREA CALCULATIONS.

All residential densities (dwelling units per acre) and all floor area ratios are calculated by using the "net developable area." The net developable area is calculated by subtracting the following from the gross acreage of each subarea:

(1) Thoroughfares shown on the conceptual plans.

(2) Land areas where slopes exceed a 25 percent grade.

(3) Drainage ways.

(4) The escarpment zone. (Ord. Nos. 24425; 24914)

SEC. 51P-521.117.1. SIDEWALKS.

(a) Except as otherwise provided in this article, the standards, provisions, and requirements of the Dallas City Code, as amended, apply to all sidewalks.

(b) In Subdistrict B, a sidewalk a minimum of six feet in width must be provided along the eastern frontage of Mountain Creek Parkway. The location of this sidewalk is subject to the approval of the director, but should be generally located in that area parallel to and between five and 15 feet from the back of the projected street curb. Notwithstanding Subsection (a) above, the sidewalk requirements along

the western frontage of Mountain Creek Parkway are waived until the director deems it necessary to construct such sidewalk for safety and mobility issues.

(c) Should the director waive the required sidewalks in Subdistrict B, the waiver does not preclude the city from installing sidewalks at some later time and assessing the abutting owners for the cost of the installation. (Ord. 25481)

(d) Subdistricts S-1a, S-1b, S-2a, S-2b, S-9, and S-10.

(1) A sidewalk with a minimum average width of six feet must be provided along all street frontages.

(A) Except as provided in this subsection, all sidewalks must be clear and unobstructed for a minimum of five feet in width.

(B) Tree grates do not count toward the minimum unobstructed sidewalk width.

(C) If the building official determines that the location of a local utility or protected tree, as defined in Article X, would prevent a five-foot minimum width, the sidewalk may be reduced to four feet in width in that location.

(2) Sidewalks must be located in an area parallel to and between two feet and 15 feet of the back of the projected street curb.

SEC. 51P-521.117.2. SUBDISTRICT S-1b ARCHITECTURAL DESIGN STANDARDS FOR BUILDING WALL ARTICULATION.

(a) The height of the exterior walls fronting on a public right-of-way must have vertical articulation with a minimum of two feet in vertical height for every 150 feet of horizontal length.

(b) Horizontal recesses and indentations must be incorporated at the entry and planned office areas of a building. Recesses and indentations must be a minimum of three feet deep and occur no less than every 25 feet of horizontal wall distance. The horizontal recess feature must occur within the first 60 feet of a corner at any planned office area.

(c) Canopies or sunscreens must be incorporated at entry and planned office areas of a building to provide protection from the elements and to create "shade and shadow" visual effects on the walls.

SEC. 51P-521.117.3[~~2~~]. SUBDISTRICT S-1c ARCHITECTURAL DESIGN STANDARDS.

The following design standards must be met for all uses in Subdistrict S-1c:

(a) Building wall articulation.

(1) The height of the exterior walls fronting on a public right-of-way must have vertical articulation with a minimum of two feet in vertical height for every 150 feet of horizontal length.

(2) Horizontal recesses and indentations must be incorporated at the entry and planned office areas of a building. Recesses and indentations must be a minimum of three feet deep and occur no less than every 25 feet of horizontal wall distance. The horizontal recess feature must occur within the first 60 feet of a corner at any planned office area.

(3) Canopies or sunscreens must be incorporated at entry and planned office areas of a building to provide protection from the elements and to create "shade and shadow" visual effects on the walls.

(b) Exterior stone. Acknowledging that a wholesale, distribution, and storage use has a major portion of its exterior walls accommodating dock doors, trailers, and truck traffic and that it is generally screened from public view, natural stone veneer must be incorporated at the entry and planned office areas of a building that fronts on a public right-of-way only. The stone must cover a minimum of 20 percent of the non-glazed portions of the walls to a minimum height of 10 feet above grade, within a maximum distance of 60 feet from the corners of the building, but not within the truck dock portion of the building.

(c) Exterior building colors. The exterior walls of a building must be painted, except for areas covered in glazing, stone, or other masonry veneer. Exterior walls must be painted with a minimum of two colors that are complimentary to each other. The colors must be in "earth-tone" hues, incorporating, but limited to, shades of off-whites, tans, beiges, browns, warm grays, and muted reds, greens, and golds. (Ord. 30305)

SEC. 51P-521.118. ADDITIONAL PROVISIONS.

(a) The entire Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.
NOTE: Due to the presence of highly expansive soil conditions on property within this district, the building official, in accordance with the provisions of the Dallas Building Code, currently requires that all building permit applications submitted for structures in this district be accompanied by a letter bearing the seal and signature of a professional engineer registered in the State of Texas and must contain the street address and lot and block of the building site and a statement that the foundation has been designed to soil conditions based on a soil analysis prepared by a recognized testing laboratory in accordance with the Dallas Building Code.

(c) Prior to development plan approval or action on a specific use permit request by the city plan commission in Subdistricts S-2a, S-2b, S-3, S-4, S-5, S-6, S-7, S-8, S-9, or S-10, written notification must be sent to all owners of real property lying within 500 feet of the boundary of the area of request. Measurements and the mailing of notices must be made pursuant to the requirements of Section 51A-4.701(b)(5).

(d) Truck stop.

(1) Showering facilities are prohibited.

(2) Commercial vehicles may not remain on the Property for more than one hour.

(3) Before the issuance of a certificate of occupancy for a truck stop in Subdistrict B-2, an access easement must be recorded to provide vehicular ingress and egress from the northern Property line. The access easement must be in the location shown on the Subdistrict B-2 development plan (Exhibit 521H).

(e) Subdistrict E.

(1) For industrial uses and warehouse, distribution, and storage uses, ingress and egress is limited to Mountain Creek Parkway.

(2) The extension of Capella Park Avenue through the Property to Mountain Creek Parkway is prohibited.

(f) Subdistrict S-1c.

(1) No egress or ingress is permitted to or from Camp Wisdom Road, except as required by for emergency access.

(2) For an industrial use or a wholesale, distribution, and storage use, a minimum queuing length of 600 feet must be provided between a guard house and the entry point onto the Property for commercial motor vehicles.

(3) A minimum distance of 1,000 feet must be provided between the centerline of any ingress or egress point for commercial motor vehicles and the west bound travel lanes of Camp Wisdom Road at the intersection of Mountain Creek Parkway.

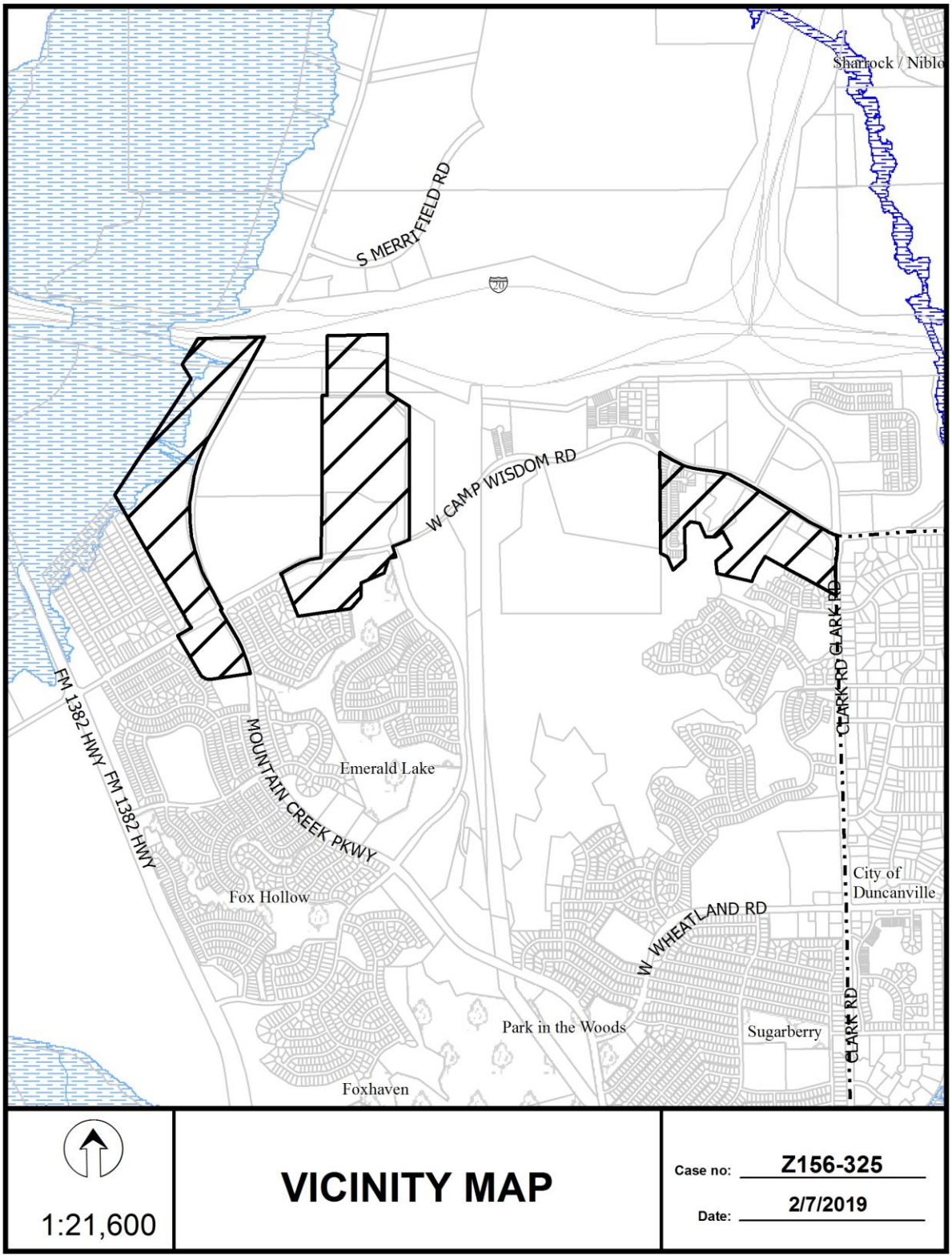
(4) No commercial motor vehicle queuing is allowed from the Property into the public right-of-way.

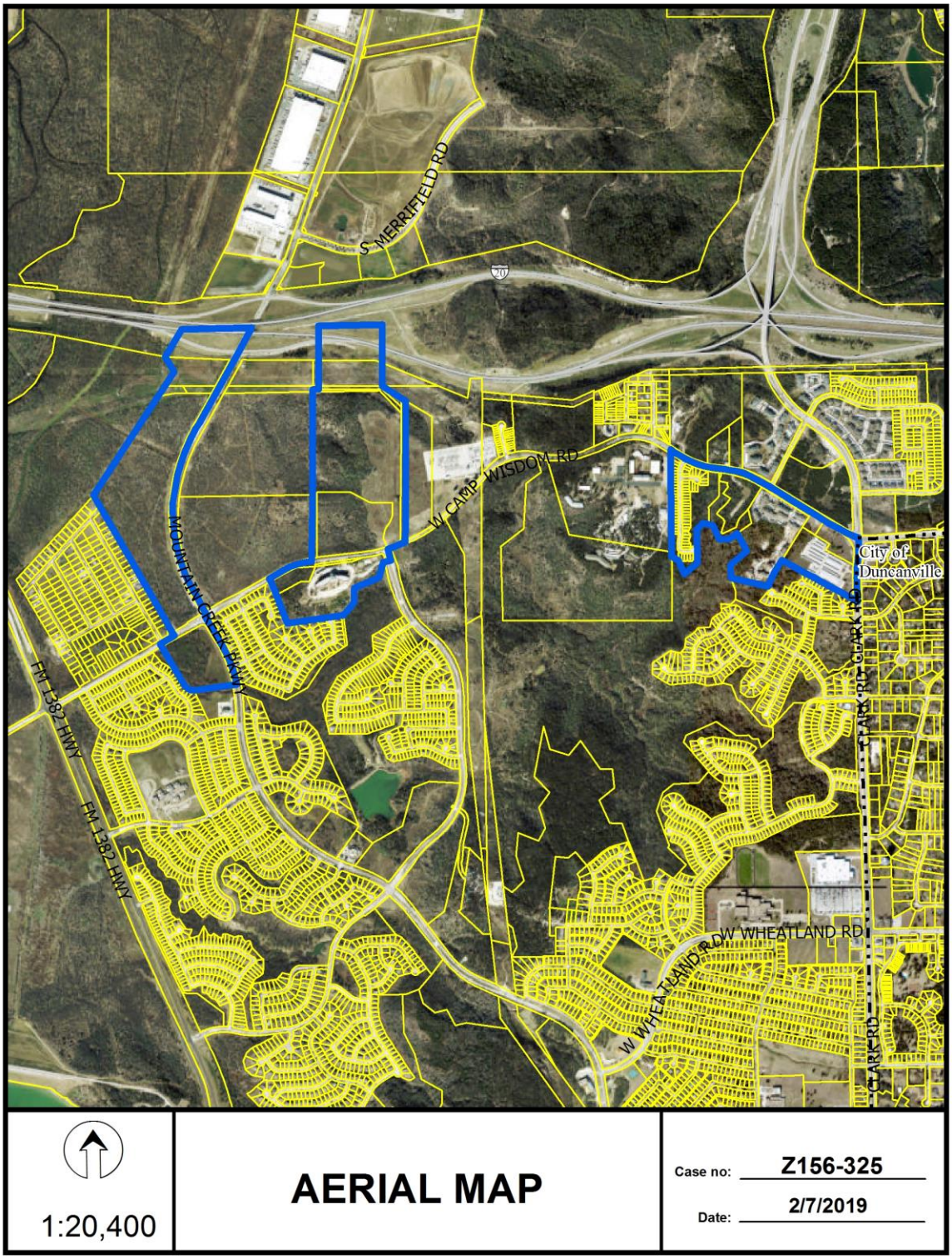
(5) Vehicular access to Subdistrict S-2a is limited to emergency vehicles through use of a Knox Box. (Ord. Nos. 24425; 24914; 26102; 29785; 29989; 30305)

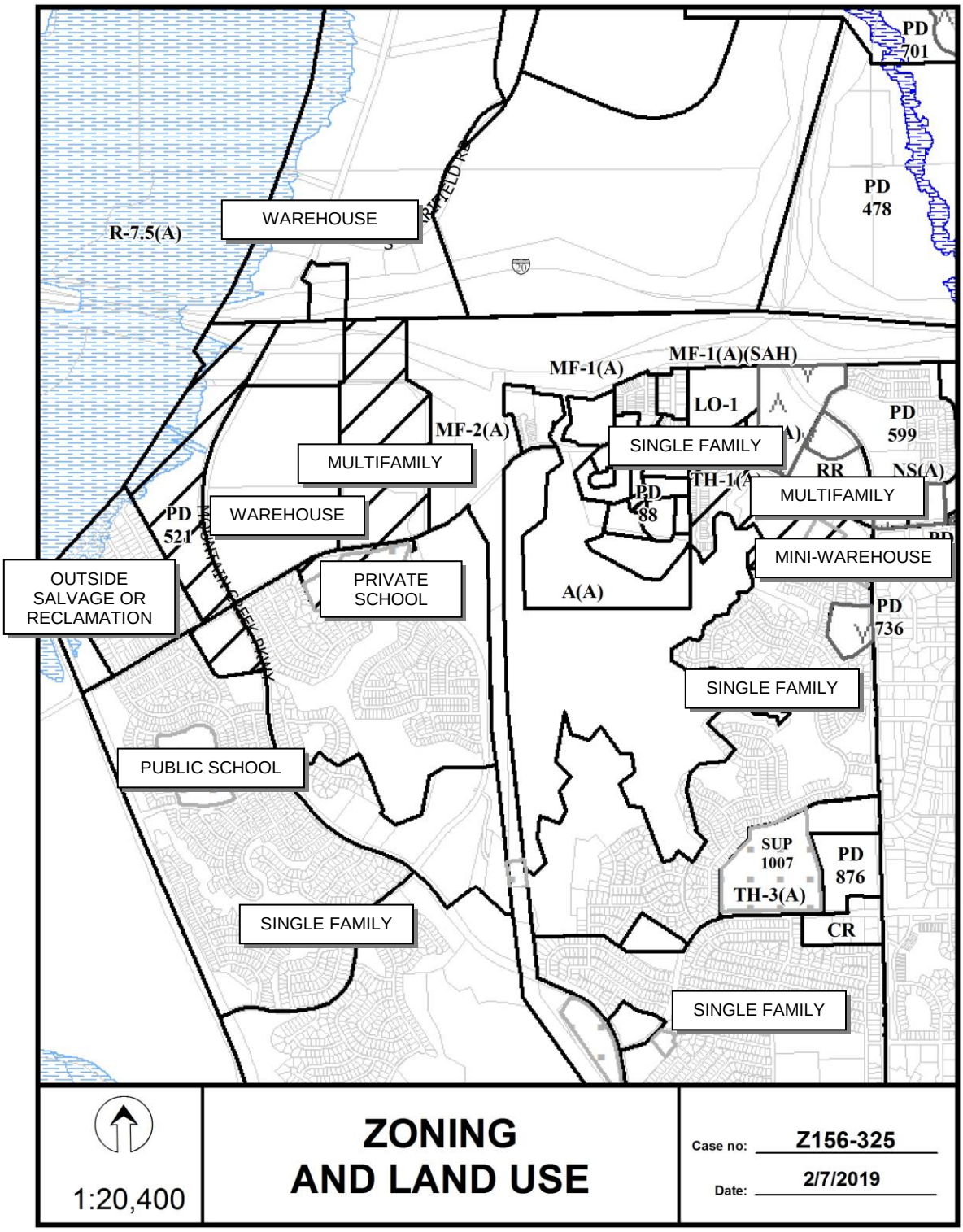
SEC. 51P-521.119. COMPLIANCE WITH CONDITIONS.

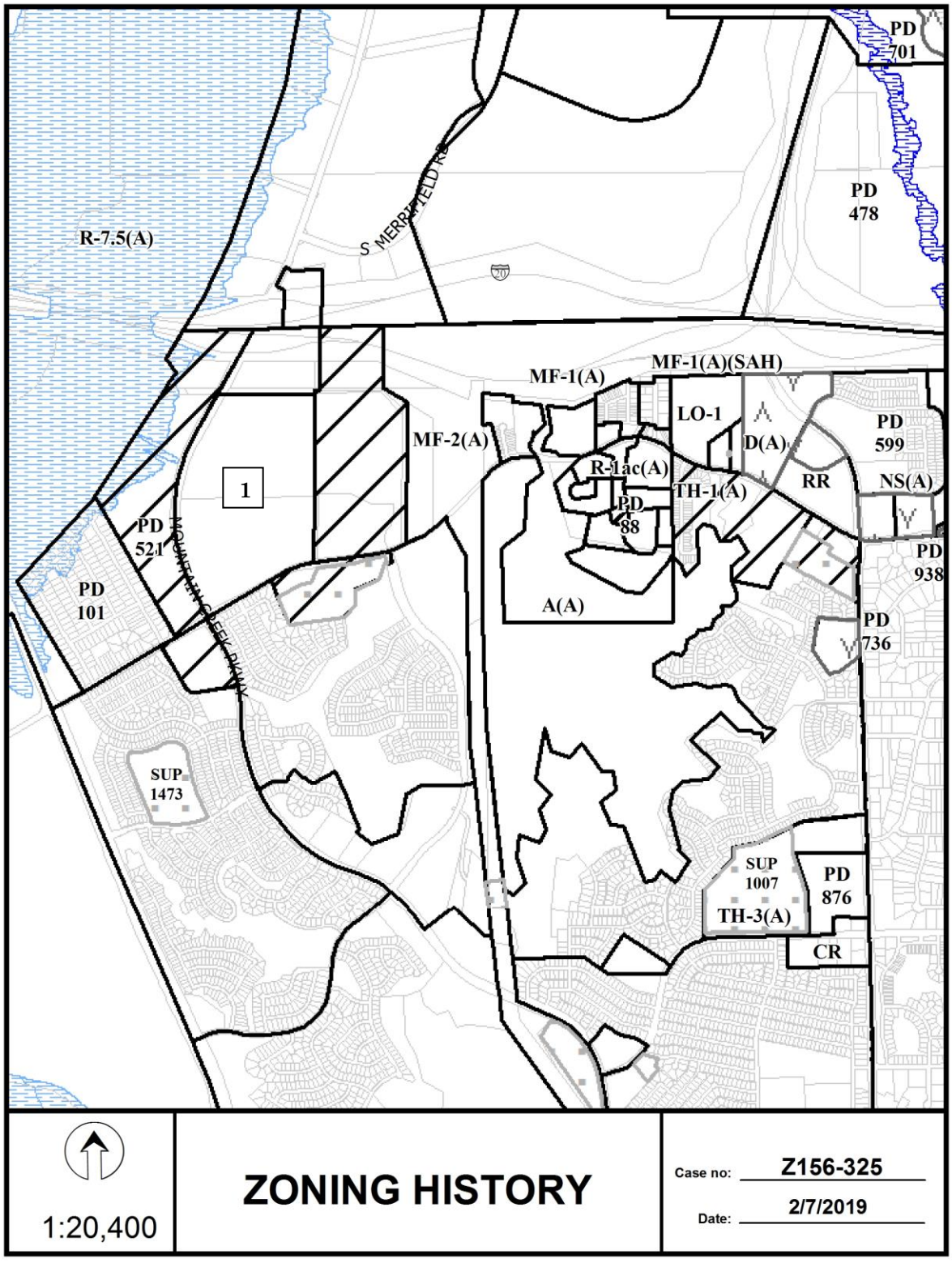
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

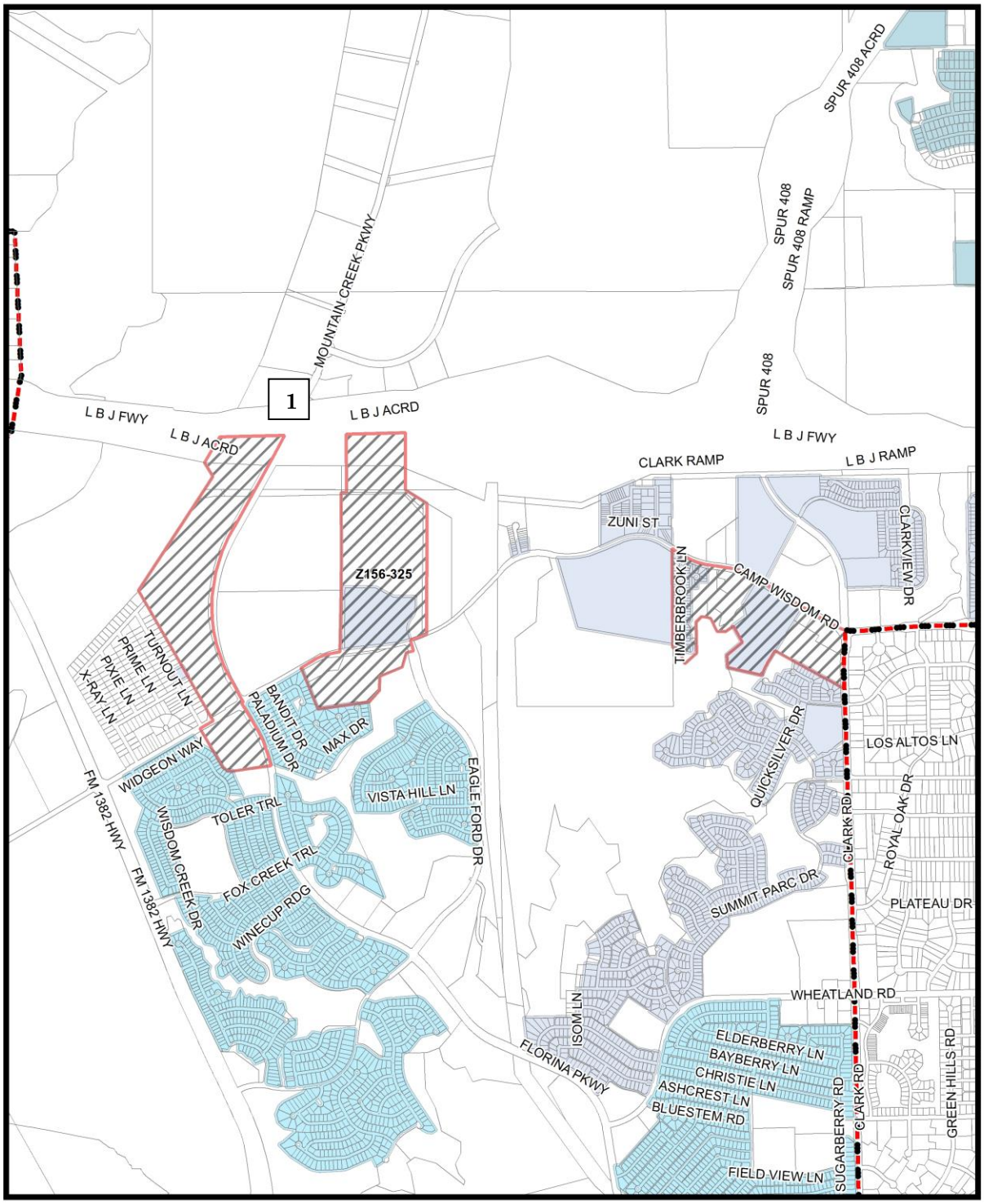
(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 24190; 24914; 26102)


Sharrock / Niblo
S MERRIFIELD RD
W CAMP WISDOM RD
CLARK RD
CLARK RD
FM 1382 HWY
FM 1382 HWY
MOUNTAIN CREEK PKWY
Emerald Lake
Fox Hollow
City of Duncanville
W WHEATLAND RD
Park in the Woods
Sugarberry
Foxhaven
1:21,600
VICINITY MAP
Case no: Z156-325
Date: 2/7/2019


S MERRIFIELD RD
W CAMP WISDOM RD
MOUNTAIN CREEK PKWY
FM 1382 HWY
FM 1382 HWY
City of Duncanville
CLARK RD
CLARK RD
W WHEATLAND RD
W WHEATLAND RD
1:20,400
AERIAL MAP
Case no: Z156-325
Date: 2/7/2019


PD 701
PD 478
R-7.5(A)
WAREHOUSE
MF-1(A)
MF-1(A)(SAH)
LO-1
MF-2(A)
SINGLE FAMILY
PD 599
MULTIFAMILY
RR
NS(A)
PD 88
MULTIFAMILY
PD 521
WAREHOUSE
MINI-WAREHOUSE
OUTSIDE SALVAGE OR RECLAMATION
PRIVATE SCHOOL
A(A)
PD 736
SINGLE FAMILY
PUBLIC SCHOOL
SUP 1007
TH-3(A)
PD 876
CR
SINGLE FAMILY
SINGLE FAMILY
1:20,400
ZONING AND LAND USE
Case no: Z156-325
Date: 2/7/2019


PD 701
PD 478
R-7.5(A)
S MERRIFIELD RD
MF-1(A)
MF-1(A)(SAH)
LO-1
D(A)
PD 599
MF-2(A)
R-1ac(A)
TH-1(A)
RR
NS(A)
PD 88
1
PD 521
PD 938
PD 101
MOUNTAIN CREEK PKWY
A(A)
PD 736
SUP 1473
SUP 1007
PD 876
TH-3(A)
CR
1:20,400
ZONING HISTORY
Case no: Z156-325
Date: 2/7/2019



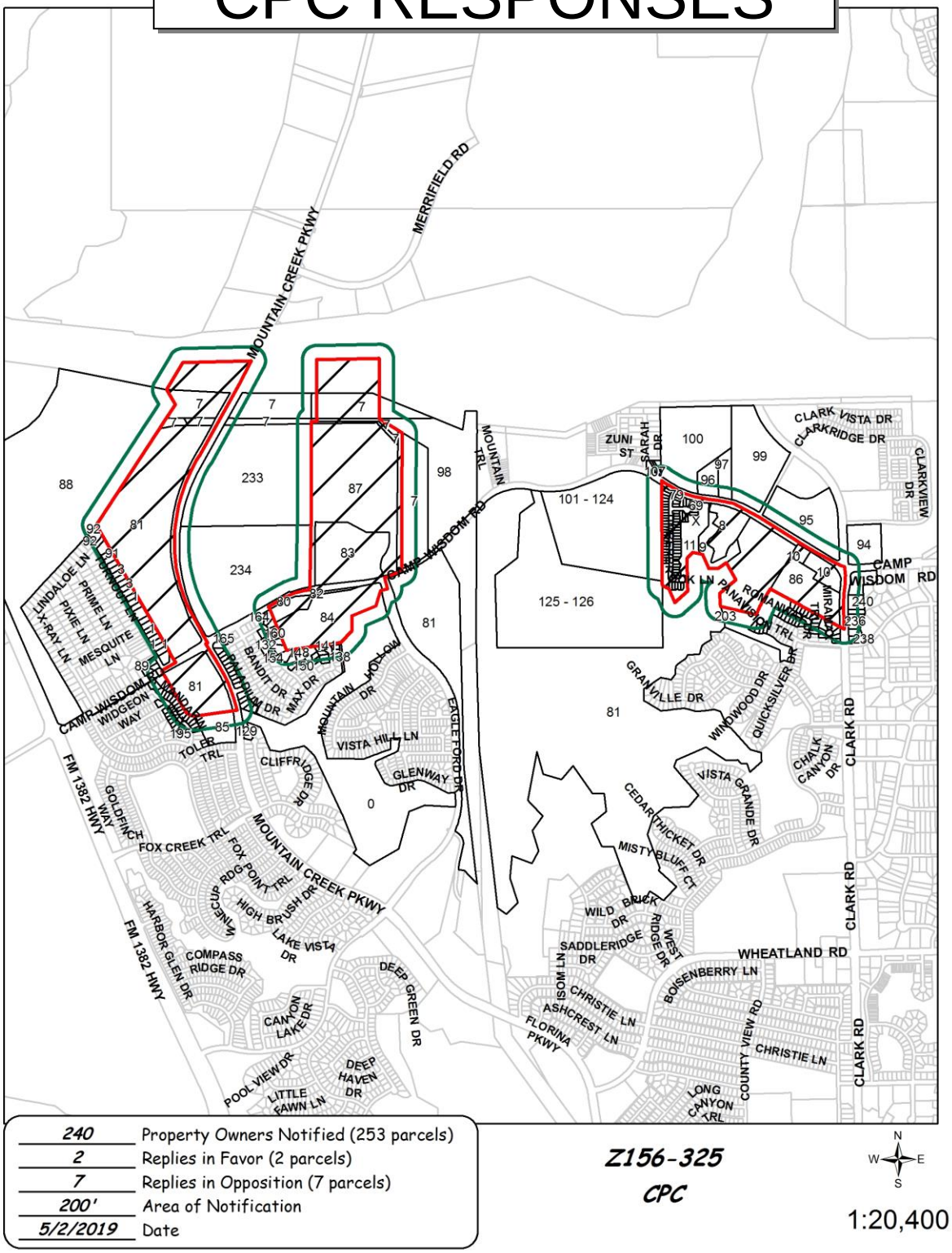
MVACluster A B C D E F G H I NA

1:21,600

Market Value Analysis

Printed Date: 2/7/2019

CPC RESPONSES



240	Property Owners Notified (253 parcels)
2	Replies in Favor (2 parcels)
7	Replies in Opposition (7 parcels)
200'	Area of Notification
5/2/2019	Date

Z156-325
CPC

N
W E
S

1:20,400

05/01/2019

Reply List of Property Owners

Z156-325

240 Property Owners Notified 2 Property Owners in Favor 7 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	5314	TURNOUT LN	CONTRERAS ANTONIO
	2	5320	TURNOUT LN	LOPEZ JOSE
	3	5332	TURNOUT LN	PHAXAY KENNET &
	4	5374	TURNOUT LN	ZENO WILLIAM
	5	5386	TURNOUT LN	YOUNG JAMES
	6	5392	TURNOUT LN	QUINTANILLA JUANA DEDIOS
	7	5000	MOUNTAIN CREEK PKWY	TEXAS UTILITIES ELEC CO
	8	8600	CLARK RD	JDI INVESTORS LP
	9	8600	CLARK RD	MOUNTAIN CREEK COMMUNITY CHURCH
	10	8441	CLARK RD	CLARKWISDOM LLC
	11	7110	FOREST VISTA CT	MOUNTAIN CREEK COMMUNITY CHURCH
	12	8303	TIMBERBROOK LN	AMH 2014 1 BORROWER LLC
	13	8307	TIMBERBROOK LN	CHUNG PYUNG SOO
	14	8311	TIMBERBROOK LN	KANNY ESTATES LLC
	15	8315	TIMBERBROOK LN	BOWDOIN HARUNO
	16	8319	TIMBERBROOK LN	WEAVER JANETTA M
	17	8323	TIMBERBROOK LN	PARKER STEPHEN G & MONICA V
	18	8327	TIMBERBROOK LN	WILDMAN SUSAN MCGARITY
	19	8331	TIMBERBROOK LN	JOHNSON ROSHUNDRA JENEA EST OF
	20	8335	TIMBERBROOK LN	PEREZ CONNIE
X	21	8339	TIMBERBROOK LN	BOUTIN MICHAEL & ALANNA Y
O	22	8343	TIMBERBROOK LN	MAGEE FELICIA R
	23	8347	TIMBERBROOK LN	JARRETT CLARICE
	24	8351	TIMBERBROOK LN	KAJII HIDEO
	25	8355	TIMBERBROOK LN	RILEY JOY M &

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	26	8359	TIMBERBROOK LN	CRUZ REBECCA
	27	8363	TIMBERBROOK LN	LE TRANG
	28	8367	TIMBERBROOK LN	BROOKS JARITA
	29	8371	TIMBERBROOK LN	SCHEDULE SEA LLC
	30	8375	TIMBERBROOK LN	BRYANT ERICA
	31	8379	TIMBERBROOK LN	TAH HOLDING LP
	32	8383	TIMBERBROOK LN	BROUS CASEY &
	33	8387	TIMBERBROOK LN	FOLSE ERNEST &
	34	8391	TIMBERBROOK LN	YOUNGBLOOD VANESSA
	35	8401	TIMBERBROOK LN	YUSUF SAHEED & ESTHER ODUTOYE
	36	8405	TIMBERBROOK LN	WILLIAMS THOMAS LOUIS JR
	37	8409	TIMBERBROOK LN	OLSON OWEN
	38	8433	TIMBERBROOK LN	CUELLAR JICELA
X	39	8437	TIMBERBROOK LN	NYO KHIN
	40	8441	TIMBERBROOK LN	PORTES JOSE A & SONIA
	41	8445	TIMBERBROOK LN	KIM JAEWOO & HYUN SOOK LEE
	42	8449	TIMBERBROOK LN	CRUZ DAVID & JEANETTE
	43	8430	TIMBERBROOK LN	AMH 2014 2 BORROWER LLC
	44	8426	TIMBERBROOK LN	RODRIGUEZ CESAR A
	45	8422	TIMBERBROOK LN	TABER ABIGAIL C & TYLER M
	46	8418	TIMBERBROOK LN	DULIN YONG NAN
	47	8414	TIMBERBROOK LN	PORTER RASHAWN L
	48	8410	TIMBERBROOK LN	KING CAMILLE
	49	8404	TIMBERBROOK LN	TARVIN DON & RAUDETE E
	50	8394	TIMBERBROOK LN	T GLOBAL SOLUTION LLC
	51	8390	TIMBERBROOK LN	ANDERSON KEVIN
	52	8386	TIMBERBROOK LN	BRYANT CHRISTOPHER & KRYSTEE YBARRA
	53	8382	TIMBERBROOK LN	SHERVANDALIN CHERRY L &
	54	8378	TIMBERBROOK LN	CHRISTLE KELLY
	55	8374	TIMBERBROOK LN	SCOTT KENNETH & RACHEL
	56	8370	TIMBERBROOK LN	MATHIS KEVIN & CHERYL
	57	8366	TIMBERBROOK LN	ESPINOSA JORGE Y &

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	58	8362	TIMBERBROOK LN	MORNES DOMINIQUE & BOBBIE
	59	8358	TIMBERBROOK LN	MOLINA VICTORIANO N & MELISSA
	60	8354	TIMBERBROOK LN	SANCHEZ MELISSA
	61	8350	TIMBERBROOK LN	WATSON DORA VILLARREAL
	62	8346	TIMBERBROOK LN	COLEMAN CONSTANCE
	63	8342	TIMBERBROOK LN	SAAMS VIVIENE &
	64	8338	TIMBERBROOK LN	JOHNSON CYNTHIA
	65	8334	TIMBERBROOK LN	GRAY CLARENCE J & EBONI D
	66	7120	FOREST VISTA CT	CARRILLO CARMEN
	67	7116	FOREST VISTA CT	SAUCEDO CESAR M & MONICA C SAUCEDO
	68	7112	FOREST VISTA CT	AYALA JOSE
X	69	7108	FOREST VISTA CT	RIVERA CRISTINA
X	70	7104	FOREST VISTA CT	MEZA ANA
	71	7103	FOREST VISTA CT	ALFRED NDENZAKO & NIRAGIRA ROSATTA
	72	7107	FOREST VISTA CT	CARTER KAY
	73	7111	FOREST VISTA CT	GARCIA ALEXANDER
	74	7115	FOREST VISTA CT	HERRON MARCUS
	75	7119	FOREST VISTA CT	VILLAREAL MACIE L
	76	8320	TIMBERBROOK LN	HAYDEN RAENETTE
	77	8316	TIMBERBROOK LN	CARVAJAL MARTIN & MIRIAM
	78	8308	TIMBERBROOK LN	ARRINGTON VICTORIA
	79	8304	TIMBERBROOK LN	ARRITT JAMES M & MONIQUE R
	80	8120	W CAMP WISDOM RD	COSMOS FOUNDATION INC
	81	8600	CLARK RD	165 HOWE LP
	82	8120	W CAMP WISDOM RD	HARMONY PUBLIC SCHOOLS
	83	8015	W CAMP WISDOM RD	EAGLE CROSSING APARTMENTS LP
	84	8120	CAMP WISDOM RD	COSMOS FOUNDATION INC
	85	5601	MOUNTAIN CREEK PKWY	MOUNTAIN VIEW COMMUNITY
	86	8441	CLARK RD	EXTRA SPACE PROPERTIES 111 LLC
	87	7901	CAMP WISDOM RD	PROSPECTUS ENDEAVORS 2 LLC
	88	8701	W CAMP WISDOM RD	TEXAS UTILITIES ELEC CO
	89	8317	W CAMP WISDOM RD	ILIYAN DEVELOPMENT CORP

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	90	5302	TURNOUT LN	ENGLISH AUDRA J
	91	5308	TURNOUT LN	GRACE EARLIE
	92	5414	TURNOUT LN	CONTRERAS ANTONIO
	93	8303	W CAMP WISDOM RD	GARCIA ISIDRO &
	94	1431	W CAMP WISDOM RD	TEXAZ PERCEPTIONS PTNR
	95	8351	CLARK RD	ROSEBRIAR CAMP WISDOM LP
	96	7219	W CAMP WISDOM RD	MAI TUAN
	97	7201	W CAMP WISDOM RD	MAI HUY THANH
	98	7701	W CAMP WISDOM RD	TEXAS UTILITIES ELEC CO
	99	7051	CLARKRIDGE DR	CLARKSRIDGE VILLAS
	100	7255	W CAMP WISDOM RD	PIONEER BIBLE TRANSLATORS
	101	7500	W CAMP WISDOM RD	SUMMER INSTITUTE OF LINGUISTICS, INC
	102	7500	W CAMP WISDOM RD	SUMMER INSTITUTUE OF LINGUISTICS
	103	7500	W CAMP WISDOM RD	SUMMER INSTITUTE OF LINGUISTICS, INC
	104	7500	W CAMP WISDOM RD	PIONEER BIBLE TRANSLATORS
	105	7500	W CAMP WISDOM RD	GOULD SANDRA LYNN
	106	7500	W CAMP WISDOM RD	JACKSON ELLEN M
	107	7266	ZUNI ST	SUMMER INST LINGUISTICS
	108	7500	W CAMP WISDOM RD	SIL INTERNATIONAL
	109	7500	W CAMP WISDOM RD	SUMMER INST LING
	110	7500	W CAMP WISDOM RD	SUMMER INST LING
	111	7500	W CAMP WISDOM RD	ORWIG CAROL
	112	7500	W CAMP WISDOM RD	BEAL BRUCE
	113	7500	W CAMP WISDOM RD	SIL INTERNATIONAL
	114	7500	W CAMP WISDOM RD	SUMMER INST LINGUISTICS
	115	7500	W CAMP WISDOM RD	BERRY ELEANOR
	116	7500	W CAMP WISDOM RD	SUMMER INST LING
	117	7500	W CAMP WISDOM RD	SIL INTERNATIONAL
	118	7500	W CAMP WISDOM RD	SUMMER INSTITUTE OF
	119	7500	W CAMP WISDOM RD	SIL INTERNATIONAL

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	120	7500	W CAMP WISDOM RD	SIL INTERNATIONAL
	121	7500	W CAMP WISDOM RD	SUMMER INST LING
	122	7500	W CAMP WISDOM RD	SIL INTERNATIONAL
	123	7500	W CAMP WISDOM RD	SIL INTERNATIONAL
	124	7500	W CAMP WISDOM RD	SUMMER INST LINGUISTICS
	125	7500	W CAMP WISDOM RD	SUMMER INSTITUTE OF LINGUISTICS INC
	126	7500	W CAMP WISDOM RD	SUMMER INSTITUTE OF LINGUISTICS
	127	7274	ZUNI ST	SUMMER INSTITUTE LINGUIST
	128	7258	ZUNI ST	EVANS LORNA PRIEST
	129	5807	FOXGLOVE LN	MOREIRA JOSE N & JUANA D
	130	5627	PALADIUM DR	SBJV RESLAND PARTNERS LTD
	131	8100	MAX DR	SBJV RESLAND PARTNERS LTD
	132	5520	MC CAIN CT	SBJV RESLAND PARTNERS LTD
	133	5609	PALADIUM DR	WEST JAMES E
	134	5613	PALADIUM DR	BAKER GLEN C & LAURA C
	135	5617	PALADIUM DR	CATO SANDRA R
	136	5621	PALADIUM DR	CARRASCO JOHN J & LUCY J
	137	5625	PALADIUM DR	GAOVONGPHET JOHN & SAH
	138	8114	MAX DR	PARIKH MANOJ K &
	139	8110	MAX DR	BROWN ANTOINETTE & OLIE L
	140	8106	MAX DR	WESLEY KORI J &
	141	8109	MAX DR	CARTER BRIAN
	142	8113	MAX DR	OPENDOOR PROPERTY D LLC
	143	8117	MAX DR	CALHOUN HENRY III & TONYA
	144	8121	MAX DR	FRANKLIN RODERICK
	145	5614	NABERS CT	GARZA JUANA M & JOEL A GARCIA
	146	5610	NABERS CT	MELTON DARRYL A & NICOLE D
	147	5606	NABERS CT	PHILLIPS LANA K
	148	5602	NABERS CT	TERRAZAS ERASTO
	149	5607	NABERS CT	PADILLA JUAN D & VERONICA
	150	5611	NABERS CT	RATHEL ROCHELLE LASHAN

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	151	5618	JUNKIN CT	DUNCAN JAVIAN
	152	5614	JUNKIN CT	THOMPSON ERRICK L &
	153	5610	JUNKIN CT	PRUITT MYCHAL
	154	5606	JUNKIN CT	BUENTELLO RONNIE O &
	155	8206	MC CAIN DR	VAUGHAN DENITREA F
X	156	5524	MC CAIN CT	JONES VANESSA
	157	5527	MC CAIN CT	LEWIS LACY P
	158	5523	MC CAIN CT	DRAPER IVAN &
	159	5519	MC CAIN CT	JAMES RUDY JR & ALLISHA
	160	5515	MC CAIN CT	NGUYEN PAT TAN & KELLY
	161	5511	MC CAIN CT	VILLALOBOS JESUS
	162	5507	MC CAIN CT	BINGHAM DANA M
	163	5503	MC CAIN CT	BUCHANAN ANGELA CAMILLE
	164	8201	MC CAIN DR	GARZA ANGELA P & ERIK PEDRAZA
	165	8233	MC CAIN DR	MENDOZA CHRISTOPHER J & LAURA PATRICIA
	166	8237	MC CAIN DR	CSH 2016 2 BORROWER LLC
X	167	5507	PALADIUM DR	PEREZ KIM
	168	5515	PALADIUM DR	MENLADRGLH NEBIYOU A
	169	5519	PALADIUM DR	HOBSON DONNA B
	170	5523	PALADIUM DR	SZAFRAN VIRGINIA M
	171	5527	PALADIUM DR	SHINE BRYAN P
	172	5531	PALADIUM DR	MAI MIKE HUY &
	173	5535	PALADIUM DR	HALL DEBORAH E
X	174	5539	PALADIUM DR	JACKSON DAMETRIA R
	175	5543	PALADIUM DR	ORR CHARLES & DEBORAH ORR
	176	1	CAMP WISDOM RD	TRACT S 3A HOMEOWNERS ASN
	177	8407	WIDGEON WAY	ANGLIN NYESHA
	178	5510	MANDARIN WAY	CASTILLO MONICA M
	179	5514	MANDARIN WAY	GONZALEZ MARVIN Z
	180	5518	MANDARIN WAY	DELOATCHE GRACIE W
	181	5522	MANDARIN WAY	AMERICAN RESIDENTIAL LEASING COMPANY LLC
	182	5526	MANDARIN WAY	HAMPTON JANAE

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	183	5530	MANDARIN WAY	JARAMILLO DULCE & NOE
	184	5534	MANDARIN WAY	KIM BYUNG T
	185	5538	MANDARIN WAY	PRETIUM SFR HOLDING LLC
	186	5542	MANDARIN WAY	VALENCIA JUAN J GUERRA &
	187	5546	MANDARIN WAY	MCNEIL HELEN &
	188	5550	MANDARIN WAY	WEATHERALL LATOSHA
	189	5554	MANDARIN WAY	PRIMM LAWANDA
	190	5558	MANDARIN WAY	MEDINA MARTIN & ROSA M
	191	5562	MANDARIN WAY	GRIMES FREDERICK D
	192	5566	MANDARIN WAY	SIMS DERRICK V & AMY K
	193	5570	MANDARIN WAY	FLORES FIDEL & MARIA ROSARIO
	194	8409	CANVASBACK LN	RIVAS JUAN J & LORENA &
	195	5563	MANDARIN WAY	INGRAM RONALD C
	196	5559	MANDARIN WAY	AMERICAN RESIDENTIAL
	197	5555	MANDARIN WAY	WEATHINGTON KERRY DALE II
	198	5551	MANDARIN WAY	HATTLEY SONJA
	199	5547	MANDARIN WAY	GARDNER GREGORY L &
	200	5543	MANDARIN WAY	CLAYTON KAREN J
	201	5539	MANDARIN WAY	MITCHELL TOSHIBA
	202	5535	MANDARIN WAY	EDWARDS JOHN C &
	203	2	QUICKSILVER DR	SUMMIT PARC OWNERS ASSOC
	204	8418	MIRAMAX TRL	SMITH DONNA
	205	8414	MIRAMAX TRL	JOHNSON JOSEPHINE
	206	8410	MIRAMAX TRL	MOORE MICHELLE
	207	8406	MIRAMAX TRL	GALLEGOS ABEL
	208	8405	MIRAMAX TRL	HILL WARNIE JR & DORIS
	209	8409	MIRAMAX TRL	BRECKENRIDGE PROPERTY FUND
	210	8413	MIRAMAX TRL	PRATHER JOHN M
	211	8417	MIRAMAX TRL	VALVERDE ANGELICA R &
	212	8446	ROMANWAY DR	GRISSOM EUGENIA M
	213	8442	ROMANWAY DR	REYES CESAR A
	214	8438	ROMANWAY DR	SCAGGS ROOSEVELT JR &
	215	8434	ROMANWAY DR	WILKES MARY L
	216	8430	ROMANWAY DR	CORPENO MANUEL E & CLAUDIA M

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	217	8426	ROMANWAY DR	FIELDS JANELL
	218	8422	ROMANWAY DR	PUSKULLUOGLU MUSLIM &
	219	8418	ROMANWAY DR	RODRIGUEZ CHRISTOPHER W &
	220	8414	ROMANWAY DR	MARTINEZ MICHAEL N & MAYRA J
	221	8410	ROMANWAY DR	VILLARREAL ERMELINDA
O	222	8406	ROMANWAY DR	BURKE SARAH
	223	8405	ROMANWAY DR	ROSALES GILBERT LIFE ESTATE
	224	8409	ROMANWAY DR	MBAYIA SIMON S & CAROLINE E WECHE
	225	8413	ROMANWAY DR	CARRASCO ELI JR
	226	8417	ROMANWAY DR	THOMPSON TERRY
	227	8421	ROMANWAY DR	JUDGE JERMAINE K
	228	8425	ROMANWAY DR	EATON ROBERT & BARBARA L
	229	8429	ROMANWAY DR	CASTELLANOS CESAR
	230	7050	PANAVISION TRL	RODRIGUEZ ARTHUR JR
	231	7046	PANAVISION TRL	AREVALO FIDENCIO & MARIA D
	232	7042	PANAVISION TRL	ANSELMO BLANKA
	233	5300	MOUNTAIN CREEK PKWY	FIRST INDUSTRIAL LP
	234	8101	CAMP WISDOM RD	FIRST INDUSTRIAL LP
	235	622	N CLARK RD	RATTER YUNITIA
	236	614	N CLARK RD	FRENCH BILLY R &
	237	606	N CLARK RD	GRAY TAMMY E &
	238	602	N CLARK RD	WILLIAMS ALFONZO
	239	700	N CLARK RD	NORTH CLARK EXECUTIVE LLC
	240	626	N CLARK RD	RSK GROUP INC

Agenda Information Sheet

File #: 19-806 **Item #:** 76.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting **(1)** an amendment to Planned Development District No. 944 from R-5(A) Single Family District uses to MU-1 Mixed Use District uses; and **(2)** an expansion of Planned Development District No. 944, on property zoned Planned Development District No. 944, an IR Industrial Research District, and an IM Industrial Manufacturing District in an area bounded by Duluth Street and Singleton Boulevard to the north, Borger Street to the east, Pablo Street to the south, and Vilbig Road to the west
Recommendation of Staff: Approval, subject to a revised conceptual plan, a cross section for the shared access area in Subareas B and C, a cross section for a 53-foot right-of-way, a cross section for an 80-foot right-of-way, and staff's recommended conditions
Recommendation of CPC: Approval, subject to a revised conceptual plan, a cross section for the shared access area in Subareas B and C, a cross section for a 53-foot right-of-way, a cross section for an 80-foot right-of-way, and conditions
Z178-271(JM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z178-271(JM) **DATE FILED:** May 31, 2018

LOCATION: Area bounded by Duluth Street and Singleton Boulevard to the north, Borger Street to the east, Pablo Street to the south, and Vilbig Road to the west.

COUNCIL DISTRICT: 6 **MAPSCO:** 44 N; P

SIZE OF REQUEST: ±45.734 acres **CENSUS TRACT:** 43.00

APPLICANT: Megatel Trinity Meadows, LLC

OWNER: Megatel Trinity Meadows, LLC
LRG, LLC
Dallas Habitat Building Headquarters, Inc.

REPRESENTATIVE: Santos Martinez, La Sierra Planning Group

REQUEST: An application for (1) an amendment to Planned Development District No. 944 from R-5(A) Single Family District uses to MU-1 Mixed Use District uses; and, (2) an expansion of Planned Development District No. 944 on property zoned Planned Development District No. 944, an IR Industrial Research District, and an IM Industrial Manufacturing District.

SUMMARY: The purpose of this request is to amend PD No. 944 to change the underlying zoning district standards from R-5(A) Single Family to MU-1 Mixed Use District and to increase the area of PD No. 944 and create four subareas to allow for a mix of primarily residential uses including shared access single-family, handicapped group dwelling, multifamily, retirement housing; and, to allow general merchandise or food store 3,500 square feet or less and personal service uses within Subarea D along Singleton Boulevard.

CPC RECOMMENDATION: **Approval**, subject to a revised conceptual plan, a cross section for the shared access area in Subareas B and C, a cross section for a 53-foot right-of-way, a cross section for an 80-foot right-of-way, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised conceptual plan, a cross section for the shared access area in Subareas B and C, a cross section for a 53-foot right-of-way, a cross section for an 80-foot right-of-way, and staff's recommended conditions.

BACKGROUND INFORMATION:

- PD No. 944 was established in 2015 and contains 15.342 acres for R-5(A) uses, a shared access development with up to 240 single family dwelling units and an accessory community center (private).
- The existing PD area is currently under construction. The enlargement area is largely vacant, with a portion containing industrial uses. The enlargement area is dually zoned an IR Industrial Research and an IM Industrial Manufacturing District. Neither district allows residential uses. There are nonconforming single family residences within the area, adjacent to industrial uses.
- The current request is to amend and enlarge PD No. 944 to:
    - Add 30.392 acres to bring the total to 45.734 acres;
    - Create four subareas;
    - Change the zoning base to MU-1 with uses specified per subarea and including retirement housing, handicapped group dwelling unit, multifamily, single family, personal service, and general merchandise or food store 3,500 square feet or less;
    - Allow a preliminary plat to satisfy the requirement for a development plan for single family uses;
    - Require an approved landscape plan for Subareas B, C, and D;
    - Provide cross sections for right-of-way and shared access areas; and,
    - Modify the setbacks, height and stories, density, lot coverage, lot size, off-street parking, shared access development, urban design, landscaping, signs, and additional provision regulations for each subarea.

Zoning History: There have been eleven zoning requests at nine sites within the area in the last five years.

1. **Z145-129:** On March 15, 2015, SUP No. 1804 for an industrial (outside) not potentially incompatible use limited to a concrete batch plant was automatically renewed for a three-year time period on property zoned an IR Industrial Research District, located on the north line of Commerce Street, west of Sylvan Avenue.

2. **Z145-185:** On June 17, 2015, the City Council granted PD No. 944 for R-5(A), shared access, and accessory community center uses on property zoned an IM Industrial Manufacturing District and an IR Industrial Research District located south of the intersection of Duluth Street and Borger Street.

3. **Z178-159:** On August 22, 2018, the City Council granted the renewal of SUP No. 1804 for an industrial (outside) not potentially incompatible use limited to a concrete batch plant for a one-year period on property zoned an IR Industrial Research District, located on the north line of Commerce Street, west of Sylvan Avenue.

4. **Z178-162:** On January 23, 2019, the City Council granted PD No. 1010 for CR Community Retail District, a private school, and residential uses on property zoned an IR Industrial Research District, generally bounded by Singleton Boulevard and Bedford Street to the north, to the east and west of Vilbig Road, and Akron Street and Duluth Street to the south.

5. **Z178-166:** On February 28, 2018, SUP No. 1807 for a private recreation center, club, or area limited to an outdoor play area was automatically renewed for an additional five-year period on property located on the northwest corner of Muncie Avenue and Harston Street.

6. **Z178-366:** An application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, located on the east line of Chicago Street, north of Duluth Street. *Pending City Council on May 22, 2019.*

7. **Z178-367:** An application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the south line of Duluth Street, at the terminus of Chicago Street. *Pending City Council on May 22, 2019.*

8. **Z178-368:** An application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the northwest corner of Duluth Street and Chicago Street. *Pending City Council on May 22, 2019.*

9. **Z178-369:** An application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the south line of Duluth Street, east of Chicago Street. *Pending City Council on May 22, 2019.*

10. **Z189-189:** An application for the renewal of SUP No. 1804 for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR Industrial Research District, located on the north line of Commerce Street, west of Sylvan Avenue. *Pending CPC on May 16, 2019.*

11. **Z189-241:** An application to consider appropriate zoning including use, development standards, parking, landscaping, sign, and other appropriate regulations for an area generally bounded by Singleton Boulevard on the north, Borger Street on the east, including the southeast corner of Singleton Boulevard and Borger Street, the south side of Duluth Street on the south, and a line running north/ south intersecting the terminus of Bedford Street and Duluth Street on the west. *Pending the authorized hearing process. Application submitted April 4, 2019.*

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will significantly impact the surrounding roadway system. A revised traffic impact analysis was requested on September 20, 2018. A revised TIA had was resubmitted on May 8, 2019, but dated January 31, 2019. Engineering staff recommends updates to the TIA and the addition of a traffic signal warrant analysis. A provision was added to the Additional Provisions section of the proposed conditions which states that before the building official shall not issue a certificate of occupancy for a multifamily or retirement housing use unless there is an executed developer agreement or contract for installation of a traffic signal at the intersection of Singleton Boulevard at Borger Avenue.

Engineering has requested that the main entrance to the proposed shared access from Singleton Boulevard align with Chihuahua Street to the north to alleviate potential traffic issues. The applicant was not amenable to this change.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Singleton Boulevard	Principal Arterial	80 feet	100 feet
Akron Street	Local (Abandoned)	25 feet	None
Duluth Street	Local	30-50 feet	30-50 feet
Vilbig Road	Community Collector	35 feet	60 feet
Bedford Street	Local	30 feet	30 feet
Borger Street	Local	80 feet	80 feet
Bayonne Street	Local	50 feet	50 feet
Muncie Avenue	Local	50 feet	50 feet
Pablo Street	Local	50.5 feet	50.5 feet

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

1.1.5.1 Recognize adopted area/neighborhood plans in guiding development and zoning decisions.

1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

1.3.1.7 Implement zoning tools to accommodate alternative housing products.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

1.3.1.1 Encourage creation of diverse housing types by establishing ways to foster such development and find ways to foster homeownership.

1.3.1.5 Take part in public-private partnerships to promote affordable rental housing and owner-occupied units.

1.3.1.6 Promote incentives for ownership and affordable housing development in Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

NEIGHBORHOOD PLUS PLAN

GOAL 4 ATTRACT AND RETAIN THE MIDDLE CLASS

Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety.

GOAL 5 EXPAND HOMEOWNERSHIP

Policy 5.1 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

The proposed project has the potential to meet several goals of the comprehensive plan related to providing affordable housing and expanding homeownership opportunities. The applicant is working with the Housing Department to provide incentives for affordable homeownership through Subareas B and C of the development. However, the affordable housing element is not a part of the zoning application.

West Dallas Comprehensive Land Use Study (1999):

The request site is within the *West Dallas Comprehensive Land Use Study* area adopted in May 1999. The Study identifies the request site as being in the Western Heights/La Loma subarea. The Study's future land use recommendation indicates that, "Land use in general is in conformance with the zoning district regulations. No change in zoning is recommended at this time." Further, the Study notes, "The need exists to develop economic development and land use concepts for major/minor business nodes along the Singleton Boulevard and Fort Worth-Commerce Avenue corridors." (Page 3-18). The existing industrial and undeveloped land uses will provide mostly new residential uses. Staff believes that the proposed zoning is in support of the future land use needs as identified by the Study.

West Dallas Urban Structure and Guideline (2011):

The site is located west of the western boundary (Sylvan Avenue) of the West Dallas Urban Structure and Guideline [the Structure]. In March 2011, the City Council adopted the Structure with the following three primary objectives: (1) enhance and protect La Bajada; (2) encourage incremental development; and, (3) foster new development that complies with the vision.

Surrounding Land Uses:

	Zoning	Land Use
Site	IM Industrial Manufacturing, IR Industrial Research, and PD No. 944	Partially developed with a warehouse
North	IR Industrial Research, CR Community Retail, and PD No. 933	Vehicle display, sales, and service; restaurant without drive-through; furniture store; auto-related; single family.
East	IR Industrial Research, PD No. 933, and R-5(A)	Warehouse; single family; office; surface parking; undeveloped; multifamily; auto service center.

South	IM Industrial Manufacturing and PD No. 538	Outside storage; warehouse; and single family.
West	IR Industrial Research, TH-3(A), and R-5(A)	Single family; church; private school.

Land Use Compatibility:

The request site is mostly undeveloped with some industrial uses within the area. The existing PD No. 944 area is currently being developed with a shared access single family neighborhood with up to 240 dwelling units. Surrounding land uses consist of vehicle display, sales, and service; restaurant without drive-through, furniture store, auto-related, and single family uses to the north; warehouse, single family, office, surface parking, undeveloped land, multifamily, and auto service center to the east; outside storage, warehouse, and single family with railroad right-of-way to the south; and, single family, church, and private school uses to the west.

While staff is supportive of the intent to redevelop the area and provide new housing opportunities in West Dallas, there are many issues of concern presented in this report that should be addressed if this case is to be recommended for approval. The following amendments including staff recommendations are vital to ensure a safe and high quality development. A revised conceptual plan would be required if this case is recommended for approval.

The current request is to amend and enlarge PD No. 944 by adding 30.392 acres to bring the total area to 45.734 acres, separated into four subareas. The existing PD No. 944 area will become Subarea A, with a slight change to the southern boundary. The following provisions are proposed:

- Change the zoning base to MU-1 with uses specified per subarea and adding retirement housing, handicapped group dwelling unit, multifamily, single family, personal service, and general merchandise or food store 3,500 square feet or less.

The existing zoning is for industrial uses, yet the surrounding areas contain mostly nonconforming single family with interspersed industrial uses. There are two adjacent pockets of single family, an R-5(A) Single Family District to the south, and a TH-3(A) Townhouse District to the east. There are a mix of uses along Singleton Boulevard. The proposal is to expand upon residential uses to transform the area into a dense shared access development with a mix of housing options for sale and lease. There would also be neighborhood serving retail and personal service uses with a multifamily structure along the Singleton Boulevard frontage in the proposed Subarea D and limited within the retirement housing development proposed in Subarea C, to the west.

- Allow a preliminary plat to satisfy the requirement for a development plan for single family uses.

This is a common request for shared access developments, as the preliminary plat proceedings generate a plan similar to a development plan. All other uses must provide a development plan. This will include the proposed multifamily and/or retirement housing developments proposed within Subareas C and D.

- Require an approved landscape plan for Subareas B, C, and D.

Subarea A is already under construction and did not require a landscape plan. The newly proposed subareas would be subject to a landscape plan approved by the City Plan Commission. Additional landscaping and shared access development landscaping provisions are further discussed in the landscaping section of this report.

- Provide cross sections for right-of-way and shared access areas.

The cross sections provided are for a 53-foot right-of-way, 80-foot right-of-way, and 24 and 26-foot shared access easements. The original PD No. 944 area, proposed Subarea A, is subject to the existing street cross section (Exhibit 944B) which shows a 24-foot shared access easement with four-and-a-half foot wide stamped concrete areas on one side of the driveway and an 18-inch pedestrian way on each side of the driveway. This is not an ideal scenario for a shared access development and does not meet provisions for accessibility. The new subareas should not follow this pattern.

The 53-foot right-of-way cross section provides for two design options, either a 26-foot drive aisle with 26 feet of parkway split between the two sides (13 feet on each side), or a 26-foot travel lane with parallel parking along each side of the street. Both scenarios include a five-foot sidewalk along each side of the road.

The 80-foot right-of-way cross section provides for two design options, either a 26-foot drive aisle with 26-and-a-half feet of parkway on each side of the street and a five-foot sidewalk along one side of the street; or, a 26-foot travel lane with 20-and-a-half feet for angled parking on each side of the street, and six-and-a-half feet of parkway on each side of the street. No sidewalks are described for the second option. A second 80-foot right-of-way cross section provides for two additional design options with medians. The first option shows two 15-foot drive aisles, separated by a 12-foot landscaped median, with 18-and-a-half-foot parkway on both sides of the street. The second option is one 15-foot drive aisle with an 18-and-a-half-foot parkway, 12-foot landscaped median, a 24-foot drive aisle, and nine-and-a-half-foot parkway. No sidewalks are identified on this plan. If this option is to be recommended for approval, the plan should be updated to reflect the sidewalk location and width.

The proposed shared access easement cross sections include both 24 and 26-foot wide options. Both cross sections include a five-foot stamped concrete pedestrian area along both sides of the drive aisle. There is a minimum of nine feet of vacant area to the garage doors. The total pavement area for both cross sections is 44 feet.

The proposed street and shared access area cross sections have been reviewed and approved by the Engineering Division.

- Urban design
    - The PD No. 944 area urban design standards have been transferred to the proposed Subarea A. The standards require different elevations and façade styles for every third unit. Garages have a one-foot inset requirement from the front façade. Driveways must be between 12 and 18

feet in length from back-of-curb to the garage door. Sidewalk connections to recreational amenities must be provided and all dwelling units must be within 100-feet of a sidewalk.

- For Subareas B and C, 50 percent of the façade facing the shared access area or right-of-way must be masonry, with 10 percent located at the first story above grade. The standards require different elevations and façade styles for every third unit, as well. No sidewalk provision guaranteeing access to sidewalks was provided for these subareas. Staff believes this provision should be added.
- For retirement housing, multifamily, and nonresidential uses in Subareas C and D, three architectural elements are required. Additionally, façade articulation is required at a minimum depth of two feet for a 10-foot distance along each 100 feet of façade length. Building material types and percentages have been allocated, with corrugated sheet metal being a prohibited building material. Finally, garages must be screened from public right-of-way, with units wrapping the garage as an option for screening.

- Signs

The applicant has requested to allow business district signs for Subarea D, which fronts along Singleton Boulevard. Staff supports this request.

- Additional provision regulations:
  - An application for a quiet zone regarding the railroad to the south was recently denied. The applicant is requesting to provide a sound barrier along the southern boundary of Subareas A and B. The solid fence would be along the property line and is expected to be a minimum of nine feet tall. The proposed barrier is subject to all permitting requirements. Staff supports this request.

Development Standards:

District	Setbacks		Height	Lot Cover-age	Special Standards	Density/ FAR	Primary Uses
	Front	Side/Rear					
Existing: IR District	15'	30' adjacent to residential OTHER: No Min.	200' 15 stories	80%	Proximity Slope Visual Intrusion	2.0 FAR overall 0.75 office/ retail 0.5 retail	Industrial, wholesale distribution & storage, supporting office & retail.
Existing: IM District	15'	30' adjacent to residential OTHER: No Min.	110' 8 stories	80%	Proximity Slope Visual Intrusion	2.0 FAR overall 0.75 office/ retail 0.5 retail	Industrial, wholesale distribution & storage, supporting office & retail.
Existing: PD No. 944 for R-5(A) SF Uses	15' 0' for SF	10'/15' and 0'/10' for SF	36' 12' projections 3 Stories	45% 55% for SF 40% for Accessory Community Center	None.	240 SF DU	Single family, accessory community center (private), and handicapped group dwelling.
Proposed: PD No. 944 Subarea A for MU-1 Mixed Uses	15' 0' for SF	10'/15' and 0'/10' for SF	40' 5' projections 3 Stories	45% 55% for SF 40% for Accessory Community Center	None.	240 SF DU	Single family, accessory community center (private), and handicapped group dwelling.
Proposed: PD No. 944 Subarea B for MU-1 Mixed Uses	0' for SF	0'/0' for SF	40' 5' projections 3 Stories	45% 55% for SF 40% for Accessory Community Center	None.	440 SF DU	Single family, accessory community center (private), and handicapped group dwelling.
Proposed: PD No. 944 Subarea C for MU-1 Mixed Uses	0' for SF 10' for Retire-ment Housing	0'/0' for SF OTHER: 10'/10'	70' for MF/ Retire-ment Housing 5' Projections 3-4 Stories	45% 55% for SF 40% for Accessory Community Center	None.	110 SF DU or 250 Retire-ment Housing or 250 MF DU	Single family, handicapped group dwelling, multifamily, and retirement housing with limited general merchandise or food store 3,500 SF or less and personal service uses.
Proposed: PD No. 944 Subarea D for MU-1 Mixed Uses	15' along Singleton 10' for other streets	10'/10'	90' 5' projections 5 Stories	45% 55% for SF 40% for Accessory Community Center	Proximity Slope with encroach-ments allowed on Singleton Blvd.	450 MF DU	Multifamily, personal service, retirement housing, and general merchandise or food store 3,500 SF or less.

- Modify the setbacks.
    - Subarea A will maintain 15-foot front yards or no minimum front yard for single family uses, a 10-foot side yard or no minimum for single family uses, and a 15-foot rear yard or 10-foot for single family uses.
    - Subarea B is proposed with no minimum front, side, or rear yard.
    - Subarea C is proposed with 10-foot front yards or no minimum front yard for single family uses, and no minimum side or rear yard.
    - Subarea D is proposed with a 15-foot front yard along Singleton Boulevard and 10-foot front yard for all other streets, and a 10-foot side and rear yard.

Staff would prefer to see all single family uses provide a minimum front and rear yard of 10 feet, similar to Subarea A. This would help boost the overall open space/landscape area for the PD, while offering a valuable and equitable amenity to all residents within the proposed neighborhood. Considering that not every lot has access to a sidewalk to connect to the provided open spaces and green areas, the required rear yard would ensure all residents have access to a green space.

- Height and stories
    - Subarea A would see an overall reduction in height when considering that the existing PD allows for the area to have up to 36 feet-in-height with up to 12 feet in projections. The current request is for 40 feet-in-height with only five-feet for allowable projections, which may now contain mechanicals. If this is considered acceptable, staff recommends a provision to require screening of the mechanicals.
    - Subarea B is proposed to have the same conditions as Subarea A; 40 feet-in-height with five-foot projections.
    - Subarea C is proposed to have a maximum height of 70 feet for multifamily or retirement housing uses. For single family, the maximum height is 40 feet with five-foot projections.
    - Subarea D is proposed to have a maximum structure height of 90 feet plus five-foot encroachments. The nearest single family district is across Singleton Boulevard, and including the 15-foot required setback, about 200 feet away. If RPS applied, the maximum structure height would be 67 feet. The applicant has requested up to 90 feet-in-height. Surrounding properties along Singleton Boulevard are generally zoned IR or IM District with 200 or 110 feet as the maximum height, but RPS applies and would make the properties subject to the same limitations in height. Nearby, PD No. 933 allows up to 90-feet-in-height, but areas closest to residential districts are restricted to 60 or 40 feet-in-height, including the property nearest the area of request.
    - Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: balconies and cantilevered roofs adjacent to Singleton Boulevard may project into the slope.

For Subarea D, RPS would limit the structure to approximately 67 feet for a corner of the building. The applicant has amended the building design to include RPS, with the exception of balconies and cantilevered roofs. Staff agrees with this request.

- Density
    - This original PD No. 944 area contains 15.342 acres and provides for 240 dwelling units for single family uses, which averages to 15.64 dwelling units per acre.
    - Subarea A now contains 14.802 acres and will maintain the 240 dwelling unit density for single family uses. This averages to 16.21 dwelling units per acre. Staff agrees with the proposed dwelling unit density.
    - Subarea B contains 21.098 acres with a proposed 440 dwelling unit density for single family uses. This averages to 20.86 dwelling units per acre. Staff recommends 342 dwelling units for single family uses.
    - Subarea C contains 3.409 acres with a proposed 110 dwelling unit density for single family uses, or 250 dwelling units for either retirement or multifamily uses. This averages to 32.27 single family or 73.34 retirement or multifamily dwelling units per acre. Staff recommends 55 dwelling units for single family uses. Staff agrees with the proposed dwelling unit density for retirement housing or multifamily uses.
    - Subarea D contains 6.424 acres with a proposed 450 dwelling unit density for multifamily uses. This averages to 70.05 dwelling units per acre. Staff agrees with the proposed dwelling unit density.

Staff can agree to the slight adjustment for Subarea A and recommends maintaining this new standard for dwelling unit density for all single family uses within PD No. 944. A higher density single family district, TH-3(A) Townhouse District, allows a maximum of 12 dwelling units per acre. The CH Clustered Housing District allows a maximum of 18 dwelling units per acre. The existing PD already provided for an increase in the dwelling unit density. Staff believes the maximum density for the area should not be extended beyond the proposed Subarea A maximum of 16.21 dwelling units per acre.

Staff can support the proposed density for Subareas C (retirement housing or multifamily uses) and D, which represent less density than allowed with the base zoning proposed of a MU-1 Mixed Use District (80 dwelling units per acre). For Subarea C, the MU-1 standard would allow up to 273 dwelling units and for Subarea D, 514 dwelling units. The applicant has requested 250 and 450 dwelling units for Subareas C and D, respectively. Staff cannot support the proposed increase in density for single family uses in Subareas A, B, or C. These subareas have nearby single family residential adjacency with much lower dwelling unit density. The proposed PD area will have multiple shared access developments. Each should be treated accordingly as the areas transition closer to existing single family neighborhoods.

- Lot coverage
    - Subarea A is proposed to maintain the PD No. 944 lot coverage of 55 percent for single family uses and 40 percent for an accessory community center (private) use.
    - Subarea B is proposed to have 70 percent lot coverage for single family uses and 40 percent for an accessory community center (private) use, while not counting pavilions and gazebos in that calculation.
    - Subarea C is proposed to have 70 percent lot coverage for single family and 80 percent for retirement housing and multifamily uses.
    - Subarea D is proposed to have 80 percent lot coverage for all uses.

Staff can support maintaining the 55 percent lot coverage for single family uses in Subareas B and C, as granted in PD No. 944.

Staff can support the MU-1 Mixed Use District standard of 80 percent lot coverage for retirement housing or multifamily uses in Subarea C and all uses within Subarea D.

Lot coverage for a shared access development has been further modified under the shared access development requirements. This would allow the shared access easement area to count in the overall lot size, thereby increasing the buildable area. This standard is typical for shared access developments in multifamily districts. This request was granted for the original PD No. 944 area, now Subarea A, as proposed. Staff can support this request along with the increase in lot size and decrease in lot coverage to maintain the existing PD No. 944 standards.

- Lot size
    - Subarea A has a minimum lot size for detached single family shared access development lots of 1,550 square feet, inclusive of shared access areas.
    - Subareas B and C are proposed to have a minimum lot size of 770 square feet for single family uses, inclusive of the shared access area, for a maximum of 80 lots. All remaining lots have a minimum lot size of 1,050 square feet for single family uses, also inclusive of the shared access area.
    - Subarea D has no minimum lot size.

Staff recommends maintaining the PD No. 944 standards for single family uses within Subareas B and C. This is already giving more than higher density single family districts, the TH-3(A) Townhouse and CH Clustered Housing Districts standard of 2,000 square feet for single family uses/each dwelling unit. When combined with the allotment of counting the shared access area as lot area when calculating minimum lot size and maximizing lot coverage, the end result is a product closer to an MF-2(A) Multifamily District minimum standard for overall lot size requirements for single family uses of 1,000 square feet. Surrounding land uses include single family in adjacent R-5(A) and TH-3(A) Districts to the south and east, respectively. The transition should be subtle with higher density, greater lot coverage, and height located closer to Singleton Boulevard, but with respect to single family districts located about 185 feet north of the subject property line along Singleton Boulevard.

Additional changes are proposed to the off-street parking, shared access development, landscaping, and signs sections of the PD ordinance.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. While the area of request is not categorized as being within an MVA cluster, surrounding properties interspersed in all directions are mostly located within a Category "E". Properties located across Singleton Boulevard are also designated a Category "I". Finally, Category "G" is found further north and south of Commerce Street.

Parking:

Except as provided below, off-street parking and loading must be provided in accordance with Division 51A-4.200 for each use.

- Off-street parking:

A parking reduction for single family uses within Subareas B and C is proposed to reduce required parking from two spaces per dwelling unit, to one space per dwelling unit for all one-bedroom units located on 770-square-foot lots. The Engineering Division has reviewed this request and recommends denial of the parking reduction. The one proposed parking space would be located within the garage for each unit.

Additionally, back-in indented parking is requested at the main entrance for the development off Singleton Boulevard in Subarea D, along proposed rights-of-way. The Engineering Division cannot support the location of the proposed back-in indented parking at the main entrance of the development, but is open to exploring other design options. The proposed indented parking should be in accordance with Chapter 43, Section 62.

Finally, the applicant has requested that on-street parking along the proposed rights-of-way be counted as required guest parking for the proposed shared access development. Staff does not support this request.

Shared Access Development:

- Shared access development requirements
    - PD No. 944 is allowed to provide up to 240 dwelling units with four access points. This is transferred to the proposed Subarea A.

- Subarea B is proposed to provide up to 440 dwelling units with four access points. Staff has recommended a reduction in dwelling units; however, the acreage remains and therefore, the number of access points should remain four.
- Subarea C is proposed to provide up to 110 dwelling units with two access points. Staff has recommended a reduction in dwelling units; however, the acreage remains and therefore, the number of access points should remain two.
- Sidewalks for Subarea A are represented as a total 3,315 linear feet for the now 14.802-acre tract. Since this section of the development is already under construction, staff will support maintaining that sidewalk representation. The applicant has proposed 11,000 linear feet of sidewalks within Subareas B and C, which contain a combined total of 24.507 acres. Graphic representations presented by the representative identified several pockets with more than ten lots in a row that failed to have direct access to a sidewalk. Considering that the applicant has requested many of these same lots not have any front or rear yard, the homeowners would be left with no green space directly accessible to their unit. This creates an undesirable condition for residents of the proposed single family neighborhood. Staff believes the lack of individual green space and only nine-feet from garage doors to the shared access easements (the Dallas Development Code Sec. 51A-4.301(a)(9) requires a parking space to provide a minimum of 20 feet from the right-of-way line if the space is located in an enclosed structure to promote adequate sight distance and safety), create unsafe pedestrian conditions.

Landscaping:

Landscaping will be provided per Article X, as amended.

- Landscaping:
  - Subarea A would maintain the PD No. 944 landscaping standards for a shared access development, but with a reduction in landscape and common areas from 87,000 square feet to 72,000 square feet. Staff does not support this reduction.
  - For Subareas B, C, and D, a minimum of 275,000 square feet of landscape area is required for the combined subareas.
    - Subarea B shall have a minimum of 185,800 square feet of landscape area.
    - Subarea C shall have a minimum of 21,000 square feet of landscape area.
    - Subarea D shall have a minimum of 68,200 square feet of landscape area.

Each unit should be granted reasonable access to shared common areas.

CPC Action
May 16, 2019

***De minimus* Significant Change Motion:** In considering the requirement in Section 5(m)(1)(B) of the CPC Rules of Procedure, the finding is it does not apply because the impact of the applicant's proposed change in the Commission's judgment is *de minimus* in nature.

Maker: Carpenter
Second: Lewis
Result: Carried: 13 to 0

For: 13 - MacGregor, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Motion II: It was moved to recommend **approval** of (1) an amendment to Planned Development District No. 944 from R-5(A) Single Family District uses to MU-1 Mixed Use District uses; and, (2) an expansion of Planned Development District No. 944, subject to a revised conceptual plan, a revised cross section for the shared access development in Subareas B and C, a cross section for a 53-foot right-of-way, two cross sections for an 80-foot right-of-way, and staff's recommended conditions, as briefed, with the following exceptions: 1) adopt applicant's required conditions for density, lot coverage and lot size and 2) modify one sentence in SEC. 51P-944.111., OFF-STREET PARKING AND LOADING., to state, "A minimum of one parking space is required for one bedroom units on lots of 770 square feet." on property zoned Planned Development District No. 944, an IR Industrial Research District and an IM Industrial Manufacturing District in an area bounded by Duluth Street and Singleton Boulevard to the north, Borger Street to the east, Pablo Street to the south, and Vilbig Road to the west.

Maker: Carpenter
Second: Lewis
Result: Carried: 12 to 1

For: 12 - MacGregor, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 1 - Housewright
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 500 Mailed: 272
Replies: For: 7 Against: 0

Speakers: For: Santos Martinez, 52 Cheerful Way, Angel Fire, NM, 87710
Tatiana Farrow, 2407 N. Winnetka Ave., Dallas, TX, 75212
Wendi Macon, 3622 Ladd St., Dallas, TX, 75212
For (Did not speak): Maria DeSantiago, 1614 Westmount Ave., Dallas, TX, 75211
Paula Hutchison, 507 W. Main St., Dallas, TX, 75208
Against: Debra Moore, 3739 Homeland St., Dallas, TX, 75212
Ronnie Mestas, 3215 Rutz St., Dallas, TX, 75212
Jearldine McDaniel, 2515 Sylvan Ave., Dallas, TX, 75212
Against (Did not speak): Rayella Boyd, 1707 Kraft St., Dallas, TX, 75212
Patsy Jackson, 1953 Shaw St., Dallas, TX, 75212

List of Owners

MEGATEL TRINITY MEADOWS LLC
LIST OF OFFICERS

Zach Ipour	Member

LRG LLC
LIST OF OFFICERS

Miguel Gonzalez	President
Lynee Lueb	Secretary
Santiago Rivera	Director

DALLAS AREA HABITAT FOR HUMANITY INC.
LIST OF OFFICES

David Crawford	CEO

Amending Conditions

PD 944.

SEC. 51P-944.101. LEGISLATIVE HISTORY.

PD 944 was established by Ordinance No._____ , passed by the Dallas City Council on June 17, 2015.

SEC. 51P-944.102. PROPERTY LOCATION AND SIZE.

PD 944 is established in the general area southwest of the intersection of Duluth Street and Borger Street. The size of PD 944 is approximately ~~15.342~~ 45.734 acres.

SEC. 51P-944.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) In this district, RECREATIONAL AMENITIES means structures that are used for physical exercise or enjoyment and are not limited to playground equipment, exercise stations, splash parks, or swimming pools.

(d) This district is considered to be a residential zoning district.

SEC. 51P-944.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 944A: conceptual plan.

(2) Exhibit 944B: street cross section.

(3) Exhibit 944C cross sections for shared access development in Subareas B and C

(4) Exhibit 944D cross sections for 53' right of way

(5) Exhibit 944E cross sections for 80' right of way (2 pages)

SEC. 51P-944.105. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit 944A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC. 51P-944.106. DEVELOPMENT PLAN.

(a) Except as provided in this section, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. Development plans may be processed in phases and include any portion of the Property. If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For single family uses, a preliminary plat approved by the city plan commission satisfies the development plan requirement in this section.

(c) A final plat for a single family development may make minor deviations from the lot and secondary street configuration shown on the ~~development plan~~ approved preliminary plat provided that the final plat does not increase the number of lots or provide additional access points.

SEC.51P-944.107 LANDSCAPE PLAN

Landscaping for Subareas B, C and D must comply with an approved landscape plan.

SEC. 51P-944.~~107~~ 108. MAIN USES PERMITTED.

Except as provided in this section, the only main uses permitted are those main uses permitted in the ~~R-5(A) Single Family~~ MU-1 Mixed Use District, subject to the same conditions applicable in the ~~R-5(A) Single Family~~ MU-1 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the ~~R-5(A) Single Family~~ MU-1 Mixed Use District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the ~~R-5(A) Single Family~~ MU-1 Mixed Use District is subject to DIR in this district, etc.

(a) In Subareas A and B, the following uses are the only main uses permitted:

1. Handicapped group dwelling unit [SUP required if spacing component of Section 51A- 4.209 (b)(3) is not met.
2. Single family.

(b) In Subarea C, the following uses are the only main uses permitted:

1. Handicapped group dwelling unit [SUP required if spacing component of Section 51A-4.209 (b)(3) is not met.
2. Retirement housing.
   a. General merchandise or food store less than 3500 s.f. (limited use)
   b. Personal service use (limited use)

3. Single family.

(c) In Subarea D, the following uses are the only main uses permitted:

1. General merchandise or food store less than 3500 square feet.
2. Multifamily.
3. Personal service (does not include tattoo parlors, massage parlors, or bail bond offices)
4. Retirement housing.

SEC. 51P-944.~~108~~ 109. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

The following accessory uses are not permitted:

Accessory helistop.
Accessory medical/infectious waste incinerator.
Accessory outside display of merchandise.
Accessory outside sales.
Accessory pathological waste incinerator.

(b) The following accessory use is permitted by right:

Accessory community center (private).

SEC. 51P-944.~~109~~ 110. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the ~~R-5(A) Single Family~~ MU-1 Mixed Use District apply.

(b) Front yard.

1. In Subarea A.

(A) Except as provided in this section, minimum front yard is 15 feet.
(B) For a detached single family use, no minimum front yard is required.

CPC and Staff's Recommendation:

(2) In Subarea B, C, and D.

(A) Minimum front yard setback is fifteen feet along Singleton Blvd

(B) Minimum front yard setback along other public right of ways is ten feet.

1. Urban form setback is not required.

Applicant's Request:

(2) In Subarea B.

(A) Except as provided on approved conceptual plan, minimum setback shall be five feet.

(3) In Subarea C

(A) For single family uses, minimum setback requirement is five feet.

(B) For retirement housing the minimum front yard setback is ten feet

1. Urban form setback is not required.

(4) In Subarea D

(C) Minimum front yard setback is fifteen feet along Singleton Blvd

(D) Minimum front yard setback along other public right of ways is ten feet.

2. Urban form setback is not required.

(c) Side yard.

CPC and Staff's Recommendation:

1. In Subarea A and B.

(A) Except as provided in this section, minimum side yard is 10 feet.

(B) For a detached single family use, no minimum side yard.

Applicant's Request:

1. In Subarea A.

(A) Except as provided in this section, minimum side yard is 10 feet.

(B) For a detached single family use, no minimum side yard.

2. In Subarea B

(A) Except as provided on an approved conceptual plan, minimum side yard setback for single family uses is five feet.

3. In Subarea C

(A) For single family uses, minimum side yard setback shall be five feet.

(B) All other uses must have a minimum side yard setback of ten feet.

1. Tower spacing is not required.

4. In Subarea D

(A) Minimum side yard setback is ten feet.

1. Tower spacing is not required.

(d) Rear yard.

CPC and Staff's Recommendation:

1. In Subarea A and B.

(A) Except as provided in this section, minimum rear yard is 15 feet.
(B) For a detached single family use, minimum rear yard is 10 feet.

Applicant's Request:

1. In Subarea A.

(A) Except as provided in this section, minimum rear yard is 15 feet.

(B) For a detached single family use, minimum rear yard is 10 feet.

2. In Subarea B

(A) No minimum rear yard setback is required.

CPC and Staff's Recommendation:

1. In Subarea C

(A) Minimum rear yard is 10 feet.

2. Tower spacing is not required.

Applicant's Request:

1. In Subarea C

(A) No minimum rear yard setback for single family uses.

(B) All other uses must have a rear yard setback of ten feet.

2. Tower spacing is not required.

(2) In Subarea D

(A) Minimum rear yard setback is ten feet.

1. Tower spacing is not required.

(e) Height.

1. In Subarea A and B.

(A) Maximum structure height is ~~36~~ 40 feet.

2. In Subarea C.

(A) Maximum structure height is 70 feet for multifamily or retirement housing uses

(B) Maximum structure height is 40 feet for single family uses.

4. In Subarea D.

(A) Maximum structure height is 90 feet.

(B) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: balconies and cantilevered roofs adjacent to Singleton Boulevard may project into the slope.

5. The following structures may project a maximum of ~~12~~ 5 feet above the maximum structure height for an accessory community center (private):

(A) Amateur communications tower.

(B) Chimney and vent stacks.

(C) Clerestory.

(D) Cooling tower.

(E) Elevator penthouse or bulkhead.

(F) Mechanical equipment room.

(G) Ornamental cupola or dome.

(H) Parapet wall or deck railing, limited to a height of five feet.

(I) Skylights.

(J) Tank designed for holding liquids

(K) Visual screens which surround roof mounted mechanical equipment.

~~(3)~~ (6) The following structures may project a maximum of ~~12~~ 5 feet above the maximum structure height for single family dwelling units:

(A) Amateur communications tower.

(B) Chimney and vent stacks.

(C) Clerestory.

(D) Ornamental cupola or dome.

(E) Parapet wall or deck railing, ~~limited to a height of five feet.~~

(F) Skylights.

(G) Mechanical equipment with visual screening.

Staff's Recommendation:

(f) Density.

(A). Single family uses. Maximum ~~number of dwellings units is 240~~ average dwelling unit density is 16.21 dwelling units per acre.

(B). Retirement housing and multifamily uses. Maximum average dwelling unit density is 73.34 dwelling units per acre.

CPC Recommendation and Applicant's Request:

(f) Density.

1. In Subarea A.

(A). Maximum number of dwellings units is 240.

2. In Subarea B

(A) Maximum number of dwelling units is 440.

3. In Subarea C

(A) Single family. Maximum number of dwelling units is 110; or

(B) Retirement housing. Maximum number of dwelling units is 250.

4. In Subarea D

(A) Multifamily. Maximum number of dwelling units is 450.

Staff Recommendation:

(g) Lot coverage.

~~1. In general. Except as provided in this section, maximum lot coverage is 45%.~~

1. Single Family. ~~For a detached single family use, m~~Maximum lot coverage is 55%.

2. All other uses. Maximum lot coverage is 80%.

~~2~~. 3. Accessory community center (private).

(A) Except as provided in this section, maximum lot coverage is 40 percent.

(B) For an accessory community center (private), the following items are not included in the lot coverage calculations:

(i) Pavilion.

(ii) Gazebo.

CPC Recommendation and Applicant's Request:

1. In Subarea A. ~~In general. Except as provided in this section, maximum lot coverage is 45%.~~

(A) Single Family. For a detached single family use, maximum lot coverage is 55%.

2. Accessory community center (private).

(C) Except as provided in this section, maximum lot coverage is 40 percent.
(D) For an accessory community center (private), the following items are not included in the lot coverage calculations:

(iii) Pavilion.

(iv) Gazebo.

2. In Subarea B

(A) Single family. Maximum lot coverage is 70 percent.

(B) Accessory community center (private)

1. Except as provided in this section, maximum lot coverage is 40 percent.

2. For an accessory community center (private), the following items are not included in the lot coverage calculations:

a. Pavilion

b. Gazebo

3. In Subarea C.

(A) Single family. Maximum lot coverage is 70 percent.

(B) Retirement housing. Maximum lot coverage is 80 percent.

1. Above ground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

4. In Subarea D.

(A) Maximum lot coverage is 80 percent.

1. Above ground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

Staff's Recommendation:

(h) Lot size.

1. For a ~~detached~~ single family uses in a shared access development, minimum lot size is 1,550 square feet.

(A) Shared access areas. Shared access areas may be used to satisfy minimum lot area requirements and determine lot coverage.

2. Other uses. No minimum lot size required.

CPC Recommendation and Applicant's Request:

(h) Lot size.

3. In Subarea A. For a detached single family use in a shared access development, minimum lot size is 1,550 square feet.

(B) Shared access areas. Shared access areas may be used to satisfy minimum lot area requirements and determine lot coverage.

4. Subarea B and C

(A) For single family uses, the minimum lot size is 770 square feet.

(C) Shared access areas. Shared access areas may be used to satisfy minimum lot area requirements and determine lot coverage.

(D) A maximum of 80 lots are permitted with a minimum lot size of 770 square feet.

(E) All remaining single family lots shall be a minimum of 1050 square feet.

i. No minimum lot size for all other uses.

3. Subarea D.

5. No minimum lot size required.

(h) Stories

1. In Subareas A and B the maximum number of stories is 3.

2. In Subarea C, the maximum number of stories is 4 for multifamily and retirement housing uses. The maximum number of stories is 3 for single family uses.

3. In Subarea D, the maximum number of stories is 5.

SEC. 51P- 944.~~110~~ 111. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Accessory community center (private). A minimum of five parking spaces are required for an accessory community center (private).

CPC's Recommendation:

(c) For single family uses in Subareas B and C:

1. A minimum of one parking space is required on lots of 770 square feet with one bedroom.

2. A minimum of two parking spaces are required on all remaining lots.

(d) In Subarea D, indented parking is permitted per Chapter 43, Section 62.

Staff's Recommendation:

(c) Staff does not support the parking reduction.

(d) In Subarea D, indented parking is permitted per Chapter 43, Section 62.

Applicant's Request:

(e) For single family uses in Subareas B and C, a minimum of one parking space is required.

1. A minimum of one parking space is required on lots of 770 square feet.

2. A minimum of two parking spaces are required on all remaining lots.

(f) In Subarea D, indented parking is permitted.

SEC. 51P-944.~~111~~ 112. INGRESS-EGRESS.

(a) Ingress and egress must be provided as shown on the conceptual plan. Final location of the driveways and drive approaches may vary from the location shown with no increase in number of drive approaches. Final design and location must be shown on an approved development plan.

(b) For a shared access development, the location of ingress-egress points must be shown on the ~~development plan and~~ preliminary plat.

SEC. 51P-944.~~112~~ 113. SHARED ACCESS DEVELOPMENT.

(a) Except as provided in this section, shared access development must comply with Section 51A-4.411, "Shared Access Development."

(b) In Subarea A, for a shared access development with up to 240 lots, a minimum of four access points are required. In Subarea B, a shared access development with up to 440 units, a minimum of four access points are required. In Subarea C, for a shared access development with up to 110 units, a minimum of two access points are required.

(c) Adjacent shared access developments may have shared access areas that connect.

(d) In Subarea A, a maximum of two access points may be restricted to ingress and egress for emergency vehicles.

CPC and Staff's Recommendation:

(e) A minimum sidewalk width of ~~four~~ five feet is required. The sidewalks may be interspersed throughout the development. In Subarea A, a minimum of 3,315 linear feet of sidewalk must be provided. In Subareas B and C.

Applicant's Request:

(e) A minimum sidewalk width of four feet is required. The sidewalks may be interspersed throughout the development. In Subarea A, a minimum of 3,315 linear feet of sidewalk must be provided. In Subareas B and C. a minimum of 11,000 linear feet of sidewalk (total for both subareas) must be provided. This may be installed in phases.

(f) In Subarea A, minimum pavement width is 24 feet.

(f) In Subarea A, off-street parking is allowed on both sides of a shared access area.

(g) In Subarea A, a minimum of one community swimming pool or splash park must have a final permit issued and final inspection completed before submittal of the last final plat.

(h) In Subareas B and C. Guest parking may be provided in phases. No phase shall provide less than .25 guest parking. The combined guest parking total of all phases shall provide a ratio of .32 guest parking spaces per dwelling unit.

CPC and Staff's Recommendation:

(i) Staff does not support this request.

Applicant's Request:

(i) Guest parking may be provided along public right of ways.

SEC. 51P-944.~~113~~ 114. URBAN DESIGN GUIDELINES

The following design guideline must be incorporated in a shared access development:

1. In Subarea A.

(a) Each block face must have structures with different elevations and facade styles. Front facades with similar elevations, colors, or materials must be separated by at least three lots.

(b) Front facing garages must be inset a minimum of one foot from the main structure facade.

(c) Minimum driveway width for a garage is 12 feet. Maximum driveway length is 18 feet from back-of-curb to garage.

(d) A shared access development must provide maximum connectivity with multiple ways into and out of the development. No dead-end streets are permitted.

(e) Sidewalk connections to recreational amenities must be provided.

(f) All dwelling units must be within a 100-feet of a sidewalk.

2. For single family uses within Subareas B or C:

To ensure compatibility with surrounding uses, facades with garage doors facing a shared access drive, or public right of way, must be at least 50 percent masonry, excluding windows, entrances, and ingress and egress points.

(a) Masonry includes stone, brick, concrete, hollow clay tile, decorative concrete blocks or tile, glass block, cementitious fiber board, other similar building materials, or a combination of those materials.

(b) Ten percent of the required masonry must be stone or brick material at the first story above grade.

(c) Attached single family dwelling units must utilize a minimum of three different elevation types. Each elevation type must be used on a minimum of three building facades.

3. For retirement housing, multifamily, and non residential uses in Subareas C or D:

Multifamily and nonresidential uses, street facing facades must have a minimum of three of the following building elements: raised parapet, canopies, deep-set windows, varied roof forms designed to create visual interest, pilasters, cornices, string courses, window sills, awnings, lintels, or rustication. Except for awnings, building elements must be constructed of brick, cast stone, stone, ornamental metal, concrete, cellular PVC, cementitious panels or trim, or cement plaster stucco.
Continuous street facing facades must step back a minimum depth of two feet for a minimum distance of 10 feet for every 100 feet of length. Balconies, wall headers, canopies, awnings, cornices, window sills, and roof eaves are allowed to project into required façade step backs.
The following building material may not exceed 25 percent of the total area of building façade:

(A) Wood

(B) Galvanized metal
The following building material is prohibited on a building façade:

1. Corrugated sheet metal
Garages serving retirement housing and multifamily uses shall be screened from public right of ways. A garage that is surrounded by dwelling units shall satisfy this standard.

SEC. 51P-944.~~114~~ 115. ENVIRONMENTAL PERFORMANCE

STANDARDS. See Article VI.

SEC. 51P-944.~~115~~ 116. LANDSCAPING.

(a) Landscape plan. Except as provided in this section, landscaping must be provided in accordance with Article X. The entire district is considered one lot for purposes of this section.

(b) Shared access development. For a shared access development, landscaping must be provided in accordance with the following:

(1) One site tree must be provided for every 4,000 square feet within the shared access development. Every site tree must have a planting area of at least 25 square feet. Trees must be a species listed in Section 51A-10.134

(2) In addition to site trees, one large canopy tree must be provided for every ~~25~~ 100 feet of street frontage, excluding shared access points, with a minimum of two street trees required. One street shall be provided for every 40 feet of street frontage along Singleton Boulevard Street trees may be located within the front yard or the parkway. Parkway licenses are required. In this subsection, PARKWAY means the portion of a street right-of-way between the projected street curb and the front lot line or corner side lot line. If the director

determines that a large canopy tree would interfere with utility lines, a substitute street tree from a species listed in Section 51A-10.134 may be provided.

(d) Landscape area and common areas. In Subarea A, a minimum of ~~87,000~~ 72,000 square feet of landscape area is required. Landscape area and common areas may be dedicated in phases and on different final plats. In Subareas B, C and D. A minimum of 275,000 square feet of landscape area is required for the combined subareas. In Subarea D, a minimum four foot planting zone must be maintained between a sidewalk and back of curb alignment. Landscape areas along Singleton Boulevard shall use small trees. For purposes of calculating compliance with design standards, all of Subarea D shall be considered a building site.

i. Subarea B shall have a minimum of 185,800 square feet of landscape area.

ii. Subarea C shall have a minimum of 21,000 square feet of landscape area.

iii. Subarea D shall have a minimum of 68,200 square feet of landscape area.

(1) Landscape area cannot be located entirely within one phase of the development or on one final plat.

(2) Landscape area and common areas may include recreational amenities.

(3) In Subarea D, a minimum four foot planting zone must be maintained between a sidewalk and back of curb alignment. Landscape areas along Singleton Boulevard shall use small trees. For purposes of calculating compliance with design standards, all of Subarea D shall be considered a building site.

(d) Tree mitigation. Tree mitigation may be completed in phases. These phases may coincide with phased final plats. Within five years after the issuance of a grading permit, the property owner shall present to the building official the total mitigation calculation including the mitigation amount less trees planted. This term may be extended by two, one-year extensions if approved by the building official.

SEC. 51P-944.~~116~~ 117. SIGNS.

In Subareas A, B, and C, signs must comply with the provisions for non-business zoning districts in Article VII. In Subarea D, signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P-944.~~117~~ 118. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) In Subareas A, no more than 240 lots may be platted as a shared access development. In Subarea B, no more than 440 lots may be platted as a shared access development. In Subarea C, no more than 110 lots may be platted as a shared access development.

(d) Before the final inspection of the first single family dwelling unit, an eight inch water main must be provided to serve the shared access development, with final design and construction approved by Dallas Water Utilities.

(e) Solid fences along the southern boundary of subareas A and B may be taller than 9 feet and subject to required permits.

CPC and Staff's Recommendation:

(f) The building official shall not issue a certificate of occupancy for a multifamily or retirement housing use unless there is an executed developer agreement or contract for installation of a traffic signal at the intersection of Singleton Boulevard at Borger Avenue.

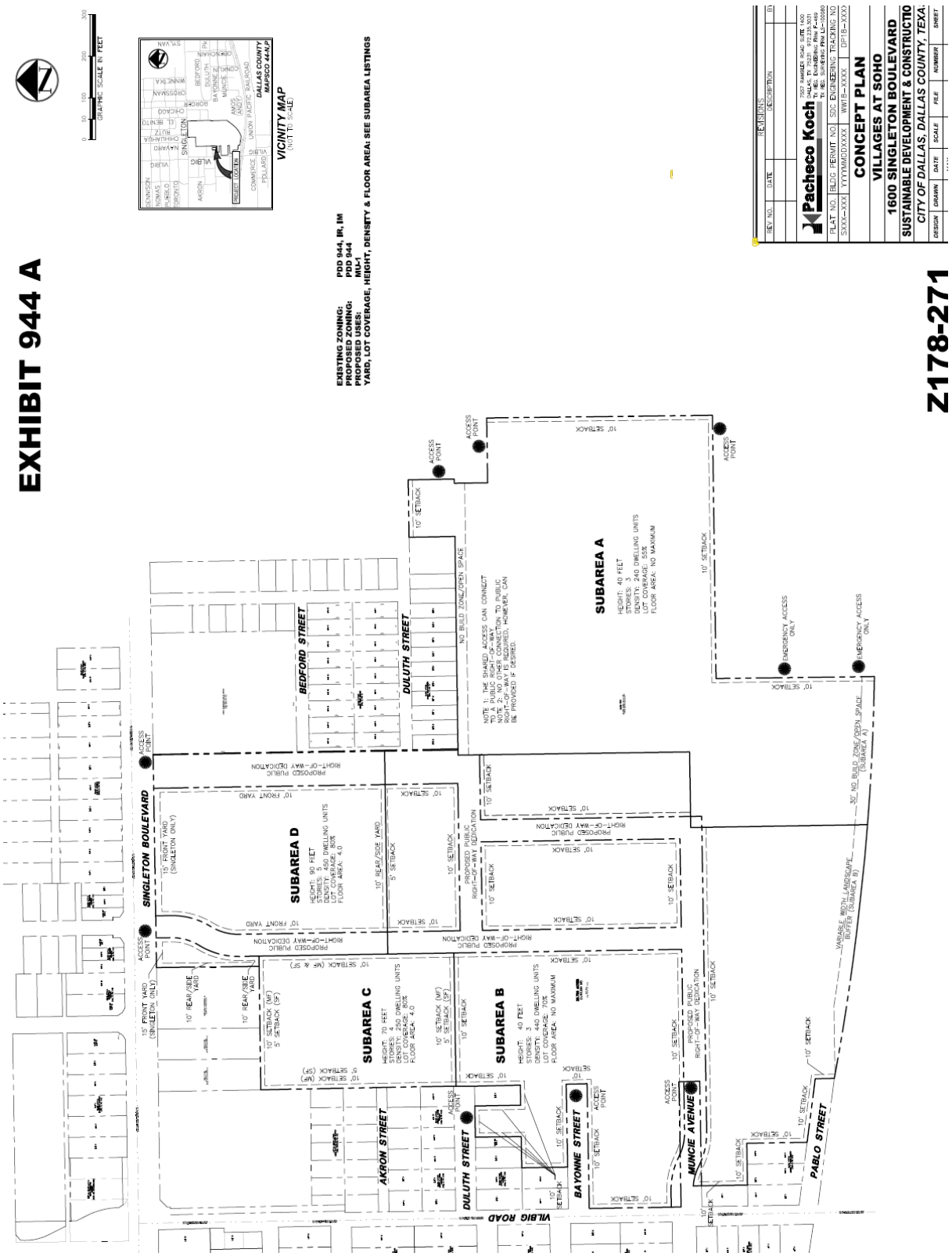
Applicant's Request:

(f) Applicant does not support this request.

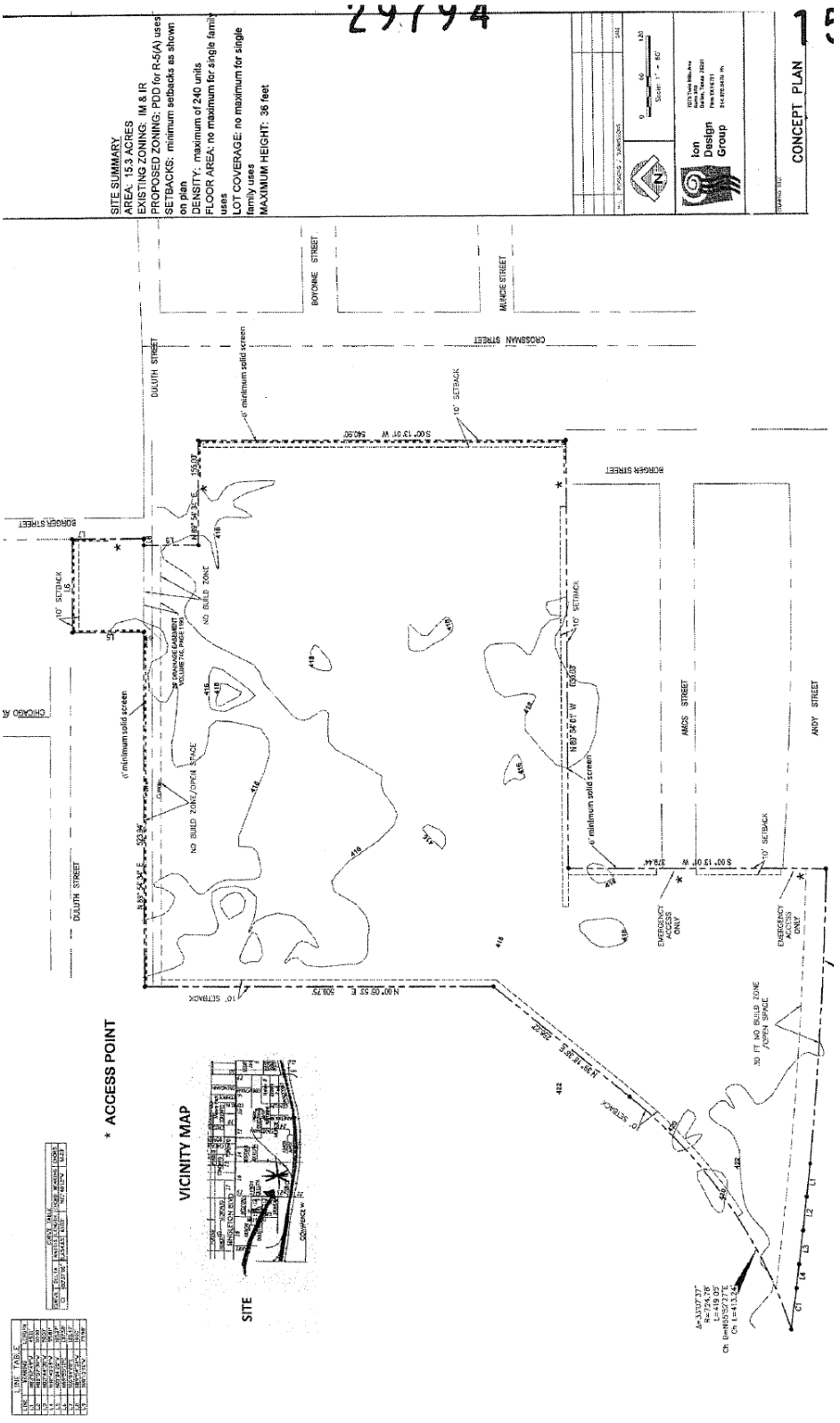
SEC. 51P-944.~~118~~ 119. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

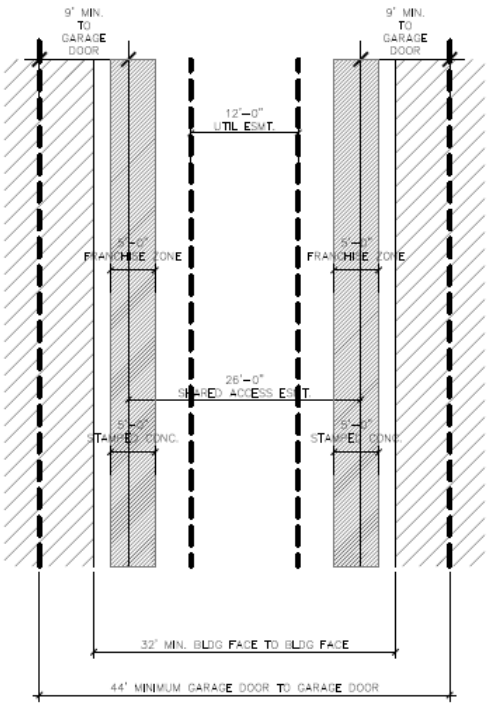
Proposed Revised Conceptual Plan

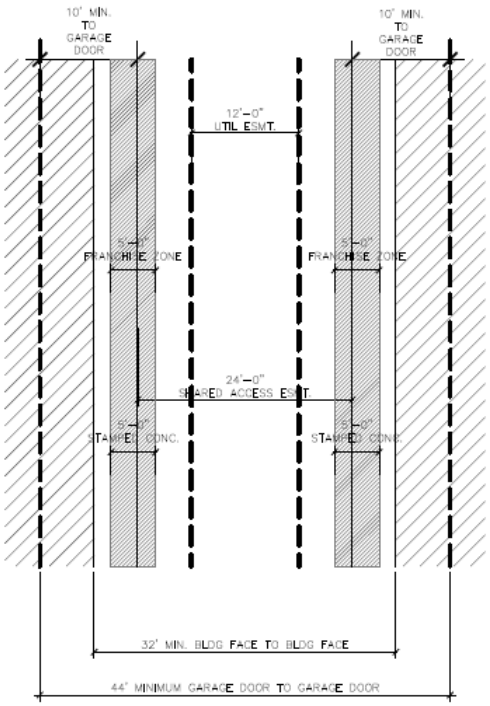


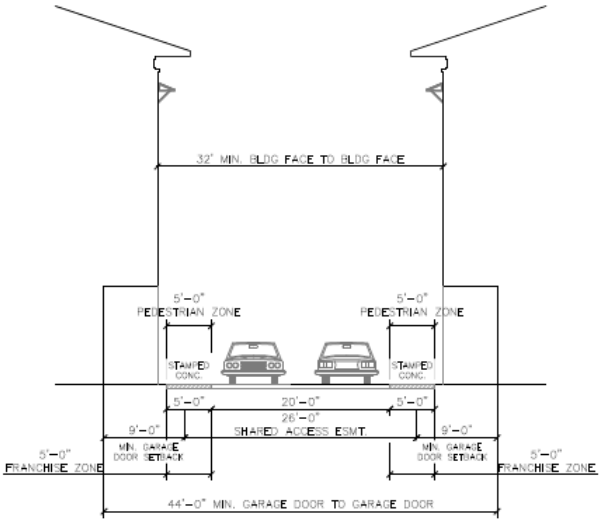
Existing Exhibit 944A
Conceptual Plan



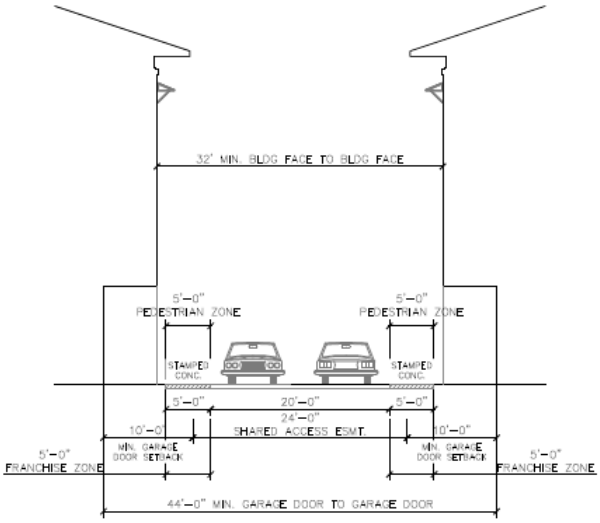
Proposed Shared Access Easement Cross Section





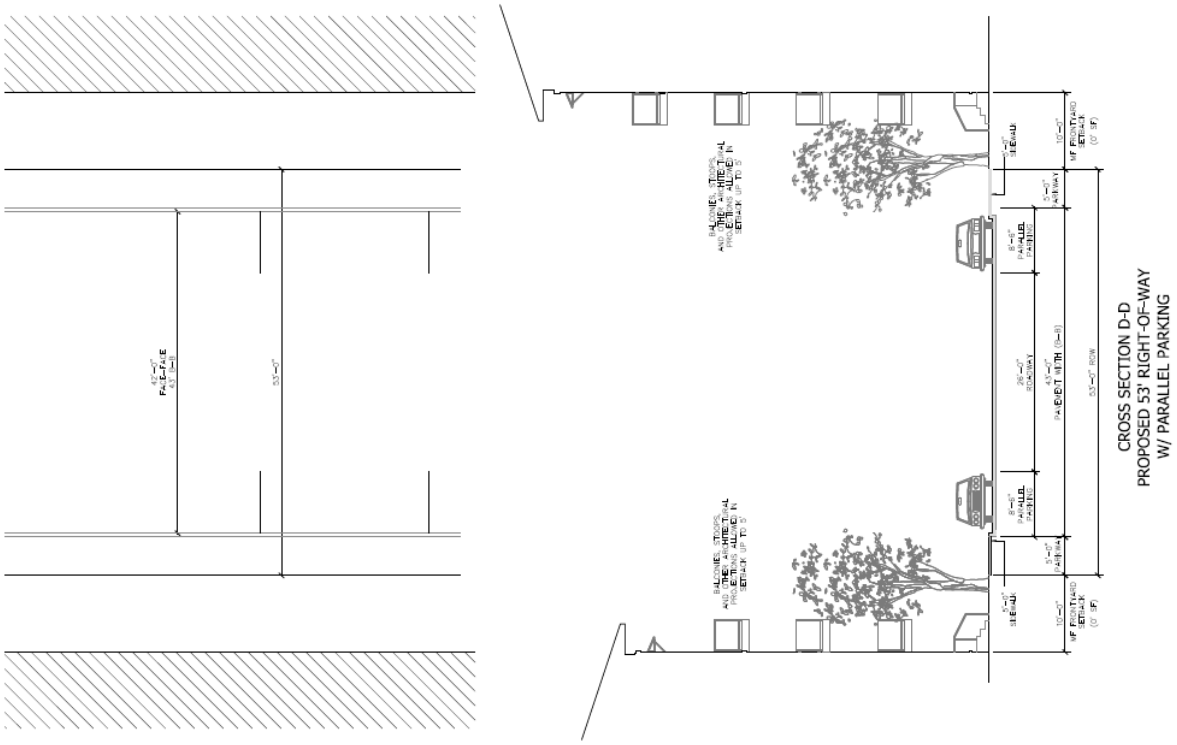


CROSS SECTION A-A
SHARED ACCESS DRIVE
W/ 26' SHARED ACCESS ESMT.

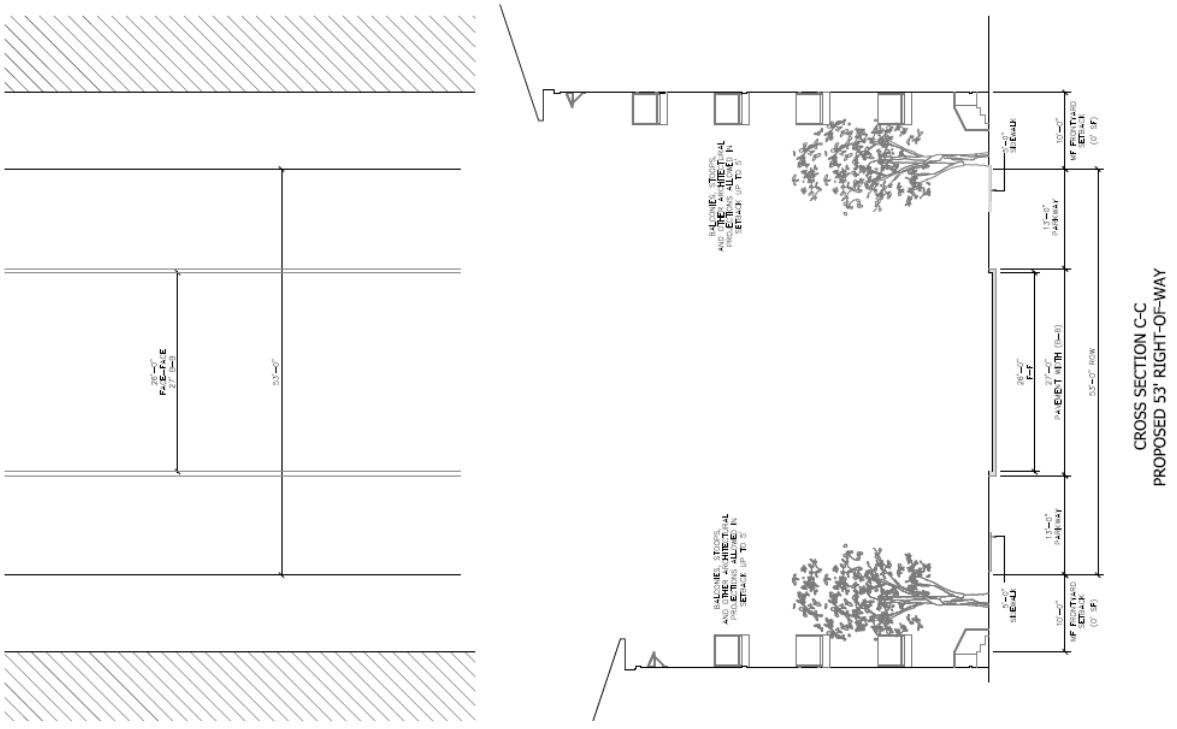


CROSS SECTION B-B
SHARED ACCESS DRIVE
W/ 24' SHARED ACCESS ESMT.

Proposed 53' ROW
Cross Section

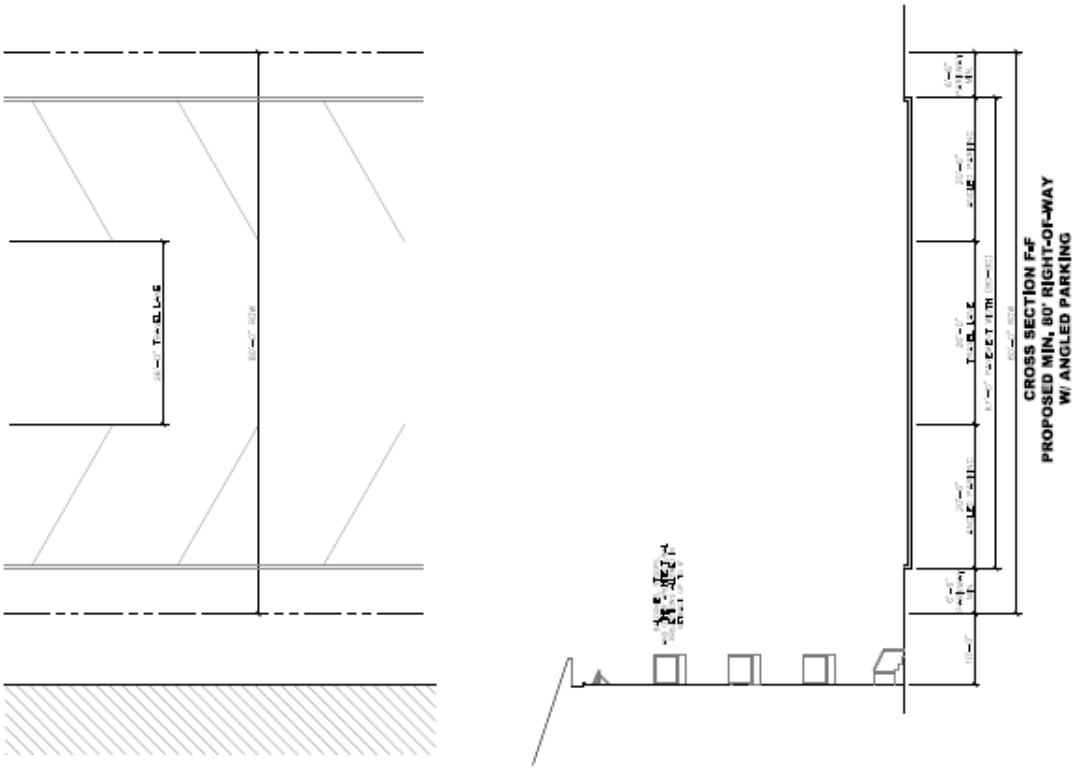


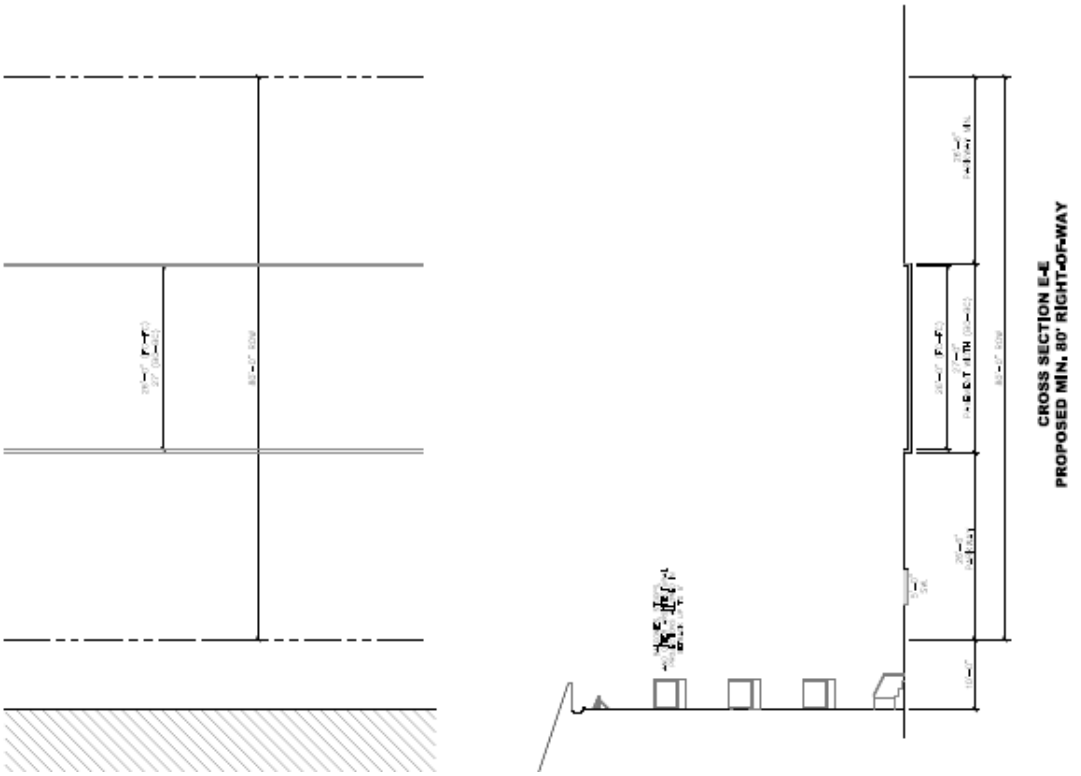
CROSS SECTION D-D
PROPOSED 53' RIGHT-OF-WAY
W/ PARALLEL PARKING



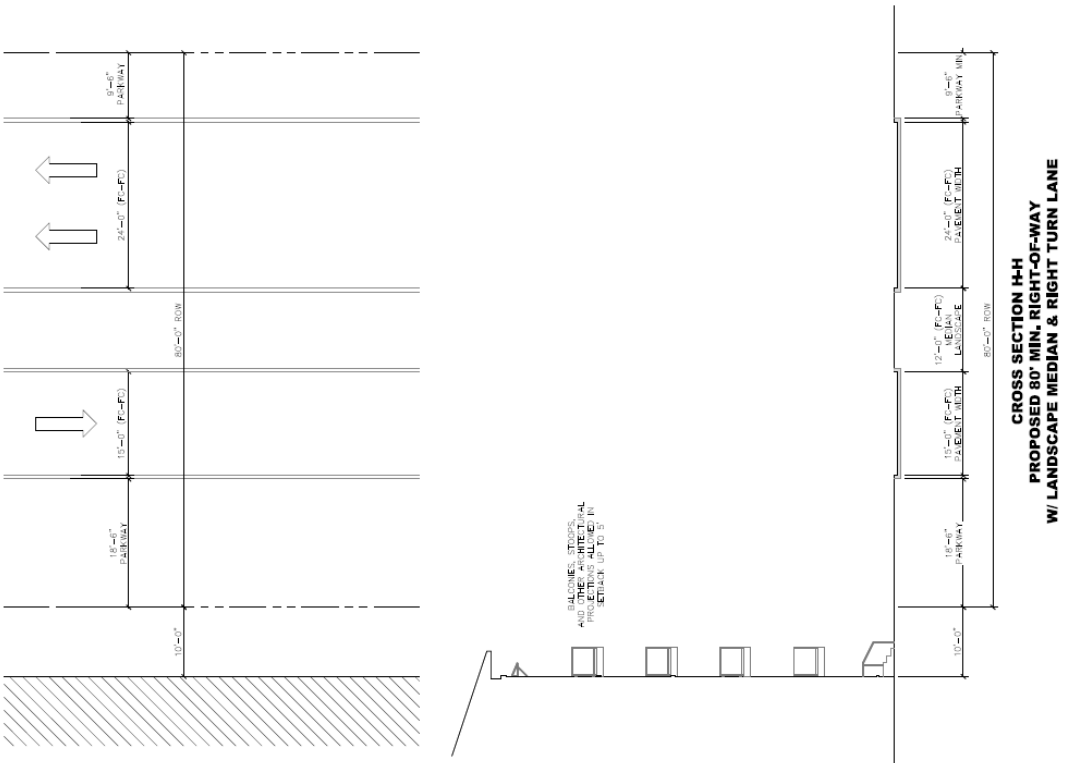
CROSS SECTION C-C
PROPOSED 53' RIGHT-OF-WAY

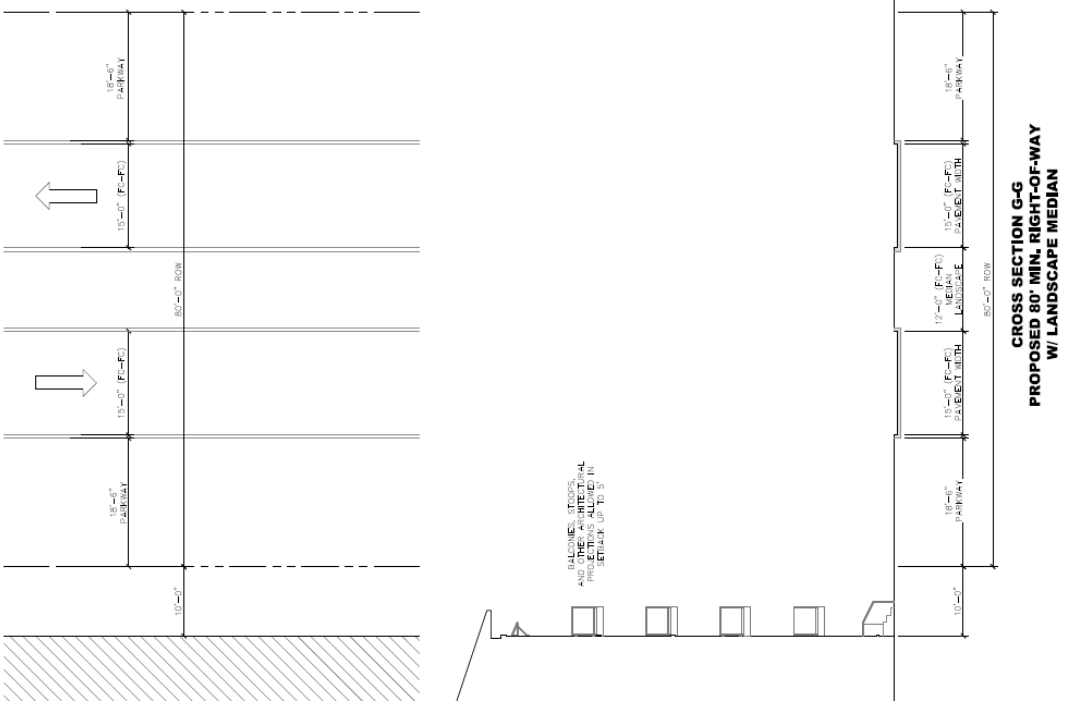
Proposed 80' ROW
Cross Section



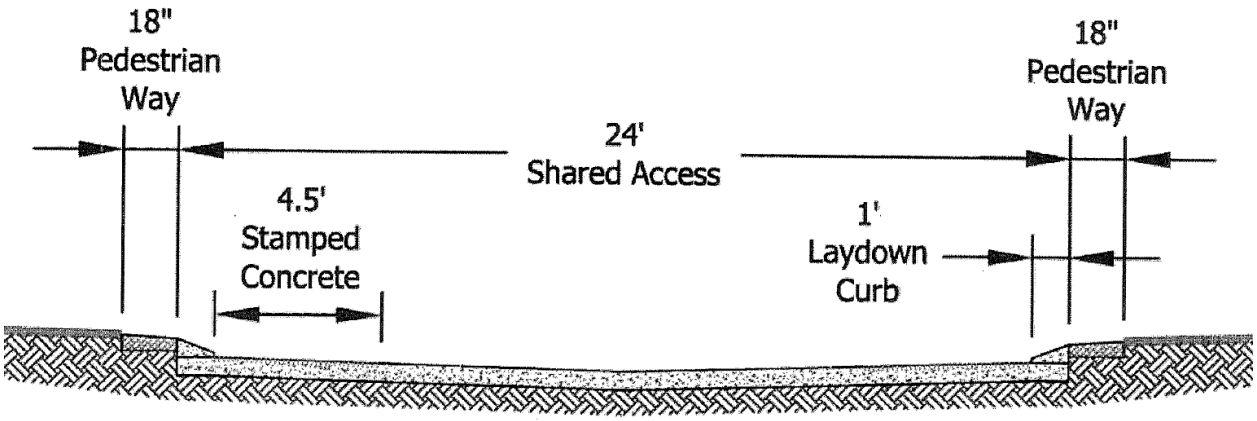


Proposed 80' ROW
Cross Section

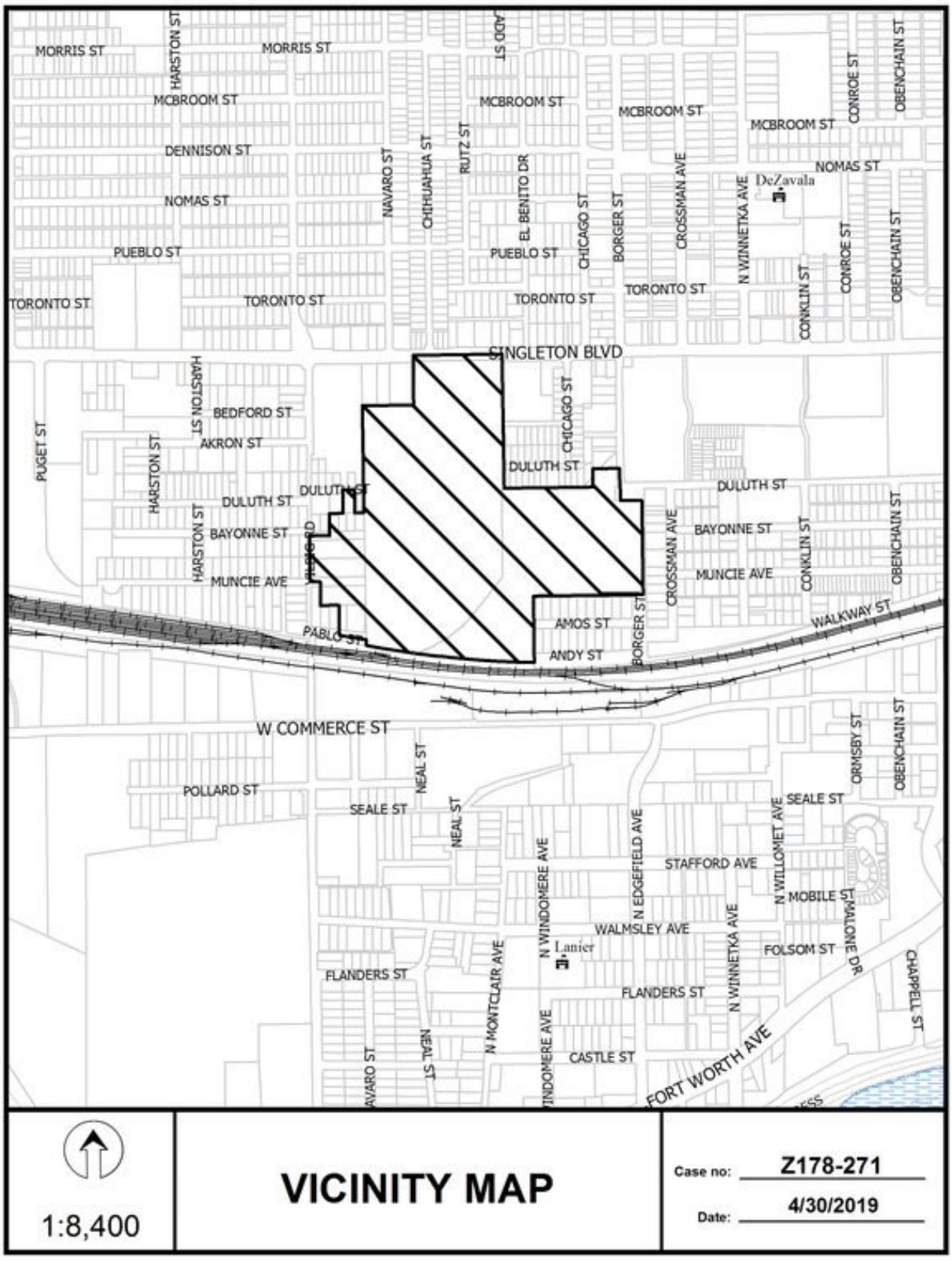


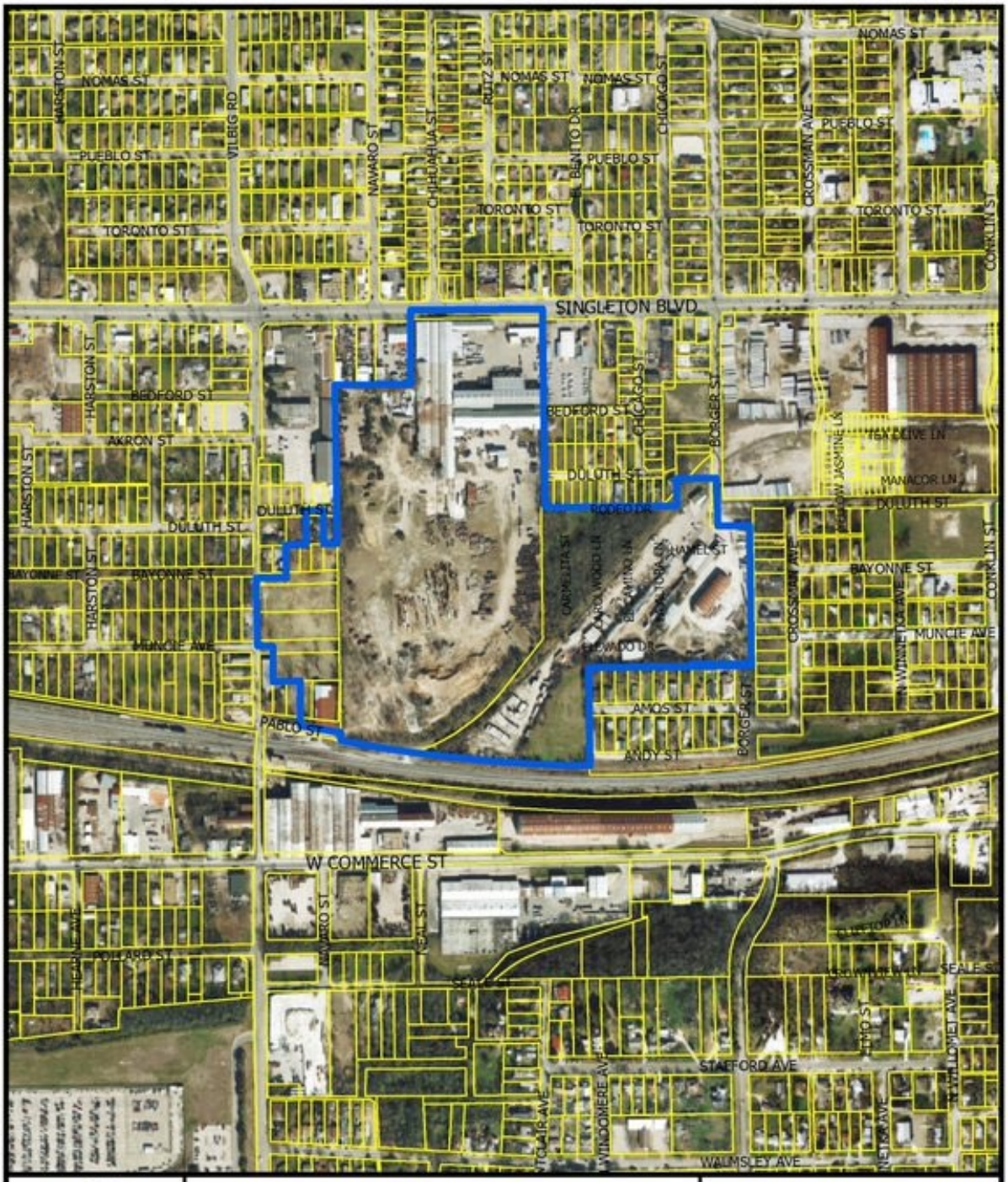


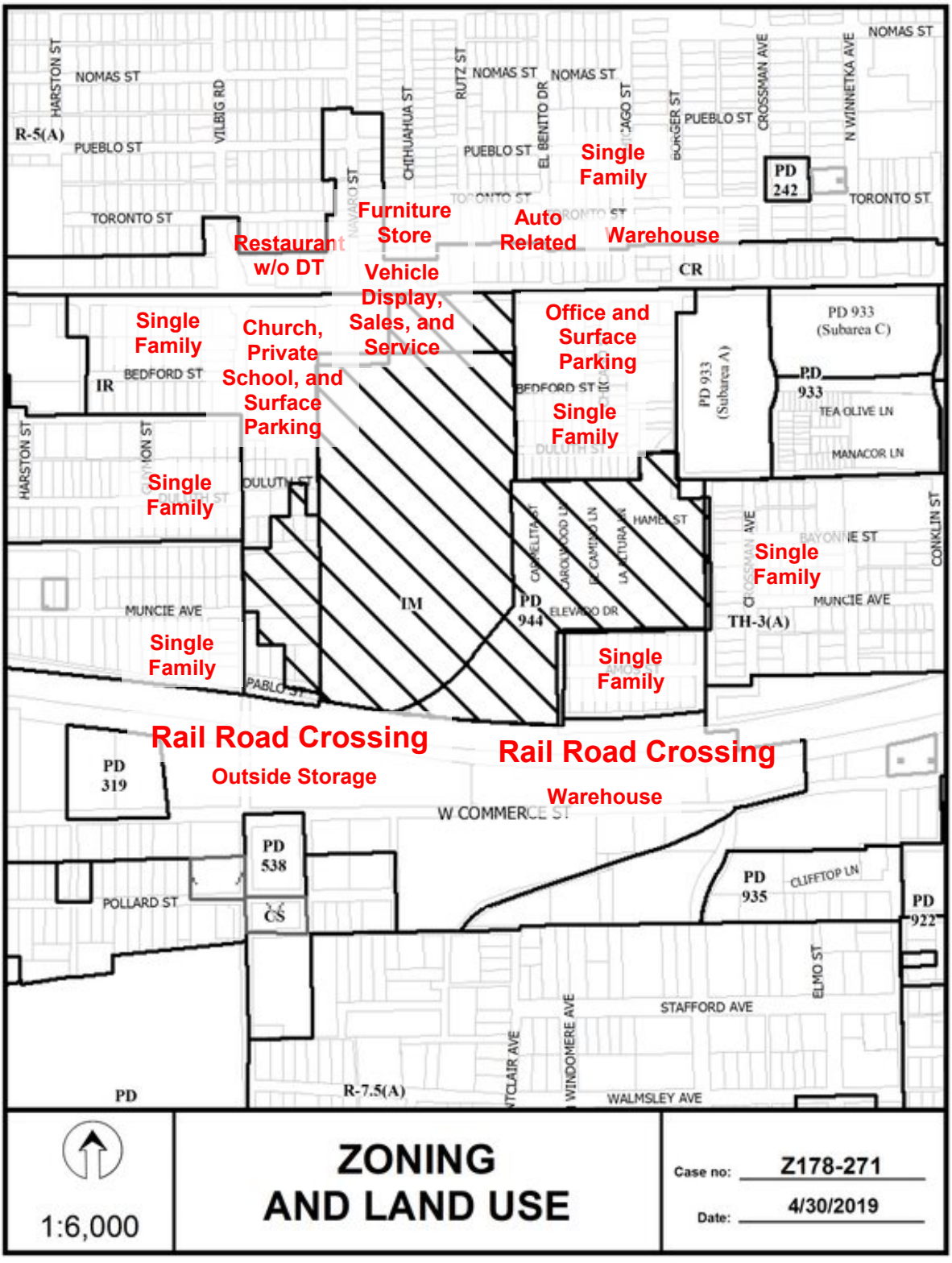
Existing Exhibit 944B

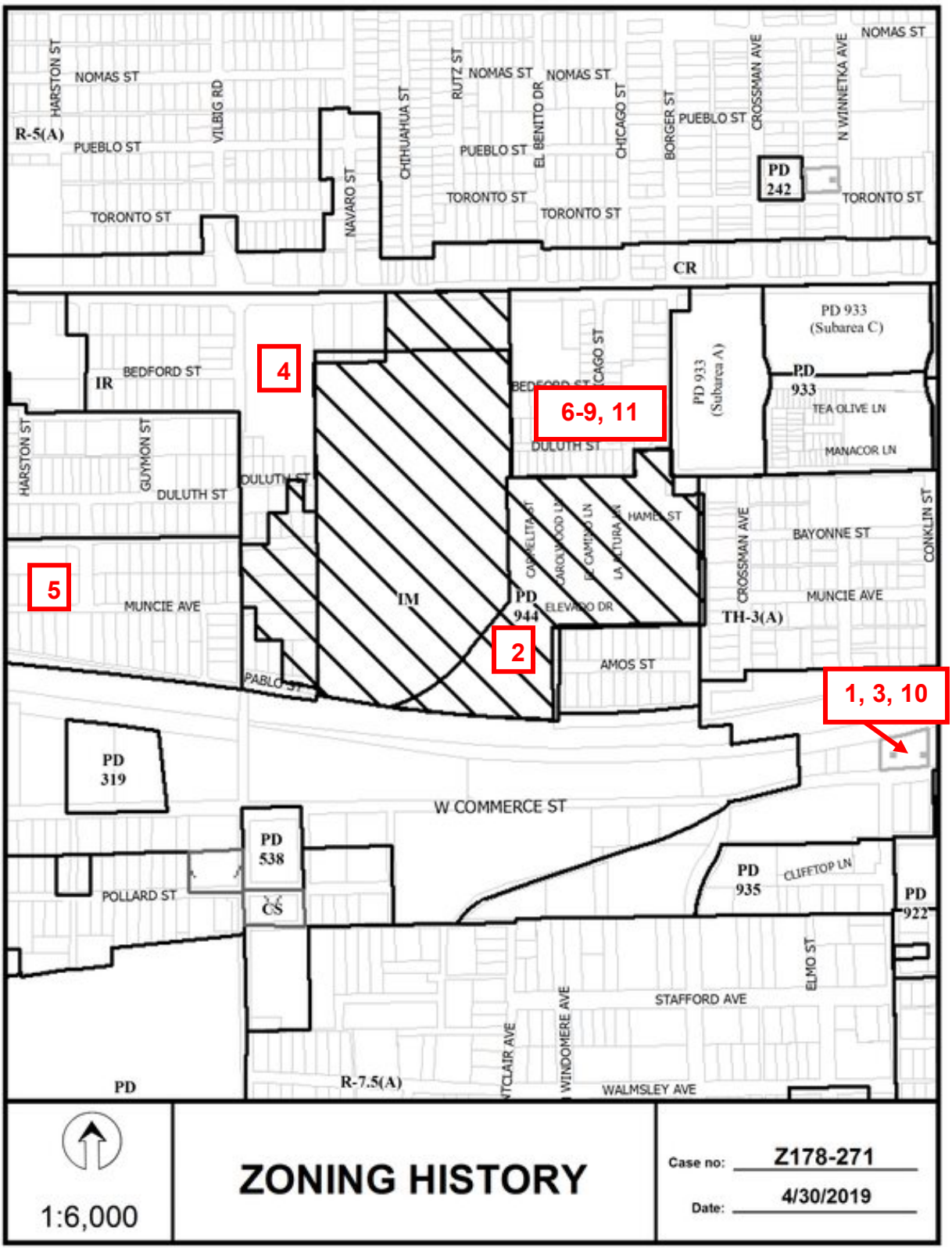


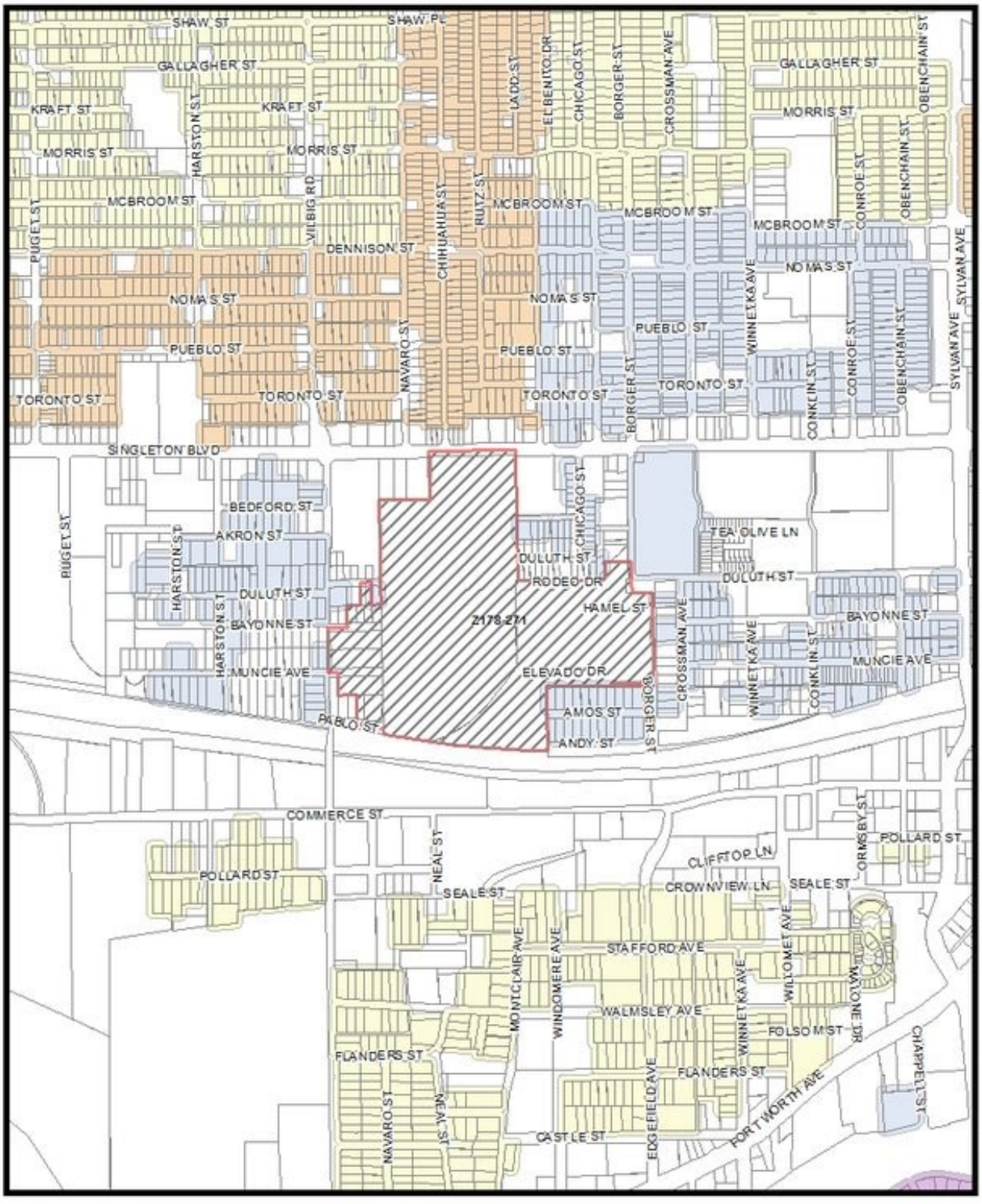
Typical Section Detail


MORRIS ST
HARSTON ST
MCBROOM ST
DENNISON ST
NOMAS ST
PUEBLO ST
TORONTO ST
NAVARO ST
CHIHUAHUA ST
RUTZ ST
ADD ST
EL BENITO DR
CHICAGO ST
BORGER ST
CROSSMAN AVE
N WINNETKA AVE
CONKLIN ST
CONROE ST
OBENCHAIN ST
DeZavala
SINGLETON BLVD
BEDFORD ST
AKRON ST
PUGET ST
DULUTH ST
BAYONNE ST
MUNCIE AVE
HARSTON CT
AMOS ST
ANDY ST
PABLO ST
WALKWAY ST
W COMMERCE ST
POLLARD ST
SEALE ST
NEAL ST
ORMSBY ST
N WILLOMET AVE
STAFFORD AVE
MOBILE ST
N EDGEFIELD AVE
N WINDOMERE AVE
WALMSLEY AVE
FOLSOM ST
MALONE DR
Lanier
FLANDERS ST
N MONTCLAIR AVE
CASTLE ST
CHAPPELL ST
FORT WORTH AVE
1:8,400
VICINITY MAP
Case no: Z178-271
Date: 4/30/2019


NOMAS ST
PUEBLO ST
TORONTO ST
SINGLETON BLVD
BEDFORD ST
AKRON ST
DULUTH ST
BAYONNE ST
MUNCIE AVE
AMOS ST
ANDY ST
W COMMERCE ST
STAFFORD AVE
WALMSLEY AVE
HARSTON ST
VILBIG RD
NAVARO ST
CHICAGO ST
BORGER ST
CROSSMAN AVE
CONKLIN ST
PABLO ST
1:6,000
AERIAL MAP
Case no: Z178-271
Date: 4/30/2019


NOMAS ST
HARSTON ST
VILBIG RD
RUTZ ST
EL BENITO DR
CROSSMAN AVE
N WINNETKA AVE
R-5(A)
PUEBLO ST
TORONTO ST
CHIHUAHUA ST
NAVARRO ST
Single Family
PD 242
Furniture Store
Auto Related
Warehouse
Restaurant w/o DT
Vehicle Display, Sales, and Service
CR
Single Family
Church, Private School, and Surface Parking
Office and Surface Parking
PD 933 (Subarea C)
PD 933 (Subarea A)
PD 933
IR
BEDFORD ST
TEA OLIVE LN
MANACOR LN
DULUTH ST
Single Family
IM
PD 944
ELEVADO DR
HAMEL ST
CONKLIN ST
Single Family
TH-3(A)
MUNCIE AVE
Single Family
Rail Road Crossing
Outside Storage
Rail Road Crossing
Warehouse
W COMMERCE ST
PD 319
PD 538
CS
POLLARD ST
PD 935
CLIFFTOP LN
PD 922
ELMO ST
STAFFORD AVE
WINDOMERE AVE
WALMSLEY AVE
R-7.5(A)
PD
1:6,000
ZONING AND LAND USE
Case no: Z178-271
Date: 4/30/2019


HARSTON ST
NOMAS ST
R-5(A)
PUEBLO ST
VILBIG RD
TORONTO ST
NAVARO ST
CHIHUAHUA ST
RUTZ ST
NOMAS ST
PUEBLO ST
EL BENITO DR
NOMAS ST
TORONTO ST
CHICAGO ST
BORGER ST
PUEBLO ST
CROSSMAN AVE
N WINNETKA AVE
NOMAS ST
PD 242
TORONTO ST
CR
PD 933 (Subarea C)
PD 933 (Subarea A)
PD 933
TEA OLIVE LN
MANACOR LN
IR
BEDFORD ST
4
6-9, 11
DULUTH ST
HARSTON ST
GUYMON ST
DULUTH ST
DULUTH ST
5
MUNCIE AVE
IM
PD 944
ELEVADO DR
HAMEL ST
CROSSMAN AVE
BAYONNE ST
CONKLIN ST
MUNCIE AVE
TH-3(A)
2
AMOS ST
PABLO ST
1, 3, 10
PD 319
W COMMERCE ST
PD 538
POLLARD ST
CS
PD 935
CLIFFTOP LN
PD 922
ELMO ST
STAFFORD AVE
WINDOMERE AVE
NTCLAIR AVE
PD
R-7.5(A)
WALMSLEY AVE
1:6,000
ZONING HISTORY
Case no: Z178-271
Date: 4/30/2019



MVA Cluster A B C D E F G H I NA

1:8,400

Market Value Analysis

Printed Date: 4/30/2019

CPC RESPONSES



272	Property Owners Notified (366 parcels)
7	Replies in Favor (7 parcels)
0	Replies in Opposition (0 parcels)
500'	Area of Notification
5/16/2019	Date

Z178-271
CPC

N
W E
S

1:6,000

05/15/2019

Reply List of Property Owners

Z178-271

272 Property Owners Notified ***7 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	2	9999	NO NAME ST	UNION PACIFIC RR CO
	3	1722	DULUTH ST	DALLAS AREA HABITAT FOR HUMANITY INC
	4	1828	DULUTH ST	DALLAS AREA HABITAT FOR HUMANITY INC
	5	2600	VILBIG RD	DALLAS HABITAT BUILDING HEADQUARTERS INC
	6	1616	SINGLETON BLVD	WEST DALLAS INVESTS LP
	7	1600	SINGLETON BLVD	LRG L L C
	8	1300	DULUTH ST	MEGATEL TRINITY MEADOWS LLC
	9	2600	VILBIG RD	DALLAS HABITAT BUILDING HEADQUARTERS INC
	10	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	11	1511	TORONTO ST	DELEON UBALDO
	12	1515	TORONTO ST	MARCELENO MARIA MAGDALENA LF EST
	13	1519	TORONTO ST	MARTINEZ JESUS
	14	1523	TORONTO ST	FRANCO ANITA Z &
	15	1510	PUEBLO ST	TIRADO JOSE L & MARIA E
	16	1514	PUEBLO ST	HERNANDEZ GONZALO
	17	1518	PUEBLO ST	HINOJOSA HILARIO
	18	3110	RUTZ ST	HINOJOSA HILARIO & CELIA
	19	3103	RUTZ ST	ANTILLON PEDRO JR
	20	3105	RUTZ ST	SOLIS SAMMY G
	21	3109	RUTZ ST	SALAZAR ELIZABETH
	22	1533	SINGLETON BLVD	PINNEBOG TEMPLE PARTNERS LTD
	23	1525	SINGLETON BLVD	PINNEBOG TEMPLE PARTNERS LTD
	24	3011	EL BENITO DR	CONTRERAS VICTOR VELA
	25	1500	TORONTO ST	BETHEL BAPTIST MISSION
	26	3000	EL BENITO DR	BETEL IGLESIA B

05/15/2019

Reply	*Label #*	*Address*		*Owner*
	27	1514	TORONTO ST	DELAGARZA MATIAS JR
	28	1518	TORONTO ST	ZEPADA FRANCES &
	29	1522	TORONTO ST	PINNEBOG TEMPLE PARTNERS LTD
	30	1526	TORONTO ST	CHOVANEC ROBERT H JR
	31	1528	TORONTO ST	TORRES RICHARD R &
	32	1534	TORONTO ST	ESPARZA MARY TERESA
	33	3119	EL BENITO DR	BETHEL BAPTIST MISSION
	34	3125	EL BENITO DR	BETHEL BAPTIST MISSION
	35	1422	PUEBLO ST	LOZADA CHEVELA
	36	1418	PUEBLO ST	PUTILLA WILLIE E
	37	1407	TORONTO ST	ROSALES JUAN &
	38	1411	TORONTO ST	MIRAMONTES MARTHA
	39	1422	TORONTO ST	MENDEZ MIGUEL ANGEL &
	40	1420	TORONTO ST	RODRIGUEZ BLANCA PALOMA
	41	1414	TORONTO ST	ESPARZA RAMON & ANTONIA
	42	1410	TORONTO ST	MONTEMAYOR JOSEFINA G
	43	1406	TORONTO ST	CASTILLO RAYMOND J
	44	3019	CHICAGO ST	ALONZO MARY G
	45	1403	SINGLETON BLVD	HMK LTD
	46	1405	SINGLETON BLVD	COSS LUCIA
	47	1407	SINGLETON BLVD	DESANTIAGO MARIA
	48	1409	SINGLETON BLVD	FLORIDO ELIAS
	49	1413	SINGLETON BLVD	RUELAS JOHN
	50	1419	SINGLETON BLVD	PINNEBOG TEMPLE PARTNERS LTD
	51	1423	SINGLETON BLVD	VILLANUEVA JUAN
	52	1535	SINGLETON BLVD	PINNEBOG TEMPLE PTNRS LTD
	53	3014	CHIHUAHUA ST	DELEON EFRAIN &
	54	3018	CHIHUAHUA ST	NIMAJUAN JAIRO ABIMAEL
	55	3022	CHIHUAHUA ST	HERNANDEZ PORFIRIO &
	56	3026	CHIHUAHUA ST	HERNANDEZ IGNACIO SR &
	57	3106	CHIHUAHUA ST	DELEON EFRAIN ELIZONDO

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Reply	*Label #*	*Address*		*Owner*
	58	3110	CHIHUAHUA ST	DELEON EFRAIN
	59	1601	SINGLETON BLVD	MALAGON ABEL OCTAVIO
	60	1603	SINGLETON BLVD	MARTINEZ FERNANDO ET AL
	61	1605	SINGLETON BLVD	COUNTY LAND & WATER LLC SERIES WEST 1
	62	3011	CHIHUAHUA ST	RODRIGUEZ JUAN &
	63	3015	CHIHUAHUA ST	MATZKE MATTHEW
	64	3019	CHIHUAHUA ST	DELEON RAUL
O	65	3023	CHIHUAHUA ST	VALENZUELA MARIA D &
	66	3029	CHIHUAHUA ST	RICE LASHONDA NICOLE
	67	3101	CHIHUAHUA ST	RICE RUBY JEAN &
	68	3105	CHIHUAHUA ST	GIRON GUILLERMO HEMANDEZ
	69	3111	CHIHUAHUA ST	MORALES MARTIN
	70	3113	CHIHUAHUA ST	CASTILLO MARCELLO
	71	1723	SINGLETON BLVD	JSM DEVELOPMENT COMPANY
	72	1713	SINGLETON BLVD	JSM DEVELOPMENT CO
	73	1701	SINGLETON BLVD	MONREAL ROGELIO
	74	3013	NAVARO ST	ANTHONY WILLIAM D
	75	1710	TORONTO ST	RICHARDSON JESSIE LAVANDA &
	76	1708	TORONTO ST	HERNANDEZ MARIO
	77	1714	TORONTO ST	DAVIS CARLOES LEE
	78	1718	TORONTO ST	MEADOWS ZACHARY ALAN
	79	1720	TORONTO ST	BEYENE ENYEW
	80	1719	TORONTO ST	RODRIGUEZ ANTONIO
	81	1715	TORONTO ST	GRAY LARRY JAMES &
	82	1711	TORONTO ST	DUNN BENNIE L
	83	1707	TORONTO ST	BENITEZ PATRICIO
	84	3103	NAVARO ST	DUVALL RICHARD DUANE
	85	3112	NAVARO ST	POSADA FRANCISCO & MARIA
	86	3110	NAVARO ST	CASTILLO MARCELO
	87	3104	NAVARO ST	STANSBERY AUGUSTUS JR &
	88	3100	NAVARO ST	SESSION CLEVELAND R

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Reply	*Label #*	*Address*		*Owner*
	89	3020	NAVARO ST	SESSION CLEVELAND R &
	90	3018	NAVARO ST	SMITH CURTIS
	91	1837	DULUTH ST	JOHNSON JANET &
	92	2913	VILBIG RD	DEAVILLA MARIA C
	93	1815	AKRON ST	ROMAN CATHOLIC DIOCESE DALLAS
	94	2818	GUYMON ST	CHAVEZ AGAPITO E &
	95	1825	DULUTH ST	LEBLANC MICHAEL D
	96	1819	DULUTH ST	HERNANDEZ MANUEL &
	97	1813	DULUTH ST	POSADA FRANCISCO
	98	1811	DULUTH ST	MEDINA JOSE F
	99	1807	DULUTH ST	MEDINA DAGABERTO
	100	1801	DULUTH ST	MEDINA DAGOBERTO
	101	1802	AKRON ST	MEDINA ANTONIO &
	102	1806	AKRON ST	TORRES JESUS
	103	1810	AKRON ST	HALL DOROTHY J
	104	1838	DULUTH ST	WHITE WILLIE
	105	1834	DULUTH ST	FRANKLIN L A &
	106	1826	DULUTH ST	DALLAS HOUSING ACQUISITION & DEV CORP
	107	1822	DULUTH ST	MEDINA JOSE G
	108	1814	DULUTH ST	EDWARDS SILAS M &
	109	1804	DULUTH ST	VELEZ ABEL
	110	1838	BAYONNE ST	DALLAS NEIGHBORHOOD ALLIANCE FOR HABITAT&
	111	1830	BAYONNE ST	DALLAS AREA HABITAT FOR HUMANITY INC
	112	1810	BAYONNE ST	DALLAS NEIGHBORHOOD ALLIANCE FOR HABITAT
	113	2603	VILBIG RD	PURDIE ROBERT
	114	1809	MUNCIE AVE	DALLAS AREA HABITAT FOR HUMANITY
	115	1811	MUNCIE AVE	DALLAS NEIGHBORHOOD ALLIANCE FOR HABITAT &
	116	2513	VILBIG RD	ALVAREZ EPIFANIO & JULIA
	117	2507	VILBIG RD	MARTINEZ LORENA
	118	2503	VILBIG RD	BASORIA JOSE ABEL &
	119	2409	VILBIG RD	GALINDO MARIE

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Reply	*Label #*	*Address*		*Owner*
	120	2405	VILBIG RD	BATRES WILIAN WALDEMAR GARCIA &
	121	1812	MUNCIE AVE	DEAVILA MARIA CATALINA
	122	1816	MUNCIE AVE	ABDU BINYAM K & ZEYNEB K IBRAHIM
	123	1820	MUNCIE AVE	FRIAS JOSE L RODRIGUEZ &
	124	1822	MUNCIE AVE	DALLAS NEIGHBORHOOD ALLIANCE FOR HABITAT &
	125	1824	MUNCIE AVE	LAWRENCE REGINALD SR
	126	1828	MUNCIE AVE	SOTO JOSE A ARREOLA &
	127	1832	MUNCIE AVE	AMAYA J JESUS CAMACHO &
	128	1836	MUNCIE AVE	PONCE CESAR
	129	1813	W COMMERCE ST	LOTT SUSAN ELIZABETH S
	130	2810	VILBIG RD	CATHOLIC DIOCESE OF DALLAS
	131	2800	VILBIG RD	VALDEZ JESSIE
	132	2708	VILBIG RD	MARTINEZ EJINIO EST OF
	133	1730	DULUTH ST	GARCIA SERGIO &
	134	1716	DULUTH ST	SHERMAN CHAISL
	135	2726	VILBIG RD	CERVANTES RAYMOND
	136	1735	BAYONNE ST	CERVANTES RAYMOND
	137	2406	VILBIG RD	AYALA TRINIDAD LF EST
	138	1736	PABLO ST	CRUZ ELLIOT TRUSTEE
	139	1710	SINGLETON BLVD	LEE CHONG Y
	140	1702	SINGLETON BLVD	LEE CHONG Y &
	141	1500	SINGLETON BLVD	Dallas ISD
	142	1404	SINGLETON BLVD	ROBINSON MONA &
	143	1314	DULUTH ST	SUAREZ SILVERIA M
O	144	1320	DULUTH ST	MACIAS JULIA SUAREZ
	145	1400	DULUTH ST	GALINDO JAVIER FLORENTINO L &
	146	1404	DULUTH ST	TEMPLO PENA DE HOREB
O	147	1401	DULUTH ST	SAENZ RODRIGO S & IRMA
O	148	1403	DULUTH ST	SAENZ IRMA HERNANDEZ
O	149	1407	DULUTH ST	SAENZ IRMA
O	150	1411	DULUTH ST	RODRIGO SAUCEDO SAENZ

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Reply	*Label #*	*Address*		*Owner*
	151	2819	CHICAGO ST	LOPEZ FLORENTINO ET AL
	152	1404	BEDFORD ST	HERNANDEZ JENNIFER N
	153	1406	BEDFORD ST	ESCAMILLA FELIX &
	154	1410	BEDFORD ST	ESCAMILLA FELIX &
	155	1412	BEDFORD ST	RODRIGUEZ ALFREDO S
	156	1420	BEDFORD ST	ORTIZ YOLANDA
	157	2802	CHICAGO ST	LOZADA MANUEL
	158	2806	CHICAGO ST	LOZADA MANUEL JR &
	159	2810	CHICAGO ST	LOZADA CONSUELO
	160	2814	CHICAGO ST	BANDA ELIDIO
	161	2818	CHICAGO ST	WILLIAMS W A ESTATE OF
	162	2902	CHICAGO ST	DILLARD CHARLES E JR &
	163	2904	CHICAGO ST	ELVISARA LLC
	164	2903	CHICAGO ST	LOPEZ SEFERINA
	165	2907	CHICAGO ST	WILCHES MARCELEN A
	166	2919	CHICAGO ST	YANEZ JORGE & MARIELA
	167	2923	CHICAGO ST	WILONSKY DOROTHY &
	168	2927	CHICAGO ST	LUNA GETRUDIS
	169	1318	SINGLETON BLVD	ZARATE ANTONIO
	170	2823	BORGER ST	TERRY R H
	171	2823	BORGER ST	SINGLETON TRINITY GROVES LP
	172	2819	BORGER ST	SINGLETON TRINITY GROVES LP
	173	1310	DULUTH ST	SALAZAR RICHARD EST OF
	174	2915	BORGER ST	SINGLETON TRINITY GROVES LP
	175	1300	AMOS ST	GRIMALDO ALBERTO & ROSA
	176	1304	AMOS ST	SAMARRIPA MARCELINO &
	177	1308	AMOS ST	BURROUGHS BILLY JOE &
	178	1312	AMOS ST	DE LEON JUAN
	179	1316	AMOS ST	SOTO PHILLIP DANIEL
	180	1320	AMOS ST	IPINA FELIPE
	181	1324	AMOS ST	YBARA REYNALDO &

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Reply	*Label #*	*Address*		*Owner*
	182	1328	AMOS ST	TORRES ALEJANDRINO
	183	1332	AMOS ST	TORRES PEDRO &
	184	1336	AMOS ST	MERRELL DON R
	185	1340	AMOS ST	MERRELL DON R
	186	1301	AMOS ST	URIBE BRENDA JANET
	187	1307	AMOS ST	CASTRO ENRIQUE & ELSA R
	188	1309	AMOS ST	PARKS MILDRED JOHNSON
	189	1315	AMOS ST	MEDINA ELIGIO
	190	1317	AMOS ST	CRAYTON LATISHIA D
	191	1323	AMOS ST	HAMILTON PAULINE
	192	1325	AMOS ST	HAMILTON JERRY R
	193	1329	AMOS ST	GRIMALDO J GUADALUPE MEJIA &
	194	1333	AMOS ST	GRIMALDO ALBERTO
	195	1337	AMOS ST	GRIMALDO MARIA
	196	1341	AMOS ST	GRIMALDO FLORENTINA
	197	2404	BORGER ST	COMO COLUMBUS
	198	1610	W COMMERCE ST	COMMERCIAL METALS COMPANY
	199	1618	W COMMERCE ST	JUNG BUCK L & HELEN W
	200	1338	W COMMERCE ST	1400 TRIPLE B HOLDINGS LP
	201	1607	W COMMERCE ST	RINGER LLC
	202	1401	W COMMERCE ST	LO 1401 WEST COMMERCE LLC
	203	1318	W COMMERCE ST	SMITH RAPHAEL W
	204	2415	N WINNETKA AVE	MCDUFF WILLIE
	205	1102	MUNCIE AVE	SILPAVIVAT CHAVALIT
	206	1106	MUNCIE AVE	CHESTNUT HILL HOLDINGS LLC
	207	1112	MUNCIE AVE	SMITH DELTESSA ET AL
	208	1120	MUNCIE AVE	IBARRA JUAN MANUEL
	209	1128	MUNCIE AVE	WARE MARY
	210	2406	CROSSMAN AVE	WILLIS EDNA
	211	2404	CROSSMAN AVE	ARNOLD WILL
	212	2404	CROSSMAN AVE	ARNOLD WILLIAM & BIRDIE

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Reply	*Label #*	*Address*		*Owner*
	213	1103	MUNCIE AVE	KILSON BENNIE LIFE ESTATE
	214	2509	N WINNETKA AVE	CORETZ ALAN &
	215	2513	N WINNETKA AVE	CORETZ ALAN & HEIDI
	216	1110	BAYONNE ST	MARTINEZ NESTOR J &
	217	1114	BAYONNE ST	ARELLANO GERARDO &
	218	1118	BAYONNE ST	VASQUEZ FRANCESA EST OF &
	219	1120	BAYONNE ST	RODRIGUEZ MONICA
	220	1124	BAYONNE ST	VASQUEZ ERICK
	221	1127	MUNCIE AVE	HARRIS ROSA LEE
	222	1121	MUNCIE AVE	LEE LULA MAE ESTATE OF
	223	1119	MUNCIE AVE	ENRIQUE MARQUEZ
	224	1115	MUNCIE AVE	BARKWELL CATHERINE L
	225	1101	BAYONNE ST	GRBK EDGEWOOD LLC
	226	1114	DULUTH ST	TOPLETZ DENNIS D
	227	1118	DULUTH ST	RODRIGUEZ EVERARDO
	228	1122	DULUTH ST	RODRIGUEZ ARTURO P &
	229	1126	DULUTH ST	COVARRUBIAS RAPHAEL
	230	1123	BAYONNE ST	ALVARADO RUBEN &
	231	1121	BAYONNE ST	JONES CHIQUITA ETAL
	232	1119	BAYONNE ST	RAMIREZ VICTORIA G
	233	1115	BAYONNE ST	SUSANTIO RUDY
	234	2403	CROSSMAN AVE	SJK PARTNERS LLC
	235	2411	CROSSMAN AVE	BROWN PEARLIE
	236	2415	CROSSMAN AVE	REED MATILDA R EST OF
	237	2419	CROSSMAN AVE	CARTER TEMPLE CME CH
	238	2503	CROSSMAN AVE	CARTERS TEMPLE CME CHURCH
	239	2603	CROSSMAN AVE	MITCHELL A C MRS
	240	2607	CROSSMAN AVE	MENDOZA MIGUEL S
	241	2607	CROSSMAN AVE	MENDOZA MIGUEL S &
	242	2615	CROSSMAN AVE	KH SOLUTIONS INC
	243	2911	CHICAGO ST	QUINTERO MARIA EULALIA

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Reply	*Label #*	*Address*		*Owner*
	244	1212	SINGLETON BLVD	TG FLATS LP
	245	1212	SINGLETON BLVD	TG SINGLETON POA IHNC
	246	1002	SINGLETON BLVD	SINGLETON TRINITY GROVES LP
	247	1110	TEA OLIVE LN	CND-TRINITY VILLAGE LLC
	248	1190	MANACOR LN	NAGPAL SAMAI & SHIVANI
	249	1180	MANACOR LN	ZARRINI BOBAK DOMONIC &
	250	1170	MANACOR LN	GILL ARVIND & PREETINDER CHAHAL
	251	1160	MANACOR LN	KUZNETSOVA EKATERINA
	252	1150	MANACOR LN	WEEKLEY HOMES LLC
	253	1151	MANACOR LN	SPENCER GREGORY D
	254	1163	MANACOR LN	PORTER JEFFREY D JR
	255	2752	YELLOW JASMINE LN	WEEKLEY HOMES LLC
	256	2762	YELLOW JASMINE LN	DELAROSA MARIA PATRICIA &
	257	2772	YELLOW JASMINE LN	NITHIANANDA SHIVAHARAN
	258	2785	YELLOW JASMINE LN	SALINAS MAYRA A &
	259	2775	YELLOW JASMINE LN	NEUROSPINE CONSULTANTS LLC
	260	2765	YELLOW JASMINE LN	JONES DWAYNE A
	261	2755	YELLOW JASMINE LN	WEEKLEY HOMES LLC
	262	2745	YELLOW JASMINE LN	RAKSNIS JEFFREY KEITH
	263	2735	YELLOW JASMINE LN	SEATON COREY D & KIMBERLY
	264	2725	YELLOW JASMINE LN	KUZNETSOVA ANNA &
O	265	2715	YELLOW JASMINE LN	GLENN BLAKE J
	266	2705	YELLOW JASMINE LN	LALLI NELSON G
	267	1193	TEA OLIVE LN	NETREIT DUBOSE MODEL HOME
	268	1181	TEA OLIVE LN	WEEKLEY HOMES LLC
	269	2407	N WINNETKA AVE	FARROW TATIANA BRESHA
	270	2411	N WINNETKA AVE	KING HOME BUILDERS LLC
	271	2300	AL LIPSCOMB WAY	BNSF RAILWAY
	272	2300	AL LIPSCOMB WAY	BNSF RAILWAY

Agenda Information Sheet

File #: 19-807 **Item #:** 77.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and an expansion of Planned Development District No. 372 on property zoned Planned Development District No. 372 and Planned Development Subdistrict No. 6 within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area generally bounded by McKinney Avenue to the east, Lemmon Avenue East to the north, Oak Grove Avenue to the west, and Lemmon Avenue to the south
Recommendation of Staff: Approval, subject to a revised development plan, a revised landscape plan, and staff's recommended conditions
Recommendation of CPC: Approval, subject to a revised development plan, a revised landscape plan, and conditions
Z189-141(JM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z189-141(JM)	**DATE FILED:**	November 26, 2018
LOCATION:	Generally bounded by McKinney Avenue to the east, Lemmon Avenue East to the north, Oak Grove Avenue to the west, and Lemmon Avenue to the south.		
COUNCIL DISTRICT:	14	**MAPSCO:**	45 C
SIZE OF REQUEST:	± 6.04 acres	**CENSUS TRACT:**	7.01

OWNER: Pan Costal Limited Partnership

APPLICANT: KDC

REPRESENTATIVE: Suzan Kedron, Jackson Walker, LLP

REQUEST: An application for an amendment to and an expansion of Planned Development District No. 372 on property zoned Planned Development District No. 372 and Planned Development Subdistrict No. 6 within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of this request is to allow for the redevelopment of the site with a mix of uses to include a large format specialty retail store with more than 100,000 square feet of floor area, office, hotel, and multifamily uses.

CPC RECOMMENDATION: **Approval**, subject to a revised development plan, a revised landscape plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised development plan, a revised landscape plan, and staff's recommended conditions.

BACKGROUND INFORMATION:

- PD No. 372 was approved by City Council on March 12, 1992 containing 4.25 acres of land for O-2 Office District and retail and personal service uses.
- PDS No. 6 was approved by City Council on April 27, 1994 containing 0.632 acres of land for O-2 Office District, restaurant without drive-through, professional, personal service, and custom craft, and retail uses.
- The combined site contains 4.882 acres of land exclusive of right-of-way. According to DCAD and City Certificate of Occupancy records, a building with over 5,000 square feet and two suites containing a restaurant without drive-in or drive through service and a personal service use (dry cleaning or laundry store) has existed in the PDS No. 6 portion of the site since 1994. The remainder of the site contains a vacant building with more than 50,500 square feet of floor area that last operated as a general merchandise or food store, erected in 1993 within the PD No. 372 area.
- The purpose of this request is to allow for the redevelopment of the site with a mix of uses to include a large format specialty retail store with more than 100,000 square feet of floor area, office, hotel, and multifamily uses and to amend the following provisions:
    - Define and allow a large format specialty retail store which contains 100,000 square feet or more;
    - Require an amenity deck;
    - Reduce the front yard setback from 10-25 feet to five feet on McKinney Avenue;
    - Allow encroachments into the 10-foot front yard along all other streets;
    - Provide an additional rear or side yard setback for portions of nonresidential structures over 30 feet-in-height;
    - Allow unlimited encroachments into the required rear or side yard setback;
    - Increase the floor area ratio from 4.0 and 4.5 to 5.5 by providing mixed-income housing;
    - Increase the maximum allowable height from 240 feet to 360 feet with mixed-income housing;
    - Increase the lot coverage from 40 to 60 percent in the portion that is currently PDS No. 6 and from 80 percent to 92 percent in PD No. 372 when a 40,000 square-foot amenity deck is provided;
    - Provide a parking reduction for specific uses via a mixed-use development (shared) parking chart;
    - Provide a revised landscape plan;
    - Revise sign provisions;
    - Provide design standards; and,
    - Provide five-percent mixed-income housing for the additional housing granted beyond the maximum to families between 81 and 100 percent of Adjusted Median Family Income for a 15-year period.

Zoning History: There have been five recent zoning requests in the area within the last five years.

1. **Z178-223:** An authorized hearing to consider proper zoning to amend the allowable square footage for nonresidential uses within PD No. 305. *Pending CPC.*

2. **Z178-186:** On April 25, 2018, the City Council created a Demolition Delay Overlay. A demolition delay overlay district is intended to encourage the preservation of historically significant buildings that are not located in a historic overlay district by helping the property owner identify alternatives to demolition.

3. **Z156-333:** On January 11, 2017, City Council approved a zoning change from Subdistrict B-1 to Subdistrict C within the West Residential Subzone within Planned Development District No. 305, City Place, to a WR-20 Walkable Urban Residential District with an HM-5 Height Map Overlay on property bounded by Blackburn Street, Cole Avenue, Travis Street and Lemmon Avenue East.

4. **Z156-119:** On March 22, 1016, SUP No. 1845 for one or more alcoholic beverage establishments to be used for bar, lounge, or tavern uses on the east corner of Cole Avenue and Lemmon Avenue was automatically renewed.

5. **Z156-147:** An application for a Planned Development Subdistrict to decrease the LC Light Commercial District setbacks on property zoned an LC Light Commercial District within Planned Development District No. 193, the Oak Lawn Special Purpose District, located on the north corner of North Hall Street and Nobile Avenue. *This case was automatically terminated on August 3, 2016 due to inactivity.*

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
McKinney Avenue	Minor Arterial	60 feet	60-80 feet
Lemmon Avenue East	Principal Arterial	60 feet	80 feet
Lemmon Avenue	Principal Arterial	61.25 feet	80 feet
Oak Grove Avenue	Local	Variable, 60 feet	--

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and determined that the request will not have a negative impact on the existing street system; however, a traffic signal will be required at the Lemmon Avenue East and Oak Grove Avenue intersection to support the proposed office and large format specialty retail uses. A provision in the proposed amending conditions for

PD No. 372 states that the building official shall not issue a certificate of occupancy for a large format specialty retail or office use unless there is an executed developer agreement or contract for installation of the traffic signal at the intersection of Lemmon Avenue East at Oak Grove Avenue. The applicant has agreed to this provision.

STAFF ANALYSIS

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan*, was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request complies with land use goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.4 Capitalize on transit-oriented development opportunities.

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1. Ensure that zoning is flexible enough to respond to changing economic conditions.

Policy 2.2.2 Maximize development opportunities around DART stations.

Policy 2.2.6 Restore Dallas as the foremost retail location in the region.

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.2 Define urban character in Downtown and urban cores.

Policy 5.1.3 Encourage complementary building height, scale, design and character.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Policy 5.3.3 Encourage transit-oriented developments and transit centers.

NEIGHBORHOOD PLUS PLAN

GOAL 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety.

This project has the potential to meet several goals of the comprehensive plan. The transit-oriented development is located along the McKinney trolley line and less than half-a-mile from the CityPlace/Uptown transit station. This distinctive neighborhood offers a variety of eating, shopping, working, and living opportunities. The proposed development will extend those options by adding a large format specialty retail use, office, multifamily, and a hotel to the neighborhood. The quality of the design will make the site a feature within the neighborhood and of the area.

Surrounding Land Uses:

Area	Zoning	Land Use
Site	PD No. 372 and PDS No. 6 w/in PD No. 193	Vacant building and restaurant
Northwest	LC and GR within PD No. 193	Retail and personal service; general merchandise or food store greater than 3,500 square feet
North	Subdistrict C within PD No. 305 and SUP No. 1845	Restaurant and bar, lounge, or tavern
Northeast	Subdistricts D-4 and D-5 within PD No. 305	Personal service, financial institution w/drive-through, and multifamily
East	PD No. 201	Restaurant
Southeast	O-2 within PD No. 193 w/D Liquor Control Overlay	Multifamily
South	O-2 within PD No. 193 w/D Liquor Control Overlay	Medical offices and clinics
Southwest	PDS No. 108 w/ D Liquor Control Overlay and LC within PD No. 193 w/ D-1 Liquor Control Overlay and SUP No. 1980	Multifamily and general merchandise or food store greater than 3,500 square feet
West	LC within PD No. 193	Restaurant, multifamily, and bar, lounge, or tavern

Land Use Compatibility:

The combined site contains 4.882 acres of land exclusive of right-of-way. According to DCAD and City Certificate of Occupancy records, a building with over 5,000 square feet and two suites containing a restaurant without drive-in or drive through service and a personal service use (dry cleaning or laundry store) has existed in the PDS No. 6 portion of the site since 1994. The remainder of the site contains a vacant building with more than 50,500 square feet of floor area that last operated as a general merchandise or food store, erected in 1993 within the PD No. 372 area.

Surrounding land uses consist of retail and personal service and general merchandise or food store greater than 3,500 square feet to the northwest; restaurant and bar, lounge, or tavern to the north; personal service, financial institutions with drive-through, and multifamily to the northeast; restaurant to the east; multifamily to the southeast; medical offices and clinics to the south; multifamily and general merchandise or food store greater than 3,500 square feet to the southwest; and, restaurant, multifamily, and bar, lounge, or tavern to the west.

The purpose of this request is to allow for the redevelopment of the site with a mix of uses to include a large format specialty retail store with more than 100,000 square feet of floor area, office, hotel, and multifamily uses with the following requests:

- Allow a large format specialty retail use, defined as a retail store with a floor area of 100,000 square feet or more for the sale of general merchandise or food. This use may also include office, education and demonstration areas, and areas of general assembly. Accessory outside display of merchandise and outside sales are also permitted. This use differs from a general merchandise or food store greater than 100,000 square feet or more because it incorporates office, education, demonstration areas, and areas of general assembly. The proposed tenant would like to hold cooking classes within the store and train staff on-site.

Development Standards:

DISTRICT	SETBACKS		Density	Height	FAR	Lot Cover-age	PRIMARY Uses
	Front	Side/Rear					
Existing: PD No. 372	10'-25' on McKinney; 20' others	Per plan. 10' others	90/acre	240'	4.0 Up to 4.5	80%	O-2 and retail and personal service.
Existing: PDS No. 6	25'	5'-10' 10'-25' Per use.	Min. lot area per bedroom.	240'	4.0	40% nonres. 60% res.	O-2; restaurant w/o DT; professional, personal service, and custom craft uses; and, retail uses.
Proposed: Updated PD No. 372	5' on McKinney 10' others with 10' encroachments	Staff: 10' Applicant: 10' w/10' encroachments. Additional setback above 30' or 36' in height.	432 dwelling units	Staff: 240' or 300' with MIH Applicant: 320' or 360' with MIH	4.0 and up to 4.5 FAR Up to 5.5 FAR with MIH	Staff: 80% or 90% with Amenity Deck Applicant: 90% or 92% with Amenity Deck	O-2 including large format specialty retail, office, multifamily, and hotel.

The following development standards are proposed with this request:

- Reduce the front yard setback from 10-25 feet to five feet on McKinney Avenue and to allow encroachments into the 10-foot required front yard along all other street frontages. Staff supports this request because it creates a more urban environment along the street frontages.
- Provide an additional rear and side yard setback for nonresidential structures over 36 feet-in-height. The applicant proposes to construct a residential structure up to 360 feet-in-height at the south corner of the site located at Lemmon Avenue and Oak Grove Avenue, the only side and rear yards on the site. The adjacent property, located with PD No. 201, contains a restaurant use with a maximum structure height of 36 and a 10-foot side and rear yard setback. The applicant has requested an additional setback for nonresidential structures of up to 30 feet progressing at a 2:1 ratio for the portion of the building above 36 feet-in-height. The proposed 200-foot hotel structure would be subject to the additional setback requirement.

Additionally, at the CPC hearing on May 2, 2019, the applicant offered an additional setback of 10 feet for residential structures exceeding 75 feet-in-height for a total setback of up to 20 feet. Staff recommends the additional setback to be applicable for all structures above 30 feet-in-height. This would provide greater relief for the adjacent PD No. 201 property.

- The dwelling unit density is being capped at 432 units rather than 90 dwelling units per acre. The site contains 4.882 acres of area. With the current allotment of 90 dwelling units per acre, up to 439 dwelling units would be allowed. This is essentially a reduction of seven allowable dwelling units. Staff supports this request.
- The applicant requests to increase the floor area ratio from 4.0 and 4.5 to 5.5 with mixed-income housing. Currently, if a residential use meets or exceeds the lot area, the floor area ratio can be increased to 4.5-to-one from 4.0-to-one. The request is to reduce the residential component to 209,000 square feet to allow this provision to increase as stated. Additionally, with the provision for mixed-income housing, the floor area ratio can be increased to 5.5-to-one. Staff supports this increase in floor area ratio. It seems that the original requirement to have residential uses with a minimum floor area equal to the lot area was in consideration of having multiple lots on-site. The new development is one lot, which would have required 212,660 square feet of residential uses to trigger the increase in floor area ratio for the site. Since the difference is minimal, staff supports the change.
- Increase the maximum allowable height from 240 feet to 360 feet with mixed-income housing. The applicant has requested to designate a distribution of height throughout the PD area. The large format specialty retail use would exist in a 110-foot structure. Contiguous to the northeast is the proposed 320-foot office tower. The applicant has chosen to limit the heights of the proposed uses on the development plan submitted. Per the plan, the hotel use is limited to 200 feet-in-height at the northeast corner of the property. Considering the surrounding development rights in the vicinity and how developed the neighboring properties are, staff supports maintaining the existing maximum height and providing a height increase to 300 feet only with the provision of mixed-income housing.
- Increase the lot coverage from 40 to 60 percent in PDS No. 6 and from 80 percent in PD No. 372, to 92 percent when a 40,000-square-foot amenity deck is provided. Staff considered the transit-oriented nature of the site and recommends increased lot coverage with providing a 40,000-square-foot amenity deck. Otherwise, the maximum allowable lot coverage should be maintained at 80 percent to allow for required site and pedestrian features such as landscape area and sidewalks.
- Require an amenity deck which is an area that is open to the sky and may include seating areas, sports facilities, children's play areas, open fitness areas, water features, photovoltaic panels, art installations, hardscaping, and landscaping for use by tenants and their guests. The amenity deck is further described in the design criteria of the PD to include a minimum of 45 percent landscape area with moveable planters, urns or potted plants, arbors, pergolas, and trellises with planted materials. Additionally, a minimum of five percent of the amenity deck must

be visually enhanced with geometric patterns of colored pavers, stamped or stained concrete, enhanced paving, or other similar treatments. The amenity deck is being used as a functional green gathering space above ground-level for the site. A 40,000 square-foot amenity deck is required to increase the lot coverage from 90 to 92 percent. Staff recommends an increase to 90 percent when a 40,000-square-foot amenity deck is provided. While the amenity deck is a feature for the site, the space is limited in access to tenants and visitors of the site and is not open to the general public. However, the proposed 40,000 square-foot green gathering space will still offer a unique feature and relief from pavement at an interesting point within the development, above ground level.

Overall, staff supports the request subject to staff's recommended conditions as described in this report. If staff's recommended conditions are approved, a revised development plan is required to reduce the height and lot coverage on the plan.

Parking:

Except for the items stated below, parking will be in accordance with the parking regulations of Chapter 51A. All parking will be provided in a parking structure, or below ground. A traffic impact analysis, parking demand study, and shared parking analysis were reviewed by the Engineering Division to ensure compatibility for the site.

- Provide a reduction in parking for specific uses including a mixed-use development (shared) parking chart. The applicant provided a shared parking analysis and parking demand study identifying the following reductions in parking for the site:
    - A reduction in parking from one space per 366 square feet for personal service and office uses to one space per 400 square feet.
    - A reduction in parking for certain institutional and retail and personal service uses from one space per 220 square feet to one space per 300 square feet. this includes the defined large format specialty retail use. For reference, a general merchandise or food store 100,000 square feet or more requires one space per 300 square feet of floor area per the Dallas Development Code, as well.
    - A reduction in guest parking for multifamily uses from 25 percent to 15 percent.
    - A reduction in parking for a hotel or motel use from one space per unit for up to 250 units and one space per 200 square feet of meeting room area to one-and-a-quarter spaces per room with no additional spaces for meeting rooms.
    - A mixed-use development parking reduction referring to the MUD chart within the text of the article. Except for a large format specialty retail use, shared parking facilities for all other uses will be available to all residents, employees, guests, and visitors. The applicant has chosen to segregate the parking for the large format specialty retail use. All other uses at the site must have shared parking.

Mixed-income Housing:

The following mixed-income housing is proposed with this project:

- The CPC recommendation is to provide six-percent mixed-income housing units of the total rental units exceeding an FAR of 4.5, at Affordable Rent per Sec. 20A-24 with an Income Band less than 80 percent of Adjusted Median Family Income, the increased development standards in Sec. 51P-372.106 related to floor area ratio and height apply. The Mixed-income Restrictive Covenant pursuant to Section 20A-26 and the Rental Affordability Period shall be for a term of 15 years.
- The staff recommendation is to provide five-percent mixed-income housing units based on the total number of dwelling units to families between 51 and 60 percent of Adjusted Median Family Income for a 15-year period. Providing this housing element with the project would allow for increased development standards related to floor area ratio and height. This includes an increase in floor area ratio from 4.0-to-one to 5.5-to-one and an increase in the maximum allowable height from 240 feet to 300 feet. The maximum allowable dwelling unit density of 432 equates to 22 affordable housing units. The Adjusted Median Family Income range and percentage was selected by staff based on the Mixed-Income Housing Development Bonuses chart. Staff compared the O-2 Subdistrict to MU-3 District on the chart. The request is to increase FAR by 1.0, lot coverage to over 90 percent, and reduce parking for multifamily uses—all within MVA Category "C" and as a transit-oriented development. This is all consistent with providing five-percent mixed-income housing units based on the total number of dwelling units to families between 51 and 60 percent of Adjusted Median Family Income.
- The applicant's request is to provide five-percent mixed-income housing for the additional housing granted beyond the existing maximum allowable floor area ratio of 4.5 to 5.5 and maximum allowable height of 240 feet to 360 feet to families between 81 and 100 percent of Adjusted Median Family Income for a 15-year period. The applicant has requested that the increased development standards include floor area ratio and height, as well; however, the height element is to increase from a maximum allowable height as requested by the applicant of 320 feet to 360 feet. Floor area ratio increased development standard is the same as staff's recommendation. The applicant has stipulated that the incremental increase in development rights would allow an additional 155 dwelling units to be constructed. A five-percent portion of that increase would be provided as mixed-income housing, totaling eight affordable housing units for this development.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies

nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. While the area of request is not within an identified MVA cluster, surrounding properties to the north, east, south, and west are within Category “C”.

Landscaping:

Landscaping will be in accordance with the proposed landscape plan. The Chief Arborist has reviewed the plan which would require a majority of landscaping to be located in the right-of-way and subject to acquiring a license from the City. The primary concern is that the license will not be obtained and that changes will be required, thereby necessitating a PD amendment. The risk is on the applicant to proceed with all required landscaping in the right-of-way, as proposed.

Signs:

Signs must comply with the McKinney Avenue Sign District, as amended, as well as the provisions for business zoning districts contained in Article VII of Chapter 51A, as amended. The PDS No. 6 portion of the site is currently located within the McKinney Avenue Sign District; however, on February 27, 2019, the applicant submitted an application to remove the area from the McKinney Avenue Sign District. On April 9, 2019, the request was presented to the Special Sign District Advisory Committee. Staff recommended approval of the request, as did the SSDAC. This case is scheduled to proceed to the City Plan Commission on May 16, 2019 with a tentative City Council date of June 26, 2019. If the request is not approved at City Council, that portion of the subject site is required to comply with the requirements of the McKinney Avenue Sign District.

- Revise sign provisions to allow business signage with special provisions for the proposed large format specialty retail use.
- Many of the provisions outlined in the signs section were inserted to ensure the proposed signs would be allowed as desired.
- Banner signs are permitted for a large format specialty retail use, only. A total of six banners are allowed along McKinney Avenue and four banners are permitted on Lemmon Avenue. The banners have a maximum allowable square footage of 144 square feet each and may not be located above 65 feet in elevation from grade. There is no limit to the number of words, logos, images, or copy for banner signs.
- Large format specialty retail movement control signs. Up to six signs are permitted with a maximum size of five square feet each and may not be taller than 72 inches above grade. These signs are intended to be used as curbside parking signs. The curbside pick-up area is located within the parking garage.
- Detached signs have no required setback. Considering how the building is providing a five-foot front yard along McKinney Avenue and 10-foot front yard for all other street frontages, the area is densely planned for the pedestrian experience. This includes directional signs with tenant information within that front yard area.

These detached signs may be up to nine-and-a-half feet-in-height and 60 square feet in surface area, except one sign which may be up to 12.5 feet in height and 90 square feet in area. Two detached signs are allowed on Lemmon Avenue, one detached sign is allowed on Lemmon Avenue East, and two detached signs are allowed on McKinney Avenue up to the corners with the Lemmon streets. There is no minimum separation requirement between detached signs.

- A maximum of two movement control signs are permitted on the McKinney Avenue street frontage, a maximum of two movement control signs are permitted on each of the Lemmon Avenue East and Lemmon Avenue street frontages, and one movement control sign is permitted on the Oak Grove Avenue frontage. Each such movement control sign may have a maximum square footage of 30 square feet each. Tenant names and logos are permitted on movement control signs. Movement control signs are not subject to setback requirements, but must not encroach into visibility triangles. The height of a movement control sign may not exceed seven-and-a-half feet. This differs from movement control signs in Article VII because of how tenant names and logos are allowed. Additionally, movement control signs are typically limited to a maximum allowable size of two square feet and up to two feet-in-height.

Design Standards:

Each street frontage was assessed in the consideration of design standards for the area of request.

- Public Realm:
    - Sidewalks have a minimum unobstructed pedestrian zone of eight feet-in-width with an average width of 12 feet on McKinney Avenue; a minimum unobstructed pedestrian zone of seven feet-in-width with an average width of 12 feet on Lemmon Avenue East; a minimum unobstructed pedestrian zone of seven feet-in-width with an average width of 12 feet on Lemmon Avenue; and, a minimum unobstructed pedestrian zone of six feet-in-width with an average width of eight feet on Oak Grove Avenue. Each sidewalk area must have a planting zone with a minimum width of four feet. Trees within this planting zone must be ornamental along McKinney Avenue due to the Trolley adjacency. Trees within the planting zone for Lemmon Avenue East, Lemmon Avenue, and Oak Grove Avenue must be of a medium or large variety.
    - A minimum of two pedestrian amenities must be included along McKinney Avenue and Lemmon Avenue East: benches, bicycle racks, or trash receptacles.
    - Mechanical equipment must be located out of view form the public right of way.
    - Lighting is required at regular intervals, no greater than 100 feet along all street frontages. Lighting must be directed away from adjacent properties.

- Architectural Elements:
    - For each street, a lower-level portion of the structure is subject to the architectural elements described as follows in the next paragraphs. The McKinney Façade is the lower 30 feet; Lemmon East Façade is the lower 25 feet; Lemmon Façade is the lower 17 feet; and, Oak Grove Façade is the lower 17 feet, as well.
    - A pedestrian refuge area is a sidewalk area with a minimum width of 10 feet between multiple driveways to allow pedestrians respite for safety purposes. This element of the design provides breaks in driveways proposed along Lemmon Avenue East and Lemmon Avenue which total approximately 106 feet-in-width including two 10-foot wide pedestrian refuge areas.
    - On the McKinney Façade, featured areas of transparency shall be provided for not less than 40 percent of the length of the façade. On the Lemmon East Façade, featured areas of transparency shall be provided for not less than 20 percent of the length of the façade.
    - For all street frontages, variations in façade color, texture, and materials shall be provided including stone, architectural precast concrete, glass, and architectural metal. Staff recommends more specific requirements including percentages for applicability purposes. Otherwise, this provision is subjective and will not require a varied design, as intended.
    - For the McKinney Façade and Oak Grove Façade, façade articulation of two feet in depth for every 100 feet of façade length is proposed. This provision was written differently for the other street frontages and lacks the applicability aspect of having a set depth and length requirement. Staff has requested a specific definition, similar to that for the McKinney and Oak Grove Façades.
    - Building entries shall be architecturally prominent and include canopies and outdoor displays.
    - No blank walls longer than 30 feet are permitted.
    - Driveways along the Lemmon East, Lemmon, and Oak Grove Façades may exceed 32 feet-in-width with a minimum 10-foot pedestrian refuge area.
    - Above-ground parking structures must be constructed to screen vehicles and diffuse vehicle headlights from shining onto adjacent properties. All above-ground openings and garage ramps must be screened.

CPC Action
May 2, 2019

Motion: It was moved to recommended **approval** of an amendment to and an expansion of Planned Development District No. 372, subject to a revised development plan, revised landscape plan, and applicant's recommended conditions with the following exceptions: 1) **SEC. 51P-372.106., YARD, LOT, AND SPACE REGULATIONS.,** (b), Side and rear yards. (1) if a residential building is erected or altered to exceed 75 feet in height, an additional side and rear yard setback of 10 feet above 75 feet is required for that portion of a structure above 75 feet in height up to a total setback of 20 feet; 2) **SEC. 51P-372.106., YARD, LOT, AND SPACE REGULATIONS.,** (b), Side and rear yards. (2), staff's recommendation of no encroachment allowed; and 3) **SEC. 51P-372.112., MIXED INCOME HOUSING**., follow staff's recommendation with the following revisions: 1) multifamily use providing 6 percent of total rental units exceeding a floor area ratio of 4.5 at Affordable Rent per Sec. 20A-24 with an Income Band of 80 percent or less of Adjusted Median Family Income, for a period of 15 years the increased development standards in Sec. 51P-372.106 related to floor area ratio and height apply on property zoned Planned Development Subdistrict No. 6 within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area generally bounded by McKinney Avenue to the east, Lemmon Avenue East to the north, Oak Grove Avenue to the west, and Lemmon Avenue to the south.

Maker: Ridley
Second: Murphy
Result: Carried: 11 to 1

For: 11 - Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Schultz, Murphy, Ridley, Tarpley

Against: 1 - MacGregor
Absent: 1 - Housewright
Vacancy: 1 - District 12
Conflict: 1 - Jung**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 103
Replies: For: 68 Against: 0

Speakers: For: Walter Mountford, 5132 Horseshoe Trl., Dallas, TX, 75209
Michael Alost, 8115 Preston Rd., Dallas, TX, 75225
Against: None

List of Officers

Applicant: KDC
Steven W. Van Amburgh, Chief Executive Officer
Tobin C. Grove, President
Scott M. Ozymy, Chief Investment Officer
Michael Kaufman, Chief Financial Officer
Don Mills, Executive Vice President
Walter J. Mountford, Executive Vice President

Owner: Pan Costal Limited Partnership
Uday (Don) Shenoy, Corporate Vice President

PD No. 372
Proposed Amending Conditions with CPC Recommendations

DIVISION 51P-372.100 DEVELOPMENT STANDARDS

SEC. 51P-372.101. LEGISLATIVE HISTORY.

PD 372 was established by Ordinance No. 21373, passed by the Dallas City Council on August 12, 1992. Ordinance No. 21373 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 21373 was amended by Ordinance No. 21987, passed by the Dallas City Council on March 9, 1994 and by Ordinance No. _____, passed by the Dallas City Council on _____, 2019. (Ord. Nos. 19455; 21373; 21987; 25850; _____)

SEC. 51P-372.102. PROPERTY LOCATION AND SIZE.

PD 372 is established on property generally bounded by ~~fronting on the southeast line of~~ McKinney Avenue, ~~between~~ Lemmon Avenue East, ~~and~~ Lemmon Avenue, and Oak Grove Avenue. The size of PD 372 is approximately ~~4.25~~ 4.7997 acres. (Ord. Nos. 21373; 25850; _____)

SEC. 51P-372.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions contained in Chapter 51A apply to this article. In the event of a conflict, this section controls. In this article, "O-2 OFFICE DISTRICT USES" means those uses listed in Section 51P-372.105 of this article.

(1) AMENITY DECK means an area that is open to the sky and may include seating areas, sports facilities, children's play areas, open fitness areas, water features, photovoltaic panels, art installations, hardscaping, and landscaping for use by tenants and their guests.

(2) LARGE FORMAT SPECIALTY RETAIL means a retail store with a floor area of 100,000 square feet or more for the sale of general merchandise or food. This use may also include office, education and demonstration areas, and areas of general assembly. Accessory outside display of merchandise and outside sales are permitted.

(b) Unless otherwise stated, all references to code articles, divisions, or sections in this article refer to articles, divisions, or sections in Chapter 51A.

(c) Section 51A-2.101, "Interpretations," applies to this article.

(d) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol [SUP] appearing after a listed use means that the use is permitted by specific use permit only.

(e) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a nonresidential zoning district. (Ord. Nos. 21373; 25850;_____)

SEC. 51P-372.104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 372A). If there is a conflict between the text of this division and the development plan, the text of this division controls. (Ord. Nos. 21373; 25850;_____)

SEC. 51P-372.105. USES PERMITTED.

(a) Retail and personal service uses.

-- Ambulance service.
-- Animal shelter or clinic without outside run.
-- Auto service center.
-- Bar, lounge, or tavern.
-- Business school.
-- Car wash.
-- Commercial amusement (inside).
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.
-- Large format specialty retail.
-- Home improvement center, lumber, brick, or building materials sales yard.
-- Household equipment and appliance repair.
-- Liquor store.
-- Nursery, garden shop, or plant sales.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service.
-- Restaurant with drive-in or drive-through service. *[SUP]*
-- Temporary retail use.
-- Theater.

(b) O-2 Office District uses.

-- Carnival or circus (temporary). *[By special authorization of the building official.]*
-- Child-care facility. *[SUP]*
-- Church.
-- College dormitory, fraternity, or sorority house.
-- College, university, or seminary.
-- Commercial radio or television transmitting station.
-- Community service center. *[SUP]*
-- Convalescent and nursing homes, hospice care, and related institutions.
-- Convent or monastery.
-- Custom business services.
-- Electrical substation.

-- Financial institution with drive-in window. *[SUP]*
-- Financial institution without drive-in window.
-- Helistop. *[SUP]*
-- Hospital. *[SUP]*
-- Hotel or motel. ~~*[SUP]*~~
-- Library, art gallery, or museum.
-- Local utilities.
-- Medical clinic or ambulatory surgical center.
-- Medical or scientific laboratory.
-- Multifamily.
-- Office.
-- Post office.
-- Private recreation center, club, or area. *[SUP]*
-- Public or private school.
-- Public park, playground, or golf course.
-- Radio, television, or microwave tower.
-- Recycling drop-off container. *[SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]*
-- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.3) are not satisfied.]*
-- Retirement housing. *[SUP]*
-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*
-- Temporary construction or sales office.
-- Transit passenger shelter.
-- Utility or government installation other than listed. *[SUP]*

(c) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. Nos. 21373; 25850;)

SEC. 51P-372.106. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Increased Development Standards. When the provisions of Section 51P-372.112 are met, the modifications to the floor area ratio and height in this subsection apply.

(b) Front yard.

~~(1) For lots abutting McKinney Avenue, minimum front yard is:~~

~~(A) 10 feet for the first 36 feet of structure height; and~~

~~(B) 25 feet for any portion of a structure above the height of 36 feet.~~

~~(2) For all other lots, minimum front yard is 20 feet.~~

(1) On McKinney Avenue, minimum front yard is five feet.

(2) ~~On Lemmon Avenue East,~~

~~(A) Except as provided, a minimum front yard is 10 feet.~~

~~(3)~~ For all other frontages, minimum front yard is 10 feet.

(4) Encroachments such as building appendages, overhangs, balconies, and building projections and canopies above 10 feet may project in to the required front yard. Handrails, retaining walls, walls, bollards, fences, steps, ramps, benches, landscape features, and planters are permitted in the front yard when less than four feet in height.

(b) Side and rear yards.

~~(1) Side and rear yards for development indicated on the development plan must comply with the setbacks indicated on the development plan.~~

~~(2) Minimum side and rear yards for future development for uses other than a general merchandise or food store greater than 3,500 square feet are 10 feet.~~

~~(3) If a nonresidential building is erected or altered to exceed 36 feet in height, an additional setback must be provided that is equal to one half of the total height of the building, up to a maximum total setback of 50 feet. The additional setback is only required for that portion of a building that exceeds 36 feet in height.~~

Staff's Recommendation:

(1) Except as provided, the minimum side and rear yard is 10 feet. If a building is erected or altered to exceed 30 feet in height, an additional side and rear yard setback of one foot for each two feet in height above 30 feet is required for that portion of a structure above 30 feet in height up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

CPC Recommendation and Applicant's Request:

(1) Except as provided, the minimum side and rear yard is 10 feet.

(i) If a nonresidential building is erected or altered to exceed 36 feet in height, an additional side and rear yard setback of one foot for each two feet in height above 36 feet is required for that portion of a structure above 36 feet in height up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(ii) If a residential building is erected or altered to exceed 75 feet in height, an additional side and rear yard setback of 10 feet is required for that portion of a structure above 75 feet in height up to a total setback of 20 feet. This subparagraph does not require a total side or rear yard setback greater than 20 feet.

(2) No encroachments allowed.

(c) Dwelling unit density. Maximum number of dwelling units allowed ~~density~~ is 432 ~~90 dwelling units per net acre~~.

(d) Floor area ratio. If the total floor area of residential uses ~~on a lot~~ is equal to or greater than 209,000 square feet ~~the lot area~~, maximum floor area ratio ~~for that lot~~ is 4.5 to 1, otherwise maximum floor area ratio is 4.0 for all uses combined. When the provisions of Section 51P-372.112 are met, the maximum floor area may be increased to 5.5 to 1.

Staff's Recommendation:

(e) Height. Except as provided, ~~M~~maximum structure height is 240 feet. Maximum structure height is 200 feet and 110 feet for those portions of a building shown on the development plan, respectively. When the provisions of Section 51P-372.112 are met, the maximum structure height may be increased to 300 feet.

CPC Recommendation and Applicant's Request:

(e) Height. Except as provided, ~~M~~maximum structure height is ~~240~~320 feet. Maximum structure height is 240 feet, 200 feet, and 110 feet for those portions of a building shown on the development plan, respectively. When the provisions of Section 51P-372.112 are met, the maximum structure height may be increased to 360 feet for that portion designated with a 240-foot height limitation.

Staff's Recommendation:

(f) Lot coverage. Maximum lot coverage is 80 percent. An aboveground structure used for off-street parking must be included in determining the percentage of lot coverage; surface parking lots and underground parking structures are not included. The maximum lot coverage may be increased to 90 percent when a minimum 40,000 square foot amenity deck is constructed.

CPC Recommendation and Applicant's Request:

(f) Lot coverage. Maximum lot coverage is ~~80~~ 90 percent. An aboveground structure used for off-street parking must be included in determining the percentage of lot coverage; surface parking lots and underground parking structures are not included. The maximum lot coverage may be increased to 92 percent when a minimum 40,000 square foot amenity deck is constructed.

(g) Lot size. No minimum lot size.

~~(1) Minimum lot size for residential use is 6,000 square feet.~~

~~(2) Minimum lot area per dwelling unit is as follows:~~

~~TYPE OF STRUCTURE~~	~~MINIMUM LOT AREA PER DWELLING UNIT (in square feet)~~
~~Multifamily:~~	
~~No separate bedroom~~	~~450~~
~~One bedroom~~	~~500~~
~~Two bedrooms~~	~~500~~
~~More than two bedrooms (Add this amount for each~~	~~50~~

~~**bedroom over two)**~~
(Ord. Nos. 21373; 25850; _____)

SEC. 51P-372.107. OFF-STREET PARKING AND LOADING.

(a) Except as otherwise provided in this section, off-street parking and loading must be provided in accordance with the use regulations contained in Division 51A-4.200. Consult the off-street parking and loading regulations (Division 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(b) One off-street parking space for every ~~366~~400 square feet of floor area must be provided for the following uses:

(1) Financial institution with drive-in window.

(2) Financial institution without drive-in window.

(3) Office.

(c) One off-street parking space for every ~~220~~300 square feet of floor area must be provided for the following uses:

(1) Community service center.

(2) Dry cleaning or laundry store.

(3) General merchandise or food store 3,500 square feet or less.

(4) General merchandise or food store greater than 3,500 square feet.

(5) Household equipment and appliance repair.

(6) Large format specialty retail.

(~~6~~7) Liquor store.

(~~7~~8) Personal service uses.

(~~8~~9) Post office.

(~~d~~ e) The off-street parking requirement for the multifamily use is one space for every ~~500 square feet of~~ dwelling unit ~~floor area~~ within the building site~~, except:~~.

~~(1) a minimum of one space and a maximum of two spaces is required for each dwelling unit in a multifamily structure three feet or less in height; and~~

~~(2) a minimum of one space and a maximum of one and one-half spaces is required for each dwelling unit in a multifamily structure over 36 feet in height.~~

(e f) A minimum of ~~25~~15 percent of the required off-street parking spaces for the multifamily use must be unassigned and available for use by visitors and residents.

(g) The off-street parking requirement for a hotel or motel use is one space for every 1.25 rooms; no additional spaces are required for meeting rooms.

(h) This district is considered one lot for purposes of required off-street parking and loading.

(i) Parking spaces are not required to be shown on the development plan.

(j) Tandem parking is permitted for up to 100 percent of the required parking for a hotel or motel and multi-family use, provided a valet license is secured from the City of Dallas.

(k) Mixed use development parking reduction.

(1) In general.

(A) The off-street parking requirement for a mixed use development may be reduced in accordance with the mixed use development (MUD) parking chart (Exhibit 372). Except for a large format specialty retail use, shared parking facilities for all other uses will be available to all residents, employees, guests, and visitors.

(B) For purposes of this section, mixed use development means a tract with more than one main use, where the parking for those uses are contained within a single, contiguous parking area or garage.

(C) This reduction may be used in combination with other parking reductions, except that the standard requirement for a mixed use development may not be reduced by more than 30 percent.

(2) Calculation of adjusted standard off-street parking requirement. The adjusted off-street parking requirement for a mixed use development is calculated as follows:

(A) First, the standard parking requirements for each of the uses in the mixed use development must be ascertained.

(B) Next, the parking demand for each use is determined for each of the five times of day shown in the MUD parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the MUD parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(C) Finally, the "time of day" columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these five sums is the adjusted off-street parking requirement for the development.

(3) Minimum parking requirement. If one or more of the main uses in a mixed use development is a retail or personal service use, the minimum parking requirement for the mixed use

development cannot be reduced to a number of spaces that is less than the sum of the standard parking spaces required for each of the retail and personal service uses in the mixed use development.

(l) Parking structures. Underground parking structures may project to the lot line.

SEC. 51P-372.108. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 21373; 25850)

SEC. 51P-372.109. LANDSCAPING.

All landscaping must be provided as shown on the landscape plan (Exhibit 372B). ~~Unless otherwise state below, all landscaping must be installed in accordance with Article X.~~ All plant material must be maintained in a healthy, growing condition at all times. (Ord. Nos. 21373; 25850)

SEC. 51P-372.110. SIGNS.

(a) The area located within the McKinney Avenue Sign District must comply with the provisions contained in that section.

(b) In this Section:

(1) BLADE SIGN means a sign projecting perpendicularly from a main building facade that is visible from both sides.

(2) CANOPY means a permanent, non-fabric architectural element projecting from the face of a building.

(3) CANOPY SIGN means a sign attached to, applied on, or supported by a canopy.

(4) LOWER LEVEL SIGN means an attached sign wholly, or partially, situated within the lower level sign area.

(5) LOWER LEVEL SIGN AREA means that portion of a facade less than 65 feet above grade.

(6) MIDDLE LEVEL SIGN means an attached sign wholly situated within the middle level sign area.

(7) MIDDLE LEVEL SIGN AREA means that portion of a facade that is between the lower level sign area and the upper level sign area.

(8) MONUMENT SIGN means a detached sign applied directly onto a grade-level support structure (instead of a pole support) with no separation between the sign and grade.

(9) UPPER LEVEL SIGN means an attached sign wholly situated within the upper level sign area.

(10) UPPER LEVEL SIGN AREA means the portion of the facade more than 65 feet above grade and within the top 18 feet of a facade on buildings 18 stories or less, or within the top 36 feet of a facade on buildings more than 18 stories.

(~~a~~c) Signs must comply with the provisions for business zoning districts contained in Article VII, except that:

~~(1) a maximum of two detached signs are permitted in the locations shown on the development plan:~~

~~(A) the detached sign at the southwestern corner of the PD (at the corner of Lemmon Avenue and McKinney Avenue) must comply with the provisions of the McKinney Avenue Sign District; and~~

~~(B) the detached sign on the northeast side of the PD (on Lemmon Avenue East opposite Noble Street) may have only one line of words which is no more than 18 inches high and no more than 13 feet long. The sign may not be closer than three feet, three inches to the public right-of-way; and~~

(~~2~~1) Non-premise signs are prohibited.

(2) Signs may be illuminated either externally or internally or both, unless otherwise specified in this Section.

(3) Provisions Applicable to Signs for Large Format Specialty Retail Uses. The following provisions apply only to signs for a Large Format Specialty Retail use as defined in Sec. 51P-372.103(a)(3) above.

(A) Large Format Specialty Retail Attached Signs.

(i) All Large Format Specialty Retail signs will be Lower Level Signs and may not exceed 20 percent of any street façade.

(ii) A Large Format Specialty Retail use may have a maximum of two primary flat attached signs per façade, such primary flat attached signs being allowed to be a maximum of 600 square feet in area each and which may be up to eight feet in height, and which may wrap the corners of a building so as to partially face two street frontages. A maximum of 10 words are allowed on each such attached primary sign. Such primary signs may be located on the building façade or on a canopy.

(iii) Additional attached signs are permitted for Large Format Specialty Retail tenants, not to exceed a quantity of six, such additional attached signs being allowed to have a maximum size of 60 square feet in area each. Any such Large Format Specialty Retail flat attached signs other than primary flat attached signs as described in Sec. 51P-372.110(c)(3)(A)(i) above may be mounted on the building or on canopies, may project up to five- and one-half feet above the surface to which it is mounted to as long as the sign is mounted parallel to the vertical building surface.

(B) Large Format Specialty Retail Blade Signs. In addition to the attached signs permitted by Sec. 51P-372.110(c)(2)(A) above, a Large Format Specialty Retail use may have a maximum of two blade signs per street frontage, each of which may contain up to eight words and a logo. Each such

Large Format Specialty Retail blade sign may be a maximum of 80 square feet in area, may project up to five feet from the adjacent structure façade, and are allowed no more than 65 feet above grade.

(C) Banner Signs. Banner signs are permitted for Large Format Specialty Retail uses only. A banner sign means a sign applied on a strip of cloth, vinyl, or similar material and attached to a building or structure, and may be changed out with changeable copy. Banner signs may be installed perpendicular to the building façade and may project a maximum of five feet from the building façade, and must be a minimum of ten feet above grade. There is no limitation on the number of words, logos, images, or other copy on each banner sign, and banner signs may have copy on both sides. A total of six exterior banner signs are permitted on the McKinney Avenue street frontage, and a total of four exterior banner signs are permitted on the Lemmon Avenue frontage, with a maximum square footage of 144 square feet each. Banner signs are not permitted above 65 feet in elevation from grade. Banner signs may not be internally illuminated.

(D) Large Format Specialty Retail Movement Control Signs. A Large Format Specialty Retail use may have an additional six movement control signs permitted to be located in this District for purposes of providing direction for curbside pick-up services. These signs may have a maximum square footage of five square feet each. These movement control signs may be pole-mounted, may be no taller than 72 inches above grade, and may not be illuminated.

(4) All Other Signs. The following provisions apply to all signs on the Property other than signs for a Large Format Specialty Retail use.

(A) Detached Signs. There is no setback for detached signs. Each sign is limited to 9.5 feet in height and 60 square feet in surface area, except one sign which may be up to 12.5 feet in height and 90 square feet in area. Two detached signs are allowed on Lemmon Avenue, one detached sign is allowed on Lemmon Avenue East, and two detached signs are allowed on McKinney Avenue up to the corners with the Lemmon streets. There is no minimum separation requirement between detached signs.

(B) Attached Signs.

(i) Attached Signs Generally. In addition to those Large Format Specialty Retail signs permitted pursuant to Sec. 51P-372.110(c)(3) above, and except as otherwise provided herein, attached signs are permitted in accordance with the regulations set forth in Sec. 51A-7.305 on attached signs in business zoning districts. A maximum of eight words are allowed on each flat attached sign. Words eight inches or less in height are not counted towards the eight-word limit. Projecting attached signs are not included in effective area calculations. Each component of a building which is over 65 feet above grade is deemed to be a separate building façade for the purposes of this Subsection 51P-372.110(c)(4)(B), even if such component shares a podium or other structural elements with other such building components.

(ii) Upper Level Flat Attached Signs. Building parapet mounted attached signs are permitted within the Upper Level Sign Area for any use occupying 100,000 square feet or more. There is no height limitation on upper level signs. A maximum of one parapet mounted tenant sign per each building façade is permitted, with a maximum area of 250 square feet for each such sign.

(iii) Middle Level Sign Area Signs. A maximum of two flat attached signs are permitted per façade of each structure within the Middle Level Sign Area. Each such Middle Level Sign Area sign may have a maximum area of 150 square feet and a vertical separation of 25 feet from any other flat attached sign on the same facade in the lower, middle, or upper level sign area.

(iv) Lower Level Sign Area Attached Signs. Flat attached signs within the Lower Level Sign Area are permitted for each tenant in addition to those permitted for Large Format Specialty Retail uses. A maximum of one flat attached sign is permitted for each such tenant's façade, and one blade attached sign as defined in Subsec. 51P-372.103(b)(1) is permitted per tenant other than Large Format Specialty Retail uses, for a maximum of two tenant signs per street frontage where applicable. Flat attached signs that are not blade signs may be a maximum of 75 square feet in area each.

(v) Blade Signs. One blade sign is allowed for each tenant street façade as specified in Sec. 51P-372.110(c)(4)(B)(iv) above for tenants who occupy space at grade level. Blade signs may project no more than five feet from the building façade, and must be at least ten feet above the sidewalk. Blade Signs must be mounted no higher than 65 feet from grade. Blade signs may have both words and images on two sides of the sign with such words allowed to be laid out either horizontally or vertically or both. Blade signs may have no more than eight words and a logo on each side of the sign.

(vi) Large Blade Signs. In addition to all other signs permitted pursuant to this Section, a maximum of one large blade sign per street facade is permitted. Each large blade sign may have a maximum total square footage of 120 square feet. Large blade signs are limited to a maximum of nine words. Large blade signs may project up to five feet from the adjacent structure façade and are allowed no more than 65 feet above grade. Large Blade Signs may be employed by a business other than the Large Format Specialty Retail and may be used by nonresidential and residential businesses.

(C) Movement Control Signs. Except as otherwise provided herein, a maximum of two movement control signs are permitted on the McKinney Avenue street frontage, a maximum of two movement control signs are permitted on each of the Lemmon Avenue East and Lemmon Avenue street frontages, and one movement control sign is permitted on the Oak Grove Avenue frontage. Each such movement control sign may have a maximum square footage of 30 square feet each. Tenant names and logos are permitted on movement control signs. Movement control signs are not subject to setback requirements, but must not encroach into visibility triangles. The height of a movement control sign may not exceed 7.5 feet.

(d) Sections 51A-7.301, 51A-7.304(b)(3), and 51A-7.401(2) do not apply in this district.

(~~b~~d) For purposes of construing these provisions, the term "premise" means the entire Property. (Ord. Nos. 21987; 25850; _____)

SEC. 51P-372.111. DESIGN STANDARDS.

(a) Public realm design.

(1) Sidewalks

(A) For McKinney Avenue a minimum unobstructed pedestrian zone width of 8 feet with an average width of 12 feet must be provided. Planting Zones along street frontage are to be a minimum of 4-foot wide, should implement the strategy of ground level planting or raised planters and are to begin after a clear 18" zone has been achieved. This 18" zone begins immediately at back of curb. All trees are to be planted at a density of 1:50' of street frontage and within Planting Zones or tree grates. All trees along McKinney Ave. are to be of an ornamental variety to respect Trolley adjacency.

(B) For Lemmon Avenue East a minimum unobstructed pedestrian zone width of 7 feet with an average width of 12 feet must be provided. Planting Zones along street frontage are to be a

minimum of 4-foot wide, implement the strategy of ground level planting or raised planters and are to begin after a clear 18" zone has been achieved. This 18" zone begins immediately at back of curb. All trees are to be planted at a density of 1:50' of street frontage and within Planting Zones or tree grates. All trees along Lemmon Avenue East are to be of a medium or large tree variety.

(C) For Lemmon Avenue a minimum unobstructed pedestrian zone width of 7 feet with an average width of 10 feet must be provided. Planting Zones along street frontage are to be a minimum of 4-foot wide, implement the strategy of ground level planting or raised planters and are to begin a clear 18" zone has been achieved. This 18" zone begins immediately at back of curb. All trees are to be planted at a density of 1:50' of street frontage and within Planting Zones or tree grates. All trees along Lemmon Avenue are to be of a medium or large tree variety.

(D) For Oak Grove Avenue a minimum unobstructed pedestrian zone width of 6 feet with an average width of eight feet must be provided. Planting Zones along street frontage are to be a minimum of 4-foot wide, implement the strategy of ground level planting or raised planters and are to begin after a clear 18" zone has been achieved. This 18" zone begins immediately at back of curb. All trees are to be planted at a density of 1:50' of street frontage and within Planting Zones or tree grates. All trees along Oak Grove Avenue are to be of a medium or large tree variety.

(E) Sidewalks should be continuous and level across all driveways and curb cuts.

(F) A minimum of two of each of the following pedestrian amenities must be provided along McKinney Avenue and Lemmon Avenue East, and one each of the following pedestrian amenities must be provided along Lemmon Avenue and Oak Grove Avenue: i) benches, ii) bicycle racks, iii) trash receptacles.

(G) Sidewalk must consist of concrete pavers or finished concrete surfaces.

(H) If a portion of a sidewalk is located on private property, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrian way.

(2) Mechanical equipment. Above ground utility boxes, generators, and other large mechanical equipment should be located out of view from the public right of way.

(3) Lighting.

(A) Lights should be provided at regular intervals with a spacing of no greater than 100 feet along all street facing facades, with the exception of visibility triangles and vehicular drives, in order to provide lighting on sidewalks, walkways, and plazas to enhance pedestrian safety.

(B) Lighting must be directed away from adjacent properties.

(C) Unless otherwise provided, the property owner is responsible for the cost of installation, operation, and maintenance of the lighting.

(b) Design standards for architectural elements.

(1) Definitions. The following definitions apply to these design standards:

(A) McKINNEY FACADE means the portion of the façade under 30 feet in height that faces McKinney Avenue.

(B) LEMMON EAST FACADE means the portion of the façade under 25 feet in height that faces Lemmon East Avenue.

(C) LEMMON FACADE means the portion of the façade under 17 feet in height that faces Lemmon Avenue.

(D) OAK GROVE FACADE means the portion of the façade under 17 feet in height that faces Oak Grove Avenue.

(E) PEDESTRIAN REFUGE AREA means a sidewalk area with a minimum width of 10 feet between multiple driveways to allow pedestrians respite for safety purposes.

(F) GREEN WALL is a vegetated wall with vertical surfaces that are covered by plants and include walls or screens with climbing vines, trailing plants, or modular "green wall" planting systems.

(2) McKinney Façade. The following design standards apply to the McKinney Façade:

(A) Featured areas of transparency shall be provided for not less than 40% of the length of the facade.

Staff's Recommendation:

(B) A list of acceptable material at certain percentages should be added.

CPC Recommendation and Applicant's Request:

(B) Variations in façade color, texture, and materials shall be provided including stone, architectural precast concrete, glass, and architectural metal.

(C) Variations in façade plane shall be provided, which may include wall recesses and projections, bays, offsets, reveals. Façade articulation of 2 feet in depth must be provided for every 100 feet of façade length.

(D) Building entries shall be architecturally prominent and clearly visible from the street. Canopies and outdoor displays shall be permitted at building entries.

(E) Green wall(s) shall be permitted.

(F) Blank walls longer than 30 feet in length shall not be permitted.

(G) No driveway access shall be permitted.

(3) Lemmon East Façade. The following design standards apply to the Lemmon East Façade:

(A) Featured areas of transparency shall be provided for not less than 20% of the length of the facade.

Staff's Recommendation:

(B) A list of acceptable material at certain percentages should be added.

CPC Recommendation and Applicant's Request:

(B) Variations in façade color, texture, and materials shall be provided including stone, architectural precast concrete, glass, and architectural metal.

Staff's Recommendation:

(C) Variations should be clearly defined.

CPC Recommendation and Applicant's Request:

(C) Variations in façade plane shall be provided, which may include wall recesses and projections, bays, offsets, reveals.

(D) Building entries will be architecturally prominent and clearly visible from the street. Canopies will be permitted at building entries.

(E) Green wall(s) shall be permitted.

(F) A porte cochere with a maximum of two curb cuts shall be permitted. Each drive shall not exceed 16 feet in width.

(G) Driveways shall be permitted to access above and below grade parking facilities and internal loading dock areas. Combined driveways exceeding 32 feet shall require a 10-foot pedestrian refuge area.

(H) Blank walls longer than 30 feet in length shall not be permitted.

(4) Lemmon Façade. The following design standards apply to the Lemmon Façade:

Staff's Recommendation:

(A) A list of acceptable material at certain percentages should be added.

CPC Recommendation and Applicant's Request:

(A) Variations in façade color, texture, and materials shall be provided including stone, architectural precast concrete, glass, and architectural metal.

Staff's Recommendation:

(B) Variations should be clearly defined.

CPC Recommendation and Applicant's Request:

(B) Variations in façade color, texture, and materials shall be provided including stone, architectural precast concrete, glass, and architectural metal.

(C) Green wall(s) shall be permitted.

(D) Driveways shall be permitted to access above and below grade parking facilities and internal loading dock areas. Combined driveways exceeding 32 feet shall require a 10-foot pedestrian refuge area.

(E) Blank walls longer than 30 feet in length shall not be permitted.

(5) Oak Grove Façade. The following design standards apply to the Oak Grove Façade:

(A) A minimum of 20 percent transparency shall be provided.

Staff's Recommendation:

(B) A list of acceptable material at certain percentages should be added.

CPC Recommendation and Applicant's Request:

(B) Variations in façade color, texture, and materials shall be provided including stone, architectural precast concrete, glass, and architectural metal.

(C) Variations in façade plane shall be provided, which may include wall recesses and projections, bays, offsets, reveals. Façade articulation of 2 feet in depth must be provided for every 100 feet of façade length.

(D) Building entries shall be architecturally prominent and clearly visible from the street. Canopies shall be permitted at building entries.

(E) Green wall(s) shall be permitted.

(F) An off-street loading dock / delivery area must be permitted internally.

(G) Driveways shall be permitted to access above and below grade parking facilities and internal loading dock areas. Combined driveways exceeding 32 feet shall require a 10-foot pedestrian refuge area.

(H) Blank walls longer than 30 feet in length shall not be permitted.

(c) Architectural elements for parking structures.

(1) Above ground parking structures must be constructed so as to screen vehicles from pedestrians on adjacent streets and diffuse vehicle headlights from shining onto adjacent properties.

(2) All non-entry openings in the aboveground parking structure facade must be screened except for vehicle access. Screening may include architectural grillwork or other materials that

provide ventilation.

(3) Structural and building elements including garage ramps that are expressed in the exterior facade should be concealed through facade screening.

(d) Amenity Deck.

(1) A minimum of 45 percent of the amenity deck must be landscaped and may include:

(A) Moveable planters, urns, or potted plants; and

(B) Arbors, pergolas, and trellises with planted materials.

(2) A minimum of 5 percent of amenity deck must be visually enhanced with geometric patterns of colored pavers, stamped or stained concrete, enhanced paving, or other similar treatments

SEC. 51P-372.112. MIXED INCOME HOUSING.

(a) Except as provided in this section, compliance with Division 51A-4.1100 is required to obtain development bonuses in Section 51P-372.106.

(b) Compliance with Section 51A-1107 is not required.

(c) Compliance with Section 20A-27(g) is not required.

CPC Recommendation:

(d) For a multifamily use providing six percent of the total rental units exceeding an FAR of 4.5, at Affordable Rent per Sec. 20A-24 with an Income Band less than 80 percent of Adjusted Median Family Income, the increased development standards in Sec. 51P-372.106 related to floor area ratio and height apply. The Mixed-income Restrictive Covenant pursuant to Section 20A-26 and the Rental Affordability Period shall be for a term of 15 years.

Staff's Recommendation:

(d) For a multifamily use providing five percent of the total rental units at Affordable Rent per Sec. 20A-24 with an Income Band between 51 and 60 percent of Adjusted Median Family Income, the increased development standards in Sec. 51P-372.106 related to floor area ratio and height apply.

Applicant's Request:

(d) For a multifamily use providing five percent of the incremental rental units that are a result of the development bonus accruing to the development, namely increasing the allowable height from 240 feet to 360 feet and the allowable FAR from 4.5 to 5.5, which in combination yields an incremental 155 multifamily units within the overall development at Affordable Rent per Sec. 20A-24 with an Income Band between 81 and 100 percent of Adjusted Median Family Income, the increased development standards in Sec. 51P-372.106 related to floor area ratio and height apply. The Mixed-income Restrictive Covenant pursuant to Section 20A-26 and the Rental Affordability Period shall be for a term of 15 years.

SEC. 51P-372.113~~1~~. GENERAL REQUIREMENTS.

(a) Development and use of the Property must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city.

(b) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(c) The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 21373; 25850)

(d) The building official shall not issue a certificate of occupancy for a large format specialty retail or office use unless there is an executed developer agreement or contract for installation of the traffic signal at the intersection of Lemmon Avenue East at Oak Grove Avenue.

~~**SEC. 51P-372.112. ZONING MAP.**~~

~~PD 372 is located on Zoning Map No. I-7. (Ord. Nos. 21373; 25850)~~

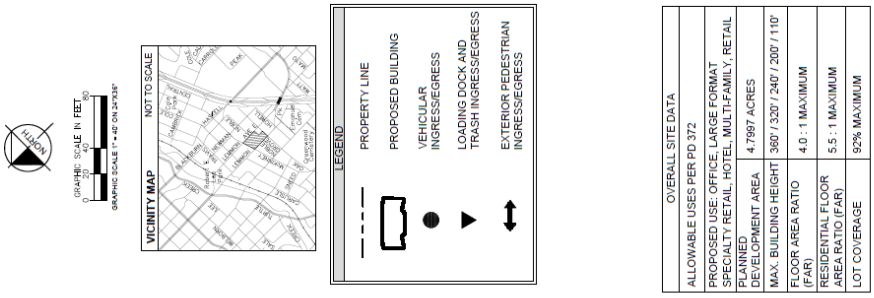
EXHIBIT 372_____
Mixed Use Development Parking Chart
(for calculating standard parking requirement)

USE CATEGORIES	STANDARD PARKING REQUIREMENT	PARKING ADJUSTMENT THE TIME OF DAY (weekday)				
		Morning	Noon	After-noon	Late After Noon	Evening
Multifamily Uses	(1/dwelling unit)	80%	60%	60%	70%	100%
Office-related Uses	(1/400 sq. ft.)	100%	80%	100%	85%	35%
Retail & personal service uses	(1/300 sq. ft.)	60%	75%	70%	65%	70%
Bar & restaurant uses	(1/100 sq. ft.)	20%	100%	30%	30%	100%
Hotel and motel uses	(1/1.25 rooms)	60%	60%	60%	70%	100%
Any other use	Must be ascertained	100%	100%	100%	100%	100%

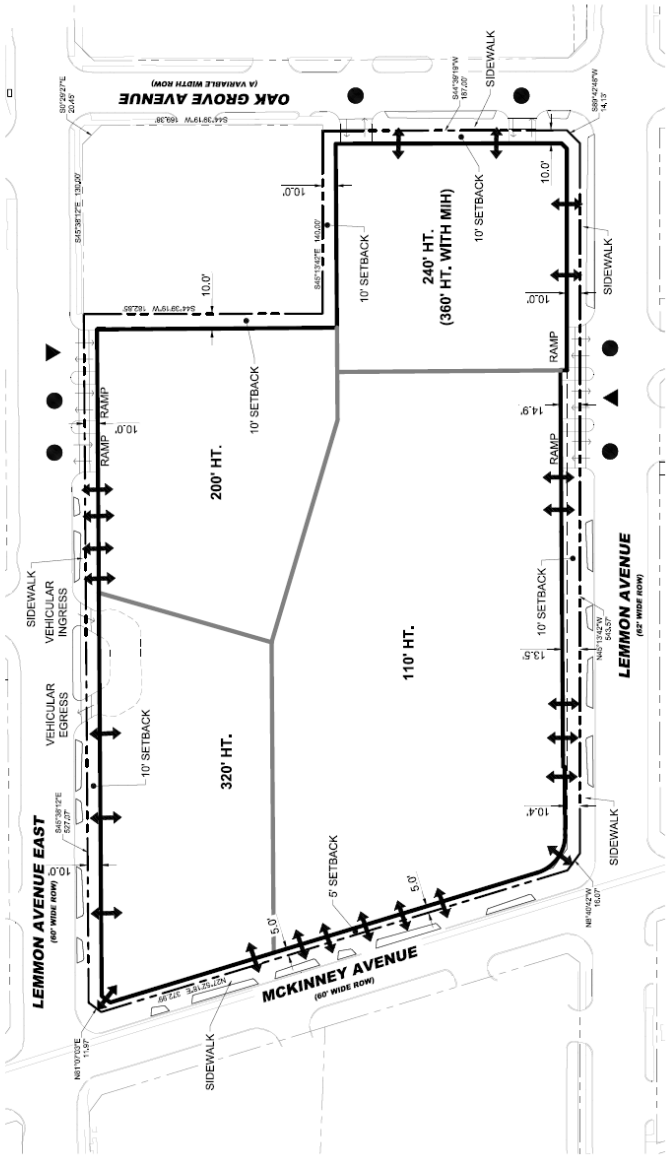
The adjusted standard off-street parking requirements for the development are the largest of the five "time of day" column sums.

Note: If the use does not fit into one of the first five categories listed above, 100 percent assignment must be used in each of the "time of day" columns. If one or more of the main uses in the development is a retail and personal service use, the minimum parking requirement for the development under this reduction option is the sum of the standard parking requirements for each of the retail and personal service uses in the development.

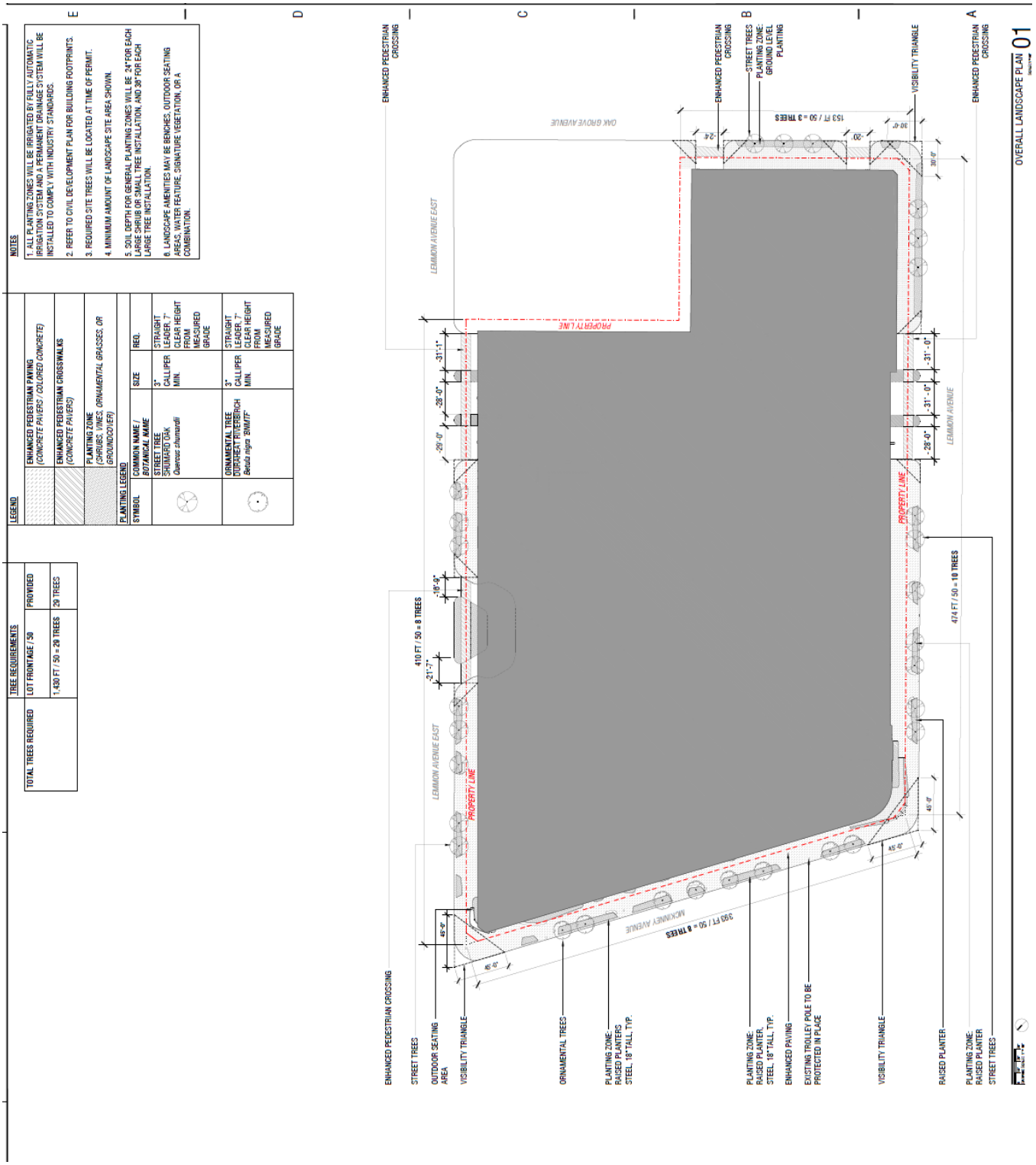
PD No. 372
Proposed Development Plan



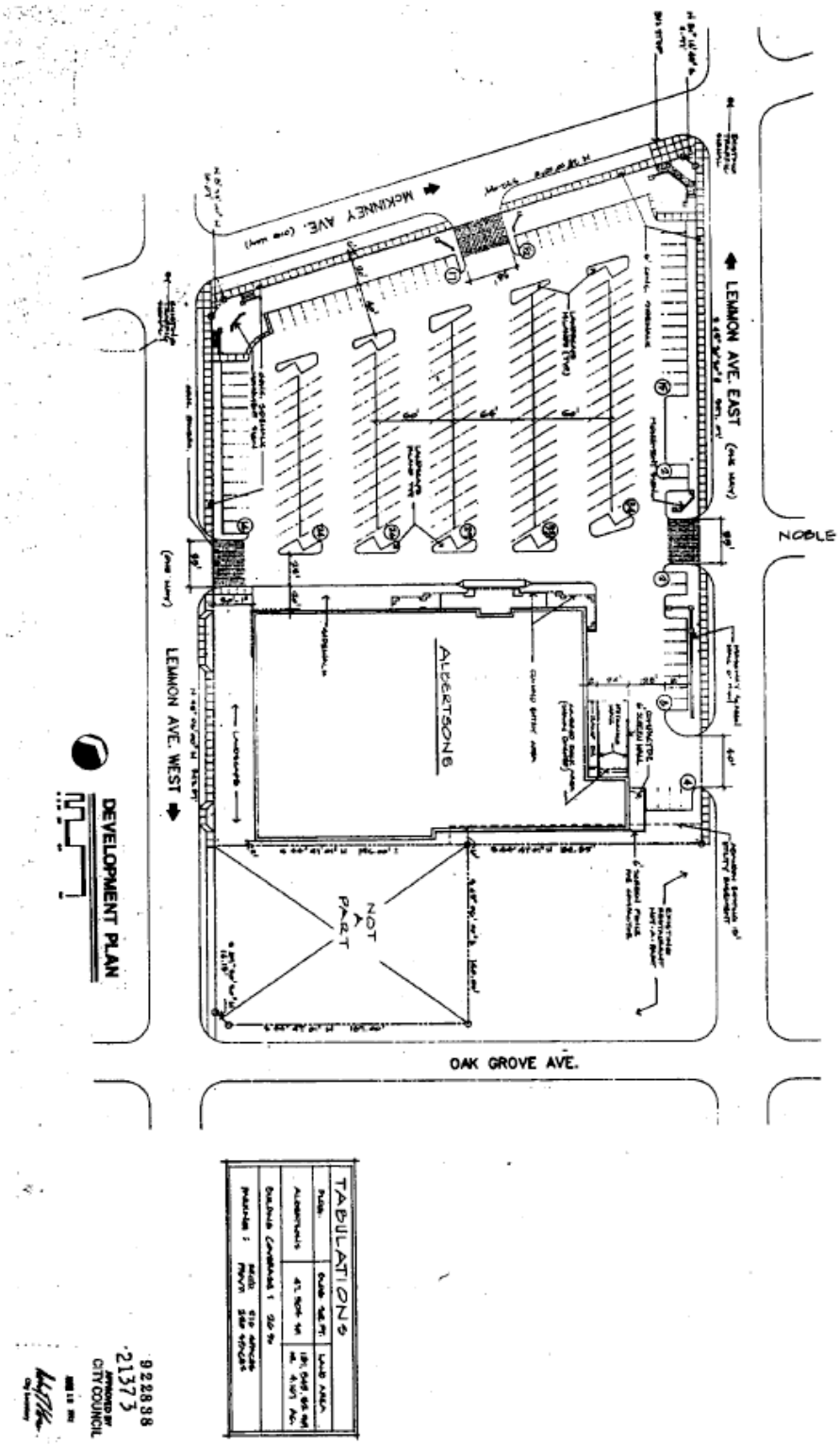
OVERALL SITE DATA	
ALLOWABLE USES PER PD 372	
PROPOSED USE: OFFICE, LARGE FORMAT SPECIALTY RETAIL, HOTEL, MULTI-FAMILY, RETAIL	
PLANNED DEVELOPMENT AREA	4.7997 ACRES
MAX. BUILDING HEIGHT	360' / 320' / 240' / 200' / 110'
FLOOR AREA RATIO (FAR)	4.0 : 1 MAXIMUM
RESIDENTIAL FLOOR AREA RATIO (FAR)	5.5 : 1 MAXIMUM
LOT COVERAGE	92% MAXIMUM



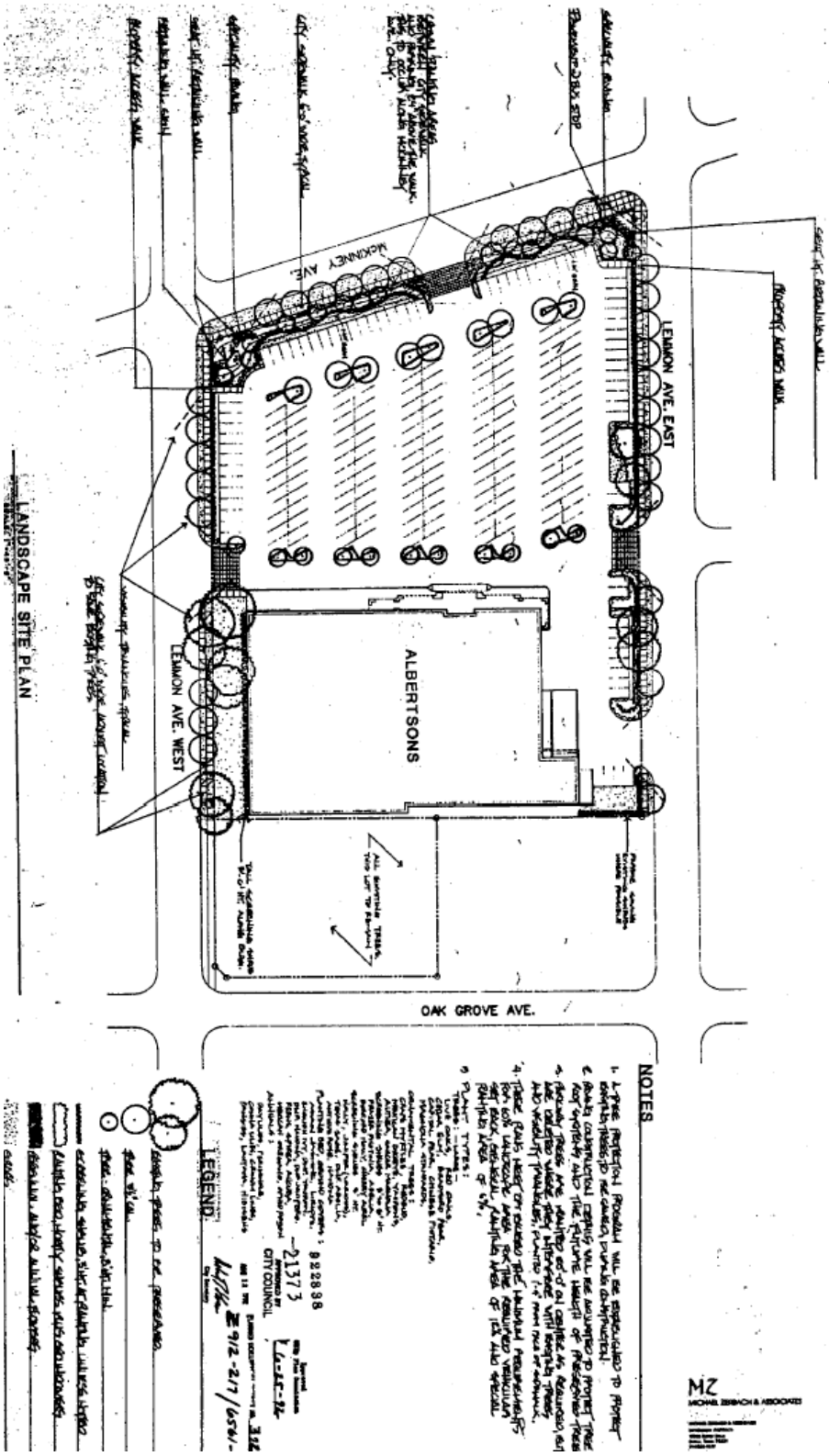
PD No. 372
Proposed Landscape Plan



PD No. 372
Existing Development Plan



PD No. 372
Existing Landscape Plan



PDS No. 6
Existing Conditions to be Terminated

Division S-6. PD Subdistrict 6.

SEC. S-6.101. LEGISLATIVE HISTORY.

PD Subdistrict 6 was established by Ordinance No. 22041, passed by the Dallas City Council on April 27, 1994. Ordinance No. 22041 amended Ordinance No. 21859, PD 193 (the Oak Lawn Special Purpose District), as amended, and Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. (Ord. Nos. 10962; 21859; 22041; 25267)

SEC. S-6.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict 6 is established on property generally located on the north corner of Lemmon Avenue and Oak Grove Avenue. The size of PD Subdistrict 6 is approximately 0.632 acres. (Ord. Nos. 22041; 25267)

SEC. S-6.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions contained in Part I of this article apply to this division. In the event of a conflict, this division controls.

(b) Unless otherwise stated, all references to code articles, divisions, or sections in this division refer to articles, divisions, or sections in Chapter 51.

(c) Section 51-2.101, "Interpretations," applies to this division.

(d) For purposes of determining the applicability of regulations in this division and in Chapter 51 triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51-4.800, this subdistrict is considered to be a nonresidential zoning district. (Ord. Nos. 22041; 25267)

SEC. S-6.104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit S-6A). Development of the Property is governed by the regulations governing the O-2 Office Subdistrict of PD 193, as amended, except where superseded by these conditions or the development plan. (Ord. Nos. 22041; 25267)

SEC. S-6.105. MAIN USES PERMITTED.

The only uses authorized on the Property are:

(1) Restaurant without drive-in or drive-through service uses;

(2) Professional, personal service, and custom craft uses;

(3) Retail uses; and

(4) Any use permitted in the O-2 Office Subdistrict within PD 193, as amended. (Ord. Nos. 22041; 25267)

SEC. S-6.106. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51-4.217. For more information regarding accessory uses, consult Section 51-4.217. (Ord. Nos. 22041; 25267)

SEC. S-6.107. LANDSCAPING.

(a) General. Landscaping must be provided as shown on the landscape plan (Exhibit S-6B). Landscaping must be installed within six months after the issuance of a certificate of occupancy. Plant materials must be maintained in a healthy, growing condition at all times.

(b) Tree preservation. Best efforts must be used to preserve the existing six trees shown on the landscape plan. Provided, however, that the tree marked "No. 6" on the landscape plan has been referred to the board of adjustment by the city plan commission for a special exception to the visibility triangle. If the board of adjustment does not authorize a hearing or does not grant a special exception, then tree "No. 6" need not be preserved. (Ord. Nos. 22041; 25267)

SEC. S-6.108. ADDITIONAL PROVISIONS.

(a) Maintenance. The entire premises must be properly maintained in a state of good repair and neat appearance at all times.

(b) General requirements. Use of the Property must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city. (Ord. Nos. 22041; 25267; 26102)

SEC. S-6.109. PAVING.

All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. (Ord. Nos. 22041; 25267; 26102)

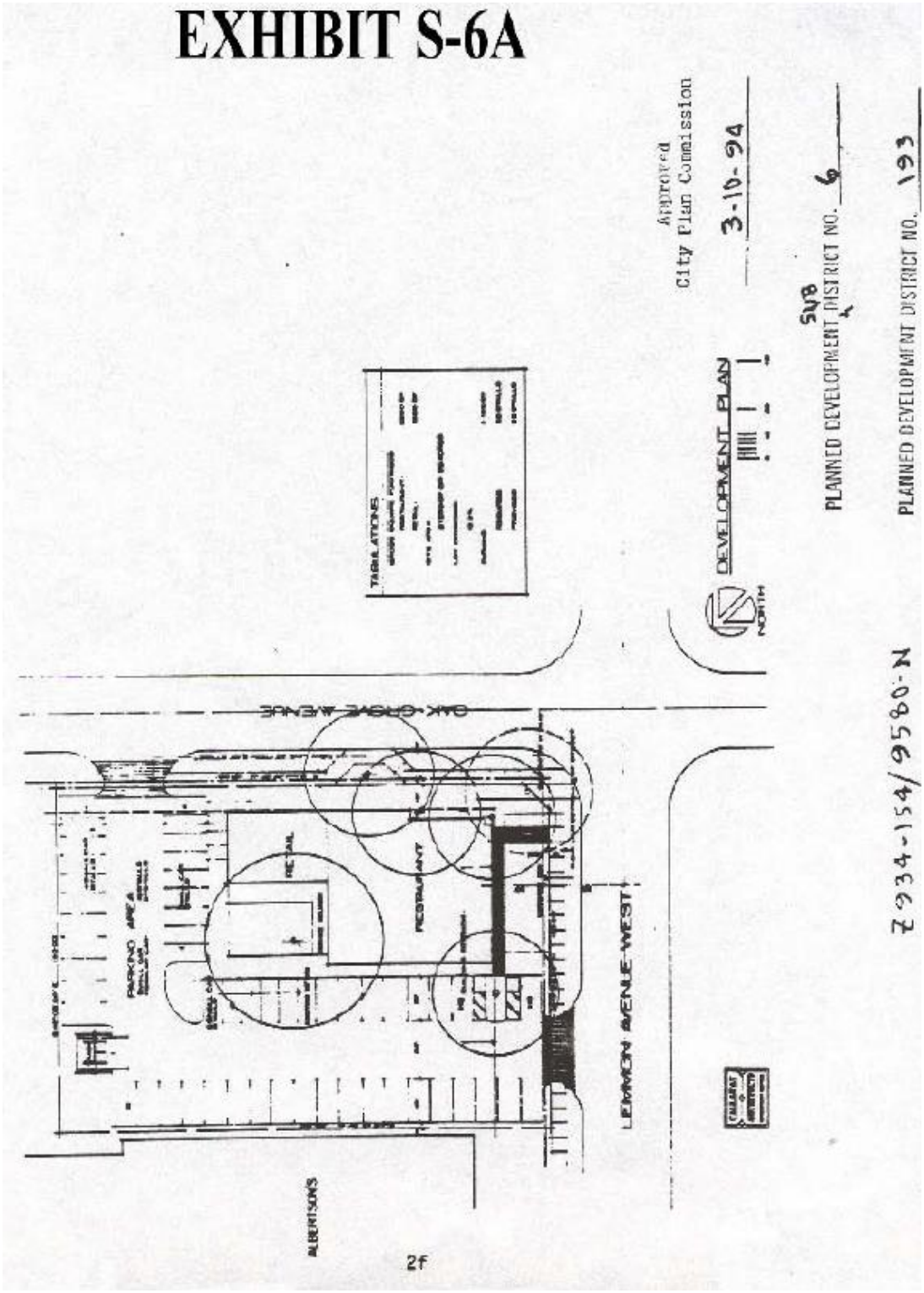
SEC. S-6.110. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or a certificate of occupancy for a use in this PD subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 22041; 25267; 26102)

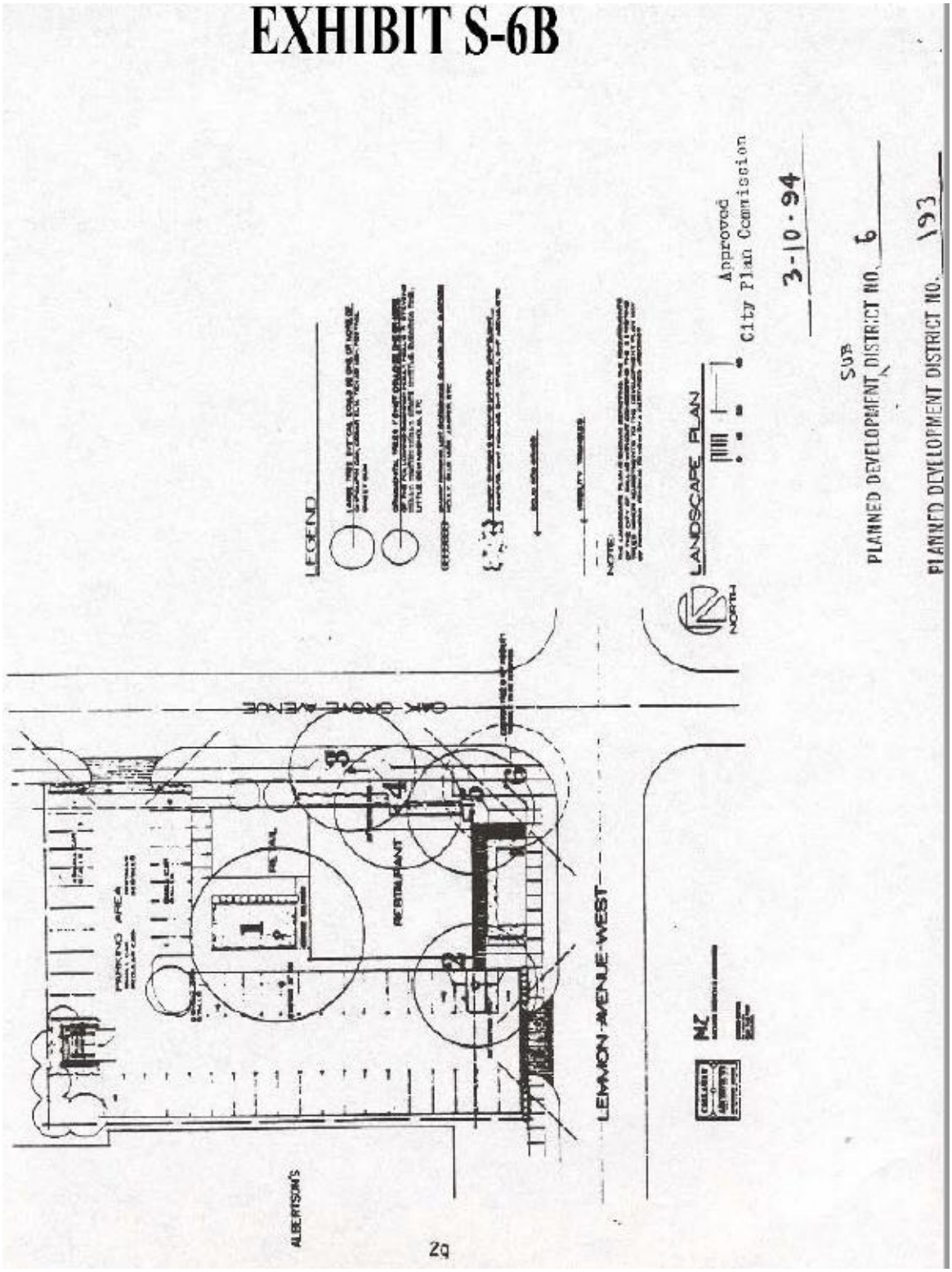
SEC. S-6.111. ZONING MAP.

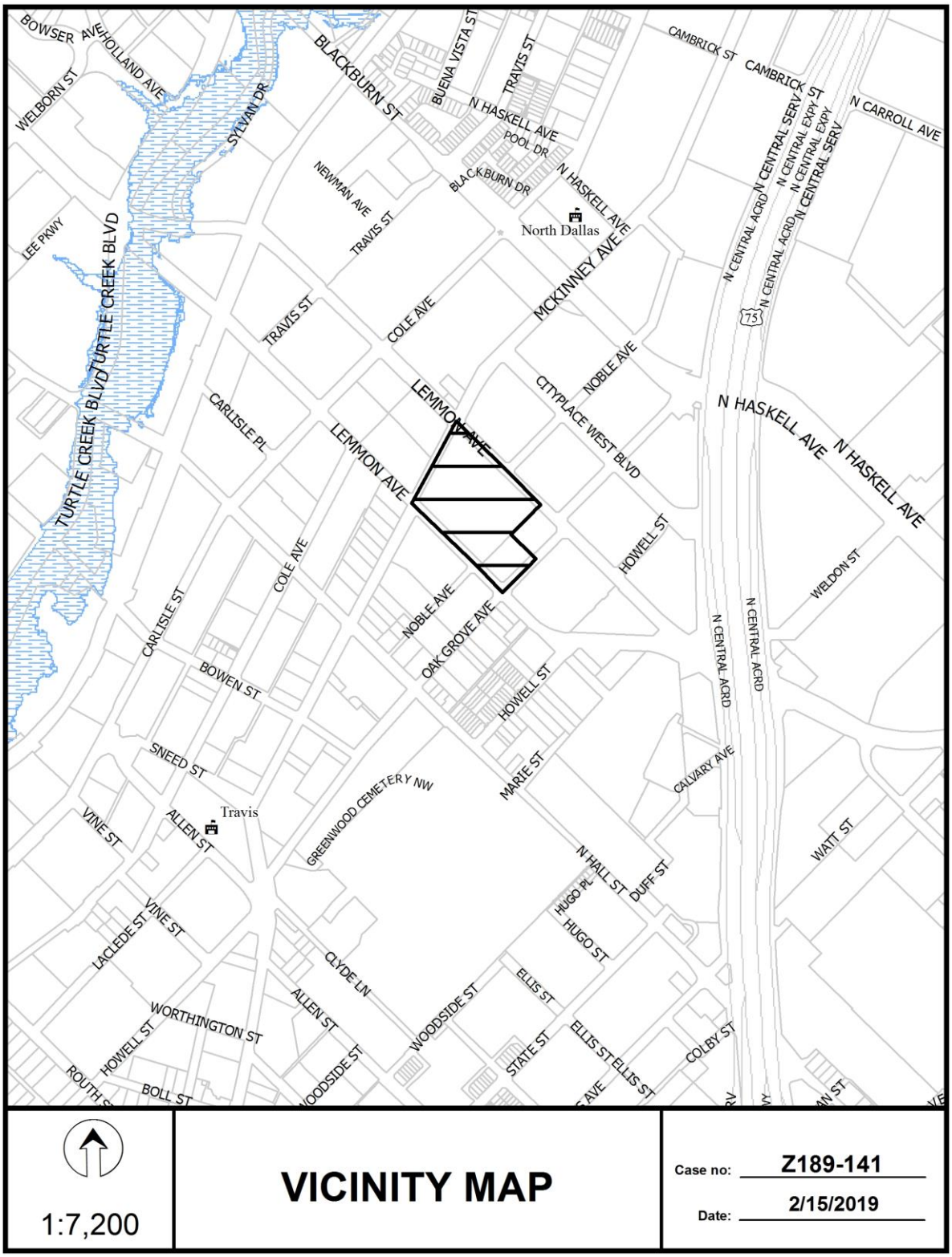
PD Subdistrict 6 is located on Zoning Map No. I-7. (Ord. Nos. 22041; 25267)

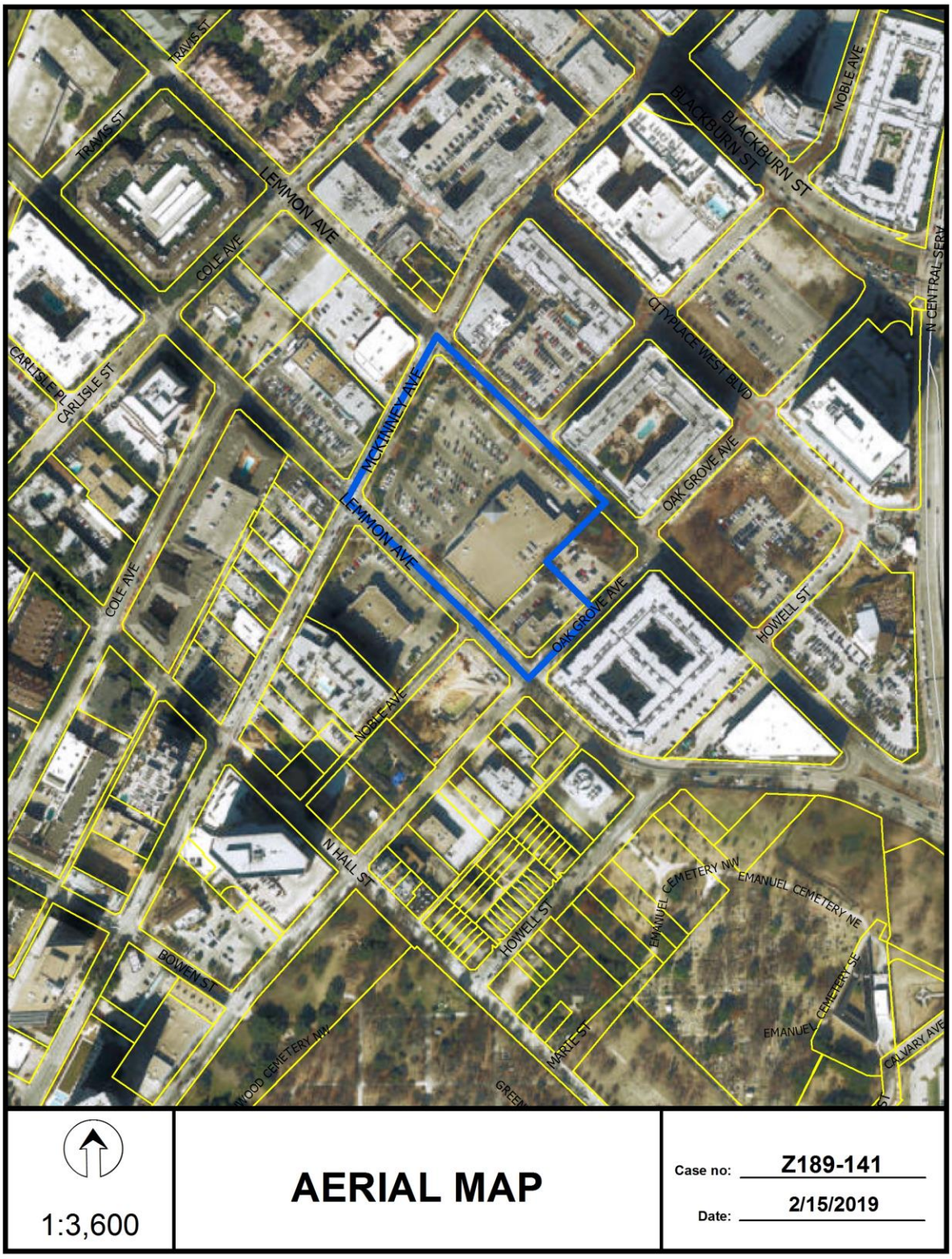
PDS No. 6
Existing Development Plan

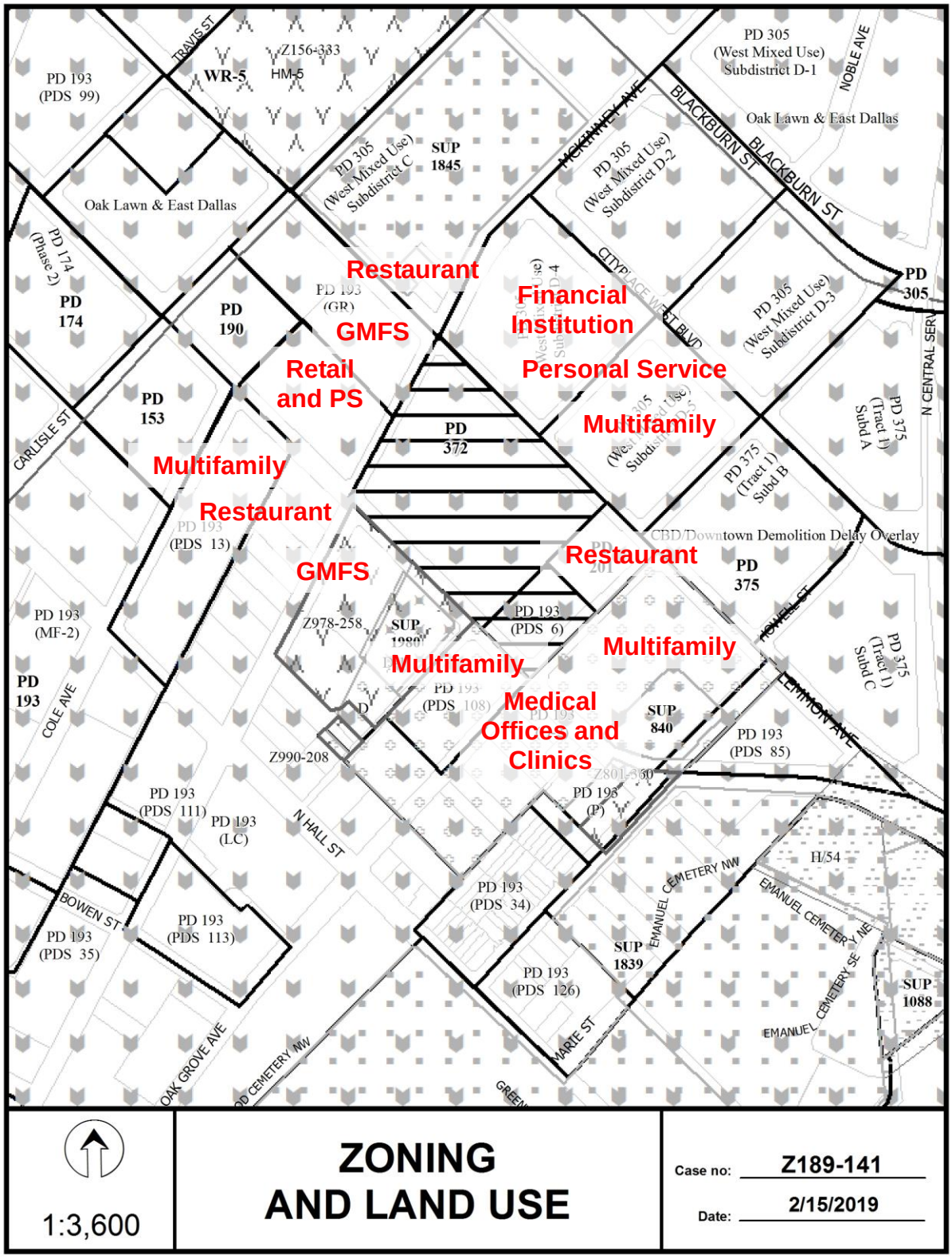


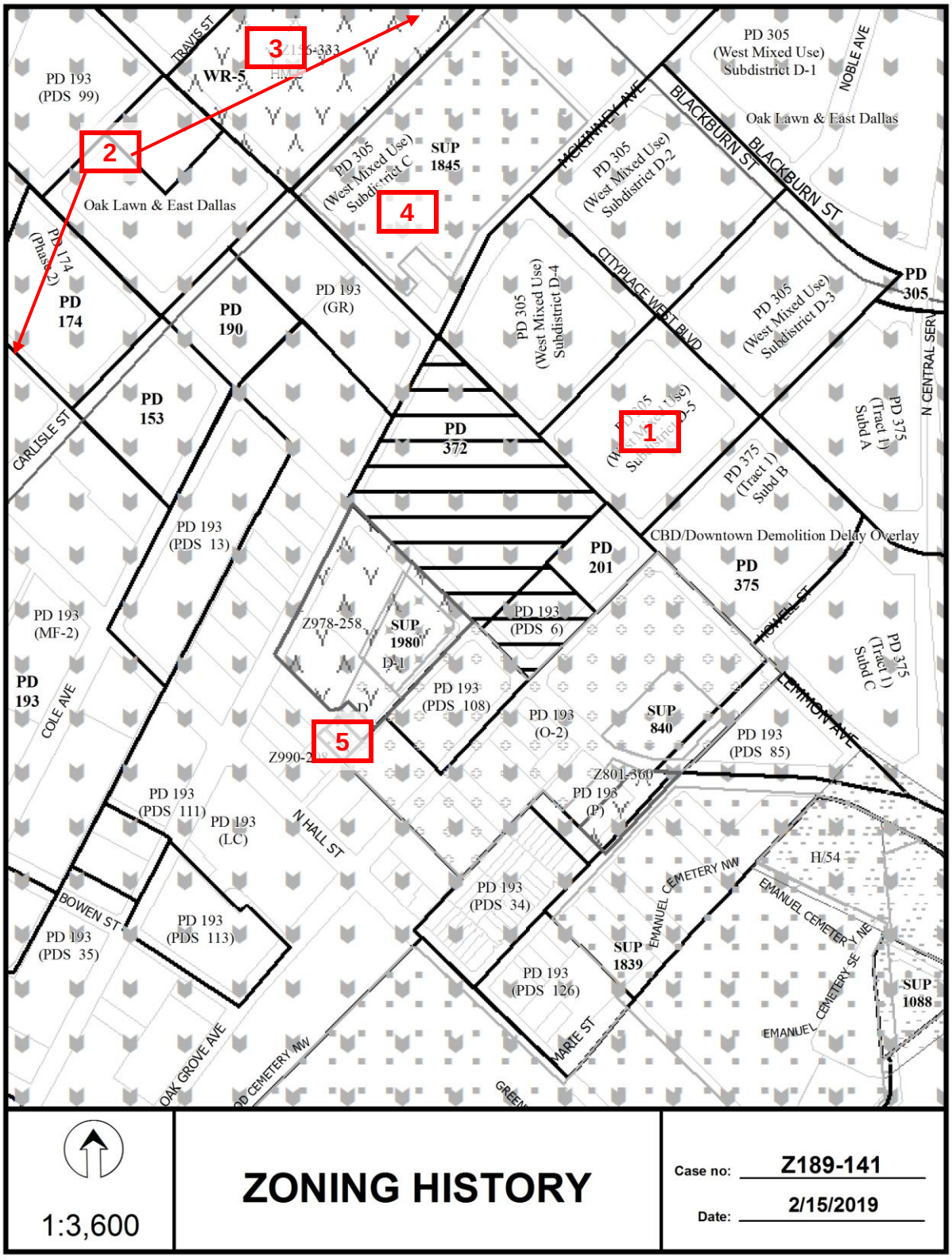
PDS No. 6
Existing Landscape Plan

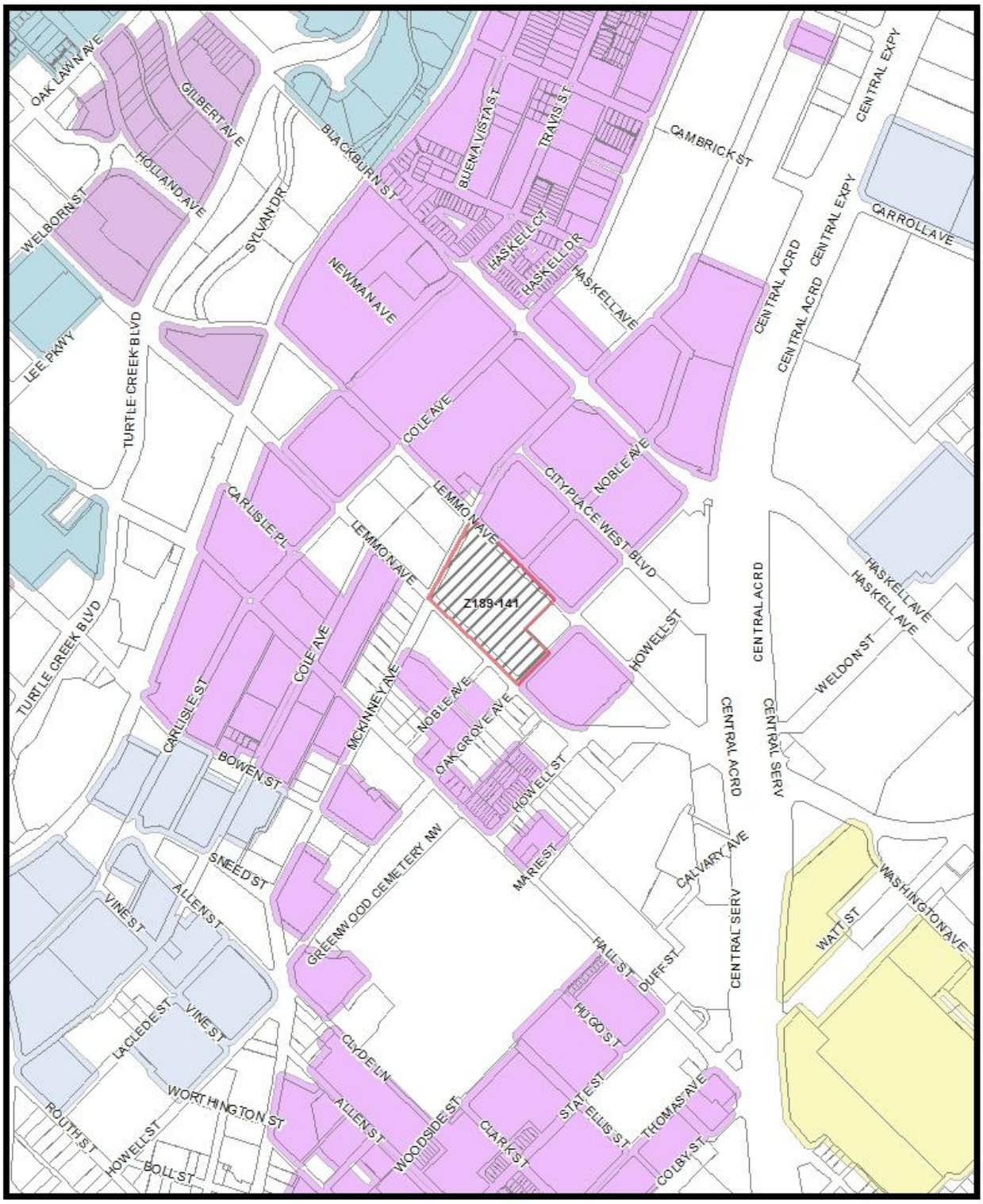



BOWSER AVE
HOLLAND AVE
WELBORN ST
SYLVAN DR
BLACKBURN ST
BUENA VISTA ST
TRAVIS ST
CAMBRICK ST
CAMBRICK ST
N CARROLL AVE
N HASKELL AVE
POOL DR
BLACKBURN DR
N HASKELL AVE
N CENTRAL SERV
N CENTRAL EXPY
N CENTRAL SERV
N CENTRAL ACRD
N CENTRAL ACRD
75
NEWMAN AVE
TRAVIS ST
North Dallas
MCKINNEY AVE
LEE PKWY
TURTLE CREEK BLVD
TURTLE CREEK BLVD
TRAVIS ST
COLE AVE
NOBLE AVE
CITYPLACE WEST BLVD
LEMMON AVE
CARLISLE PL
LEMMON AVE
N HASKELL AVE
N HASKELL AVE
HOWELL ST
WELDON ST
COLE AVE
CARLISLE ST
NOBLE AVE
OAK GROVE AVE
N CENTRAL ACRD
N CENTRAL ACRD
BOWEN ST
HOWELL ST
SNEED ST
MARIE ST
CALVARY AVE
Travis
GREENWOOD CEMETERY NW
VINE ST
ALLEN ST
WATT ST
N HALL ST
DUFF ST
HUGO PL
HUGO ST
VINE ST
LACLEDE ST
CLYDE LN
ALLEN ST
ELLIS ST
WOODSIDE ST
WORTHINGTON ST
HOWELL ST
STATE ST
ELLIS ST
ELLIS ST
COLBY ST
ROUTH ST
BOLL ST
WOODSIDE ST
1:7,200
VICINITY MAP
Case no: Z189-141
Date: 2/15/2019

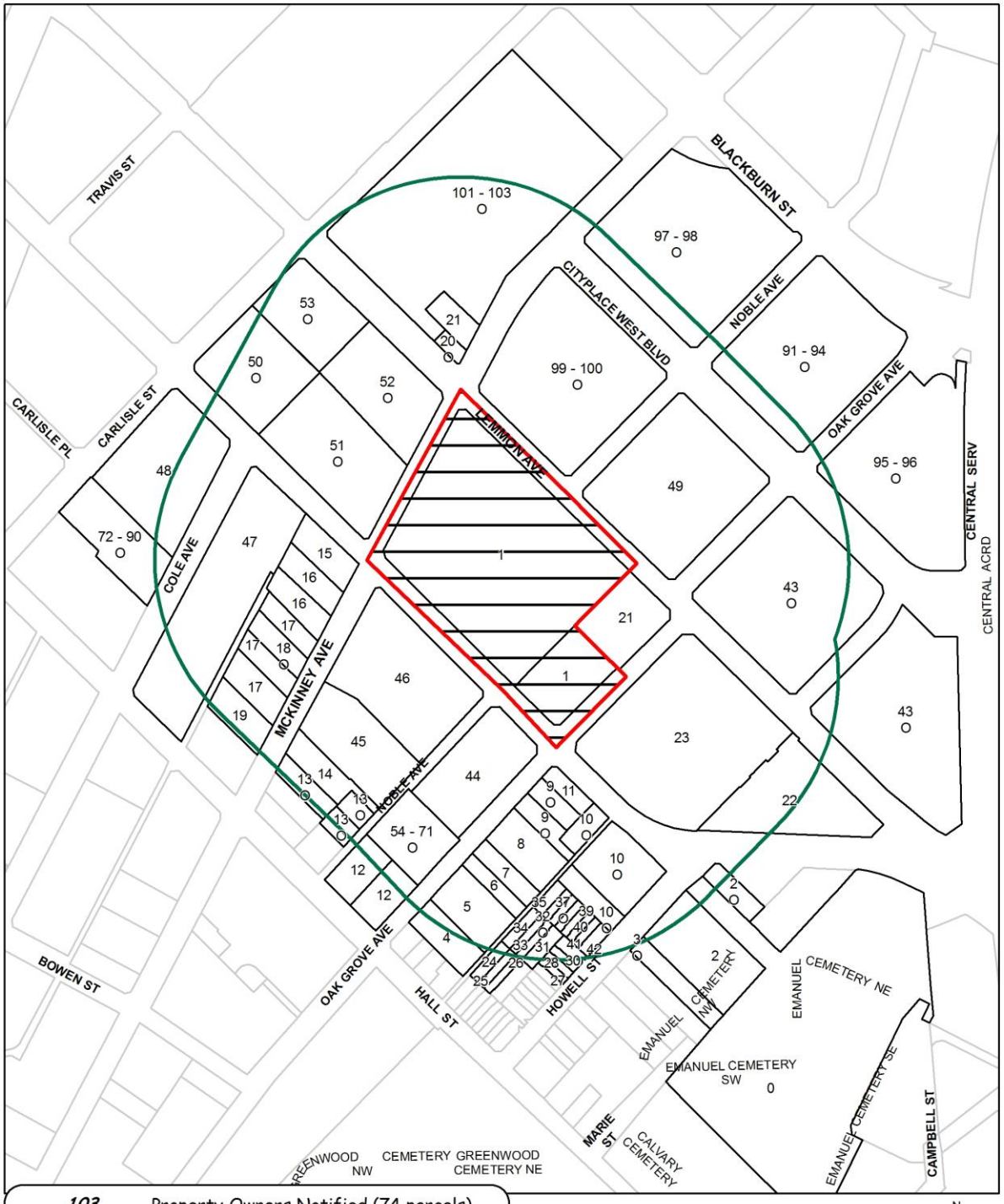

TRAVIS ST
TRAVIS ST
LEMMON AVE
COLE AVE
CARLISLE PL
CARLISLE ST
BLACKBURN ST
BLACKBURN ST
NOBLE AVE
N CENTRAL EXPY
CITYPLACE WEST BLVD
MCKINNEY AVE
LEMMON AVE
OAK GROVE AVE
OAK GROVE AVE
COLE AVE
HOWELL ST
NOBLE AVE
N HALL ST
HOWELL ST
EMANUEL CEMETERY NW
EMANUEL CEMETERY NE
EMANUEL CEMETERY SE
BOWEN ST
MARIE ST
CALVARY AVE
1:3,600
AERIAL MAP
Case no: Z189-141
Date: 2/15/2019


Restaurant
Financial Institution
GMFS
Retail and PS
Personal Service
Multifamily
Multifamily
Restaurant
GMFS
Restaurant
Multifamily
Multifamily
Medical Offices and Clinics
PD 193 (PDS 99)
PD 193 (MF-2)
PD 193 (PDS 13)
PD 193 (PDS 6)
PD 193 (PDS 108)
PD 193 (PDS 111)
PD 193 (LC)
PD 193 (PDS 113)
PD 193 (PDS 35)
PD 193 (PDS 34)
PD 193 (PDS 126)
PD 193 (P)
PD 193 (PDS 85)
PD 193 (GR)
PD 305 (West Mixed Use) Subdistrict D-1
PD 305 (West Mixed Use) Subdistrict C
PD 305 (West Mixed Use) Subdistrict D-2
PD 305 (West Mixed Use) Subdistrict D-3
PD 305 (West Mixed Use) Subdistrict D-4
PD 174 (Phase 2)
PD 174
PD 190
PD 153
PD 372
PD 201
PD 375
PD 375 (Tract 1) Subd A
PD 375 (Tract 1) Subd B
PD 375 (Tract 1) Subd C
SUP 1845
SUP 1980
SUP 840
SUP 1839
SUP 1088
WR-5
HM-5
Z156-383
Z978-258
Z990-208
Z801-350
Oak Lawn & East Dallas
Oak Lawn & East Dallas
CBD/Downtown Demolition Delay Overlay
H/54
TRAVIS ST
CARLISLE ST
COLE AVE
BOWEN ST
N HALL ST
OAK GROVE AVE
MARIE ST
MCKINNEY AVE
BLACKBURN ST
BLACKBURN ST
CITYPLACE WEST BLVD
NOBLE AVE
N CENTRAL SERV
HOWELL ST
LEMMON AVE
EMANUEL CEMETERY NW
EMANUEL CEMETERY NE
EMANUEL CEMETERY SE
EMANUEL
1:3,600
ZONING AND LAND USE
Case no: Z189-141
Date: 2/15/2019


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WR-5
PD 193 (PDS 99)
TRAVIS ST
Z156-383
PD 305 (West Mixed Use) Subdistrict D-1
NOBLE AVE
Oak Lawn & East Dallas
SUP 1845
PD 305 (West Mixed Use) Subdistrict C
MCKINNEY AVE
PD 305 (West Mixed Use) Subdistrict D-2
BLACKBURN ST
PD 174 (Phase 2)
PD 174
PD 190
PD 193 (GR)
PD 305 (West Mixed Use) Subdistrict D-4
CITYPLACE WEST BLVD
PD 305 (West Mixed Use) Subdistrict D-3
PD 305
N CENTRAL SERV
PD 153
CARLISLE ST
PD 372
PD 375 (Tract 1) Subd A
PD 375 (Tract 1) Subd B
PD 193 (PDS 13)
CBD/Downtown Demolition Delay Overlay
PD 201
PD 375
PD 193 (MF-2)
Z978-258
SUP 1980
D-1
PD 193 (PDS 6)
HOWELL ST
PD 375 (Tract 1) Subd C
PD 193
COLE AVE
PD 193 (PDS 108)
PD 193 (O-2)
SUP 840
LEMMON AVE
PD 193 (PDS 85)
Z990-2
Z801-360
PD 193 (P)
PD 193 (PDS 111)
PD 193 (LC)
N HALL ST
H/54
BOWEN ST
PD 193 (PDS 35)
PD 193 (PDS 113)
PD 193 (PDS 34)
EMANUEL CEMETERY NW
EMANUEL CEMETERY NE
SUP 1839
PD 193 (PDS 126)
EMANUEL CEMETERY SE
SUP 1088
OAK GROVE AVE
MARTE ST
1:3,600
ZONING HISTORY
Case no: Z189-141
Date: 2/15/2019


Z189-141
OAK LAWN AVE
GILBERT AVE
HOLLAND AVE
WELBORN ST
LEE PKWY
TURTLE CREEK BLVD
SYLVAN DR
BLACKBURN ST
BUENA VISTA ST
TRAVIS ST
CAMBRICK ST
CENTRAL EXPY
CARROLL AVE
HASKELL CT
HASKELL DR
HASKELL AVE
CENTRAL ACRD
NEWMAN AVE
COLE AVE
CITYPLACE WEST BLVD
NOBLE AVE
LEMMON AVE
CARLISLE PL
CARLISLE ST
MCKINNEY AVE
OAK GROVE AVE
HOWELL ST
WELDON ST
BOWEN ST
SNEED ST
VINE ST
ALLEN ST
GREENWOOD CEMETERY NW
MARIE ST
CALVARY AVE
CENTRAL SERV
WASHINGTON AVE
WATT ST
HALL ST
DUFF ST
HUGO ST
LACLEDE ST
CLYDE LN
WORTHINGTON ST
ROUTH ST
BOLL ST
WOODSIDE ST
CLARK ST
STATE ST
ELLIS ST
THOMAS AVE
COLBY ST
MVA Cluster
A
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D
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NA
1:7,200
Market Value Analysis
Printed Date: 2/15/2019

CPC RESPONSES



05/01/2019

Reply List of Property Owners

Z189-141

103 Property Owners Notified ***68 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3524	MCKINNEY AVE	PAN COASTAL LIMITED PS
	2	3432	HOWELL ST	CONGREGATION EMANU EL
	4	3308	OAK GROVE AVE	PRIDE & JOY CAPITAL LP
	5	3316	OAK GROVE AVE	OAK GROVE PARTNERS LTD
	6	3316	OAK GROVE AVE	GTK PARTNERS LTD
	7	3320	OAK GROVE AVE	LG OAK GROVE ONE LLC
	8	3400	OAK GROVE AVE	BLACKBELT PROPERTIES LLC
O	10	2817	LEMMON AVE	2801 INVESTMENTS LTD
	11	3420	OAK GROVE AVE	ANTONETTI & VEGA LTD LP
	12	2910	N HALL ST	OAK GROVE HOTEL GROUP LP
	14	3312	MCKINNEY AVE	HUGHES HULL HOLDINGS LLC
	15	3103	LEMMON AVE	AJM LEMMON LLC
	16	3413	MCKINNEY AVE	HLS RESTAURANT CORP
	17	3407	MCKINNEY AVE	PDC INTERESTS LLC
O	18	3403	MCKINNEY AVE	DOWLING PAMELA G &
	19	3309	MCKINNEY AVE	RACHOFSKY M J TRUST ETAL
	21	3605	MCKINNEY AVE	MESSINA MARIO L
	22	2727	E LEMMON AVE	HC 2727 E LEMMON AVENUE LLC
	23	3515	HOWELL ST	NORTHWESTERN MUTUAL LIFE
	24	3413	HOWELL ST	KO JASON B
	25	3411	HOWELL ST	FALB HARRIS BENTSEN &
	26	3409	HOWELL ST	DAIGLE CHASE H
	27	3439	HOWELL ST	TIMBOL THOMAS G
	28	3443	HOWELL ST	LYSAUGHT COLE P
	29	3447	HOWELL ST	VANAMBURGH ROBERT W & SHARON S
	30	3451	HOWELL ST	WROS JAMES C MITCHELL &

05/01/2019

Reply	*Label #*	*Address*		*Owner*
	31	3463	HOWELL ST	VAZQUEZ KEVIN M RIVERA & JENNIFER VERVILLE
O	32	3467	HOWELL ST	DOWNS JASON &
	33	3471	HOWELL ST	WERNER FAMILY TRUST
	34	3475	HOWELL ST	MADIA DANIEL
	35	3473	HOWELL ST	WEEKS JAMES JUSTIN
	36	3469	HOWELL ST	KO JASON & JANET J
O	37	3465	HOWELL ST	COWLISHAW WILLIAM T
	38	3461	HOWELL ST	BARBER RICHARD WRIGHT &
	39	3459	HOWELL ST	MARQUARDT MICHAEL J
	40	3457	HOWELL ST	LAMBERTI ABIGAIL
	41	3455	HOWELL ST	EGGERICHS JAMES G
	42	3453	HOWELL ST	FISHER ANDREW J
O	43	3656	HOWELL ST	BLACKBURN CENTRAL
	44	3411	OAK GROVE AVE	LG LEMMON OAK GROVE LLC
	45	3324	MCKINNEY AVE	JIK FIELDS EXCHANGE LLC &
	46	3418	MCKINNEY AVE	WALGREEN CO
	47	3402	COLE AVE	POST APARTMENT HOMES LP
	48	3400	CARLISLE ST	HC CARLISLE BUILDING LLC
	49	2901	W CITY PLACE BLVD	BRYSON NOBLE LLC
O	52	3133	LEMMON AVE	RP TOWN & COUNTRY SC &
O	53	3522	COLE AVE	RP TOWN & COUNTRY SC
O	54	3321	OAK GROVE AVE	DEARING GEORGE C
O	55	3321	OAK GROVE AVE	GAY DONNA BERNARD
O	56	3321	OAK GROVE AVE	LAMB MICHAEL D
O	57	3321	OAK GROVE AVE	MANRIQUE RAUL E CUBILLAS
O	58	3321	OAK GROVE AVE	GODFREY DANIEL E
O	59	3321	OAK GROVE AVE	JOKINIEMI JANI
O	60	3321	OAK GROVE AVE	MAHMALKIS REAL ESTATE & INVESTMENTS LLC
O	61	3321	OAK GROVE AVE	CONNER CRAIG
O	62	3321	OAK GROVE AVE	DEMIRANDA KATE MCNAB
O	63	3321	OAK GROVE AVE	PERRY BRIAN

05/01/2019

Reply	*Label #*	*Address*		*Owner*
O	64	3321	OAK GROVE AVE	NOBLE JEFFREY S
O	65	3321	OAK GROVE AVE	REDINGER SARA J
O	66	3321	OAK GROVE AVE	MAHMALKIS REAL ESTATE INVESTMENTS LLC
O	67	3321	OAK GROVE AVE	JERNIGAN BRUCE ALLLEN
O	68	3321	OAK GROVE AVE	MCMAHON NENA L
O	69	3321	OAK GROVE AVE	BORG STEPHEN W
O	71	3321	OAK GROVE AVE	GOODING BRAD E
O	72	3321	COLE AVE	REINMILLER AARON
O	73	3321	COLE AVE	THEILEN VERNON L
O	74	3321	COLE AVE	BERRY DENISE L
O	75	3321	COLE AVE	MONTOYA REBECCA L
O	76	3321	COLE AVE	JANIAN JENNIFER R
O	77	3321	COLE AVE	MAPES ROBERT
O	79	3321	COLE AVE	OSTREWICH MARIS STELLA
O	80	3321	COLE AVE	THEILEN VERNON LEE
O	81	3321	COLE AVE	STINES MICHAEL & LYNN R
O	82	3321	COLE AVE	NUSSBAUM STEVEN H
O	83	3321	COLE AVE	KRONENBERG BRENDA
O	84	3321	COLE AVE	THOMAS JUSTIN &
O	85	3321	COLE AVE	HARMSWORTH CLAIRE V
O	86	3321	COLE AVE	DEMETRIOU STEVEN III &
O	87	3321	COLE AVE	BULL KRISTIN &
O	88	3321	COLE AVE	SMILEY ROBERT P
O	89	3321	COLE AVE	LOUDIS PETER
O	90	3321	COLE AVE	BISHOP ARTS LLC
O	91	2901	BLACKBURN	CITYPLACE HOTEL REALTY LP
O	92	2901	BLACKBURN	FC 2901 BLACKBURN LLC
O	93	2901	BLACKBURN	BLACKBURN CENTRAL
O	94	2901	BLACKBURN	7B SOUTH RETAIL PARTNERS LP
O	95	2801	N CENTRAL EXPY	SBR REAL ESTATE HOLDINGS LP
O	96	2801	N CENTRAL EXPY	TOWER WEST PARTNERS LP

05/01/2019

Reply	*Label #*	*Address*		*Owner*
O	97	3700	MCKINNEY AVE	FC 3700 MCKINNEY OWNER LLC
O	98	3700	MCKINNEY AVE	3700 MCKINNEY LTD
O	99	3636	MCKINNEY AVE	CPI POLLACK WEST VILLAGE 3636 OWNER LP
O	100	3600	MCKINNEY AVE	3600 MCKINNEY LTD PS
O	101	3699	MCKINNEY AVE	3700 COLE AVE LLC
O	102	3699	MCKINNEY AVE	SOUTH ALLEY LOFT LLC
O	103	3699	MCKINNEY AVE	MILLER ANGELA AMHADI
O	A1	3502	HOWELL ST	CONGREGATION EMANU EL
O	A2	3430	HOWELL ST	CONGREGATION EMANUEL
O	A3	3128	LEMMON AVE	BLACKBURN CTRL HLDG LP
O	A4	2889	W CITYPLACE BLVD	BLACKBURN CENTRAL
O	A5	3321	OAK GROVE AVE	MINTER STEVEN S
O	A6	3416	OAK GROVE AVE	TWS&K REALTY LLP
O	A7	3414	OAK GROVE AVE	TWS&K REALTY LLP
O	A8	3307	NOBLE AVE	PORTOLANI FAMILY LP
O	A9	3315	NOBLE AVE	PORTOLANI FAMILY LP
O	A10	3308	MCKINNEY AVE	PORTOLANI FAMILY LP
O	A11	3321	COLE AVE	CANADY RICKY
O	A12	3130	LEMMON AVE	LEMMON & COLE PARTNERS LP
O	A13	3501	MCKINNEY AVE	3501 MCKINNEY LTD

Agenda Information Sheet

File #: 19-808 **Item #:** 78.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast
Recommendation of Staff: Denial
Recommendation of CPC: Approval
Z189-149(JM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z189-149(JM) **DATE FILED:** December 11, 2018

LOCATION: East of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast

COUNCIL DISTRICT: 2 **MAPSCO:** H 6

SIZE OF REQUEST: ±0.378 acres **CENSUS TRACT:** 4.06

APPLICANT: Kaminski Development Corp.

OWNER: Maria Strattin

REPRESENTATIVE: Rob Baldwin, Baldwin and Associates

REQUEST: An application for an MF-2(A) Multifamily District on property zoned a CS Commercial Service District.

SUMMARY: The purpose of the request is to allow for the development of townhouses.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Denial**

BACKGROUND INFORMATION:

- The subject site contains 0.378 acres. The existing zoning is a CS Commercial Service District.
- The purpose of the request is to allow for the development of townhouses. Adjacent properties to the east and south, as well as across Mail Avenue to the northeast contain single family uses within a MF-2(A) Multifamily District.
- The earliest historic aerials with a clear view of the property show the lots being used for vehicle storage since 2001.

Zoning History: There have not been any zoning requests in the surrounding area in the past five years:

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Mail Avenue	Local	50 feet	50 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request does not comply with the goals and policies outlined in the *forwardDallas! Comprehensive Plan.*

Surrounding Land Uses:

	Zoning	Land Use
Site	CS Commercial Service	Undeveloped/vehicle storage
North	CS Commercial Service, MF-2(A) Multifamily, and CS w/SUP No. 588	Single family and office

East	CS Commercial Service and MF-2(A) Multifamily	Single family
South	CS Commercial Service	Furniture store and auto related uses
West	CS Commercial Service	Auto related uses and retail

Land Use Compatibility:

The subject site contains 0.378 acres. The existing zoning is a CS Commercial Service District. The purpose of the request is to allow for the development of townhouses. Surrounding land uses include single family and office to the north; single family to the east; a furniture store and auto related uses to the south; and, auto related and retail uses to the west.

Adjacent properties to the south and across Mail Avenue to the northeast contain single family uses within a MF-2(A) Multifamily District. However, the CS District includes adjacent properties to the east, southwest, northeast, and across Mail Avenue to the north and northwest. The property is a part of a tract of CS District zoned parcels extending into what has developed into a single family neighborhood in an MF-2(A) District. Rezoning this parcel would create an alternating pattern of CS and MF-2(A) District zoning along Mail Avenue and would greatly impact the CS District properties adjacent to the site due to residential adjacency standards for additional setbacks. While the eastern adjacent property contains a single family use, that is no longer an allowable land use in the existing CS zoning district.

The earliest historic aerials with a clear view of the property show the lots being used for vehicle storage since 2001. City records indicate there are no Certificates of Occupancy on record for the subject site.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The subject site is mostly uncategorized, with a small portion of the property located in Category H. Adjacent properties to the east are also within Category H.

Development Standards:

District	Setbacks		Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear				
Existing: CS	15' 0'	20' adj. to res. (not including A(A)) 0' all others	45'	80%	RPS Visual Intrusion	Commercial and business service, institutional and community service, office, retail and personal service, transportation, utility and public service, and wholesale, distribution and storage uses.
Proposed: MF-2(A)	15'	0' for SF 5-15' Others	36'	60%	RPS 15' spacing between each group of 8 SF units	Residential and institutional and community service uses.

Overall, the most significant changes in development rights would include changing to primarily residential land uses and decreasing both the maximum allowable height and lot coverage requirements.

The following chart indicates where there is a proposed change in the use regulations. All uses being maintained are not shown.

Land Use Comparison:	Proposed	Existing
Use	**MF-2(A)**	**CS**
Building repair and maintenance shop.		**RAR**
Bus or rail transit vehicle maintenance or storage facility.		**RAR**
Catering service.		**X**
Commercial bus station and terminal.		**Check use.**
Commercial cleaning or laundry plant.		**RAR**
Custom business services.		**X**
Custom woodworking, furniture construction, or repair.		**X**
Electronics service center.		**X**
Job or lithographic printing.		**RAR**
Labor hall.		**SUP**
Machine or welding shop.		**RAR**
Machinery, heavy equipment, or truck sales and services.		**RAR**

Land Use Comparison:	**Proposed**	**Existing**
Use	**MF-2(A)**	**CS**
Medical or scientific laboratory.		**X**
Technical school.		**X**
Tool or equipment rental.		**X**
Vehicle or engine repair or maintenance.		**RAR**
Industrial (inside) for light manufacturing.		**X**
Adult day care facility.	**SUP**	**X**
Child-care facility.	**SUP**	**X**
College, university, or seminary.	**SUP**	**X**
Convalescent and nursing homes, hospice care, and related institutions.	**RAR**	
Foster home.	**X**	
Hospital.	**SUP**	**RAR**
Library, art gallery, or museum.	**SUP**	
Open-enrollment charter school or private school.	**SUP**	**SUP**
Public school other than open-enrollment charter school.	**SUP**	**RAR**
Extended stay hotel or motel.		**SUP**
Hotel or motel.		**RAR or SUP**
Overnight general purpose shelter.		**Check use.**
Attached non-premise sign.		**SUP**
Alternative financial establishment.		**SUP**
Financial institution without drive-in window.		**X**
Financial institution with drive-in window.		**RAR**
Medical clinic or ambulatory surgical center.		**X**
Office.		**X**
Country club with private membership.	**RAR**	**X**
Private recreation center, club, or area.	**SUP**	**X**
Duplex.	**X**	
Group residential facility.	**Check use.**	
Handicapped group dwelling unit.	**Check use.**	
Multifamily.	**X**	
Residential hotel.	**X**	
Retirement housing.	**X**	
Single family.	**X**	

Land Use Comparison:	**Proposed**	**Existing**
Use	**MF-2(A)**	**CS**
Alcoholic beverage establishments.		**Check use.**
Ambulance service.		**RAR**
Animal shelter or clinic without outside runs.		**RAR**
Animal shelter or clinic with outside run.		**Check use.**
Auto service center.		**RAR**
Business school.		**X**
Car wash.		**RAR**
Commercial amusement (inside).		**Check use.**
Commercial amusement (outside).		**DIR**
Commercial motor vehicle parking.		**Check use.**
Commercial parking lot or garage.		**RAR**
Convenience store with drive-through.		**SUP**
Drive-in theater.		**SUP**
Dry cleaning or laundry store.		**X**
Furniture store.		**X**
General merchandise or food store 3,500 square feet or less.		**X**
General merchandise or food store greater than 3,500 square feet.		**X**
General merchandise or food store 100,000 square feet or more.		**SUP**
Home improvement center, lumber, brick or building materials sales yard.		**RAR**
Household equipment and appliance repair.		**X**
Liquefied natural gas fueling station.		**SUP**
Liquor store.		**X**
Mortuary, funeral home, or commercial wedding chapel.		**X**
Motor vehicle fueling station.		**X**
Nursery, garden shop, or plant sales.		**X**
Paraphernalia shop.		**SUP**
Outside sales.		**SUP**
Pawn shop.		**X**
Personal service uses.		**X**
Restaurant without drive-in or drive-thru service.		**RAR**
Restaurant with drive-in or drive-through service.		**DIR**
Swap or buy shop.		**SUP**
Taxidermist.		**X**

Land Use Comparison:	**Proposed**	**Existing**
Use	**MF-2(A)**	**CS**
Temporary retail use.		**X**
Theater.		**X**
Truck stop.		**SUP**
Vehicle display, sales, and service.		**RAR**
Commercial bus station and terminal.		**DIR**
Heliport.		**SUP**
Helistop.		**SUP**
Railroad passenger station.		**SUP**
Transit passenger station or transfer center.	**SUP**	**Check use.**
Commercial radio or television transmitting station.		**X**
Electrical substation.	**SUP**	**X**
Local utilities.		**SUP or RAR**
Police or fire station.	**SUP**	**X**
Post office.		**X**
Radio, television, or microwave tower.	**SUP**	**RAR**
Auto auction.		**SUP**
Building mover's temporary storage yard.		**SUP**
Contractor's maintenance yard.		**RAR**
Freight terminal.		**RAR**
Manufactured building sales lot.		**RAR**
Mini-warehouse.		**X**
Office showroom/warehouse.		**X**
Outside storage.		**RAR**
Petroleum product storage and wholesale.		**SUP**
Recycling buy-back center.		**Check use.**
Recycling collection center.		**Check use.**
Sand, gravel, or earth sales and storage.		**SUP**
Trade center.		**X**
Vehicle storage lot.		**SUP**
Warehouse.		**RAR**

X *indicates permitted by right.*
SUP *indicates permitted with a Specific Use Permit.*
RAR *indicates permitted, but subject to Residential Adjacency Review.*
Check use *indicates special provisions in Sec.51A-4.200.*
CBO *indicates by authorization of the Chief Building Official.*

Alternating color pattern indicates a new category of uses as separated in the Dallas Development Code.

Parking:

Pursuant to the Dallas Development Code, off-street parking must be provided in accordance with Division 51A-4.200. A townhouse development is classified as a single family use and requires two parking spaces per dwelling unit when located in an MF-2(A) Multifamily District.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

CPC Action
April 4, 2019

Motion: In considering an application for an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast, it was moved to **hold** this case under advisement until April 18, 2019.

Maker: Schulte
Second: Lewis
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

Notices: Area: 200 Mailed: 16
Replies: For: 0 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Action
April 16, 2019

Motion: In considering an application for an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast, it was moved to **hold** this case under advisement until May 2, 2019.

Maker: Schulte
Second: Lewis
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss*, Johnson, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 16
Replies: For: 1 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: George Rubio Jr., 3707 Duchess Trl., Dallas, TX, 75229

CPC Action
May 2, 2019

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast.

Maker: Schulte
Second: Criss
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 16
Replies: For: 1 Against: 1

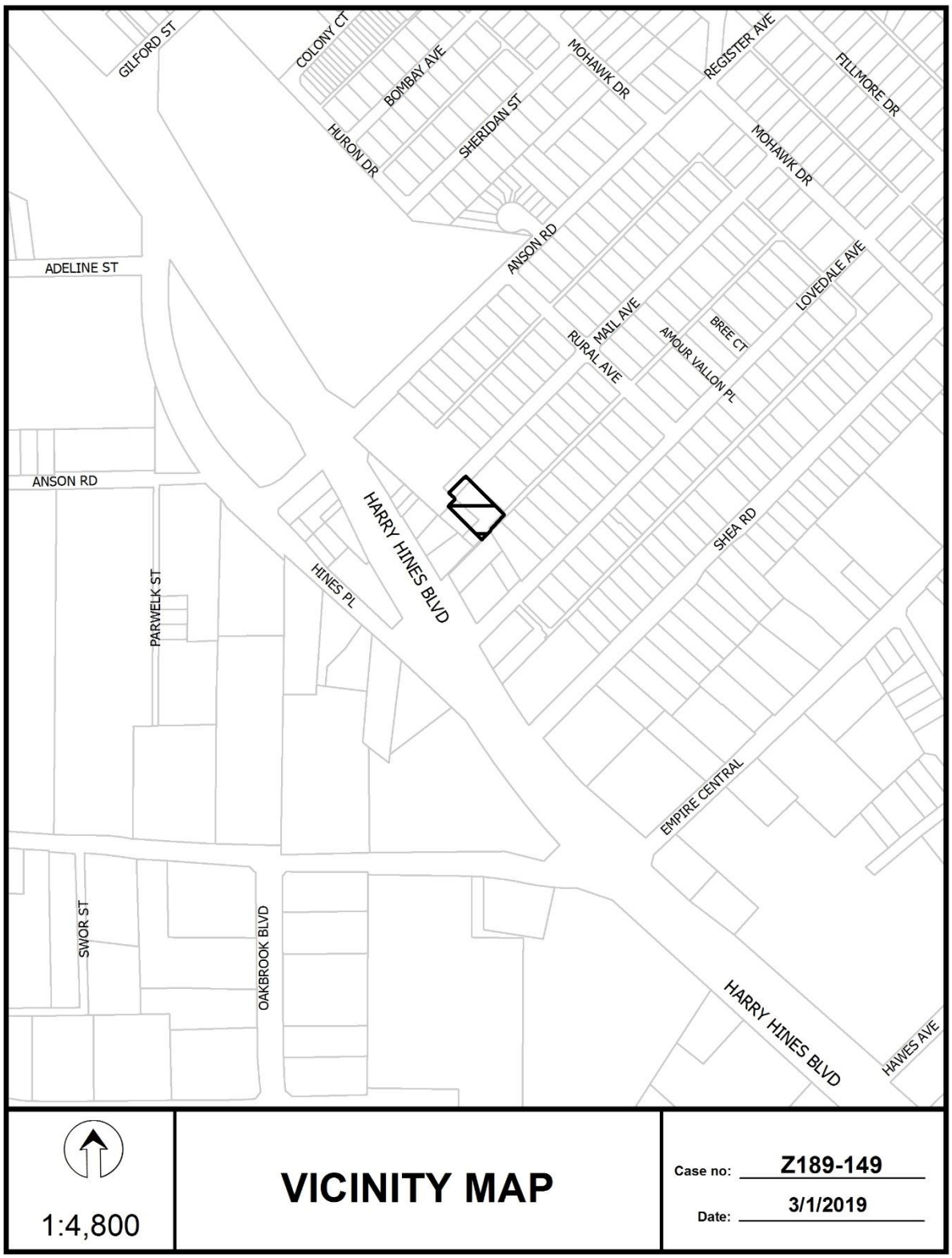
Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

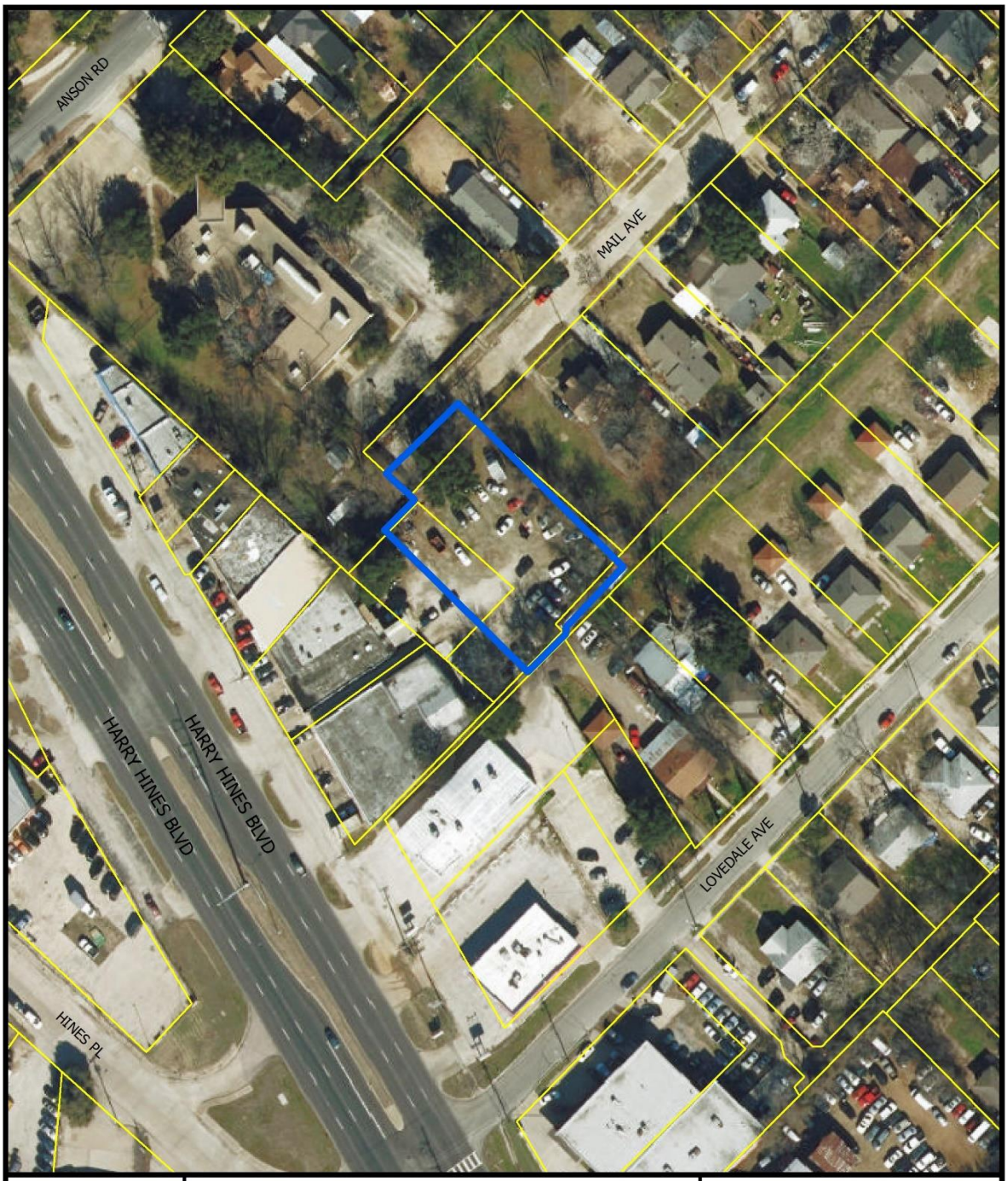
List of Officers

Kaminski Development Corp, LLC

Bruce Kaminski, sole member and manager

Z189-149


GILFORD ST
COLONY CT
BOMBAY AVE
HURON DR
SHERIDAN ST
MOHAWK DR
REGISTER AVE
FILLMORE DR
MOHAWK DR
ANSON RD
ADELINE ST
LOVEDALE AVE
MAIL AVE
RURAL AVE
BREE CT
AMOUR VALLON PL
ANSON RD
HARRY HINES BLVD
SHEA RD
HINES PL
PARWELK ST
EMPIRE CENTRAL
SWOR ST
OAKBROOK BLVD
HARRY HINES BLVD
HAWES AVE
1:4,800
VICINITY MAP
Case no: Z189-149
Date: 3/1/2019

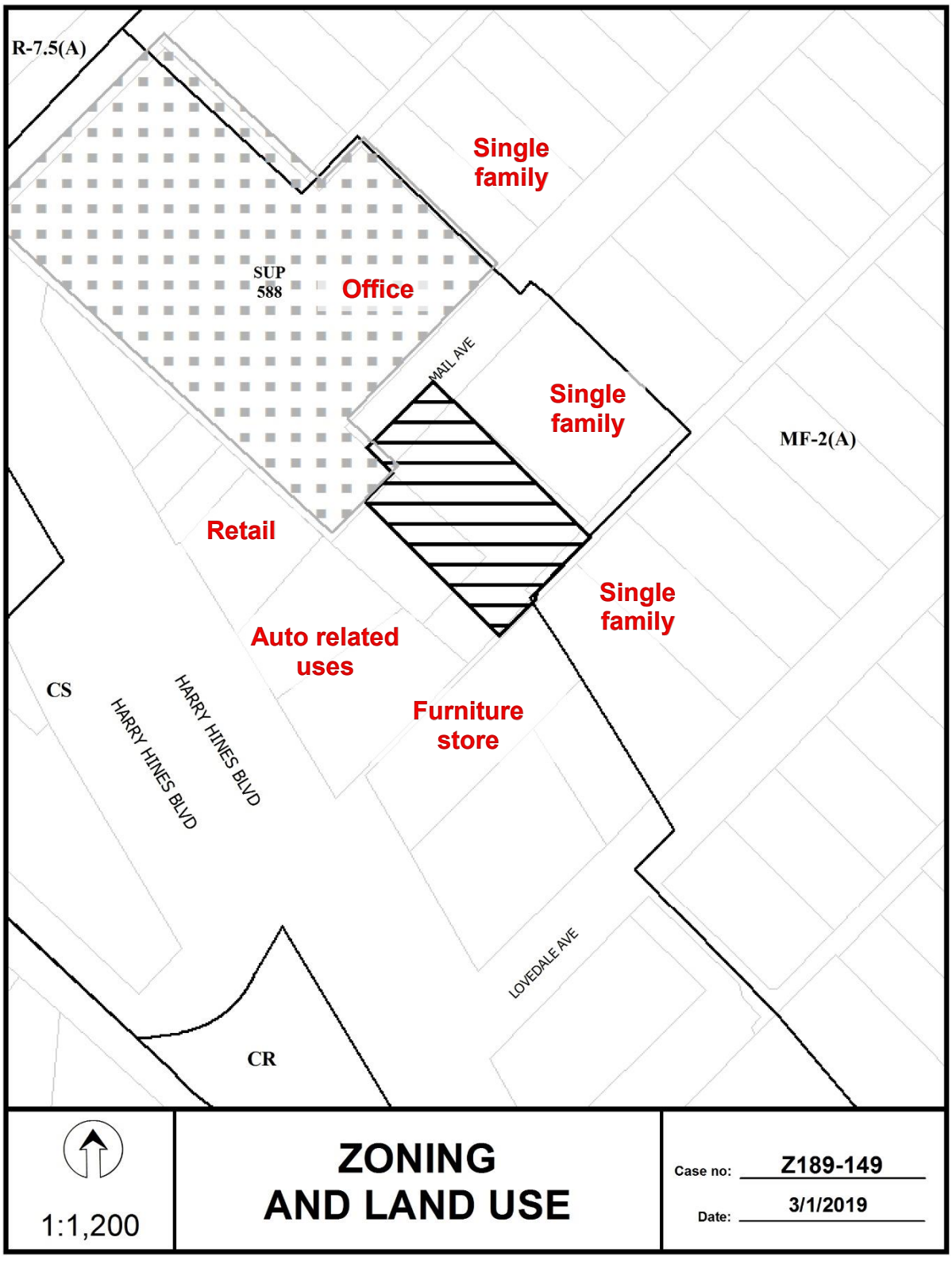


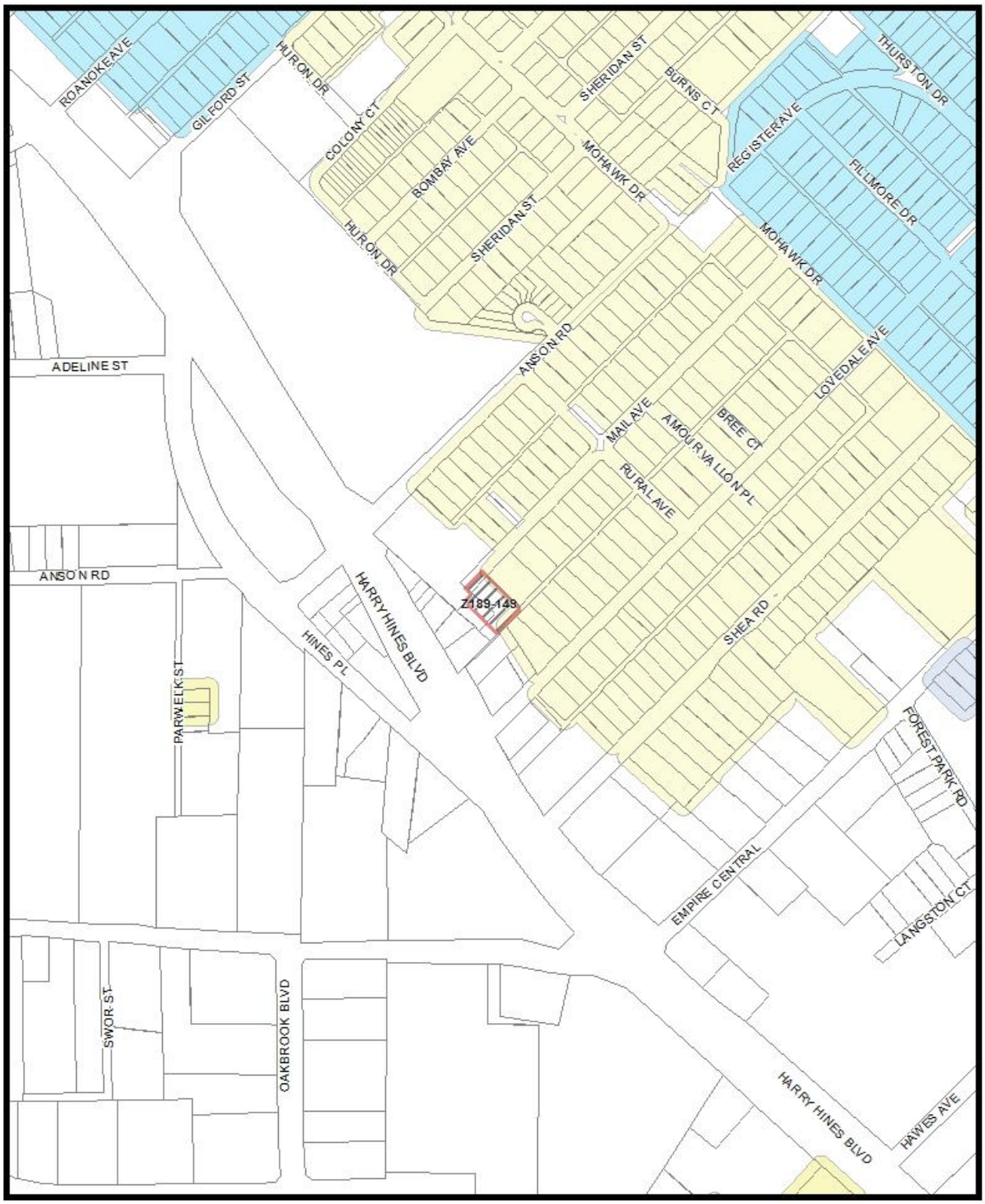
1:1,200

AERIAL MAP

Case no: Z189-149

Date: 3/1/2019


R-7.5(A)
Single family
SUP 588
Office
MAIL AVE
Single family
MF-2(A)
Retail
Single family
Auto related uses
CS
HARRY HINES BLVD
HARRY HINES BLVD
Furniture store
LOVEDALE AVE
CR
1:1,200
ZONING AND LAND USE
Case no: Z189-149
Date: 3/1/2019


ROANOKE AVE
GILFORD ST
HURON DR
COLONY CT
BOMBAY AVE
SHERIDAN ST
BURNS CT
THURSTON DR
REGISTER AVE
FILLMORE DR
MOHAWK DR
ADELINE ST
ANSON RD
MAIL AVE
AMOURVALLON PL
BREE CT
LOVEDALE AVE
RURAL AVE
Z189-149
HARRY HINES BLVD
HINES PL
PARKWELL ST
SHEA RD
FOREST PARK RD
EMPIRE CENTRAL
LANGSTON CT
SWOR ST
OAKBROOK BLVD
HAWES AVE
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:4,800
Market Value Analysis
Printed Date: 3/1/2019

CPC RESPONSES



16	Property Owners Notified (23 parcels)
1	Replies in Favor (4 parcels)
1	Replies in Opposition (1 parcels)
200'	Area of Notification
5/2/2019	Date

Z189-149
CPC

N
W E
S

1:1,200

05/01/2019

Reply List of Property Owners

Z189-149

16 Property Owners Notified ***1 Property Owner in Favor*** ***1 Property Owner Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	7318	HARRY HINES BLVD	STRATTIN MARIA C
	2	2114	ANSON RD	PTS EQUITY INC
	3	2137	LOVEDALE AVE	LOVEDALE II LTD
	4	2125	LOVEDALE AVE	ACEVEDO GERONIMO &
	5	2121	LOVEDALE AVE	VIELMA HECTOR J JR
	6	2119	LOVEDALE AVE	MIDBELT PROPERTIES LP
X	7	2130	MAIL AVE	RUBIO GEORGE ETAL
	8	2134	MAIL AVE	QUEZADA FERNANDO
	9	2142	MAIL AVE	BUENO ARTURO P
	10	2130	ANSON RD	ARGUETA TELMA
	11	2135	MAIL AVE	LOPEZ JUAN &
	12	2139	MAIL AVE	UNITED CARPET DISTR INC
	13	7412	HARRY HINES BLVD	KANG SOOK HEE &
	14	7406	HARRY HINES BLVD	RUBIN CANDACE
	15	7400	HARRY HINES BLVD	RAOUFPOUR SAADAT K
	16	7408	HARRY HINES BLVD	RUBIN CANDACE

Agenda Information Sheet

File #: 19-809 **Item #:** 79.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial motor vehicle parking use on property zoned an IM Industrial Manufacturing District, on the northeast line of South Central Expressway, between McCommas Bluff Road and Youngblood Road
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions
Z189-186(CT)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z189-186(CT) **DATE FILED:** January 31, 2019

LOCATION: Northeast line of South Central Expressway, between McCommas Bluff Road and Youngblood Road

COUNCIL DISTRICT: 8 **MAPSCO:** 67 K

SIZE OF REQUEST: ±11.848 acres **CENSUS TRACT:** 202.00

APPLICANT/OWNERS: Desev Investment Group, LLC

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

REQUEST: An application for a Specific Use Permit for a commercial motor vehicle parking use on property zoned an IM Industrial Manufacturing District.

SUMMARY: The proposed request will allow for the parking of commercial vehicles on the subject site.

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is improved with a gravel surface and storage building.
- The previous use was an outside salvage and reclamation [Southwest Shingle Recycling] with a Certificate of Occupancy issued on November 30, 2011. No building was required on the site for this use.

Zoning History: There has been one zoning change requested in the area in the last five years.

1. **Z178-376** On February 28, 2018, the City Council approved a request for an IM Industrial Manufacturing District on property zoned a CS Commercial Service District, as well as an SUP for an industrial (outside) potentially incompatible use limited to a concrete crushing facility.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
South Central Expressway	Principal Arterial	107 ft.
McCommas Bluff Road	Local	20 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the existing roadway system.

Land Use:

	Zoning	Land Use
Site	IM	Partially Developed
North	IM SUP 773	Office Showroom Warehouse
South	IR SUP 2273	Industrial (outside) potentially incompatible use limited to a concrete crushing facility
East	IR SUP 705	Sanitary Landfill Operation [McCommas Landfill]
West	A(A) CS	Auto Service Center

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request site is located within a part of the city where the development pattern has transitioned to a mix of light and heavy industrial (inside) uses. Therefore, the commercial motor vehicle lot would conform to the previously approved rezoning of the adjacent properties.

The proposed zoning request meets the following goals and objectives of the Comprehensive Plan.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

In general, the applicant's request is consistent with the goals and policies of the Comprehensive Plan.

STAFF ANALYSIS:

Land Use Compatibility:

A commercial motor vehicle parking use allows for a facility for the temporary, daily, or overnight parking of commercial motor vehicles as defined in the use regulations for a truck stop, and/or motor vehicles with two or more rear axles such as trucks, truck tractors, and similar vehicles, for no charge or for a fee, regardless of whether that fee is charged independently of any other use on the lot, if parking is not accessory to a main use on the lot. The Development Code requires a Specific Use Permit for a commercial motor vehicle parking in the IM Industrial Manufacturing District if located within 500 feet of a residential district, measured in a straight line, without regard to intervening structures or objects, from the nearest of the lot where the use is conducted to the nearest boundary of the zoning district at issue. Property to the west of the area request are zone an A(A) Agricultural District.

The request site is located within an industrial area and is adjacent to several auto service and industrial uses. This area has been zoned for industrial and light commercial uses since the 1970s.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards.

Landscaping:

The request does not trigger landscape requirements currently. Should paving be required, the site would trigger landscape requirements at 2,000-square-feet of non-permeable coverage.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the

colors range from purple representing the strongest markets to orange, representing the weakest markets. While the subject site is not located within an identified market type category, it is closest to Category H to the north and northwest of the site.

Parking:

The proposed commercial motor vehicle parking use does not require off street parking or loading. Per Section 51A-4.301(d)(2), for a use other than a single family, duplex, or vehicle storage lot use, each off-street parking space must be clearly and permanently identified by stripes, buttons, tiles, curbs, barriers, or another method approved by the building official. Moreover, Section 51A-4.301(d)(4) states, for a use other than a single family, duplex, or vehicle storage lot use, the surface of an enclosed or unenclosed parking space, maneuvering area for parking, or a driveway which connects to a street or alley must be on a compacted sub-grade, and must consist of:

(A) concrete paving;
(B) hot mix asphalt paving which consists of a binder and surface course; or
(C) a material which has equivalent characteristics of Subsections (d)(4)(A) or (d)(4)(B) and has the approval of the building official.

Should the applicant not want to provide this material, alternate surface approval may be obtained through our Engineering Division. Assuming an alternate material is approved, it does not have to be striped. The site plan must show striping to ensure the required parking is met.

CPC ACTION:
APRIL 4, 2019

Motion I: It was moved to recommend **approval** of a Specific Use Permit for a commercial motor vehicle parking use for a two-year period, subject to a revised site plan and conditions on property zoned an IM Industrial Manufacturing District, on the northeast line of South Central Expressway, between McCommas Bluff Road and Youngblood Road.

Maker: Lewis
Second: Schulte
Result: **Commissioner Lewis withdrew his motion. Commissioner Schulte withdrew his second.**

Motion II: In considering an application for a Specific Use Permit for a commercial motor vehicle parking use on property zoned an IM Industrial Manufacturing District, on the northeast line of South Central Expressway, between McCommas Bluff Road and Youngblood Road, it was moved to **hold** this case under advisement until May 2, 2019.

Maker: Lewis
Second: Schulte
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

Notices: Area: 400 Mailed: 15
Replies: For: 1 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: Naud Burnett, 5543 McCommas Bluff Rd., Dallas, TX, 75241
Jim Schermbeck, 1808 South Good Latimer Expy., Dallas, TX, 75226

MAY 2, 2019

Motion: It was moved to recommend **approval** of a Specific Use Permit for a commercial motor vehicle parking use for a two-year period, subject to a site plan and conditions with the following modifications: 1) provide motion detected security lighting with coverage of the Specific Use Permit site; and 2) provide screening in accordance with 51A-4.602(b) on property zoned an IM Industrial Manufacturing District, on the northeast line of South Central Expressway, between McCommas Bluff Road and Youngblood Road.

Maker: Lewis
Second: Schulte
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss*, Johnson, Shidid*, Carpenter, Brinson, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 15
Replies: For: 3 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

List of Officers

Desev Investment Group, LLC

Edwin Maldonado

Ghislaime Castro

Diego Maldonado

Eliana Maldonado

CPC RECOMMENDED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is commercial motor vehicle parking.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC Recommendation:

3. TIME LIMIT: This specific use permit expires on (two years from the passage of this Ordinance).

Staff Recommendation:

3. TIME LIMIT: This specific use permit expires on _____ (five years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

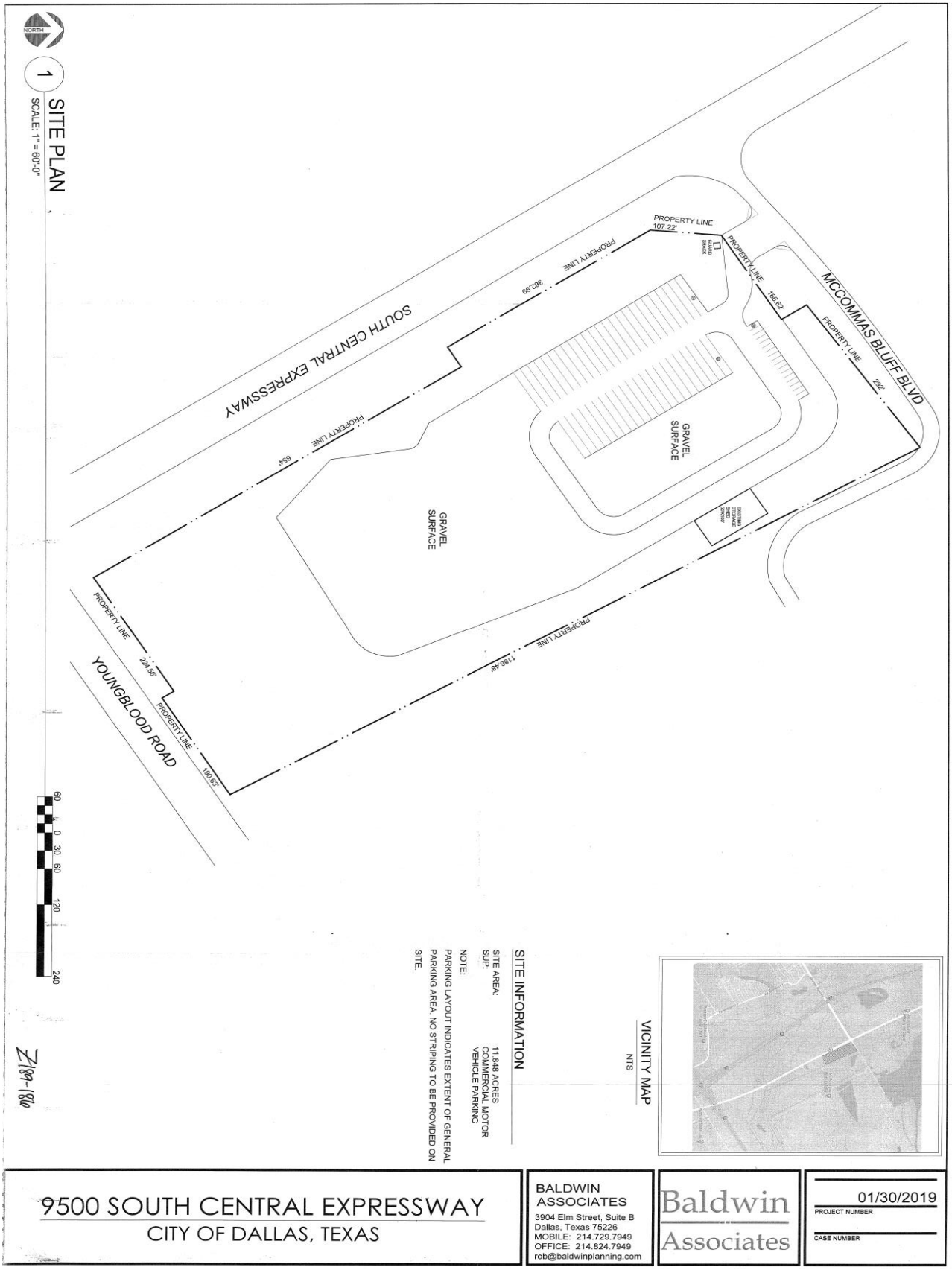
4. LIGHTING: Provide motion detected security lighting with coverage of the Specific Use Permit site.

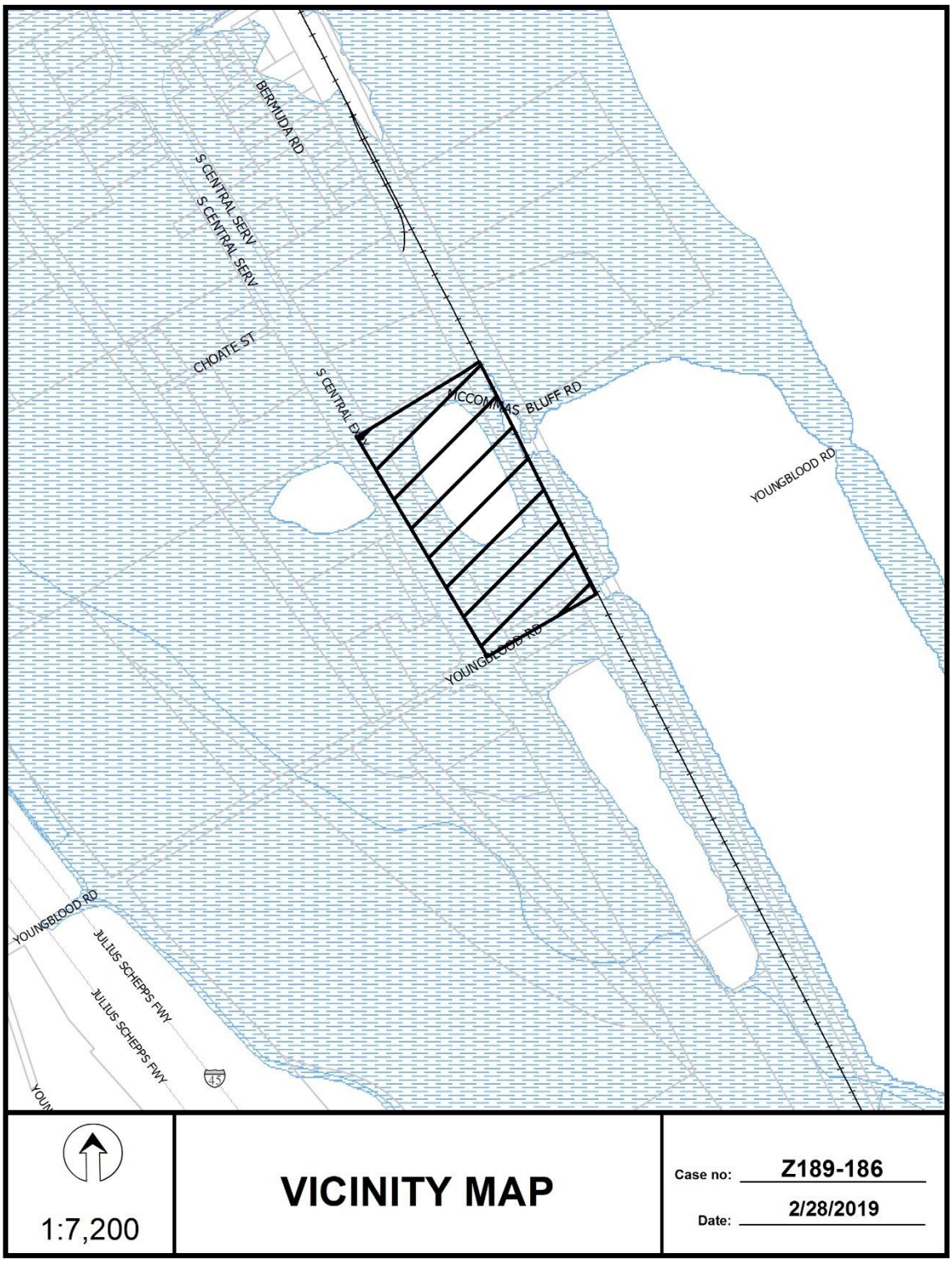
5. SCREENING: Provide screening in accordance with 51A-4.602(b).

6. MAINTENANCE: The property must be properly maintained in a state of good repair and neat appearance.

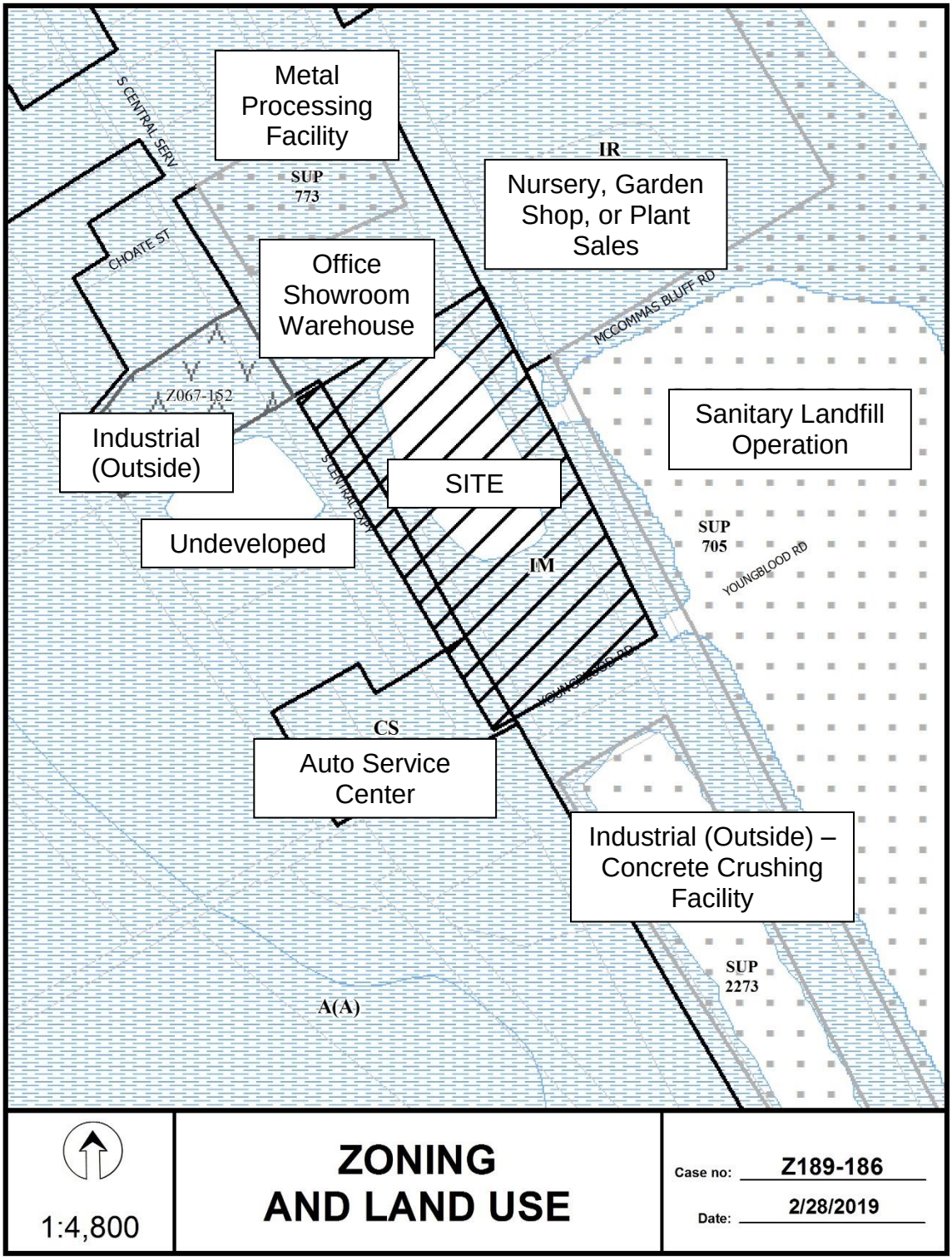
7. GENERAL REQUIREMENT: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules and regulations of the City of Dallas.

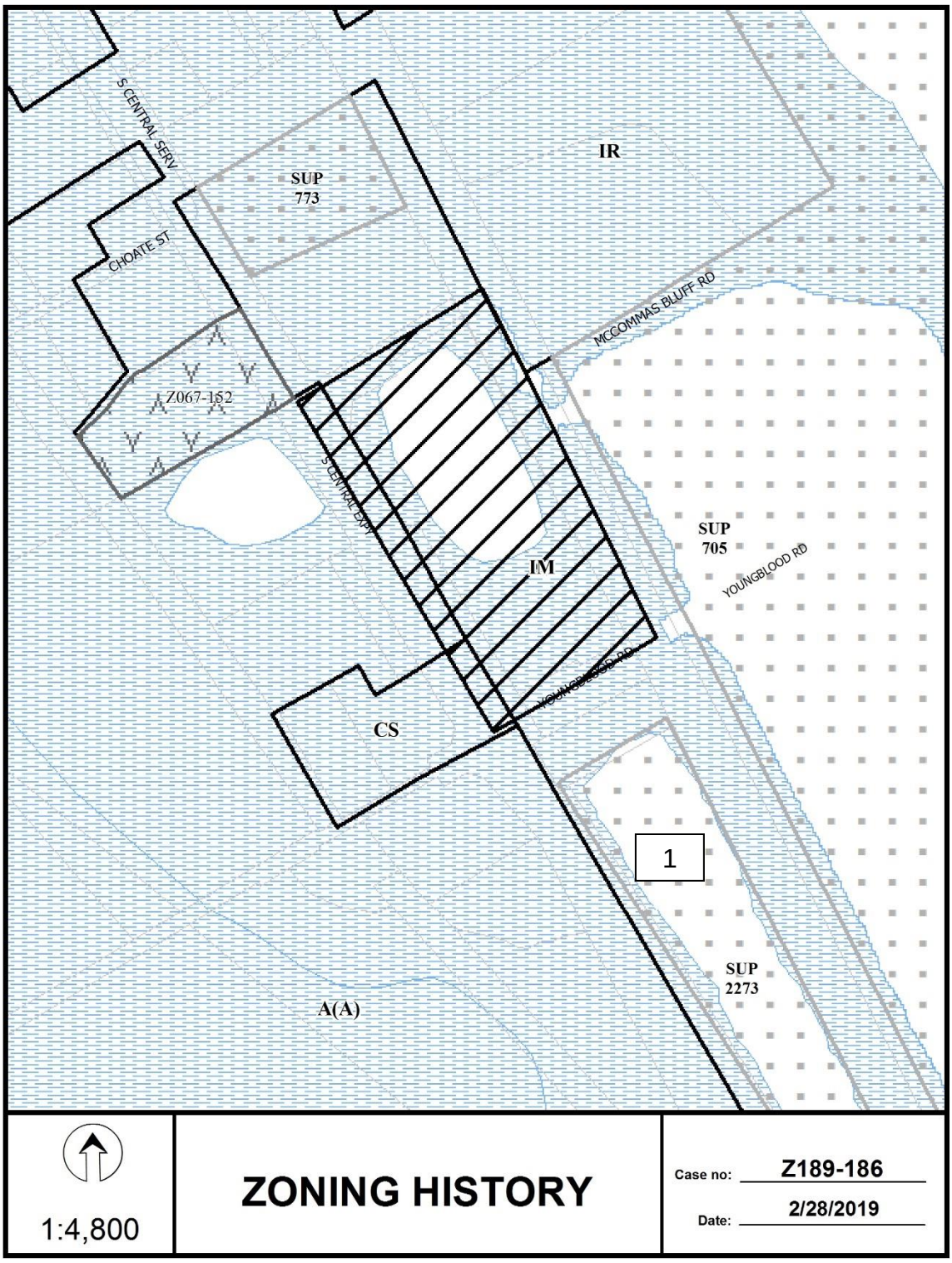
Proposed Site Plan

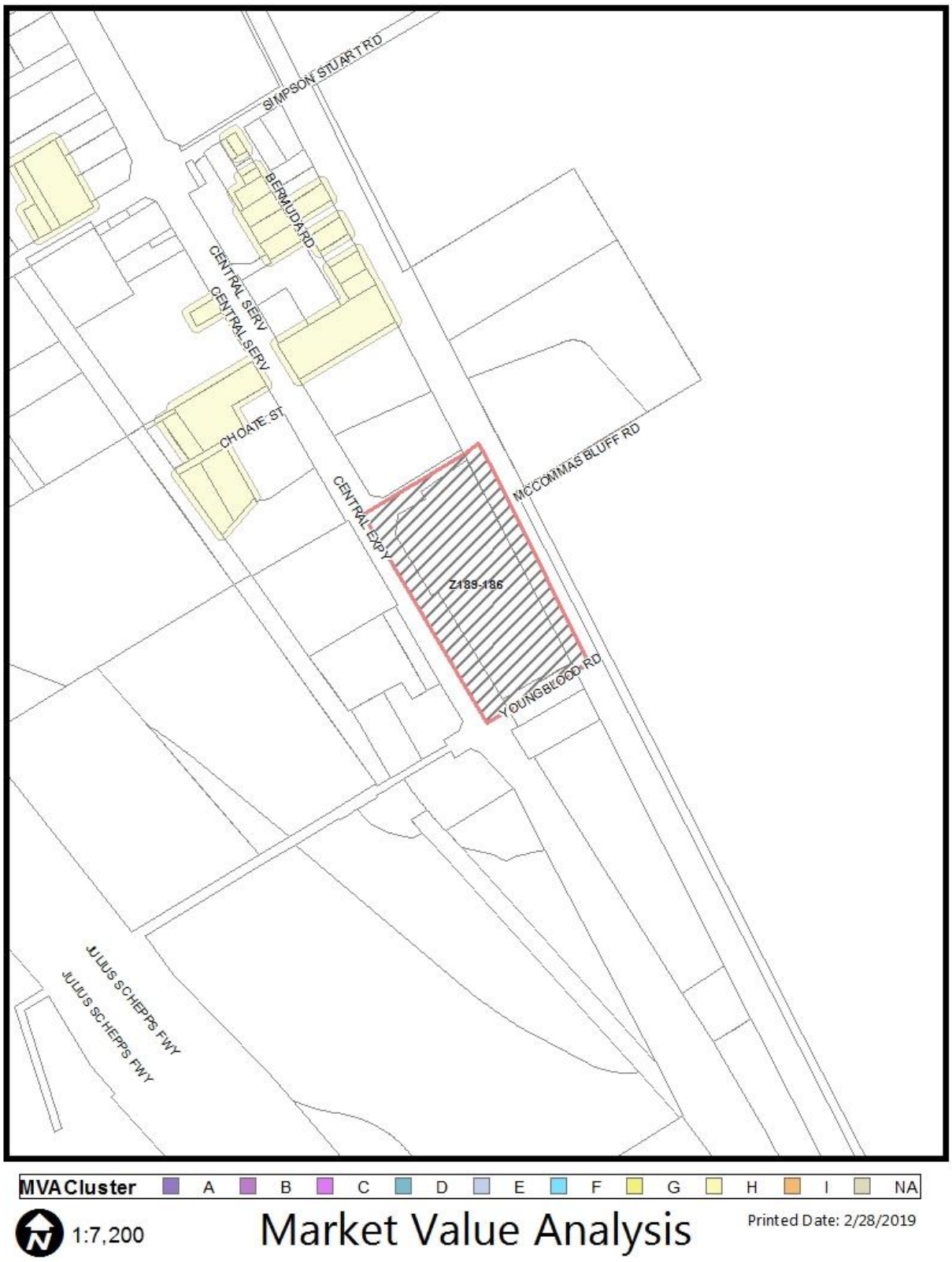



BERMUDA RD
S CENTRAL SERV
S CENTRAL SERV
CHOATE ST
S CENTRAL EXPY
PICCOMMAS BLUFF RD
YOUNGBLOOD RD
YOUNGBLOOD RD
YOUNGBLOOD RD
JULIUS SCHEPPS FWY
JULIUS SCHEPPS FWY
45
1:7,200
VICINITY MAP
Case no: Z189-186
Date: 2/28/2019


S CENTRAL SERV
S CENTRAL SERV
CHOATE ST
S CENTRAL EXPY
MCCOMMAS BLUFF RD
YOUNGBLOOD RD
YOUNGBLOOD RD
1:4,800
AERIAL MAP
Case no: Z189-186
Date: 2/28/2019


Metal Processing Facility
S CENTRAL SERV
SUP 773
IR
Nursery, Garden Shop, or Plant Sales
CHOATE ST
Office Showroom Warehouse
MCCOMMAS BLUFF RD
Z067-152
Industrial (Outside)
Sanitary Landfill Operation
S CENTRAL EXPY
SITE
SUP 705
Undeveloped
IM
YOUNGBLOOD RD
CS
Auto Service Center
Industrial (Outside) – Concrete Crushing Facility
SUP 2273
A(A)
1:4,800
ZONING AND LAND USE
Case no: Z189-186
Date: 2/28/2019


S CENTRAL SERV
SUP
773
IR
CHOATE ST
MCCOMMAS BLUFF RD
Z067-152
S CENTRAL EXPY
SUP
705
IM
YOUNGBLOOD RD
CS
1
SUP
2273
A(A)
1:4,800
ZONING HISTORY
Case no: Z189-186
Date: 2/28/2019



1:7,200

Market Value Analysis

Printed Date: 2/28/2019

CPC RESPONSES



05/01/2019

Reply List of Property Owners

Z189-186

15 Property Owners Notified ***3 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	2	9999	NO NAME ST	UNION PACIFIC RR CO
O	3	9500	S CENTRAL EXPY	DESEV INVESTMENT GROUP LLC
X	4	5543	MCCOMMAS BLUFF RD	CASA FLORA INC
	5	5453	MCCOMMAS BLUFF RD	ENVIRONMENTAL INVESTMENTS
	6	5200	SIMPSON STUART RD	FCC S A
	7	9506	S CENTRAL EXPY	EISENBERG INVESTMENTS CENTRAL
O	8	9550	S CENTRAL EXPY	ALVARADO DOUGLAS &
	9	9600	S CENTRAL EXPY	COMET AUTO SALVAGE INC
	10	9601	S CENTRAL EXPY	BROWN FAMILY LEWISVILLE RR FAMILY 1ST LP
	11	5305	YOUNGBLOOD RD	NICKS BIG TRUCK SALES
O	12	9651	S CENTRAL EXPY	NELAN COMPANY THE
	13	9701	S CENTRAL EXPY	COUNTY OF DALLAS
	14	9505	S CENTRAL EXPY	CCR EQUITY HOLDINGS ONC LLC
	15	9505	S CENTRAL EXPY	ALMIRA INDUSTRIAL & TRADING CORP & TRADING CORP

Agenda Information Sheet

File #: 19-810 **Item #:** 80.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the southwest corner of Great Trinity Forest Way (Loop 12) and Murdock Road

Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions

Z189-193(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z189-193(JM)	**DATE FILED:**	February 6, 2019
LOCATION:	Southwest corner of Great Trinity Forest Way (Loop 12) and Murdock Road		
COUNCIL DISTRICT:	8	**MAPSCO:**	58 Y
SIZE OF REQUEST:	±0.48 acres	**CENSUS TRACT:**	116.01

APPLICANT/OWNER: Enigma Enterprises Inc.

REPRESENTATIVE: Kendra Larach, Masterplan

REQUEST: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing convenience store [Texaco].

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store 3,500 square feet or less use, and a motor vehicle fueling station.

- The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property. The general merchandise use is permitted by right. The sale of alcoholic beverages on property in the D-1 Liquor Control Overlay requires a Specific Use Permit.

- On April 27, 2011, the City Council approved Specific Use No. 1844 for the sale of alcohol in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period with eligibility for automatic renewals for additional five-year periods subject to a site plan and conditions. The SUP was automatically renewed in 2013, and subsequently expired on April 27, 2018. This application was submitted on February 6, 2019, with the same operator under a different corporation.

Zoning History: There have been five zoning changes requested in the area within the last five years.

1. **Z167-221:** On April 11, 2018, the City Council approved Specific Use Permit No. 2286 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned Subdistrict 5 within Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 with a D-1 Liquor Control Overlay, located on the northwest corner of C.F. Hawn Freeway and Great Trinity Forest Way.

2. **Z167-268:** On August 9, 2017, the City Council approved the renewal of Specific Use Permit No. 2118 for vehicle display, sales and services on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District on the southwest side of C.F. Hawn Freeway, east of Murdock Road.

3. **Z156-309:** On January 25, 2017, the City Council approved Specific Use Permit No. 2228 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with D-1 Liquor Control Overlay, located on the northeast corner of Murdock Road and Elkton Circle, southwest of C.F. Hawn Freeway. *Expired January 25, 2019.*

4. **Z189-211:** An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, located on the northeast corner of Murdock Road and Elkton Circle, southwest of C.F. Hawn Freeway. *Previously held SUP No. 2228. Pending CPC.*

5. **Z189-203:** An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, located on the southwest corner of Great Trinity Forest Way, west of Murdock Road. *Pending CPC.*

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Great Trinity Forest Way (Loop 12)	Local	Variable width lane	Variable width lane
Murdock Road	Local	Variable width lane	Variable width lane

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and determined that the request will not have a negative impact on the existing street system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

URBAN DESIGN

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

Surrounding Land Uses:

	Zoning	Land Use
Site	RR-D-1	Fueling station and general merchandise store
Northwest	Subdistrict 5 w/in PD No. 533-D-1, SUP No. 2286	Fueling station, general merchandise store w/sale of alcoholic beverages, and restaurant
Northeast	RR-D-1	Hotel and vehicle display, sales, or service
Southeast	RR-D-1	Church
Southwest	RR-D-1	Fueling station, general merchandise store, and restaurant

Land Use Compatibility:

The request site is currently developed with a fueling station and general merchandise or food store 3,500 square feet or less.

The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property. The general merchandise use is permitted by right. The sale of alcoholic beverages on property in the D-1 Liquor Control Overlay requires a Specific Use Permit.

On April 27, 2011, the City Council approved Specific Use No. 1844 for the sale of alcohol in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period with eligibility for automatic renewals for additional five-year periods subject to a site plan and conditions. The SUP was automatically renewed in 2013 and subsequently expired on April 27, 2018. This application was submitted on February 6, 2019 with a new operator; however, the new operator under Enigma Enterprises Inc. has the same officer as the last operator, JPKP Enterprises Inc., Mr. Abdul Karim Pirani.

The adjacent uses consist of fueling stations with general merchandise or food stores, many with SUPs for the sale of alcoholic beverages, located to the northwest, southeast, and southwest; a restaurant to the northwest and southeast; hotel and vehicle display, sales, or service to the northeast; and, a church to the southwest. The church is greater than 300 feet away by front-door-to-front-door measurement; therefore, complying with the distance separation requirement.

The D-1 Liquor Control Overlay District requires an individual to obtain a Specific Use Permit to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises. The applicant is proposing the sale of alcoholic beverages for off-premise consumption.

According to TABC records, the site has maintained the required TABC license:

License #:	BQ779184		
Trade Name:	STAR FOOD & DELI		
Owner:	ENIGMA ENTERPRISES INC.		
Location Address:	8098 GREAT TRINITY FOREST WAY DALLAS , TX 75217	**Mailing Address:**	8098 GREAT TRINITY FOREST WAY DALLAS , TX 75217
County:	Dallas	**Orig. Issue Date:**	7/8/2011
Status:	Current	**Exp. Date:**	7/7/2019
		Wine Percent:	17
Location Phone No.:	2143910416		
Subordinates:			
Related To:		**Gun Sign:**	BLUE

A complaint was registered to TABC against the permit holder on April 28, 2015:

TEXAS ALCOHOLIC BEVERAGE COMMISSION

Texas Alcoholic Beverage Commission

Complaint Summary

Complaint No:	**2234588**				
License #:	**BQ779184**	**Trade Name:**	**Star Food & Deli**		
License Status:	Current	Street Address:	8098 Great Trinity Forest Way Dallas, TX 75217	Mailing Address:	8098 Great Trinity Forest Way Dallas, TX 75217
Orig. Lic Date:	07/08/2011				
Exp. Lic. Date:	07/07/2019	County:	Dallas	Country:	

Subject of Complaint

Received Date - Initial Allegation:	04/28/2015	Complaint Closed:	06/06/2015
Source: Citizen		Activity Class:	Investigations

Allegations

Code	Description
504	Sell/Serve/Dispense/Deliver AB To Minor

Criminal Violations Found

Citation #	Type	Vio Date	Description	Disposition

Administrative Violations Found

Notice #	Type	Vio Date	Description	Disposition

However, the investigation revealed no violation was found.

Complaint ID	CLP Number	Trade Name	Street Address	City	County	Received Date - Init Allegation	Vio Found
2234588	BQ779184	STAR FOOD & DELI	8098 GREAT TRINITY FOREST WAY	DALLAS	Dallas	4/28/2015	N

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually.

According to a reinspection done on March 25, 2019, the location failed the convenience store licensing requirements once again. However, the officer stated that the site has made significant strides towards compliance. The remaining issue is the term for maintaining video surveillance footage (30 days). At the time of the reinspection, the new surveillance system had been installed on March 14, 2019, and had been operated for just over 10 days. The officer was confident the 30-day requirement would be met by a future reinspection date.

The applicant's request, subject to the attached conditions and site plan, is consistent with the intent of the Dallas Development Code. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. While the area of request is not located within an identified MVA cluster, residential

properties to the northwest, east, and southeast are located within Category “H”. An area to the southwest is within Category “F”. Further to the northeast is Category “I”.

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area and 2 spaces for a motor vehicle fueling station. The development requires 16 spaces with 16 being provided per the attached site plan.

Landscaping:

Landscaping of any development will be in accordance with Article X, as amended. The proposed SUP will not require any additional landscaping since no new construction/additions are planned. However, the applicant has offered to add four crape myrtles to the site, along the Murdock Road frontage, as shown on the site plan.

Dallas Police Department:

A copy of a police report of the past five years of offenses was provided by the Dallas Police Department. According to the report, since 2014, there were 395 calls, 24 incidents, and 87 arrests. Staff contacted Community Prosecution due to the amount of crime reported. Staff discovered that a case had been opened in January 2019 due to multiple code violations. The applicant has been very responsive and corrected all code violations immediately. The case is set to be closed and Community Prosecution does not have any further issues at the site.

Offenses:

IncidentNum	OffIncident	Premise	Address	RA	Beat	Division	Sector	Date1	Time1	UCR_Offense	UCR_OffDesc
272112-2014	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Gas or Service Station	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	11/13/2014	12:30:00 AM	UUMV	AUTO THEFT - UUMV
286440-2014	UNAUTHORIZED USE OF MOTOR VEH - OTHER VEH	Parking Lot (All Others)	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	11/26/2014	3:30:00 PM	UUMV	AUTO THEFT - UUMV
040751-2015	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Parking Lot (All Others)	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	2/21/2015	11:30:00 AM	UUMV	AUTO THEFT - UUMV
109761-2015	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Gas or Service Station	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	5/15/2015	10:20:00 PM	UUMV	AUTO THEFT - UUMV
122212-2015	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Gas or Service Station	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	5/30/2015	1:50:00 AM	UUMV	AUTO THEFT - UUMV
150449-2015	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Convenience Store	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	6/30/2015	9:30:00 PM	UUMV	AUTO THEFT - UUMV

*No offense data available for 2016

IncidentNum	OffIncident	Premise	Address	RA	Beat	Division	Sector	Date1	Time1	NIBRS_Crime
REDACTED	ASSAULT -FAMILY VIOLENCE - BODILY INJURY ONLY	Motor Vehicle	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	5/20/2017	5:30:00 PM	SIMPLE ASSAULT
198322-2017	CREDIT CARD OR DEBIT CARD ABUSE	Gas or Service Station	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	7/10/2017	10:14:00 PM	CREDIT CARD/ ATM FRAUD
164542-2017	ASSAULT (AGG) -DEADLY WEAPON	Parking Lot (All Others)	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	7/20/2017	4:05:00 AM	AGG ASSAULT - NFV
206187-2017	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Gas or Service Station	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	9/8/2017	8:45:00 PM	UUMV
268930-2017	ROBBERY OF BUSINESS (AGG)	Gas or Service Station	8098 GREAT TRINITY FOREST WAY	4530	354	SOUTHEAST	350	11/26/2017	4:30:00 AM	ROBBERY-BUSINESS
268930-2017	ROBBERY OF BUSINESS (AGG)	Gas or Service Station	8098 GREAT TRINITY FOREST WAY	4530	354	SOUTHEAST	350	11/26/2017	4:30:00 AM	ROBBERY-BUSINESS
282324-2017	CRIM MISCHIEF >OR EQUAL $100 BUT <$750	Outdoor Area Public/Private	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	12/13/2017	12:36:00 AM	DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY
295658-2017	CRIM MISCHIEF >OR EQUAL $100 BUT <$750	Convenience Store	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	12/31/2017	2:58:00 AM	DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY
014837-2018	UNAUTHORIZED USE OF MOTOR VEH - TRUCK OR BUS	Gas or Service Station	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	1/20/2018	6:45:00 PM	UUMV
031283-2018	CRIM MISCHIEF >OR EQUAL $750 < $2,500	Restaurant/Food Service/TABC Location	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	2/11/2018	7:42:00 PM	DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY
075392-2018	POSS MARIJUANA >4OZ< OR EQUAL 5LBS	Parking (Business)	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	4/11/2018	3:00:00 AM	DRUG/ NARCOTIC VIOLATIONS
075392-2018	ASSAULT -BODILY INJURY ONLY	Gas or Service Station	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	4/11/2018	3:00:00 AM	SIMPLE ASSAULT
077420-2018	THEFT FROM PERSON	Gas or Service Station	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	4/13/2018	3:45:00 PM	ALL OTHER LARCENY
090138-2018	UNAUTHORIZED USE OF MOTOR VEH - TRUCK OR BUS	Parking (Business)	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	4/28/2018	4:00:00 AM	UUMV
144378-2018	ASSAULT (AGG) -DEADLY WEAPON	Gas or Service Station	8098 GREAT TRINITY FOREST WAY	2216	354	SOUTHEAST	350	7/3/2018	5:28:00 AM	AGG ASSAULT - NFV
189596-2018	ROBBERY OF INDIVIDUAL (AGG)	Gas or Service Station	8098 GREAT TRINITY FOREST WAY	4530	354	SOUTHEAST	350	8/26/2018	5:00:00 AM	ROBBERY-INDIVIDUAL
270830-2018	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Convenience Store	8098 GREAT TRINITY FOREST WAY	4530	354	SOUTHEAST	350	12/19/2018	5:45:00 AM	UUMV
272855-2018	POSS CONT SUB PEN GRP 1 <1G	Convenience Store	8098 GREAT TRINITY FOREST WAY	4530	354	SOUTHEAST	350	12/21/2018	9:41:00 PM	DRUG/ NARCOTIC VIOLATIONS

Arrests:

	A	B	C	D	E	F	G
1	ArrestNumber	ArArrestDate	ArArrestTime	ArLAddress	NIBRS_Crime	PClass	ChargeDesc
2	14-028369	7/1/2014	3:01:00 AM	8098 GREAT TRINITY FOREST WAY	APOWW	NA	APOWW (SOCIAL SERVICES REFERRAL)
3	14-029994	7/11/2014	7:30:00 PM	8098 GREAT TRINITY FOREST WAY	DRUG/ NARCOTIC VIOLATIONS	MA	POSS OF DANGEROUS DRUG
4	14-029999	7/11/2014	7:30:00 PM	8098 GREAT TRINITY FOREST WAY	DRUG/ NARCOTIC VIOLATIONS	FS	POSS CONT SUB PEN GRP 1 <1G
5	14-033482	8/2/2014	5:00:00 PM	8098 GREAT TRINITY FOREST WAY	APOWW	NA	APOWW (SOCIAL SERVICES REFERRAL)
6	14-033534	8/3/2014	1:45:00 AM	8098 GREAT TRINITY FOREST WAY	WEAPON LAW VIOLATIONS	MA	UNLAWFUL CARRYING WEAPON
7	14-033534	8/3/2014	1:45:00 AM	8098 GREAT TRINITY FOREST WAY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
8	14-034155	8/7/2014	1:50:00 AM	8098 GREAT TRINITY FOREST WAY	APOWW	NA	APOWW (SOCIAL SERVICES REFERRAL)
9	14-035428	8/14/2014	11:39:00 PM	8098 GREAT TRINITY FOREST WAY	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
10	14-036226	8/20/2014	4:15:00 AM	8098 GREAT TRINITY FOREST WAY	TRESPASS OF REAL PROPERTY	MB	CRIMINAL TRESPASS
11	15-009404	3/10/2015	9:03:00 PM	8098 GREAT TRINITY FOREST WAY	DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	MB	CRIM MISCHIEF > OR EQUAL $50 BUT < $500
12	15-009404	3/10/2015	9:03:00 PM	8098 GREAT TRINITY FOREST WAY	DISORDERLY CONDUCT	MC	DISORDERLY CONDUCT
13	15-009404	3/10/2015	9:03:00 PM	8098 GREAT TRINITY FOREST WAY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
14	15-009404	3/10/2015	9:03:00 PM	8098 GREAT TRINITY FOREST WAY	WARRANT-DALLAS PD (ALIAS)	NA	WARRANT-DALLAS PD (ALIAS)
15	15-029219	7/22/2015	3:50:00 AM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
16	15-036410	9/10/2015	1:20:00 AM	8098 GREAT TRINITY FOREST WY	DRUG/ NARCOTIC VIOLATIONS	FS	POSS CONT SUB PEN GRP 1 <1G
17	15-036416	9/10/2015	1:20:00 AM	8098 GREAT TRINITY FOREST WY	DRUG/ NARCOTIC VIOLATIONS	FS	POSS CONT SUB PEN GRP 1 <1G
18	15-036410	9/10/2015	1:20:00 AM	8098 GREAT TRINITY FOREST WY	DRUG/ NARCOTIC VIOLATIONS	FS	POSS CONT SUB PEN GRP 1 <1G
19	15-036416	9/10/2015	1:20:00 AM	8098 GREAT TRINITY FOREST WY	DRUG/ NARCOTIC VIOLATIONS	FS	POSS CONT SUB PEN GRP 1 <1G
20	15-036410	9/10/2015	1:20:00 AM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
21	15-036416	9/10/2015	1:20:00 AM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
22	15-036410	9/10/2015	1:20:00 AM	8098 GREAT TRINITY FOREST WY	WEAPON LAW VIOLATIONS	F3	UNLAWFUL POSS FIREARM BY FELON
23	15-036416	9/10/2015	1:20:00 AM	8098 GREAT TRINITY FOREST WY	WEAPON LAW VIOLATIONS	F3	UNLAWFUL POSS FIREARM BY FELON
24	15-036410	9/10/2015	1:20:00 AM	8098 GREAT TRINITY FOREST WY	TRAFFIC VIOLATION - NON HAZARDOUS	MB	TRAF VIO-WRONG FICT/ALTERED/OBSCURED VEH PLATE/REG
25	15-036416	9/10/2015	1:20:00 AM	8098 GREAT TRINITY FOREST WY	TRAFFIC VIOLATION - NON HAZARDOUS	MB	TRAF VIO-WRONG FICT/ALTERED/OBSCURED VEH PLATE/REG
26	15-039625	10/4/2015	1:59:00 AM	8098 GREAT TRINITY FOREST WY	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
27	15-039790	10/5/2015	12:56:00 PM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
28	15-039790	10/5/2015	12:56:00 PM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
29	15-039790	10/5/2015	12:56:00 PM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
30	15-041672	10/19/2015	4:40:00 PM	8099 GREAT TRINITY FOREST WY	WARRANT-DALLAS PD (ALIAS)	NA	WARRANT-DALLAS PD (ALIAS)
31	15-042462	10/25/2015	7:55:00 PM	8098 GREAT TRINITY FOREST WY	WARRANT-DALLAS PD (CAPIAS)	NA	WARRANT-DALLAS PD (CAPIAS)
32	16-002328	1/18/2016	7:30:00 PM	8098 GREAT TRINITY FOREST WY	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
33	16-015142	4/10/2016	4:55:00 AM	8098 GREAT TRINITY FOREST WY	TRESPASS OF REAL PROPERTY	MB	CRIMINAL TRESPASS
34	16-017529	4/24/2016	2:45:00 AM	8098 GREAT TRINITY FOREST WY	DUI	MB	DWI
35	16-025649	6/10/2016	1:00:00 PM	8098 GREAT TRINITY FOREST WY	FALSE PRETENSES/ SWINDLE/ CONFIDENCE GAME	MA	FAIL TO ID -FUGITIVE INTENT GIVE FALSE INFO
36	16-025649	6/10/2016	1:00:00 PM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
37	16-025649	6/10/2016	1:00:00 PM	8098 GREAT TRINITY FOREST WY	WARRANT-DALLAS PD (ALIAS)	NA	WARRANT-DALLAS PD (ALIAS)
38	16-031202	7/16/2016	8:30:00 PM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
39	16-031202	7/16/2016	8:30:00 PM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
40	16-033331	8/1/2016	2:10:00 AM	8098 GREAT TRINITY FOREST WY	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
41	16-035841	8/18/2016	3:45:00 PM	8098 GREAT TRINITY FOREST WY	DRUG/ NARCOTIC VIOLATIONS	FS	POSS CONT SUB PEN GRP 1 <1G
42	16-035841	8/18/2016	3:45:00 PM	8098 GREAT TRINITY FOREST WY	DRUG/ NARCOTIC VIOLATIONS	MB	POSS MARIJUANA <2OZ
43	16-035841	8/18/2016	3:45:00 PM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
44	16-036449	8/22/2016	5:39:00 PM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
45	16-036449	8/22/2016	5:39:00 PM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
46	16-036449	8/22/2016	5:39:00 PM	8098 GREAT TRINITY FOREST WY	WARRANT-DALLAS PD (CAPIAS)	NA	WARRANT-DALLAS PD (CAPIAS)
47	16-037374	8/28/2016	8:30:00 PM	8098 GREAT TRINITY FOREST WY	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
48	16-038371	9/4/2016	4:20:00 AM	8098 GREAT TRINITY FOREST WY	UUMV	FS	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE
49	16-038369	9/4/2016	4:15:00 AM	8098 GREAT TRINITY FOREST WY	UUMV	FS	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE
50	16-038371	9/4/2016	4:20:00 AM	8098 GREAT TRINITY FOREST WY	DRUG/ NARCOTIC VIOLATIONS	FS	POSS CONT SUB PEN GRP 1 <1G
51	16-038369	9/4/2016	4:15:00 AM	8098 GREAT TRINITY FOREST WY	DRUG/ NARCOTIC VIOLATIONS	FS	POSS CONT SUB PEN GRP 1 <1G
52	16-038371	9/4/2016	4:20:00 AM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
53	16-038369	9/4/2016	4:15:00 AM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
54	16-038371	9/4/2016	4:20:00 AM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
55	16-038369	9/4/2016	4:15:00 AM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
56	16-050278	11/29/2016	2:00:00 AM	8098 GREAT TRINITY FOREST WY	TRESPASS OF REAL PROPERTY	MB	CRIMINAL TRESPASS
57	16-050278	11/29/2016	2:00:00 AM	8098 GREAT TRINITY FOREST WY	ALL OTHER OFFENSES	M*	OTHER OFFENSE - MISDEMEANOR
58	16-050278	11/29/2016	2:00:00 AM	8098 GREAT TRINITY FOREST WY	WARRANT-DALLAS PD (ALIAS)	NA	WARRANT-DALLAS PD (ALIAS)
59	16-053738	12/27/2016	6:45:00 AM	8098 GREAT TRINITY FOREST WY	TRESPASS OF REAL PROPERTY	MB	CRIMINAL TRESPASS
60	17-004112	1/31/2017	5:58:00 PM	8098 GREAT TRINITY FOREST WY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
61	17-005376	2/8/2017	10:41:00 PM	8098 GREAT TRINITY FOREST WY	TRESPASS OF REAL PROPERTY	MB	CRIMINAL TRESPASS
62	17-012129	3/25/2017	11:52:00 PM	8098 GREAT TRINITY FOREST WY	APOWW	NA	APOWW (SOCIAL SERVICES REFERRAL)
63	17-020463	5/19/2017	3:00:00 AM	8098 GREAT TRINITY FOREST WY	WARRANT-DALLAS PD (CAPIAS)	NA	WARRANT-DALLAS PD (CAPIAS)
64	17-029058	7/14/2017	9:45:00 PM	8098 GREAT TRINITY FOREST WY	TRESPASS OF REAL PROPERTY	MB	CRIMINAL TRESPASS
65	17-032996	8/11/2017	11:18:00 AM	8098 GREAT TRINITY FOREST WY	TRESPASS OF REAL PROPERTY	MB	CRIMINAL TRESPASS
66	17-036651	9/6/2017	10:55:00 AM	8098 GREAT TRINITY FOREST WY	TRESPASS OF REAL PROPERTY	MB	CRIMINAL TRESPASS
67	17-039459	9/26/2017	1:41:00 AM	8098 GREAT TRINITY FOREST WY	TRESPASS OF REAL PROPERTY	MB	CRIMINAL TRESPASS
68	17-039459	9/26/2017	1:41:00 AM	8098 GREAT TRINITY FOREST WY	ALL OTHER OFFENSES	MA	EVADING ARREST DETENTION
69	17-047543	11/26/2017	1:40:00 AM	8098 GREAT TRINITY FOREST WAY	DRUG/ NARCOTIC VIOLATIONS	FS	POSS CONT SUB PEN GRP 1 <1G
70	17-047543	11/26/2017	1:40:00 AM	8098 GREAT TRINITY FOREST WAY	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
71	17-047543	11/26/2017	1:40:00 AM	8098 GREAT TRINITY FOREST WAY	ALL OTHER OFFENSES	M*	OTHER OFFENSE - MISDEMEANOR
72	17-047668	11/27/2017	1:30:00 AM	8098 GREAT TRINITY FOREST WY	TRESPASS OF REAL PROPERTY	MB	CRIMINAL TRESPASS
73	18-005547	2/21/2018	12:05:00 AM	8098 GREAT TRINITY FOREST WAY	TRESPASS OF REAL PROPERTY	MB	CRIMINAL TRESPASS
74	18-005547	2/21/2018	12:05:00 AM	8098 GREAT TRINITY FOREST WAY	ALL OTHER OFFENSES	M*	OTHER OFFENSE - MISDEMEANOR
75	18-009992	3/26/2018	12:01:00 PM	8098 GREAT TRINITY FOREST WAY	TRESPASS OF REAL PROPERTY	MB	CRIMINAL TRESPASS
76	18-011917	4/11/2018	4:00:00 AM	8098 GREAT TRINITY FOREST WAY	SIMPLE ASSAULT	MA	ASSAULT -BODILY INJURY ONLY
77	18-011917	4/11/2018	4:00:00 AM	8098 GREAT TRINITY FOREST WAY	DRUG/ NARCOTIC VIOLATIONS	FS	POSS MARIJUANA >4OZ< OR EQUAL 5LBS
78	18-011917	4/11/2018	4:00:00 AM	8098 GREAT TRINITY FOREST WAY	DRUG/ NARCOTIC VIOLATIONS	MA	POSS CONT SUB PEN GRP 3 < 28G
79	18-011917	4/11/2018	4:00:00 AM	8098 GREAT TRINITY FOREST WAY	DRUG/ NARCOTIC VIOLATIONS	MA	POSS CONT SUB PEN GRP 3 < 28G
80	18-011917	4/11/2018	4:00:00 AM	8098 GREAT TRINITY FOREST WAY	ALL OTHER OFFENSES	MA	EVADING ARREST DETENTION
81	18-011917	4/11/2018	4:00:00 AM	8098 GREAT TRINITY FOREST WAY	ALL OTHER OFFENSES	MA	FAIL TO ID -FUGITIVE INTENT GIVE FALSE INFO
82	18-011917	4/11/2018	4:00:00 AM	8098 GREAT TRINITY FOREST WAY	WARRANT HOLD (OUTSIDE AGENCY)	NA	WARRANT HOLD (OUTSIDE AGENCY)
83	18-014571	4/26/2018	4:08:00 PM	8098 GREAT TRINITY FOREST WAY	APOWW	NA	APOWW (SOCIAL SERVICES REFERRAL)
84	18-017061	5/22/2018	1:04:00 AM	8098 GREAT TRINITY FOREST WAY	ROBBERY-BUSINESS	F2	ROBBERY OF BUSINESS
85	18-017067	5/22/2018	2:00:00 AM	8098 GREAT TRINITY FOREST WAY	SIMPLE ASSAULT	MC	ASSAULT -OFFENSIVE CONTACT
86	18-017067	5/22/2018	2:00:00 AM	8098 GREAT TRINITY FOREST WAY	WARRANT-DALLAS PD (ALIAS)	NA	WARRANT-DALLAS PD (ALIAS)
87	18-034734	9/26/2018	1:25:00 AM	8098 GREAT TRINITY FOREST WAY	PUBLIC INTOXICATION	MC	PUBLIC INTOXICATION
88	18-044655	12/21/2018	10:30:00 PM	8098 GREAT TRINITY FOREST WAY	DRUG/ NARCOTIC VIOLATIONS	FS	POSS CONT SUB PEN GRP 1 <1G

CPC Action
May 2, 2019

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less for a two-year period, subject to a site plan and conditions on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the southwest corner of Great Trinity Forest Way (Loop 12) and Murdock Road.

Maker: Lewis
Second: Shidid
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 7
Replies: For: 2 Against: 0

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Kendra Larach, 900 Jackson St., Dallas, TX, 75202
For (Did not speak): Abdul Pirani, 1525 Inwood Rd., TX, 75247
John Kurree, 8098 Great Trinity Forest Way, Dallas, TX, 75217
Against: None

LIST OF OFFICERS
Enigma Enterprises Inc.

- Abdul Karim Pirani President

CPC Recommended
PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store 3,500 square feet or less.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC Recommendation:

3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance).

Staff Recommendation and Applicant Request:

3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).

4. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

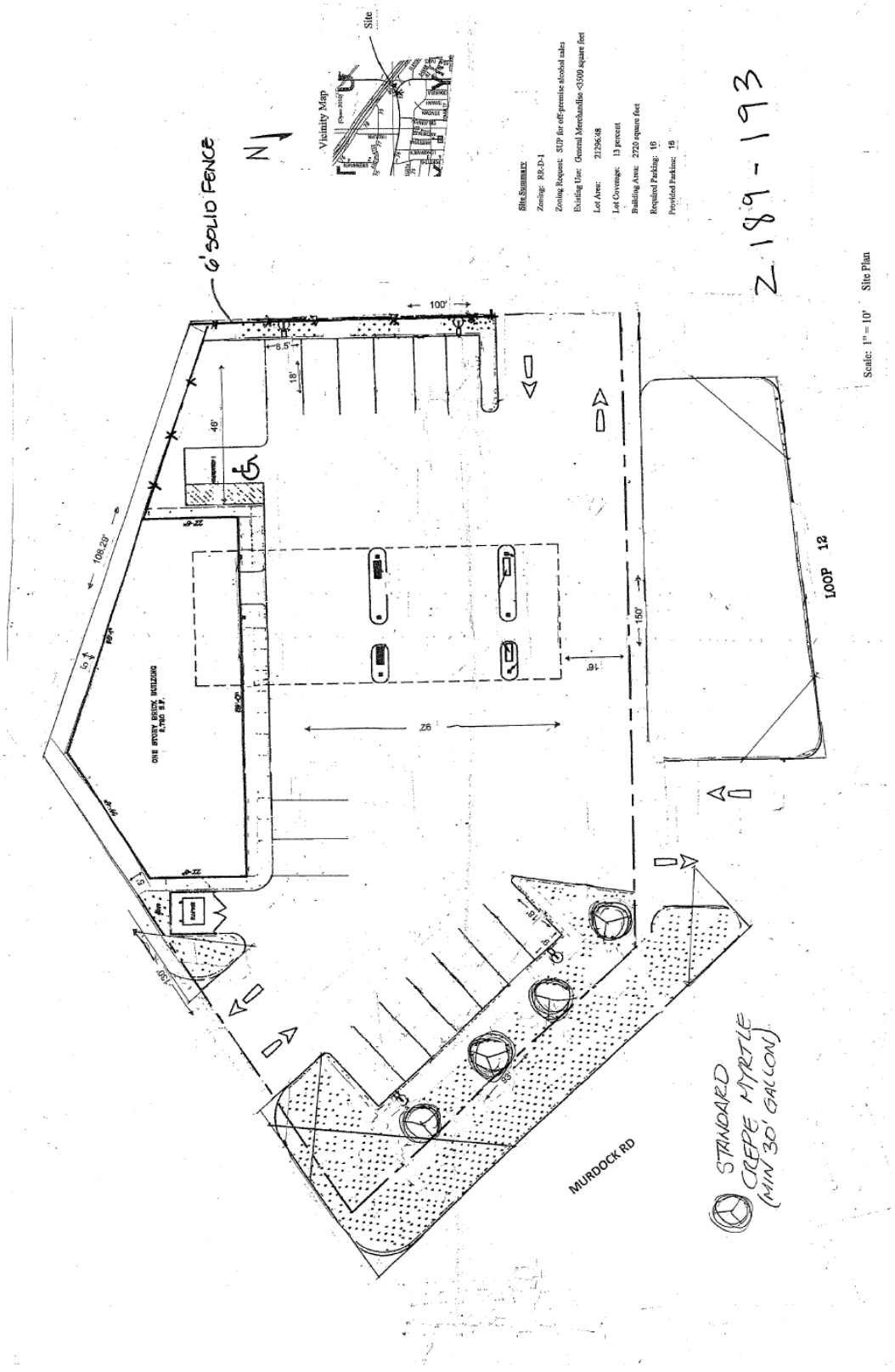
5. PARKING: Off-street parking must be located as shown on the attached site plan.

6. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended. In addition, four crape myrtles must be planted in the location shown on the attached site plan.

7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

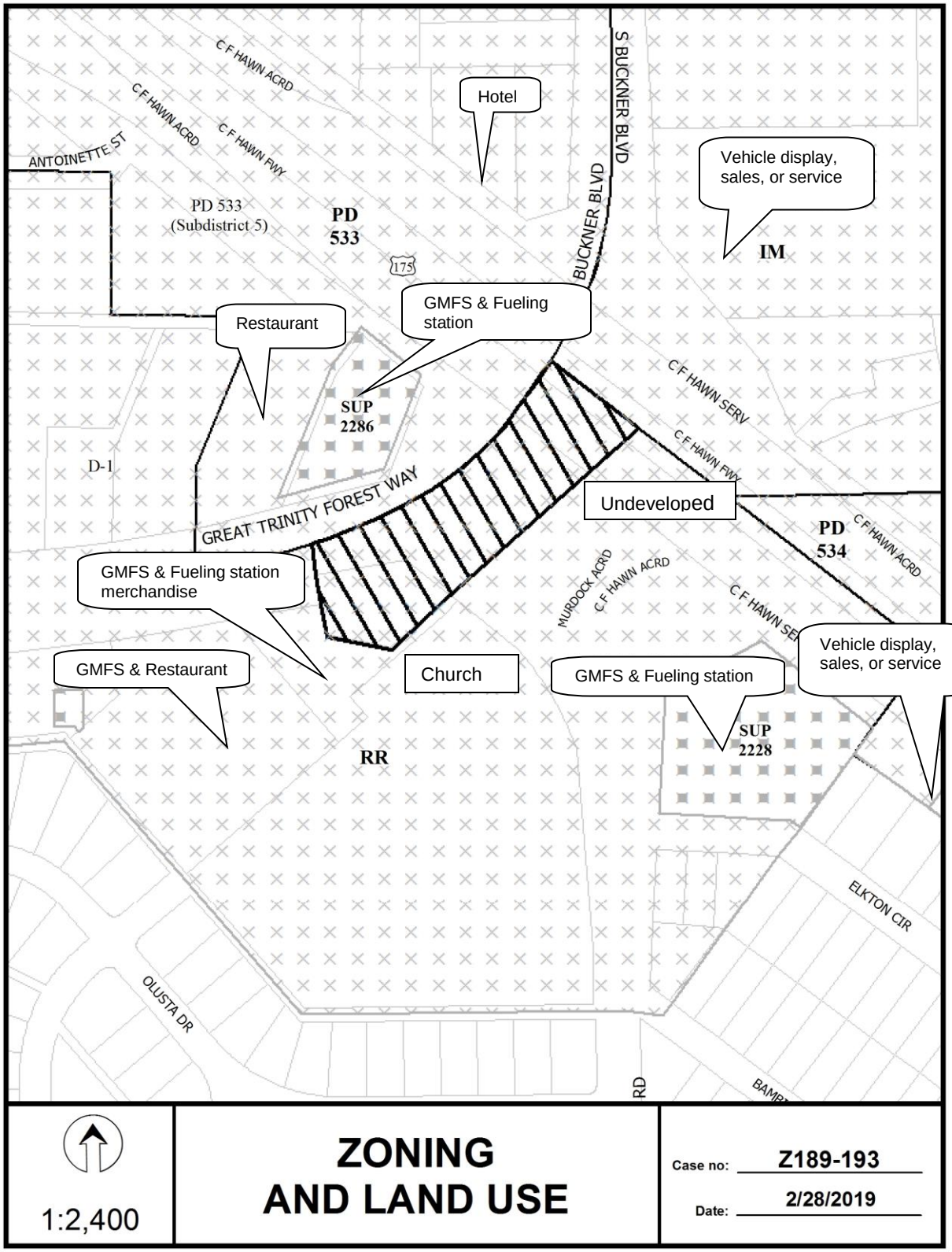
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

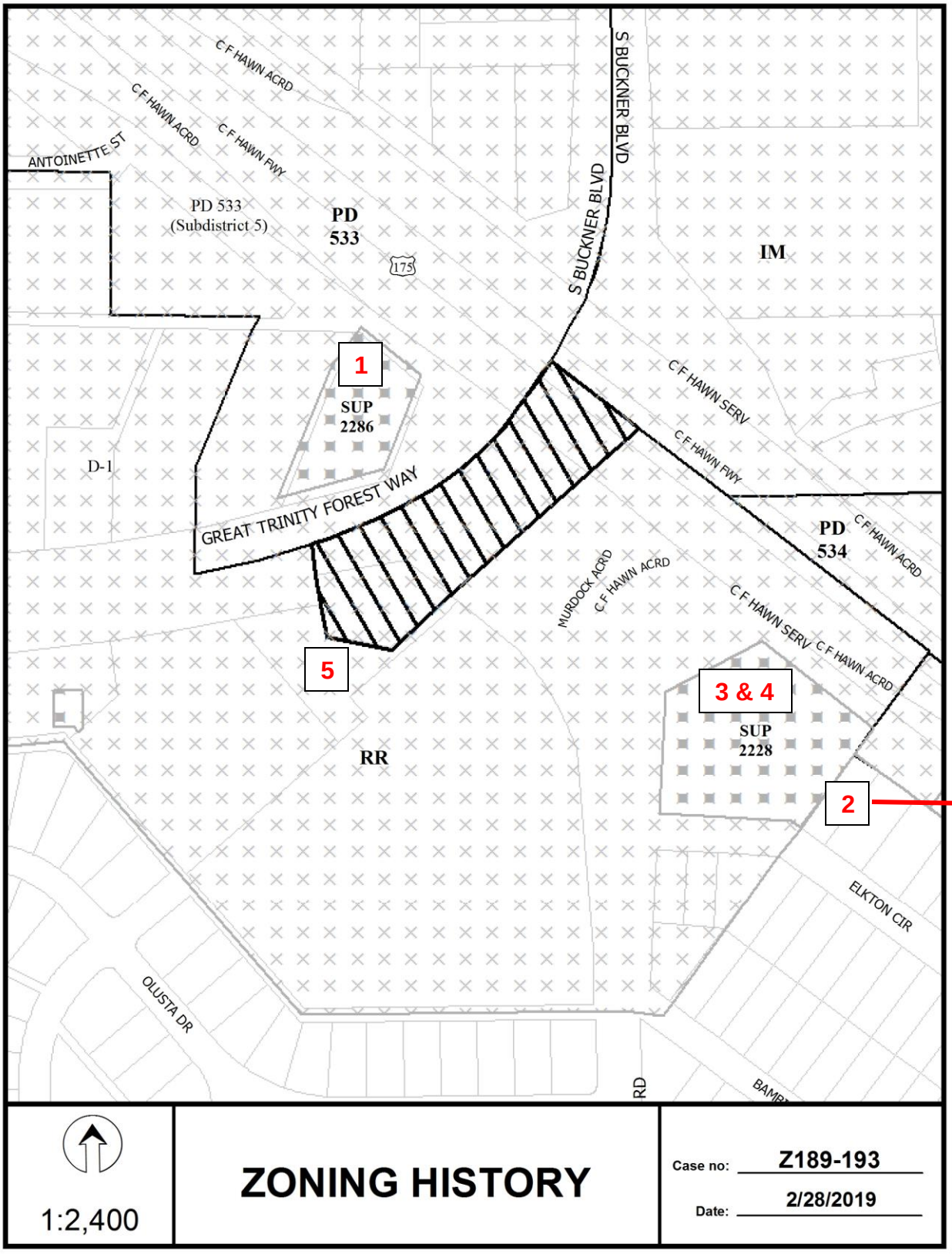
PROPOSED SITE PLAN

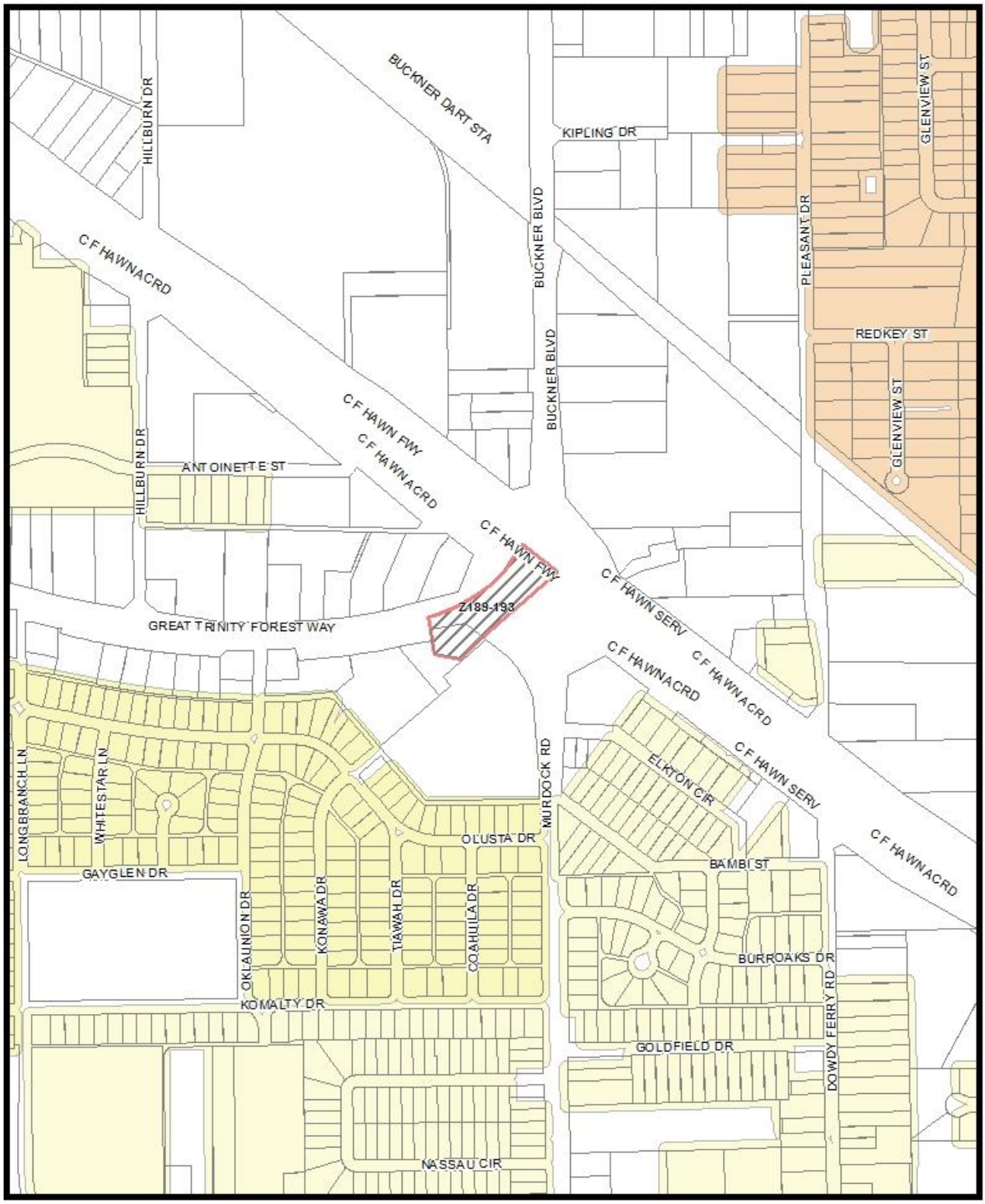



KIPLING DR
HILLBURN DR
C F HAWN ACRD
C F HAWN ACRD
S BUCKNER BLVD
PLEASANT DR
GLENVIEW ST
REDKEY ST
GLENVIEW ST
C F HAWN ACRD
C F HAWN ACRD
HILLBURN DR
ANTOINETTE ST
C F HAWN FWY
C F HAWN SERV
175
GREAT TRINITY FOREST WAY
C F HAWN ACRD
C F HAWN ACRD
C F HAWN FWY
C F HAWN SERV
ELKTON CIR
C F HAWN ACRD
WHITESTAR LN
OLUSTA DR
BAMBI ST
GAYGLEN DR
Blair
OKLAUNION DR
KONAWA DR
TIAWAH DR
COAHUILA DR
BURROAKS DR
KOMALTY DR
MURDOCK RD
DOWDY FERRY RD
GOLDFIELD DR
N NASSAU CIR
S NASSAU CIR
1:6,000
VICINITY MAP
Case no: Z189-193
Date: 2/28/2019


C F HAWN ACRD
C F HAWN ACRD
C F HAWN FWY
ANTOINETTE ST
175
S BUCKNER BLVD
S BUCKNER BLVD
C F HAWN SERV
C F HAWN FWY
C F HAWN ACRD
GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY
MURDOCK ACRD
C F HAWN ACRD
C F HAWN SERV
C F HAWN ACRD
ELKTON CIR
QUESTA DR
MURDOCK RD
1:2,400
AERIAL MAP
Case no: Z189-193
Date: 2/28/2019


C F HAWN ACRD
C F HAWN ACRD
C F HAWN FWY
ANTOINETTE ST
PD 533
(Subdistrict 5)
PD
533
Hotel
S BUCKNER BLVD
BUCKNER BLVD
Vehicle display, sales, or service
IM
175
Restaurant
GMFS & Fueling station
SUP
2286
C F HAWN SERV
C F HAWN FWY
D-1
GREAT TRINITY FOREST WAY
Undeveloped
PD
534
C F HAWN ACRD
GMFS & Fueling station merchandise
MURDOCK ACRD
C F HAWN ACRD
C F HAWN SERV
Vehicle display, sales, or service
GMFS & Restaurant
Church
GMFS & Fueling station
SUP
2228
RR
ELKTON CIR
OLUSTA DR
RD
1:2,400
ZONING
AND LAND USE
Case no: Z189-193
Date: 2/28/2019


C F HAWN ACRD
C F HAWN ACRD
C F HAWN FWY
ANTOINETTE ST
PD 533
(Subdistrict 5)
PD
533
175
S BUCKNER BLVD
S BUCKNER BLVD
IM
1
SUP
2286
C F HAWN SERV
C F HAWN FWY
D-1
GREAT TRINITY FOREST WAY
PD
534
C F HAWN ACRD
MURDOCK ACRD
C F HAWN ACRD
C F HAWN SERV
C F HAWN ACRD
5
3 & 4
SUP
2228
RR
2
ELKTON CIR
OLUSTA DR
RD
1:2,400
ZONING HISTORY
Case no: Z189-193
Date: 2/28/2019


BUCKNER DART STA
KIPLING DR
HILLBURN DR
C F HAWNACRD
BUCKNER BLVD
PLEASANT DR
GLENVIEW ST
REDKEY ST
C F HAWN FWY
ANTOINETTE ST
Z189-193
GREAT TRINITY FOREST WAY
C F HAWN SERV
MURDOCK RD
ELKTON CIR
BAMBI ST
LONGBRANCH LN
WHITESTAR LN
GAYGLEN DR
OLUSTA DR
OKLAUNION DR
KONAWA DR
TIAWAH DR
COAHUILA DR
KOMALTY DR
BURROAKS DR
GOLDFIELD DR
DOWDY FERRY RD
NASSAU CIR
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 2/28/2019

CPC RESPONSES



05/01/2019

Reply List of Property Owners

Z189-193

7 Property Owners Notified ***2 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*	*Owner*	
O	1	8098	GREAT TRINITY FOREST WAY	ENIGMA ENTERPRISES INC
O	2	8000	GREAT TRINITY FOREST WAY	R & R SULEIMAN LLC
	3	7932	GREAT TRINITY FOREST WAY	KIMODALE INC
	4	121	MURDOCK RD	UNITED HOUSE OF PRAYER
	5	8015	C F HAWN FWY	DFW DISTRIBUTOR PETROLEUM INC
	6	8055	GREAT TRINITY FOREST WAY	BENJAMIN FRANKLIN FEDERAL
	7	7900	GREAT TRINITY FOREST WAY	COLE FD PORTFOLIO IV LLC

Agenda Information Sheet

File #: 19-811 **Item #:** 81.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the northeast corner of Murdock Road and Elkton Circle, southwest of C.F. Hawn Freeway
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions
Z189-211(PD)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER: Z189-211(PD) **DATE FILED:** February 22, 2019

LOCATION: Northeast corner of Murdock Road and Elkton Circle, southwest of C.F. Hawn Freeway

COUNCIL DISTRICT: 8 **MAPSCO:** 58 Y

SIZE OF REQUEST: ± 1.68 acres **CENSUS TRACT:** 116.02

APPLICANT/OWNER: Sikka Investments 2, LLC

REPRESENTATIVE: La Sierra Planning Group, Santos Martinez

REQUEST: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of the request is to sell alcoholic beverages for off-premise consumption in the existing convenience store [Fox Fuels].

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The 1.658-acre site is developed with a 10,249-square-foot, one-story building of which 4,568 square feet is a convenience store that sells alcoholic beverages. Additional uses in operation and allowed by right are a restaurant, motor vehicle fueling station, and a laundromat.

- On January 25, 2017, the City Council approved a request for Specific Use Permit No. 2228 for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet for a two-year period. While the SUP expired on January 25, 2019, the application requesting a new SUP was filed on February 22, 2019.

- On April 19, 2019 the site passed the inspection to receive its Chapter 12B license. The site is currently in compliance with Chapter 12B with an expiration date of April 19, 2020.

Zoning History: There have been four zoning requests in the area within the last five years.

1. **Z167-221:** On April 11, 2018, the City Council approved Specific Use Permit No. 2286 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned Subdistrict 5 within Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 with a D-1 Liquor Control Overlay, located on the northwest corner of C.F. Hawn Freeway and Great Trinity Forest Way.

2. **Z167-268:** On August 9, 2017, the City Council approved the renewal of Specific Use Permit No. 2118 for vehicle display, sales and services on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District on the southwest side of C.F. Hawn Freeway, east of Murdock Road.

3. **Z156-309:** On January 25, 2017, the City Council approved Specific Use Permit No. 2228 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with D-1 Liquor Control Overlay, located on the northeast corner of Murdock Road and Elkton Circle, southwest of C.F. Hawn Freeway.

4. **Z189-203:** An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, located on the southwest corner of Great Trinity Forest Way, west of Murdock Road. Pending CPC.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
CF Hawn Freeway	Freeway	Variable
Murdock Road	Principal Arterial	160 ft.
Elkton Circle	Local	60 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the existing roadway system.

Land Use:

	Zoning	Land Use
Site	RR-D-1	General merchandise, Retail and personal service
Northeast	IM & PD No. 534	C. F. Hawn Freeway
Southeast	Subdistrict 1 within PDD No. 534, R-7.5(A)	Single Family & undeveloped
Southwest	RR-D-1	Church
Northwest	RR-D-1	Undeveloped

COMPREHENSIVE PLAN:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The following goals and policies support the proposed request:

LAND USE ELEMENT

Goal 1.1 Align Land Use Strategies with Economic Development Priorities

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

STAFF ANALYSIS:

Land Use Compatibility:

The request site is currently development with a 10,249-square-foot, one-story building of which 4,568 square feet is developed with a convenience store that proposes to sale alcoholic beverages. Additional uses in operation and allowed by right are a restaurant, motor vehicle fueling station, and a laundromat.

The request site is adjacent to single family and undeveloped uses to the southeast. Surrounding uses are C. F. Hawn Freeway to the northeast; an undeveloped tract to the northwest; and a church use to the southwest.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits

A separate certificate of registration to comply with Chapter 12B is required for a convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually. The Dallas Police Department has determined that the request site meets the standards in Chapter 12B.

Even though the proposed use is adjacent to single family residential, the property has maintained a required landscape buffer and a solid fence along the property line to mitigate any potential negative effects of the proposed use. The proposed use is compatible with the surrounding uses as there are some restaurants, a church, retail uses, and residential development in the area. The proposed use will continue to provide alternative shopping options for the area.

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. Staff supports the proposed five-year time period with eligibility of automatic renewals for additional five-year periods because the use is compatible in this location and in compliance with Chapter 12B Convenience Store registration requirements, which the operator has maintained in good standing.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, it is surrounded by "G" MVA clusters to the southwest and "H" MVA clusters to the southeast.

Parking:

Pursuant to §51A-4.204 of the Dallas Development Code, the off-street parking requirement for a laundromat, and a convenience store is one space per 200 square foot; these uses will require 46 parking spaces. The motor vehicle fueling station requires two parking spaces. The restaurant use is required to have one space per 100 square foot requiring 11 parking spaces for the restaurant. The total required parking spaces for the proposed uses is 59 spaces. The applicant is providing 60 off-street parking spaces, as depicted on the site plan.

Landscaping:

Landscaping must be provided in accordance with Article X, as amended of the Dallas Development Code. However, the landscape ordinance will not be triggered as no new development is proposed.

Crime Statistics:

Crime statistics covering the period from June 10, 2017 to April 15, 2019 follows. The crime statistics reflect 169 calls, 10 offenses, and 21 arrests within a two year period.

Calls:

Master_Incident_Number	Response_Date	Response_Time	Watch	Jurisdiction	MDivision	MSector	MBeat	MRA	Problem	Priority_Description	Location_Name	Address	City	State
17-1104632	6/10/2017	9:44:00 PM	3	Dallas Police	Southeast	350	354	4530	32 - Suspicious Person	2 - Urgent	FOX GAS STATION	Murdock Rd / Great Trinity Forest Way	Dallas	TX
17-1810054	9/22/2017	7:01:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent		180 Murdock Rd	Dallas	TX
17-1820352	9/24/2017	5:48:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX FUELS	180 Murdock Rd	Dallas	TX
17-1823349	9/24/2017	5:43:00 PM	3	Dallas Police	Southeast	350	354	2216	6XE - Disturbance Emergency	1 - Emergency	BOOST MOBILE	180 Murdock Rd	Dallas	TX
17-1819240	9/24/2017	12:57:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX FUELS	180 Murdock Rd	Dallas	TX
17-1852088	9/29/2017	6:36:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX SERVICE STATION	180 Murdock Rd	Dallas	TX
17-1858329	9/30/2017	12:39:00 AM	1	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	fox gas station	180 Murdock Rd	Dallas	TX
17-1871102	10/1/2017	9:36:00 PM	3	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX STATION	180 Murdock Rd	Dallas	TX
17-1886712	10/4/2017	8:51:00 AM	2	Dallas Police	Southeast	350	354	4530	40 - Other	3 - General Service	FOX GAS STATION	108 Murdock Rd	Dallas	TX
17-1905614	10/6/2017	11:08:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX STATION	180 Murdock Rd	Dallas	TX
17-1912829	10/7/2017	11:27:00 PM	3	Dallas Police	Southeast	350	354	2216	40/01 - Other	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-1933425	10/11/2017	3:09:00 AM	1	Dallas Police	Southeast	350	354	2216	6XE - Disturbance Emergency	1 - Emergency	fox gas	180 Murdock Rd	Dallas	TX
17-1933911	10/11/2017	6:59:00 AM	1	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	fox gas station	180 Murdock Rd	Dallas	TX
17-1939992	10/12/2017	2:56:00 AM	1	Dallas Police	Southeast	350	354	2216	**PD Requested by Fire	2 - Urgent	FOX STORE	180 Murdock Rd	Dallas	TX
17-1946200	10/12/2017	11:59:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX FUELS	180 MURDOCK RD	Dallas	TX
17-1994237	10/20/2017	12:45:00 AM	1	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	fox store	180 Murdock Rd	Dallas	TX
17-1995113	10/20/2017	5:42:00 AM	1	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	fox gas station	180 Murdock Rd	Dallas	TX
17-2002544	10/21/2017	5:11:00 AM	1	Dallas Police	Southeast	350	354	2216	40/01 - Other	2 - Urgent	FOX	180 Murdock Rd	Dallas	TX
17-2020853	10/23/2017	7:51:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent		180 Murdock Rd	Dallas	TX
17-2021039	10/23/2017	8:23:00 PM	3	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service		180 Murdock Rd	Dallas	TX
17-2017927	10/23/2017	12:14:00 PM	2	Dallas Police	Southeast	350	354	2216	OADS - Open Air Drug Sales	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2046142	10/27/2017	5:14:00 PM	3	Dallas Police	Southeast	350	354	2216	PH - Panhandler	4 - Non Critical		180 Murdock Rd	Dallas	TX
17-2052177	10/28/2017	4:41:00 PM	3	Dallas Police	Southeast	350	354	2216	PH - Panhandler	4 - Non Critical		180 Murdock Rd	Dallas	TX
17-2050407	10/28/2017	10:28:00 AM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2068328	10/31/2017	5:32:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2069554	10/31/2017	11:17:00 AM	2	Dallas Police	Southeast	350	354	2216	6XE - Disturbance Emergency	1 - Emergency	fox fuels	180 Murdock Rd	Dallas	TX
17-2086626	11/2/2017	9:35:00 PM	3	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service		180 Murdock Rd	Dallas	TX
17-2088087	11/3/2017	3:21:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	fox gas station	180 Murdock Rd	Dallas	TX
17-2102572	11/5/2017	1:30:00 AM	1	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2104195	11/5/2017	8:23:00 AM	2	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	fox gas station	180 Murdock Rd	Dallas	TX
17-2111139	11/6/2017	11:11:00 AM	2	Dallas Police	Southeast	350	354	2216	40/01 - Other	2 - Urgent	fox gas station	180 Murdock Rd	Dallas	TX
17-2114671	11/6/2017	9:23:00 PM	3	Dallas Police	Southeast	350	354	2216	40/01 - Other	2 - Urgent	fox gas station	180 Murdock Rd	Dallas	TX
17-2115255	11/6/2017	11:50:00 PM	3	Dallas Police	Southeast	350	354	2216	PH - Panhandler	4 - Non Critical	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2121061	11/7/2017	9:13:00 PM	3	Dallas Police	Southeast	350	354	2216	40/01 - Other	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2125181	11/8/2017	2:30:00 PM	2	Dallas Police	Southeast	350	354	2216	6XE - Disturbance Emergency	1 - Emergency	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2123657	11/8/2017	10:02:00 AM	2	Dallas Police	Southeast	350	354	2216	40/01 - Other	2 - Urgent	FOX LAUNDRY MAT	180 Murdock Rd	Dallas	TX
17-2127842	11/8/2017	11:00:00 PM	3	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX FUELS	180 Murdock Rd	Dallas	TX
17-2136459	11/10/2017	10:31:00 AM	2	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2154534	11/13/2017	4:42:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service		180 Murdock Rd	Dallas	TX
17-2158978	11/13/2017	7:21:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2156777	11/13/2017	1:17:00 PM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2157656	11/13/2017	3:42:00 PM	2	Dallas Police	Southeast	350	354	2216	09 - Theft	4 - Non Critical	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2167337	11/15/2017	12:13:00 AM	1	Dallas Police	Southeast	350	354	2216	09V - UUMV	4 - Non Critical	FOX GAS STATION	180 MURDOCK RD	Dallas	TX
17-2193418	11/18/2017	8:01:00 PM	3	Dallas Police	Southeast	350	354	2216	07 - Minor Accident	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2229722	11/24/2017	8:38:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2229468	11/24/2017	7:38:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2263630	11/30/2017	10:04:00 AM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2268025	11/30/2017	11:50:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent		180 Murdock Rd	Dallas	TX
17-2295254	12/5/2017	12:53:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2312354	12/7/2017	6:23:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	fox gas station	180 Murdock Rd	Dallas	TX

17-2313774	12/7/2017	11:28:00 PM	3	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX SERVICE STATION	180 Murdock Rd	Dallas	TX
17-2321872	12/9/2017	5:05:00 AM	1	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX SERVICE STATION	180 Murdock Rd	Dallas	TX
17-2336415	12/11/2017	2:44:00 PM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	fox fuels	180 Murdock Rd	Dallas	TX
17-2351081	12/13/2017	8:26:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX SERVICE STATION	180 Murdock Rd	Dallas	TX
17-2358122	12/14/2017	10:38:00 PM	3	Dallas Police	Southeast	350	354	4530	6XE - Disturbance Emergency	1 - Emergency	FOX GAS STATION	Murdock Rd / Great Trinity Forest Way	Dallas	TX
17-2363226	12/15/2017	5:39:00 PM	3	Dallas Police	Southeast	350	354	2216	32 - Suspicious Person	2 - Urgent		180 Murdock Rd	Dallas	TX
17-2363929	12/15/2017	7:15:00 PM	3	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX	180 Murdock Rd	Dallas	TX
17-2410316	12/22/2017	11:01:00 PM	3	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX FUEL	180 Murdock Rd	Dallas	TX
17-2437568	12/28/2017	4:33:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX SERVICE STATION	180 Murdock Rd	Dallas	TX
17-2446810	12/29/2017	5:01:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
17-2455892	12/31/2017	3:26:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0013027	1/2/2018	9:42:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0008304	1/2/2018	3:03:00 AM	1	Dallas Police	Southeast	350	354	2216	09 - Theft	4 - Non Critical	the fox gas station	180 Murdock Rd	Dallas	TX
18-0062077	1/10/2018	6:57:00 PM	3	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0068515	1/11/2018	6:27:00 PM	3	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0080752	1/13/2018	6:41:00 PM	3	Dallas Police	Southeast	350	354	2216	PH - Panhandler	4 - Non Critical	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0105885	1/18/2018	1:05:00 AM	1	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0118150	1/19/2018	9:51:00 PM	3	Dallas Police	Southeast	350	354	2216	32 - Suspicious Person	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0136324	1/22/2018	7:13:00 PM	3	Dallas Police	Southeast	350	354	2216	32 - Suspicious Person	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0150834	1/25/2018	5:03:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX FUELS	180 Murdock Rd	Dallas	TX
18-0165267	1/27/2018	10:10:00 AM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	fox gas station	180 Murdock Rd	Dallas	TX
18-0209254	2/3/2018	5:49:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0221280	2/5/2018	8:21:00 AM	2	Dallas Police	Southeast	350	354	2216	09 - Theft	4 - Non Critical	FOX STORE	180 Murdock Rd	Dallas	TX
18-0238450	2/8/2018	2:32:00 PM	2	Dallas Police	Southeast	350	354	2216	6XA - Major Dist Ambulance	2 - Urgent	FOXX STORE	180 Murdock Rd	Dallas	TX
18-0244913	2/9/2018	2:53:00 PM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX LAUNDRYMAT/STORE	180 Murdock Rd	Dallas	TX
18-0251889	2/10/2018	3:57:00 PM	2	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0355215	2/27/2018	8:23:00 PM	3	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0429631	3/11/2018	8:52:00 AM	2	Dallas Police	Southeast	350	354	2216	38 - Meet Complainant	4 - Non Critical	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0433742	3/12/2018	12:45:00 AM	1	Dallas Police	Southeast	350	354	2216	SIP - Sleeping In Public	4 - Non Critical	fox fuel	180 Murdock Rd	Dallas	TX
18-0440584	3/13/2018	4:06:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX FUELS	180 Murdock Rd	Dallas	TX
18-0452726	3/15/2018	6:32:00 AM	1	Dallas Police	Southeast	350	354	2216	09V-01 UUMV Just Ocrd	3 - General Service	fox fules	180 Murdock Rd	Dallas	TX
18-0469559	3/17/2018	4:07:00 PM	3	Dallas Police	Southeast	350	354	2216	7X - Major Accident	2 - Urgent		180 Murdock Rd	Dallas	TX
18-0467871	3/17/2018	11:25:00 AM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent		180 MURDOCK RD	Dallas	TX
18-0466607	3/17/2018	4:15:00 AM	1	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX LAUNDRY MAT	180 Murdock Rd	Dallas	TX
18-0475859	3/18/2018	1:37:00 PM	2	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX	180 Murdock Rd	Dallas	TX
18-0521575	3/25/2018	9:48:00 AM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0565992	4/1/2018	1:45:00 AM	1	Dallas Police	Southeast	350	354	2216	11V - Burg Motor Veh	4 - Non Critical	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0605955	4/7/2018	12:42:00 PM	2	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX FUELS	180 Murdock Rd	Dallas	TX
18-0661491	4/16/2018	1:32:00 AM	1	Dallas Police	Southeast	350	354	2216	25 - Criminal Assault	2 - Urgent	THE FOX TACO	180 Murdock Rd	Dallas	TX
18-0727263	4/26/2018	11:32:00 AM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0836300	5/12/2018	4:12:00 PM	3	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	fox	180 Murdock Rd	Dallas	TX
18-0848975	5/14/2018	2:31:00 PM	2	Dallas Police	Southeast	350	354	2216	09 - Theft	4 - Non Critical	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-0863380	5/16/2018	5:27:00 PM	3	Dallas Police	Southeast	350	354	2216	21B - Business Hold Up	2 - Urgent	LUCKY TEXAN #6	180 Murdock Rd	Dallas	TX
18-0921688	5/25/2018	12:44:00 AM	1	Dallas Police	Southeast	350	354	2216	09V-01 UUMV Just Ocrd	3 - General Service	fox gas station	180 Murdock Rd	Dallas	TX
18-0968507	5/31/2018	8:44:00 PM	3	Dallas Police	Southeast	350	354	2216	40/01 - Other	2 - Urgent	FOX FUEL	180 Murdock Rd	Dallas	TX
18-0983439	6/2/2018	9:19:00 PM	3	Dallas Police	Southeast	350	354	4530	24 - Abandoned Property	4 - Non Critical	FOX GAS STATION	MURDOCK RD / ELKTON CIR	Dallas	TX
18-1001584	6/5/2018	2:19:00 PM	2	Dallas Police	Southeast	350	353	4530	6XA - Major Dist Ambulance	2 - Urgent	FOX GAS STATION	Great Trinity Forest Way / Murdock Rd	Dallas	TX
18-1019520	6/8/2018	2:46:00 AM	1	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent		180 Murdock Rd	Dallas	TX
18-1082796	6/17/2018	8:44:00 AM	2	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	C F Hawn Serv Eb / Murdock Acrd S	Dallas	TX

18-1122058	6/23/2018	3:27:00 AM	1	Dallas Police	Southeast	350	353	4530	6XE - Disturbance Emergency	1 - Emergency	FOX GAS STATION .	Great Trinity Forest Way / Murdock Rd	Dallas	TX
18-1176774	7/1/2018	12:49:00 AM	1	Dallas Police	Southeast	350	354	2216	19 - Shooting	1 - Emergency	FOX	180 Murdock Rd	Dallas	TX
18-1202772	7/4/2018	7:57:00 PM	3	Dallas Police	Southeast	350	354	2216	40/01 - Other	2 - Urgent	fox gas station	180 Murdock Rd	Dallas	TX
18-1248776	7/10/2018	9:02:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX	Murdock Acrd S / C F Hawn Serv Eb	Dallas	TX
18-1261352	7/12/2018	7:45:00 PM	3	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-1266396	7/13/2018	3:37:00 PM	2	Dallas Police	Southeast	350	353	4530	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	Great Trinity Forest Way / Murdock Rd	Dallas	TX
18-1296134	7/17/2018	10:44:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-1320158	7/21/2018	12:26:00 PM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 MURDOCK RD	Dallas	TX
18-1379797	7/30/2018	2:51:00 PM	2	Dallas Police	Southeast	350	354	2216	11V - Burg Motor Veh	4 - Non Critical	FOX GAS STATION	162-198 Murdock Rd	Dallas	TX
18-1382572	7/30/2018	11:40:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 MURDOCK RD	Dallas	TX
18-1379460	7/30/2018	1:53:00 PM	2	Dallas Police	Southeast	350	354	2216	6XA - Major Dist Ambulance	2 - Urgent	FOX FUEL	Murdock Rd / C F Hawn Acrd S	Dallas	TX
18-1382672	7/31/2018	12:03:00 AM	1	Dallas Police	Southeast	350	354	2216	46 - CIT	2 - Urgent		180 Murdock Rd	Dallas	TX
18-1386867	7/31/2018	6:10:00 PM	3	Dallas Police	Southeast	350	354	2216	09 - Theft	4 - Non Critical	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-1421871	8/5/2018	9:27:00 PM	3	Dallas Police	Southeast	350	354	2216	40/01 - Other	2 - Urgent	Fox Gas Station	180 Murdock Rd	Dallas	TX
18-1422450	8/5/2018	11:14:00 PM	3	Dallas Police	Southeast	350	354	2216	40/01 - Other	2 - Urgent	FOX LAUNDRY MAT	180 Murdock Rd	Dallas	TX
18-1428696	8/6/2018	10:03:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent		180 Murdock Rd	Dallas	TX
18-1432600	8/7/2018	2:50:00 PM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX	180 Murdock Rd	Dallas	TX
18-1465179	8/12/2018	5:09:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-1534371	8/23/2018	1:16:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-1556274	8/26/2018	3:38:00 AM	1	Dallas Police	Southeast	350	354	2216	16A - Injured Person w/Amb	2 - Urgent	RESD	180 MURDOCK RD	Dallas	TX
18-1557448	8/26/2018	10:44:00 AM	2	Dallas Police	Southeast	350	354	2216	40/01 - Other	2 - Urgent	foxx gas station	180 Murdock Rd	Dallas	TX
18-1558465	8/26/2018	2:36:00 PM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-1560257	8/26/2018	8:21:00 PM	3	Dallas Police	Southeast	350	353	4530	31 - Criminal Mischief	4 - Non Critical	FOX GAS STATION	Great Trinity Forest Way / Murdock Rd	Dallas	TX
18-1580103	8/29/2018	9:52:00 PM	3	Dallas Police	Southeast	350	354	4530	40 - Other	3 - General Service	THE FOX GAS STATION	Murdock Rd / Great Trinity Forest Way	Dallas	TX
18-1640950	9/8/2018	10:09:00 AM	2	Dallas Police	Southeast	350	354	2216	11V - Burg Motor Veh	4 - Non Critical	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-1666640	9/12/2018	2:16:00 PM	2	Dallas Police	Southeast	350	354	2216	24 - Abandoned Property	4 - Non Critical	FOX	180 Murdock Rd	Dallas	TX
18-1671531	9/13/2018	8:22:00 AM	2	Dallas Police	Southeast	350	354	2216	11V - Burg Motor Veh	4 - Non Critical		180 Murdock Rd	Dallas	TX
18-1673423	9/13/2018	2:26:00 PM	2	Dallas Police	Southeast	350	354	2216	11V - Burg Motor Veh	4 - Non Critical	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-1778144	9/29/2018	1:02:00 PM	2	Dallas Police	Southeast	350	354	2216	DAEF-Dist Armed Encounter Foot	1 - Emergency	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-1791606	10/1/2018	2:04:00 PM	2	Dallas Police	Southeast	350	354	2216	7X - Major Accident	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-1793609	10/1/2018	7:29:00 PM	3	Dallas Police	Southeast	350	354	2216	DASV-Dist Active Shooter Veh	1 - Emergency	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-1821257	10/5/2018	10:08:00 PM	3	Dallas Police	Southeast	350	354	2216	6XE - Disturbance Emergency	1 - Emergency	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-1891043	10/16/2018	7:37:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX STORE	180 MURDOCK RD	Dallas	TX
18-1965290	10/28/2018	1:28:00 PM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent		180 Murdock Rd	Dallas	TX
18-1988214	11/1/2018	1:30:00 AM	1	Dallas Police	Southeast	350	354	2216	**PD Requested by Fire	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-2052124	11/11/2018	6:15:00 AM	1	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX FUELS	180 Murdock Rd	Dallas	TX
18-2067035	11/13/2018	7:48:00 PM	3	Dallas Police	Southeast	350	354	2216	09/01 - Theft	3 - General Service	THE FOX WASHATERIA	180 Murdock Rd	Dallas	TX
18-2093841	11/17/2018	9:52:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-2104848	11/19/2018	6:25:00 PM	3	Dallas Police	Southeast	350	354	2216	40/01 - Other	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-2132139	11/24/2018	1:01:00 PM	2	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-2157633	11/28/2018	6:42:00 PM	3	Dallas Police	Southeast	350	354	4530	07 - Minor Accident	3 - General Service	FOXX	Murdock Rd / Elkton Cir	Dallas	TX
18-2178750	12/1/2018	11:01:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-2198313	12/5/2018	6:04:00 AM	1	Dallas Police	Southeast	350	354	2216	DAEF-Dist Armed Encounter Foot	1 - Emergency	FOX STATION	180 Murdock Rd	Dallas	TX
18-2235409	12/11/2018	3:41:00 AM	1	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX FUELS	180 Murdock Rd	Dallas	TX
18-2268736	12/16/2018	2:24:00 PM	2	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS	180 Murdock Rd	Dallas	TX
18-2289191	12/19/2018	8:36:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
18-2290947	12/20/2018	4:54:00 AM	1	Dallas Police	Southeast	350	354	2216	38 - Meet Complainant	4 - Non Critical	fox gas station	180 MURDOCK RD	Dallas	TX
18-2339027	12/28/2018	5:23:00 AM	1	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX FUELS	180 Murdock Rd	Dallas	TX
19-0011231	1/2/2019	2:39:00 PM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	BOOST MOBILE	180 Murdock Rd	Dallas	TX
19-0040149	1/7/2019	10:57:00 AM	2	Dallas Police	Southeast	350	354	2216	7X - Major Accident	2 - Urgent		180 Murdock Rd	Dallas	TX

Z189-211(PD)

19-0072345	1/12/2019	6:22:00 PM	3	Dallas Police	Southeast	350	354	2216	07 - Minor Accident	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
19-0105298	1/18/2019	11:07:00 AM	2	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOX GAS STATION	180 Murdock Rd	Dallas	TX
19-0110668	1/19/2019	4:08:00 AM	1	Dallas Police	Southeast	350	354	2216	**PD Requested by Fire	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
19-0165038	1/28/2019	3:17:00 PM	2	Dallas Police	Southeast	350	354	2216	07 - Minor Accident	3 - General Service		180 Murdock Rd	Dallas	TX
19-0199018	2/3/2019	2:18:00 AM	1	Dallas Police	Southeast	350	354	2216	6XA - Major Dist Ambulance	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
19-0203011	2/3/2019	7:32:00 PM	3	Dallas Police	Southeast	350	354	2216	24 - Abandoned Property	4 - Non Critical		180 Murdock Rd	Dallas	TX
19-0208122	2/4/2019	3:37:00 PM	2	Dallas Police	Southeast	350	354	4530	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	Elkton Cir / Murdock Rd	Dallas	TX
19-0238164	2/9/2019	9:43:00 AM	2	Dallas Police	Southeast	350	354	2216	09V-01 UUMV Just Ocrd	3 - General Service	LAUNDRY MAT	180 Murdock Rd	Dallas	TX
19-0246160	2/10/2019	4:26:00 PM	3	Dallas Police	Southeast	350	354	2216	40/01 - Other	2 - Urgent		180 Murdock Rd	Dallas	TX
19-0292848	2/18/2019	1:25:00 PM	2	Dallas Police	Southeast	350	354	2216	07 - Minor Accident	3 - General Service	LAUNDRY MAT	180 Murdock Rd	Dallas	TX
19-0304122	2/20/2019	11:31:00 AM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOXX	180 Murdock Rd	Dallas	TX
19-0328863	2/24/2019	5:54:00 AM	1	Dallas Police	Southeast	350	354	2216	40 - Other	3 - General Service	FOXX	180 Murdock Rd	Dallas	TX
19-0373044	3/3/2019	4:03:00 AM	1	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
19-0382464	3/4/2019	7:35:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
19-0447556	3/14/2019	3:20:00 PM	2	Dallas Police	Southeast	350	354	4530	07 - Minor Accident	3 - General Service	FOX	Murdock Rd / Elkton Cir	Dallas	TX
19-0460125	3/16/2019	12:25:00 PM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	foxx gas station	180 Murdock Rd	Dallas	TX
19-0606137	4/7/2019	4:05:00 AM	1	Dallas Police	Southeast	350	354	2216	46 - CIT	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
19-0622759	4/9/2019	5:31:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
19-0651707	4/13/2019	10:05:00 PM	3	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX
19-0661542	4/15/2019	1:05:00 PM	2	Dallas Police	Southeast	350	354	2216	6X - Major Dist (Violence)	2 - Urgent	FOX GAS STATION	180 Murdock Rd	Dallas	TX

Offenses:

Watch	OffIncident	Premise	Address	ZipCode	City	State	RA	Beat	Division	Sector	District	Date1	Time1	NIBRS_Crime
1	ROBBERY OF INDIVIDUAL (AGG)	Parking Lot (All Others)	180 MURDOCK RD	75217	DALLAS	TX	2216	354	SOUTHEAST	350	D8	1/26/2018	2:09:00 AM	ROBBERY-INDIVIDUAL
1	UNAUTHORIZED USE OF MOTOR VEH - TRUCK OR BUS	Gas or Service Station	180 MURDOCK RD	75217	DALLAS	TX	2216	354	SOUTHEAST	350	D8	3/15/2018	6:00:00 AM	UUMV
2	THEFT OF PROP <$100 - OTHER THAN SHOPLIFT	Parking (Business)	180 MURDOCK RD	75217	DALLAS	TX	2216	354	SOUTHEAST	350	D8	5/14/2018	2:31:00 PM	ALL OTHER LARCENY
1	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Gas or Service Station	180 MURDOCK RD	75217	DALLAS	TX	2216	354	SOUTHEAST	350	D8	5/25/2018	1:30:00 AM	UUMV
1	THEFT OF PROP > OR EQUAL $100 <$750 (NOT SHOPLIFT) PC31.03(e2A)	Gas or Service Station	180 MURDOCK RD	75217	DALLAS	TX	2216	354	SOUTHEAST	350	D8	7/8/2018	7:50:00 AM	ALL OTHER LARCENY
1	ROBBERY OF INDIVIDUAL (AGG)	Commercial Property Occupied/Vacant	180 MURDOCK RD	75217	DALLAS	TX	2216	354	SOUTHEAST	350	D8	8/26/2018	3:36:00 AM	ROBBERY-INDIVIDUAL
1	BMV	Gas or Service Station	180 MURDOCK RD	75217	DALLAS	TX	2216	354	SOUTHEAST	350	D8	9/7/2018	7:10:00 AM	THEFT FROM MOTOR VEHICLE
3	UNAUTHORIZED USE OF MOTOR VEH - TRUCK OR BUS	Gas or Service Station	180 MURDOCK RD	75217	DALLAS	TX	2216	354	SOUTHEAST	350	D8	1/6/2019	9:45:00 PM	UUMV
2	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Gas or Service Station	180 MURDOCK RD	75217	DALLAS	TX	2216	354	SOUTHEAST	350	D8	1/20/2019	3:40:00 PM	UUMV
2	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	Gas or Service Station	180 MURDOCK RD	75217	DALLAS	TX	2216	354	SOUTHEAST	350	D8	2/9/2019	9:45:00 AM	UUMV

Arrests:

IncidentNum	ArrestNumber	ArArrestDate	ArArrestTime	ArLAddress	NIBRS_Crime	UCRArrestChg	PClass	ChargeDesc
232497-2017	17-041556	10/11/2017	3:30:00 AM	180 MURDOCK RD	ALL OTHER OFFENSES	OTHER	FS	EVADING ARREST DETENTION W/PREV CONVICTION
240631-2017	17-042929	10/21/2017	5:35:00 AM	180 MURDOCK RD	TRESPASS OF REAL PROPERTY	OTHER /CRIMINAL TRESPASS	MB	CRIMINAL TRESPASS
248888-2017	17-044207	10/31/2017	11:30:00 AM	180 MURDOCK RD	SIMPLE ASSAULT	OTHER /ASSAULT	MA	ASSAULT -FAMILY VIOLENCE - BODILY INJURY ONLY
254253-2017	17-045128	11/7/2017	12:10:00 AM	180 MURDOCK RD	TRESPASS OF REAL PROPERTY	OTHER /CRIMINAL TRESPASS	MB	CRIMINAL TRESPASS
016409-2018	18-002588	1/22/2018	8:00:00 PM	180 MURDOCK RD	APOWW	APOWW	NA	APOWW (SOCIAL SERVICES REFERRAL)
039597-2018	18-005888	2/24/2018	1:15:00 AM	180 MURDOCK RD	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
052204-2018	18-008192	3/12/2018	1:00:00 AM	180 MURDOCK RD	TRESPASS OF REAL PROPERTY	OTHER /CRIMINAL TRESPASS	MB	CRIMINAL TRESPASS
052204-2018	18-008192	3/12/2018	1:00:00 AM	180 MURDOCK RD	ALL OTHER OFFENSES	NULL	MC	FAIL TO ID -REFUSES TO PROVIDE INFO
104074-2018	18-016374	5/16/2018	1:35:00 PM	180 MURDOCK RD	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	F1	MAN DEL CONT SUB PEN GRP 1 > OR EQUAL 4G<200G
104074-2018	18-016374	5/16/2018	1:35:00 PM	180 MURDOCK RD	DRUG/ NARCOTIC VIOLATIONS	NARCOTIC CHARGES	MB	POSS MARIJUANA <2OZ
104074-2018	18-016374	5/16/2018	1:35:00 PM	180 MURDOCK RD	WARRANT DALLAS PD (NARCOTICS & DRUGS)	NULL	NA	WARRANT DALLAS PD (NARCOTICS & DRUGS)
123263-2018	18-019360	6/8/2018	2:50:00 AM	180 MURDOCK RD	INTIMIDATION	ALL OTHER M\C CHARGES	MC	ASSAULT -FAM VIOL THREA
135831-2018	18-021520	6/23/2018	4:10:00 AM	180 MURDOCK RD	WARRANT HOLD (OUTSIDE AGENCY)	HOLDS DSO	NA	WARRANT HOLD (OUTSIDE AGENCY)
167383-2018	18-026834	7/31/2018	12:18:00 AM	180 MURDOCK RD	PUBLIC INTOXICATION		MC	PUBLIC INTOXICATION
186437-2018	18-030247	8/23/2018	2:25:00 AM	180 MURDOCK RD	ALL OTHER OFFENSES		MA	FAIL TO ID -FUGITIVE INTENT GIVE FALSE INFO
186437-2018	18-030247	8/23/2018	2:25:00 AM	180 MURDOCK RD	WARRANT HOLD (OUTSIDE AGENCY)		NA	WARRANT HOLD (OUTSIDE AGENCY)
186437-2018	18-030247	8/23/2018	2:25:00 AM	180 MURDOCK RD	WARRANT HOLD (OUTSIDE AGENCY)		NA	WARRANT HOLD (OUTSIDE AGENCY)
186437-2018	18-030247	8/23/2018	2:25:00 AM	180 MURDOCK RD	WARRANT HOLD (OUTSIDE AGENCY)		NA	WARRANT HOLD (OUTSIDE AGENCY)
234467-2018	18-038298	10/26/2018	5:03:00 PM	180 MURDOCK RD	WARRANT-DALLAS PD (ALIAS)		NA	WARRANT-DALLAS PD (ALIAS)
238048-2018	18-038908	11/1/2018	1:45:00 AM	180 MURDOCK RD	APOWW		NA	APOWW (SOCIAL SERVICES REFERRAL)
068456-2019	19-012126	4/7/2019	4:32:00 AM	180 MURDOCK RD	APOWW		NA	APOWW (SOCIAL SERVICES REFERRAL)

LIST OF OFFICERS
Sikka Investments 2 LLC

Shazeb Daredia, Officer

CPC ACTION:
May 2, 2019

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period, subject to a site plan and conditions on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the northeast corner of Murdock Road and Elkton Circle, southwest of C.F. Hawn Freeway.

Maker: Lewis
Second: Shidid
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss*, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 32
Replies: For: 1 Against: 0

Speakers: For: Santos Martinez, 52 Cheerful Way, Angel Fire, NM, 87710
Against: None

CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC Recommendation:

3. TIME LIMIT: This specific use permit expires on _____ (two years).

Staff Recommendation:

3. TIME LIMIT: This specific use permit expires on _____ (five years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. FLOOR AREA: The maximum floor area for this use is 4,568 square feet.

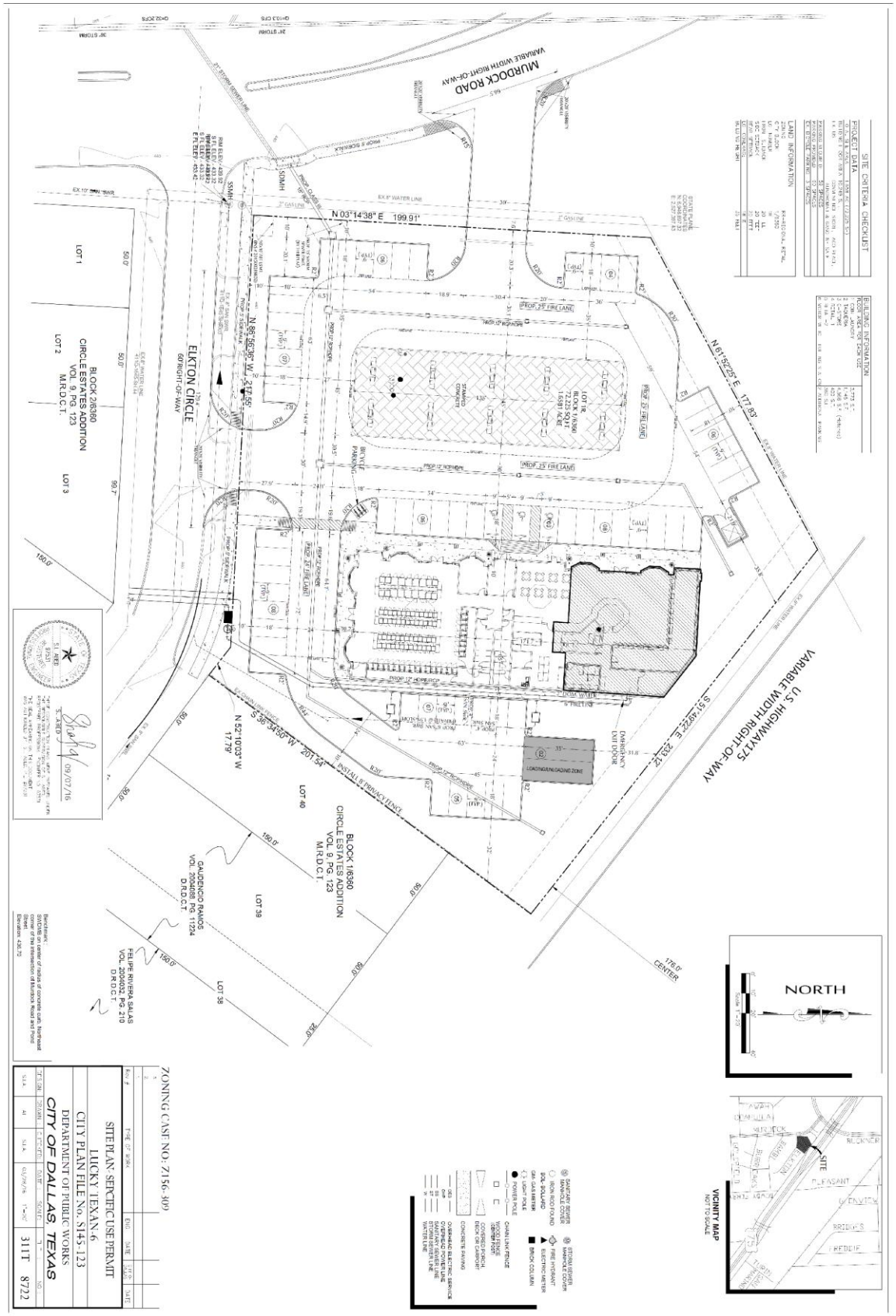
5. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.

6. PARKING: Off-street parking must be located as shown on the attached site plan.

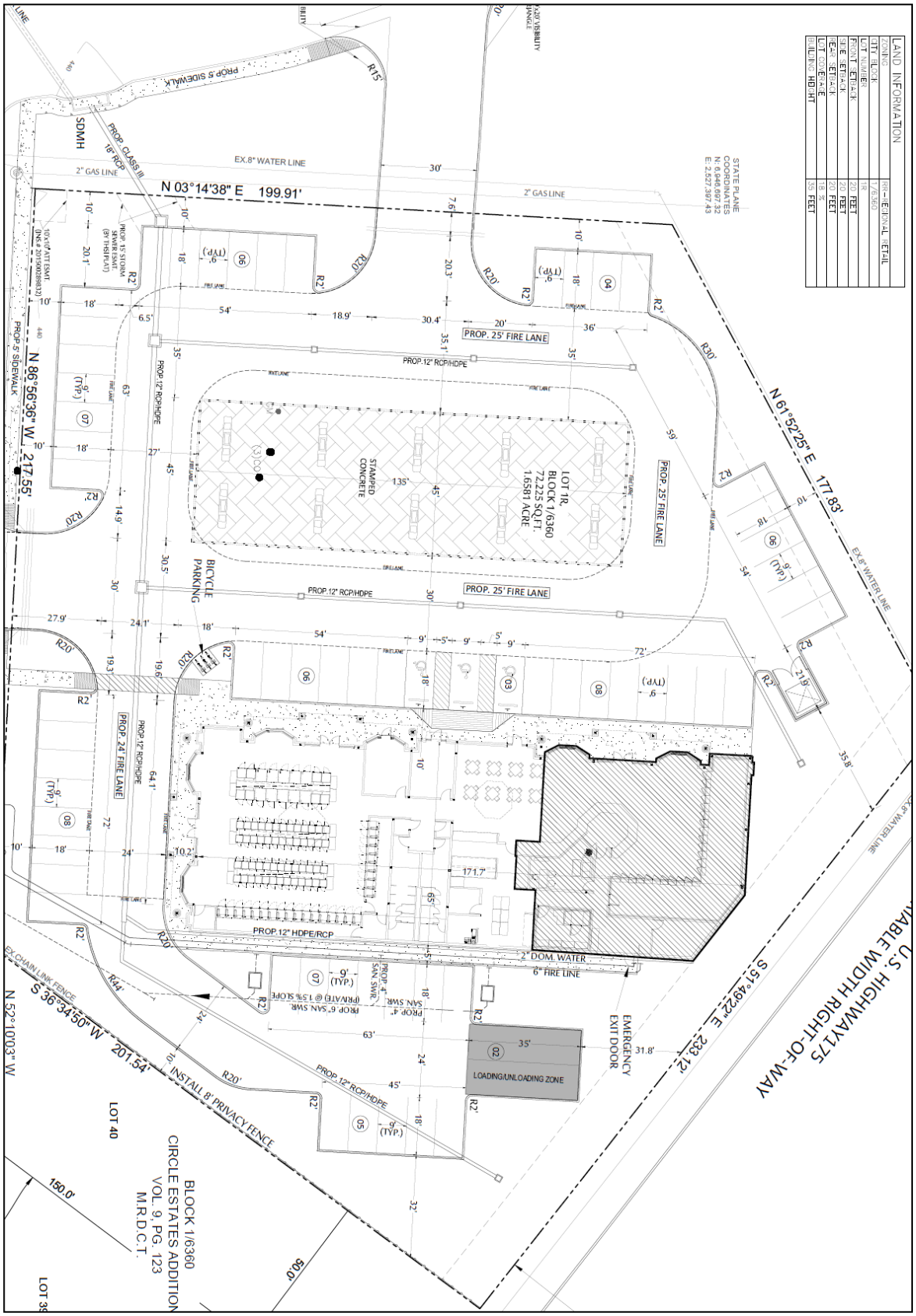
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

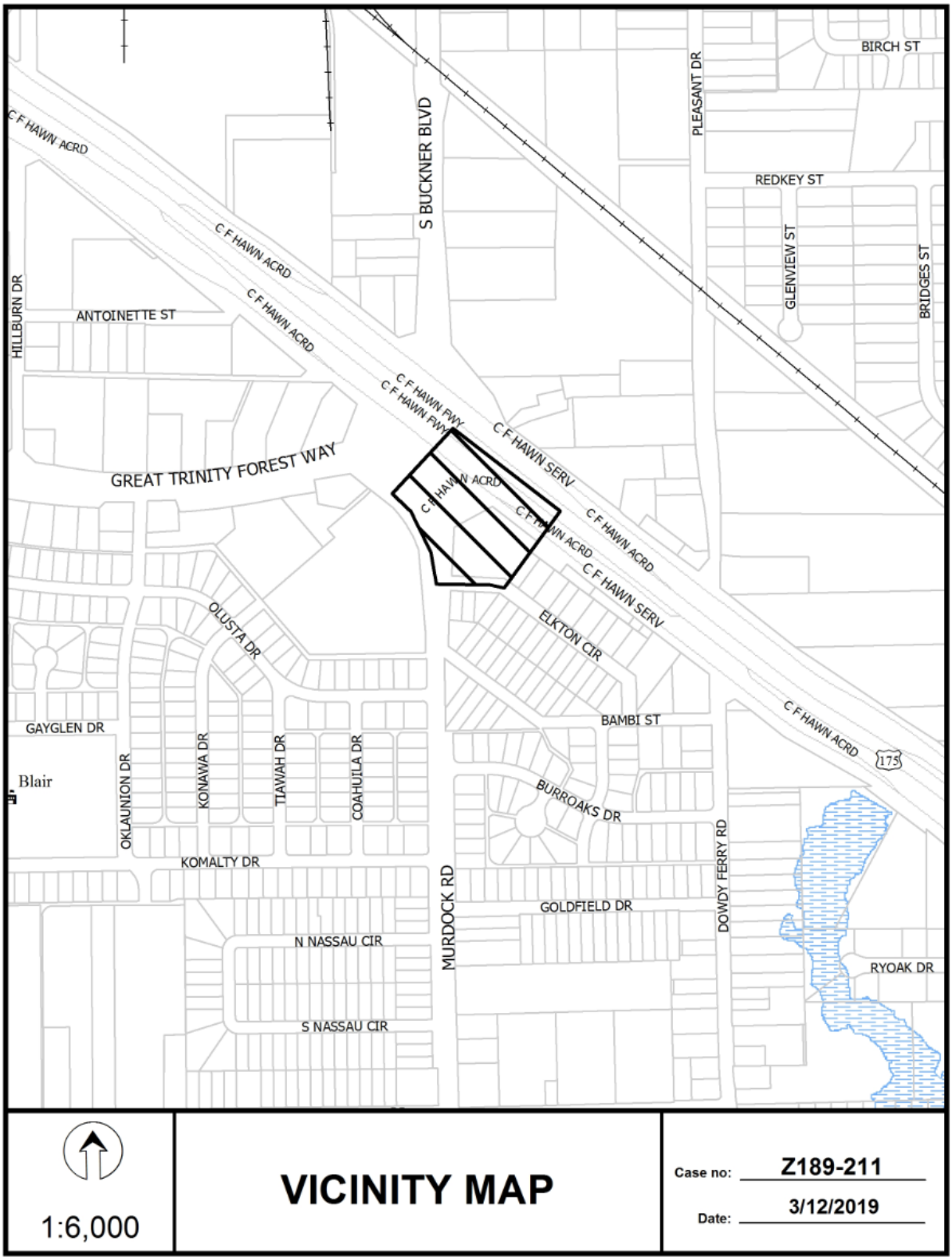
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN

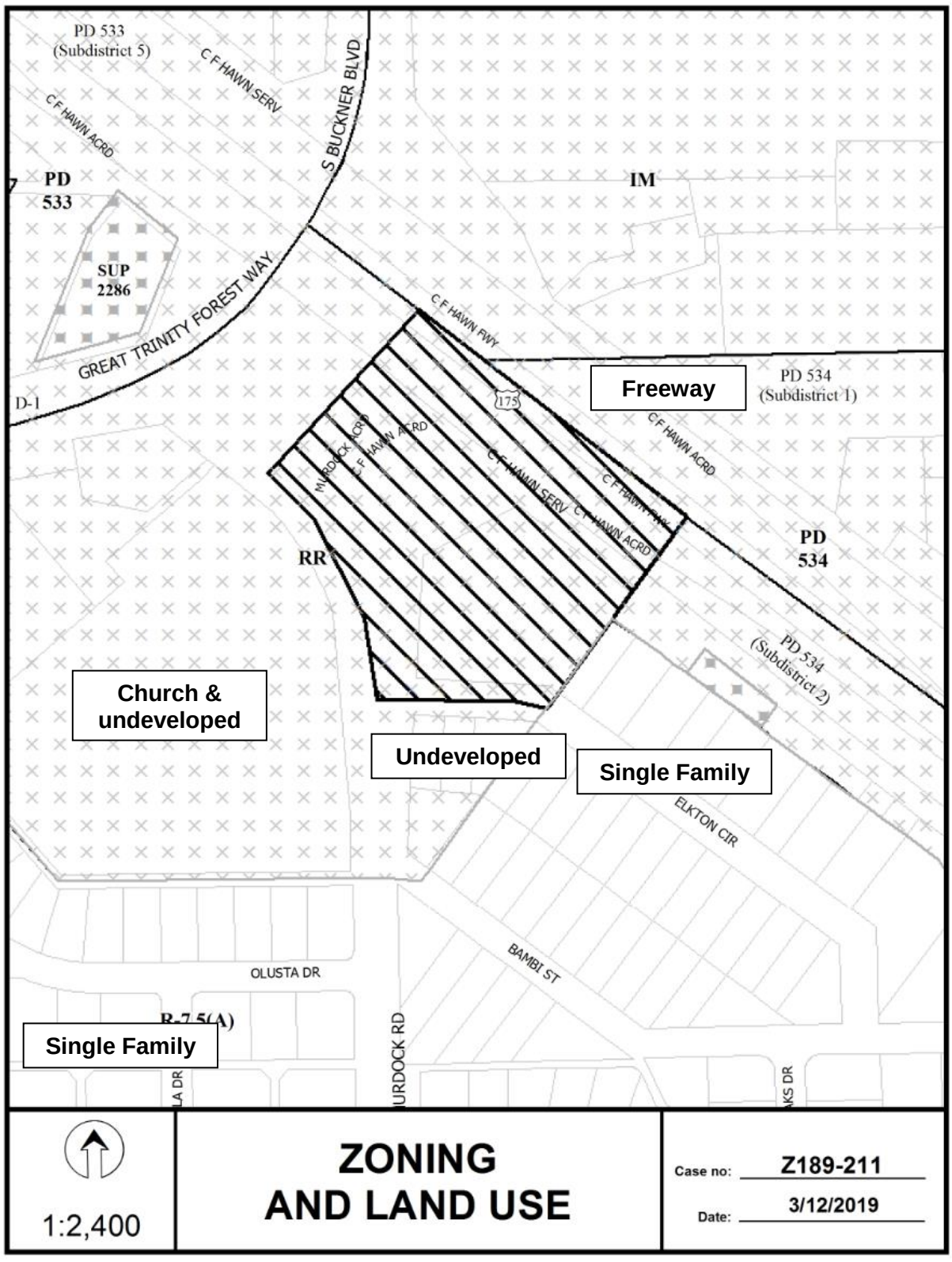


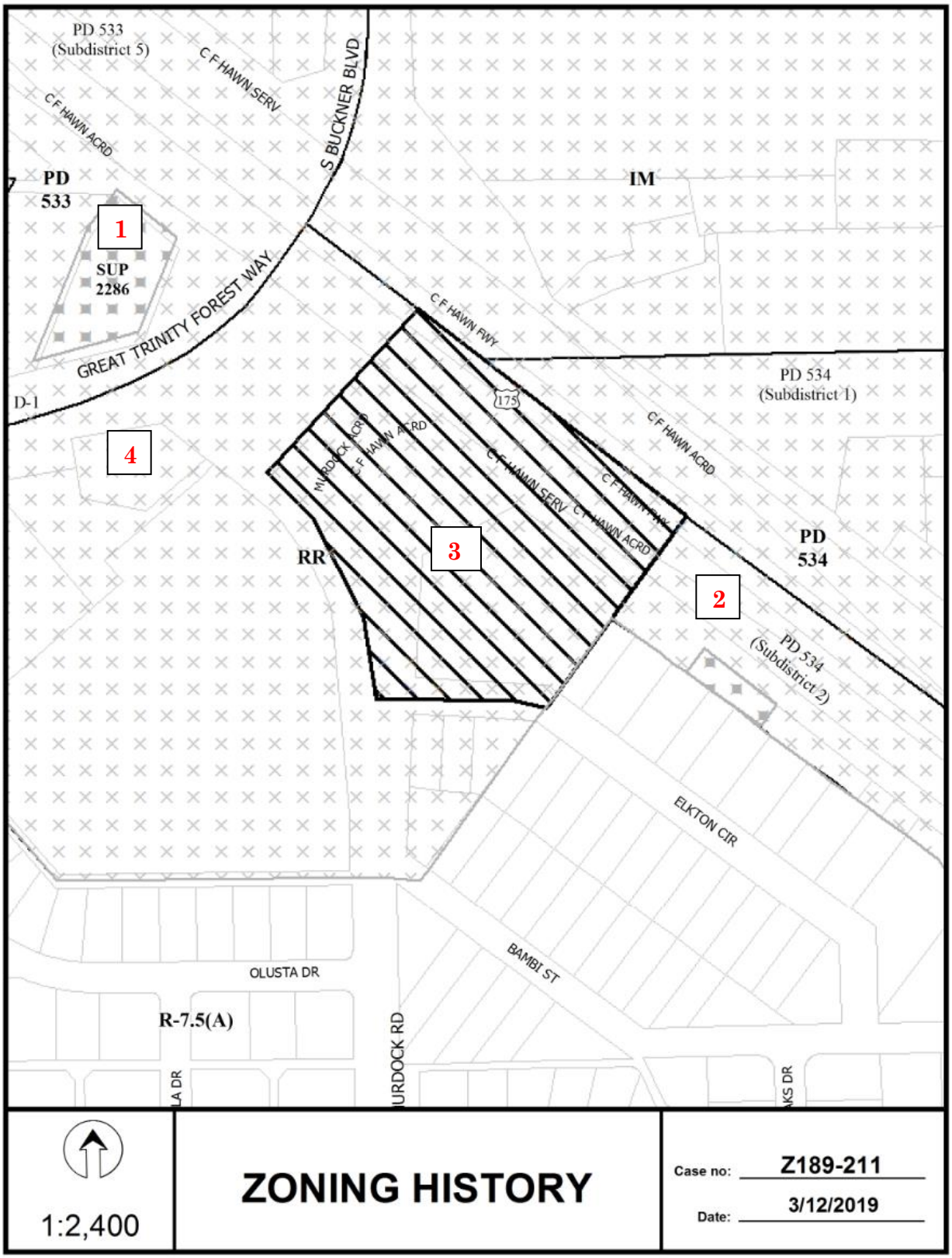
ENLARGED PROPOSED SITE PLAN

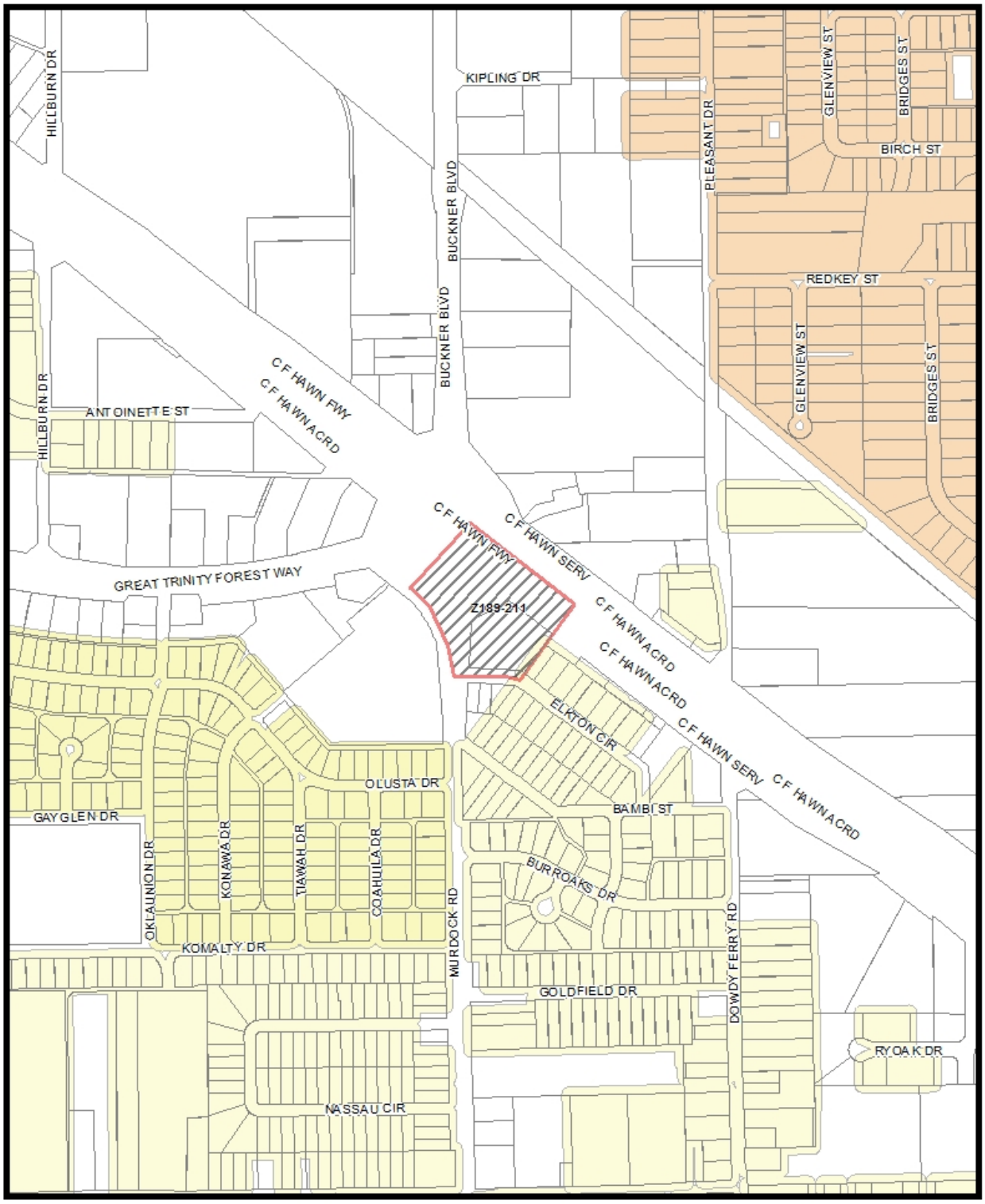



BIRCH ST
PLEASANT DR
S BUCKNER BLVD
REDKEY ST
GLENVIEW ST
BRIDGES ST
C F HAWN ACRD
HILLBURN DR
ANTOINETTE ST
C F HAWN FWY
C F HAWN SERV
GREAT TRINITY FOREST WAY
OLUSTA DR
ELKTON CIR
BAMBI ST
GAYGLEN DR
Blair
OKLAUNION DR
KONAWA DR
TIAWAH DR
COAHUILA DR
BURROAKS DR
DOWDY FERRY RD
KOMALTY DR
MURDOCK RD
GOLDFIELD DR
N NASSAU CIR
S NASSAU CIR
RYOAK DR
175
1:6,000
VICINITY MAP
Case no: Z189-211
Date: 3/12/2019


C F HAWN SERV
C F HAWN ACRD
S BUCKNER BLVD
S BUCKNER BLVD
GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY
175
MURDOCK ACRD
C F HAWN ACRD
C F HAWN ACRD
C F HAWN FWY
C F HAWN SERV
C F HAWN FWY
ELKTON CIR
BAMBI ST
OLUSTA DR
MURDOCK RD
1:2,400
AERIAL MAP
Case no: Z189-211
Date: 3/12/2019


PD 533
(Subdistrict 5)
C F HAWN SERV
C F HAWN ACRD
S BUCKNER BLVD
PD
533
IM
SUP
2286
GREAT TRINITY FOREST WAY
D-1
C F HAWN FWY
Freeway
PD 534
(Subdistrict 1)
175
C F HAWN ACRD
MURDOCK RD
C F HAWN ACRD
C F HAWN SERV
C F HAWN ACRD
RR
PD
534
PD 534
(Subdistrict 2)
Church &
undeveloped
Undeveloped
Single Family
ELKTON CIR
BAMBI ST
OLUSTA DR
R-7.5(A)
Single Family
URDOCK RD
ZONING
AND LAND USE
1:2,400
Case no: Z189-211
Date: 3/12/2019


PD 533
(Subdistrict 5)
C F HAWN SERV
C F HAWN ACRD
S BUCKNER BLVD
PD
533
IM
1
SUP
2286
GREAT TRINITY FOREST WAY
C F HAWN FWY
D-1
PD 534
(Subdistrict 1)
175
MURDOCK ACRD
C F HAWN ACRD
C F HAWN SERV
C F HAWN ACRD
C F HAWN FWY
4
RR
3
PD
534
2
PD 534
(Subdistrict 2)
ELKTON CIR
BAMBI ST
OLUSTA DR
R-7.5(A)
URDOCK RD
A DR
KS DR
1:2,400
ZONING HISTORY
Case no: Z189-211
Date: 3/12/2019



MVA Cluster A B C D E F G H I NA

1:6,000

Market Value Analysis

Printed Date: 3/12/2019

CPC RESPONSES



05/01/2019

Reply List of Property Owners

Z189-211

32 Property Owners Notified ***1 Property Owner in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*	*Owner*
	1	8123 ELKTON CIR	ROSITAS JUANITA
	2	180 MURDOCK RD	SIKKA INVESTMENTS 2 LLC
	3	8098 GREAT TRINITY FOREST WAY	ENIGMA ENTERPRISES INC
	4	8143 ELKTON CIR	ROBLES DANIEL
	5	8139 ELKTON CIR	PARRA RAUDEL D
	6	8125 ELKTON CIR	SALAS FELIPE R
	7	8127 ELKTON CIR	RAMOS GAUDENCIO
	8	8102 ELKTON CIR	GAMIZ ARTURO
	9	8118 ELKTON CIR	MARTINEZ ROBERTO
	10	8122 ELKTON CIR	J G & A INVESTMENTS LLC
	11	8126 ELKTON CIR	AREVALO ROSANNA NATALIE &
	12	8130 ELKTON CIR	ORTIS SYLVIA
	13	8134 ELKTON CIR	HERNANDEZ MARCOS O
	14	8138 ELKTON CIR	HERNANDEZ PEDRO O
	15	8202 ELKTON CIR	RIOS FRANCISCO & LEONOR
	16	8123 BAMBI ST	CAMACHO GUADALUPE & VENTU
	17	8119 BAMBI ST	PEREZ ABRAHAM
	18	8115 BAMBI ST	GALLEGOS ERASMO
	19	8111 BAMBI ST	GONZALEZ MANUEL D & ERICA
	20	8107 BAMBI ST	RODRIGUEZ MAURO JR
	21	8130 C F HAWN FWY	STOVALL JIMMY A & LINDA J
	22	8152 C F HAWN FWY	STOVALL JIMMY A
O	23	8132 C F HAWN FWY	CALLAWAY COMMERCIAL SERVICES LLC
	24	8120 C F HAWN FWY	MENDOZA JUAN
	25	8118 C F HAWN FWY	BWINGRAM INVESTMENTS LTD
	26	159 PLEASANT DR	TRI CITIES QUADRANT INC

Reply	*Label #*	*Address*	*Owner*
	27	120 S BUCKNER BLVD	BWINGRAM LTD
	28	8000 GREAT TRINITY FOREST WAY	R & R SULEIMAN LLC
	29	121 MURDOCK RD	UNITED HOUSE OF PRAYER
	30	8015 C F HAWN FWY	DFW DISTRIBUTOR PETROLEUM INC
	31	8201 C F HAWN FWY	MIRANDA AGUSTIN M
	32	8221 C F HAWN FWY	MIRANDA AGUSTIN

Agenda Information Sheet

File #: 19-740 **Item #:** 82.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for and **(1)** an ordinance granting an amendment to Tract 6 for LO-1(A) Limited Office District uses; and **(2)** an ordinance terminating Specific Use Permit No. 610 for a health center, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508, on property bounded by Bickers Street, Holystone Street, and Greenleaf Street
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, development plan, landscape plan, traffic management plan, and conditions; and approval of the termination of Specific Use Permit No. 610 for a health center use
Z178-260(SM)
Note: This item was deferred by the City Council before opening the public hearings on February 27, 2019, April 10, 2019, and May 8, 2019, and is scheduled for consideration on June 12, 2019

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z178-260(SM)	**DATE FILED:**	May 18, 2018
LOCATION:	Bounded by Bickers Street, Holystone Street, and Greenleaf Street		
COUNCIL DISTRICT:	6	**MAPSCO:**	43 L
SIZE OF REQUEST:	Approx. 20.03 acres	**CENSUS TRACT:**	205

APPLICANT/OWNER: Dallas ISD

REPRESENTATIVE: Karl A. Crawley, Masterplan

REQUEST: An application for **(1)** an amendment to Tract 6 for LO-1(A) Limited Office District uses; and **(2)** the termination of Specific Use Permit No. 610 for a health center, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508.

SUMMARY: The applicant [Dallas ISD] proposes to construct a three-story, 226,948-square-foot building to accommodate the new LG Pinkston High School, including athletic facilities and 212 surface parking spaces for staff, students, and visitors plus 120 additional spaces for special event/overflow parking on site. Additionally, the applicant proposes a 24-classroom, 60,000 square-foot expansion area to accommodate future school growth.

CPC RECOMMENDATION: **Approval**, subject to a revised conceptual plan, development plan, landscape plan, traffic management plan, and conditions; and **approval** of the termination of Specific Use Permit No. 610 for a health center use.

STAFF RECOMMENDATION: **Approval**, subject to a revised conceptual plan, development plan, landscape plan, traffic management plan, and conditions; and **approval** of the termination of Specific Use Permit No. 610 for a health center use.

BACKGROUND INFORMATION:

- On February 5, 1973, the City Council approved Specific Use Permit No. 610 for a health center for a permanent time period, subject to a site plan and conditions. The purpose of the health center SUP was to construct a children's clinic for the Carver Elementary School students.

- On August 20, 2018, the demolition permit to remove the two previously developed public schools was complete. The site is currently undeveloped.

- On November 27, the applicant met with surrounding property owners to discuss the proposed high school building, athletic fields, and traffic management plan revisions to the proposed development plan to correct the proposed floor area and revised athletic field lighting conditions are included with this report.

Zoning History: There have been two zoning changes requested in the area during the past five years.

1. **Z167-404**: On September 26, 2018, City Council will consider an application for 1) a new tract for MF-2(A) Multifamily District uses; 2) the termination of Specific Use Permit No. 1636 for multifamily uses; and, 3) the termination of Specific Use Permit No. 2213 for single family uses, on property zoned Tract 12 for MU-1 Mixed Use District uses and Tract 13 for MF-2(A) Multifamily District uses within Planned Development District No. 508 located on the north line of Singleton Boulevard, east of Westmoreland Road.

2. **Z156-117:** On February 24, 2016, City Council approved an amendment to a development plan for Tract 12 of Planned Development District No. 508.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing Width
Bickers Street	Collector	80 ft.
Greenleaf Street	Private street	57-60 ft.
Holystone Street	Private street	57-60 ft.

Traffic:

The accompanying Traffic Management Plan (TMP) studied traffic patterns of the existing LG Pinkston High School located at 2200 Dennison Street which enrolls 900 students. The TMP states some findings and recommendations for pick up and drop off operations of the proposed school campus. The primary recommendations from the TMP convert Greenleaf Street to a two-way street; restrict northbound traffic on Holystone Street during pick-up and drop-off periods; restrict the driveway on Bickers Street to outbound only during pick-up and drop-off periods; and, add no-parking signs on Holystone Street like those existing on Greenbriar Street.

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request, including the attached traffic management plan and a traffic impact analysis, and recommends approval of the recommendations described in the proposed traffic management plan.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 Align land use strategies with economic development priorities

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries and schools. Encourage the development of these facilities in priority Area Plans.

NEIGHBORHOOD PLUS

Policy 4.2 Support and leverage emerging school quality and school choice programs.

STAFF ANALYSIS

Surrounding Land Uses:

	Zoning	Land Use
Site	Tract 6 within PDD No. 508 w/SUP No. 610 on a portion	Undeveloped
North	Tracts 5 and 1 within PDD No. 508 [LO-1(A) and CH]	Office, Single family
East	Tract 1 within PDD No. 508 [CH] with SUP No. 1516	Private recreation center, club, or area
South	Tracts 13 and 4 within PDD No. 508 [MF-2(A) and MF-2(A)]	Undeveloped, Senior living
West	Tract 8 within PDD No. 508 [MF-2(A)]	Multifamily

Land Use Compatibility:

The surrounding land uses consist of an office use and a single family development to the north, a private recreation area to the east, undeveloped and senior living center to the south, and multifamily to the west. Staff supports the request to redevelop the site as a new school with athletic facilities in place of the two previous schools because the new school would be required to comply with a traffic management plan and because provisions were added to restrict the lighting and outdoor amplification of the athletic facilities so the public school would be consistent with the surrounding land uses.

Development Standards:

Staff supports the request to increase maximum structure height from 36 feet to 60 feet for a public school use because 1) the request is restricted to public school uses which, under the maximum building height provisions of Section 51A-4.408, are allowed any legal height when consistent with residential proximity slope; 2) the applicant proposes to retain residential proximity slope height restrictions that exist in the district today, and 3) the site is further restricted to comply with the proposed development plan.

Parking:

The Dallas Development Code derives the off-street parking requirement for a school using the following criteria: 1) the number of classrooms and 2) the grade level of the school's students (e.g., elementary, middle or high school). The Dallas Development Code requirement for off-street parking for a high school is nine and one-half spaces for each high school classroom. The applicant proposes to reduce the minimum parking requirement from nine and one-half spaces per high school classroom to five and one-

half spaces per high school classroom. The applicant requested this reduction based upon a parking demand study of a professional engineer, who studied the parking operations of the existing school. The proposed parking reduction requires 209 parking spaces for the proposed 38-classroom high school whereas the Dallas Development Code would require 361 parking spaces for 38 high school classrooms. The applicant proposes 212 parking spaces for students, staff, and visitor use for daily use and has a paved surface area that can provide an additional 120 spaces for special event and overflow parking.

The Engineering Division of the Sustainable Development and Construction Department has reviewed the parking reduction request and recommends approval.

Landscaping:

The proposed site plan reduces the required number of site trees from 277 to 196. However, because the site is constrained by athletic fields, parking areas, building footprint, and tree spacing requirements, staff supports the requested reduction.

The proposed site plan also reduces the required number of street trees from 94 large trees to 37 small trees and 39 large trees, for a total of 76 street trees. Staff supports the requested reduction because the application was submitted before Article X was amended on June 27, 2018 and Article X would have required 76 large trees prior to the amendment. Additionally, staff supports the request to reduce some large street trees to small street trees based on the need to place landscaping to avoid conflicts with spacing, use, and utilities.

Sidewalks:

The applicant proposes to construct a new high school where two elementary schools previously existed. The existing site is encircled with sidewalks that vary in width, between four feet and five feet wide. The applicant has agreed to CPC and staff's recommendations for a minimum six-foot wide sidewalk to support the proposed high school, which includes the current student body of 900 students at another location and a traffic management plan that also circles the site. Since CPC, the applicant has provided staff with a revised development plan and a revised landscape plan that complies with CPC's recommendation for a six-foot wide sidewalk, which is included in this report.

Visibility Triangles:

The site is bound by Bickers Street, a publicly owned right-of-way to the south, and two private streets to the northwest and northeast: Holystone Street and Greenleaf Street. Pursuant to *visual obstruction regulations*[1], also known as visibility triangles, triangular areas formed at two street intersections and at intersections of a street and a driveway, or alley, are required to remain unobstructed. The purpose of these requiring these areas to remain unobstructed is to protect the safety of persons using streets by not obscuring lines of site of drivers. This concept is especially important to protect when near schools.

Because (1) *visual obstruction regulations* use the term *street*, which is defined as, "a right-of-way which provides primary access to adjacent property" and (2) since Holystone Street and Greenleaf Street are *private streets*, which are defined as "a street or alley built to the same specifications as a street or alley dedicated to the public use, whose ownership has been retained privately"; visual obstruction regulations do not apply and are unenforceable. Therefore, the term *street*, in the *visual obstruction regulations* context, includes private streets. Since CPC, the applicant has provided a revised development plan and landscape plan that demonstrates the site will comply with the proposed visual obstruction regulations.

Market Value Analysis: Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, it is in the vicinity of an "H" MVA cluster to the west of Holystone Street and east of Greenleaf Street and an "I" MVA cluster to the southeast of Bickers Street.

[1] Reference subsection (d) in Section 51A-4.602 in the Dallas Development Code.

PRIOR CPC ACTION – October 4, 2018:

Motion: In considering an application for 1) an amendment to Tract 6 for LO-1(A) Limited Office District uses and 2) the termination of Specific Use Permit No. 610 for a health center, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508, on property bound by Bickers Street, Holystone Street, and Greenleaf Street, it was moved to **hold** this case under advisement until December 13, 2018.

Maker: Carpenter
Second: Rieves
Result: Carried: 13 to 0

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

Notices: Area: 500 Mailed: 64
Replies: For: 0 Against: 4

Speakers: For: None
Against: David Fannin, 2619 Laurel Leaf Ct., Dallas, TX, 75212

PRIOR CPC ACTION – December 13, 2018:

Motion: It was moved to recommend (1) **approval** of an amendment to Tract 6 for LO-1(A) Limited Office District uses, subject to a revised conceptual plan, revised development plan (as briefed), revised landscape plan (as briefed), traffic management plan, and staff's recommended conditions; and, (2) **approval** of the termination of Specific Use Permit No. 610 for a health center use, on property zoned Tract 6 for LO-1(A) Limited Office District uses within Planned Development District No. 508, on property bound by Bickers Street, Holystone Street, and Greenleaf Street.

Maker: Carpenter
Second: Lewis
Result: Carried: 13 to 0

For: 13 - MacGregor, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

Notices: Area: 500 Mailed: 64
Replies: For: 0 Against: 4

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

List of DISD Trustees

DALLAS INDEPENDENT SCHOOL DISTRICT

BOARD OF TRUSTEES

District 1	Edwin Flores, 1st Vice President
District 2	Dustin Marshall
District 3	Dan Micciche, President
District 4	Jaime Resendez
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CPC RECOMMENDED AMENDMENTS TO

ARTICLE 508.

PD 508.

SEC. 51P-508.101. LEGISLATIVE HISTORY.

PD 508 was established by Ordinance No. 23536, passed by the Dallas City Council on June 10, 1998. Ordinance No. 23536 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 23536 was amended by Ordinance No. 24076, passed by the Dallas City Council on October 27, 1999; Ordinance No. 24374, passed by the Dallas City Council on September 13, 2000; Ordinance No. 24655, passed by the Dallas City Council on June 27, 2001; Ordinance No. 24725, passed by the Dallas City Council on September 26, 2001; and Ordinance No. 25982, passed by the Dallas City Council on May 25, 2005. (Ord. Nos. 19455; 23536; 24076; 24374; 24655; 24725; 25982; 26042)

SEC. 51P-508.102. PROPERTY LOCATION AND SIZE.

PD 508 is established on property generally bounded by Hampton Road on the east, Dennison Street, Fish Trap Road and Singleton Boulevard on the South, Westmoreland Road and the centerline of Old Trinity River on the west, and Canada Drive on the north. The size of PD 508 is approximately 481.26 acres. (Ord. Nos. 23536; 26042)

SEC. 51P-508.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) COMMERCIAL AMUSEMENT CABLE SKI PARK AND RECREATION AREA means a facility offering water skiing and wakeboarding by an automated cable pulling system and other recreation or games of skill to the general public for a fee. This use must include water skiing and wakeboarding by an automated cable pulling system, but may also include other recreation activities and games of skill. Office, retail, and restaurant uses are permitted as part of this use but are limited to a total of 5,000 square feet of floor area. (Ord. Nos. 23536; 25982; 26042; 27771)

SEC. 51P-508.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 508A: conceptual plan.

(2) Exhibit 508B: development plan for Tract 12A.

(3) Exhibit 508C: development plan for a portion of Tract 3.

(4) Exhibit 508D: development plan for a portion of Tract 14.

(5) Exhibit 508E: development plan for a portion of Tract 12.

(6) Exhibit 508F: athletic field traffic management plan.

(7) Exhibit 508G: development plan for Tract 6.

(8) Exhibit 508H: landscape plan for Tract 6.

(9) Exhibit 508I: traffic management plan for Tract 6.

SEC. 51P-508.104. CONCEPTUAL PLAN.

Use of the Property must comply with the conceptual plan (Exhibit 508A). In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control. (Ord. Nos. 23536; 25982; 26042; 27175)

SEC. 51P-508.105. DEVELOPMENT PLAN.

(a) A development plan for each phase of development must be approved by the city plan commission prior to the issuance of a building permit for each phase.

(b) A development plan for Tract 12A is labeled Exhibit 508B.

(c) A development plan for a portion of Tract 3 is labeled Exhibit 508C.

(d) A development plan for a portion of Tract 14 is labeled Exhibit 508D.

(e) A development plan for Tract 6 is labeled Exhibit 508G.

SEC. 51P-508.106. CREATION OF TRACTS.

This district is divided into 16 tracts: Tracts 1, 2, 3, 4, 5, 6, 7, 7A, 8, 9, 10, 11, 12, 12A, 13, and 14. The boundaries of all areas are described in Exhibit A of Ordinance No. 23536, as amended by Ordinance No. 25982. The boundaries of the areas are shown on the conceptual plan. If there is a conflict, the descriptions in Exhibit A of Ordinance No. 23536, as amended, control over the graphic description on the conceptual plan. (Ord. Nos. 23536; 24725; 25982; 26042; 30230)

SEC. 51P-508.107. TRACT REGULATIONS.

(a) Tracts 1 and 9 [CLUSTERED HOUSING (CH) Tracts].

OMITTED FOR BREVITY

(b) Tracts 4, 8, 10, 11, and 13 (MULTI-FAMILY [MF-2(A)] Tracts).

OMITTED FOR BREVITY

(c) Tracts 3, 5, 6, 7, 7A, and 14 (LIMITED OFFICE [LO-l(A)] Tracts).

(1) Main uses permitted.

(A) Agricultural uses.

None permitted.

(B) Commercial and business service uses.

-- Catering service. *[L]*
-- Medical or scientific laboratory.

(C) Industrial uses.

None permitted.

(D) Institutional and community service uses.

-- Adult day care facility. *[L]*
-- Child-care facility. *[L]*
-- Church.
-- College, university, or seminary.
-- Community service center.
-- Convent or monastery.
-- Library, art gallery, or museum.
-- Public or private school.

-- Convalescent and nursing homes, hospice care and related institutions *[Tract 3 only and limited to 120 beds. Tract 14 only, limited to 130 beds, and 26 feet in height.]*

(E) Lodging uses.

None permitted

(F) Miscellaneous uses.

-- Carnival or circus (temporary). *[By special authorization of the building official.]*
-- Temporary construction or sales office.

(G) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window.
-- Medical clinic or ambulatory surgical center.
-- Office.

(H) Recreation uses.

-- Private recreation center, club, or area. *[SUP]*
-- Public park, playground, or golf course.

(I) Residential uses.

None permitted.

(J) Retail and personal service uses.

-- Business school.
-- Dry cleaning or laundry store. *[L]*
-- General merchandise or food store 3,500 square feet or less. *[L]*
-- Personal service uses. *[L]*
-- Restaurant with or without drive-in or drive-through service. *[L]*

(K) Transportation uses.

-- Transit passenger shelter.
-- Transit passenger station or transfer center. [*SUP or city council resolution.]*

(L) Utility and public service uses.

-- Commercial radio or television transmitting station. *[SUP]*
-- Electrical substation. *[SUP]*
-- Local utilities.
-- Police or fire station. *[SUP]*
-- Post office. *[SUP]*
-- Radio, television, or microwave tower. *[SUP]*
-- Tower/antenna for cellular communication. *[SUP]*
-- Utility or governmental installation other than listed. *[SUP]*

(M) Wholesale, distribution, and storage uses.

-- Recycling drop-off container.
-- Recycling drop-off for special occasion collection.

(2) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

-- Accessory outside display of merchandise.
-- Accessory outside sales.
-- Accessory pathological waste incinerator.

(B) The following accessory use is permitted by SUP only:

-- Accessory helistop.

(3) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this paragraph must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this paragraph and Division 51A-4.400, this paragraph controls.

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no minimum in all other cases.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. (See Section 51A-4.412.) Exception: Except for chimneys and sports lighting, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height. Residential proximity slope does not apply to sports lighting standards in Tract 7A only.

(ii) Maximum height.

(aa) Unless further restricted under Subparagraph(E)(i), maximum structure height is 36 feet.

(bb) In Tract 6, except as restricted in subparagraph (i) of this subsection, maximum height for a public school is 60 feet.

(cc) In Tract 7A, maximum height for sports lighting standards is 80 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories is three.

(4) Off-street parking and loading.

(A) In general. Except as provided in this subparagraph, c[~~C~~]onsult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(B) Special off-street loading provisions.

(C) Tract 6. For a public school, the minimum number of off-street parking spaces required is five and one-half spaces for each high school classroom.

(i) In these tracts, off-street loading spaces may not be located in the required front yard.

(ii) In these tracts, off-street loading spaces may be located in the front yard behind the setback line if they are screened from the street. Screening must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods described in Section 51A-4.602(b)(3).

(5) Environmental performance standards. See Article VI.

(6) Landscaping.

(A) Tract 3.

(i) For the portion of Tract 3 shown in the landscape plan (Exhibit 508D), landscaping must be provided as shown on the landscape plan.

(ii) For all other portions of Tract 3, landscaping must be provided in compliance with the requirements of Article X.

(B) Tracts 5, [~~6,~~] 7, 7A, and 14. Landscaping must be provided in compliance with the requirements of Article X.

(C) Tract 6. Except for a public school, landscaping must be provided in accordance with Article X. For a public school, landscaping must be provided as shown on the landscape plan (Exhibit 508H). If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(7) Additional provisions.

(A) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-l(A), MF-l(SAH), MF-2, MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this provision, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(B) Garbage collection and mechanical equipment areas. Garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH district, or that portion of a planned development district restricted to single family and duplex uses.

(C) Screening surface parking lots from street. In these tracts, all off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(D) Screening side and rear yards from residential districts. In these tracts, if a building or parking structure is erected on a building site and a portion of the side or rear yard abuts or is across the adjoining alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, any portion of the building site directly across from that district must be screened from that district.

(C) Tract 6.

(i) Athletic fields. Except as provided in this subsection, lighting and outdoor amplification are prohibited for public school use of outdoor athletic fields.

(aa) Athletic fields may not be illuminated greater than 0.5 footcandles measured horizontally at three feet above grade as measured at the opposite side of adjacent roadways or 15 feet beyond the property line of adjacent properties.

(bb) Athletic field lighting is only permitted between the hours of 5:00 p.m. and 9:00 p.m., Monday through Friday.

(ii) Sidewalks. A minimum six-foot wide sidewalk is required.

(iii) Visual obstruction regulations. A person shall not erect, place, or maintain a structure, berm, plant life, or other item on a lot if the item is in a visibility triangle defined in Section 51A-4.602(d). For purposes of interpreting Section 51A-4.602(d), STREET, includes private streets.

(d) Tracts 2, 12, and 12A [MIXED USE (MU-1) Tracts].

OMITTED FOR BREVITY

SEC.51P-508.107.1. TRACT 6 TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a public or private school must comply with the traffic management plan (Exhibit 508I).

(b) Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

(c) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the

director by November 1, 2021. After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the director by November 1st of each odd-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different times over a two-week period, and must contain an analysis of the following:

(A) ingress and egress points;

(B) queue lengths;

(C) number and location of personnel assisting with loading and unloading of students;

(D) drop-off and pick-up locations;

(E) drop-off and pick-up hours for each grade level;

(F) hours for each grade level; and

(G) circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(d) Amendment process.

(1) A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P-508.108. SIGNS.

Signs must comply with the following regulations:

(1) For Tracts 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, and 14, signs must comply with the provisions for non-business zoning districts contained in Article VII.

(2) For Tracts 2, 7A, 12, and 12A, signs must comply with the provisions for business zoning districts contained in Article VII. (Ord. Nos. 23536; 25982; 26042; 30230)

SEC. 51P-508.108.1. ADDITIONAL PROVISIONS FOR ATHLETIC FIELDS IN TRACTS 2 AND 7A.

(a) Lighting.

(1) Athletic fields may not be illuminated greater than 0.5 footcandles measured horizontally at three feet above grade as measured at the opposite side of adjacent roadways or 15 feet beyond the property line of adjacent properties.

(2) Athletic field lighting is only permitted between 5:00 p.m. and 10:00 p.m., Sunday through Thursday and between 5:00 p.m. and 10:30 p.m., Friday and Saturday.

(b) Outdoor amplification. Loudspeakers and other forms of amplification are only permitted between 10:00 a.m. and 9:30 p.m., Monday through Thursday; between 10:00 a.m. and 10:00 p.m. on Friday; between 8:00 a.m. and 10:00 p.m. on Saturday; and between 9:00 a.m. and 9:30 p.m. on Sunday.

(c) Traffic Management Plan.

(1) In general. Operation of the athletic fields must comply with the athletic field traffic management plan (Exhibit 508F).

(2) Queuing. Queuing is only permitted inside the Property. Participant drop-off and pick-up are not permitted within city rights-of-way.

(3) Traffic study.

(A) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by September 28, 2018. Updates to the initial traffic study are not required.

(B) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different days of the week at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

(i) ingress and egress points;

(ii) queue lengths;

(iii) drop-off and pick-up locations; and,

(iv) circulation.

(C) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(i) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(ii) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(4) Amendment process.

(A) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-l.l05(k)(3).

(B) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion. (Ord. 30230)

SEC. 51P-508.109. ADDITIONAL PROVISIONS.

(a) The entire premises must be properly maintained in a state of good repair and neat appearance at all times.

(b) Use of the Property must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city. (Ord. Nos. 23536; 25982; 26042)

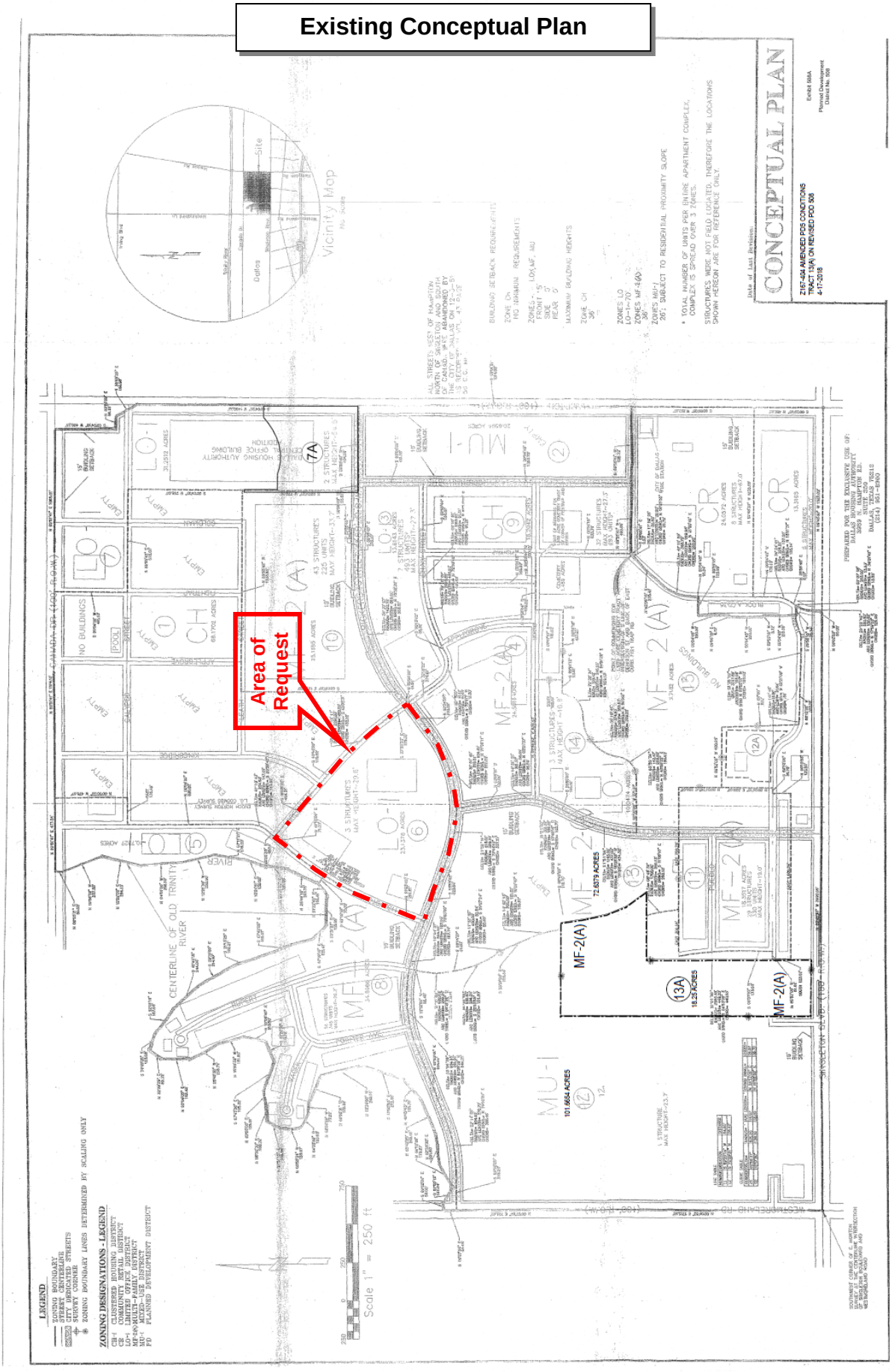
SEC. 51P-508.110. PAVING.

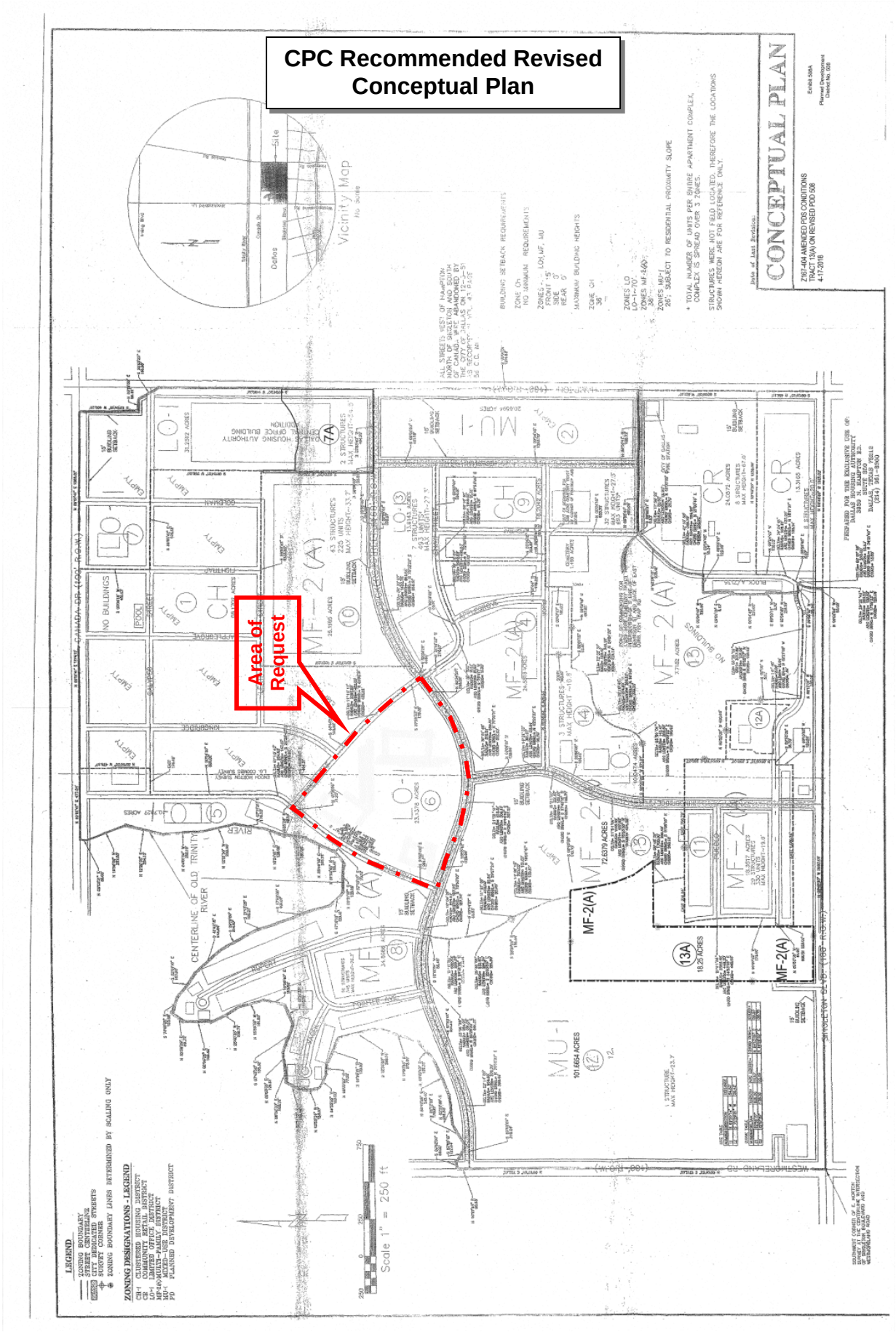
All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. (Ord. Nos. 24655; 26042)

SEC. 51P-508.111. COMPLIANCE WITH CONDITIONS.

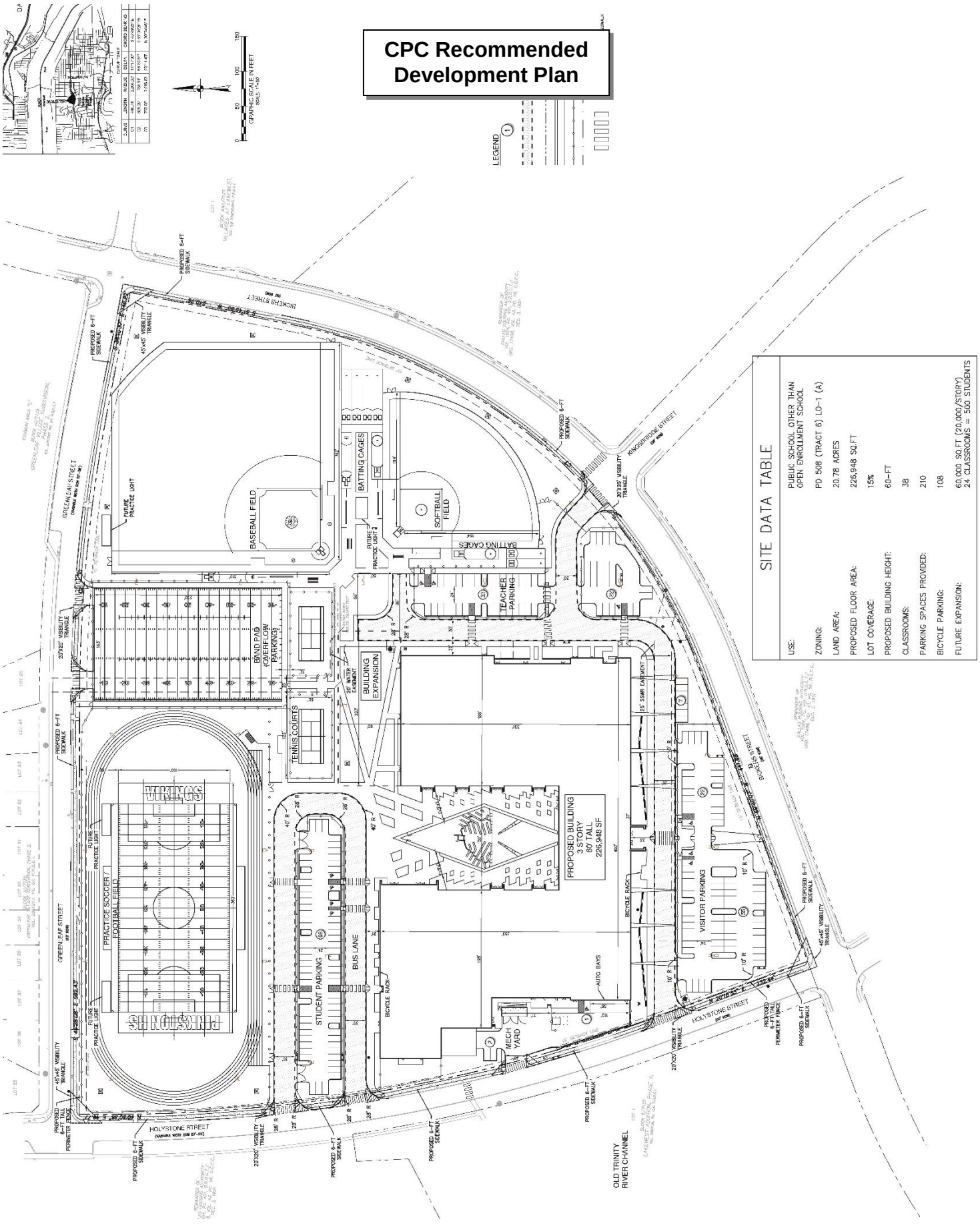
The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 24655; 26042)

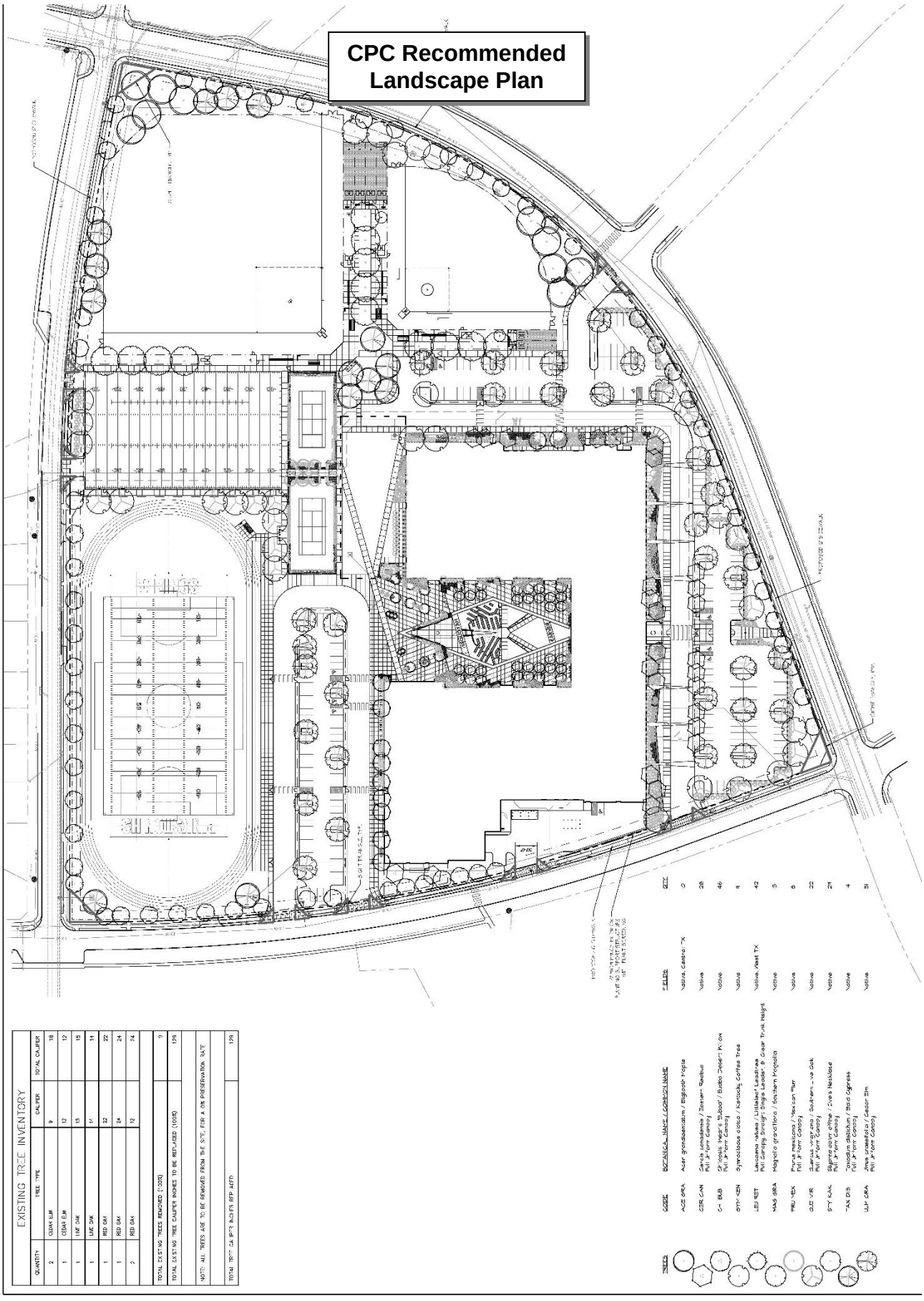
Existing Conceptual Plan


CONCEPTUAL PLAN
Area of Request
MF-2(A)
MF-2(A)
MF-2(A)
CR
CR
CH
CH
MU-1
LO-1
LO-1
LO


CPC Recommended Revised Conceptual Plan
Area of Request
CONCEPTUAL PLAN
Z167-404 AMENDED PD5 CONDITIONS
TEXT DATED 10/4/18 AND ON REVISED PD5 506
4-17-2018
Exhibit 506A
Planned Development District No. 506
Vicinity Map
No Scale
Site
Dallas
Trinity River
Mockingbird Ln
Inwood Rd
Harry Hines Blvd
Oak Lawn Ave
Cedar Springs Rd
Lemmon Ave
Turtle Creek Blvd
Dates of Last Revisions:
LEGEND
ZONING BOUNDARY
STREET CENTERLINE
CITY DEDICATED STREETS
SURVEY CORNER
ZONING BOUNDARY LINES DETERMINED BY SCALING ONLY
ZONING DESIGNATIONS - LEGEND
CH CLUSTERED HOUSING DISTRICT
CR COMMUNITY RETAIL DISTRICT
LO-1 LIMITED OFFICE DISTRICT
MF-2(A) MULTIFAMILY DISTRICT
MU-1 MIXED-USE DISTRICT
PD PLANNED DEVELOPMENT DISTRICT
Scale 1" = 250 ft
0
250
500
750
CENTERLINE OF OLD TRINITY RIVER
INWOOD RD
MF-2(A)
LO-1
MU-1
CH
CR
NO BUILDINGS
POOL
EXISTING
PROPOSED
ALL STREETS WEST OF HAMPTON ROAD NORTH OF SINGLETON AND SOUTH OF CANADA DRIVE ARE ABANDONED BY THE CITY OF DALLAS ON 12-9-09 AS RECORDED IN VOL. 93 CC Nº
BUILDING SETBACK REQUIREMENTS
ZONE CH
NO MINIMUM REQUIREMENTS
ZONES *, LO, LO-1, MU
FRONT 15'
SIDE 0'
REAR 0'
MAXIMUM BUILDING HEIGHTS
ZONE CH
36'
*
ZONES LO
LO-1=70'
ZONES MF-2(A)
36'
ZONES MU-1
26' SUBJECT TO RESIDENTIAL PROXIMITY SLOPE
* TOTAL NUMBER OF UNITS PER ENTIRE APARTMENT COMPLEX. COMPLEX IS SPREAD OVER 3 ZONES.
STRUCTURES WERE NOT FIELD LOCATED. THEREFORE THE LOCATIONS SHOWN HEREON ARE FOR REFERENCE ONLY.
PREPARED FOR THE EXCLUSIVE USE OF:
DALLAS HOUSING AUTHORITY
3939 N. HAMPTON RD.
SUITE 400
DALLAS, TEXAS 75212
(214) 951-8900

CPC Recommended Development Plan





EXISTING TREE INVENTORY

QUANTITY	TREE TYPE	CALIPER	TOTAL CALIPER
2	CEDAR ELM	9	18
1	CEDAR ELM	12	12
1	LIVE OAK	15	15
1	LIVE OAK	14	14
1	RED OAK	22	22
1	RED OAK	24	24
2	RED OAK	12	24
TOTAL EXISTING TREES REMOVED (2005)			0
TOTAL EXISTING TREE CALIPER INCHES TO BE REMOVED (2005)			129
NOTE: ALL TREES ARE TO BE REMOVED FROM THE SITE, FOR A DB PRESERVATION SITE			
TOTAL TREE CALIPER INCHES REMOVED AUTH			129

TREES	CODE	BOTANICAL NAME / COMMON NAME	FIELD2	QTY
	ACE GRA	Acer grandidentatum / Bigtooth Maple	Native, Central TX	5
	CER CAN	Cercis canadensis / Eastern Redbud	Native	28
	C+ BUB	Chilopsis linearis 'Bubba' / Bubba Desert Willow Full 3" Form Canopy	Native	46
	GYM KEN	Gymnocladus dioica / Kentucky Coffee Tree	Native	9
	LEU RET	Leucaena retusa / Littleleaf Leadtree Full Canopy Straight Single Leader, 8' Clear Trunk Height	Native, West TX	42
	MAG GRA	Magnolia grandiflora / Southern Magnolia	Native	3
	PIN NEN	Pinus nigra / Austrian Pine Full 3" Form Canopy	Native	6
	QUE VIR	Quercus virginiana / Southern Live Oak Full 3" Form Canopy	Native	22
	SYR AMA	Syringa reticulata / Japanese Tree Lilac Full 3" Form Canopy	Native	21
	TAX DIS	Taxodium distichum / Bald Cypress Full 3" Form Canopy	Native	4
	ULM CRA	Ulmus crassifolia / Cedar Elm Full 3" Form Canopy	Native	31

CPC Recommended Traffic Management Plan

September 11, 2018
PK# 2067-18.149
Z178-260

TRAFFIC MANAGEMENT PLAN

Project:
DISD L.G. Pinkston High School
In Dallas, Texas

Prepared for:
City of Dallas

On behalf of:
Dallas Independent School District

Prepared by:

Hunter W. Lemley, P.E.



Pacheco Koch

7557 Rambler Road, Suite 1400
Dallas, Texas 75231-2388
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TX.REG: ENGINEERING FIRM F-469
TX. REG. SURVEYING FIRM LS-100080-00

September 11, 2018

Pacheco Koch

TRAFFIC MANAGEMENT PLAN
DISD L.G. Pinkston High School

Dallas, Texas

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Exhibit 1. Recommendations/Proposed Conditions

INTRODUCTION

The services of **Pacheco Koch** (PK) were retained by Masterplan, on behalf of **Dallas Independent School District**, to prepare a Traffic Management Plan (TMP) for L.G. Pinkston High School (the "School") located at 2200 Dennison Street in Dallas, Texas. This TMP is site-specific and relates to the peak traffic activity associated with school traffic at the site.

DISD is seeking amend the Planned Development District for the property from the City of Dallas (the "Approving Agency") to facilitate proposed site Improvements. Submittal of a TMP, prepared by a registered professional engineer experienced and skilled in the field of traffic/transportation engineering, is one of the requirements of Approving Agency's application process. This TMP was prepared by registered professional engineers employed by Pacheco Koch. Pacheco Koch is a licensed engineering firm based in Dallas, Texas, that provides professional services in traffic engineering, transportation planning, and other fields.

School Description

The School consists of an existing high school with grades 9th through 12th. The School currently is located at 2200 Dennison Street and will be relocated to the subject site with complete new construction. The new school building is anticipated to be complete by the 2021-2022 school year. Existing uses on the site include two vacant elementary schools (previously DISD George W. Carver Elementary School and DISD Dallas Environmental Academy), which will be razed, and the sites incorporated into the new high school building.

School starts at 9:15 AM and ends at 4:15 PM. Enrollment at the existing campus is 900 students; enrollment at the new campus is expected to remain at the existing level. A summary of the proposed development program, by phase, is provided in **Table 1**. Calculations for vehicle accumulation and parking numbers are based upon previously city-staff-approved ratios and validated by on-site dismissal observations conducted on Monday, April 16th, 2018.

Table 1. Current Enrollment

GRADES	EXISTING	PROPOSED
9th Grade	--	--
10th Grade	--	--
11th Grade	--	--
12th Grade	--	--
TOTAL	900	900

*Enrollment Data provided by *DISD*

Access to the campus will be provided by Bickers Street and Holystone Street. Bickers Street, a local street, intersects with Kingbridge Street, a local street, just south of the property. Land uses surrounding the site are exclusively single family residential.

TMP Objectives

A Traffic Management Plan (TMP) is a site- or area-specific plan of recommended actions and strategies to manage vehicular traffic and parking, pedestrian activity, and travel by all other modes during peak demand conditions for a planned event. The "Objectives" of a TMP are to:

1. Provide a safe environment for all Users on site and the travelling public in the vicinity of the site during the Event times;
2. Minimize (and maintain within reasonable levels) travel delays and traffic congestion on site and in the vicinity of the site during the Event;
3. Ensure reasonable access and circulation is maintained on the public street system in the vicinity of the site during the Event;
4. Provide appropriate information to the travelling public in the vicinity of the site to allow for proper awareness of anticipated traffic conditions during the Event; and,
5. Promote reasonable strategies to manage travel demand to and from the site, including use of alternative modes of travel (such as walk, bike, bus, transit, etc.), when practical.

DEFINITIONS:
Terms are used in this report:

"Event"– a planned event(s), recurring or non-recurring, for which this TMP is being prepared (i.e., "school day")

"School" (a.k.a., "Event Organizer") – the person, group, or organization responsible for the Event

"TMP Manager" – a person or persons designated by the School to implement the TMP (also see additional tasks in the *Expectations* section)

"Users" – guests/patrons attending the Event

"Analyst" – the person(s) preparing the TMP for the School

"Approving Agency" – the municipality or government agency requiring the Traffic Management Plan

"Traffic Department" – the department of the public agency responsible for traffic operations for a given right-of-way

"Site" – the property at which the Event is located (generally assumed to be occupied by the School)

"TMP Strategies" – actions recommended by the Analyst to be undertaken before, during, or after the Event in order to manage traffic on or off site

DISCLAIMERS:

A TMP should be developed by, or in concert with, an individual familiar with the general characteristics of the Event and the associated traffic/transportation needs. For this study, PK worked with School representatives to develop the proposed recommendations.

Recommended TMP Strategies should be based upon applicable engineering principles of traffic safety and traffic operations.

Any recommended TMP Strategies involving traffic control devices in the public right-of-way (including installation or removal of signs, pavement markings, etc.) are subject to the approval of, and must be implemented under direction of, the Traffic Department.

No private individual should perform, or attempt to perform, any act of traffic control within public right-of-way; only deputized officers of the law or other authorized representatives of the Traffic Department may manipulate traffic conditions within the public right-of-way.

The recommendations presented in this report reflect Pacheco Koch's assessment of current and projected traffic needs based on observations and professional judgment and incorporate feedback from DISD representatives. Pacheco Koch is not responsible for operations at the school; however, the recommendations have been presented to on-site school personnel with authority over implementation of the Plan (see **Exhibit 1** for on-site contact information). Pacheco Koch was not involved with site selection, site design, or the current operations for this project.

Methodology

When feasible, the Analyst should conduct first-hand observations of existing event to develop an understanding of site-specific traffic/transportation characteristics, such as: drop-off/pick-up frequency, parking needs, alternative travel mode use, safety issues, queuing, traffic congestion, site access, current traffic management strategies in use, etc. When it is not feasible to conduct such observations, interviews with staff or personnel familiar with those items is desirable. When neither option is available, the Analyst may be required to rely upon published information and/or professional judgment and experience.

Once the base information is assembled, the Analyst should estimate the projected traffic/transportation characteristics generated by the proposed Event. Next, the Analyst should inventory the attributes and resources of the subject site and determine how the site can best accommodate those projected conditions. Based upon that assessment, the recommended TMP Strategies shall be developed to optimally achieve the basic TMP Objectives. The recommended TMP Strategies should be reviewed by the School (ideally, the TMP Manager) for refinement and approval before formal submittal to the Approving Agency.

Expectations

NOTE TO SCHOOL: By submittal of a TMP to the Approving Agency, the School is implicitly agreeing to implement, maintain, and comply with the recommended

actions presented herein subject to acceptance by Approving Agency and any associated conditions Approving Agency may impose. It is also inferred that the School agrees to be self-accountable for these actions until and unless Approving Agency deems further measures are appropriate or the TMP is no longer required.

Recommended TMP Strategies may include one-time measures to be implemented before the Event and/or ongoing actions to be performed before, during, or after the Event. Recommended TMP Strategies involving on-site measures or actions are generally considered to be the responsibility of the School.

To ensure appropriate compliance and consistent implementation of the TMP, it is recommended that the School appoint a TMP "Manager". In general, a Manager should be a qualified and capable individual or group of individuals assigned to take responsibility of the TMP and be accountable for successful implementation in order to achieve the Objectives described earlier (see "**Exhibit 1**"). Other specific duties of the Manager include:

- Monitor effectiveness of TMP strategies and make prudent adjustments, as needed, to more effectively accomplish the TMP Objectives
- Maintain an awareness of readily-available alternative transportation modes serving the site and facilitate and promote their use during the Event when practical
- Serve as a liaison to the Approving Agency(-ies), when needed
- When applicable, provide training and direction to other personnel assigned to implement the TMP measures
- Provide instruction to Users on how to comply with the intent of the TMP

Recommended TMP Strategies were developed specifically for the period(s) of peak traffic demand and are depicted in the respective exhibit. For periods of less intense traffic demand, recommended TMP Strategies may be utilized, in part or in whole, as needed to realize the TMP Objectives.

Changes to TMP

Informal changes to any recommended TMP Strategies presented herein to improve efficiency or effectiveness may be implemented at the discretion of the School if those changes are prudent and do not compromise the TMP Objectives. It is recommended that changes implemented under such circumstances be documented and retained by the School for future reference or upon request. At the discretion of the Approving Agency, submittal of a formally revised TMP report/document or a validation study may be required on a predetermined or as-needed basis.

TRAFFIC MANAGEMENT PLAN

NOTE: Recommended TMP Strategies contained herein are based upon the best data, site-specific information, and analytical processes readily available at the time of the study. However, specific quantities related to traffic congestion at peak periods (e.g., duration, length of queue, etc.) are estimated values. Actual quantities may vary due to unknown or unquantifiable variables and other operational factors that may occur. In the event that actual, future conditions generate undue burden on Users and/or the travelling public, modifications to the TMP should be considered. (See preceding NOTE for guidance on implementing changes to the TMP.) However, in extreme conditions, TMP actions may not be capable of mitigating all traffic conditions, and it may be incumbent on the School to consider operational, institutional, or other long-term changes to address issues on a more permanent basis.

Graphical summaries of recommendations and proposed conditions are depicted in **Exhibit 1**.

A summary of specific recommendations is provided below:

1. Convert Greenleaf Street from one-way traffic flow to permanent two-way traffic flow.
2. Install Signs to restrict access to northbound traffic on Holystone Street during pick-up/drop-off periods.
3. Outbound only during drop-off/pick-up periods. Install permanent signs to restrict inbound access during drop-off/pick-up periods.
4. Places cones to allow for enough radius for bus turning.
5. Install permanent sign on Canada Drive to restrict access to Pinkston High School.
6. Install signs to restrict parking along curbside (Holystone Street).

END OF MEMO

GENERAL NOTE: The subject school administration shall issue a formal communication that summarizes the intent of the Traffic Management Plan at least once every school year.

Vehicle Accumulation/Capacity	Vehicles
Projected Maximum Vehicle Accumulation*	108
Available Capacity	113
On-site Queue	*23*
Off-site Queue	*90*
Surplus	+5

*Calculated by City provided Rates

Proposed Parking*	Vehicles
Parking Supply	212
Parking Demand (Observed)	165
Surplus	+47

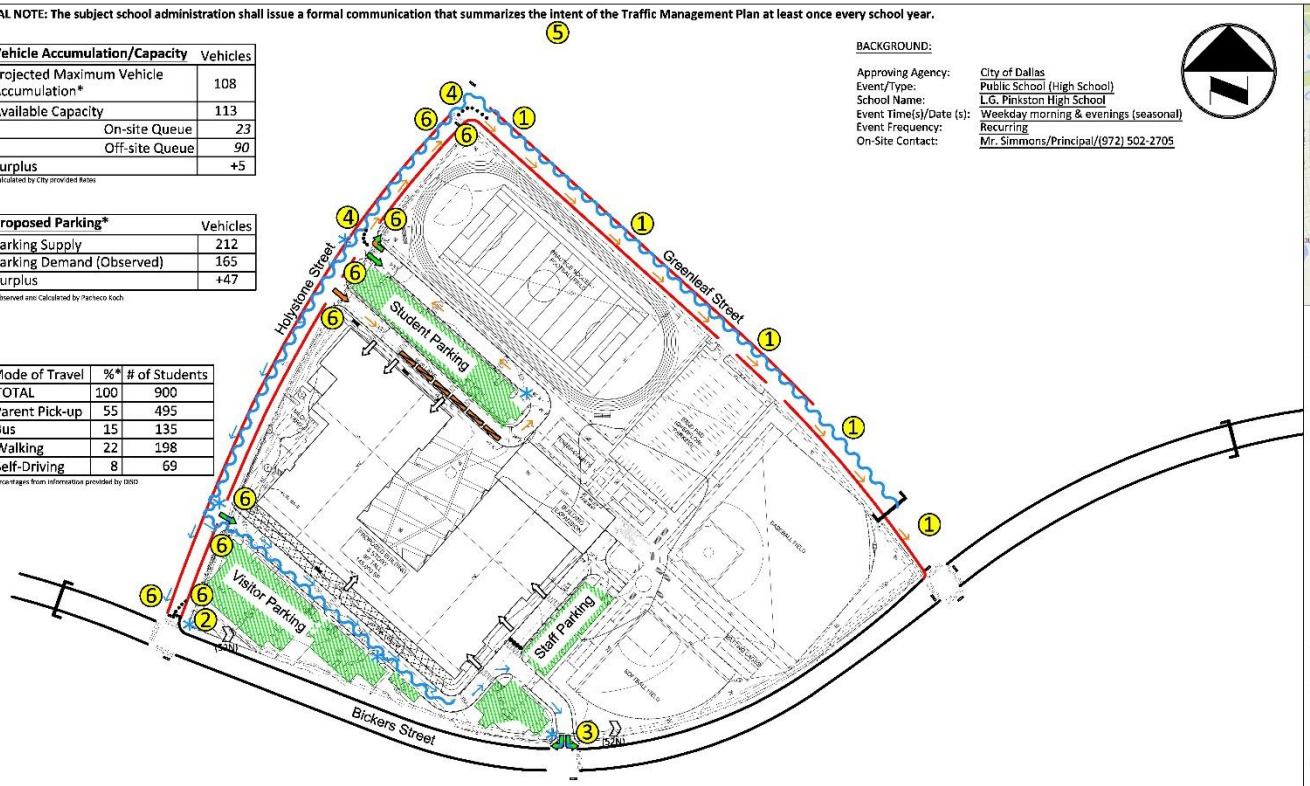
*Observed and Calculated by Pacheco Koch

Mode of Travel	%*	# of Students
TOTAL	100	900
Parent Pick-up	55	495
Bus	15	135
Walking	22	198
Self-Driving	8	69

*Percentages from information provided by DISD

BACKGROUND:

Approving Agency: City of Dallas
Event/Type: Public School (High School)
School Name: L.G. Pinkston High School
Event Time(s)/Date (s): Weekday morning & evenings (seasonal)
Event Frequency: Recurring
On-Site Contact: Mr. Simmons/Principal/(972) 502-2705





Parking
- No Parking (Existing)
- No Parking (Proposed)
- On-Site Parking
- Access Point

Queuing/Loading
- Parent Waiting and Loading Area
- Queue Area (Unmanaged)
- Circulation/Flow
- Access Point
- School Bus Loading/Unloading
- School Bus Access Point
- Staff Assistance

Pedestrian/Other
- Trail/Path
- Crosswalk
- Student Waiting Area
- School Zone
- Public Transit Stop (DART Route No.)
- Stop Line
- Traffic Signal
- Traffic Cone

Proposed Conditions

NOTE: This drawing is conceptual only and does not reflect a detailed design.

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY HUNTER W. LEMLEY, P.E. 125343 ON 09/11/2018. ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

TX. REG: ENGINEERING FIRM F-469
TX. REG. SURVEYING FIRM LS-100080-00

PK #2067-18.149
(HWL: 09/11/18)

RECOMMENDATIONS

① Convert Greenleaf Street from One-Way Traffic Flow to Permanent Two-Way Traffic Flow
② Install Signs to Restrict Access to Northbound Traffic on Holystone Street During Pick-up/Drop-off Periods
③ Outbound Only During Drop-off/Pick-up Periods. Install Permanent Signs to Restrict Inbound Access During Drop-off/Pick-up Periods
④ Place Cones to Allow for Enough Radius for Bus Turning
⑤ Install Permanent Sign on Canada Drive to Restrict Access to Pinkston High School
⑥ Install Signs to Restrict Parking Along Curbside

EXHIBIT 1 Z178-260

Traffic Management Plan
Proposed Conditions

DISD L.G. Pinkston High School, Dallas, Texas

Pacheco Koch

SUP NO. 610
(To be terminated)

SECTION 2. That this Specific Use Permit No. 610 for a Health Center with reference to the hereinabove described property, authorized by Section 10 of said Ordinance, is approved and granted upon the following express conditions, and adopted as part of Section 34, of the Zoning Ordinance:

1. SITE PLAN: The site plan approved by the City Plan Commission shall be attached to and made a part of the ordinance.

2. PARKING: Off-street parking shall be provided at the ratio of one space for each 200 square feet of floor area.

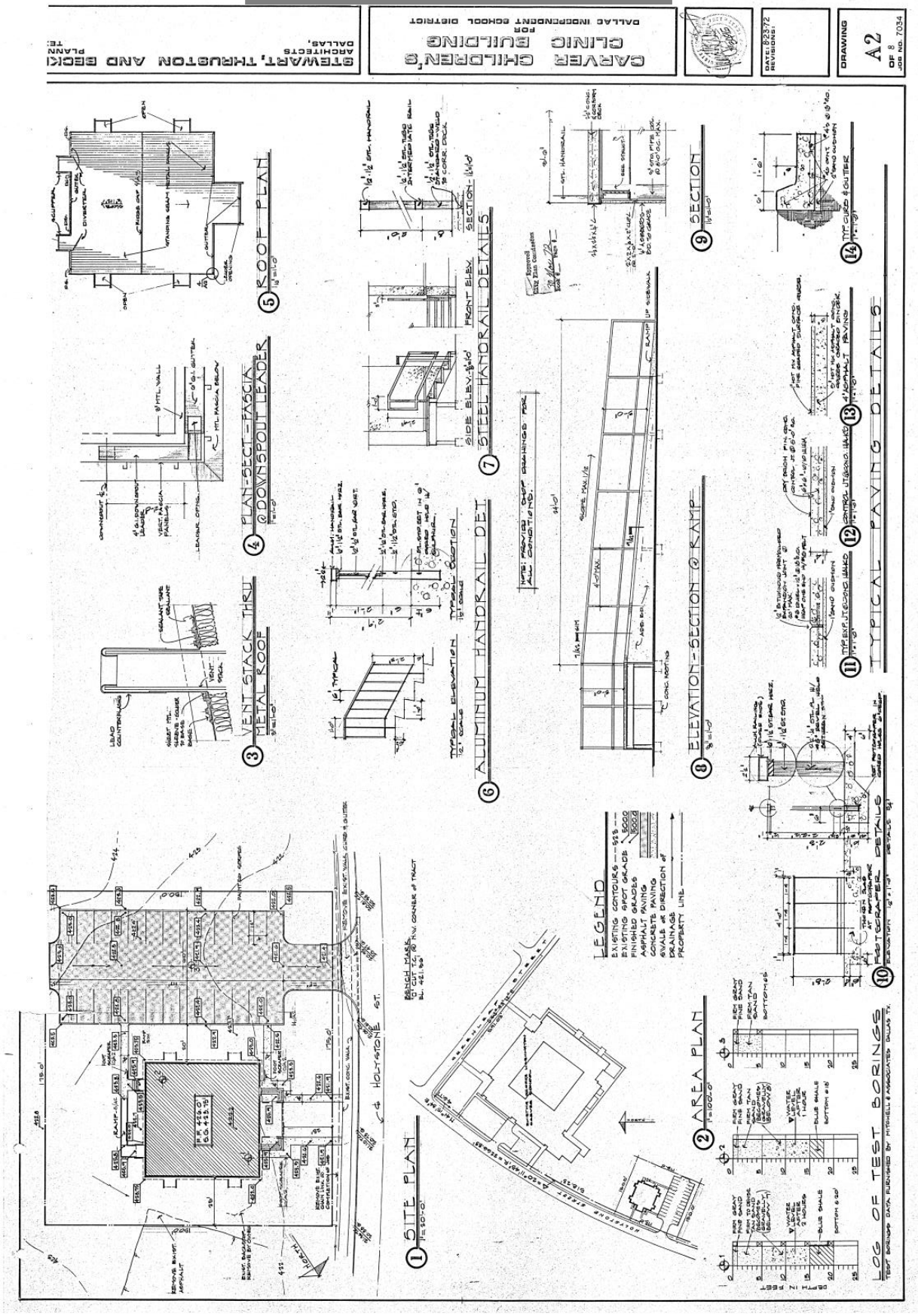
3. SIGNS: Any sign constructed must meet the requirements of an institutional sign as defined in the City of Dallas Comprehensive Zoning Ordinance.

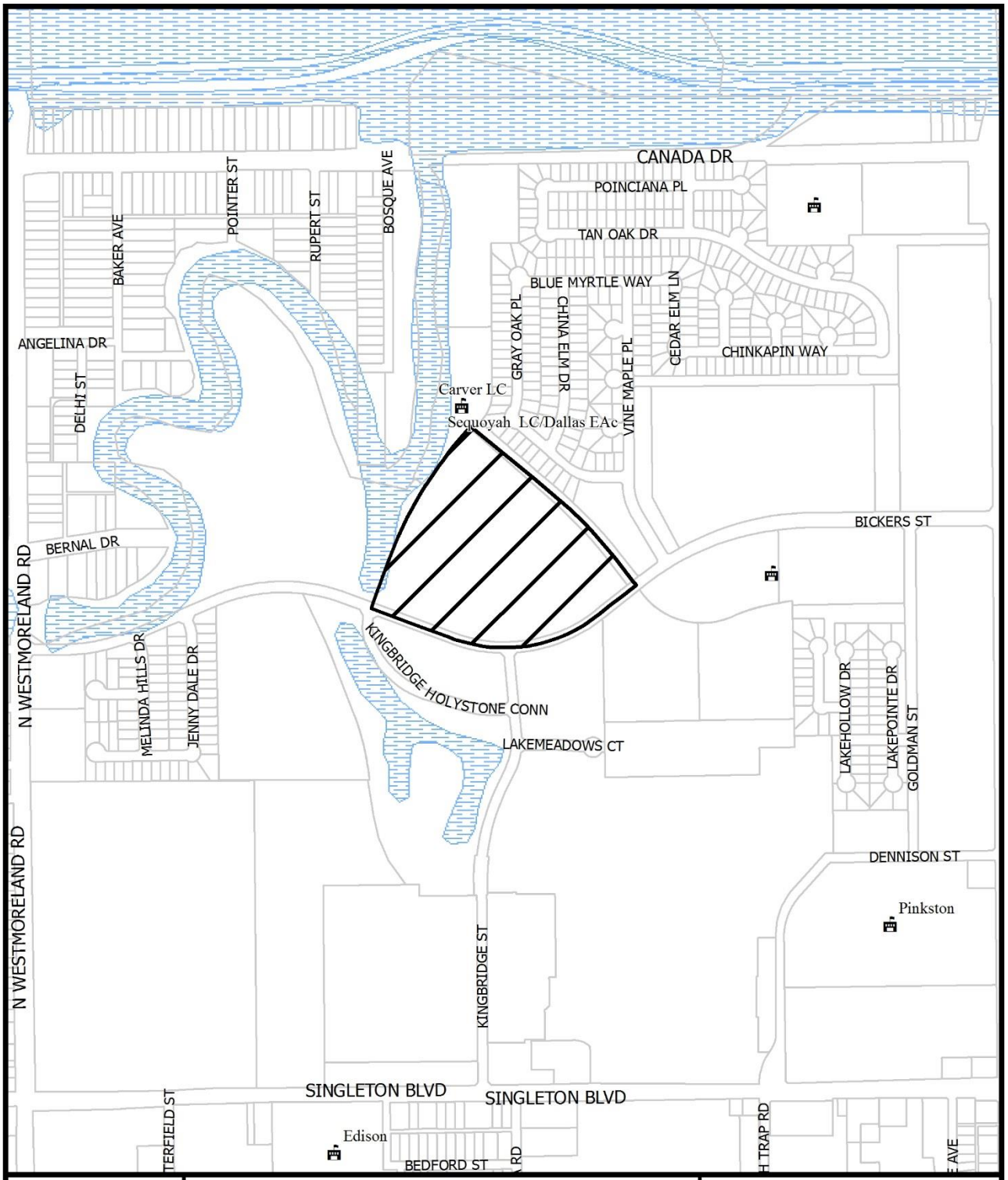
4. PAVING: All driveways, entrances and parking areas shall have a minimum surfacing of six (6) inches compacted gravel and two (2) coats of penetration asphalt. The developer shall bear the total cost and maintenance of all such improvements, including curb and drainage structures that may be necessary.

5. MAINTENANCE: The entire premises shall be maintained in a state of good repair and tidy appearance.

6. GENERAL REQUIREMENTS: That the requirements of the City of Dallas must be met.

SUP NO. 610 Existing Site Plan
(To be terminated)





1:8,400

VICINITY MAP

Case no: Z178-260

Date: 1/31/2019

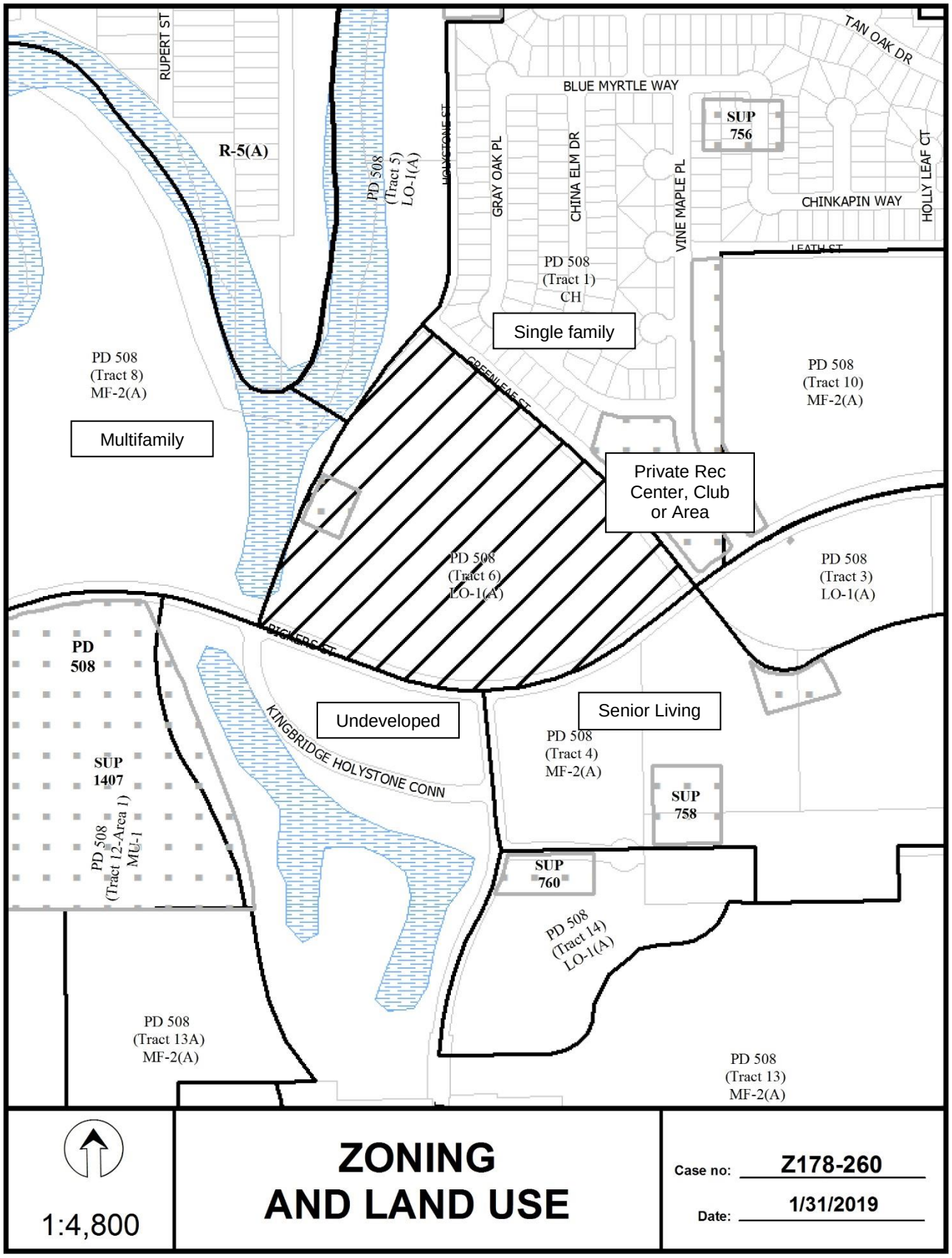


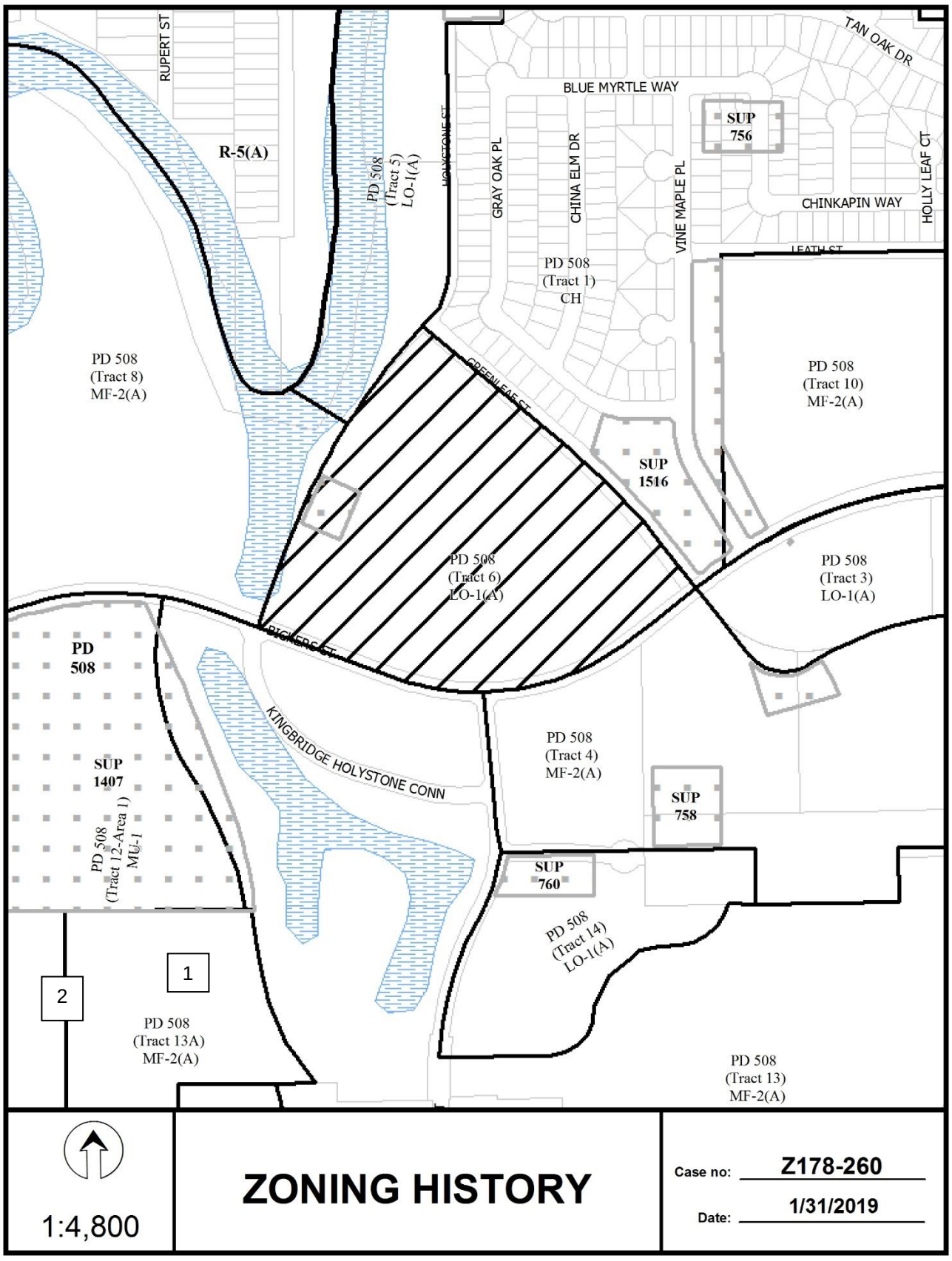
1:4,800

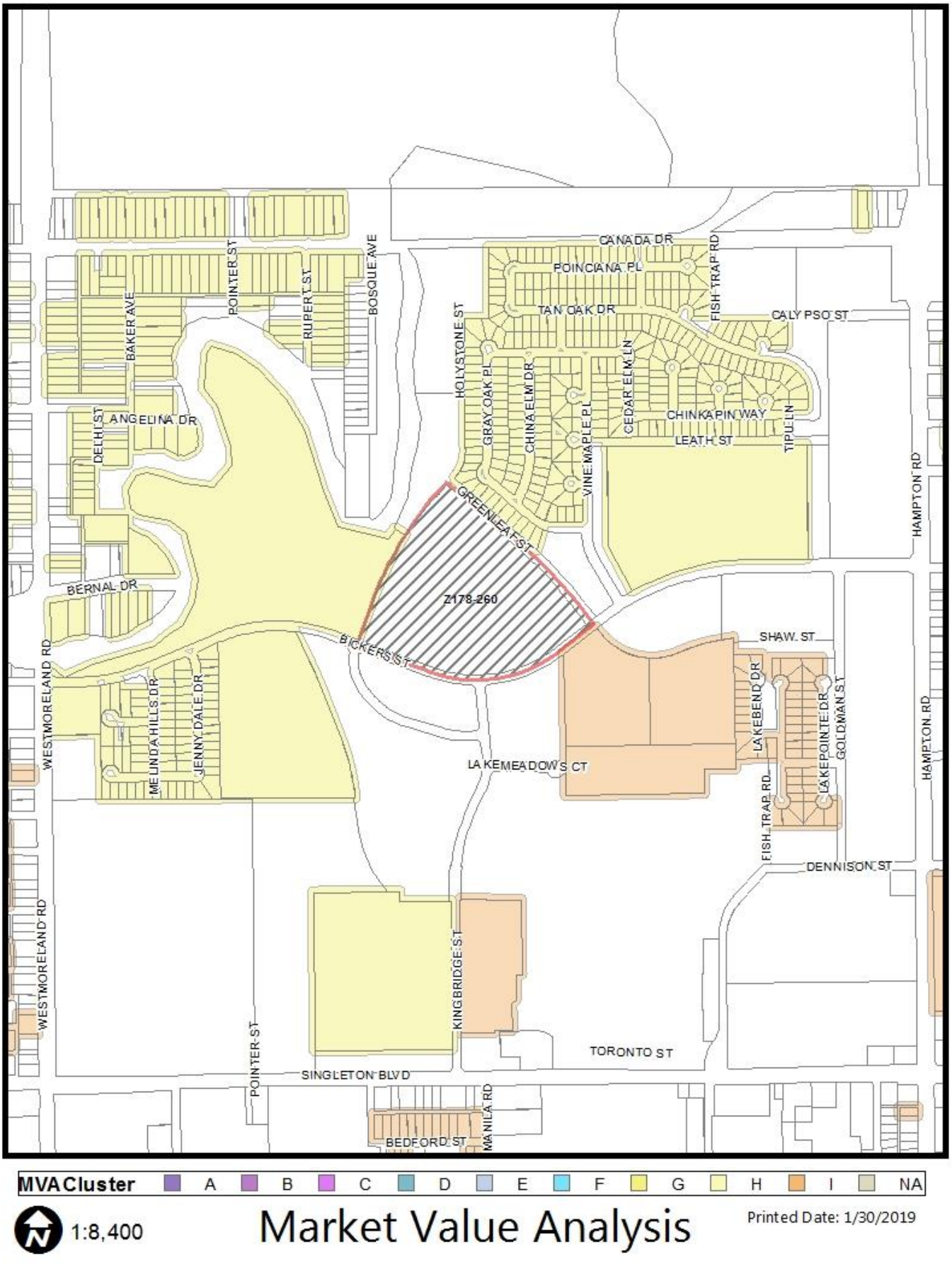
AERIAL MAP

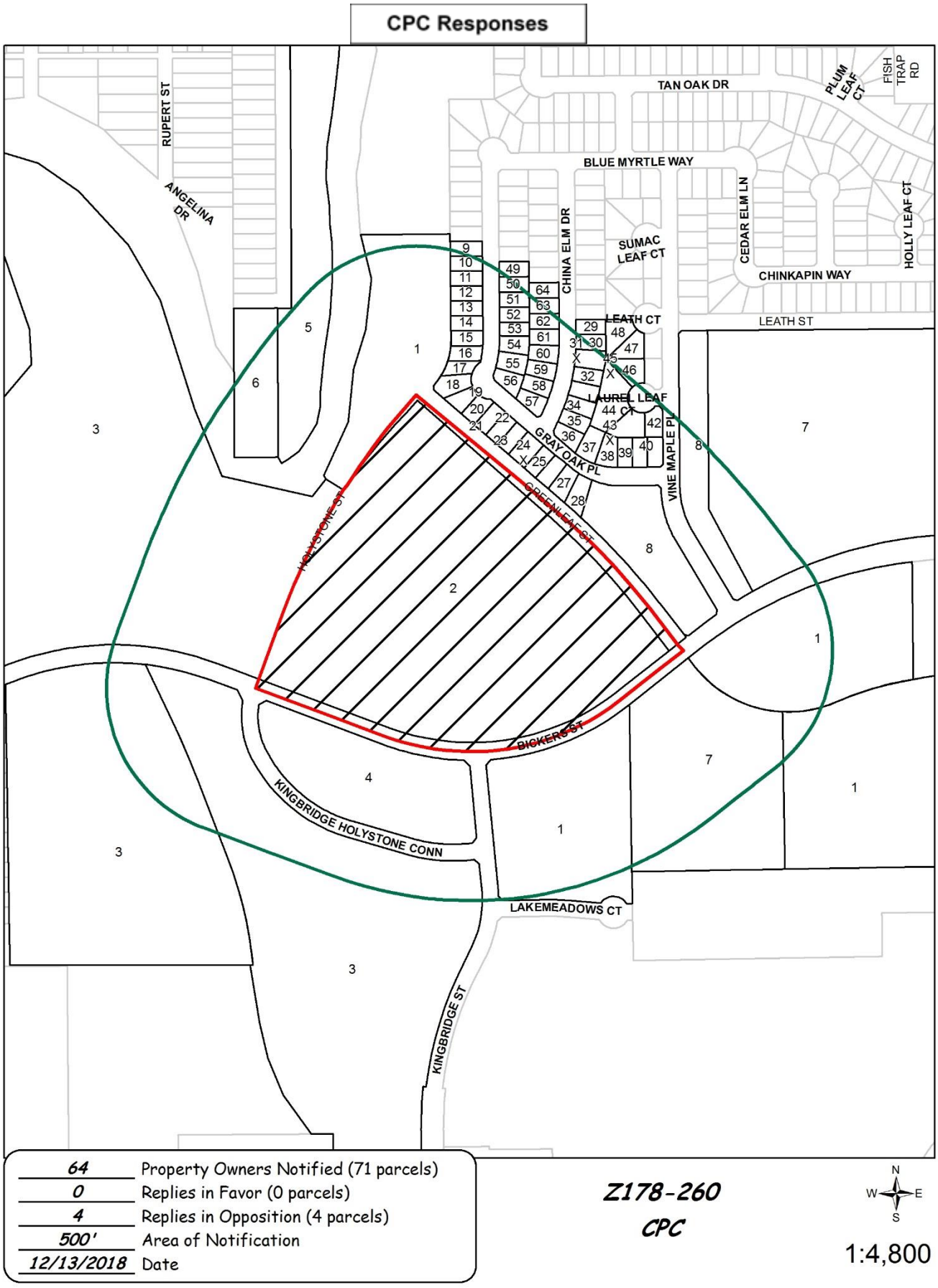
Case no: Z178-260

Date: 1/31/2019


RUPERT ST
R-5(A)
PD 508 (Tract 5) LO-1(A)
HOLYSTONE CT
GRAY OAK PL
CHINA ELM DR
VINE MAPLE PL
BLUE MYRTLE WAY
TAN OAK DR
SUP 756
CHINKAPIN WAY
HOLLY LEAF CT
LEATH ST
PD 508 (Tract 1) CH
Single family
PD 508 (Tract 8) MF-2(A)
Multifamily
GREENLEAF CT
PD 508 (Tract 10) MF-2(A)
Private Rec Center, Club or Area
PD 508 (Tract 6) LO-1(A)
PD 508 (Tract 3) LO-1(A)
PD 508
SUP 1407
PD 508 (Tract 12-Area 1) MU-1
Undeveloped
KINGBRIDGE HOLYSTONE CONN
Senior Living
PD 508 (Tract 4) MF-2(A)
SUP 758
SUP 760
PD 508 (Tract 14) LO-1(A)
PD 508 (Tract 13A) MF-2(A)
PD 508 (Tract 13) MF-2(A)
1:4,800
ZONING AND LAND USE
Case no: Z178-260
Date: 1/31/2019


RUPERT ST
R-5(A)
PD 508 (Tract 5) LO-1(A)
HOLYSTONE ST
GRAY OAK PL
CHINA ELM DR
VINE MAPLE PL
BLUE MYRTLE WAY
TAN OAK DR
SUP 756
CHINKAPIN WAY
HOLLY LEAF CT
LEATH ST
PD 508 (Tract 1) CH
PD 508 (Tract 8) MF-2(A)
GREENLEAF ST
PD 508 (Tract 10) MF-2(A)
SUP 1516
PD 508 (Tract 6) LO-1(A)
PD 508 (Tract 3) LO-1(A)
PD 508
SUP 1407
PD 508 (Tract 12-Area 1) MU-1
BICKERS ST
KINGBRIDGE HOLYSTONE CONN
PD 508 (Tract 4) MF-2(A)
SUP 758
SUP 760
PD 508 (Tract 14) LO-1(A)
1
2
PD 508 (Tract 13A) MF-2(A)
PD 508 (Tract 13) MF-2(A)
1:4,800
ZONING HISTORY
Case no: Z178-260
Date: 1/31/2019


CANADA DR
POINCIANA PL
FISH TRAP RD
TAN OAK DR
CALYPSO ST
HOLYSTONE ST
GRAY OAK PL
CHINA ELM DR
CEDAR ELM LN
VINE MAPLE PL
CHINKAPIN WAY
LEATH ST
TIPU LN
HAMPTON RD
POINTER ST
RUPERT ST
BOSQUE AVE
BAKER AVE
DELHI ST
ANGELINA DR
GREENLEAF ST
Z178-260
BERNAL DR
BICKERS ST
SHAW ST
LAKEBEND DR
GOLDMAN ST
LAKEPOINTE DR
LAKEMEADOWS CT
FISH TRAP RD
DENNISON ST
WESTMORELAND RD
MELINDA HILLS DR
JENNY DALE DR
KINGBRIDGE ST
TORONTO ST
SINGLETON BLVD
MANILA RD
BEDFORD ST
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:8,400
Market Value Analysis
Printed Date: 1/30/2019


CPC Responses
TAN OAK DR
PLUM LEAF CT
FISH TRAP RD
RUPERT ST
ANGELINA DR
BLUE MYRTLE WAY
CHINA ELM DR
SUMAC LEAF CT
CEDAR ELM LN
HOLLY LEAF CT
CHINKAPIN WAY
LEATH CT
LEATH ST
LAUREL LEAF CT
GRAY OAK PL
VINE MAPLE PL
HOLYSTONE ST
GREENLEAF ST
BICKERS ST
KINGBRIDGE HOLYSTONE CONN
LAKEMEADOWS CT
KINGBRIDGE ST
64 Property Owners Notified (71 parcels)
0 Replies in Favor (0 parcels)
4 Replies in Opposition (4 parcels)
500' Area of Notification
12/13/2018 Date
Z178-260
CPC
N
W
E
S
1:4,800

12/12/2018

Reply List of Property Owners

Z178-260

64 Property Owners Notified ***0 Property Owners in Favor*** ***4 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3130	KINGBRIDGE ST	DALLAS HOUSING AUTHORITY
	2	3719	GREENLEAF ST	Dallas ISD
	3	3020	BICKERS ST	DALLAS HOUSING AUTHORITY
	4	3131	KINGBRIDGE ST	DALLAS HOUSING AUTHORITY
	5	3900	BOSQUE AVE	RIVER EDGE INVESTMENTS LLC
	6	3901	BOSQUE AVE	CASTRO LOUISA ET AL
	7	2425	BICKERS ST	DALLAS HOUSING AUTHORITY
	8	3	GRAY OAK PL	GREENLEAF VILLAGE HOA INC
	9	4043	GRAY OAK PL	KEMIS EMANAYISH &
	10	4039	GRAY OAK PL	VASQUEZ CYNTHIA
	11	4035	GRAY OAK PL	CHIRINOS FAUSTO &
	12	4031	GRAY OAK PL	BROWN OLA &
	13	4027	GRAY OAK PL	RAMIREZ MARIA D
	14	4023	GRAY OAK PL	LARA JOSE
	15	4019	GRAY OAK PL	ALARCON ANTONIO &
	16	4015	GRAY OAK PL	FUENTES GERTRUDIS
	17	4011	GRAY OAK PL	KNOX SANDRA KAY &
	18	3959	GRAY OAK PL	HERNANDEZ JULIO A &
	19	3955	GRAY OAK PL	SPIKES JOHN
	20	3951	GRAY OAK PL	TIKU TEWODROS
	21	3947	GRAY OAK PL	CHAIREZ RAMIRO
	22	3943	GRAY OAK PL	TAPIA MARTIN &
	23	3939	GRAY OAK PL	RODARTE LILIA
X	24	3935	GRAY OAK PL	BUSTOS JOSE J
	25	3931	GRAY OAK PL	TRAN MICHAEL
	26	3927	GRAY OAK PL	LE THOANG & NGHIEP DANG

Reply	*Label #*	*Address*		*Owner*
	27	3923	GRAY OAK PL	JOINER DARYL LAVON &
	28	3919	GRAY OAK PL	MUNOZ EPIFANIO
	29	4042	CHINA ELM DR	GREEN TANYA R &
	30	4038	CHINA ELM DR	PHAM HUY
X	31	4034	CHINA ELM DR	MONTES VERONICA
	32	4030	CHINA ELM DR	CARRERA BEATRIZ
	33	4026	CHINA ELM DR	CERDA CONSUELO
	34	4022	CHINA ELM DR	NGUYEN MINH TRUC THI
	35	4018	CHINA ELM DR	TURNER MARY ALICE
	36	4014	CHINA ELM DR	FLORES PASTORA &
	37	3932	GRAY OAK PL	WALKER KATHIE &
	38	3928	GRAY OAK PL	CASABLANCA HILARIO &
	39	3924	GRAY OAK PL	WAMSLEY EVERETT R &
	40	3920	GRAY OAK PL	SCHROEDER DAI
	41	3916	GRAY OAK PL	FUNK JOHN & CASSIE
	42	2612	LAUREL LEAF CT	SMITH LEX D
X	43	2616	LAUREL LEAF CT	MOCTEZUMA EDUARDO &
	44	2620	LAUREL LEAF CT	AMH 2014 1 BORROWER LLC
X	45	2619	LAUREL LEAF CT	FANNIN DAVID &
	46	2615	LAUREL LEAF CT	RINCON MARIA C
	47	2608	LEATH CT	GARCIA CARMELO & AIDA
	48	2612	LEATH CT	CORREA PATRICIA &
	49	4040	GRAY OAK PL	EGUIA ALFONSO &
	50	4036	GRAY OAK PL	ESPINAL JOSE &
	51	4032	GRAY OAK PL	GOREE DEBRA
	52	4028	GRAY OAK PL	WOLDE ALEMAYEHU &
	53	4024	GRAY OAK PL	GONZALEZ MARIA
	54	4020	GRAY OAK PL	AKE JOEL &
	55	4016	GRAY OAK PL	TORIO JEREMY &
	56	4012	GRAY OAK PL	SANTANA CAROLINE
	57	4015	CHINA ELM DR	HERNANDEZ CLAUDIA

12/12/2018

Reply	*Label #*	*Address*		*Owner*
	58	4019	CHINA ELM DR	WILLIAMS CHARLA
	59	4023	CHINA ELM DR	HERNANDEZ GERARDO NAVARRO &
	60	4027	CHINA ELM DR	CABRERA MARTHA
	61	4031	CHINA ELM DR	ROUILLARD CARRIE
	62	4035	CHINA ELM DR	ARREOLA JOSE &
	63	4039	CHINA ELM DR	NGUYEN TONY &
	64	4043	CHINA ELM DR	MEJIA ADRIAN

Agenda Information Sheet

File #: 19-654 **Item #:** 83.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments regarding an application for the renewal of Specific Use Permit No. 2229 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the northeast corner of Great Trinity Forest Way and North Jim Miller Road

Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions

Recommendation of CPC: Denial without prejudice

Z178-377(PD)

Note: This item was deferred by the City Council before opening the public hearings on February 27, 2019 and April 24, 2019, and is scheduled for consideration on June 12, 2019

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, JUNE 12, 2019**

ACM: Michael Mendoza

FILE NUMBER:	Z178-377(PD)	**DATE FILED:**	September 20, 2018
LOCATION:	Northeast corner of Great Trinity Forest Way and North Jim Miller Road		
COUNCIL DISTRICT:	8	**MAPSCO:**	58 S
SIZE OF REQUEST:	± 2.959 acres	**CENSUS TRACT:**	93.04

APPLICANT/OWNER: Sanabel Investment, L.P.

REPRESENTATIVE: Nancy Kennedy

REQUEST: An application for the renewal of Specific Use Permit No. 2229 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of this request is to allow for the sale of alcohol for off-premise consumption in conjunction with a general merchandise or food store [Tiger Mart 86, Go Loco Street Tacos & Burritos].

CPC RECOMMENDATION: **Denial without prejudice**

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a 4,549-square-foot general merchandise or food store greater than 3,500 square feet use and a 1,500 square foot restaurant with drive-in or drive through service with a motor vehicle fueling station [Tiger Mart 86, Go Loco Street Tacos & Burritos].

- A Certificate of Occupancy was originally issued on January 13, 2017.

- The general merchandise use is permitted by right. The sale of alcoholic beverages for off-premise consumption requires a Specific Use Permit in the D-1 Liquor Control Overlay.

- On December 11, 2013, the City Council approved Specific Permit No. 2063 for the sale of alcoholic beverages in conjunction with a general merchandise or food store for a two-year period with eligibility for automatic renewal for additional five-year periods [Z123-337].

- The applicant did not renew SUP No. 2063 prior to the deadline and as a result the SUP expired on December 15, 2015.

- On March 22, 2017, the City Council approved Specific Use Permit No. 2229 for the sale of alcohol for off-premise consumption in conjunction with a general merchandise or food store for a two-year period [Z167-104].

- During the initial request, a measurement survey was submitted by the applicant which demonstrated that the proposed use is beyond the 300-foot distance requirement from a church and school. A church use is measured from front door to front door along right-of-way lines and a school is measured from property line to property line in a straight line.

- Since the public hearing before the City Plan Commission on November 15, 2018, the c-store has passed the c-store reinspection. The reinspection was passed on December 20, 2018.

Zoning History: There have been two zoning changes requested in the area within the past five years.

1. **Z167-104:** On March 22, 2017, the City Council approved a Specific Use Permit No. 2229 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of Great Trinity Forest Way and Jim Miller Road [subject site].

2. **Z123-337:** On December 11, 2013, the City Council approved a Specific Use Permit No. 2063 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of Great Trinity Forest Way and Jim Miller Road [subject site].

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
North Jim Miller Road	Minor Arterial	100 ft.	100 ft.
Great Trinity Forest Way	Minor Arterial	100 ft.	100 ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

COMPREHENSIVE PLAN: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

Urban Design Element

GOAL 5.3 Establishing Walk-to Convenience

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use:

	Zoning	Land Use
Site	CR-D-1	General merchandise or food store & Restaurant w/drive-in
North	R-7.5(A) SUP No. 1008, CR-D-1	Church, School, Undeveloped
South	CR-D-1	Undeveloped
East	MF-2(A)	Undeveloped, Multifamily
West	CR-D-1	Auto Related use

STAFF ANALYSIS:

Land Use Compatibility:
The approximately 2.959-acre site is zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and is developed with a 4,549-square-foot structure consisting of a general merchandise or food store, drive through restaurant use and a motor vehicle fueling station. The applicant's request for the renewal of SUP No. 2229 will allow the continued sale of alcoholic beverages in conjunction with a general merchandise store or food store greater than 3,500 square feet.

The surrounding land uses consist primarily of single family residential uses and a public school to the north; undeveloped parcels and multifamily development to the east; undeveloped parcels, residential, and a general merchandise store to the south; and a church, personal service and auto related uses to the west. A church use is located north of the subject site and is located beyond the 300-foot distance from the general merchandise or food store. The distance is measured from the front door of the store to the front door of the church, along the right-of-way lines.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually.

The request site failed their 2018 site inspection on May 29, 2018. To date there has not been a re-inspection.

The request is compatible with the mix of uses in the area. A general merchandise or food store greater than 3,500 square feet is a permitted use in the CR District. The second two-year time period for the SUP allowed staff an opportunity to evaluate the impact of the use on the surrounding area to ensure the ongoing compatibility of the use. Staff believes the use is compatible with the surrounding area and therefore staff recommends a time period consist with the time period approved by City Council in 2013.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of request is not within an identifiable MVA category; however, it is near the "H" MVA cluster.

Landscaping:

Landscaping must be provided in accordance with Article X, as amended.

Parking:

The off-street parking requirement for a general merchandise or food store greater than

3,500 square feet is one space for each 200 square feet of floor area and one space per 100 square feet of floor area for a restaurant use. Based on the total floor area of the 4,549-square-foot general merchandise or food store and the 1,769-square-foot restaurant use, the use requires 41 off-street parking spaces. The applicant is exceeding the requirement and providing 58 spaces per the attached site plan.

Dallas Police Department:

The crime statistics cover the period of January 1, 2017 through August 24, 2018. The data shows that there have been 262 calls, 33 incidents of crime and 28 arrests at or near the area of request.

Arrests:

ChargeDesc	ArrestNumber	ArrestDate	ArrestTime	ArBkDay	UCRArrestChg	UCROffense	PClass	ArLAddress
WARRANT HOLD (OUTSIDE AGENCY)	18-037601	10/20/2018	7:15:00 AM	Saturday	WARRANT HOLD (OUTSIDE AGENCY)	WARRANT HOLD (OUTSIDE AGENCY)	NA	116 N JIM MILLER RD
WARRANT HOLD (OUTSIDE AGENCY)	18-037191	10/16/2018	6:15:00 AM	Tuesday	WARRANT HOLD (OUTSIDE AGENCY)	WARRANT HOLD (OUTSIDE AGENCY)	MB	116 N JIM MILLER RD
WARRANT HOLD (OUTSIDE AGENCY)	18-033129	9/12/2018	8:05:00 PM	Wednesday	WARRANT HOLD (OUTSIDE AGENCY)	WARRANT HOLD (OUTSIDE AGENCY)	NA	116 N JIM MILLER RD
WARRANT HOLD (OUTSIDE AGENCY)	18-029895	8/20/2018	4:00:00 PM	Monday	WARRANT HOLD (OUTSIDE AGENCY)	WARRANT HOLD (OUTSIDE AGENCY)	MC	116 N JIM MILLER RD
WARRANT HOLD (OUTSIDE AGENCY)	18-021373	6/22/2018	10:50:00 AM	Friday	HOLDS DSO	NOT CODED	NA	116 N JIM MILLER RD
PUBLIC INTOXICATION	18-017721	5/26/2018	9:48:00 PM	Saturday	PUBLIC INTOXICATION	DRUNK & DISORDERLY	MC	116 N JIM MILLER RD
WARRANT HOLD (OUTSIDE AGENCY)	18-017726	5/26/2018	9:20:00 PM	Saturday	HOLDS DSO	NOT CODED	NA	116 N JIM MILLER RD
APOWW (SOCIAL SERVICES REFERRAL)	18-017426	5/24/2018	9:30:00 PM	Thursday	APOWW	NOT CODED	NA	116 N JIM MILLER RD
PUBLIC INTOXICATION	18-013022	4/20/2018	2:15:00 AM	Friday	PUBLIC INTOXICATION	DRUNK & DISORDERLY	MC	116 N JIM MILLER RD
WARRANT HOLD (OUTSIDE AGENCY)	18-008629	3/16/2018	3:30:00 AM	Friday	HOLDS DSO	NOT CODED	NA	116 N JIM MILLER RD
PUBLIC INTOXICATION	18-005837	2/23/2018	6:44:00 PM	Friday	PUBLIC INTOXICATION	DRUNK & DISORDERLY	MC	116 N JIM MILLER RD
CRIMINAL TRESPASS	18-002174	1/19/2018	7:57:00 PM	Friday	OTHER /CRIMINAL TRESPASS	CRIMINAL TRESPASS	MB	116 N JIM MILLER RD
CRIMINAL TRESPASS	17-046717	11/19/2017	2:15:00 AM	Sunday	OTHER /CRIMINAL TRESPASS	CRIMINAL TRESPASS	MB	116 N JIM MILLER RD
CRIMINAL TRESPASS	17-041939	10/14/2017	12:15:00 AM	Saturday	OTHER /CRIMINAL TRESPASS	CRIMINAL TRESPASS	MB	116 N JIM MILLER RD
CRIMINAL TRESPASS	17-033103	8/12/2017	4:00:00 AM	Saturday	OTHER /CRIMINAL TRESPASS	CRIMINAL TRESPASS	MB	116 N JIM MILLER RD
CRIMINAL TRESPASS	17-040056	9/30/2017	6:45:00 AM	Saturday	OTHER /CRIMINAL TRESPASS	CRIMINAL TRESPASS	MB	116 N JIM MILLER RD
WARRANT HOLD (OUTSIDE AGENCY)	17-034777	8/23/2017	6:45:00 PM	Wednesday	HOLDS DSO	NOT CODED	NA	116 N JIM MILLER RD
CRIMINAL TRESPASS	17-041939	10/14/2017	12:15:00 AM	Saturday	OTHER /CRIMINAL TRESPASS	CRIMINAL TRESPASS	MB	116 N JIM MILLER RD
CRIMINAL TRESPASS	17-033103	8/12/2017	4:00:00 AM	Saturday	OTHER /CRIMINAL TRESPASS	CRIMINAL TRESPASS	MB	116 N JIM MILLER RD
CRIMINAL TRESPASS	17-029802	7/20/2017	7:15:00 AM	Thursday	OTHER /CRIMINAL TRESPASS	CRIMINAL TRESPASS	MB	116 N JIM MILLER RD
ASSAULT -BODILY INJURY ONLY	17-029362	7/16/2017	11:12:00 PM	Sunday	OTHER /ASSAULT	ASSAULT	MA	116 N JIM MILLER RD
WARRANT-DALLAS PD (ALIAS)	17-029362	7/16/2017	11:12:00 PM	Sunday	ALIAS/CAPIAS	NOT CODED	NA	116 N JIM MILLER RD
APOWW (SOCIAL SERVICES REFERRAL)	17-025362	6/20/2017	3:30:00 AM	Tuesday	APOWW	NOT CODED	NA	116 N JIM MILLER RD
APOWW (SOCIAL SERVICES REFERRAL)	17-022786	6/3/2017	1:05:00 PM	Saturday	APOWW	NOT CODED	NA	116 N JIM MILLER RD
WARRANT-DALLAS PD (ALIAS)	17-014398	4/9/2017	7:55:00 PM	Sunday	ALIAS/CAPIAS	NOT CODED	NA	116 N JIM MILLER RD
WARRANT HOLD (OUTSIDE AGENCY)	17-014398	4/9/2017	7:55:00 PM	Sunday	HOLDS DSO	NOT CODED	NA	116 N JIM MILLER RD
WARRANT HOLD (OUTSIDE AGENCY)	17-014398	4/9/2017	7:55:00 PM	Sunday	HOLDS DSO	NOT CODED	NA	116 N JIM MILLER RD
WARRANT HOLD (OUTSIDE AGENCY)	17-014398	4/9/2017	7:55:00 PM	Sunday	HOLDS DSO	NOT CODED	NA	116 N JIM MILLER RD

Incidents:

Date1	Time1	UCR_Offense	Address	ZipCode	Premise	RA	Beat	Division	Sector	District	New_Distr	TAAG_Nar	Communit	MO
2/2/2017	14:00	OTHER THEFTS	116 N JIM MILLER RD	75217	Gas or Ser	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		UNKNOWN SUSPECT PICKED UP DROPPED WALLET AND KEPT IT
3/10/2017	16:00	OTHER THEFTS	116 N JIM MILLER RD	75217	Convenier	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		UNK SUSP TOOK COMP'S WALLET FROM COUNTER
4/23/2017	11:30	AGG ASSAULT - FV	116 N JIM MILLER RD	75217	Parking Lo	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		A/P SHOT HANDGUN AT COMP INSIDE VEHICLE WHILE IN PARKING LOT
5/4/2017	19:00	ASSAULT	116 N JIM MILLER RD	75217	Gas or Ser	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		COMP STATED SUSP STRUCK HER IN HEAD CAUSING PAIN
6/4/2017	9:30	ROBBERY-INDIVIDUAL	116 N JIM MILLER RD	75217	Apartmen	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP POINTED GUN AT COMP AND DEMANDED PROPERTY
6/6/2017	9:52	ROBBERY-BUSINESS	116 N JIM MILLER RD	75217	Gas or Ser	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP POINTED PISTOL AT RP AND TOOK CASH FROM REGISTER
6/6/2017	9:52	ROBBERY-BUSINESS	116 N JIM MILLER RD	75217	Gas or Ser	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP POINTED PISTOL AT RP AND TOOK CASH FROM REGISTER
6/12/2017	12:30	ASSAULT	116 N JIM MILLER RD	75217	Gas or Ser	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		UNK SUSP THREW PLASTIC DISPLAY AT COMP CAUSING BODILY INJURY
7/7/2017	14:00	ASSAULT	116 N JIM MILLER RD	75217	Convenier	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSPECT HIT THE COMP WITH A BAG OF TACOS. BREAKING COMPS GLASSES
7/14/2017	7:05	ASSAULT	116 N JIM MILLER RD	75217	Business C	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSPECT SLAPPED COMP
7/16/2017	22:45	ASSAULT	116 N JIM MILLER RD	75217	Convenier	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP PUNCHED COMP IN FACE CAUSING INJURY AND PAIN.
7/29/2017	2:35	AGG ASSAULT - NFV	116 N JIM MILLER RD	75217	Parking Lo	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		UNK SUSP USED HANDGUN TO SHOOT COMP IN NECK
7/30/2017	13:55	ROBBERY-INDIVIDUAL	116 N JIM MILLER RD	75217	Gas or Ser	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP DISPLAYED GUN AND TOOK COMPS PHONE FROM HIS HAND W/O CONSENT
8/3/2017	11:45	ASSAULT	116 N JIM MILLER RD	75217	Apartmen	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		THE SUSP PUSHED COMP IN THE CHEST AND GRABBED HAIR. NFI..
8/14/2017	15:00	THEFT/BMV	116 N JIM MILLER RD	75217	Convenier	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		UNK SUSP ENTERED COMPS VEHICLE W/O HIS CONSENT AND TOOK PROP
9/6/2017	21:55	ASSAULT	116 N JIM MILLER RD	75217	Convenier	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP PUNCHED AND BIT COMP
10/4/2017	8:06	FRAUD	116 N JIM MILLER RD	75217	Gas or Ser	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP EXPLOITED DISABLED COMP FOR MONEY
2/8/2018	23:38	ASSAULT	116 N JIM MILLER RD	75217	Gas or Ser	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP SHOVED COMP AND HIT HIM IN FACE WITH CLOSED FIST
2/8/2018	23:38	AGG ASSAULT - NFV	116 N JIM MILLER RD	75217	Gas or Ser	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP SHOWED POCKET KNIFE AND THREATENED TO KILL COMP
4/3/2018	10:00	VANDALISM & CRIM MISCHIEF	116 N JIM MILLER RD	75217	Highway, S	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP KICKED DENT INTO COMP'S VEHICLE
4/16/2018	14:03	ASSAULT	116 N JIM MILLER RD	75217	Convenier	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		KNOWN SUSPECT STRUCK COMP IN FACE WITH CLOSED FIST
5/27/2018	21:00	AGG ASSAULT - NFV	116 N JIM MILLER RD	75217	Gas or Ser	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		UNK SUSP HIT COMP W/ UNK OBJECT CAUSING INJURY
5/31/2018	9:00	AGG ASSAULT - NFV	116 N JIM MILLER RD	75217	Gas or Ser	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		COMP ASSAULT BY SUSP 1 WHILE SUSP 2 HELD A KNIFE
5/31/2018	4:20	ASSAULT	116 N JIM MILLER RD	75217	Outdoor A	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP HIT COMP IN FACE AND CAUSED PAIN
6/2/2018	19:00	ROBBERY-INDIVIDUAL	116 N JIM MILLER RD	75217	Parking (B	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSPECTS TOOK COMP'S PROPERTY AT GUN POINT
6/4/2018	21:54	OTHER THEFTS	116 N JIM MILLER RD	75217	Business C	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSPECT TOOK PROPERTY FROM BUSINESS W/O PERMISSION
6/9/2018	23:50	ROBBERY-INDIVIDUAL	116 N JIM MILLER RD	75217	Highway, S	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP POINTED HANDGUN AT COMP AND TOOK PROPERTY
7/8/2018	22:30	AGG ASSAULT - NFV	116 N JIM MILLER RD	75217	Parking (B	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		UNK SUSP POINTED HANDGUN AT COMP, TOOK PROPERTY
7/8/2018	17:19	TERRORISTIC THREAT	117 N JIM MILLER RD	75217	Gas or Ser	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		TERRORISTIC THREAT
7/8/2018	17:19	VANDALISM & CRIM MISCHIEF	116 N JIM MILLER RD	75217	Gas or Ser	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP DAMAGED COMPS WINDSHIELD
8/2/2018	22:30	AGG ASSAULT - NFV	116 N JIM MILLER RD	75217	Parking (B	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		SUSP POINTED GUN AT COMP'S VEHICLE AND THREATENED TO SHOOT HER
8/13/2018	8:45	Assault	116 N JIM MILLER RD	75217	Convenier	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		THE SUSPECT STRUCK THE COMP IN THE FACE WITH HIS CLOSED FIST
8/24/2018	9:00	UUMV	116 N JIM MILLER RD	75217	Parking (B	2209	353	SOUTHEAS	350	5	D8	Loop12 Jir		UNK SUSP ENTERED UNLOCKED CAR AND TOOK PROPERTY

Z178-377(PD)

Calls:

Master_Incident_Number	Response_Date	Response_Time	Watch	MDivision	MSector	MBeat	Problem	Priority_Description	Location_Name	Address	Apartment	City	State	Postal_Code
18-1978968	10/30/2018	14:39	2	Southeast	350	353	40 - Other	3 - General Service	EXXON TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-1973521	10/29/2018	17:36	3	Southeast	350	353	36 - Abandoned Child	3 - General Service	EXXON GAS STATION	116 N Jim Miller Rd		Dallas	TX	75217
18-1963982	10/28/2018	8:10	2	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1963619	10/28/2018	5:52	1	Southeast	350	353	40 - Other	3 - General Service	exxon	116 N Jim Miller Rd		Dallas	TX	75217
18-1961768	10/28/2018	0:01	1	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1911620	10/20/2018	5:10	1	Southeast	350	353	40 - Other	3 - General Service	TIGERMART	116 N Jim Miller Rd		Dallas	TX	75217
18-1907361	10/19/2018	14:45	2	Southeast	350	353	40 - Other	3 - General Service	EXXON TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-1902110	10/18/2018	17:46	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON GAS STATION	116 N Jim Miller Rd		Dallas	TX	75217
18-1887448	10/16/2018	5:31	1	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1874160	10/13/2018	22:14	3	Southeast	350	353	40 - Other	3 - General Service		116 N Jim Miller Rd		Dallas	TX	75217
18-1871293	10/13/2018	13:22	2	Southeast	350	353	20 - Robbery	2 - Urgent	CORNERSTORE	116 N Jim Miller Rd		Dallas	TX	75217
18-1867537	10/12/2018	21:37	3	Southeast	350	353	40/01 - Other	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1848419	10/9/2018	21:30	3	Southeast	350	353	16 - Injured Person	3 - General Service	exxon	116 N Jim Miller Rd		Dallas	TX	75217
18-1846965	10/9/2018	17:02	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1846158	10/9/2018	14:32	2	Southeast	350	353	38 - Meet Complainant	4 - Non Critical	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-1823702	10/6/2018	7:40	1	Southeast	350	353	PH - Panhandler	4 - Non Critical	TIGERMART/EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1806934	10/3/2018	20:25	3	Southeast	350	353	40 - Other	3 - General Service	exxon	116 N Jim Miller Rd		Dallas	TX	75217
18-1778111	9/29/2018	12:56	2	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1775670	9/29/2018	1:22	1	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-1735742	9/22/2018	20:46	3	Southeast	350	353	40/01 - Other	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1735224	9/22/2018	19:03	3	Southeast	350	353	08 - Intoxicated Person	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1731128	9/22/2018	4:05	1	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-1695921	9/16/2018	20:46	3	Southeast	350	353	04 - 911 Hang Up	2 - Urgent		116 N Jim Miller Rd		Dallas	TX	75217
18-1691980	9/16/2018	5:45	1	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
18-1685713	9/15/2018	9:40	2	Southeast	350	353	40 - Other	3 - General Service	GO LOCO	116 N Jim Miller Rd		Dallas	TX	75217
18-1668724	9/12/2018	19:36	3	Southeast	350	353	40/01 - Other	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1664360	9/12/2018	6:19	1	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1661179	9/11/2018	16:34	3	Southeast	350	353	32 - Suspicious Person	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1660477	9/11/2018	14:35	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N JIM MILLER RD		Dallas	TX	75217
18-1657009	9/10/2018	23:02	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	GO LOCO STORE - EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1630065	9/6/2018	17:44	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1627766	9/6/2018	11:42	2	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd	116	Dallas	TX	75217
18-1589060	8/31/2018	10:00	2	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1582357	8/30/2018	9:28	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	go loco store	116 N Jim Miller Rd		Dallas	TX	75217
18-1565052	8/27/2018	14:59	2	Southeast	350	353	15 - Assist Officer	1 - Emergency	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1565052	8/27/2018	14:59	2	Southeast	350	353	15 - Assist Officer	1 - Emergency	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1544948	8/24/2018	16:07	3	Southeast	350	353	40 - Other	3 - General Service		116 N Jim Miller Rd		Dallas	TX	75217
18-1518403	8/20/2018	15:24	2	Southeast	350	353	46 - CIT	2 - Urgent	GO LOCO	116 N Jim Miller Rd		Dallas	TX	75217
18-1493553	8/16/2018	22:37	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1468711	8/13/2018	8:51	2	Southeast	350	353	6XEA - Disturbance Emerg Amb	1 - Emergency	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1467601	8/13/2018	1:19	1	Southeast	350	353	58 - Routine Investigation	7 - Unit Initiated	NULL	116 N JIM MILLER RD	NULL	Dallas	TX	75217
18-1435658	8/8/2018	0:03	1	Southeast	350	353	40 - Other	3 - General Service	EXXON -TIGERMART	116 N Jim Miller Rd		Dallas	TX	75217
18-1435403	8/7/2018	23:03	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1422356	8/5/2018	22:50	3	Southeast	350	353	OADS - Open Air Drug Sales	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1390362	8/1/2018	9:37	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	exxon gas station	116 N Jim Miller Rd		Dallas	TX	75217
18-1230227	7/7/2018	23:47	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON GAS STATION	116 N Jim Miller Rd		Dallas	TX	75217
18-1188259	7/2/2018	17:58	3	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1185811	7/2/2018	11:40	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1154292	6/27/2018	22:32	3	Southeast	350	353	40 - Other	3 - General Service	EXXON GAS STATION	116 N Jim Miller Rd		Dallas	TX	75217
18-1149172	6/27/2018	6:50	1	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1146716	6/26/2018	19:52	3	Southeast	350	353	04 - 911 Hang Up	2 - Urgent	SOUTHEAST; HOLDING INC	116 N Jim Miller Rd		Dallas	TX	75217
18-1137036	6/25/2018	11:54	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-1115995	6/22/2018	10:12	2	Southeast	350	353	09/01 - Theft	3 - General Service	tiger mart/exxon	116 N Jim Miller Rd		Dallas	TX	75217
18-1097368	6/19/2018	15:20	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	GO LOCO RESTAURANT	116 N Jim Miller Rd		Dallas	TX	75217
18-1082032	6/17/2018	3:34	1	Southeast	350	353	32 - Suspicious Person	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1068112	6/15/2018	8:12	2	Southeast	350	353	40 - Other	3 - General Service	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
18-1041353	6/11/2018	8:48	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1039098	6/10/2018	21:48	3	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1038450	6/10/2018	19:49	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-1033314	6/10/2018	0:05	1	Southeast	350	353	20 - Robbery	2 - Urgent	EXXON GAS STATION	116 N Jim Miller Rd		Dallas	TX	75217
18-1024506	6/8/2018	19:50	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0997757	6/4/2018	22:06	3	Southeast	350	353	20 - Robbery	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0984129	6/2/2018	22:49	3	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0975164	6/1/2018	18:48	3	Southeast	350	353	40 - Other	3 - General Service	Exxon	116 N Jim Miller Rd		Dallas	TX	75217
18-0963548	5/31/2018	4:34	1	Southeast	350	353	6XA - Major Dist Ambulance	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-0943065	5/28/2018	1:44	1	Southeast	350	353	40/01 - Other	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0941253	5/27/2018	20:54	3	Southeast	350	353	6XA - Major Dist Ambulance	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0934572	5/26/2018	20:57	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	GO LOCO TACOS & BURRITOS	116 N Jim Miller Rd		Dallas	TX	75217
18-0934572	5/26/2018	20:57	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	GO LOCO TACOS & BURRITOS	116 N Jim Miller Rd		Dallas	TX	75217
18-0934572	5/26/2018	20:57	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	GO LOCO TACOS & BURRITOS	116 N Jim Miller Rd		Dallas	TX	75217
18-0920327	5/24/2018	20:49	3	Southeast	350	353	46 - CIT	2 - Urgent	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
18-0895221	5/21/2018	7:17	1	Southeast	350	353	40/01 - Other	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0892103	5/20/2018	17:35	3	Southeast	350	353	OADS - Open Air Drug Sales	3 - General Service		116 N Jim Miller Rd		Dallas	TX	75217
18-0866278	5/17/2018	3:28	1	Southeast	350	353	32 - Suspicious Person	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0857242	5/15/2018	18:25	3	Southeast	350	353	24 - Abandoned Property	4 - Non Critical	TIGER MART GAS STATION	116 N Jim Miller Rd		Dallas	TX	75217
18-0851036	5/14/2018	19:42	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0814572	5/9/2018	12:30	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0784738	5/4/2018	23:03	3	Southeast	350	353	40 - Other	3 - General Service	EXXON TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-0751861	4/29/2018	23:36	3	Southeast	350	353	40 - Other	3 - General Service	TIGER MART GAS STATION	116 N Jim Miller Rd		Dallas	TX	75217
18-0687738	4/20/2018	1:06	1	Southeast	350	353	40 - Other	3 - General Service	TIGER MART EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0680264	4/18/2018	21:37	3	Southeast	350	353	40/01 - Other	2 - Urgent	EXXON/Tiger Mart	116 N Jim Miller Rd		Dallas	TX	75217
18-0635275	4/12/2018	5:55	1	Southeast	350	353	40 - Other	3 - General Service		116 N Jim Miller Rd		Dallas	TX	75217
18-0635214	4/12/2018	5:26	1	Southeast	350	353	12B - Business Alarm	3 - General Service	Southeast Holding	116 N Jim Miller Rd	110	Dallas	TX	75217
18-0604809	4/7/2018	7:30	1	Southeast	350	353	12B - Business Alarm	3 - General Service	GO LOCO TACOS & BURRITOS	116 N Jim Miller Rd	B	Dallas	TX	75217
18-0590624	4/5/2018	5:20	1	Southeast	350	353	40/01 - Other	2 - Urgent	EXXON TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-0579188	4/3/2018	10:49	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	tiger mart	116 N JIM MILLER RD		Dallas	TX	75217
18-0561054	3/31/2018	11:29	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-0464409	3/16/2018	21:20	3	Southeast	350	353	DAEF-Dist Armed Encounter Foot	1 - Emergency		116 N JIM MILLER RD		Dallas	TX	75217
18-0458878	3/16/2018	3:00	1	Southeast	350	353	40/01 - Other	2 - Urgent	EXXON TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-0458588	3/16/2018	1:20	1	Southeast	350	353	24 - Abandoned Property	4 - Non Critical		116 N Jim Miller Rd		Dallas	TX	75217
18-0395023	3/5/2018	23:26	3	Southeast	350	353	40 - Other	3 - General Service	TIGERMART	116 N Jim Miller Rd		Dallas	TX	75217
18-0386298	3/4/2018	15:52	2	Southeast	350	353	PH - Panhandler	4 - Non Critical		116 N Jim Miller Rd		Dallas	TX	75217
18-0342999	2/25/2018	20:27	3	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0329912	2/23/2018	18:23	3	Southeast	350	353	40 - Other	3 - General Service	EXXON TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-0297749	2/18/2018	10:47	2	Southeast	350	353	PH - Panhandler	4 - Non Critical	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
18-0292798	2/17/2018	15:53	2	Southeast	350	353	PH - Panhandler	4 - Non Critical	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0270517	2/14/2018	2:14	1	Southeast	350	353	PH - Panhandler	4 - Non Critical	TIGERMART	116 N Jim Miller Rd		Dallas	TX	75217
18-0265299	2/13/2018	5:29	1	Southeast	350	353	PH - Panhandler	4 - Non Critical	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-0241041	2/8/2018	22:45	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-0144708	1/24/2018	7:03	1	Southeast	350	353	40/01 - Other	2 - Urgent	Tiger Mart Gas Station	116 N Jim Miller Rd		Dallas	TX	75217
18-0117473	1/19/2018	19:51	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent		116 N Jim Miller Rd		Dallas	TX	75217
18-0117302	1/19/2018	19:24	3	Southeast	350	353	DAEF-Dist Armed Encounter Foot	1 - Emergency	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0102032	1/17/2018	12:33	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-0091022	1/15/2018	13:48	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent		116 N Jim Miller Rd		Dallas	TX	75217
18-0069949	1/11/2018	23:54	3	Southeast	350	353	40 - Other	3 - General Service		116 N Jim Miller Rd		Dallas	TX	75217

18-0065251	1/11/2018	9:31	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
18-0052673	1/9/2018	8:09	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
18-0026273	1/5/2018	1:41	1	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-2453888	12/30/2017	20:04	3	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-2419780	12/24/2017	17:04	3	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-2399884	12/21/2017	12:03	2	Southeast	350	353	PH - Panhandler	4 - Non Critical	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-2391625	12/20/2017	6:08	1	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-2333636	12/11/2017	3:55	1	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-2195413	11/19/2017	1:35	1	Southeast	350	353	58 - Routine Investigation	7 - Unit Initiated	NULL	116 N JIM MILLER RD	NULL	Dallas	TX	75217
17-2188348	11/18/2017	1:56	1	Southeast	350	353	20 - Robbery	2 - Urgent		116 N Jim Miller Rd		Dallas	TX	75217
17-2173194	11/15/2017	20:54	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-2127629	11/8/2017	22:05	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	exxon	116 N Jim Miller Rd		Dallas	TX	75217
17-2121339	11/7/2017	22:12	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-2109709	11/6/2017	6:03	1	Southeast	350	353	40 - Other	3 - General Service	tigermart gas station	116 N Jim Miller Rd		Dallas	TX	75217
17-2096194	11/4/2017	6:22	1	Southeast	350	353	40 - Other	3 - General Service	TIGER MART GAS STATION	116 N Jim Miller Rd		Dallas	TX	75217
17-2093099	11/3/2017	20:02	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	PLATINUM BARBER SHOP	116 N Jim Miller Rd		Dallas	TX	75217
17-2090074	11/3/2017	11:56	2	Southeast	350	353	40/01 - Other	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-2080086	11/1/2017	22:51	3	Southeast	350	353	PH - Panhandler	4 - Non Critical	TIGER MART GAS STATION	116 N Jim Miller Rd		Dallas	TX	75217
17-2022369	10/24/2017	1:47	1	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1998408	10/20/2017	16:35	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON/TACO PLACE	116 N Jim Miller Rd		Dallas	TX	75217
17-1968835	10/16/2017	6:40	1	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1965631	10/15/2017	16:51	3	Southeast	350	353	40 - Other	3 - General Service	SOUTHEAST HOLDING INC	116 N Jim Miller Rd		Dallas	TX	75217
17-1964962	10/15/2017	14:51	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1962423	10/15/2017	3:26	1	Southeast	350	353	40 - Other	3 - General Service	AT TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1961967	10/15/2017	1:58	1	Southeast	350	353	40/01 - Other	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1953478	10/13/2017	23:52	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	exxon tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
17-1948316	10/13/2017	10:22	2	Southeast	350	353	40 - Other	3 - General Service	exxon	116 N Jim Miller Rd		Dallas	TX	75217
17-1890278	10/4/2017	19:11	3	Southeast	350	353	40/01 - Other	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1859538	9/30/2017	6:27	1	Southeast	350	353	40/01 - Other	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1810102	9/22/2017	19:07	3	Southeast	350	353	34 - Suicide	2 - Urgent	exxon	116 N Jim Miller Rd		Dallas	TX	75217
17-1796157	9/20/2017	18:43	3	Southeast	350	353	09V-01 UUMV Just Ocrd	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1782515	9/18/2017	17:38	3	Southeast	350	353	32 - Suspicious Person	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1751384	9/14/2017	8:48	2	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1713442	9/8/2017	11:47	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1709370	9/7/2017	18:43	3	Southeast	350	353	40 - Other	3 - General Service	EXXON-TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1704191	9/6/2017	21:56	3	Southeast	350	353	6XA - Major Dist Ambulance	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1681568	9/3/2017	11:24	2	Southeast	350	353	40 - Other	3 - General Service	EXXON/TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1659007	8/31/2017	5:54	1	Southeast	350	353	PH - Panhandler	4 - Non Critical		116 N Jim Miller Rd		Dallas	TX	75217
17-1651700	8/30/2017	0:55	1	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1651409	8/29/2017	23:31	3	Southeast	350	353	40 - Other	3 - General Service		116 N Jim Miller Rd		Dallas	TX	75217
17-1648156	8/29/2017	13:30	2	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1644058	8/28/2017	20:12	3	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1639777	8/28/2017	7:21	1	Southeast	350	353	PH - Panhandler	4 - Non Critical	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1639583	8/28/2017	5:55	1	Southeast	350	353	40 - Other	3 - General Service		116 N Jim Miller Rd		Dallas	TX	75217
17-1638900	8/28/2017	0:53	1	Southeast	350	353	40 - Other	3 - General Service		116 N Jim Miller Rd		Dallas	TX	75217
17-1626391	8/26/2017	4:08	1	Southeast	350	353	PH - Panhandler	4 - Non Critical	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1622491	8/25/2017	15:43	2	Southeast	350	353	40/01 - Other	2 - Urgent	EXXON TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1621879	8/25/2017	14:06	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1619699	8/25/2017	5:58	1	Southeast	350	353	40 - Other	3 - General Service	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
17-1618217	8/24/2017	22:34	3	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1611150	8/23/2017	21:38	3	Southeast	350	353	32 - Suspicious Person	2 - Urgent	GO LOCO TACO SHOP	116 N Jim Miller Rd		Dallas	TX	75217
17-1593076	8/21/2017	6:49	1	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1587729	8/20/2017	9:36	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1570673	8/17/2017	20:19	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1548510	8/14/2017	15:01	2	Southeast	350	353	11V/01 - Burg Motor Veh	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1548510	8/14/2017	15:01	2	Southeast	350	353	11V/01 - Burg Motor Veh	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1528680	8/11/2017	15:09	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1522736	8/10/2017	17:21	3	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1474588	8/3/2017	12:50	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1448781	7/30/2017	13:58	2	Southeast	350	353	20 - Robbery	2 - Urgent	GO LOCO TACO SHOP	116 N JIM MILLER RD		Dallas	TX	75217
17-1417516	7/25/2017	21:09	3	Southeast	350	353	32 - Suspicious Person	2 - Urgent	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
17-1383387	7/20/2017	19:48	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	GAS STATION	116 N Jim Miller Rd		Dallas	TX	75217
17-1379037	7/20/2017	6:03	1	Southeast	350	353	40 - Other	3 - General Service	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
17-1377024	7/19/2017	20:47	3	Southeast	330	336	6X - Major Dist (Violence)	2 - Urgent	11-Jul	1116 N Jim Miller Rd		Dallas	TX	75217
17-1356703	7/16/2017	22:48	3	Southeast	350	353	15 - Assist Officer	1 - Emergency	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1352639	7/16/2017	9:28	2	Southeast	350	353	32 - Suspicious Person	2 - Urgent	TIGERMART EXXON	116 N Jim Miller Rd	LOBBY	Dallas	TX	75217
17-1343058	7/14/2017	21:56	3	Southeast	350	353	32 - Suspicious Person	2 - Urgent	EXXON/TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1337889	7/14/2017	7:17	1	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217

17-1336186	7/13/2017	22:49	3	Southeast	350	353	**PD Requested by Fire	2 - Urgent	TIGERMART	116 N Jim Miller Rd		Dallas	TX	75217
17-1331100	7/13/2017	7:53	1	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGERMART 83	116 N Jim Miller Rd		Dallas	TX	75217
17-1328127	7/12/2017	18:55	3	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1315918	7/10/2017	22:22	3	Southeast	350	353	40/01 - Other	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1311864	7/10/2017	11:04	2	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1310304	7/10/2017	3:24	1	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1305008	7/9/2017	7:33	1	Southeast	350	353	PH - Panhandler	4 - Non Critical	TIGERMART	116 N Jim Miller Rd		Dallas	TX	75217
17-1301571	7/8/2017	19:21	3	Southeast	350	353	40/01 - Other	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1300990	7/8/2017	17:38	3	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1300687	7/8/2017	16:52	3	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1299291	7/8/2017	12:56	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1292753	7/7/2017	14:13	2	Southeast	350	353	58 - Routine Investigation	7 - Unit Initiated		116 N Jim Miller Rd		Dallas	TX	75217
17-1280339	7/5/2017	17:19	3	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1279333	7/5/2017	14:39	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1261284	7/3/2017	16:06	3	Southeast	350	353	40 - Other	3 - General Service	GO LOCO / EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1258389	7/3/2017	6:39	1	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1255159	7/2/2017	19:18	3	Southeast	350	353	32 - Suspicious Person	2 - Urgent	GO LOCO	116 N Jim Miller Rd		Dallas	TX	75217
17-1254629	7/2/2017	17:44	3	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1252925	7/2/2017	12:39	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1252812	7/2/2017	12:21	2	Southeast	350	353	40 - Other	3 - General Service	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
17-1248195	7/1/2017	20:06	3	Southeast	350	353	40 - Other	3 - General Service		116 N Jim Miller Rd		Dallas	TX	75217
17-1247544	7/1/2017	18:04	3	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1247071	7/1/2017	16:31	3	Southeast	350	353	58 - Routine Investigation	7 - Unit Initiated		116 N Jim Miller Rd		Dallas	TX	75217
17-1234446	6/29/2017	21:28	3	Southeast	350	353	32 - Suspicious Person	2 - Urgent	TIGER MART EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1209052	6/26/2017	6:33	1	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1189315	6/23/2017	9:32	2	Southeast	350	353	40/01 - Other	2 - Urgent	TIGER MART	116 N Jim Miller Rd	100	Dallas	TX	75217
17-1176189	6/21/2017	11:22	2	Southeast	350	353	PH - Panhandler	4 - Non Critical	Tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
17-1175751	6/21/2017	10:04	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1170333	6/20/2017	14:08	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1168421	6/20/2017	8:04	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1166782	6/19/2017	23:06	3	Southeast	350	353	40 - Other	3 - General Service	TIGER MARKET	116 N Jim Miller Rd		Dallas	TX	75217
17-1161318	6/19/2017	5:26	1	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER MART GAS STATION	116 N Jim Miller Rd		Dallas	TX	75217
17-1156049	6/18/2017	10:32	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1127178	6/14/2017	8:21	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217

17-1122565	6/13/2017	15:31	2	Southeast	350	353	PH - Panhandler	4 - Non Critical	TIGER MARKET	116 N Jim Miller Rd		Dallas	TX	75217
17-1114901	6/12/2017	12:49	2	Southeast	350	353	6XA - Major Dist Ambulance	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1114901	6/12/2017	12:49	2	Southeast	350	353	6XA - Major Dist Ambulance	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1085804	6/8/2017	7:01	1	Southeast	350	353	40 - Other	3 - General Service	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
17-1072200	6/6/2017	9:53	2	Southeast	350	353	20 - Robbery	2 - Urgent	EXXON TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1058873	6/4/2017	9:44	2	Southeast	350	353	20 - Robbery	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-1052560	6/3/2017	13:06	2	Southeast	350	353	46A - CIT w/Ambulance	1 - Emergency	EXXON / TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1035251	6/1/2017	6:21	1	Southeast	350	353	PH - Panhandler	4 - Non Critical	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1033228	5/31/2017	20:59	3	Southeast	350	353	40 - Other	3 - General Service	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
17-1021372	5/30/2017	9:02	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-1019702	5/30/2017	0:15	1	Southeast	350	353	38 - Meet Complainant	4 - Non Critical	TIGER MARKET	116 N Jim Miller Rd		Dallas	TX	75217
17-1019118	5/29/2017	22:27	3	Southeast	350	353	19 - Shooting	1 - Emergency		116 N Jim Miller Rd		Dallas	TX	75217
17-1004932	5/27/2017	19:47	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0984090	5/24/2017	22:04	3	Southeast	350	353	40 - Other	3 - General Service	go loco	116 N Jim Miller Rd		Dallas	TX	75217
17-0979641	5/24/2017	10:12	2	Southeast	350	353	24 - Abandoned Property	4 - Non Critical	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0932452	5/17/2017	15:56	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0918285	5/15/2017	15:55	2	Southeast	350	353	PH - Panhandler	4 - Non Critical	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0915700	5/15/2017	8:33	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0901371	5/13/2017	6:38	1	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent		116 N Jim Miller Rd		Dallas	TX	75217
17-0887841	5/11/2017	9:51	2	Southeast	350	353	06 - Minor Disturbance	4 - Non Critical	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0886957	5/11/2017	6:27	1	Southeast	350	353	04 - 911 Hang Up	2 - Urgent		116 N Jim Miller Rd		Dallas	TX	75217
17-0880434	5/10/2017	8:17	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0873353	5/9/2017	7:19	1	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0840318	5/4/2017	14:13	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
17-0825858	5/2/2017	13:26	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent		116 N Jim Miller Rd		Dallas	TX	75217
17-0821344	5/1/2017	17:27	3	Southeast	350	353	40 - Other	3 - General Service	GO LOCO	116 N Jim Miller Rd		Dallas	TX	75217
17-0818933	5/1/2017	11:25	2	Southeast	350	353	40 - Other	3 - General Service	TIGERMART	116 N Jim Miller Rd		Dallas	TX	75217
17-0818131	5/1/2017	8:46	2	Southeast	350	353	40/01 - Other	2 - Urgent	EXXON AND TARGET MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0805490	4/29/2017	8:45	2	Southeast	350	353	40/01 - Other	2 - Urgent		116 N Jim Miller Rd		Dallas	TX	75217
17-0790019	4/27/2017	1:59	1	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-0766060	4/23/2017	11:32	2	Southeast	350	353	DASF-Dist Active Shooter Foot	1 - Emergency	exxon	116 N JIM MILLER RD		Dallas	TX	75217
17-0766060	4/23/2017	11:32	2	Southeast	350	353	DASF-Dist Active Shooter Foot	1 - Emergency	exxon	116 N JIM MILLER RD		Dallas	TX	75217
17-0718332	4/16/2017	7:18	1	Southeast	350	353	12B - Business Alarm	3 - General Service	GO LOCO TACO & BURRITOS	116 N Jim Miller Rd	B	Dallas	TX	75217
17-0704653	4/14/2017	10:48	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217

17-0698472	4/13/2017	13:27	2	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0673253	4/9/2017	19:35	3	Southeast	350	353	40/01 - Other	2 - Urgent	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
17-0673253	4/9/2017	19:35	3	Southeast	350	353	40/01 - Other	2 - Urgent	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
17-0626914	4/3/2017	16:27	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	go loco	116 N Jim Miller Rd		Dallas	TX	75217
17-0621688	4/2/2017	20:28	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-0586705	3/28/2017	21:08	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	LOCO TACO	116 N Jim Miller Rd		Dallas	TX	75217
17-0585600	3/28/2017	17:52	3	Southeast	350	353	40 - Other	3 - General Service	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0578484	3/27/2017	16:40	3	Southeast	350	353	09 - Theft	4 - Non Critical	EXXON TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0569880	3/26/2017	7:53	1	Southeast	350	353	40 - Other	3 - General Service	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-0560372	3/24/2017	21:34	3	Southeast	350	353	31/01 - Crim Mis/Prog/Non Felo	3 - General Service	tiger mart	116 N Jim Miller Rd		Dallas	TX	75217
17-0560363	3/24/2017	21:33	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-0463449	3/10/2017	16:00	3	Southeast	350	353	09 - Theft	4 - Non Critical	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0451050	3/8/2017	18:13	3	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	TIGERMART	116 N Jim Miller Rd		Dallas	TX	75217
17-0412579	3/3/2017	12:21	2	Southeast	350	353	6X - Major Dist (Violence)	2 - Urgent	EXXON	116 N Jim Miller Rd		Dallas	TX	75217
17-0363424	2/24/2017	9:45	2	Southeast	350	353	32 - Suspicious Person	2 - Urgent	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0320122	2/17/2017	22:18	3	Southeast	350	353	58 - Routine Investigation	7 - Unit Initiated	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0306351	2/15/2017	22:09	3	Southeast	350	353	04 - 911 Hang Up	2 - Urgent	SOUTHEAST; HOLDING INC	116 N Jim Miller Rd		Dallas	TX	75217
17-0263269	2/9/2017	19:20	3	Southeast	350	353	PH - Panhandler	4 - Non Critical	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0216718	2/3/2017	10:59	2	Southeast	350	353	PSE/09 - Theft	5 - Expediter	TIGER MART	116 N Jim Miller Rd		Dallas	TX	75217
17-0102172	1/16/2017	18:18	3	Southeast	350	353	13 - Prowler	2 - Urgent	CONSTRUCTION SITE	116 N Jim Miller Rd		Dallas	TX	75217
17-0006465	1/1/2017	18:47	3	Southeast	350	353	32 - Suspicious Person	2 - Urgent	stovall construction	116 N Jim Miller Rd		Dallas	TX	75217

CPC Action
November 15, 2018

Motion: It was moved to recommend **denial without prejudice** of the renewal of Specific Use Permit No. 2229 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the northeast corner of Great Trinity Forest Way and North Jim Miller Road.

Maker: Lewis
Second: Rieves
Result: Carried: 13 to 0

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

Notices: Area: 300 Mailed: 15
Replies: For: 0 Against: 0

Speakers: None

LIST OF OFFICERS
Sanabel Investments, LP

- Guhaina Almakdad President
- Guhaina Almakdad Secretary

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

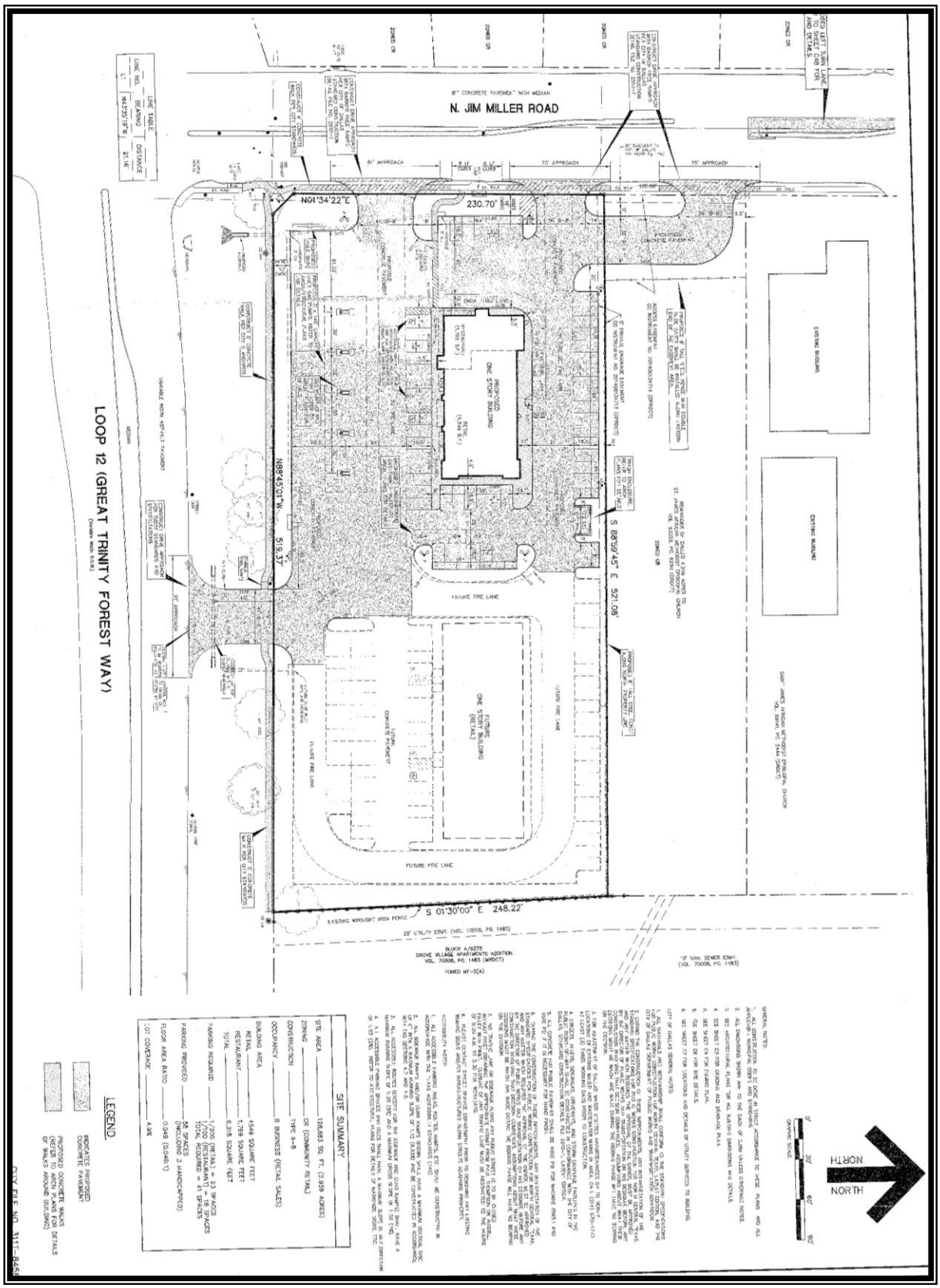
3. TIME LIMIT: This specific use permit expires on_____, (five-year period from the passage of this ordinance), but is eligible for automatic renewals for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced). ~~March 22, 2019~~

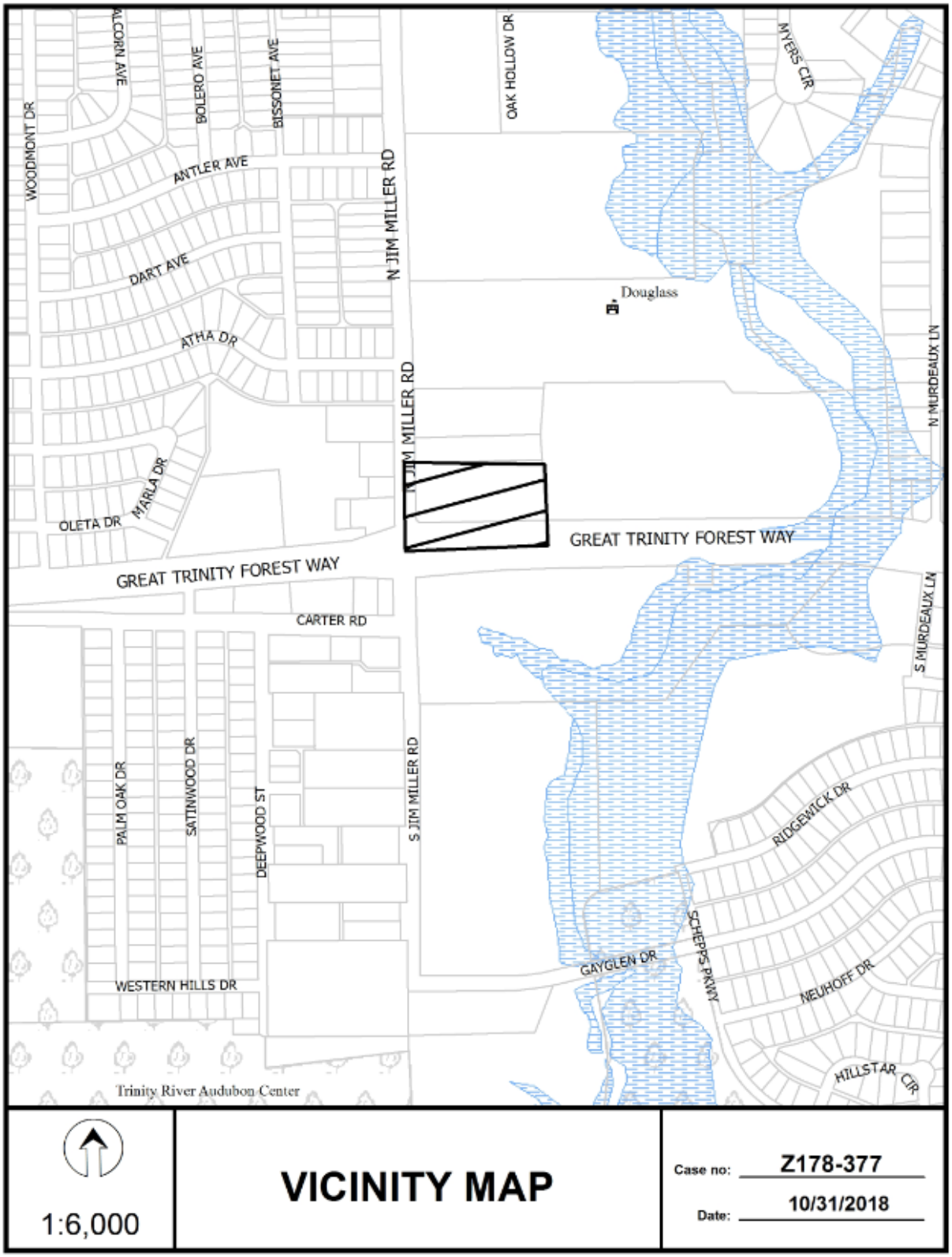
4. DRIVE-THROUGH-WINDOW: Use of the drive-through window for retail sales of alcoholic beverages is prohibited.

5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

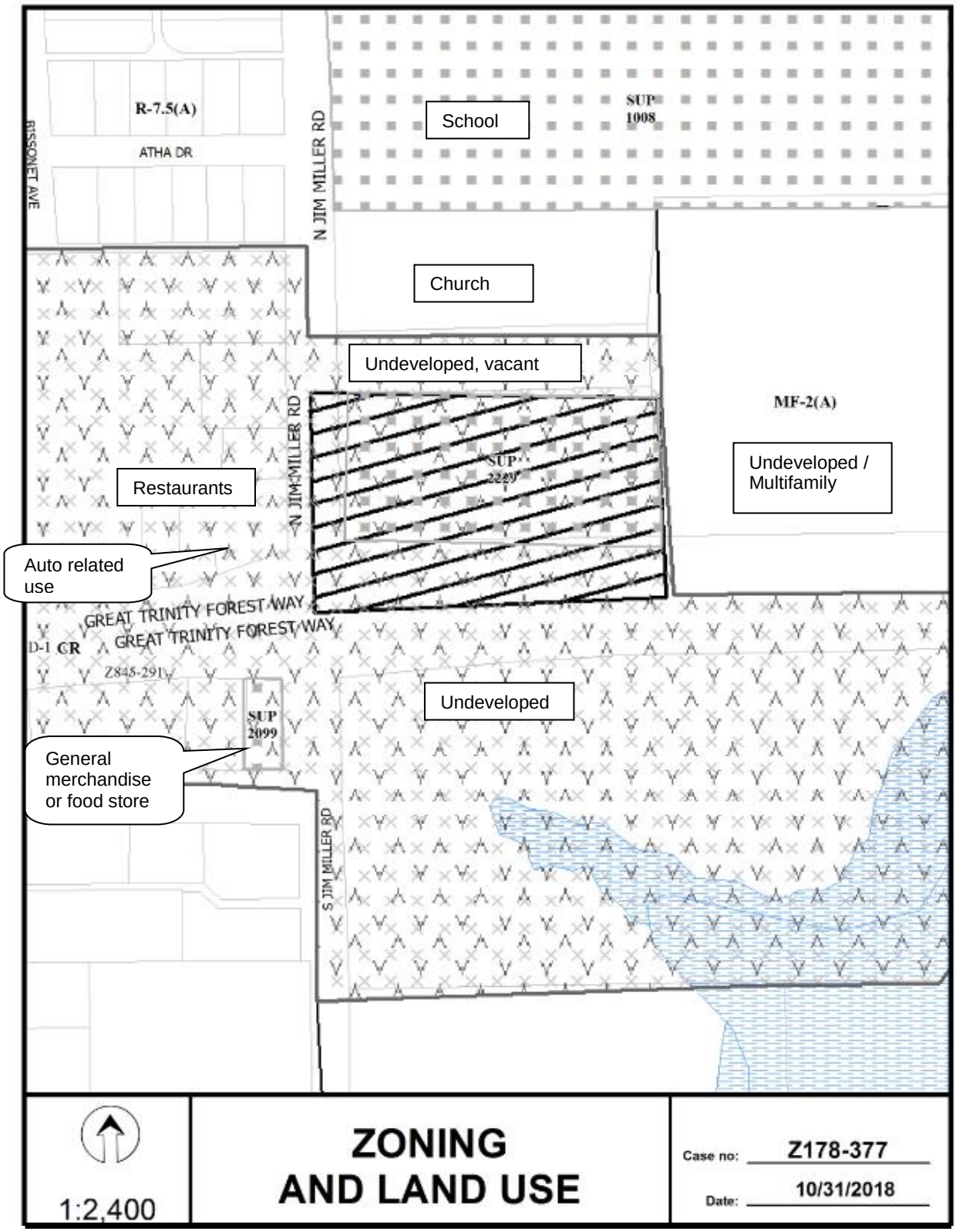
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

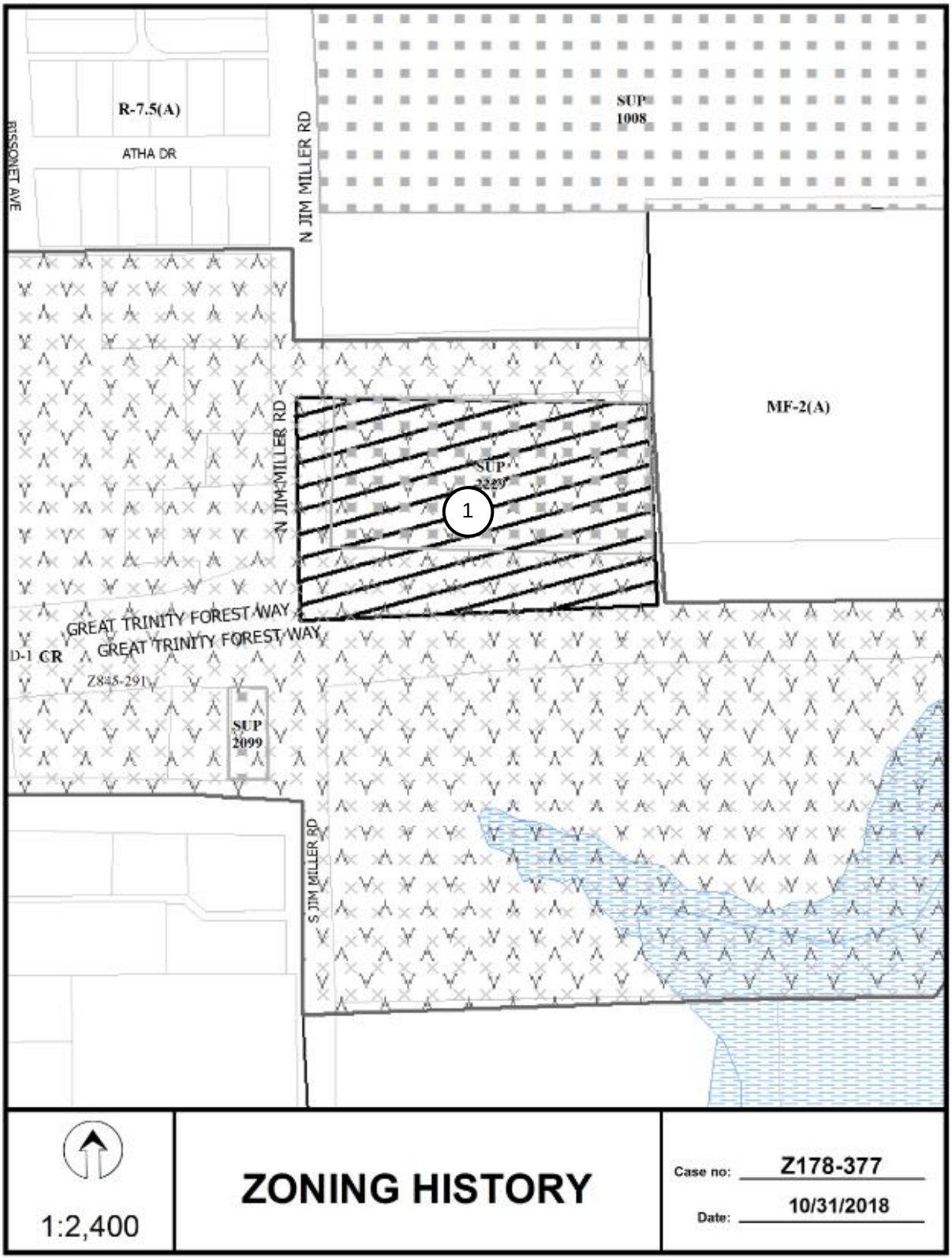
EXISTING SITE PLAN

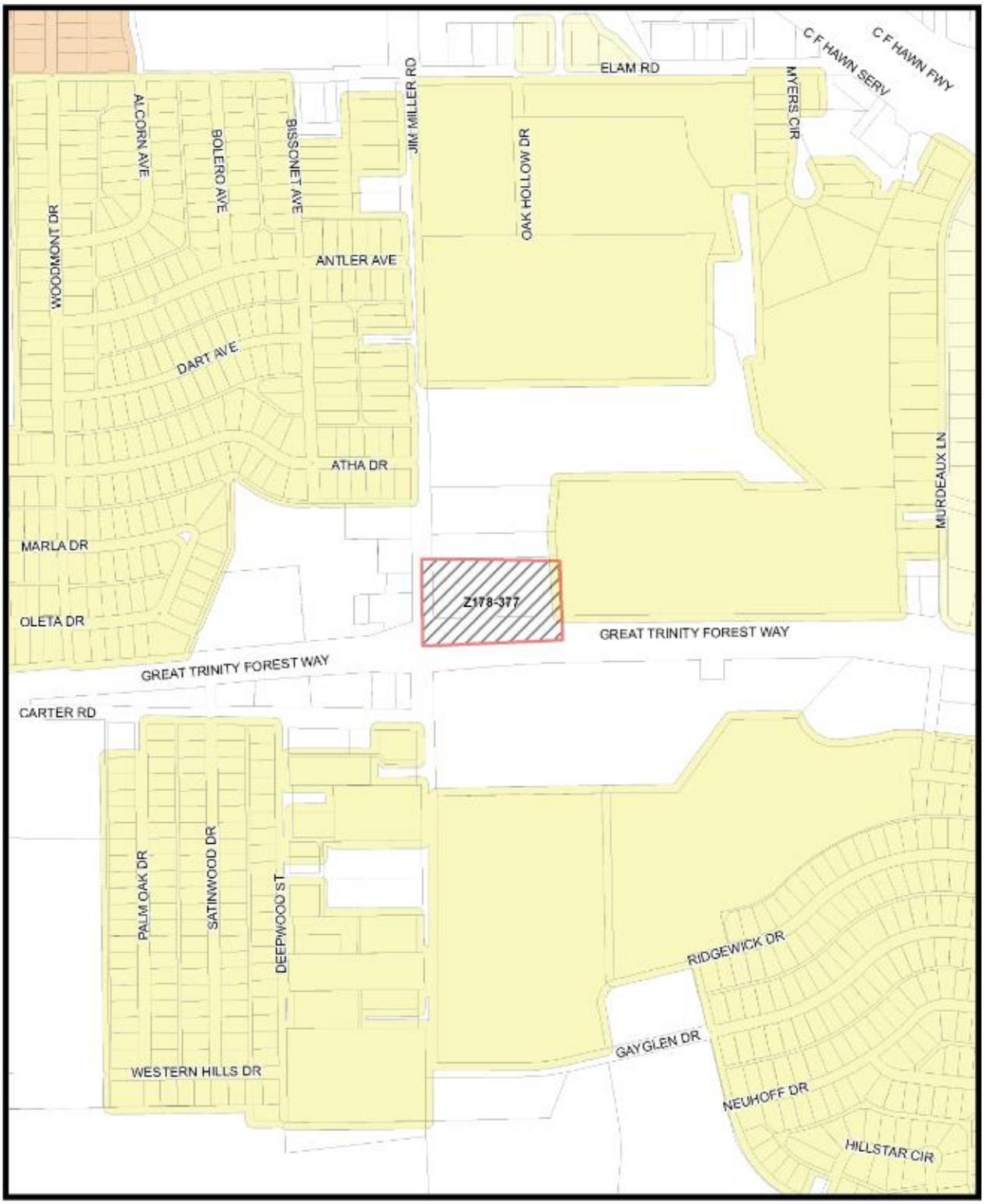



WOODMONT DR
ALCORN AVE
BOLERO AVE
BISSONET AVE
ANTLER AVE
DART AVE
ATHA DR
OLETA DR
MARLA DR
N JIM MILLER RD
OAK HOLLOW DR
MYERS CIR
Douglass
N MURDEAUX LN
GREAT TRINITY FOREST WAY
CARTER RD
S MURDEAUX LN
PALM OAK DR
SATINWOOD DR
DEEPWOOD ST
S JIM MILLER RD
RIDGEWICK DR
SCHEPPS PKWY
GAYGLEN DR
NEUHOFF DR
WESTERN HILLS DR
HILLSTAR CIR
Trinity River Audubon Center
1:6,000
VICINITY MAP
Case no: Z178-377
Date: 10/31/2018

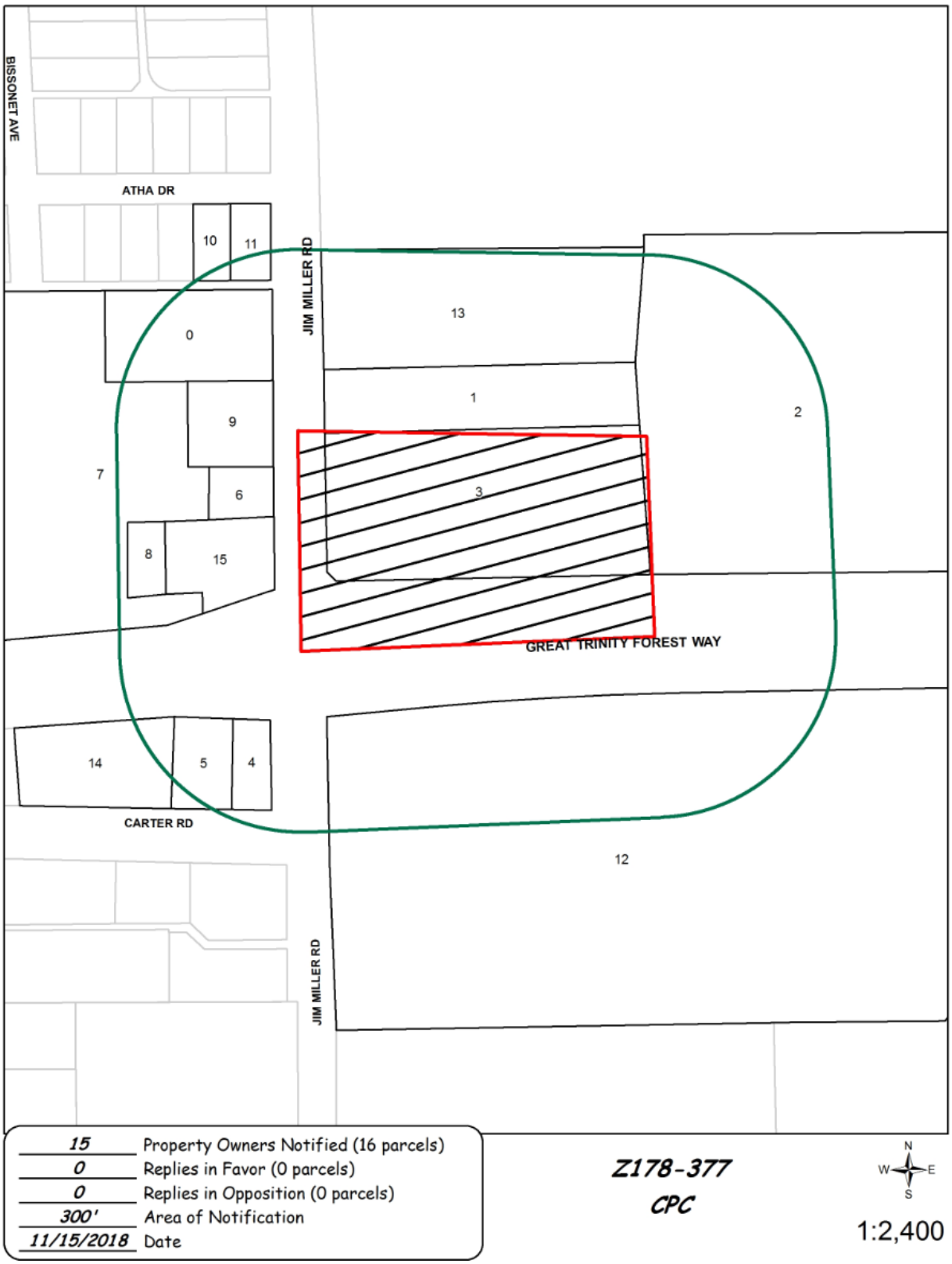

RISSONEL AVE
N JIM MILLER RD
N JIM MILLER RD
GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY
CARTER RD
S JIM MILLER RD
1:2,400
AERIAL MAP
Case no: Z178-377
Date: 10/31/2018


R-7.5(A)
ATHA DR
BISSONET AVE
N JIM MILLER RD
School
SUP 1008
Church
Undeveloped, vacant
MF-2(A)
SUP 2229
Undeveloped / Multifamily
Restaurants
Auto related use
GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY
D-1 CR
Z848-291
SUP 2099
General merchandise or food store
Undeveloped
S JIM MILLER RD
1:2,400
ZONING AND LAND USE
Case no: Z178-377
Date: 10/31/2018


R-7.5(A)
ATHA DR
RISSONET AVE
N JIM MILLER RD
SUP 1008
MF-2(A)
SUP 2229
1
GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY
D-1 CR
Z845-291
SUP 2099
S JIM MILLER RD
1:2,400
ZONING HISTORY
Case no: Z178-377
Date: 10/31/2018


ELAM RD
C F HAWN SERV
C F HAWN FWY
JIM MILLER RD
MYERS CIR
OAK HOLLOW DR
ALCORN AVE
BOLERO AVE
BISSONET AVE
WOODMONT DR
ANTLER AVE
DART AVE
ATHA DR
MARLA DR
OLETA DR
MURDEAUX LN
Z178-377
GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY
CARTER RD
PALM OAK DR
SATINWOOD DR
DEEPWOOD ST
WESTERN HILLS DR
RIDGEWICK DR
GAYGLEN DR
NEUHOFF DR
HILLSTAR CIR
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 10/31/2018

CPC RESPONSES



11/14/2018

Reply List of Property Owners

Z178-377

15 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	124	N JIM MILLER RD	ST JAMES AFRICAN METHODIST EPISCOPAL CHURCH
	2	7203	GREAT TRINITY FOREST WAY	LOOP 12 TRAILS LTD
	3	116	N JIM MILLER RD	SANABEL INVESTMENT LP
	4	7036	GREAT TRINITY FOREST WAY	JUNEJA PROPERTY HOLDINGS INC
	5	7028	GREAT TRINITY FOREST WAY	PHILLIPS LEO &
	6	115	N JIM MILLER RD	RONA SABUR CORPORATION
	7	6901	GREAT TRINITY FOREST WAY	CATHEDRAL OF FAITH
	8	7015	GREAT TRINITY FOREST WAY	CATHEDRAL OF FAITH
	9	129	S JIM MILLER RD	M BAIG 1407 LLC
	10	7026	ATHA DR	REDDTROW PPTY MGMT LLC
	11	7032	ATHA DR	LEWIS LISA M &
	12	7100	GREAT TRINITY FOREST WAY	VSB INVESTMENTS LLC
	13	200	N JIM MILLER RD	ST JAMES AFRICAN METHODST
	14	7020	GREAT TRINITY FOREST WAY	JUNEJA HOSPITALITY HOLDINGS LLC
	15	7071	GREAT TRINITY FOREST WAY	ALEJANDRE ARCANGEL

Agenda Information Sheet

File #: 19-774 **Item #:** 84.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 13

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.1 acres of the current 2.975 acres of land located at 4144 Cochran Chapel Road, within the floodplain of Bachman Branch, Fill Permit 17-10 - Financing: No cost consideration to the City

BACKGROUND

The property owner at 4144 Cochran Chapel Road along Bachman Branch has applied for a fill permit to remove the 100-year floodplain from approximately 0.1 acres of the current 2.32 acres of floodplain on this property.

A neighborhood meeting was held at the Bachman Therapeutic Recreation Center on February 6, 2018. Attendees included the property owner and engineers and four City staff members. Three citizens from the area attended. There has been no objection to the fill permit.

The fill permit application meets all engineering requirements for filling in the floodplain as specified in Part II of the Dallas Development Code, Section 51A-5.105(h). The applicant has not requested a waiver of any criteria. Accordingly, the City Council should approve this application; or, it may pass a resolution to authorize acquisition of the property under the laws of eminent domain and may then deny the application to preserve the status quo until acquisition.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

OWNER/APPLICANT

Clay Likover
4144 Cochran Chapel Road
Dallas, TX 75209

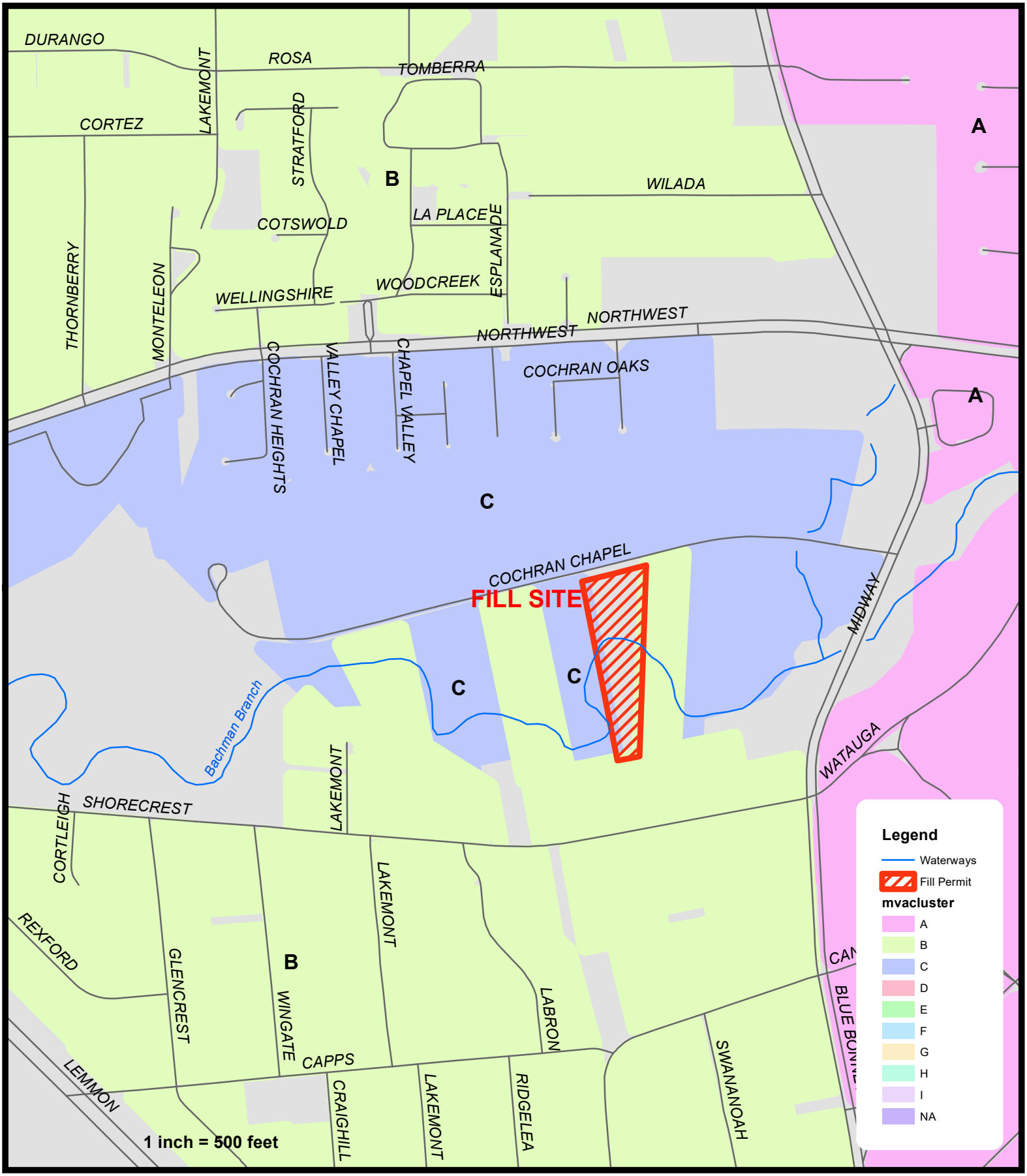
ENGINEER

Thomas Caffarel
Cardinal Strategies Engineering Services, LLC
1401 N. Central Expressway, Suite 900
Richardson, TX 75080

MAP

Attached

AGENDA MAP
FILL PERMIT 17-10 (4144 Cochran Chapel RD.)



COUNCIL DISTRICT 13

Agenda Information Sheet

File #: 19-758 **Item #:** 85.

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	June 12, 2019
COUNCIL DISTRICT(S):	2
DEPARTMENT:	Office of Economic Development
EXECUTIVE:	Michael Mendoza

SUBJECT

A public hearing to receive comments concerning the renewal and expansion of the South Side Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code (the "Act"), for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the closing of the public hearing authorize **(1)** a resolution renewing the District for a period of seven years, from 2020-2026; **(2)** expansion of the District's boundary; **(3)** the District's Service Plan for 2020-2026 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(4)** a management contract with South Side Quarter Development Corporation, a Texas non-profit corporation, as the management entity for the District - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

The District was originally established in 2005 and was renewed in 2012.

On April 12, 2019, South Side Quarter Development Corporation ("SSQDC") submitted petitions requesting renewal and expansion of the District and approval of a service plan for a period of seven-years with an effective date of January 1, 2020, in accordance with Chapter 372 of the Texas Local Government Code. Staff reviewed the proposed Service Plan, verified the petitions, and found the renewal plan to be viable.

City staff reviewed the signed petitions and determined owners of record representing more than 60% of the appraised value of the real property liable for assessment and more than 60% of the land area of the real property liable for assessment within the District signed the petitions (exceeding minimum requirements set in the current City of Dallas PID Policy).

Signed petitions also exceed state law's requirement of 50% of the appraised value of real property liable for assessment and 50% of the land area of all real property liable for assessment. The proposed renewal incudes expansion of the service plan area.

On May 22, 2019, City Council authorized a public hearing for the renewal and expansion of the District to be held on June 12, 2019, by Resolution No. 19-0775. Notice of the public hearing was published in the Dallas Morning News and mailings sent to property owners of record in the District.

The City desires, by the calling and holding of such public hearing, to provide a reasonable opportunity for any owner of property located within the District to speak for or against the renewal and expansion of the District, the special assessment against each property owner of record of real property and real property improvements, exclusive of right-of-way, to provide funding for the District for the purpose of providing supplemental services and improvements.

The petition for the District is outlined as follows:

A. District Name. The name of the district is South Side Public Improvement District.

B. District Location. The District is located wholly within the City of Dallas, Texas, a Texas home rule municipality. The boundaries of the District are shown on the attached map of the District.

C. Purpose of the District; General Nature of Services and Improvements. The purpose of the District is to supplement and enhance services provided within the District but not to replace or supplant existing City services provided within the District. The general nature of proposed improvements and services to be performed by the District is to improve security and provide safety and security related services, promote the District, enhance and protect property values, design, construct and maintain public improvement projects, including park and open space, business recruitment, marketing and other special supplemental services and improvements that are authorized by the Act and approved by City Council.

D. Estimated Cost of Services and Improvements; No Bonded Indebtedness. During the seven-year term of the District, the annual cost of services and improvements provided by the District is estimated to range from approximately $304,140.00 to $512,000.00 annually. The total estimated assessments to be collected during the seven-year period is approximately $2,865,064.00, which includes a surplus of $16,279.00 from the previous year's assessments. The District shall not incur bonded indebtedness. The seven-year budget detailing the estimated cost per year and total estimated costs for the entire term (the "Service Plan") is labeled as Exhibit B of the attached resolution.

E. Method of Assessment. The assessment shall be apportioned costs of services and improvements each year among non-excluded property on the basis of special benefits accruing to such property because of the improvements. The proposed method of assessment, which specifies included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements, as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2020 is proposed to be $304,140.00.

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This amount is approximately equal to $0.12 per $100.00 of appraised value for property in the standard area of the District, as determined by DCAD, and $0.15 per $100.00 of appraised value for property in the premium area of the District, as determined by DCAD. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased but shall not exceed $0.15 per $100.00 valuation subject to appropriations set forth in the petition that renewed the District. Any future increase in the assessment rate would also be subject to a public hearing and City Council approval. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes.

Property owned by tax-exempt religious organizations will be exempt from assessment as will property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code as well as railroad rights-of-way, cemeteries and City-owned property including rights-of-way and public parks. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

F. Apportionment of Cost Between the District and the City as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas shall not be responsible for payment of assessments against City-owned property including City rights-of-way and parks in the District. Payment of assessments by other tax-exempt owners must be established by contract. Presently, no such contracts are in place.

G. District Management. The District will be managed by SSQDC, a Texas non-profit corporation, created under the provisions of section 501(c) of the Internal Revenue Code, or its successors or assigns, as approved by City Council. The City Council will review and approve annually the service plan and assessment plan, determine and levy assessments and conduct other functions as required by the Act, and the SSQDC will manage the District pursuant to a contract with the City.

H. District Dissolution. The District shall automatically dissolve on December 31, 2026, unless renewed or dissolved through the petition and approval process as provided by the Act. If the District is dissolved, the District nonetheless shall remain in effect for the purpose of meeting obligations of indebtedness for improvements.

I. Advisory Body. An advisory body may be established to develop and recommend the Service Plan to the City Council. At this time, staff is not recommending an advisory board be appointed but is recommending that the responsibility for development and recommendation of the annual service and improvement plans and other responsibilities of the advisory body contained in the Act be assigned to SSQDC.

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The term of the District upon renewal is seven-years, 2020 to 2026. Pending approval, actual operations in the District will commence January 1, 2020.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 10, 2005, City Council authorized creation of the South Side Public Improvement District by Resolution No. 05-2230.

On June 13, 2012, City Council authorized the renewal of the South Side Public Improvement District by Resolution No. 12-1585.

Information about this item was provided to the Economic Development and Housing Committee on May 6, 2019.

On May 22, 2019, City Council authorized a public hearing to be held on June 12, 2019, to receive comments concerning the renewal and expansion of the South Side Public Improvement District by Resolution No. 19-0775.

FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to $0.12 per $100.00 of appraised value for property in the standard area of the District, as determined by DCAD, and $0.15 per $100.00 of appraised value for property in the premium area of the District, as determined by DCAD (i.e. property owners within the boundaries of the District pay the assessment and the funds are managed by a private, non-profit entity under a management contract with the City).

CONTACT INFORMATION

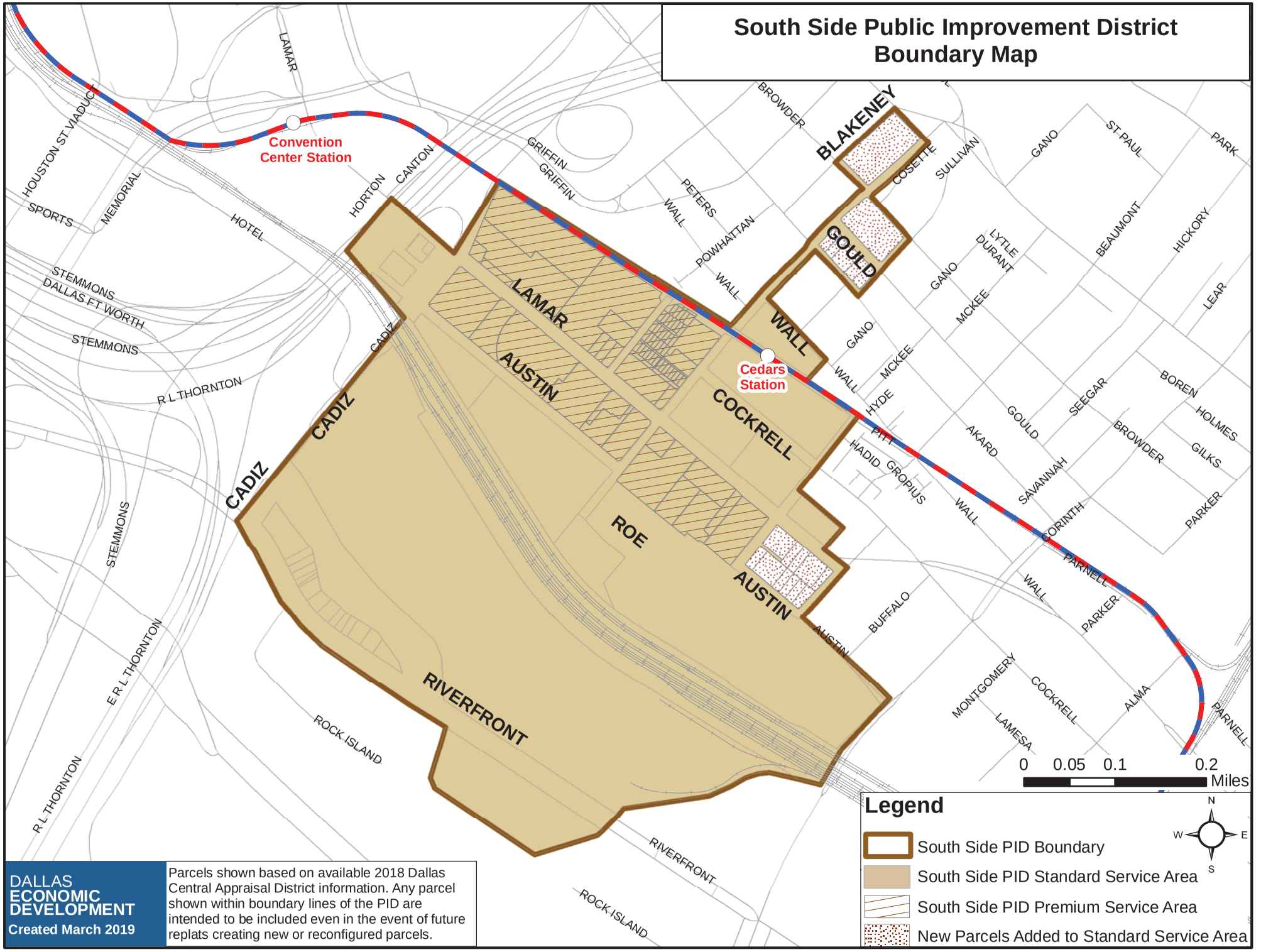
South Side Quarter Development Corporation

Shannon Brown-Key, Director
1401 S. Lamar Street
Dallas, Texas 75215

MAP

Attached

South Side Public Improvement District Boundary Map



Legend

- South Side PID Boundary
- South Side PID Standard Service Area
- South Side PID Premium Service Area
- New Parcels Added to Standard Service Area

DALLAS ECONOMIC DEVELOPMENT

Created March 2019

Parcels shown based on available 2018 Dallas Central Appraisal District information. Any parcel shown within boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on August 10, 2005, City Council authorized creation of the South Side Public Improvement District by Resolution No. 05-2230; and

WHEREAS, on June 13, 2012, City Council authorized the renewal of the South Side Public Improvement District by Resolution No. 12-1585; and

WHEREAS, on April 12, 2019, South Side Quarter Development Corporation representing property owners of the South Side area, delivered to the City of Dallas a petition to renew and expand the South Side Public Improvement District ("District") in accordance with Chapter 372 of the Texas Local Government Code, as shown on the attached map of the District (**Exhibit A**); and

WHEREAS, the Act states that the Petition is sufficient if signed by owners of more than 50 percent of taxable real property, according to appraised value, and either of the following: more than 50 percent of the area of all taxable real property liable for assessment under the proposal, or more than 50 percent of all record owners of property liable for assessment; and

WHEREAS, City staff reviewed the petition and determined owners of more than 60 percent of the appraised value of the taxable real property liable for assessment and more than 60 percent of the land area of all taxable real property liable for assessment within the District executed the petition, in accordance with the necessary thresholds for the City Council to consider creation of the District; and

WHEREAS, the Act further requires that prior to the adoption of the resolution providing for the reestablishment of the South Side Improvement District to provide supplemental public services to be funded by assessments on real property and real property improvements, the City Council must hold a public hearing on the advisability of the improvements; the nature of the improvement; the estimated cost of the improvement; the boundaries of the public improvement district; the method of assessment; and the apportionment of costs between the district and the municipality as a whole; and

WHEREAS, on May 22, 2019, the City Council called for a public hearing to be held on June 12, 2019, to hear comments and concerns regarding the reestablishment of the South Side Public Improvement District and stated its intent at the close of that hearing to consider a resolution renewing and expanding the South Side Public Improvement District by Resolution No. 19-0775; and

WHEREAS, after providing notices required by Section 372.009 of the Act, the City Council on June 12, 2019, conducted a public hearing on the advisability of the improvements and services, and adjourned such public hearing**.**

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That pursuant to the requirements of the Act, the City Council, after considering the Petition for the proposed District expansion and renewal and evidence and testimony presented at the public hearing on June 12, 2019, hereby finds and declares:

A. **District Name.** The name of the district is South Side Public Improvement District.

B. **District Location.** The District is located wholly within the City of Dallas, Texas, a Texas home rule municipality. The boundaries of the District are shown on the attached map of the District labeled as **Exhibit A**.

C. **Purpose of the District; General Nature of Services and Improvements**. The purpose of the District is to supplement and enhance services provided within the District but not to replace or supplant existing City services provided within the District. The general nature of proposed improvements and services to be performed by the District is to improve security and provide safety and security related services, promote the District, enhance and protect property values, design, construct and maintain public improvement projects, including park and open space, business recruitment, marketing and other special supplemental services and improvements that are authorized by the Act and approved by City Council.

D. **Estimated Cost of Services and Improvements; No Bonded Indebtedness.** During the seven-year term of the District, the annual cost of services and improvements provided by the District is estimated to range from approximately $304,140.00 to $512,000.00 annually. The total estimated assessments to be collected during the seven-year period is approximately $2,865,064.00, which includes a surplus of $16,279.00 from the previous year's assessments. The District shall not incur bonded indebtedness. The seven-year budget detailing the estimated cost per year and total estimated costs for the entire term (the "Service Plan") is attached and labeled as **Exhibit B**.

E. **Method of Assessment.** The assessment shall be apportioned costs of services and improvements each year among non-excluded property on the basis of special benefits accruing to such property because of the improvements. The proposed method of assessment, which specifies included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements, as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2020 is proposed to be $304,140.00.

SECTION 1. (continued)

This amount is approximately equal to $0.12 per $100.00 of appraised value for property in the standard area of the District, as determined by DCAD, and $0.15 per $100.00 of appraised value for property in the premium area of the District, as determined by DCAD. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased but shall not exceed $0.15 per $100.00 valuation subject to appropriations set forth in the petition that renewed the District. Any future increase in the assessment rate would also be subject to a public hearing and City Council approval. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes.

Property owned by tax-exempt religious organizations will be exempt from assessment as will property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code as well as railroad rights-of-way, cemeteries and City-owned property including rights-of-way and public parks. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

F. **Apportionment of Cost Between the District and the City as a Whole.** The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas shall not be responsible for payment of assessments against City-owned property including City rights-of-way and parks in the District. Payment of assessments by other tax-exempt owners must be established by contract. Presently, no such contracts are in place.

G. **District Management.** The District will be managed by South Side Quarter Development Corporation, a Texas non-profit corporation, created under the provisions of section 501(c) of the Internal Revenue Code, or its successors or assigns, as approved by City Council. The City Council will review and approve annually the service plan and assessment plan, determine and levy assessments and conduct other functions as required by the Act, and the SSQDC will manage the District pursuant to a contract with the City.

H. **District Dissolution.** The District shall automatically dissolve on December 31, 2026, unless renewed or dissolved through the petition and approval process as provided by the Act. If the District is dissolved, the District nonetheless shall remain in effect for the purpose of meeting obligations of indebtedness for improvements.

SECTION 1. (continued)

I. Advisory Body. An advisory body may be established to develop and recommend the Service Plan to the City Council. At this time, staff is not recommending an advisory board be appointed but is recommending that the responsibility for development and recommendation of the annual service and improvement plans and other responsibilities of the advisory body contained in the Act be assigned to SSQDC.

The term of the District is seven years, 2020 to 2026. Actual operations in the District will commence January 1, 2020.

SECTION 2. That the facts and recitals contained in the preamble of this Resolution are found and declared to be true and correct.

SECTION 3. That the South Side Public Improvement District is hereby authorized and established as a Public Improvement District under the Act in accordance with the findings as to the advisability of the services and improvements contained in this Resolution, with an effective date of January 1, 2020. The District shall be subject to all of the terms, conditions, limitations and reservations contained in the findings of Section 1 of this Resolution.

SECTION 4. That the City Secretary is directed to give notice of the authorization to establish the District by publishing a copy of this Resolution once in the newspaper of general circulation in the City of Dallas. Such authorization shall take effect and the District shall be deemed to be established effective upon the publication of such notice. The District shall automatically dissolve on December 31, 2026, unless the District is renewed through the petition and approval process as provided by the Act, or the District is sooner terminated as provided by law. The power of the City to continue to levy and collect assessments within the District will cease, and the District will be dissolved on the date that a petition requesting dissolution is filed with the City Secretary of the City of Dallas and the petition contains the signatures of at least enough property owners in the District to make the petition sufficient for creation of a public improvement district as provided in Section 372.005(b) of the Act.

SECTION 5. That the City Council authorizes that the District shall be managed through South Side Quarter Development Corporation, a Texas non-profit corporation established under the provisions of Section 501(c) of the Internal Revenue Code, to develop and recommend a service plan, improvement plan and assessment plan for approval by the City Council in order to promote the efficient management of the District. SSQDC shall be the entity responsible for the management of the District.

SECTION 6. That City Council hereby approves the Service Plan prepared by the SSQDC, which is attached hereto and made part hereof and labeled **(Exhibit B)** and directs the SSQDC, to implement it in accordance with the Act. The Service Plan covers a period of seven-years and defines the annual indebtedness and projected cost for services and improvements. The SSQDC, is hereby granted the ability to modify or substitute items without City Council approval within the program categories in the Service Plan, upon review and written approval by the Director of the Office of Economic Development or his/her designee, if such changes serve the common interest of owners and tenants in the District and the increase and/or decrease in the amount of a program category does not exceed twenty percent (20%) of the budgeted amount for that category. "Program categories" in the Service Plan includes the listed improvement in **Exhibit B** that is authorized by the Act.

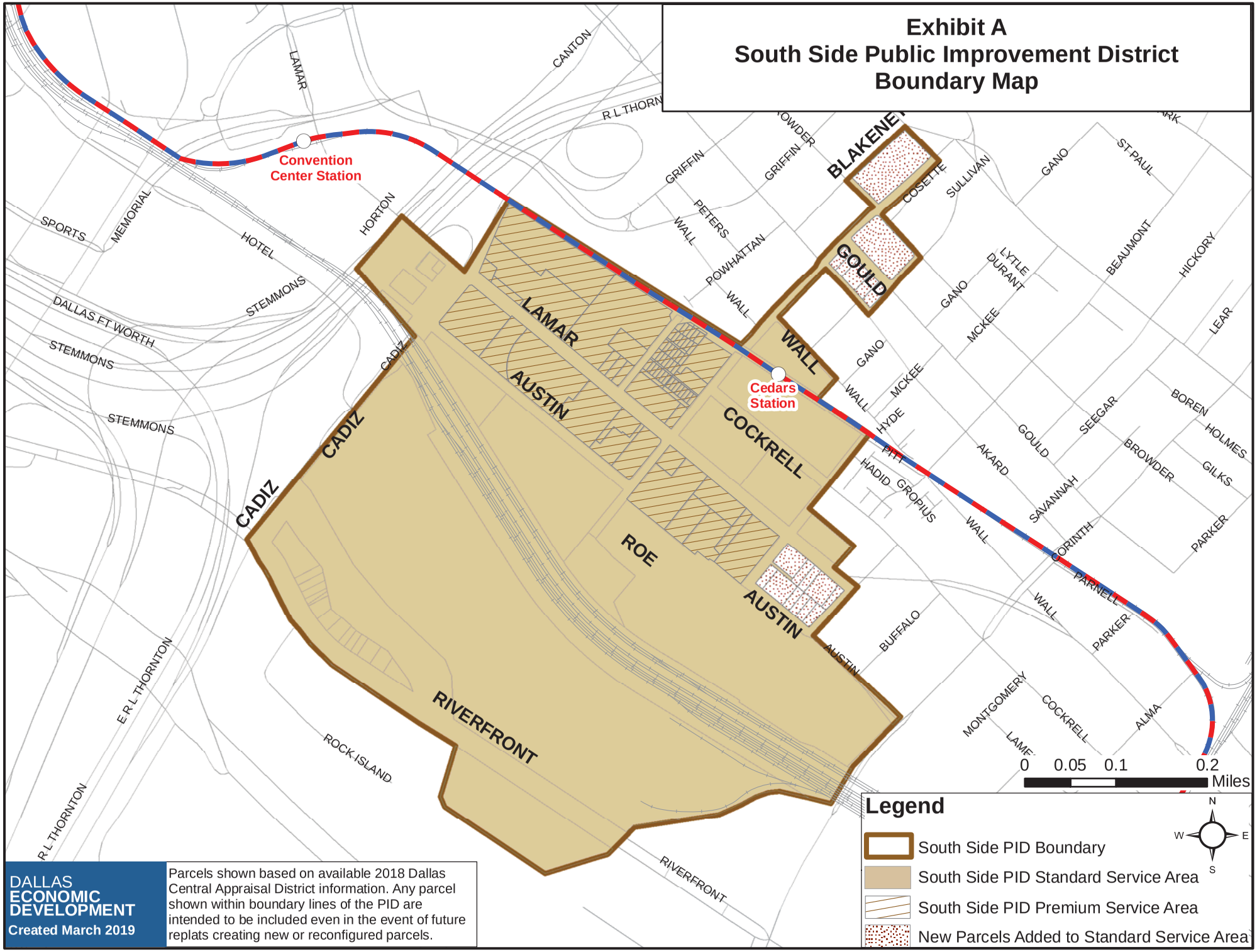
SECTION 7. That pursuant to the exception granted by Section 252.022(a)(9) of the Texas Local Government Code, the City Manager is hereby authorized and directed, upon approval as to form by the City Attorney, to enter into a contract with SSQDC, to manage special supplemental services to be paid from the assessments collected. The contract with the SSQDC shall include terms and conditions as set forth in the City of Dallas PID Policy, approved by City Council on October 23, 2013 as Resolution No. 13-1825. The contract shall be in accordance with the Service Plan and this Resolution and shall provide for compliance by the SSQDC, with the Business Inclusion and Development Plan for participation of minorities and women providing services and improvements to the District.

SECTION 8. That the contract with the SSQDC shall also provide for assessment collection services that Dallas County (the "County") will provide to the SSQDC, for collection of the special assessments. The County shall receive a fee per account as compensation for its collection services. Currently, the fee is $2.75 per account and subject to change by the County.

SECTION 9. That the contract with SSQDC shall provide that the City be responsible for disbursement of the assessments to the District. City will transfer assessment funds to SSQDC at least 30-45 days from the end of the previous month. Additionally, City will retain a percentage of the net assessments (assessments less collection service fees) for repayments, if any, required by the County in settlement of tax protests ("retainage funds"). If the retainage funds are not sufficient to address repayments, any additional funds needed will be provided by SSQDC.

SECTION 10. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A
South Side Public Improvement District
Boundary Map



DALLAS
ECONOMIC
DEVELOPMENT
Created March 2019

Parcels shown based on available 2018 Dallas Central Appraisal District information. Any parcel shown within boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.

Exhibit B

South Side Public Improvement District
Service Plan 2020-2026

	2020	2021	2022	2023	2024	2025	2026
INCOME							
Net Assessment*	**$ 304,140.00**	**$ 340,645.00**	**$ 365,000.00**	**$ 392,000.00**	**$ 450,000.00**	**$ 485,000.00**	**$ 512,000.00**
Interest on Cash Balance	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Surplus/Deficit from previous year	$ 16,279.00	$ -	$ -	$ -	$ -	$ -	$ -
TOTAL INCOME	**$ 320,419.00**	**$ 340,645.00**	**$ 365,000.00**	**$ 392,000.00**	**$ 450,000.00**	**$ 485,000.00**	**$ 512,000.00**
EXPENDITURES							
City Retainage[1]	$ 30,414.00	$ 34,065.00	$ 36,500.00	$ 39,200.00	$ 45,000.00	$ 48,500.00	$ 51,200.00
Area Improvements[2]	$ 105,000.00	$ 105,000.00	$ 110,000.00	$ 117,500.00	$ 139,000.00	$ 148,500.00	$ 150,500.00
Public Safety/Security[3]	$ 95,000.00	$ 95,000.00	$ 100,000.00	$ 105,000.00	$ 115,000.00	$ 123,250.00	$ 130,000.00
Business Recruitment/Marketing[4]	$ 35,000.00	$ 38,000.00	$ 42,000.00	$ 47,000.00	$ 52,000.00	$ 56,750.00	$ 60,000.00
Cultural Events & Arts[5]	$ 15,000.00	$ 24,080.00	$ 26,500.00	$ 30,800.00	$ 38,500.00	$ 43,000.00	$ 46,800.00
Administration	$ 26,005.00	$ 30,000.00	$ 34,500.00	$ 37,000.00	$ 42,500.00	$ 45,000.00	$ 50,000.00
Audit[6]	$ 7,000.00	$ 7,500.00	$ 8,000.00	$ 8,000.00	$ 10,000.00	$ 12,000.00	$ 15,000.00
Insurance and Legal	$ 7,000.00	$ 7,000.00	$ 7,500.00	$ 7,500.00	$ 8,000.00	$ 8,000.00	$ 8,500.00
Renewal Fee							$ 15,000.00
TOTAL ESTIMATED EXPENDITURE	**$ 320,419.00**	**$ 340,645.00**	**$ 365,000.00**	**$ 392,000.00**	**$ 450,000.00**	**$ 485,000.00**	**$ 512,000.00**
Surplus/Deficit**	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Notes

*Net assessment reflects the deduction of City and County admin fees from the gross assessment collected.

**Any carryover surplus in excess of 25% of the annual net assessment shall be distributed between the Area Improvements and Public Safety/Securty categories.

[1]City Retainage - 10% of gross assessments retained by the City for any repayments required by the County in settlement of tax protests, if any. Any retainage funds returned to PID after City's overall financial year close out may be carried over for use in the following year.

[2]Area Improvements includes street and sidewalk improvement projects, landscape/irrigation, trees, other streetscape improvements, open and park space improvements, plaza improvements, pedestrian lighting, wayfinding signage, district art and murals, design construction and maintenance of above standard improvements and other public improvement projects authorized by Chapter 372 of the Texas Local Government Code

[3]Public Safety/Security includes third party security group's patrol of district; other public safety programs

[4]Business Recruitment/Marketing includes special supplemental services such as marketing retail/restaurants in district, promotional ads, job fairs, marketing/recruitment events, district website development and maintenance

[5]Cutural Events includes events and programs that highlight the culture and arts of the district

[6]Audit line item includes fees for quarterly and annual accounting

Agenda Information Sheet

File #: 19-759 **Item #:** 86.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: June 12, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

A public hearing to receive comments concerning the renewal of the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing authorize **(1)** a resolution renewing the District for a period of seven-years, from 2020 to 2026; **(2)** the District's Service Plan for 2020-2026 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with Uptown Dallas, Inc., a Texas non-profit corporation as the management entity for the District - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

The Uptown Public Improvement District (District) was initially established in 1993 and was renewed in 2000, 2005 and 2012.

On February 6, 2019, Uptown Dallas, Inc. (UDI) submitted petitions requesting the renewal of the District and approval of the Service Plan for a period of seven years with an effective date of January 1, 2020 in accordance with Chapter 372 of the Texas Local Government Code. Staff reviewed the proposed Service Plan, verified the petitions and found the renewal plan to be viable and recommended approval. City staff reviewed the signed petitions and determined that owners of record representing more than 60% of the appraised value of the real property liable for assessment and more than 60% of the land area of the real property liable for assessment within the District signed the petitions (exceeding minimum requirements set in the current City of Dallas PID Policy). Signed petitions also exceed state law's requirement of 50 percent of the appraised value of real property liable for assessment and 50 percent of the land area of all real property liable for assessment.

On May 22, 2019, City Council authorized a public hearing for the renewal of the District to be held on June 12, 2019. Notice of the public hearing was published in the Dallas Morning News and mailings sent to property owners of record in the District.

The City desires, by the calling and holding of such public hearing, to provide a reasonable opportunity for any owner of property located within the District to speak for or against the renewal and expansion of the District, the special assessment against each property owner of record of real property and real property improvements, exclusive of right-of-way, to provide funding for the District for the purpose of providing supplemental services and improvements.

The petition for the District is outlined as follows:

A. District Name. The name of the District is Uptown Public Improvement District.

B. District Location. The District is located wholly within the City of Dallas, Texas, a Texas home rule municipality. The boundaries of the District are shown on the attached map of the District.

C. Purpose of the District; General Nature of the Services and Improvements. The general nature of the proposed improvements and services to be performed by the District is to enhance public safety and security, lighting, sidewalk and streetscape improvements, landscaping improvements including plantings, hardscape, trolley operation and capital improvements, District marketing and promotional activities and improvements as authorized by the Act and approved by City Council.

D. Estimated Cost of the Services and Improvements; No Bonded Indebtedness. During the seven-year period, the annual cost of the improvements and services provided by the District is estimated to range from approximately $3,013,977.00 to $5,348,612.00 annually and includes estimated interest and marketing sponsorships. The total estimated assessments to be collected during the seven-year period is approximately $28,232,962.00, and with the anticipated interest and marketing sponsorship, the total budget is estimated to be $28,631,962.00. The District shall incur no bonded indebtedness. The seven-year budget detailing the estimated cost per year and total estimated costs for the entire term (the “Service Plan”) is labeled as Exhibit B of the attached resolution. The Service Plan budget is an estimate based on current assessment rolls and assumes a 10 percent increase in value each year based on the high growth of Uptown. If growth rates exceed the estimated seven-year estimate, additional funds collected will be used for Capital Improvements and Services and shall be distributed pro-rata to those categories. Carryover in excess of 20 percent annually shall also be distributed between the Capital Improvements and Services categories. In the last year of assessment, if there are unspent carryover funds, City Council reserves the right to adjust the assessment rate.

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E. Method of Assessment. The assessment shall be apportioned each year among the property on the basis of special benefits accruing to the property because of the improvements. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2020 is proposed to be $2,971,977.00. This amount is approximately equal to $0.0450 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2020 Service Plan year.

The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased, but shall not exceed $0.15 per $100.00 valuation subject to appropriations set forth in the petition that renewed the District. Any future increase in the assessment rate would also be subject to a public hearing and City Council approval. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Property owned by tax-exempt religious organizations will be exempt from assessment as will property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code as well as City-owned property including rights-of-way and public parks, railroad rights-of-way and cemeteries. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

F. Apportionment of Cost Between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, City parks and cemeteries are not specially benefitted and, therefore, are not subject to PID assessment.

G. District Management. The District shall be managed by the Uptown Dallas, Inc. (UDI), a Texas non-profit corporation, established under the provisions of Section 501(c) of the Internal Revenue Code.

The City Council will review and approve annually the Service Plan and Assessment Plan, determine and levy assessments, and conduct other functions as required by the Act. UDI will be responsible for the management of the District pursuant to a contract with the City.

H. District Dissolution. The District shall automatically dissolve on December 31, 2026, unless renewed or dissolved through the petition and approval process as provided by the Act. If the District is dissolved, the District nonetheless shall remain in effect for the purpose of meeting obligations of indebtedness for improvements.

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I. **Advisory Body.** An advisory body may be established to develop and recommend an improvement plan to the governing body of the municipality. At this time, staff is not recommending that an advisory board be appointed but is recommending that the responsibility for development and recommendation of the annual service and improvement plans and other responsibilities of the advisory body contained in the Act be assigned to UDI.

The term of the District upon renewal is seven years, 2020 to 2026. Pending approval, actual operations in the District will commence from January 1, 2020.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 1993, City Council authorized the creation of the Uptown PID by Resolution No. 93-2501.

On August 10, 2005, City Council authorized the renewal of the Uptown PID by Resolution No. 05-2231.

On June 13, 2012, City Council authorized the renewal of the Uptown PID by Resolution No. 12-1584.

Information about this item was provided to the Economic Development and Housing Committee on May 6, 2019.

On May 22, 2019, City Council authorized a public hearing to be held on June 12, 2019, to receive comments concerning the renewal of the Uptown Public Improvement District by Resolution No. 19-0776.

FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to $0.045 per $100.00 of appraised value as determined by the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by a private, non-profit entity under a management contract with the City).

CONTACT INFORMATION

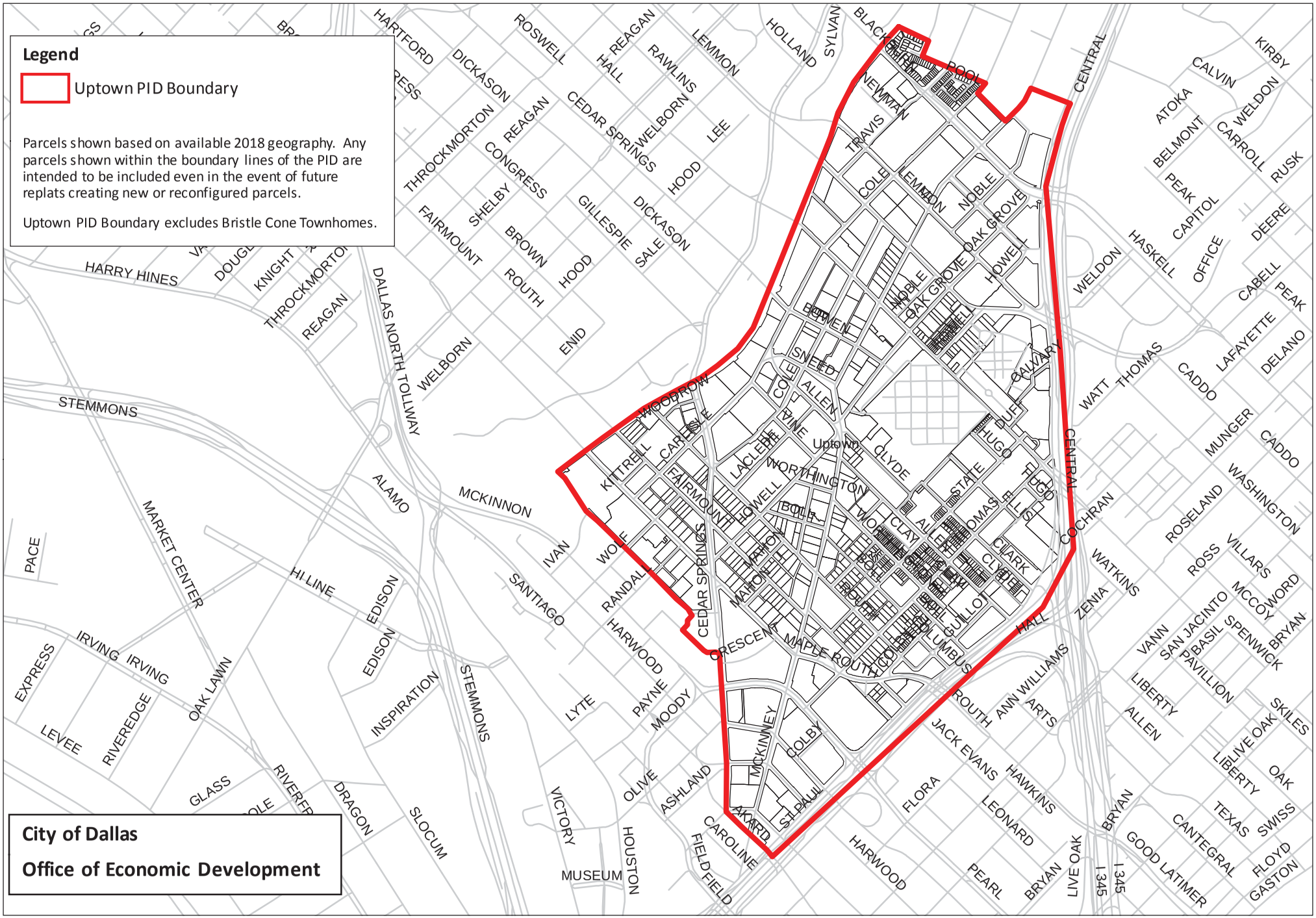
Uptown Dallas, Inc.

Noelle LeVeaux
Interim Director and Executive Director
3600 McKinney Ave, Suite 210
Dallas, Texas 75204

MAP

Attached

Uptown Public Improvement District
Boundary Map



June 12, 2019

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on February 6, 2019, Uptown Dallas, Inc., representing owners of real property located within the Uptown Public Improvement District (the "District"), delivered to the City of Dallas a petition to renew the District in accordance with the Act, and as shown on the attached map of the District (**Exhibit A**); and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the Uptown Dallas, Inc., verified the petitions, determining that more than 60%of the appraised value of the taxable real property liable for assessment and more than 60% of the land area of all taxable real property liable for assessment within the District executed the petition, evaluated the Service Plan to determine whether the services should be made as described by the proposed Service Plan and found the Service Plan to be feasible; and

WHEREAS, the Act further requires that prior to the adoption of the resolution providing for the reestablishment of the District to provide supplemental public services to be funded by assessments on real property and real property improvements, City Council must hold a public hearing on the advisability of the improvements; the nature of the improvement; the estimated cost of the improvement; the boundaries of the public improvement district; the method of assessment; and the apportionment of costs between the district and the municipality as a whole; and

WHEREAS, on May 22, 2019, City Council called for a public hearing to be held on June 12, 2019, to hear comments and concerns regarding the re-establishment of the District and stated its intent at the close of that hearing to consider a resolution renewing District by Resolution No. 19-0776; and

WHEREAS, after providing notices required by Section 372.009 of the Act, City Council on June 12, 2019, conducted a public hearing on the advisability of the improvements and services, and adjourned such public hearing.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That pursuant to the requirements of the Act, City Council, after considering the Petition for the proposed District and evidence and testimony presented at the public hearing on June 12, 2019, hereby finds and declares:

A. **District Name.** The name of the District is Uptown Public Improvement District.

B. **Advisability of Services and Improvements Proposed for District**. It is advisable to renew the District to provide the services and improvements described in this Resolution.

C. **District Location.** The District is located wholly within the City of Dallas, Texas, a Texas home rule municipality. The boundaries of the District are shown on the attached map (**Exhibit A**) of the District.

D. **Purpose of the District; General Nature of the Services and Improvements.** The general nature of the proposed improvements and services to be performed by the District is to enhance public safety and security, lighting, sidewalk and streetscape improvements, landscaping improvements including plantings, hardscape, trolley operation and capital improvements, District marketing and promotional activities and improvements as authorized by the Act and approved by City Council.

E. **Estimated Cost of the Services and Improvements; No Bonded Indebtedness.** During the seven-year period, the annual cost of the improvements and services provided by the District is estimated to range from approximately $3,013,977.00 to $5,348,612.00 annually and includes estimated interest and marketing sponsorships. The total estimated assessments to be collected during the seven-year period is approximately $28,232,962.00, and with the anticipated interest and marketing sponsorship, the total budget is estimated to be $28,631,962.00. The District shall incur no bonded indebtedness. The seven-year budget detailing the estimated cost per year and total estimated costs for the entire term (the “Service Plan”) is labeled as **Exhibit B**. The Service Plan budget is an estimate based on current assessment rolls and assumes a 10% increase in value each year based on the high growth of Uptown. If growth rates exceed the estimated seven-year estimate, additional funds collected will be used for Capital Improvements and Services and shall be distributed pro-rata to those categories. Carryover in excess of 20% annually shall also be distributed between the Capital Improvements and Services categories. In the last year of assessment, if there are unspent carryover funds, City Council reserves the right to adjust the assessment rate.

SECTION 1. (continued)

F. **Method of Assessment.** The assessment shall be apportioned each year among the property on the basis of special benefits accruing to the property because of the improvements. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2020 is proposed to be $2,971,977.00. This amount is approximately equal to $0.0450 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2020 Service Plan year.

The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased, but shall not exceed $0.15 per $100.00 valuation subject to appropriations set forth in the petition that renewed the District. Any future increase in the assessment rate would also be subject to a public hearing and City Council approval. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Property owned by tax-exempt religious organizations will be exempt from assessment as will property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code as well as City-owned property including rights-of-way and public parks, railroad rights-of-way and cemeteries. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

G. **Apportionment of Cost Between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, City parks and cemeteries are not specially benefitted and, therefore, are not subject to PID assessment.

SECTION 1. (continued)

H. **District Management.** The District shall be managed by the Uptown Dallas, Inc. ("UDI") a Texas non-profit corporation established under the provisions of Section 501(c) of the Internal Revenue Code. City Council will review and approve annually the Service Plan and Assessment Plan, determine and levy assessments, and conduct other functions as required by the Act. UDI will be responsible for the management of the District pursuant to a contract with the City.

I. **District Dissolution.** The District shall automatically dissolve on December 31, 2026, unless renewed or dissolved through the petition and approval process as provided by the Act. If the District is dissolved, the District nonetheless shall remain in effect for the purpose of meeting obligations of indebtedness for improvements.

J. **Advisory Body.** An advisory body may be established to develop and recommend an improvement plan to the governing body of the municipality. At this time, staff is not recommending that an advisory board be appointed but is recommending that the responsibility for development and recommendation of the annual service and improvement plans and other responsibilities of the advisory body contained in the Act be assigned to UDI.

The term of the District upon renewal is seven years, 2020 to 2026. Pending approval, actual operations in the District will commence from January 1, 2020.

SECTION 2. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

SECTION 3. That the District is hereby authorized and re-established as a Public Improvement District under the Act in accordance with the findings as to the advisability of the services and improvements contained in this Resolution, with an effective date of January 1, 2020. The District shall be subject to all of the terms, conditions, limitations and reservations contained in the findings of Section 1 of this Resolution and **Exhibit B**.

SECTION 4. That the City Secretary is directed to give notice of the authorization for the re-establishment of the District by publishing a copy of this Resolution once in the newspaper of general circulation in the City of Dallas. Such authorization shall take effect and the District shall be deemed to be established effective upon the publication of such notice. The District shall automatically dissolve on December 31, 2026 unless the District is renewed through the petition and approval process as provided by the Act, or the District is sooner terminated as provided by law. The power of the City to continue to levy and collect assessments within the District will cease, and the District will be dissolved on the date that a petition requesting dissolution is filed with the City Secretary of the City of Dallas and the petition contains the signatures of at least enough property owners in the District to make the petition sufficient under Section 372.005(b) of the Act.

SECTION 5. That the City Council authorizes that the District shall be managed by Uptown Dallas, Inc., a Texas nonprofit corporation, established under the provisions of Section 501(c) of the Internal Revenue Code, to develop and recommend a service plan, improvement plan and assessment plan for approval by the City Council in order to promote the efficient management of the District. Uptown Dallas, Inc. shall be the entity responsible for the management of the District.

SECTION 6. That City Council hereby approves the Service Plan prepared by Uptown Dallas, Inc., which is attached hereto and made part hereof **(Exhibit B)** and directs Uptown Dallas, Inc., to implement it in accordance with the Act. The Service Plan covers a period of seven years and defines the annual indebtedness and projected cost for services and improvements. Uptown Dallas, Inc. ("UDI"), is hereby granted the ability to modify or substitute items, upon review and written approval by the Director of Office of Economic Development or his/her designee, within the program categories in the Service Plan, if such changes serve the common interest of owners and tenants in the District and the increase and/or decrease in the amount of a program category does not exceed twenty percent (20%) of the budgeted amount for that category. "Program categories" in the Service Plan includes the listed improvement in **Exhibit B** that is authorized by the Act.

SECTION 7. That pursuant to the exception granted by Section 252.022(a)(9) of the Texas Local Government Code, the City Manager is hereby authorized and directed, upon approval as to form by the City Attorney, to enter into a contract with UDI, to manage special supplemental services to be paid from the assessments collected. The contract with UDI shall be in accordance with the Service Plan and this Resolution and shall provide for compliance by the UDI, with the Business Inclusion and Development Plan for participation of minorities and women providing services and improvements to the District.

SECTION 8. That the contract with UDI shall also provide for assessment collection services by Dallas County ("County") to the Uptown Dallas, Inc., for collection of the special assessments. The County shall receive a fee per account as compensation for its collection services. Currently, the fee is $2.75 per account and subject to change by the County.

SECTION 9. That the contract with UDI shall provide that the City shall be responsible for disbursement of the assessments to the District. City will transfer assessment funds to UDI at least 30-45 days from the end of the previous month. Additionally, City will retain a percentage of the net assessments (assessments less collection service fees) for repayments, if any, required by the County in settlement of tax protests ("retainage funds"). If the retainage funds are not sufficient to address repayments, any additional funds needed will be provided by UDI.

SECTION 10. That the contract shall include terms and conditions as set forth in the City of Dallas Public Improvement District Policy, authorized by City Council on October 23, 2013 by Resolution No. 13-1825.

SECTION 11. This resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Uptown Public Improvement District
Boundary Map

EXHIBIT A

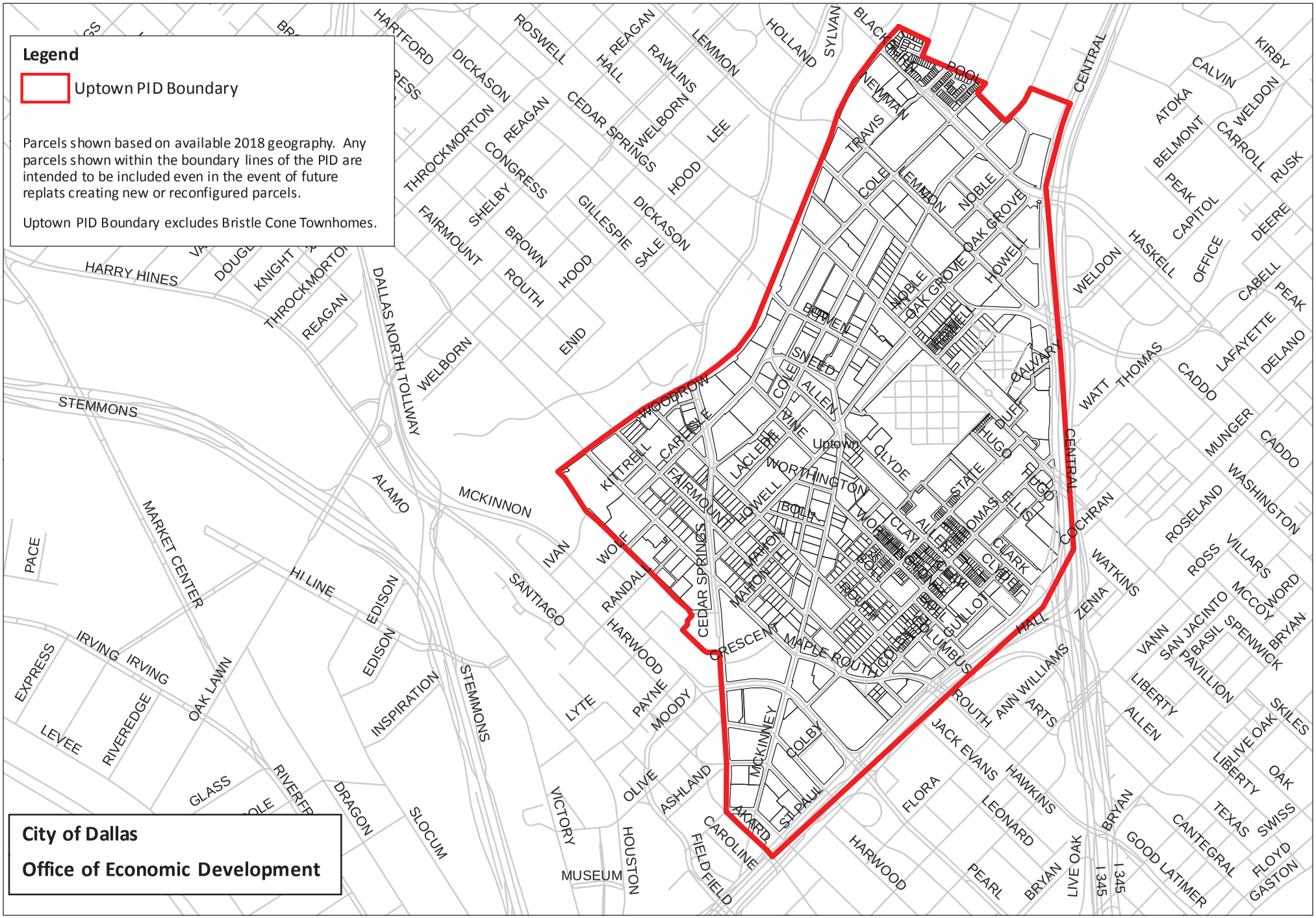


EXHIBIT B

UPTOWN PUBLIC IMPROVEMENT DISTRICT
SERVICE PLAN (2020 - 2026)

Income	**2020**	**2021**	**2022**	**2023**	**2024**	**2025**	**2026**
Net Assessments	**$2,971,977**	**$3,270,675**	**$3,599,242**	**$3,960,666**	**$4,358,233**	**$4,795,556**	**$5,276,612**
Interest	$2,000	$2,000	$2,000	$2,000	$2,000	$2,000	$2,000
Marketing Sponsorships (for events)	$40,000	$45,000	$50,000	$55,000	$60,000	$65,000	$70,000
Total	$3,013,977	$3,317,675	$3,651,242	$4,017,666	$4,420,233	$4,862,556	$5,348,612
Expenditures							
Capital Improvements	$904,193	$995,302	$1,095,373	$1,205,300	$1,326,070	$1,458,767	$1,604,584
(Median Landscaping, gateway markers, walking trails, parks, streetscape, Katy Trail)							
Services	$1,597,948	$1,759,008	$1,935,898	$2,130,203	$2,343,664	$2,578,195	$2,835,904
(Safety programs, maintenance & landscaping, trolley operations, traffic & parking, marketing and promotion)							
Finance & Administration	$452,097	$497,651	$547,686	$602,650	$663,035	$729,383	$802,292
(Staff Salaries & benefits, rent, office expenses, audit, insurance)							
Contingency [1]	$59,740	$65,713	$72,285	$79,513	$87,465	$96,211	$105,832
Total	$3,013,977	$3,317,675	$3,651,242	$4,017,666	$4,420,233	$4,862,556	$5,348,612

[1] Contingency funds: Allowance made for anticipated tax refunds due to protests by property owners (2% of assessments)

Notes: The Service Plan budget is an estimate based on current assessment rolls and assumes a 10% increase in value each year based on the high growth of Uptown. If growth rates exceed the estimated seven-year estimate, additional funds collected will be used for Capital Improvements and Services and shall be distributed pro-rata to those categories. Carryover in excess of 20% annually shall also be distributed between the Capital Improvements and Services categories. In the last year of assessment, if there are unspent carryover funds, City Council reserves the right to adjust the assessment rate.