SEPTEMBER 27, 2017 CITY COUNCIL AGENDA
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated September 27, 2017. 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

9/15/17
Date

M. Elizabeth Reich
Elizabeth Reich
Chief Financial Officer

9-15-17
Date

RECEIVED
2017 SEP 15 PM 8:52
CITY SECRETARY
DALLAS, TEXAS

COUNCIL AGENDA

September 27, 2017
Date

(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, SEPTEMBER 27, 2017
ORDER OF BUSINESS

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

9:00 a.m.	**INVOCATION AND PLEDGE OF ALLEGIANCE**	
	OPEN MICROPHONE	
	MINUTES	Item 1
	CONSENT AGENDA	Items 2 - 41
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 42 - 47
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 48 - 57

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

AGENDA

CITY COUNCIL MEETING

SEPTEMBER 27, 2017

CITY OF DALLAS

1500 MARILLA STREET

COUNCIL CHAMBERS, CITY HALL

DALLAS, TEXAS 75201

9:00 A.M.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the September 13, 2017 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

2. Authorize a three-year professional services contract, with two one-year renewal options, for maintenance and support for broadcast engineering services for WRR Radio - Broadcast Works GP, LLC, most qualified respondent of two - Not to exceed $142,400 - Financing: Municipal Radio Current Funds (subject to annual appropriations)

3. Authorize a five-year service contract for maintenance and support of the City's automated fire station alerting system - Locution Systems, Inc., sole source - Not to exceed $258,538 - Financing: Current Funds (subject to annual appropriations)

CONSENT AGENDA (continued)

Business Development & Procurement Services (continued)

4. Authorize **(1)** a five-year service contract, with two one-year renewal options, for the printing, insertion, mailing, and document composition services of invoices for Dallas Water Utilities and Court and Detention Services - FormMaker Software, Inc. dba Kubra in the amount of $10,084,076, most advantageous proposer of seven; and **(2)** Supplemental Agreement No. 2 to increase the master agreement with Pitney Bowes, Inc. for meter lease, maintenance, and postage in the amount of $450,000, from $2,999,590 to $3,449,590 - Total not to exceed $10,534,076 - Financing: Current Funds ($1,867,707) and Water Utilities Current Funds ($8,666,369) (subject to annual appropriations)

5. Authorize an acquisition contract for the purchase and installation of 58 communication call center consoles for the 911 call center with Russ Bassett Corporation through a procurement process by the Houston-Galveston Area Council of Governments - Not to exceed $623,010 - Financing: Current Funds

6. Authorize a one-year master agreement for the purchase of **(1)** 15 pieces of fleet equipment - Plano Fun Center, Inc. dba Plano Kawasaki Suzuki in the amount of $103,990, Kirby-Smith Machinery in the amount of $97,330, Four Brothers Outdoor Power in the amount of $85,460, and Luarco Two LLC dba Grapevine Kawasaki Polaris in the amount of $2,495, lowest responsible bidders of seven; **(2)** 13 pieces of fleet vehicles and equipment with Silsbee Ford, Inc. in the amount of $334,829 and Grande Truck Center in the amount of $124,773 through the Texas Association of School Boards; **(3)** 2 pieces of fleet vehicles and equipment with Freedom Chevrolet in the amount of $113,800 through the Houston-Galveston Area Council of Governments; and **(4)** 3 pieces of fleet vehicles with Freedom Chevrolet in the amount of $120,600 through the Dallas County Interlocal Agreement - Total amount not to exceed $983,277 - Financing: Current Funds ($694,002) and Water Utilities Current Funds ($289,275)

7. Authorize a three-year master agreement for the purchase of additional hardware and tools for the existing M5 FuelFocus Wireless Automated Fueling System with AssetWorks, LLC through the General Services Administration - Not to exceed $484,808 - Financing: Current Funds

8. Authorize **(1)** Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the contract with Wells Fargo Insurance Services USA, Inc. for the purchase of aviation, crime, fine arts, flood, media, professional liability, and general liability insurance policies from October 1, 2017 through September 30, 2018 in the amount of $125,443, from $411,711 to $537,154; and **(2)** Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the contract with McGriff, Seibels & Williams of Texas, Inc. for brokerage fees and the purchase of cyber liability and privacy insurance from October 1, 2017 through September 30, 2018 in the amount of $245,225, from $245,225 to $490,450 - Total not to exceed $370,668 - Financing: Current Funds (subject to appropriations)

CONSENT AGENDA (continued)

Business Development & Procurement Services (continued)

9. Authorize Supplemental Agreement No. 2 to exercise the first one-year renewal option to the service contract with AAA Data Communications, Inc. for voice and data cable installation services to connect computers and phones at City facilities - Not to exceed $3,055,200, from $3,066,891 to $6,122,091 - Financing: Current Funds (subject to appropriations)

City Attorney's Office

10. Authorize settlement of the lawsuit styled Baldomero Guerrero Gonzalez et al. v. City of Dallas, Cause No. DC-17-04145 - Not to exceed $55,000 - Financing: Current Funds

11. A resolution declaring approximately 12,436 square feet of undevelopable City-owned land unwanted and unneeded, located in the Preston Witt Survey, Abstract No. 1566, near the intersection of George W. Bush Turnpike and Sandy Lake Road, and in the City of Carrollton, Dallas County, Texas and authorizing its sale to NHC-TX103, the abutting property owner for fair market value, and as settlement in lieu of litigation arising out of the property, in form approved by the City Attorney's Office - Estimated Revenue: $4,396

12. Authorize **(1)** a twelve-month extension to the grant period of the Substance Abuse and Mental Health Services Administration (SAMHSA) Grant (Grant No. 5H79T1025045-03 Revised, CFDA No. 93.243) from the U.S. Department of Health and Human Services (HHS) for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Court Expansion project from September 29, 2017 to September 29, 2018; **(2)** a carry-over of unobligated funds in an amount not to exceed $261,580 from previous budget years to the current budget year as approved by HHS through the transfer of unobligated appropriations from the SAMHSA-Adult Treatment Drug Court Expansion Project 14-16 Fund to the SAMHSA-Adult Treatment Drug Court Expansion Project 16-17 Fund; and **(3)** execution of the revised grant agreement - Financing: No cost consideration to the City

Court & Detention Services

13. A resolution **(1)** designating a new hearing officer to hear contested civil red-light camera citations under the City's automated Safelight Red-Light Camera enforcement program and contested school bus stop arm citations under the City's School Bus Stop Arm program; and **(2)** removing one hearing officer who is no longer employed by the City - Financing: No cost consideration to the City

14. Authorize payment to Dallas County for processing and maintaining City prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2017 through September 30, 2018 - Not to exceed $8,484,644 - Financing: Current Funds (subject to appropriations)

CONSENT AGENDA (continued)

Economic Development

15. Authorize the first of two, one-year service contract renewals to Foundation Communities, Inc. to administer a Volunteer Income Tax Assistance Program for low to moderate income families or individuals citywide - Not to exceed $200,000 - Financing: Current Funds (subject to appropriations)

16. Authorize **(1)** the first of four, twelve-month renewal options to the service contract with PeopleFund to administer the City of Dallas Community Development Block Grant Business Revolving Loan Program, for a term of October 1, 2017 through September 30, 2018; and **(2)** any unexpended balances of program income to be rolled over to continue the Business Revolving Loan Program - Financing: No cost consideration to the City

17. Authorize the second of four, twelve-month renewal options to the grant agreement with the World Affairs Council of Dallas/Fort Worth for economic development and protocol services for the period October 1, 2017 through September 30, 2018 - Not to exceed $250,000 - Financing: Public/Private Partnership Funds ($200,000) and Current Funds ($50,000) (subject to appropriations)

Housing & Neighborhood Revitalization

18. Authorize a Memorandum of Understanding between the City of Dallas and the Health and Human Services Commission (HHSC) for the HHSC Community Partner Program for the purpose of assisting with Online Community-Based Application Assistance Services through the YourTexasBenefits.com for Supplemental Nutrition Assistance Program, Temporary Assistance for Needy Families, Medicaid, Long-term Care Services Program, and Children's Health Insurance Programs for the period October 1, 2017 through July 31, 2019 - Financing: No cost consideration to the City

19. Authorize contracts with fully-licensed child care providers pursuant to the Child Care Services Program (list attached) and with other fully-licensed child care providers selected by eligible parents during the fiscal year for the period October 1, 2017 through September 30, 2018 - Not to exceed $353,748 - Financing: 2017-18 Community Development Block Grant Funds

Human Resources

20. Authorize Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the consultant contract with Holmes Murphy & Associates, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans, extending the term from November 1, 2017 through October 31, 2018 - Not to exceed $225,000, from $675,000 to $900,000 - Financing: Employee Benefits Current Funds (subject to annual appropriations)

CONSENT AGENDA (continued)

Library

21. Authorize the **(1)** acceptance of a grant from the Institute of Museum and Library Service through the Texas State Library and Archives Commission for the FY 2018 Special Projects Grant Program (Grant No. 478-18006/Federal ID No. LS-00-17-0044-17, CFDA No. 45.310) in the amount of $75,000 for the period September 1, 2017 through August 31, 2018; **(2)** establishment of appropriations in an amount not to exceed $75,000 in the FY 2018 TSLAC-Special Projects Grant-ESL17-18 Fund; **(3)** receipt and deposit of funds in an amount not to exceed $75,000 in the FY 2018 TSLAC-Special Projects Grant 17-18-ESL Fund; and **(4)** execution of the grant agreement - Not to exceed $75,000 - Financing: Texas State Library and Archives Commission Grant Funds

Mobility and Street Services

22. Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the U.S. Department of Transportation Federal Highway Administration for the Highway Safety Improvement Program (HSIP) (Grant No. CSJ 0918-46-291, etc., CFDA No. 20.205) to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following seven off-system locations: Frankford Road and Marsh Lane, Cockrell Hill Road and Red Bird Lane, Ferguson Road and Peavy Road, Greenville Avenue and Lovers Lane, Illinois Avenue and Marsalis Avenue, Lake June Road and Prairie Creek Road, and Simpson Stuart Road and Bonnie View Road; **(2)** the establishment of appropriations in an amount not to exceed $145,693 in the TxDOT Signal and Seven Intersection Improvement-Frankford, various-HSIP Project Fund; and **(3)** the receipt and deposit of funds in an amount not to exceed $145,693 in the TxDOT Signal and Seven Intersection Improvement-Frankford, various-HSIP Project Fund - Not to exceed $145,693 - Financing: Texas Department of Transportation Grant Funds

23. Authorize an increase to the construction services contract with Texas Standard Construction, Ltd. for street and pedestrian lighting upgrades, traffic signal detection upgrades, and additional asphalt paving for Cadiz Street from Riverfront Boulevard to South Lamar Street - Not to exceed $149,000, from $5,001,480 to $5,150,480 - Financing: 2006 Bond Funds

CONSENT AGENDA (continued)

Mobility and Street Services (continued)

Collective Sustainable Development Infrastructure Project

*__Note__: Item Nos. 24 and 25 must be considered collectively.

24. * Authorize an amendment to Resolution No. 12-2360, previously approved on September 26, 2012, for the Collective Sustainable Development Infrastructure Project to **(1)** delete the reimbursements to The Park at Kessler, LP; **(2)** correct the funding source to receive and deposit funds from the Texas Department of Transportation; **(3)** authorize the Fort Worth Avenue Tax Increment Financing (TIF) Board of Directors to dedicate up to $496,563 in the Fort Worth Avenue TIF District Funds as the required local matching funds for the North Central Texas Council of Governments Sustainable Development Program associated with the Collective Sustainable Development Infrastructure Project in the Fort Worth Avenue TIF District; and **(4)** increase appropriations in an amount not to exceed $496,563 in the Fort Worth Avenue TIF District Fund - Not to exceed $496,563 - Financing: Fort Worth Avenue TIF District Funds

25. * Authorize an amendment to Resolution No. 12-2361, previously approved on September 26, 2012, to rescind the execution of the development agreement with The Park at Kessler, LP for the Collective Sustainable Development Infrastructure Project and associated reimbursement of project costs - Financing: No cost consideration to the City

Office of Emergency Management

26. Authorize a two-year Interlocal Agreement with Dallas County Health and Human Services to provide the professional services of its Health Authority for the City for the period October 1, 2017 through September 30, 2019 - Not to exceed $20,000 - Financing: Current Funds (subject to annual appropriations)

Office of Public Information

27. Authorize a two-year contract through the U.S. Communities Cooperative with INSIGHT PUBLIC SECTOR, INC. to provide GovQA Public Records Request Management Software, in compliance with the Freedom of Information Act (FOIA), for the period October 1, 2017 through September 30, 2019 - Not to exceed $151,616 - Financing: Current Funds (subject to annual appropriations)

Park & Recreation

28. Authorize an application for an Urban Outdoor Recreation Grant in the amount of $1,000,000 from the Texas Parks and Wildlife Department for Development of the Phase 2 of the Runyon Creek Trail project located at 1900 East Camp Wisdom Road - Financing: This action has no cost consideration to the City

CONSENT AGENDA (continued)

Park & Recreation (continued)

29. Authorize a construction services contract for dam safety and shoreline improvements at Kidd Springs Park located at 700 West Canty Street - A S Con, Inc., lowest responsible bidder of six - Not to exceed $726,578 - Financing: 2003 Bond Funds ($285,780) and 2006 Bond Funds ($440,798)

30. Authorize **(1)** an increase in the construction services contract with Northstar Construction, LLC to add Kessler Steps Reconstruction/Water and Wastewater utility work to the Runyon Creek Greenbelt Trail Project; **(2)** the establishment of appropriations in an amount not to exceed $71,000 in the Capital Gifts, Donation and Development Fund; and **(3)** the receipt and deposit of funds in an amount not to exceed $71,000 in the Capital Gifts, Donation and Development Fund - Not to exceed $298,962, from $2,567,726 to $2,866,688 - Financing: Capital Gifts, Donation and Development Funds ($71,000), Current Funds ($30,911) and Water Utilities Capital Construction Funds ($197,051)

Police

*__Note__: Item Nos. 31 and 32 must be considered collectively.

Internet Crimes Against Children

31. * Authorize **(1)** an application for and acceptance of supplemental funding for the 2016-2019 Internet Crimes Against Children Continuation Grant from the U.S. Department of Justice (DOJ), Office of Juvenile Justice and Delinquency Prevention, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of the Internet-facilitated child exploitation for the period July 1, 2016 through September 30, 2019; **(2)** an amendment to Resolution Nos. 16-1813 and 16-1814, previously approved on November 9, 2016 to correct the performance period from July 1, 2016 through June 30, 2017 to July 1, 2016 through September 30, 2019 due to approval of project period changes by DOJ; **(3)** an increase in appropriations in an amount not to exceed $465,874 in the DOJ-Internet Crimes Against Children Grant 16-19 Fund; **(4)** the receipt and deposit of additional grant funds in an amount not to exceed $465,874 in the DOJ-Internet Crimes Against Children Grant 16-19 Fund; and **(5)** execution of the grant agreement - Not to exceed $465,874, from $488,767 to $954,641 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

32. * Authorize a continuation of cooperative working agreements with various Police Departments, District Attorney's Offices, Sheriff Offices, and the Dallas Children's Advocacy Center (list attached) for the period July 1, 2016 through June 30, 2019 through the 2016-2019 Internet Crimes Against Children Continuation Grant supplement - Total not to exceed $163,000 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

CONSENT AGENDA (continued)

Sustainable Development and Construction

33. Authorize **(1)** settlement in lieu of proceeding further with condemnation in the condemnation suit styled City of Dallas v. Diann Tessman Slaton, et al, pending in County Court at Law No. 2, Cause No. CC-14-01509-B, for acquisition from Diann Tessman Slaton, et al., of approximately 26 acres of land for right-of-way and approximately 75,722 square feet of land in easement located in Dallas County, Texas for the Southwest 120/96-inch Water Transmission Pipeline Project; and **(2)** the deposit of the settlement amount reached through Court ordered mediation and negotiation of the condemnation suit for an amount not to exceed the amount of the settlement amount - Not to exceed $1,081,110, increased from $911,105 ($904,259 being the award, plus closing costs and title expenses not to exceed $6,846) to $1,992,215 ($1,985,369 being the settlement amount, plus closing costs and title expenses not to exceed $6,846) - Financing: Water Utilities Capital Improvement Funds

34. Authorize acquisition from Harold J. Baber, of approximately 5,379 square feet of land located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $29,700 ($27,750, plus closing costs and title expenses not to exceed $1,950) - Financing: Water Utilities Capital Construction Funds

35. Authorize 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 Streets for the Cadillac Heights Phase II Project - Not to exceed $43,700 ($42,000, plus closing costs and title expenses not to exceed $1,700) - Financing: 2006 Bond Funds

36. A resolution declaring approximately 4,497 square feet of undevelopable City-owned land unwanted and unneeded, located near the intersection of Polk Street and Turner Avenue, and authorizing its sale to Jose Guadalupe Yanez, the abutting owner - Revenue: $20,000

37. Authorize an amendment to an existing lease agreement with Continental Electronics Corporation to extend the lease agreement for an additional three years for approximately 28,000 square feet of warehouse and office space and 127 secured parking spaces located at 8231 and 8239 Hoyle Avenue to be used as a Water Utilities Pumping Division and Wastewater Collections Division for the period October 1, 2017 through September 30, 2020 - Not to exceed $393,156 - Financing: Water Utilities Current Funds (subject to annual appropriations)

38. An ordinance granting a private license to FM CADIZ OWNER LP, for the use of a total of approximately 934 square feet of aerial space to install, maintain and utilize three canopies without premise sign over a portion of Harwood Street right-of-way near its intersection with Cadiz Street - Revenue: $300 one-time fee, plus the $20 ordinance publication fee

CONSENT AGENDA (continued)

Sustainable Development and Construction (continued)

39. An ordinance granting a private license to RBP Adolphus LLC, for the use of approximately 109 square feet of land to maintain and utilize a sidewalk café on a portion of Commerce Street right-of-way near its intersection with Field Street - Revenue: $200 annually, plus the $20 ordinance publication fee

40. An ordinance granting a private license to Southwestern Medical District for the total use of approximately 26,791 square feet to install, maintain and utilize two illuminated gateway monument signs, landscaping, irrigation, a power pedestal electrical unit, two underground conduits, two ground boxes, and two junction boxes on a portion of Harry Hines Boulevard right-of-way near its intersection with Market Center Boulevard - Revenue: $7,000 annually and $300 one-time fee, plus the $20 ordinance publication fee

Water Utilities

41. Authorize a contract for the construction of a new pump station to replace the existing Pump Station No. 1 at the Elm Fork Water Treatment Plant - BAR Constructors, Inc., lowest responsible bidder of five - Not to exceed $50,090,500 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

42. 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)

Economic Development

43. Authorize a development agreement with NADG/SHOP Lakeridge LP and/or its affiliates in an amount not to exceed $4,500,630, payable from future Skillman Corridor TIF District Funds in consideration of the development of the Lakeridge Project on property currently located at 9634 and 9660 Audelia Road in Tax Increment Financing Reinvestment Zone Number Fourteen (Skillman Corridor TIF District) - Not to exceed $4,500,630 - Financing: Skillman Corridor TIF District Funds (subject to future appropriations from tax increments)

ITEMS FOR INDIVIDUAL CONSIDERATION (continued)

Human Resources

44. An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code by amending Sections 34-1, 34-22, 34-23, 34-30 and 34-38 to: **(1)** clarify the policy; **(2)** amend sick leave policies; **(3)** amend vacation leave policies; **(4)** amend military leave consistent with state law; and **(5)** amend grievance and appeal procedures - Financing: No cost consideration to the City

Sanitation Services

45. Authorize **(1)** an Inter-Jurisdictional Hurricane Harvey Mutual Aid Agreement by and between the City of Houston, Texas, a Texas Home-Rule City located principally in Harris County and the City of Dallas, a Texas Home-Rule City located principally in Dallas County to provide mutual aid in the form of personnel, supplies and equipment during the Hurricane Harvey disaster as well as during cleanup periods; and **(2)** the City Manager to execute agreements for services associated with lodging and incidentals resulting from participation under the Mutual Aid Agreement, with payment to vendors based only on the amount of services directed to be performed by the City to be reimbursed subject to the terms of the Mutual Aid Agreement - Not to exceed $175,000 - Financing: Hurricane Harvey Deployment Funds

ITEMS FOR FURTHER CONSIDERATION

Sustainable Development and Construction

46. An ordinance abandoning a portion of Bird Street to Criswell Center for Biblical Studies, Inc. the abutting owner, containing approximately 17,700 square feet of land, located near the intersection of Haskell Avenue and Bird Street; and authorizing the quitclaim and providing for the dedication of approximately 17,700 square feet of land needed for a wastewater easement - Revenue: $212,400, plus the $20 ordinance publication fee

47. An ordinance abandoning a portion of an alley, alley easement, and a utility and access easement to Inwood National Bank of Dallas, the abutting owner, containing a total of approximately 7,446 square feet of land, located near the intersection of Inwood Road and Newmore Avenue, and authorizing the quitclaim; and providing for the dedication of a total of approximately 16,388 square feet of land needed for street rights-of-way and wastewater easement - Revenue: $5,400, plus the $20 ordinance publication fee

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

48. A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a Planned Development District for commercial, industrial and transportation uses; **(2)** an ordinance granting an amendment to Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batching plant [Tract II]; **(3)** an ordinance granting a Specific Use Permit for two industrial (outside) not potentially incompatible uses for a concrete batching plant [Tract I and Tract III]; **(4)** an ordinance terminating Specific Use Permit No. 1613 for an industrial (outside) not potentially incompatible use for a concrete batch plant; and **(5)** a resolution terminating deed restrictions [Z078-204] on property zoned an IR-D Industrial Research District with a D Liquor Control Overlay on a portion and Specific Use Permit No. 1613 on a portion; a CS-D Commercial Service District with a D Liquor Control Overlay on a portion and Specific Use Permit No. 1602 for vehicle storage lot on a portion; and an IM-D Industrial Manufacturing District with a D Liquor Control Overlay on a portion, Specific Use Permit No. 1715 on a portion and deed restrictions on the northeast corner of State Highway 310 and Linfield Road
Recommendation of Staff and CPC: Approval of a Planned Development District for commercial, industrial and transportation uses, subject to a conceptual plan and conditions; approval of an amendment to Specific Use Permit No. 1715 for an asphalt batch plant for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions; approval of a Specific Use Permit for an industrial (outside) not potentially incompatible use for a concrete batch plant on Tract I and Tract III for a ten-year period with eligibility for automatic renewal for one ten-year period, subject to a site/landscape plan and conditions; approval of the termination of Specific Use Permit No. 1613; and approval of the termination of deed restrictions [Z078-204]
Z145-301(WE)

49. A public hearing to receive comments regarding an application for and **(1)** a resolution terminating existing deed restrictions; and **(2)** an ordinance granting a Planned Development Subdistrict for O-2-D Office Subdistrict, barber and beauty shop, and massage establishment uses on property zoned an O-2-D Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay, on the north line of Herschel Avenue, east of Throckmorton Street
Recommendation of Staff and CPC: Approval of the termination of existing deed restrictions; and approval, subject to a conceptual plan and conditions
Z167-147(SM)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - CONSENT (continued)

50. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) use limited to a dance hall on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the northeast side of C.F. Hawn Service Road, southeast of Edd Road
Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z167-170(PD)

51. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 385 on property zoned Planned Development District No. 385 and Specific Use Permit No. 2024 for an illuminated competitive athletic field on the southwest corner of Inwood Road and Walnut Hill Lane
Recommendation of Staff and CPC: Approval, subject to a revised development plan, revised landscape plan, traffic management plan and conditions
Z167-317(WE)

52. A public hearing to receive comments regarding an application for and a resolution terminating deed restrictions on property zoned a CR Community Retail District, on the southwest corner of East Illinois Avenue and South Denley Drive
Recommendation of Staff and CPC: Approval
Z167-323(JM)

53. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1679 for a drive-thru service and a financial institution with drive-in windows on property zoned Subdistrict E, WMU-8 Walkable Urban Mixed Use within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the south side of East Colorado Boulevard, west of North Zang Boulevard
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions
Z167-325(PD)

54. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1982 for a bar, lounge, or tavern and an inside commercial amusement limited to a Class A dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south corner of Elm Street and North Crowdus Street
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z167-328(SM)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - INDIVIDUAL

55. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z145-300(SH)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

56. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-3 Multiple Family and tower/antenna for cellular communication uses on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay on the south corner of Welborn Street and Congress Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z167-190(SM)
Note: This item was considered by the City Council at a public hearing on August 23, 2017, and was held under advisement until September 27, 2017, with the public hearing open

SPECIAL PROVISION SIGN DISTRICT - INDIVIDUAL

57. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within the West End Special Provision Sign District to allow an attached sign/supergraphic on an historic structure at the southeast corner of North Austin Street and Pacific Avenue (804 Pacific Avenue)
Recommendation of Staff and CPC: Approval, subject to conditions
SPSD 167-001

Child Care Services Program Provider Master List 2017-18
Agenda Item # 19

Provider Name	**Address**
Knoll's Kids Inc., dba Armadillos to Zebras Child Care	14045 Waterfall Way Dallas, TX 75240
Good Street Learning Center	3126 Elsie Faye Heggins Dallas, TX 75215
Heavenly Christian Academy	11421 Shiloh Road Dallas, TX 75228
Heavenly Child Care	9625 Plano Road #1700 Dallas, TX 75238
Kaleidoscope Child Dev. Center	19310 Midway Road Dallas, TX 75287
Kirby's Kreative Learning Center	330 S. R.L. Thornton Freeway Dallas, TX 75203
Kiddie Korner Private School	328 W. 12th Street Dallas, TX 75208
Metropolitan Christian Academy (Metropolitan Academies of Dallas)	3430 S. Polk Street Dallas, TX 75224
Spring Creek Private School	14855 Spring Creek Road Dallas, TX 75248
Union Christian Academy	3312 S. Polk Street Dallas, TX 75224
Vogel Alcove	1738 Gano Street Dallas, TX 75215
Open Arms, Inc. dba Bryan's House	3610 Pipestone Road Dallas, TX 75212
Lakeisha Haynes	5606 S. Cockrell Hill Road Dallas, TX 75236
N'Goyala Community Learning Center dba American Care Academy	530 S. R.L. Thornton Freeway Dallas, TX 75203
Inspiring Body of Christ Church Inc.	7710 S. Westmoreland Road Dallas, TX 75237

Federal- Internet Crimes Against Children Continuation Grant
Cooperative Working Agreement Subrecipients
Agenda Item # 32

Agencies	**Amount**
Dallas County District Attorney's Office	$ 3,000
Potter County District Attorney's Office	$ 0.00
Tarrant County District Attorney's Office	$ 5,000
Collin County Sheriff's Office	$ 15,000
Taylor County Sheriff's Office	$ 0.00
Wichita County Sheriff's Office	$ 5,000
Denton County Sheriff's Office	$ 4,500
Abilene Police Department	$ 5,000
Amarillo Police Department	$ 7,000
Arlington Police Department	$ 13,000
Fort Worth Police Department	$ 12,000
Garland Police Department	$ 12,000
Longview Police Department	$ 13,000
Lubbock Police Department	$ 20,000
Carrollton Police Department	$ 3,000
Mesquite Police Department	$ 4,500
Grand Prairie Police Department	$ 4,000
Dallas Children's Advocacy Center	$ 37,000
Total	$163,000

*Agencies not limited to those listed

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]

AGENDA DATE September 27, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of the September 13, 2017 City Council Meeting
2			All	C	PBD, OCA	$142,400.00	0.00%	0.00%	Authorize a three-year professional services contract, with two one-year renewal options, for maintenance and support for broadcast engineering services for WRR Radio - Broadcast Works GP, LLC, most qualified respondent of two - Not to exceed $142,400 - Financing: Municipal Radio Current Funds (subject to annual appropriations)
3			All	C	PBD, CIS, FIR	$258,538.00	0.00%	0.00%	Authorize a five-year service contract for maintenance and support of the City's automated fire station alerting system - Locution Systems, Inc., sole source - Not to exceed $258,538 - Financing: Current Funds (subject to annual appropriations)
4			All	C	PBD, CIS, CDS, WTR	$10,534,075.85	50.00%	0.00%	Authorize (1) a five-year service contract, with two one-year renewal options, for the printing, insertion, mailing, and document composition services of invoices for Dallas Water Utilities and Court and Detention Services - FormMaker Software, Inc. dba Kubra in the amount of $10,084,076, most advantageous proposer of seven; and (2) Supplemental Agreement No. 2 to increase the master agreement with Pitney Bowes, Inc. for meter lease, maintenance, and postage in the amount of $450,000, from $2,999,590 to $3,449,590 - Total not to exceed $10,534,076 - Financing: Current Funds ($1,867,707) and Water Utilities Current Funds ($8,666,369) (subject to annual appropriations)
5			All	C	PBD, POL	$623,010.00	NA	NA	Authorize an acquisition contract for the purchase and installation of 58 communication call center consoles for the 911 call center with Russ Bassett Corporation through a procurement process by the Houston-Galveston Area Council of Governments - Not to exceed $623,010 - Financing: Current Funds
6			All	C	PBD, STS, WTR	$983,276.80	34.51%	0.00%	Authorize a one-year master agreement for the purchase of (1) 15 pieces of fleet equipment - Plano Fun Center, Inc. dba Plano Kawasaki Suzuki in the amount of $103,990, Kirby-Smith Machinery in the amount of $97,330, Four Brothers Outdoor Power in the amount of $85,460, and Luarco Two LLC dba Grapevine Kawasaki Polaris in the amount of $2,495, lowest responsible bidders of seven; (2) 13 pieces of fleet vehicles and equipment with Silsbee Ford, Inc. in the amount of $334,829 and Grande Truck Center in the amount of $124,773 through the Texas Association of School Boards; (3) 2 pieces of fleet vehicles and equipment with Freedom Chevrolet in the amount of $113,800 through the Houston-Galveston Area Council of Governments; and (4) 3 pieces of fleet vehicles with Freedom Chevrolet in the amount of $120,600 through the Dallas County Interlocal Agreement - Total amount not to exceed $983,277 - Financing: Current Funds ($694,002) and Water Utilities Current Funds ($289,275)
7			All	C	PBD, EBS	$484,807.33	NA	NA	Authorize a three-year master agreement for the purchase of additional hardware and tools for the existing M5 FuelFocus Wireless Automated Fueling System with AssetWorks, LLC through the General Services Administration - Not to exceed $484,808 - Financing: Current Funds
8			All	C	PBD, ORM	$370,667.90	100.00%	0.00%	Authorize (1) Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the contract with Wells Fargo Insurance Services USA, Inc. for the purchase of aviation, crime, fine arts, flood, media, professional liability, and general liability insurance policies from October 1, 2017 through September 30, 2018 in the amount of $125,443, from $411,711 to $537,154; and (2) Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the contract with McGriff, Seibels & Williams of Texas, Inc. for brokerage fees and the purchase of cyber liability and privacy insurance from October 1, 2017 through September 30, 2018 in the amount of $245,225, from $245,225 to $490,450 - Total not to exceed $370,668 - Financing: Current Funds (subject to appropriations)
9			All	C	PBD, CIS	$3,055,200.00	100.00%	100.00%	Authorize Supplemental Agreement No. 2 to exercise the first one-year renewal option to the service contract with AAA Data Communications, Inc. for voice and data cable installation services to connect computers and phones at City facilities - Not to exceed $3,055,200, from $3,066,891 to $6,122,091 - Financing: Current Funds (subject to appropriations)
10			N/A	C	ATT, PKR	$55,000.00	NA	NA	Authorize settlement of the lawsuit styled Baldomero Guerrero Gonzalez et al. v. City of Dallas, Cause No. DC-17-04145 - Not to exceed $55,000 - Financing: Current Funds
11			N/A	C	ATT, DEV, WTR	REV $4,396	NA	NA	A resolution declaring approximately 12,436 square feet of undevelopable City-owned land unwanted and unneeded, located in the Preston Witt Survey, Abstract No. 1566, near the intersection of George W. Bush Turnpike and Sandy Lake Road, and in the City of Carrollton, Dallas County, Texas and authorizing its sale to NHC-TX103, the abutting property owner for fair market value, and as settlement in lieu of litigation arising out of the property, in form approved by the City Attorney's Office - Estimated Revenue: $4,396

AGENDA DATE September 27, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
12			N/A	C	ATT	NC	NA	NA	Authorize (1) a twelve-month extension to the grant period of the Substance Abuse and Mental Health Services Administration (SAMHSA) Grant (Grant No. 5H79T1025045-03 Revised, CFDA No. 93.243) from the U.S. Department of Health and Human Services (HHS) for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Court Expansion project from September 29, 2017 to September 29, 2018; (2) a carry-over of unobligated funds in an amount not to exceed $261,580 from previous budget years to the current budget year as approved by HHS through the transfer of unobligated appropriations from the SAMHSA-Adult Treatment Drug Court Expansion Project 14-16 Fund to the SAMHSA-Adult Treatment Drug Court Expansion Project 16-17 Fund; and (3) execution of the revised grant agreement - Financing: No cost consideration to the City
13			All	C	CDS	NC	NA	NA	A resolution (1) designating a new hearing officer to hear contested civil red-light camera citations under the City's automated Safelight Red-Light Camera enforcement program and contested school bus stop arm citations under the City's School Bus Stop Arm program; and (2) removing one hearing officer who is no longer employed by the City - Financing: No cost consideration to the City
14			All	C	CDS	$8,484,644.00	NA	NA	Authorize payment to Dallas County for processing and maintaining City prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2017 through September 30, 2018 - Not to exceed $8,484,644 - Financing: Current Funds (subject to appropriations)
15			All	C	ECO	$200,000.00	NA	NA	Authorize the first of two, one-year service contract renewals to Foundation Communities, Inc. to administer a Volunteer Income Tax Assistance Program for low to moderate income families or individuals citywide - Not to exceed $200,000 - Financing: Current Funds (subject to appropriations)
16			All	C	ECO	NC	NA	NA	Authorize (1) the first of four, twelve-month renewal options to the service contract with PeopleFund to administer the City of Dallas Community Development Block Grant Business Revolving Loan Program, for a term of October 1, 2017 through September 30, 2018; and (2) any unexpended balances of program income to be rolled over to continue the Business Revolving Loan Program - Financing: No cost consideration to the City
17			All	C	ECO	$250,000.00	NA	NA	Authorize the second of four, twelve-month renewal options to the grant agreement with the World Affairs Council of Dallas/Fort Worth for economic development and protocol services for the period October 1, 2017 through September 30, 2018 - Not to exceed $250,000 - Financing: Public/Private Partnership Funds ($200,000) and Current Funds ($50,000) (subject to appropriations)
18			All	C	HOU	NC	NA	NA	Authorize a Memorandum of Understanding between the City of Dallas and the Health and Human Services Commission (HHSC) for the HHSC Community Partner Program for the purpose of assisting with Online Community-Based Application Assistance Services through the YourTexasBenefits.com for Supplemental Nutrition Assistance Program, Temporary Assistance for Needy Families, Medicaid, Long-term Care Services Program, and Children's Health Insurance Programs for the period October 1, 2017 through July 31, 2019 - Financing: No cost consideration to the City
19			All	C	HOU	GT	NA	NA	Authorize contracts with fully-licensed child care providers pursuant to the Child Care Services Program and with other fully-licensed child care providers selected by eligible parents during the fiscal year for the period October 1, 2017 through September 30, 2018 - Not to exceed $353,748 - Financing: 2017-18 Community Development Block Grant Funds
20			N/A	C	HRD	$225,000.00	77.78%	18.89%	Authorize Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the consultant contract with Holmes Murphy & Associates, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans, extending the term from November 1, 2017 through October 31, 2018 - Not to exceed $225,000, from $675,000 to $900,000 - Financing: Employee Benefits Current Funds (subject to annual appropriations)

AGENDA DATE September 27, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
21			All	C	LIB	GT	NA	NA	Authorize the (1) acceptance of a grant from the Institute of Museum and Library Service through the Texas State Library and Archives Commission for the FY 2018 Special Projects Grant Program (Grant No. 478-18006/Federal ID No. LS-00-17-0044-17, CFDA No. 45.310) in the amount of $75,000 for the period September 1, 2017 through August 31, 2018; (2) establishment of appropriations in an amount not to exceed $75,000 in the FY 2018 TSLAC-Special Projects Grant-ESL17-18 Fund; (3) receipt and deposit of funds in an amount not to exceed $75,000 in the FY 2018 TSLAC-Special Projects Grant 17-18-ESL Fund; and (4) execution of the grant agreement - Not to exceed $75,000 - Financing: Texas State Library and Archives Commission Grant Funds
22			3, 4, 5, 7, 8, 9, 12, 14	C	STS	GT	NA	NA	Authorize (1) an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the U.S. Department of Transportation Federal Highway Administration for the Highway Safety Improvement Program (HSIP) (Grant No. CSJ 0918-46-291, etc., CFDA No. 20.205) to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following seven off-system locations: Frankford Road and Marsh Lane, Cockrell Hill Road and Red Bird Lane, Ferguson Road and Peavy Road, Greenville Avenue and Lovers Lane, Illinois Avenue and Marsalis Avenue, Lake June Road and Prairie Creek Road, and Simpson Stuart Road and Bonnie View Road; (2) the establishment of appropriations in an amount not to exceed $145,693 in the TxDOT Signal and Seven Intersection Improvement-Frankford, various-HSIP Project Fund; and (3) the receipt and deposit of funds in an amount not to exceed $145,693 in the TxDOT Signal and Seven Intersection Improvement-Frankford, various-HSIP Project Fund - Not to exceed $145,693 - Financing: Texas Department of Transportation Grant Funds
23			2	C	STS	$149,000.00	100.00%	26.29%	Authorize an increase to the construction services contract with Texas Standard Construction, Ltd. for street and pedestrian lighting upgrades, traffic signal detection upgrades, and additional asphalt paving for Cadiz Street from Riverfront Boulevard to South Lamar Street - Not to exceed $149,000, from $5,001,480 to $5,150,480 - Financing: 2006 Bond Funds
24			1	C	STS, ECO	$496,563.00	NA	NA	Collective Sustainable Development Infrastructure Project: Authorize an amendment to Resolution No. 12-2360, previously approved on September 26, 2012, for the Collective Sustainable Development Infrastructure Project to (1) delete the reimbursements to The Park at Kessler, LP; (2) correct the funding source to receive and deposit funds from the Texas Department of Transportation; (3) authorize the Fort Worth Avenue Tax Increment Financing (TIF) Board of Directors to dedicate up to $496,563 in the Fort Worth Avenue TIF District Funds as the required local matching funds for the North Central Texas Council of Governments Sustainable Development Program associated with the Collective Sustainable Development Infrastructure Project in the Fort Worth Avenue TIF District; and (4) increase appropriations in an amount not to exceed $496,563 in the Fort Worth Avenue TIF District Fund - Not to exceed $496,563 - Financing: Fort Worth Avenue TIF District Funds
25			1	C	STS, ECO	NC	NA	NA	Collective Sustainable Development Infrastructure Project: Authorize an amendment to Resolution No. 12-2361, previously approved on September 26, 2012, to rescind the execution of the development agreement with The Park at Kessler, LP for the Collective Sustainable Development Infrastructure Project and associated reimbursement of project costs - Financing: No cost consideration to the City
26			All	C	OEM	$20,000.00	NA	NA	Authorize a two-year Interlocal Agreement with Dallas County Health and Human Services to provide the professional services of its Health Authority for the City for the period October 1, 2017 through September 30, 2019 - Not to exceed $20,000 - Financing: Current Funds (subject to annual appropriations)
27			All	C	OPI	$151,616.00	NA	NA	Authorize a two-year contract through the U.S. Communities Cooperative with INSIGHT PUBLIC SECTOR, INC. to provide GovQA Public Records Request Management Software, in compliance with the Freedom of Information Act (FOIA), for the period October 1, 2017 through September 30, 2019 - Not to exceed $151,616 - Financing: Current Funds (subject to annual appropriations)
28			8	C	PKR	NC	NA	NA	Authorize an application for an Urban Outdoor Recreation Grant in the amount of $1,000,000 from the Texas Parks and Wildlife Department for Development of the Phase 2 of the Runyon Creek Trail project located at 1900 East Camp Wisdom Road - Financing: This action has no cost consideration to the City
29			1	C	PKR	$726,578.00	81.70%	25.70%	Authorize a construction services contract for dam safety and shoreline improvements at Kidd Springs Park located at 700 West Canty Street - A S Con, Inc., lowest responsible bidder of six - Not to exceed $726,578 - Financing: 2003 Bond Funds ($285,780) and 2006 Bond Funds ($440,798)

AGENDA DATE September 27, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
30			1	C	PKR, WTR, STS	$298,962.00	15.51%	100.00%	Authorize (1) an increase in the construction services contract with Northstar Construction, LLC to add Kessler Steps Reconstruction/Water and Wastewater utility work to the Runyon Creek Greenbelt Trail Project; (2) the establishment of appropriations in an amount not to exceed $71,000 in the Capital Gifts, Donation and Development Fund; and (3) the receipt and deposit of funds in an amount not to exceed $71,000 in the Capital Gifts, Donation and Development Fund - Not to exceed $298,962, from $2,567,726 to $2,866,688 - Financing: Capital Gifts, Donation and Development Funds ($71,000), Current Funds ($30,911) and Water Utilities Capital Construction Funds ($197,051)
31			All	C	POL	GT	NA	NA	Internet Crimes Against Children: Authorize (1) an application for and acceptance of supplemental funding for the 2016-2019 Internet Crimes Against Children Continuation Grant from the U.S. Department of Justice (DOJ), Office of Juvenile Justice and Delinquency Prevention, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of the Internet-facilitated child exploitation for the period July 1, 2016 through September 30, 2019; (2) an amendment to Resolution Nos. 16-1813 and 16-1814, previously approved on November 9, 2016 to correct the performance period from July 1, 2016 through June 30, 2017 to July 1, 2016 through September 30, 2019 due to approval of project period changes by DOJ; (3) an increase in appropriations in an amount not to exceed $465,874 in the DOJ-Internet Crimes Against Children Grant 16-19 Fund; (4) the receipt and deposit of additional grant funds in an amount not to exceed $465,874 in the DOJ-Internet Crimes Against Children Grant 16-19 Fund; and (5) execution of the grant agreement - Not to exceed $465,874, from $488,767 to $954,641 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds
32			All	C	POL	GT	NA	NA	Internet Crimes Against Children: Authorize a continuation of cooperative working agreements with various Police Departments, District Attorney's Offices, Sheriff Offices, and the Dallas Children's Advocacy Center for the period July 1, 2016 through June 30, 2019 through the 2016-2019 Internet Crimes Against Children Continuation Grant supplement - Total not to exceed $163,000 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds
33			Outside	C	DEV, ATT	$1,081,109.90	NA	NA	Authorize (1) settlement in lieu of proceeding further with condemnation in the condemnation suit styled City of Dallas v. Diann Tessman Slaton, et al, pending in County Court at Law No. 2, Cause No. CC-14-01509-B, for acquisition from Diann Tessman Slaton, et al., of approximately 26 acres of land for right-of-way and approximately 75,722 square feet of land in easement located in Dallas County, Texas for the Southwest 120/96-inch Water Transmission Pipeline Project; and (2) the deposit of the settlement amount reached through Court ordered mediation and negotiation of the condemnation suit for an amount not to exceed the amount of the settlement amount - Not to exceed $1,081,110, increased from $911,105 ($904,259 being the award, plus closing costs and title expenses not to exceed $6,846) to $1,992,215 ($1,985,369 being the settlement amount, plus closing costs and title expenses not to exceed $6,846) - Financing: Water Utilities Capital Improvement Funds
34			Outside	C	DEV, WTR	$29,700.00	NA	NA	Authorize acquisition from Harold J. Baber, of approximately 5,379 square feet of land located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $29,700 ($27,750, plus closing costs and title expenses not to exceed $1,950) - Financing: Water Utilities Capital Construction Funds
35			4	C	DEV, EBS	$43,700.00	NA	NA	Authorize 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 Streets for the Cadillac Heights Phase II Project - Not to exceed $43,700 ($42,000, plus closing costs and title expenses not to exceed $1,700) - Financing: 2006 Bond Funds
36			1	C	DEV	REV $20,000	NA	NA	A resolution declaring approximately 4,497 square feet of undevelopable City-owned land unwanted and unneeded, located near the intersection of Polk Street and Turner Avenue, and authorizing its sale to Jose Guadalupe Yanez, the abutting owner - Revenue: $20,000
37			7	C	DEV, WTR	$393,156.00	NA	NA	Authorize an amendment to an existing lease agreement with Continental Electronics Corporation to extend the lease agreement for an additional three years for approximately 28,000 square feet of warehouse and office space and 127 secured parking spaces located at 8231 and 8239 Hoyle Avenue to be used as a Water Utilities Pumping Division and Wastewater Collections Division for the period October 1, 2017 through September 30, 2020 - Not to exceed $393,156 - Financing: Water Utilities Current Funds (subject to annual appropriations)

AGENDA DATE September 27, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
38			2	C	DEV	REV $300	NA	NA	An ordinance granting a private license to FM CADIZ OWNER LP, for the use of a total of approximately 934 square feet of aerial space to install, maintain and utilize three canopies without premise sign over a portion of Harwood Street right-of-way near its intersection with Cadiz Street - Revenue: $300 one-time fee, plus the $20 ordinance publication fee
39			14	C	DEV	REV $200	NA	NA	An ordinance granting a private license to RBP Adolphus LLC, for the use of approximately 109 square feet of land to maintain and utilize a sidewalk café on a portion of Commerce Street right-of-way near its intersection with Field Street - Revenue: $200 annually, plus the $20 ordinance publication fee
40			2	C	DEV	REV $7,300	NA	NA	An ordinance granting a private license to Southwestern Medical District for the total use of approximately 26,791 square feet to install, maintain and utilize two illuminated gateway monument signs, landscaping, irrigation, a power pedestal electrical unit, two underground conduits, two ground boxes, and two junction boxes on a portion of Harry Hines Boulevard right-of-way near its intersection with Market Center Boulevard - Revenue: $7,000 annually and $300 one-time fee, plus the $20 ordinance publication fee
41			Outside	C	WTR	$50,090,500.00	71.81%	43.58%	Authorize a contract for the construction of a new pump station to replace the existing Pump Station No. 1 at the Elm Fork Water Treatment Plant - BAR Constructors, Inc., lowest responsible bidder of five - Not to exceed $50,090,500 - Financing: Water Utilities Capital Improvement Funds
42			N/A	I	SEC	NC	N/A	N/A	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)
43			10	I	ECO	$4,500,630.00	NA	NA	Authorize a development agreement with NADG/SHOP Lakeridge LP and/or its affiliates in an amount not to exceed $4,500,630, payable from future Skillman Corridor TIF District Funds in consideration of the development of the Lakeridge Project on property currently located at 9634 and 9660 Audelia Road in Tax Increment Financing Reinvestment Zone Number Fourteen (Skillman Corridor TIF District) - Not to exceed $4,500,630 - Financing: Skillman Corridor TIF District Funds (subject to future appropriations from tax increments)
44			N/A	I	HRD	NC	NA	NA	An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code by amending Sections 34-1, 34-22, 34-23, 34-30 and 34-38 to: (1) clarify the policy; (2) amend sick leave policies; (3) amend vacation leave policies; (4) amend military leave consistent with state law; and (5) amend grievance and appeal procedures - Financing: No cost consideration to the City
45			All	I	SAN	NC	NA	NA	Authorize (1) an Inter-Jurisdictional Hurricane Harvey Mutual Aid Agreement by and between the City of Houston, Texas, a Texas Home-Rule City located principally in Harris County and the City of Dallas, a Texas Home-Rule City located principally in Dallas County to provide mutual aid in the form of personnel, supplies and equipment during the Hurricane Harvey disaster as well as during cleanup periods; and (2) the City Manager to execute agreements for services associated with lodging and incidentals resulting from participation under the Mutual Aid Agreement, with payment to vendors based only on the amount of services directed to be performed by the City to be reimbursed subject to the terms of the Mutual Aid Agreement - Not to exceed $175,000 - Financing: Hurricane Harvey Deployment Funds
46			2	I	DEV	REV $212,400	NA	NA	An ordinance abandoning a portion of Bird Street to Criswell Center for Biblical Studies, Inc. the abutting owner, containing approximately 17,700 square feet of land, located near the intersection of Haskell Avenue and Bird Street; and authorizing the quitclaim and providing for the dedication of approximately 17,700 square feet of land needed for a wastewater easement - Revenue: $212,400, plus the $20 ordinance publication fee
47			2	I	DEV	REV $5,400	NA	NA	An ordinance abandoning a portion of an alley, alley easement, and a utility and access easement to Inwood National Bank of Dallas, the abutting owner, containing a total of approximately 7,446 square feet of land, located near the intersection of Inwood Road and Newmore Avenue, and authorizing the quitclaim; and providing for the dedication of a total of approximately 16,388 square feet of land needed for street rights-of-way and wastewater easement - Revenue: $5,400, plus the $20 ordinance publication fee

AGENDA DATE September 27, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
48			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and (1) an ordinance granting a Planned Development District for commercial, industrial and transportation uses; (2) an ordinance granting an amendment to Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batching plant [Tract II]; (3) an ordinance granting a Specific Use Permit for two industrial (outside) not potentially incompatible uses for a concrete batching plant [Tract I and Tract III]; (4) an ordinance terminating Specific Use Permit No. 1613 for an industrial (outside) not potentially incompatible use for a concrete batch plant; and (5) a resolution terminating deed restrictions [Z078-204] on property zoned an IR-D Industrial Research District with a D Liquor Control Overlay on a portion and Specific Use Permit No. 1613 on a portion; a CS-D Commercial Service District with a D Liquor Control Overlay on a portion and Specific Use Permit No. 1602 for vehicle storage lot on a portion; and an IM-D Industrial Manufacturing District with a D Liquor Control Overlay on a portion, Specific Use Permit No. 1715 on a portion and deed restrictions on the northeast corner of State Highway 310 and Linfield Road
49			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and (1) a resolution terminating existing deed restrictions; and (2) an ordinance granting a Planned Development Subdistrict for O-2-D Office Subdistrict, barber and beauty shop, and massage establishment uses on property zoned an O-2-D Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay, on the north line of Herschel Avenue, east of Throckmorton Street
50			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) use limited to a dance hall on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the northeast side of C.F. Hawn Service Road, southeast of Edd Road
51			13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 385 on property zoned Planned Development District No. 385 and Specific Use Permit No. 2024 for an illuminated competitive athletic field on the southwest corner of Inwood Road and Walnut Hill Lane
52			4	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and a resolution terminating deed restrictions on property zoned a CR Community Retail District, on the southwest corner of East Illinois Avenue and South Denley Drive
53			1	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1679 for a drive-thru service and a financial institution with drive-in windows on property zoned Subdistrict E, WMU-8 Walkable Urban Mixed Use within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the south side of East Colorado Boulevard, west of North Zang Boulevard
54			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1982 for a bar, lounge, or tavern and an inside commercial amusement limited to a Class A dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south corner of Elm Street and North Crowdus Street
55			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street
56			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-3 Multiple Family and tower/antenna for cellular communication uses on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay on the south corner of Welborn Street and Congress Avenue
57			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within the West End Special Provision Sign District to allow an attached sign/supergraphic on an historic structure at the southeast corner of North Austin Street and Pacific Avenue (804 Pacific Avenue)

TOTAL $83,648,134.78

AGENDA ITEM # 2

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Office of Cultural Affairs
CMO:	Elizabeth Reich, 670-7804 Joey Zapata, 670-1204
MAPSCO:	N/A

SUBJECT

Authorize a three-year professional services contract, with two one-year renewal options, for maintenance and support for broadcast engineering services for WRR Radio - Broadcast Works GP, LLC, most qualified respondent of two - Not to exceed $142,400 - Financing: Municipal Radio Current Funds (subject to annual appropriations)

BACKGROUND

This three-year professional services contract will provide maintenance and support for broadcast engineering services for the commercially licensed radio station, WRR.

The Federal Communications Commission (FCC) requires that the designated radio station chief operator operates the station within strict operational broadcast guidelines. WRR has utilized the services of professional broadcast engineering companies to ensure compliance with these requirements. This professional broadcast engineering service contractor is responsible for: FCC engineering monitoring, daily technical operations, equipment repairs and maintenance, weekly inspections, calibration of the transmitter(s), and monitoring and metering systems.

A four member committee from the following departments reviewed and evaluated the qualifications:

- Housing & Neighborhood Services (1)
- Communication and Information Services (1)
- Office of Cultural Affairs (2)

BACKGROUND (continued)

The committee selected the qualified respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Capability and expertise 35 points
- Functional/technical match 35 points
- Overall approach and methodology 30 points

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,076 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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's ResourceLINK Team sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 26, 2017, City Council ratified payment to Radio Broadcast Works, LLC for broadcast engineering services necessary for the operation of WRR Radio; and authorized a supplemental contract for broadcast engineering services for the period April 1, 2017 through September 30, 2017, by Resolution No. 17-0693.

The Government Performance & Financial Management Committee will be briefed by memorandum regarding this matter on September 18, 2017.

FISCAL INFORMATION

Municipal Radio Current Funds - $142,400 (subject to annual appropriations)

M/WBE INFORMATION

255 - Vendors contacted
255 - No response
0 - Response (Bid)
0 - Response (No bid)
0 - Successful

The awardee has fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

RESPONDENT INFORMATION

The following qualifications were received for solicitation number BKZ1710 and opened on May 12, 2017. This professional services contract is being awarded in its entirety to the most qualified respondent. In compliance with state law concerning professional services evaluation, cost was neither considered in the evaluation nor reflected in the scoring.

*Denotes successful respondent

Respondents	Address	Score
*Broadcast Works GP, LLC	2105 Anthony Drive Tyler, TX 75701	99.00%
Nova Electronics	2 Intrepid Circle Rockwall, TX 75032	66.50%

OWNER

Broadcast Works GP, LLC

Steve Comer, President
Karren Comer, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year professional services contract, with two one-year renewal options, for maintenance and support for broadcast engineering services for WRR Radio - Broadcast Works GP, LLC, most qualified respondent of two - Not to exceed $142,400 - Financing: Municipal Radio Current Funds (subject to annual appropriations)

Broadcast Works GP, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use its own workforce.
PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$142,400.00	100.00%
TOTAL CONTRACT	$142,400.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$0.00	0.00%

September 27, 2017

WHEREAS, on November 20, 2014, Administrative Action No. 14-7095 authorized a twelve-month contract with Broadcast Works Services for broadcast engineering support and maintenance from November 7, 2014 through October 31, 2015, in an amount not to exceed $47,162; and

WHEREAS, on October 20, 2015, Administrative Action No. 15-6959 authorized a twelve-month contract with Broadcast Works Services for broadcast engineering support and maintenance from November 1, 2015 through October 31, 2016, in an amount not to exceed $50,000; and

WHEREAS, on February 16, 2017, Administrative Action No. 17-5529 authorized a month-to-month contract with Broadcast Works Services for broadcast engineering support and maintenance from February 1, 2017 through March 31, 2017, in an amount not to exceed $10,200; and

WHEREAS, on April 26, 2017, City Council ratified payment to Radio Broadcast Works, LLC for broadcast engineering services necessary for the operation of WRR Radio; and authorized a supplemental contract for broadcast engineering services for the period April 1, 2017 through September 30, 2017, by Resolution No. 17-0693.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with Broadcast Works GP, LLC (VC17597), approved as to form by the City Attorney, for maintenance and support for broadcast engineering services for WRR Radio for a term of three years, with two one-year renewal options, in an amount not to exceed $142,400. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Broadcast Works GP, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Broadcast Works GP, LLC under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $142,400 (subject to annual appropriations) to Broadcast Works GP, LLC from Service Contract No. OCA-2017-00003132.

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 ITEM # 3

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Communication and Information Services Fire
CMO:	Elizabeth Reich, 670-7804 Jody Puckett, 670-3390 Jon Fortune, 670-1204
MAPSCO:	N/A

SUBJECT

Authorize a five-year service contract for maintenance and support of the City's automated fire station alerting system - Locution Systems, Inc., sole source - Not to exceed $258,538 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This service contract will provide continued maintenance and support of the City's automated fire station alerting system for the Dallas Fire-Rescue (DFR) automated announcement and visual alerting system. The service contract provides the City with remote access support, live technical support, software updates and minor modifications. The automated announcement system integrates with the existing Computer Aided Dispatch system to audibly announce alerts at fire stations for calls, notify pagers for emergency response and automatically turn on overhead lights at fire stations and visually alert stations through the light-emitting diode message reader boards.

DFR has utilized the automated fire station alerting system since 2007 to responds to over 275,000 requests for emergency services annually. Maintenance and support includes software updates and technical support.

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will be briefed by memorandum regarding this matter on September 18, 2017.

FISCAL INFORMATION

Current Funds - $258,538 (subject to annual appropriations)

M/WBE INFORMATION

Business Development and Procurement Services did not contact any M/WBE or other vendors for this item because the recommend awardee has the exclusive licensing rights and is the sole source provider.

The awardee has fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

BID INFORMATION

Bidder	Address	Amount
Locution Systems, Inc.	1626 Cole Blvd. Suite 325 Golden, CO 80401	$258,538

Note: Business Development and Procurement Services conducted a sole source review and found no exceptions.

OWNER

Locution Systems, Inc.

Glenn Neal, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a five-year service contract for maintenance and support of the City's automated fire station alerting system - Locution Systems, Inc., sole source - Not to exceed $258,538 - Financing: Current Funds (subject to annual appropriations)

Locution Systems, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$258,538.00	100.00%
TOTAL CONTRACT	$258,538.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$0.00	0.00%

September 27, 2017

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

SECTION 1. That the City Manager is hereby authorized to sign a service contract with Locution Systems, Inc. (517969), approved as to form by the City Attorney, for maintenance and support of the City's automated fire station alerting system for a term of five years, in an amount not to exceed $258,538. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Locution Systems, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Locution Systems, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $258,538 (subject to annual appropriations) to Locution Systems, Inc. from Service Contract No. DSV-2017-00001864.

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 ITEM # 4

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Communication and Information Services Court & Detention Services Water Utilities
CMO:	Elizabeth Reich, 670-7804 Jody Puckett, 670-3390 Jon Fortune, 670-1204 Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize **(1)** a five-year service contract, with two one-year renewal options, for the printing, insertion, mailing, and document composition services of invoices for Dallas Water Utilities and Court and Detention Services - FormMaker Software, Inc. dba Kubra in the amount of $10,084,076, most advantageous proposer of seven; and **(2)** Supplemental Agreement No. 2 to increase the master agreement with Pitney Bowes, Inc. for meter lease, maintenance, and postage in the amount of $450,000, from $2,999,590 to $3,449,590 - Total not to exceed $10,534,076 - Financing: Current Funds ($1,867,707) and Water Utilities Current Funds ($8,666,369) (subject to annual appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This service contract will provide printing, insertion, mailing, and document composition services of invoices for Dallas Water Utilities (DWU) and Court and Detention Services (CTS). Approximately 300,000 accounts are invoiced monthly for charges related to water, wastewater, sanitation, and stormwater services, of those approximately 250,000 are printed and mailed. In addition to invoices and notices, DWU communicates with its customers through inserts and/or onserts and provides remittance envelopes. Invoices are printed daily, Monday through Friday (excluding official City holidays), inserted into envelopes with communication material, and mailed each business day.

BACKGROUND (continued)

Supplemental Agreement No. 2 will increase the master agreement with Pitney Bowes, Inc. for meter lease, maintenance, and postage to allow for sufficient time to transition to a new contractor.

This service contract will also provide DWU with the ability to track the carrier and remittance envelopes by using an intelligent mail barcode printed on the envelopes, secured hosted web portal to manage ad-hoc letters/forms and messages, access to multi-color printing, and perform online quality control related to DWU invoices. These functionalities are not currently available. The contract also includes disaster recovery and redundancy, access to prevalent technologies in the printing, insertion, and mailing industry, while maintaining United States Postal Service compliance, achieving the lowest first-class postage rate and ensuring customers receive their invoices within one or two days.

CTS provides administrative and clerical support for the Dallas Municipal Court which includes processing criminal and civil cases for City law enforcement departments. The Court corresponds with defendants, attorneys, and jurors by mail. In 2014 CTS began sending reminder letters to defendants upon receiving a citation; hence, the Court has realized an 11 percent increase in case resolution since inception in FY 14. Additionally, in accordance with the State Office of Court Administration, the Court must send reminder letters when a defendant defaults on a payment plan. Other types of letters sent are warrant notifications, Court settings, and juror summons.

This print and mail service will reduce the time it takes for correspondence to reach the United States Post Office from 10 days to 1 day which may increase the timely resolution rate of cases. In addition, the service will provide CTS a real-time view of the status of all print jobs. The vendor will also provide CTS the ability to identify bad addresses and prevent those letters from being printed. These benefits will greatly enhance CTS' ability to timely communicate with defendants, jurors, and attorneys in an efficient and cost effective manner.

A six member committee from the following departments reviewed and evaluated the qualifications:

- Dallas Water Utilities (2)
- Court and Detention Services (1)
- Communication and Information Services (1)
- Business Development and Procurement Services (BDPS) (2)*****

BACKGROUND (continued)

*BDPS only evaluated cost and 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 35%
- Capability and expertise 10%
- Overall approach and methodology 10%
- Functional match 15%
- Technical match 15%
- Business Inclusion and Development Plan 15%

As part of the solicitation process and in an effort to increase competition, BDPS used its procurement system to send out 961 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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's ResourceLINK Team sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 14, 2015, City Council authorized a sixteen-month service contract to establish a master agreement for meter lease and maintenance for four Pitney Bowes postage machines; and a sixteen-month master agreement for postage by Resolution No. 15-1856.

The Government Performance and Financial Management Committee will be briefed by memorandum regarding this matter on September 18, 2017.

FISCAL INFORMATION

Current Funds - $1,867,707.10 (subject to annual appropriations)
Water Utilities Current Funds - $8,666,368.75 (subject to annual appropriations)

M/WBE INFORMATION

141 - Vendors contacted
141 - No response
0 - Response (Bid)
0 - Response (No bid)
0 - Successful

The awardee has fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

PROPOSAL INFORMATION

BDPS received the following proposals from solicitation number BUZ1712. We opened them on June 15, 2017. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*FormMaker Software, Inc. dba Kubra	955 Freeport Pkwy. Coppell, TX 75019	90.83%	$10,084,075.85
DataProse, LLC	1122 W. Bethel Rd. Suite 100 Coppell, TX 75019	89.44%	$10,102,751.16
Business Ink, Co.	10214 N. IH-35 Austin, TX 78753	90.50%	$11,086.459.70

Note: The above vendor scores and pricing are based on fully negotiated systems and pricing.

Vendor scores listed below are based on initial proposals.

Proposers	Address	Score
Summit Direct Mail Inc.	1655 Terre Colony Ct. Dallas, TX 75212	76.89%
Leval One CCM, LLC	3 Great Valley Pkwy. Suite 100 Malvern, PA 19355	74.79%

PROPOSAL INFORMATION (continued)

Proposers	Address	Score
Broadridge Output Solutions, Inc.	5 Dakota Dr. Suite 300 Lake Success, NY 11042	58.72%
Avertra Corporation	580 Herndon Pkwy. Suite 300 Herndon, VA 20170	47.31%

OWNER

FormMaker Software, Inc. dba Kubra

Rick Waktin, President
Rick Huff, Vice President

Pitney Bowes, Inc.

Marc B. Lautenbach, President
Patrick M. Brand, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** a five-year service contract, with two one-year renewal options, for the printing, insertion, mailing, and document composition services of invoices for Dallas Water Utilities and Court and Detention Services - FormMaker Software, Inc. dba Kubra in the amount of $10,084,076, most advantageous proposer of seven; and **(2)** Supplemental Agreement No. 2 to increase the master agreement with Pitney Bowes, Inc. for meter lease, maintenance, and postage in the amount of $450,000, from $2,999,590 to $3,449,590 - Total not to exceed $10,534,076 - Financing: Current Funds ($1,867,707) and Water Utilities Current Funds ($8,666,369) (subject to annual appropriations)

FormMaker Software, Inc. dba Kubra is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$10,084,075.85	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$10,084,075.85	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$0.00	0.00%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** a five-year service contract, with two one-year renewal options, for the printing, insertion, mailing, and document composition services of invoices for Dallas Water Utilities and Court and Detention Services - FormMaker Software, Inc. dba Kubra in the amount of $10,084,076, most advantageous proposer of seven; and **(2)** Supplemental Agreement No. 2 to increase the master agreement with Pitney Bowes, Inc. for meter lease, maintenance, and postage in the amount of $450,000, from $2,999,590 to $3,449,590 - Total not to exceed $10,534,076 - Financing: Current Funds ($1,867,707) and Water Utilities Current Funds ($8,666,369) (subject to annual appropriations)

Pitney Bowes, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$0.00	0.00%
Non-local contracts	$450,000.00	100.00%
TOTAL THIS ACTION	$450,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$0.00	0.00%

September 27, 2017

WHEREAS, on October 14, 2015, City Council authorized a sixteen-month service contract to establish a master agreement for meter lease and maintenance for four Pitney Bowes postage machines and a sixteen-month master agreement for postage by Resolution No. 15-1856; and

WHEREAS, on November 3, 2016, Administrative Action No. 16-6990 authorized to extend the master agreement for meter lease, maintenance, and postage with Pitney Bowes, Inc. for a three-month period from December 31, 2016 through March 31, 2017; and

WHEREAS, on February 3, 2017, Administrative Action No. 17-5450 authorized to extend the master agreement for inserter equipment maintenance, meter lease, business manager software and hardware maintenance, and postage with Pitney Bowes, Inc. for a nine-month period from April 1, 2017 through December 31, 2017.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign **(1)** a five-year service contract, with two one-year renewal options, with FormMaker Software, Inc. dba Kubra (VS95749) for the printing, insertion, mailing, and document composition services of invoices for Dallas Water Utilities and Court and Detention Services, in an amount not to exceed $10,084,075.85; and **(2)** Supplemental Agreement No. 2 to increase the master agreement with Pitney Bowes, Inc. (063151) for meter lease, maintenance, and postage, in an amount not to exceed $450,000.00, from $2,999,589.38 to $3,449,589.38, for a total amount not to exceed $10,534,075.85, approved as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to FormMaker Software, Inc. dba Kubra and Pitney Bowes, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by FormMaker Software, Inc. dba Kubra and Pitney Bowes, Inc. under each respective contract.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for postage. If a written contract is required or requested for any or all purchases of postage 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 $450,000.00 to Pitney Bowes, Inc. from Master Agreement Contract No. POM-2016-00001427.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $10,084,075.85 (subject to annual appropriations) to FormMaker Software, Inc. dba Kubra from Service Contract No. DWU-2017-00003483.

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 ITEM # 5

STRATEGIC PRIORITY:	Public Safety
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Police
CMO:	Elizabeth Reich, 670-7804 Jon Fortune, 670-1204
MAPSCO:	N/A

SUBJECT

Authorize an acquisition contract for the purchase and installation of 58 communication call center consoles for the 911 call center with Russ Bassett Corporation through a procurement process by the Houston-Galveston Area Council of Governments - Not to exceed $623,010 - Financing: Current Funds

BACKGROUND

This acquisition contract will allow for the purchase and installation of 58 communication call center consoles for the 911 call center modernization upgrade. This furniture will replace the furniture purchased in 1994. The new console configuration will increase efficiencies which allows call takers access to necessary equipment to perform their daily tasks. Call takers answering 911 calls utilize these systems to input information from citizens requiring police assistance. The information is sent through the computer-aided dispatch (CAD) system to a police dispatcher who assigns the call to an officer. Dispatchers rely on the CAD system to monitor police officers, volunteers, and Public Service Officers in the field.

The communication call center consoles have a wide variety of special features that make the workspace more ergonomically sound to provide the best possible working condition for the employee. A few of these features include:

- A sit/stand feature which allows the call taker the option of sitting or standing at the workstation
- Fully articulating, mounted monitor arms which allow the call taker to place monitors at levels of their preference
- Integrated wire management troughs for housing of all cables and wires
- Individual light pole mounted signs so the call taker can quickly summon a supervisor without call interruption

BACKGROUND (continued)

These communication call center consoles allow for any future expansion of hardware in the coming years.

The Houston-Galveston Area Council of Governments 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)

Information about this item will be provided to the Public Safety & Criminal Justice Committee on September 25, 2017.

FISCAL INFORMATION

Current Funds - $623,010

OWNER

Russ Bassett Corporation

Peter Fink, President
Linn Steinbeck, Vice President

September 27, 2017

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

SECTION 1. That the City Manager is hereby authorized to sign an acquisition contract with Russ Bassett Corporation (VS95628) through a procurement process by the Houston-Galveston Area Council of Governments, approved as to form by the City Attorney, for purchase and installation of 58 communication call center consoles for the 911 call center, in an amount not to exceed $623,010. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Russ Bassett Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by Russ Bassett Corporation under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $623,010 to Russ Bassett Corporation from Service Contract No. DPD-2017-00003590, from the following appropriation:

Fund	Department	Unit	Object	Encumbrance	Amount
0001	DPD	2181	4710	MASCDPD201700003590	$623,010

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 ITEM # 6

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Mobility and Street Services Water Utilities
CMO:	Elizabeth Reich, 670-7804 Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize a one-year master agreement for the purchase of **(1)** 15 pieces of fleet equipment - Plano Fun Center, Inc. dba Plano Kawasaki Suzuki in the amount of $103,990, Kirby-Smith Machinery in the amount of $97,330, Four Brothers Outdoor Power in the amount of $85,460, and Luarco Two LLC dba Grapevine Kawasaki Polaris in the amount of $2,495, lowest responsible bidders of seven; **(2)** 13 pieces of fleet vehicles and equipment with Silsbee Ford, Inc. in the amount of $334,829 and Grande Truck Center in the amount of $124,773 through the Texas Association of School Boards; **(3)** 2 pieces of fleet vehicles and equipment with Freedom Chevrolet in the amount of $113,800 through the Houston-Galveston Area Council of Governments; and **(4)** 3 pieces of fleet vehicles with Freedom Chevrolet in the amount of $120,600 through the Dallas County Interlocal Agreement - Total amount not to exceed $983,277 - Financing: Current Funds ($694,002) and Water Utilities Current Funds ($289,275)

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.

This master agreement will allow for the purchase of a total of 33 pieces of vehicles and fleet equipment for Mobility & Street Services (MSS) and Dallas Water Utilities (DWU).

BACKGROUND (continued)

Below is a list of the units:

- ATV/UTV side by side units - 9 (DWU)
- Trailers - 5 (DWU)
- Articulating boom lift - 1 (DWU)
- Aerial truck - 1 (MSS)
- Sport utility vehicles - 4 (MSS)
- Pickups - 12 (MSS)
- Chipper truck - 1 (MSS)

Nine vehicles and equipment are replacements, and 24 are new additions to the fleet. Vehicles being replaced have gone through an evaluation process using an established criterion which includes life-to-date maintenance costs, recommended replacement mileage, and recommended replacement life.

A master agreement process gives the City the flexibility to acquire equipment as funding becomes available or as needs arise. Procuring vehicles through a master agreement process also affords the City the opportunity to lock in favorable pricing throughout the end of the model year thus becoming the preferred method of vehicle acquisition.

As part of the solicitation process and in an effort to increase competition, Business Development & Procurement Services (BDPS) used its procurement system to send out 4,966 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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's ResourceLINK Team sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

The Texas Association of School Boards, the Dallas County Interlocal Agreement and the Houston-Galveston Area Council of Governments 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.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 11, 2013, City Council authorized a one-year master agreement for the purchase of two-hundred ten fleet vehicles and equipment; thirty-eight fleet vehicles and equipment; and eighty-eight fleet vehicles and equipment by Resolution No. 13-2055.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On October 22, 2014, City Council authorized the purchase of 137 squad cars for Police by Resolution No. 14-1781.

On March 25, 2015, City Council authorized a one-year master agreement for the purchase of eighty-seven fleet vehicles and equipment; twenty fleet vehicles and equipment; and one-hundred nine fleet vehicles and equipment by Resolution No. 15-0478.

On June 17, 2015, City Council authorized the purchase of 105 squad cars for Police by Resolution No. 15-1231.

On December 9, 2015, City Council authorized a one-year master agreement for the purchase of one hundred fleet vehicles and equipment; one hundred eighty-one fleet vehicles; eighty-three Police fleet and equipment; and twenty-one fleet vehicles by Resolution No. 15-2199.

On May 11, 2016, City Council authorized the purchase of eleven pieces of fleet vehicles and equipment; four pieces of fleet vehicles; two pieces of fleet equipment; and two fleet vehicles by Resolution No. 16-0717.

On June 22, 2016, City Council authorized the purchase of twenty three pieces of fleet vehicles and equipment; one pumper truck; and one excavator with mower attachment by Resolution No. 16-1053.

On September 28, 2016, City Council authorized the purchase of four fleet vehicles for Fire-Rescue by Resolution No. 16-1551.

On January 25, 2017, City Council authorized a one-year master agreement for the purchase of 85 pieces of fleet equipment; 157 fleet vehicles and equipment; 107 fleet vehicles; and 2 pieces of fleet equipment by Resolution No. 17-0181.

On May 24, 2017, City Council authorized the purchase of 28 fleet vehicles and equipment; 8 pieces of fleet and equipment; and 32 pieces of fleet and equipment by Resolution No. 17-0827.

The Government Performance & Financial Management Committee will be briefed by memorandum regarding this matter on September 18, 2017.

FISCAL INFORMATION

Current Funds - $694,002.20
Water Utilities Current Funds - $289,274.60

M/WBE INFORMATION

48 - Vendors contacted
47 - No response
1 - Response (Bid)
0 - Response (No bid)
0 - Successful

The awardees have fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

BID INFORMATION

BDPS received the following bids from solicitation number BN1717. We opened them on August 11, 2017. 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
*Plano Fun Center, Inc. dba Plano Kawasaki Suzuki	3405 N. Central Expy. Plano, TX 75023	Multiple lines
*Kirby-Smith Machinery	8505 S. Central Expy. Dallas, TX 75241	Multiple lines
*Four Brothers Outdoor Power	2324 E. Interstate 30 Royce City, TX 75189	Multiple lines
*Luarco Two LLC dba Grapevine Kawasaki Polaris	721 W.State Hywy. 114 Grapevine, TX 76051	Multiple lines
Associated Supply Company, Inc.	2019 Airport Frwy. Euless, TX 76040	Multiple lines
Metro Golf Cars	4063 S. Freeway Fort Worth, TX 76110	Multiple lines
Landmark Equipment, Inc.	1351 Loop 12 Irving, TX 75060	Multiple lines

OWNERS

Plano Fun Center, Inc. dba Plano Kawasaki Suzuki

Larry O'Neal, President
A.J. Meisel, Secretary

Kirby-Smith Machinery

Ed Kirby, President
Glen Townsend, Vice President
Celise Blewett, Secretary
Keith Tippett, Treasurer

Four Brothers Outdoor Power

Rex Kelly, President
Russell Kelly, Vice President
Eddy Kelly, Secretary

Luarco Two LLC dba Grapevine Kawasaki Polaris

Luane McWhorter, President
Zuma Aaron McWhorter, Vice President
Denise Armstrong, Secretary

Silsbee Ford, Inc.

Drew Donaldson, President

Grande Truck Center

Dick Keck, President
David Keck, Treasurer

Freedom Chevrolet

Frank Stinson, President
Matt Stinson, Vice President
Alissa Hillhouse, Secretary
John Rowe, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a one-year master agreement for the purchase of **(1)** 15 pieces of fleet equipment - Plano Fun Center, Inc. dba Plano Kawasaki Suzuki in the amount of $103,990, Kirby-Smith Machinery in the amount of $97,330, Four Brothers Outdoor Power in the amount of $85,460, and Luarco Two LLC dba Grapevine Kawasaki Polaris in the amount of $2,495, lowest responsible bidders of seven; **(2)** 13 pieces of fleet vehicles and equipment with Silsbee Ford, Inc. in the amount of $334,829 and Grande Truck Center in the amount of $124,773 through the Texas Association of School Boards; **(3)** 2 pieces of fleet vehicles and equipment with Freedom Chevrolet in the amount of $113,800 through the Houston-Galveston Area Council of Governments; and **(4)** 3 pieces of fleet vehicles with Freedom Chevrolet in the amount of $120,600 through the Dallas County Interlocal Agreement - Total amount not to exceed $983,277 - Financing: Current Funds ($694,002) and Water Utilities Current Funds ($289,275)

Plano Fun Center, Inc. dba Plano Kawasaki Suzuki and Four Brothers Outdoor Power are non-local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforce. Kirby-Smith Machinery and Luarco Two LLC dba Grapevine Kawasaki Polaris are local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$99,825.00	34.51%
Total non-local contracts	$189,449.60	65.49%
TOTAL CONTRACT	$289,274.60	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$0.00	0.00%

September 27, 2017

WHEREAS, on December 11, 2013, City Council authorized a one-year master agreement for the purchase of two-hundred ten fleet vehicles and equipment; thirty-eight fleet vehicles and equipment; and eighty-eight fleet vehicles and equipment by Resolution No. 13-2055; and

WHEREAS, on October 22, 2014, City Council authorized the purchase of 137 squad cars for Police by Resolution No. 14-1781; and

WHEREAS, on March 25, 2015, City Council authorized a one-year master agreement for the purchase of eighty-seven fleet vehicles and equipment; twenty fleet vehicles and equipment; and one-hundred nine fleet vehicles and equipment by Resolution No. 15-0478; and

WHEREAS, on June 17, 2015, City Council authorized the purchase of 105 squad cars for Police by Resolution No. 15-1231; and

WHEREAS, on December 9, 2015, City Council authorized a one-year master agreement for the purchase of one hundred fleet vehicles and equipment; one hundred eighty-one fleet vehicles; eighty-three Police fleet and equipment; and twenty-one fleet vehicles by Resolution No. 15-2199; and

WHEREAS, on May 11, 2016, City Council authorized the purchase of eleven pieces of fleet vehicles and equipment; four pieces of fleet vehicles; two pieces of fleet equipment; and two fleet vehicles by Resolution No. 16-0717; and

WHEREAS, on June 22, 2016, City Council authorized the purchase of twenty three pieces of fleet vehicles and equipment; one pumper truck; and one excavator with mower attachment by Resolution No. 16-1053; and

WHEREAS, on September 28, 2016, City Council authorized the purchase of four fleet vehicles for Fire-Rescue by Resolution No. 16-1551; and

WHEREAS, on January 25, 2017, City Council authorized a one-year master agreement for the purchase of 85 pieces of fleet equipment; 157 fleet vehicles and equipment; 107 fleet vehicles; and 2 pieces of fleet equipment by Resolution No. 17-0181; and

WHEREAS, on May 24, 2017, City Council authorized the purchase of 28 fleet vehicles and equipment; 8 pieces of fleet and equipment; and 32 pieces of fleet and equipment by Resolution No. 17-0827.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a master agreement for the purchase of **(1)** 15 pieces of fleet equipment with Plano Fun Center, Inc. dba Plano Kawasaki Suzuki (VS95371) in the amount of $103,989.60, Kirby-Smith Machinery (502341) in the amount of $97,330.00, Four Brothers Outdoor Power (256331) in the amount of $85,460.00, and Luarco Two LLC dba Grapevine Kawasaki Polaris (VS90586) in the amount of $2,495.00; **(2)** 13 pieces of fleet vehicles and equipment with Silsbee Ford, Inc. (VS86543) in the amount of $334,829.20 and Grande Truck Center (VS0000030980) in the amount of $124,773.00 through the Texas Association of School Boards; **(3)** 2 pieces of fleet vehicles and equipment with Freedom Chevrolet (VS0000077188) in the amount of $113,800.00 through Houston Galveston Area Council of Governments; and **(4)** 3 pieces of fleet vehicles with Freedom Chevrolet (VS0000077188) in the amount of $120,600.00 through the Dallas County Interlocal Agreement for a term of one year, in a total amount not to exceed $983,276.80.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for 33 pieces of fleet vehicles and equipment. If a formal contract is required or requested for any or all purchases of 33 pieces of fleet vehicles and equipment under the master agreement instead of individual purchase orders, 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 $289,274.60 to Plano Fun Center, Inc. dba Plano Kawasaki Suzuki, Kirby-Smith Machinery, Four Brothers Outdoor Power, and Luarco Two LLC dba Grapevine Kawasaki Polaris from Master Agreement Contract No. DWU-2017-00003483.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $694,002.20 to Silsbee Ford, Inc., Grande Truck Center, and Freedom Chevrolet from Master Agreement Contract No. POM-2017-00003639.

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 ITEM # 7

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Equipment & Building Services
CMO:	Elizabeth Reich, 670-7804 Jody Puckett, 670-3390
MAPSCO:	N/A

SUBJECT

Authorize a three-year master agreement for the purchase of additional hardware and tools for the existing M5 FuelFocus Wireless Automated Fueling System with AssetWorks, LLC through the General Services Administration - Not to exceed $484,808 - Financing: Current Funds

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.

This master agreement will provide for the purchase of additional hardware and tools for the existing M5 FuelFocus Wireless Automated Fueling System. This master agreement will allow for the purchase of vehicle radio-frequency identification (RFID) devices required for fueling, fuel Island Control Unit (ICU) hardware repair parts, and RFID and ICU programming tools for configuration of the system.

The City has utilized the M5 FuelFocus Wireless Automated Fueling System since 2012 as a web-based system to authorize fueling and manage the City's fuel inventory. The system offers real time advanced reporting and numerous audit control features, including the ability to set maximum daily fueling for vehicles and/or departments. The system also records vehicular fault codes and status after each fueling, which assists with preventative vehicle maintenance.

BACKGROUND (continued)

The General Services Administration 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 be briefed by memorandum regarding this matter on September 18, 2017.

FISCAL INFORMATION

Current Funds - $484,807.33

OWNER

AssetWorks, LLC

John H. Hines III, President
Gordon Smith, Vice President

September 27, 2017

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

SECTION 1. That the City Manager is hereby authorized to sign a master agreement with Assetworks, LLC (243388) through the General Services Administration, approved as to form by the City Attorney, for the purchase of additional hardware and tools for the existing M5 FuelFocus Wireless Automated Fueling System for a term of three years, in an amount not to exceed $484,807.33.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for additional hardware and tools for the existing M5 FuelFocus Wireless Automated Fueling System. If a written contract is required or requested for any or all purchases of additional hardware and tools for the existing M5 FuelFocus Wireless Automated Fueling System 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 $484,807.33 to Assetworks, LLC from Master Agreement Contract No. EBS-2017-00003196.

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 ITEM # 8

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Office of Risk Management
CMO:	Elizabeth Reich, 670-7804
MAPSCO:	N/A

SUBJECT

Authorize **(1)** Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the contract with Wells Fargo Insurance Services USA, Inc. for the purchase of aviation, crime, fine arts, flood, media, professional liability, and general liability insurance policies from October 1, 2017 through September 30, 2018 in the amount of $125,443, from $411,711 to $537,154; and **(2)** Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the contract with McGriff, Seibels & Williams of Texas, Inc. for brokerage fees and the purchase of cyber liability and privacy insurance from October 1, 2017 through September 30, 2018 in the amount of $245,225, from $245,225 to $490,450 - Total not to exceed $370,668 - Financing: Current Funds (subject to appropriations)

BACKGROUND

These Supplemental Agreements will allow insurance policies to continue to provide aviation, crime, fine arts, flood, media, professional liability, cyber liability, and general liability insurance coverage.

The policies secured by Wells Fargo Insurance Services USA, Inc. include coverage for aviation, crime, fine arts, flood, media, professional liability, and general liability insurance. The policies provide the following types of coverage:

- Aviation – police helicopters
- Crime – employee dishonesty, forgery, and fraud
- Fine arts – works of art owned by the City
- Flood – damage to property caused by flood
- Media and professional liability – broadcasting operations at WRR
- General liability – liability exposures specific to Southern Skates as well as the Jack Evans Police Headquarters parking garage as required by the contract

BACKGROUND (continued)

The cyber liability policy, secured by McGriff, Seibels & Williams of Texas, Inc. includes coverage for:

- Network breach events to include computer forensics, crises management and public relations expenses, consumer notification, forensic and legal expenses, credit monitoring services, etc.
- Systems failure business interruption
- Security and privacy liability to include coverage for legal defense costs and damages for financial loss suffered by others due to failure of computer security
- Payment Card Industry-Data Security Standard fines and penalties
- Regulatory proceedings
- Cyber extortion

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendors meet this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 11, 2013, City Council authorized the purchase of a three-year insurance policy for commercial property insurance for money and securities, boilers and machinery, property and fine arts from October 1, 2013 through September 30, 2016, by Resolution No. 13-1550.

On September 14, 2016, City Council authorized a three-year contract, with two one-year renewal options, for broker of record and the purchase of an insurance policy for commercial property/boiler and machinery insurance, from October 1, 2016 through September 30, 2019 at a guaranteed rate of 0.03064; and risk management consulting services from January 8, 2017 through January 7, 2020; a one-year contract, with two one-year renewal options, for the purchase of aviation, crime, fine arts, flood, media and professional liability, and general liability insurance policies from October 1, 2016 through September 30, 2017; and a one-year contract, with two one year renewal options for brokerage fees and the purchase of cyber liability and privacy insurance from October 1, 2016 through September 30, 2017, by Resolution No. 16-1429.

The Government Performance and Financial Management Committee will be briefed by memorandum regarding this matter on September 18, 2017.

FISCAL INFORMATION

Current Funds - $370,667.90 (subject to appropriations)

OWNERS

Wells Fargo Insurance Services USA, Inc.

Laura Schupbach, President
Kevin Brogran, Vice President

McGriff, Seibels & Williams of Texas, Inc.

Tommy Ebner, President
Doug Hodo, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the contract with Wells Fargo Insurance Services USA, Inc. for the purchase of aviation, crime, fine arts, flood, media, professional liability, and general liability insurance policies from October 1, 2017 through September 30, 2018 in the amount of $125,443, from $411,711 to $537,154; and **(2)** Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the contract with McGriff, Seibels & Williams of Texas, Inc. for brokerage fees and the purchase of cyber liability and privacy insurance from October 1, 2017 through September 30, 2018 in the amount of $245,225, from $245,225 to $490,450 - Total not to exceed $370,668 - Financing: Current Funds (subject to appropriations)

Wells Fargo Insurance Services USA, Inc. and McGriff, Seibels & Williams of Texas, Inc. are local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforce.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$370,667.90	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$370,667.90	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$0.00	0.00%

WHEREAS, on September 11, 2013, City Council authorized the purchase of a three-year insurance policy for commercial property insurance for money and securities, boilers and machinery, property and fine arts from October 1, 2013 through September 30, 2016, in an amount not to exceed $5,732,618.00, by Resolution No. 13-1550; and

WHEREAS, on January 16, 2014, Administrative Action No. 14-5177 authorized Supplemental Agreement No. 1 to broaden the scope of services to include lower-limit liabilities policies and any additional insurance and broker services as needed through the end of the agreement, in an amount not to exceed $50,000.00, from $5,732,618.00 to $5,782,618.00; and

WHEREAS, on September 14, 2016, City Council authorized a three-year contract, with two one-year renewal options, for broker of record and the purchase of an insurance policy for commercial property/boiler and machinery insurance, from October 1, 2016 through September 30, 2019 at a guaranteed rate of 0.03064; and risk management consulting services from January 8, 2017 through January 7, 2020; a one-year contract, with two one-year renewal options, for the purchase of aviation, crime, fine arts, flood, media and professional liability, and general liability insurance policies from October 1, 2016 through September 30, 2017; and a one-year contract, with two one year renewal options for brokerage fees and the purchase of cyber liability and privacy insurance from October 1, 2016 through September 30, 2017, by Resolution No. 16-1429.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign **(1)** Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the contract with Wells Fargo Insurance Services USA, Inc. (VC0000003978) for the purchase of aviation, crime, fine arts, flood, media, professional liability, and general liability insurance policies from October 1, 2017 through September 30, 2018, in an amount not to exceed $125,442.90, increasing the contract from $411,711.00 to $537,153.90; and **(2)** Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the contract with McGriff, Seibels & Williams of Texas, Inc. (501836) for brokerage fees and the purchase of cyber liability and privacy insurance from October 1, 2017 through September 30, 2018, in an amount not to exceed $245,225.00, increasing the contract from $245,225.00 to $490,450.00, approved as to form by the City Attorney.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $125,442.90 (subject to appropriations) to Wells Fargo Insurance Services USA, Inc. from Service Contract No. MASCWELLS3840.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $245,225.00 (subject to appropriations) to McGriff, Seibels & Williams of Texas, Inc. from Service Contract No. MASCMCGRIFF3860.

SECTION 4. That the contract with Wells Fargo Insurance Services USA, Inc. is designated as Contract No. POM-2017-00001172.

SECTION 5. That the contract with McGriff, Seibels & Williams of Texas, Inc. is designated as Contract No. POM-2017-00001173.

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 ITEM # 9

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Communication and Information Services

CMO: Elizabeth Reich, 670-7804
Jody Puckett, 670-3390

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 2 to exercise the first one-year renewal option to the service contract with AAA Data Communications, Inc. for voice and data cable installation services to connect computers and phones at City facilities - Not to exceed $3,055,200, from $3,066,891 to $6,122,091 - Financing: Current Funds (subject to appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This Supplemental Agreement will continue to allow the City to have continued voice and data cable installation services. This agreement is necessary to ensure computers and phones function properly in City facilities. This contract is essential for the completion of current and future projects, that include but not limited to; new office setups, new supervisory control and data acquisition system and the Love Field Modernization Project.

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 26, 2015, City Council authorized a five-year service contract, with two one-year renewal options, for voice and data cable installation services to connect computers and phones at City facilities by Resolution No. 15-1519.

Information about this item was provided to the Budget, Finance and Audit Committee on August 17, 2015.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On January 25, 2017, City Council authorized Supplemental Agreement No. 1 to increase the service contract for voice and data cable installation services to connect computers and phones at City facilities by Resolution No. 17-0185.

The Government Performance & Financial Management Committee will be briefed by memorandum regarding this matter on September 18, 2017.

FISCAL INFORMATION

Current Funds - $3,055,200 (subject to appropriations)

OWNER

AAA Data Communications, Inc.

Jacob Johnson, President
Joe De Leon, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 2 to exercise the first one-year renewal option to the service contract with AAA Data Communications, Inc. for voice and data cable installation services to connect computers and phones at City facilities - Not to exceed $3,055,200, from $3,066,891 to $6,122,091 - Financing: Current Funds (subject to appropriations)

AAA Data Communications, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$3,055,200.00	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$3,055,200.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
AAA Data Communications, Inc.	BMDB15676Y0818	$2,328,062.00	76.20%
Solaris Technologies, Inc.	HFDB64967Y0418	$727,138.00	23.80%
Total Minority - Local		$3,055,200.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$2,328,062.00	76.20%	$4,628,230.50	75.60%
Hispanic American	$727,138.00	23.80%	$1,493,860.50	24.40%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$3,055,200.00	100.00%	$6,122,091.00	100.00%

September 27, 2017

WHEREAS, on August 26, 2015, City Council authorized a five-year service contract, with two one-year renewal options, for voice and data cable installation services to connect computers and phones at City facilities, in an amount not to exceed $2,453,512.50, by Resolution No. 15-1519; and

WHEREAS, on January 25, 2017, City Council authorized Supplemental Agreement No. 1 to increase the service contract, for voice and data cable installation services to connect computers and phones at City facilities, in an amount not to exceed $613,378.12, from $2,453,512.50 to $3,066,890.62, by Resolution No. 17-0185.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign Supplemental Agreement No. 2 to exercise the first one-year renewal option to the service contract with AAA Data Communications, Inc. (500286), approved as to form by the City Attorney, for voice and data cable installation services to connect computers and phones at City facilities, in an amount not to exceed $3,055,200.00, increasing the service contract amount from $3,066,890.62 to $6,122,090.62.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,055,200.00 (subject to appropriations) to AAA Data Communications, Inc. from Service Contract No. BHZ1513.

SECTION 3. That this contract is designated as Contract No. POM 2016-00001511.

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 ITEM # 10

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Park & Recreation

CMO: Larry Casto, 670-3491
Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize settlement of the lawsuit styled Baldomero Guerrero Gonzalez et al. v. City of Dallas, Cause No. DC-17-04145 - Not to exceed $55,000 - Financing: Current Funds

BACKGROUND

Plaintiff Baldomero Guerrero Gonzalez filed a lawsuit against the City of Dallas seeking compensation for bodily injuries and other damages sustained in an automobile collision on March 4, 2016, involving a Park & Recreation Department vehicle. The City and Mr. Gonzalez have reached a proposed settlement subject to City Council approval. Plaintiff is represented by Ramez Shamieh.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

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

Current Funds - $55,000

September 27, 2017

WHEREAS, a lawsuit styled Baldomero Guerrero Gonzalez et al. v. City of Dallas, Cause No. DC-17-04145, was filed by the plaintiff, Baldomero Guerrero Gonzalez, seeking compensation from the City of Dallas for bodily injuries and other damages sustained in an automobile collision on March 4, 2016, involving a Park & Recreation Department vehicle; and

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay Baldomero Guerrero Gonzalez and Shamieh Law, PLLC, Baylor Scott & White, and all other persons having an interest in the settlement proceeds, the total amount of $55,000.00; 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 Baldomero Guerrero Gonzalez et al. v. City of Dallas, Cause No. DC-17-04145, in an amount not to exceed $55,000.00 is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Baldomero Guerrero Gonzalez and Shamieh Law, PLLC, the amount of $40,435.55, from Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor CTORM001.

SECTION 3. That the Chief Financial Officer is hereby authorized to pay Baylor Scott & White, the amount of $14,564.45, from Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor CTORM001.

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 ITEM # 11

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	N/A
DEPARTMENT:	City Attorney's Office Sustainable Development and Construction Water Utilities
CMO:	Larry Casto, 670-3491 Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

A resolution declaring approximately 12,436 square feet of undevelopable City-owned land unwanted and unneeded, located in the Preston Witt Survey, Abstract No. 1566, near the intersection of George W. Bush Turnpike and Sandy Lake Road, and in the City of Carrollton, Dallas County, Texas and authorizing its sale to NHC-TX103, the abutting property owner for fair market value, and as settlement in lieu of litigation arising out of the property, in form approved by the City Attorney's Office - Estimated Revenue: $4,396

BACKGROUND

This item will declare the tract of undevelopable City-owned land unwanted and unneeded, located in the Preston Witt Survey, Abstract No. 1566, near the intersection of George W. Bush Turnpike and Sandy Lake Road, and in the City of Carrollton, Dallas County, Texas (Property) and authorize its sale to NHC-TX103, the abutting owner for fair market value, and as settlement in lieu of litigation. The Property has been deemed by the Water Department as unwanted and unneeded surplus land; Building Inspection has deemed it undevelopable.

The property will be conveyed by Deed Without Warranty to NHC-TX103 upon payment of the estimated fair market value of $4,396 and execution of necessary documentation, approved as to form by the City Attorney and sufficient to effect a non-suit of the pending litigation. The City Attorney's Office will process the conveyance, prepare the Deed Without Warranty, and non-suit the case.

FISCAL INFORMATION

Estimated Revenue - $4,396

OWNERS

The City of Dallas

NHC-TX103

September 27, 2017

A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY, AND SETTLEMENT IN LIEU OF LITIGATION.

WHEREAS, the City of Dallas ("City") is the owner of a tract of land containing approximately 12,436 square feet, located in the Preston Witt Survey, Abstract No. 1566, the City of Carrollton, Dallas County, Texas (the “Property”), being more particularly described on Exhibit "A", attached herein and incorporated by reference, which is no longer needed for municipal use; and

WHEREAS, the tract is a narrow strip of land, that because of its shape, lack of access to public roads, and small area, cannot be used independently under its current zoning or under applicable subdivision or other development control ordinances, and may be sold without public bid to the abutting owner; and

WHEREAS, the tract is subject of certain litigation between the City and NHC-TX103, who is the abutting property owner; and

WHEREAS, NHC-TX103, the abutting property owner, proposes to purchase said property at fair market value; and

WHEREAS, the City Council desires to authorize the conveyance of the Property to NHC-TX103 for the fair market value, and further effect a settlement of the pending litigation.

Now, Therefore,

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

SECTION 1. That upon receipt of **FOUR THOUSAND THREE HUNDRED NINETY-SIX AND NO/100 ($4,396.00) DOLLARS** from NHC-TX103, and acceptable settlement of litigation documents in form approved by the City Attorney, the City Manager or designee is authorized to execute a Deed Without Warranty, to be attested by the City Secretary upon approval as to form by the City Attorney for approximately 12,436 square feet of land located in the Preston Witt Survey, Abstract No. 1566, the City of Carrollton, Dallas County, Texas (the “Property”), more particularly described on Exhibit "A", attached herein and incorporated by reference. The 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 NHC-TX103 (**"GRANTEE"**) is subject to the following:

SECTION 2. (continued)

(a) 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

(b) any visible and apparent easements and any encroachments whether of record or not; and

(c) 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

(d) 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

(e) 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

SECTION 2. (continued)

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 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 thereunder; and

(f) 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 Development 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 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 8118.

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.

September 27, 2017

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 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:
LARRY E. CASTO, CITY ATTORNEY

BY: _____
Assistant City Attorney

September 27, 2017

FIELD NOTES DESCRIBING A 12,436 SQ FT (0.285 ACRE)
TRACT OF LAND TO BE CONVEYED IN FEE BY THE CITY OF DALLAS
IN THE PRESTON WITT SURVEY, ABSTRACT NO. 1566
CITY OF CARROLLTON, DALLAS COUNTY, TEXAS

DESCRIPTION, of a 12,436 square foot (0.285 acre) tract of land situated in the Preston Witt Survey, Abstract No. 1566, City of Carrollton, Dallas County, Texas; said tract being part of a called 102.00 acre tract of land described in Special Warranty Deed to the City of Dallas recorded in Volume 73129, Page 1064 of the Deed Records of Dallas County, Texas (DRDCT); said 12,436 square foot (0.285 acre) tract being more particularly described as follows:

BEGINNING, at a vertical railroad rail found (controlling monument) in the east right-of-way line of President George Bush Turnpike, a variable width right-of-way, for the northwest corner of said City of Dallas called 102.00 acre tract and the southwest corner of a called 18.3536 acre tract of land described in Warranty Deed to NHC-TX103, LLC, recorded in Instrument No. 20070251945 of the Official Public Records of Dallas County, Texas;

THENCE, North 89 degrees, 32 minutes, 44 seconds East, departing the east line of President George Bush Turnpike, along the north line of said City of Dallas 102.00 acre tract and the south line of said NHC-TX103, LLC, tract, a distance of 829.02 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap set for the northernmost northeast corner of said City of Dallas called 102.00 acre tract and the southeast corner of said NHC-TX103, LLC, tract, from which a 3/8-inch iron rod found bears North 54 degrees, 42 minutes West, a distance of 2.7 feet; said point also being in the west line of a called 53.19 acre tract described in Warranty Deed to the City of Dallas recorded in Volume 3401, Page 495 DRDCT;

THENCE, South 00 degrees, 34 minutes, 16 seconds East, along the east line of said City of Dallas called 102.00 acre tract and the west line of said City of Dallas 53.19 tract, a distance of 15.00 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap set;

THENCE, South 89 degrees, 32 minutes, 44 seconds West, departing the east line of said City of Dallas called 102.00 acre tract and the west line of said City of Dallas called 53.19 acre tract, over and across said City of Dallas called 102.00 tract, a distance of 829.10 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap set in the east line of said President George Bush Turnpike and the west line of said City of Dallas called 102.00 acre tract;

THENCE, North 00 degrees,15 minutes, 06 seconds West, along the west line of said City of Dallas called 102.00 acre tract and the east line of said President George Bush Turnpike, a distance of 15.00 feet to the POINT OF BEGINNING;

CONTAINING: 12,436 square feet or 0.285 acre of land, more or less.

Basis of bearing is the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances shown have been adjusted to surface by applying the Dallas County TxDOT combination factor of 1.000136506.

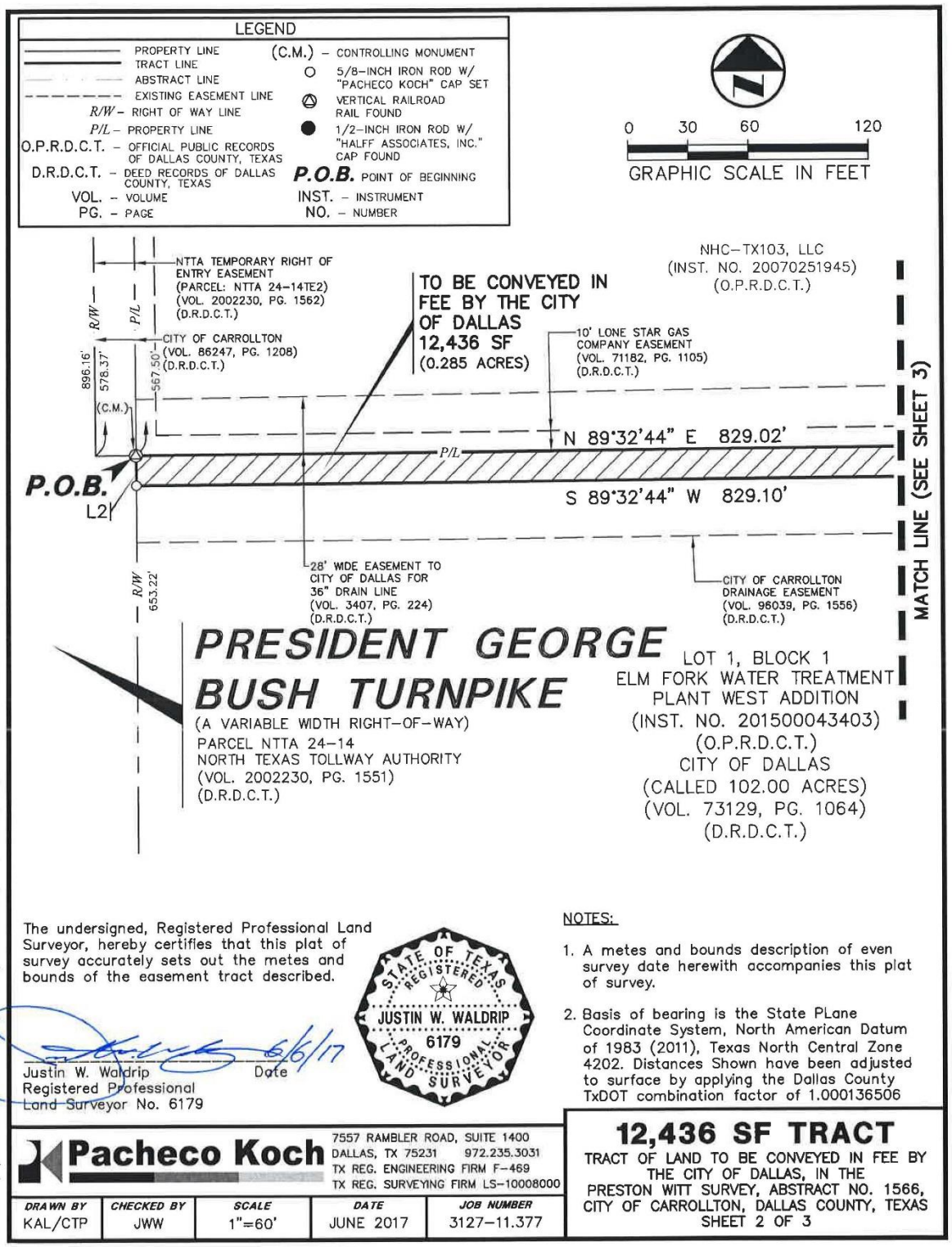
(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the tract of land described.

6/6/17

Justin W. Waldrip Date
Registered Professional Land Surveyor No. 6179
Pacheco Koch Consulting Engineers, Inc.
7557 Rambler Road, Suite 1400, Dallas TX 75231
(972) 235-3031
TX Reg. Surveying Firm LS-10008000
3127-11.377EX1.doc, 3127-11.377EX1.dwg kal

September 27, 2017



The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.

STATE OF TEXAS REGISTERED JUSTIN W. WALDRIP 6179 PROFESSIONAL LAND SURVEYOR

6/6/17

Justin W. Waldrip Date
Registered Professional
Land Surveyor No. 6179

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Basis of bearing is the State PLane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances Shown have been adjusted to surface by applying the Dallas County TxDOT combination factor of 1.000136506

Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10008000

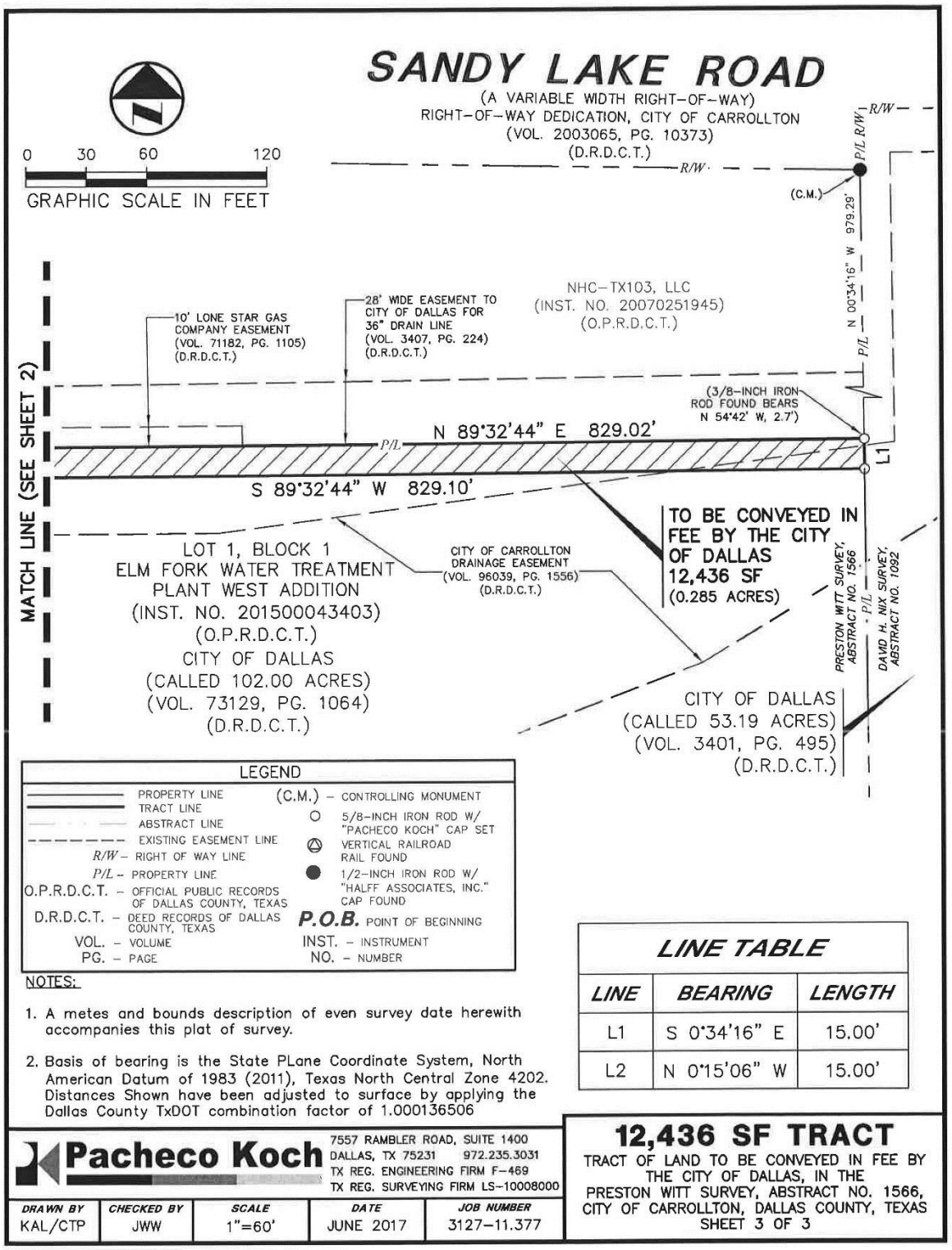
DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
KAL/CTP	JWW	1"=60'	JUNE 2017	3127-11.377

12,436 SF TRACT

TRACT OF LAND TO BE CONVEYED IN FEE BY THE CITY OF DALLAS, IN THE PRESTON WITT SURVEY, ABSTRACT NO. 1566, CITY OF CARROLLTON, DALLAS COUNTY, TEXAS
SHEET 2 OF 3

M:\DWG-31\3127-11.377\DWG\SURVEY\C3D\3127-11.377EX1.DWG
CPHILLIPS 6/6/2017 5:07 PM

Exhibit A



LEGEND

PROPERTY LINE	(C.M.) – CONTROLLING MONUMENT
TRACT LINE	○ 5/8-INCH IRON ROD W/ "PACHECO KOCH" CAP SET
ABSTRACT LINE	VERTICAL RAILROAD RAIL FOUND
EXISTING EASEMENT LINE	● 1/2-INCH IRON ROD W/ "HALFF ASSOCIATES, INC." CAP FOUND
R/W – RIGHT OF WAY LINE	P.O.B. POINT OF BEGINNING
P/L – PROPERTY LINE	INST. – INSTRUMENT
O.P.R.D.C.T. – OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS	NO. – NUMBER
D.R.D.C.T. – DEED RECORDS OF DALLAS COUNTY, TEXAS	
VOL. – VOLUME	
PG. – PAGE	

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Basis of bearing is the State PLane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances Shown have been adjusted to surface by applying the Dallas County TxDOT combination factor of 1.000136506

LINE TABLE

LINE	BEARING	LENGTH
L1	S 0°34'16" E	15.00'
L2	N 0°15'06" W	15.00'

Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10008000

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
KAL/CTP	JWW	1"=60'	JUNE 2017	3127-11.377

12,436 SF TRACT

TRACT OF LAND TO BE CONVEYED IN FEE BY THE CITY OF DALLAS, IN THE PRESTON WITT SURVEY, ABSTRACT NO. 1566, CITY OF CARROLLTON, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

M:\DWG-31\3127-11.377\DWG\SURVEY\C3D\3127-11.377EX1.DWG
CPHILLIPS 6/6/2017 5:07 PM

Exhibit A

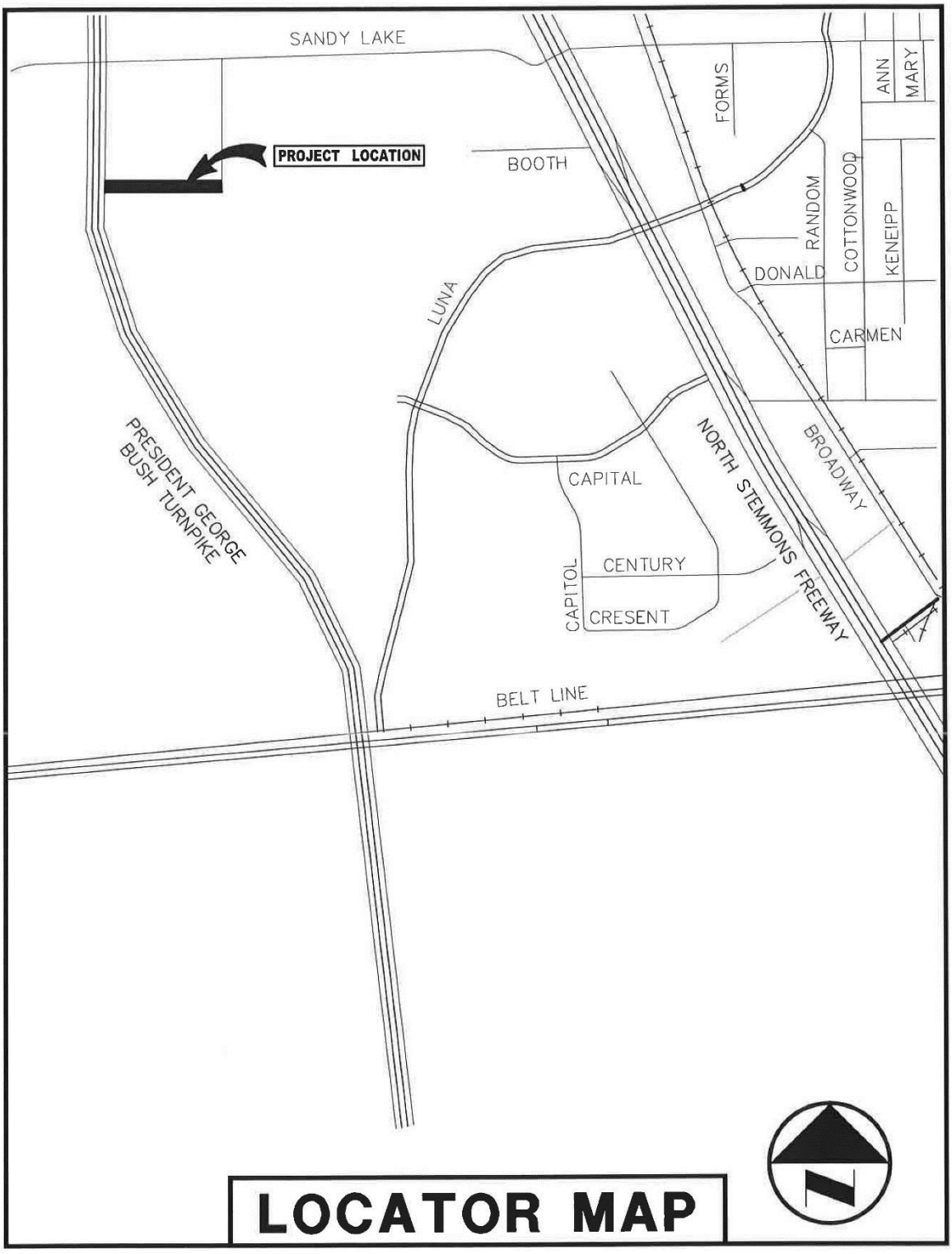

SANDY LAKE
PROJECT LOCATION
BOOTH
FORMS
ANN
MARY
RANDOM
COTTONWOOD
KENEIPP
DONALD
CARMEN
LUNA
PRESIDENT GEORGE BUSH TURNPIKE
CAPITAL
NORTH STEMMONS FREEWAY
BROADWAY
CAPITOL
CENTURY
CRESENT
BELT LINE
LOCATOR MAP

Exhibit A

AGENDA ITEM # 12

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

CMO: Larry Casto, 670-3491

MAPSCO: N/A

SUBJECT

Authorize **(1)** a twelve-month extension to the grant period of the Substance Abuse and Mental Health Services Administration (SAMHSA) Grant (Grant No. 5H79T1025045-03 Revised, CFDA No. 93.243) from the U.S. Department of Health and Human Services (HHS) for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Court Expansion project from September 29, 2017 to September 29, 2018; **(2)** a carry-over of unobligated funds in an amount not to exceed $261,580 from previous budget years to the current budget year as approved by HHS through the transfer of unobligated appropriations from the SAMHSA-Adult Treatment Drug Court Expansion Project 14-16 Fund to the SAMHSA-Adult Treatment Drug Court Expansion Project 16-17 Fund; and **(3)** execution of the revised grant agreement - Financing: No cost consideration to the City

BACKGROUND

This item will authorize a twelve-month extension to the grant period of the SAMHSA Grant from HHS for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Court Expansion project from September 29, 2017 to September 29, 2018. SAMHSA, through HHS, awarded the City a three-year grant with the project period from September 30, 2014 through September 29, 2017. This grant wholly funds the South Dallas Treatment Drug Court (SDTDC), which seeks to identify adults with mental health issues and/or substance abuse addictions who have been referred to the South Dallas Community Court for adjudication and processing. Services provided to these individuals include: alcohol/drug treatment, recovery support services, screenings, assessment, case management and related services in lieu of jail time.

The SDTDC is located in the Martin Luther King, Jr. Community Center at 2922 Martin Luther King, Jr. Boulevard, and serves South Dallas/Fair Park, Jubilee Park, and Pleasant Grove.

BACKGROUND (continued)

The U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, has authorized the City to utilize unobligated funds from the above referenced project in the amount of $261,579.00 in support of the SDTDC program for the period September 30, 2017 through September 29, 2018.

The carry-over of unobligated funds will result in a reallocation of funds remaining in the SAMHSA-SDTDC Fund for the Budget Fiscal Years 2014-2016 to the current Fund for Budget Fiscal Year 2016-2017 (that will be extended to FY 2017-2018), as follows:

Fund	Department	Unit	Original	Change	Revised
F447	ATT	1694	$292,835.00	($238,362.48)	$ 54,472.52
F447	ATT	1827	$342,419.00	($ 23,216.86)	$319,202.14
F503	ATT	2051	$305,074.00	$261,579.34	$566,653.34
			$940,328.00	$ 0.00	$940,328.00

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 14, 2015, City Council authorized the application and acceptance of the 2014-15 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Expansion project for the period September 30, 2014 through September 29, 2015; and execution of the grant agreement by Resolution No. 15-0142.

On January 27, 2016, City Council authorized the acceptance of the 2015-16 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Court Expansion project for the period September 30, 2015 through September 29, 2016, a three-year grant with the project period from September 30, 2014 to September 29, 2017; and execution of the grant agreement by Resolution No. 16-0164.

On September 14, 2016, City Council authorized the acceptance of the 2016-17 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Court Expansion project for the period September 30, 2016 through September 29, 2017; approval to create one new full-time position to execute the proposed project; and execution of the grant agreement by Resolution No. 16-1434.

FISCAL INFORMATION

No cost consideration to the City.

September 27, 2017

WHEREAS, the City of Dallas established an Adult Treatment Drug Court Expansion project that seeks to expand the South Dallas Community Drug Court into a Treatment Drug Court that will incorporate alcohol/drug treatment, recovery support services, screening, assessment, case management, and program coordination; and

WHEREAS, the Substance Abuse and Mental Health Services Administration of the U.S. Department of Health and Human Services awarded the City a three-year grant with the project period from September 30, 2014 through September 29, 2017; and

WHEREAS, on January 14, 2015, City Council authorized the application and acceptance of the 2014-15 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Expansion project for the period September 30, 2014 through September 29, 2015; and execution of the grant agreement by Resolution No. 15-0142; and

WHEREAS, on January 27, 2016, City Council authorized the acceptance of the 2015-16 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Court–Expansion project for the period September 30, 2015 through September 29, 2016, a three-year grant with the project period from September 30, 2014 through September 29, 2017; and execution of the grant agreement by Resolution No. 16-0164; and

WHEREAS, on September 14, 2016, City Council authorized the acceptance of the 2016-17 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Court Expansion project for the period September 30, 2016 through September 29, 2017; approval to create one new full-time position to execute the proposed project; and execution of the grant agreement by Resolution No. 16-1434; and

WHEREAS, on September 11, 2017, the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, has made grant funds available to the City for the Fiscal Year 2017-2018 through a carry-over of unobligated funds from previous budget years to current year's budget to offer individuals facing criminal charges for substance abuse and possession an opportunity to enter a substance abuse recovery program in lieu of jail time; and

September 27, 2017

WHEREAS, the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, has made grant funds available during the 2017-18 fiscal year to offer individuals facing criminal charges for substance abuse and possession an opportunity to enter a substance abuse recovery program in lieu of jail time; and

WHEREAS, the grant funding would benefit the City in its endeavor to reduce crime and help affected individuals become drug free; and

WHEREAS, the City finds it in the best interest of the City's residents that the reallocation of grant funds be accepted for the Fiscal Year 2017-2018; and

WHEREAS, the City agrees that in the event of loss or misuse of the grant funds, the City will return the funds identified as ineligible to the U.S. Department of Health and Human Services; and

WHEREAS, the City designates the City Manager or his designee as the grantee's authorized official, who has the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City.

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)** extend the grant period of the Substance Abuse and Mental Health Services Administration (SAMHSA) Grant (Grant No. 5H79T1025045-03 Revised, CFDA No. 93.243), from the U.S. Department of Health and Human Services (HHS) for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Court Expansion project from September 29, 2017 to September 29, 2018; **(2)** carry-over the unobligated funds in an amount not to exceed $261,579.34 from previous budget years to the current budget year as approved by HHS; and **(3)** sign the revised grant agreement, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to transfer appropriations in an amount not to exceed $261,579.34 from the SAMHSA-Adult Treatment Drug Court Expansion Project 14-16 Fund, Fund F447, Department ATT, Units 1694 and 1827, various Object Codes, to the SAMHSA-Adult Treatment Drug Court Expansion Project 16-17 Fund, Fund F503, Department ATT, Unit 2051, various Object Codes, per the attached Schedule.

SECTION 3. That the Chief Financial Officer is authorized to reclassify the deposit of grant funds in an amount not to exceed $261,579.34 from the SAMHSA-Adult Treatment Drug Court Expansion Project 14-16 Fund, Fund F447, Department ATT, Units 1694 and 1827, Revenue Code 6506 into Fund F503, Department ATT, Unit 2051, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is authorized to reclassify the disbursement of grant funds in an amount not to exceed $261,579.34 from the SAMHSA-Adult Treatment Drug Court Expansion Project 14-16 Fund, Fund F447, Department ATT, Units 1694 and 1827, various Object Codes, to the SAMHSA-Adult Treatment Drug Court Expansion Project 16-17 Fund, Fund F503, Department ATT, Unit 2051, in accordance with the attached schedule.

SECTION 5. That the City Manager is hereby authorized to reimburse the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration 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 U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. ATT-2017-00003917.

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.

Schedule

SAMHSA - Adult Treatment Drug Court Expansion Project		
Fund F503		
Department ATT		
Unit 2051		
		Additional Budget for FY 17-18 (reallocated from fund F447. units 1694 & 1827)
Object Code		
1101	Salaries	$97,983.35
1301	Pension	$14,040.95
1304	Health Insurance	$12,432.00
1306	FICA	$1,420.75
2280	Other Supplies	$4,184.00
3070	Professional Services	$99,898.00
3092	Security Services	$8,308.80
3361	Travel	$12,840.00
3429	Blackberry Fee	$1,800.00
3851	Pension Bond Debt	$8,671.49
	Total	$261,579.34

AGENDA ITEM # 13

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Court & Detention Services

CMO: Jon Fortune, 670-1204

MAPSCO: N/A

SUBJECT

A resolution **(1)** designating a new hearing officer to hear contested civil red-light camera citations under the City's automated Safelight Red-Light Camera enforcement program and contested school bus stop arm citations under the City's School Bus Stop Arm program; and **(2)** removing one hearing officer who is no longer employed by the City - Financing: No cost consideration to the City

BACKGROUND

Section 28-206 of the Dallas City Code requires that the City Council designate hearing officers from a list of persons recommended by the City Manager (or his designee) to hear contested civil red-light camera citations. Similarly, Section 28-223 requires that the City Council designate hearing officers from a list of persons recommended by the City Manager (or his designee) to hear contested school bus stop arm citations.

This action designates Marcos Mojica as a hearing officer for the School Bus Stop Arm program and the Safelight Red-Light Camera enforcement program effective September 13, 2017, thereby giving him the authority to hear contested civil red-light camera citations and contested civil school bus citations.

In addition, this resolution removes Carol Minor as a hearing officer, as she is no longer employed by the City.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 12, 2006, City Council authorized an ordinance amending Chapter 28 of the Dallas City Code to create a civil offense for a red light violation at a camera enforced intersection; provide defenses and presumptions; provide requirements, procedures, and fees relating to the administrative adjudication of a civil red light violation; provide for an appeal to municipal court; provide powers, duties, and functions of the director, enforcement officers, and hearing officers; and provide for the imposition, collection, and disposition of civil fines, penalties, and costs for a civil red light violation by Resolution No. 06-1096; Ordinance No. 26305.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On November 5, 2007, City Council authorized an ordinance amending Chapter 28 of the Dallas City Code to conform the City's red light camera ordinance to SB 1119, adopted by the 80th Legislature, Regular Session, and to provide for civil fines not to exceed $75 per offense by Resolution No. 07-3227; Ordinance No. 26988.

The Public Safety Committee was briefed regarding this item on November 19, 2007.

On December 12, 2007, City Council authorized a resolution designating hearing officers to administratively adjudicate all red light violations for which a civil red light citation has been issued under the City's automated Safelight Red-Light enforcement program by Resolution No. 07-3793.

On May 23, 2012, City Council authorized an ordinance amending Chapter 28 of the Dallas City Code to: create a civil offense and a civil penalty for unlawfully passing a stopped school bus with its stop arm extended and red lights flashing; provide certain defenses and presumptions; and provide for photographic enforcement and administrative adjudication of school bus stop arm violations by Resolution No. 12-1387; Ordinance No. 28654.

The Public Safety Committee was briefed by memorandum regarding this matter on May 11, 2015.

On May 27, 2015, City Council authorized a resolution designating hearing officers to hear contested civil red light camera citations under the City's automated Safelight Red-Light Camera enforcement program and contested school bus stop arm citations under the City's School Bus Stop arm program; and ratifying the past actions of these hearing officers in hearing contested civil red light camera citations and contested school bus stop arm citations by Resolution No. 15-0964.

On February 24, 2016, City Council authorized a resolution designating a new hearing officer to hear contested civil red light camera citations under the City's automated red light camera enforcement program and contested school bus stop arm citations under the City's school bus stop arm program; and removing one hearing officer who is no longer employed by the City by Resolution No. 16-0354.

Information about this item was provided to the Public Safety and Criminal Justice Committee on September 11, 2017.

FISCAL INFORMATION

No cost consideration to the City.

September 27, 2017

WHEREAS, on April 12, 2006, City Council authorized an ordinance amending Chapter 28 of the Dallas City Code to create a civil offense for a red light violation at a camera-enforced intersection; provide defenses and presumptions; provide requirements, procedures and fees relating to the administrative adjudication of a civil red light violation; provide for an appeal to municipal court; provide powers, duties, and functions of the director, enforcement officers, and hearing officers; and provide for the imposition, collection, and disposition of civil fines, penalties, and costs for a civil red light violation by Resolution No. 06-1096; Ordinance No. 26305; and

WHEREAS, on May 23, 2012, City Council authorized an ordinance amending Chapter 28 of the Dallas City Code to create a civil offense and a civil penalty for unlawfully passing a stopped school bus with its stop arm extended and red lights flashing; provide certain defenses and presumptions; and provide for photographic enforcement and administrative adjudication of school bus stop arm violations by Resolution No. 12-1387; Ordinance No. 28654; and

WHEREAS, Marcos Mojica was recommended by the City Manager to hear contested school bus stop arm citations and to hear contested red light camera citations, and is hereby designated as Hearing Officer for the School Bus Stop Arm program and the Safelight Red-Light Camera program, effective September 27, 2017.

Now, Therefore,

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

SECTION 1. That Marcos Mojica, who was recommended by the City Manager to hear contested school bus stop arm citations and to hear contested red light camera citations, is hereby designated as Hearing Officer for the School Bus Stop Arm program and the Safelight Red-Light Camera program, effective September 27, 2017.

SECTION 2. That Carol Minor be removed as a hearing officer as she is no longer employed by the City.

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 ITEM # 14

STRATEGIC PRIORITY:	Public Safety
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Court & Detention Services
CMO:	Jon Fortune, 670-1204
MAPSCO:	N/A

SUBJECT

Authorize payment to Dallas County for processing and maintaining City prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2017 through September 30, 2018 - Not to exceed $8,484,644 - Financing: Current Funds (subject to appropriations)

BACKGROUND

On June 11, 1997, City Council authorized Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County which established a new cost methodology for the housing of City prisoners at the Lew Sterrett Criminal Justice Center and adjusts the City's cost for jail services for FY 96-97, in an amount not to exceed $4,647,714, by Resolution No. 97-1995. The new cost methodology is based on direct cost for providing intake/release and housing, indirect costs associated with Dallas County Central Services applicable to the jail contract and apportioned costs of certain Sheriff's Office operations. This methodology is reviewed yearly. This action will allow continuation of payments to Dallas County beginning October 1, 2017.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 25, 2013, City Council authorized payment to Dallas County for processing and housing prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County, previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2013 through September 30, 2014, by Resolution No. 13-1679.

On September 24, 2014, City Council authorized payment to Dallas County for processing and housing prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County, previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2014 through September 30, 2015, by Resolution No. 14-1595.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On September 22, 2015, City Council authorized payment to Dallas County for processing and housing prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County, previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2015 through September 30, 2016, by Resolution No. 15-1747.

On September 28, 2016, City Council authorized payment to Dallas County for processing and housing prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County, previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1560.

Information about this item was provided to the Public Safety and Criminal Justice Committee on September 11, 2017.

FISCAL INFORMATION

Current Funds - $8,484,644 (subject to appropriations)

WHEREAS, on November 22, 1978, City Council authorized the Criminal Justice Center Memorandum of Agreement between the City of Dallas and Dallas County, and amendments thereto, granting the City a leasehold estate in the Lew Sterrett Criminal Justice Center for processing and maintaining City jail prisoners for as long as the Lew Sterrett Criminal Justice Center was used as a jail facility by Resolution No. 78-3303; and

WHEREAS, on June 11, 1997, City Council authorized Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County which established a new cost methodology, for the housing of City prisoners at the Lew Sterrett Criminal Justice Center and adjusts the City's cost for jail services for FY 96-97, in an amount not to exceed $4,647,714, by Resolution No. 97-1995; and

WHEREAS, on September 25, 2013, City Council authorized payment to Dallas County for processing and housing prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County, previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2013 through September 30, 2014, in an amount not to exceed $8,713,637, by Resolution No. 13-1679; and

WHEREAS, on September 24, 2014, City Council authorized payment to Dallas County for processing and housing prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County, previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2014 through September 30, 2015, in an amount not to exceed $7,983,142, by Resolution No. 14-1595; and

WHEREAS, on September 22, 2015, City Council authorized payment to Dallas County for processing and housing prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County, previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2015 through September 30, 2016, in an amount not to exceed $7,557,391, by Resolution No. 15-1747; and

WHEREAS, on September 28, 2016, City Council authorized payment to Dallas County for processing and housing prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County, previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2016 through September 30, 2017, in an amount not to exceed $7,812,862, by Resolution No. 16-1560; and

WHEREAS, this methodology allows the City to pay Dallas County for the cost of processing and maintaining City prisoners on a per-prisoner basis beginning each fiscal year; and

WHEREAS, the City is required to pay Dallas County on a monthly basis for the City's share of jail operation costs as prescribed in Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement; and

WHEREAS, Dallas County's calculation of $8,484,644 for processing and maintaining City prisoners at the Lew Sterrett Criminal Justice Center for FY 2017-18 has been reviewed by the City and determined to be equitable.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to pay Dallas County for processing and maintaining City prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2017 through September 30, 2018, in an amount not to exceed $8,484,644.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $8,484,644 (subject to appropriations) to Dallas County from Fund 0001, Department CTS, Unit 1059, Object 3099, Encumbrance/Contract No. MASC CTS-2017-00002427 FY18, Vendor 014003.

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 ITEM # 15

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Economic Development
CMO:	Raquel Favela, 671-5257
MAPSCO:	N/A

SUBJECT

Authorize the first of two, one-year service contract renewals to Foundation Communities, Inc. to administer a Volunteer Income Tax Assistance Program for low to moderate income families or individuals citywide - Not to exceed $200,000 - Financing: Current Funds (subject to appropriations)

BACKGROUND

The City has supported Volunteer Income Tax Assistance (VITA) through payments to the United Way or Foundation Communities, Inc. over the past five years. These payments have supported a VITA Program that provided free tax help to over 8,000 Dallas tax filers for the 2016 tax year at seven different sites throughout the city. The VITA Program offers free tax assistance to families and individuals who make less than $53,000 a year, and are full time sites, operating six days a week and 6-8 hours a day. Approximately 25 percent of the tax returns completed through the VITA Program claimed the Earned Income Tax Credit (EITC). Additionally, over 650 individuals requested referrals for financial education classes or one-on-one financial coaching sessions with a partner agency.

In 2016, the City issued an Request for Competitive Sealed Proposals to solicit proposals for the administration of a Program Tax Preparation and Financial Education Services Program for low to moderate income families or individuals citywide. Foundation Communities, Inc. won the solicitation and has provided a citywide program for free tax assistance with a secondary goal of enhancing financial literacy by using EITC as the anchor for wrap-around services. This program scope aligns with the Mayor's Task Force on Poverty's briefing recommendations to City Council to develop an awareness campaign to get more people to VITA sites.

Foundation Communities, Inc. intends to prepare 9,500 tax returns within the city of Dallas during the 2017 tax season (Spring 2018).

BACKGROUND (continued)

The strategies to achieve this goal include the establishment of seven site locations in the city dedicated to tax preparation, as well as hiring a volunteer coordinator, and offering a robust marketing program.

At least 50 percent of the program's seasonal positions will be filled by employees who are bilingual. Sites will be open from mid-January through the tax deadline in April of 2018. Additionally, Foundation Communities, Inc. will operate two year-round sites for on-going assistance at Habitat for Humanity and North Dallas Shared Ministries. Each site location recruits at least 50 active volunteers, secures and maintains appropriate and sufficient equipment, and hires and manages paid staff to ensure proper coverage. All returns completed undergo review and quality control by experienced staff and volunteers.

Additionally, Foundation Communities, Inc. will continue to emphasize financial literacy and coaching by referring tax clients to financial coaching sessions, and assisting clients with establishing savings accounts and purchasing savings bonds. During the previous tax season, 6,684 clients completed a survey to assess what referrals the clients wanted. The most common response was savings assistance. The savings account program offers clients the opportunity to establish or add to a savings account meant for use during financial emergencies or to deal with an unanticipated expense. The DallasSaves program will offer matching funds as an incentive to families who set aside between $200 and $500 of their tax return through the tax return process and maintain the balance for a year.

The contract term is for one year, and this agenda item authorizes the first of two renewals. There is an option for one additional renewal (subject to appropriations). The total program cost is approximately $584,000. City funds will provide up to $200,000 of that program cost (from current funds).

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 11, 2013, City Council authorized a one-year service contract with a one-year renewal option to administer a Volunteer Income Tax Assistance Program for low to moderate income families or individuals citywide - United Way of Metropolitan Dallas, most advantageous proposer of two by Resolution No. 13-2143.

On November 12, 2014, City Council authorized a one-year renewal of the service contract with United Way of Metropolitan Dallas, Inc., a Texas nonprofit corporation, to administer a Volunteer Income Tax Assistance Program for low to moderate income families or individuals citywide by Resolution No. 14-1973.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On September 22, 2015, City Council authorized a one-year service contract to administer a Volunteer Income Tax Assistance Program for low to moderate income families or individuals citywide – Foundation Communities, Inc., only proposer by Resolution No. 15-1818.

On September 28, 2016, City Council authorized a one-year service contract with two one-year renewal options, to administer a Volunteer Income Tax Assistance Program for low to moderate income families or individuals citywide - Foundation Communities, Inc., most advantageous proposer of three by Resolution No. 16-1561.

Information about this item will be provided to the Economic Development and Housing Committee on September 18, 2017.

FISCAL INFORMATION

Current Funds - $200,000 (subject to appropriations)

OWNER

Foundation Communities, Inc.

Walter Moreau, Executive Director
Julian Huerta, Deputy Executive Director

September 27, 2017

WHEREAS, the City has provided assistance for free tax preparation through the Volunteer Income Tax Assistance (VITA) Program for the past four years; and

WHEREAS, the City wishes to continue supporting VITA services for it citizens and also to enhance financial literacy and coaching opportunities for its citizens; and

WHEREAS, the City issued a Request for Competitive Sealed Proposals to solicit proposals for the administration of a Program Tax Preparation and Financial Education Services Program for low to moderate income families or individuals citywide with a secondary goal of enhancing financial literacy by using the Earned Income Tax Credit as the anchor for wrap-around services; and

WHEREAS, Foundation Communities, Inc. was found to be the most advantageous bidder of three; and

WHEREAS, the City now wishes to exercise the first of two service contract renewals with Foundation Communities, Inc. to administer a Volunteer Income Tax Assistance Program for low to moderate income families or individuals citywide.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the first of two, one-year service contract renewals with Foundation Communities, Inc. (VS0000081894), approved as to form by the City Attorney, to administer a Volunteer Income Tax Assistance Program for low to moderate income families or individuals citywide in an amount not to exceed $200,000.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $200,000 (subject to appropriations) from Service Contract No. MASC BQZ1618.

Fund	Department	Unit	Object	Amount
0001	ECO	1166	3511	$200,000 (subject to appropriations)

SECTION 3. That this contract is designated as Contract No. ECO-2016-00001224.

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 ITEM # 16

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Economic Development
CMO:	Raquel Favela, 671-5257
MAPSCO:	45 M

SUBJECT

Authorize **(1)** the first of four, twelve-month renewal options to the service contract with PeopleFund to administer the City of Dallas Community Development Block Grant Business Revolving Loan Program, for a term of October 1, 2017 through September 30, 2018; and **(2)** any unexpended balances of program income to be rolled over to continue the Business Revolving Loan Program - Financing: No cost consideration to the City

BACKGROUND

City Council authorized the City of Dallas Community Development Block Grant (CDBG) Business Revolving Loan Program (BRLP) in 1989, by Resolution No. 89-0815. Southern Dallas Development Corporation (SDDC) administered the CDBG BRLP from October 1, 1989 to September 30, 2016.

On September 14, 2016, City Council authorized adding $275,000 in CDBG program income funds to the program, and approved PeopleFund, the successor entity of SDDC, to administer the BRLP on behalf of the City. The program provides funding and access to capital for entrepreneurs, and creates and/or retains jobs for low-to-moderate income persons to foster community and economic development and revitalization within the city limits of Dallas.

Since inception in 1989, the CDBG Small Business Loan Program has provided an estimated 199 business loans totaling an estimated $20,024,065.00. These loans have been used to leverage an estimated $42,424,502.00 in private investment and have created/retained approximately 1,993 jobs.

PeopleFund's reasonable costs for operation of program delivery are reimbursed by the City. Current accounts receivable for the 16 existing loans are $1,210,381.17 and the cash on hand as of June 30, 2017 was $450,638.71.

BACKGROUND (continued)

PeopleFund will continue to make and service loans to eligible for-profit businesses located within the city of Dallas. Every $35,000.00 of funds that are lent under the BRLP must result in the creation/retention of one full-time equivalent permanent job to a low-to-moderate income individual, in accordance with the Department of Housing and Urban Development regulations. Program Income generated from the BRLP will be retained by PeopleFund to make new loans to eligible borrowers. No General Fund dollars will be used for this loan program.

Loan production for past 3 years:

FY 2013/2014	4/$155,000.00
FY 2014/2015	3/$243,000.00
FY 2015/2016	1/$ 75,000.00

FY 2016/2017 Program Income is projected to be $560,606.00 with projected expenses of approximately $120,109.00. There is no cost consideration to the City.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 14, 2016, City Council authorized a one-year service contract with four, one-year renewal options, with PeopleFund, most advantageous proposer, to administer the City of Dallas Community Development Block Grant Business Revolving Loan Program, for the purpose of making and servicing loans to area businesses and creating and/or retaining jobs for low-to-moderate income persons, in accordance with Department of Housing and Urban Development regulations; and any unexpended balances of program income and allocations from contract with the previous administrator Southern Dallas Development Corporation, be rolled over to fund the City of Dallas Community Development Block Grant Business Revolving Loan Program by Resolution No. 16-1476.

On August 9, 2017, City Council authorized final adoption of the FY 2017-18 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) Grant Funds for the following programs: (a) Community Development Block Grant; (b) HOME Investment Partnerships Program; (c) Emergency Solutions Grant; (d) Housing Opportunities for Persons with AIDS; and (e) Program Income by Resolution No. 17-1171.

Information about this item was provided to the Economic Development and Housing Committee on August 21, 2017.

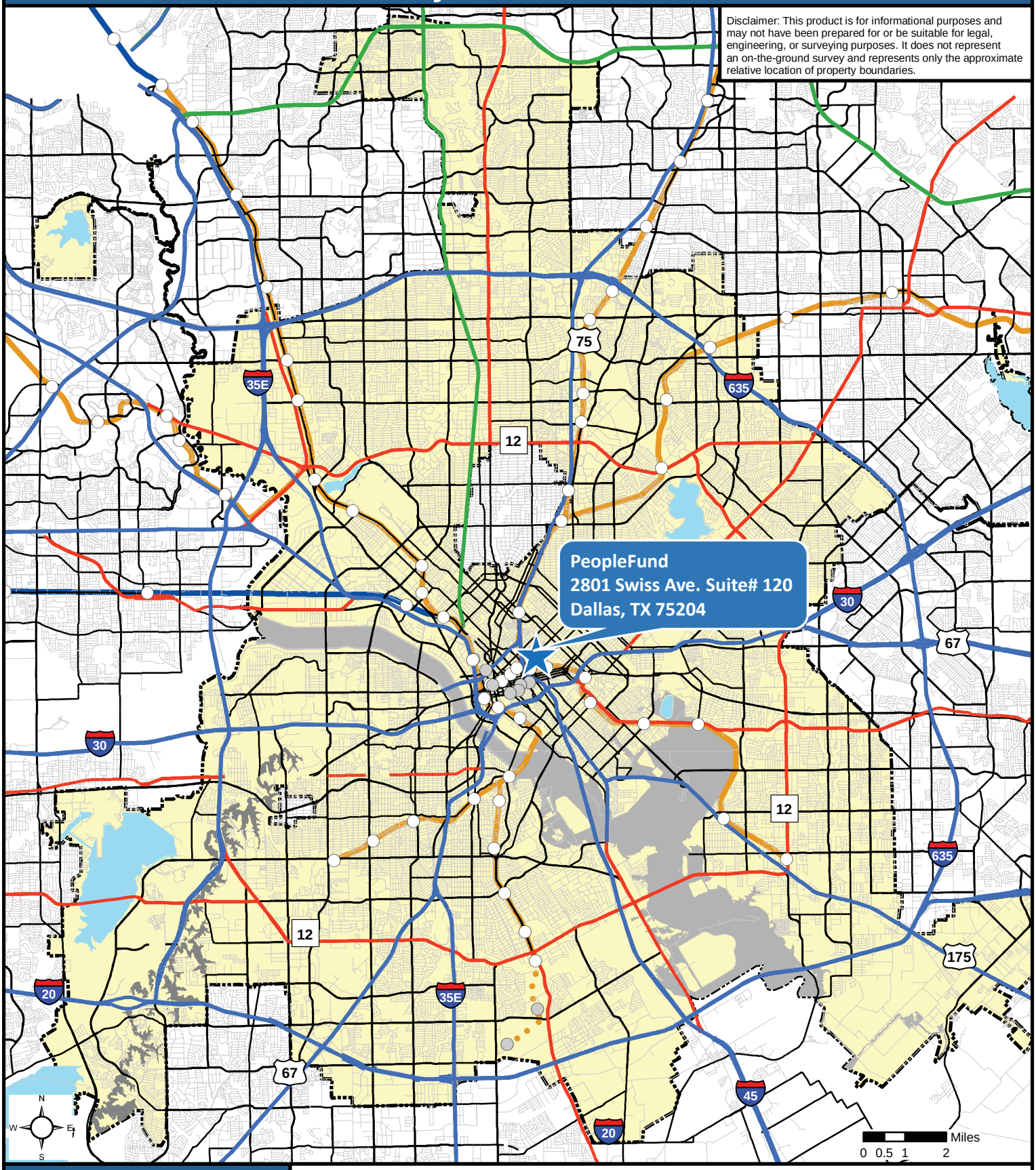
FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

City of Dallas



DALLAS
ECONOMIC
DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 08.18.16, Last Updated 08.18.16 - PeopleFund

Legend

- PeopleFund
- Rail Station
- DART Light Rail
- Commuter Rail
- Future DART Light Rail
- Future Station
- Freeway
- Tollway
- Highway
- City of Dallas
- Flood Plain
- Lake

Data Source - City of Dallas GIS

September 27, 2017

WHEREAS, on September 14, 2016, City Council authorized a one-year service contract with four, one-year renewal options, with PeopleFund, most advantageous proposer, to administer the City of Dallas Community Development Block Grant Business Revolving Loan Program, for the purpose of making and servicing loans to area businesses and creating and/or retaining jobs for low-to-moderate income persons, in accordance with U.S. Department of Housing and Urban Development (HUD) regulations; and any unexpended balances of program income and allocations from contract with the previous administrator Southern Dallas Development Corporation, be rolled over to fund the City of Dallas Community Development Block Grant Business Revolving Loan Program by Resolution No. 16-1476; and

WHEREAS, on August 9, 2017, City Council authorized final adoption of the FY 2017-18 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) Grant Funds in an estimated amount of $29,249,287 for the following programs and amounts: (a) Community Development Block Grant in the amount of $13,373,031; (b) HOME Investment Partnerships Program in the amount of $4,123,371; (c) Emergency Solutions Grant in the amount of $3,117,540; (d) Housing Opportunities for Persons with AIDS in the amount of $6,470,345; and (e) Program Income in an estimated amount of $2,165,000, by Resolution No. 17-1171.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the first of four, twelve-month renewal options to the service contract with PeopleFund, approved as to form by the City Attorney, to administer the City of Dallas Community Development Block Grant Business Revolving Loan Program, for a term of October 1, 2017 through September 30, 2018.

SECTION 2. That any unexpended balances of program income be rolled over to fund the City of Dallas Community Development Block Grant Business Revolving Loan Program.

SECTION 3. That PeopleFund will make loans to eligible businesses within the City of Dallas with a requirement that each $35,000 of loan funds expended satisfy the HUD objective of creating or retaining at least one full-time equivalent permanent job.

SECTION 4. That this contract is designated as Contract No. ECO-2017-00003562.

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 ITEM # 17

STRATEGIC PRIORITY:	Economic Vibrancy
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Economic Development
CMO:	Raquel Favela, 670-3309
MAPSCO:	N/A

SUBJECT

Authorize the second of four, twelve-month renewal options to the grant agreement with the World Affairs Council of Dallas/Fort Worth for economic development and protocol services for the period October 1, 2017 through September 30, 2018 - Not to exceed $250,000 - Financing: Public/Private Partnership Funds ($200,000) and Current Funds ($50,000) (subject to appropriations)

BACKGROUND

Since February 2003, the City has entered into a series of grant agreements with the World Affairs Council of Dallas/Fort Worth (DFW) to provide professional support related to the operations of the City's International Protocol Services, with a new emphasis on assistance with marketing and promotion (including event planning) of Dallas and DFW as an international destination for business and tourism, and fundraising to support these efforts. The World Affairs Council of Dallas/Fort Worth's responsibilities include:

- Work with the Office of the Mayor, City officials, the diplomatic corps and other international stakeholders to continue expanding trade and consular representation in Dallas.
- Assist in establishing a global identity for DFW. This includes scheduling opportunities for the Mayor to deliver an international message, convening a Global Summit for DFW business leaders (hosted by mayors), identifying/creating an annual global conference or event, and crafting a consistent message for major speaking events.
- Support the Office of Economic Development and assist in the promotion and attraction of foreign companies and trade delegations to Dallas. This includes maintaining office space on the fifth floor of City Hall, co-sponsoring programs with the City, providing logistical support to visiting international trade and business delegations, engaging Consular Corps to promote the region, and leveraging outside resources to offset operating expenses, including foreign travel.

BACKGROUND (continued)

- Leverage relationships with existing DFW businesses, regional partners, and current foreign partners to heighten awareness of DFW as a global destination. Specific items may include hosting emerging and established global leaders to experience DFW, partnering with foreign governments to bring cultural and business events to the region, and providing international learning opportunities for students and teachers.
- Manage the Sister Cities International (see sister-cities.org for more information) program and support the Office of Economic Development and other City departments in the development of global city partnership programs.
- Provide protocol and logistical support for international delegations visiting Dallas, including serving as the point of contact for diplomatic matters with the Consular Corps, the Office of the Texas Assistant Secretary of State and the U.S. Department of State.
- Develop fundraising initiatives to support international activities as described in previous tasks above.

During the past year, major accomplishments by the World Affairs Council included the following:

- Hosted Her Excellency Ellen Sirleaf Johnson, President of Liberia and The Honorable Clara Doe-Mvogo, Mayor of Monrovia, Liberia, at City Hall for a special recognition during a City Council meeting and staffed a private meeting between the Mayor and Her Excellency.
- Provided protocol and coordination support for the Trade Mission to Toronto and Montreal led by Mayor Rawlings in June 2017. Arranged meetings with the Mayors of Toronto and Montreal, and the Premier of Ontario and Minister of Foreign Trade of Quebec.
- Provided volunteer support and protocol assistance for the City Council Inauguration, the GrowSouth Annual Report, Tribute 7/7 and the Mayor's Creative Conversation during Arts Week.
- Hosted 13 State Department international visitor delegations from 41 different countries, including the Young Leaders of the Americas Initiative Fellows that were hosted by entrepreneurs throughout the City for the month of October.
- Continue to serve as the Secretariat of the Consular Corps of DFW and assisted in the presentation of 5 new flags for display in the Flag Room at City Hall.

For the past fourteen years, the World Affairs Council of Dallas/Fort Worth has received annual grants from the City to fund the City of Dallas Protocol Office. The grant agreements stipulated funding to pay for salaries of two full-time persons to work exclusively for the City of Dallas, plus a portion of the salaries and overhead of the executive staff of the World Affairs Council of Dallas/Fort Worth.

BACKGROUND (continued)

The second term of the contract, with two remaining renewal options, will expire on September 30, 2017.

The renewal amount for FY 2017-18 is $250,000 from two funding sources: Public/Private Partnership ($200,000) and Current Funds ($50,000).

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 13, 2016, City Council authorized a nine-month Chapter 380 grant agreement, with four one-year renewal options, for economic development and protocol services with World Affair Council of Dallas/Fort Worth by Resolution No. 16-0133.

On September 28, 2016, City Council authorized the first of four twelve-month renewal options to the grant agreement with World Affairs Council of Dallas/Fort Worth for economic development and protocol services for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1592.

Information on this item will be provided to the Economic Development and Housing Committee on September 18, 2017.

FISCAL INFORMATION

Public/Private Partnership Funds - $200,000 (subject to appropriations)
Current Funds - $50,000 (subject to appropriations)

September 27, 2017

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, Chapter 380 of the Texas Local Government Code allows the governing body of a municipality to partner with a nonprofit organization to administer a program to promote local economic development and stimulate business and commercial activity in the municipality; and

WHEREAS, on January 13, 2016, City Council authorized a nine-month Chapter 380 grant agreement, with four one-year renewal options, for economic development and protocol services with World Affair Council of Dallas/Fort Worth by Resolution No. 16-0133; and

WHEREAS, on September 28, 2016, City Council authorized the first of four twelve-month renewal options to the grant agreement with World Affairs Council of Dallas/Fort Worth for economic development and protocol services for the period October 1, 2016 through September 30, 2017 by Resolution No. 16-1592; and

WHEREAS, the City now desires to authorize the execution of the second of four, twelve-month renewal terms to the grant agreement with the World Affairs Council of Dallas/Fort Worth for services relating to business development and protocol for the period October 1, 2017 through September 30, 2018.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the second of four, twelve-month renewal options to the grant agreement with the World Affairs Council of Dallas/Fort Worth (509630), approved as to form by the City Attorney, for economic development and protocol services for the period October 1, 2017 through September 30, 2018 and execute any and all documents required by the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to encumber and disburse funds not to exceed $250,000 (subject to annual appropriations) from Contract No. ECO-2017-00003589:

Fund	Department	Unit	Object	Activity	Amount
0352	ECO	P476	3016	PPPF	$200,000
0001	ECO	1192	3072	EC08	$ 50,000
				Total	$250,000

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 ITEM # 18

STRATEGIC PRIORITY:	Human and Social Needs
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Housing & Neighborhood Revitalization
CMO:	Nadia Chandler Hardy, 670-1611
MAPSCO:	N/A

SUBJECT

Authorize a Memorandum of Understanding between the City of Dallas and the Health and Human Services Commission (HHSC) for the HHSC Community Partner Program for the purpose of assisting with Online Community-Based Application Assistance Services through the YourTexasBenefits.com for Supplemental Nutrition Assistance Program, Temporary Assistance for Needy Families, Medicaid, Long-term Care Services Program, and Children's Health Insurance Programs for the period October 1, 2017 through July 31, 2019 - Financing: No cost consideration to the City

BACKGROUND

In December 2012, the National League of Cities Institute (NLCI), through its Institute for Youth, Education and Families (YEF Institute) and with support from the Atlantic Philanthropies, launched the *Cities Expanding Health Access for Children and Families* (*CEHACF)* initiative. The City of Dallas was selected to participate in the CEHACF planning process from November 2013 through May 2014, during which time the City developed a business plan to implement a city-led outreach campaign. One of the strategies identified in the Business plan was enrollment of the City in the Health and Human Services (HHSC) Community Partner Program.

HHSC Community Partner Program is a grassroots endeavor to engage community based and faith based organizations in outreach and enrollment. The Memorandum of Understanding sets up the City to be a Level I (Self-Service Site) and a Level II (Assistance Site). As a Self-Service Site, the City will provide access to a computer with internet connection to applicants and recipients seeking to apply online for HHSC social service programs such as Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Medicaid, Long-term Care Services (LTC) Program, and Children's Health Insurance Program (CHIP) using the Your Texas Benefits website.

BACKGROUND (continued)

As an Assistance Site the City provides access to a computer as well as assistance with understanding and completing the online application process. Assistance will be provided through the Social Services Units of the Martin Luther King Jr. Community Center, West Dallas Multipurpose Center, Homeless Services' Program, People Helping People Program, Childcare Services and Senior Services Program as well as the City's Women, Infants, and Children (WIC) clinics.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 12, 2014, City Council authorized acceptance of the Cities Expanding Health Access for Children and Families planning grant from the National League of Cities for the period November 25, 2013 through June 1, 2014 and grant agreement by Resolution No. 14-0298.

On January 14, 2015 authorized a Memorandum of Understanding between the City of Dallas and the Health and Human Services Commission (HHSC) for the HHSC Community Partner Program for the purpose of assisting with Online Community-Based Application Assistance Services for the period January 1, 2015 through September 30, 2016, by Resolution 15-0112.

Information about this item will be provided to the Human and Social Needs Committee on September 18, 2017.

FISCAL INFORMATION

No cost consideration to the City.

WHEREAS, statewide, about 22.5 percent of all Texans lack health insurance coverage; and

WHEREAS, both Dallas County and the City of Dallas have rates even higher than the state; and

WHEREAS, one in nine children in the United States reside in Texas; and

WHEREAS, almost 30 percent of Texas children and youth are living at, or below the poverty level; and

WHEREAS, there are approximately 60,000 children in Dallas and Dallas County that are eligible but not enrolled in Medicaid/Children's Health Insurance Programs (CHIP); and

WHEREAS, despite unfavorable comparisons, the uninsured rates have been steadily declining over the last five years; this decline is accompanied by a similar increase in Medicaid and CHIP enrollment; and

WHEREAS, on February 12, 2014, City Council authorized acceptance of the Cities Expanding Health Access for Children and Families planning grant from the National League of Cities for the period November 25, 2013 through June 1, 2014 and grant agreement by Resolution No. 14-0298; and

WHEREAS, on January 14, 2015 authorized a Memorandum of Understanding between the City of Dallas and the Health and Human Services Commission (HHSC) for the HHSC Community Partner Program for the purpose of assisting with Online Community-Based Application Assistance Services for the period January 1, 2015 through September 30, 2016, by Resolution 15-0112.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a Memorandum of Understanding between the City of Dallas and the Health and Human Services Commission (HHSC), approved as to form by the City Attorney, for the HHSC Community Partner Program for the purpose of assisting with Online Community-Based Application Assistance Services through the YourTexasBenefits.com for Supplemental Nutrition Assistance Program, Temporary Assistance for Needy Families, Medicaid, Long-term Care Services Program, and Children’s Health Insurance Programs for the period October 1, 2017 through July 31, 2019.

SECTION 2. That the City Manager is hereby authorized to provide additional information and make adjustments to take other actions relating to this agreement as may be necessary in order to satisfy Health and Human Services Commission requirements.

SECTION 3. That the Memorandum of Understanding is designated as Contract No. HOU-2017-00002725.

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 ITEM # 19

STRATEGIC PRIORITY:	Human and Social Needs
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Housing & Neighborhood Revitalization
CMO:	Nadia Chandler Hardy, 670-1611
MAPSCO:	N/A

SUBJECT

Authorize contracts with fully-licensed child care providers pursuant to the Child Care Services Program (list attached) and with other fully-licensed child care providers selected by eligible parents during the fiscal year for the period October 1, 2017 through September 30, 2018 - Not to exceed $353,748 - Financing: 2017-18 Community Development Block Grant Funds

BACKGROUND

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds. The grant funds are available beginning October 1, 2017, contingent upon approval of the City's FY 2017-18 Action Plan and execution of grant agreements with HUD. The FY 2017-18 HUD Consolidated Plan Budget includes a line item budget for the Child Care Services Program, in an amount not to exceed $488,826.

The Child Care Services Program promotes stability for low-moderate income working parents and high school students who are given limited assistance to become fully self-sufficient within a short period of time. Approximately 175 children will be subsidized for a one-year period.

The Child Care Services Program pays up to $50 per week per child directly to contracted child care providers for child care services for working parents whose income falls in the low-moderate income range of Community Development Block Grant funding eligibility. Individuals in this income range are frequently labeled as the "working poor" because their income places them just above the level to be eligible for other forms of public assistance such as Child Care Management Assistance (CCMA) and Head Start of Greater Dallas. Currently, there is a waiting list at CCMA, and Head Start of Greater Dallas has a limited number of slots for children ranging from 3 1/2 to 5 years of age. There are very few infants or toddler slots available at Head Start of Greater Dallas and no summer programs.

BACKGROUND (continued)

Each contract with child care providers on the master list will not exceed the amount allotted. If those funds are not spent, such remaining funds may be directed to other fully-licensed child care providers selected by eligible parents. In no event shall the total amount for the fiscal year exceed $353,748.

This resolution will allow the City to enter into contracts with fully-licensed child care service providers listed in the attached list and also allows the City to enter into a contract with other fully-licensed child care providers that are not listed in the attached list, subsequent to the passage of this resolution, as long as the child care provider meets the requirements of the Child Care Services Program. Parents are allowed to select their own provider for child care. If the provider agrees to accept the funds from the City of Dallas and follow all program requirements, they will be added to the list during the year.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 11, 2017, City Council authorized contracts with fully-licensed child care providers pursuant to the Child Care Services Program for the period October 1, 2016 through September 30, 2017 and with other fully-licensed child care providers selected by eligible parents during the fiscal year by Resolution No. 17-0074.

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds for the following programs: Community Development Block Grant, HOME Investment Partnerships Program, Emergency Solutions Grant, Housing Opportunities for Person with AIDS Grant, and Program Income by Resolution No. 17-1171.

Information about this item will be provided to the Human and Social Needs Committee on September 18, 2017.

FISCAL INFORMATION

2017-18 Community Development Block Grant Funds - $353,748

Child Care Services Program
Provider Master List 2017-18

PROVIDER NAME/VENDOR #	DIRECTOR	ADDRESS	PHONE #	CONTRACT #
Knoll's Kids Inc., **dba** Armadillos to Zebras Child Care **VS0000027219**	Cindy Knoll	14045 Waterfall Way Dallas, TX 75240	P) 972.231-6998 F) 972.231-5811	MGT-2017-00002816
Good Street Learning Center **169527**	Gwendolyn Sneed	3126 Elsie Faye Higgins Street Dallas, TX 75215	P) 214.421-7504 F) 214.421-2742	MGT-2016-00000663
Heavenly Christian Academy **VS0000013797**	Tia Ward	11421 Shiloh Road Dallas, TX 75228	P) 972.681-7545	MGT-2016-00000665
Heavenly Child Care **346147**	Kamile Adams	9625 Plano Road #1700 Dallas, TX 75238	P) 214.343-0216	MGT-2016-00000666
Kaleidoscope Child Dev. Center **513152**	Diana Docherty	19310 Midway Road Dallas, Texas 75287	P) 972.248-1543 F) 972.248-0563	MGT-2016-00000664
Kirby's Kreative Learning Center **337889**	Tina Green	330 S.R.L. Thornton Frwy. Dallas, Texas 75203	P) 214.943-7309 F) 214.943-4817	MGT-2016-00000661
Kiddie Korner Private School **248963**	Linda Peters	328 W. 12th Street Dallas, TX 75208	P) 214.946-3151 F) 214.946-2081	MGT-2017-00002653
Metropolitan Christian Academy (Metropolitan Academies of Dallas) **518139**	Joey Allen	3430 S. Polk Street Dallas, TX 75224	P) 214.375-2227 F) 214.375-2227	MGT-2017-00002815
Spring Creek Private School **200426**	Marcia Wentz	14855 Spring Creek Road Dallas, TX 75248	P) 972.239-0096 F) 972.239-5949	MGT-2016-00000677
Union Christian Academy **VS000016546**	Sylvia Martin	3312 S. Polk Street Dallas, Texas 75224	P) 214.372-9822 F) 214.372-9539	MGT-2016-00000671
Vogel Alcove **269533**	Karen Hughes	1738 Gano Street Dallas, TX 75215	P) 214.368-8686	MGT-2017-00003193
Open Arms, Inc. **dba** Bryan's House	Abigail Erickson	3610 Pipestone Road Dallas, TX 75212	P) 214.559-3946	MGT-2017-00003904
Lakeisha Haynes **VS94958**	Lakeisha Haynes	5606 S. Cockrell Hill Road Dallas, TX 75236	P) 214.330-2733	MGT-2017-00003173
N'Goyala Community Learning Center **dba** American Care Academy **VS0000056574**	Patricia Williams	530 S.R.L. Thornton Frwy. Dallas, TX 75203	P) 214.943-7300	MGT-2017-00002702
Inspiring Body of Christ Church Inc. **VS0000077387**	Cecelia Dixon	7710 S. Westmoreland Road Dallas, TX 75237	P) 972.572-4262	MGT-2017-00002722

Revised 9/13/17

September 27, 2017

WHEREAS, the Management Services/Office of Community Care is administering the Child Care Services Program which initially began in October 1985; and

WHEREAS, on August 9, 2017, City Council authorized the final adoption of the FY 2017-18 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) Grant Funds for the following programs: Community Development Block Grant, HOME Investment Partnerships Program, Emergency Solutions Grant, Housing Opportunities for Person with AIDS Grant, and Program Income by Resolution No. 17-1171; and

WHEREAS, the City will make monthly partial payments to the current and new child care providers; and

WHEREAS, the Child Care Services Program pays a portion of child care expenses for working parents whose income falls in the low-moderate range of Community Development Block Grant eligibility; and

WHEREAS, it is necessary for the City Council to approve contracts with the providers to facilitate payment.

Now, Therefore

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

SECTION 1. That the City Manager is hereby authorized to sign contracts with fully-licensed child care providers pursuant to the Child Care Services Program, list attached hereto, and with other fully-licensed child care providers selected by eligible parents, approved as to form by the City Attorney, during the fiscal year for the period October 1, 2017 through September 30, 2018, and execute any and all documents required by the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to encumber and disburse funds in an amount not to exceed $353,748 to fully-licensed child care providers listed in the attached list and with other fully-licensed child care providers who meet the requirements of the Child Care Services Program from Fund CD17, Dep artment MGT, Unit 214B, Object Code 3070.

SECTION 3. That the contracts be designated as the Contract Nos. listed in the attachment.

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 ITEM # 20

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Human Resources

CMO: T.C. Broadnax, 670-3297

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the consultant contract with Holmes Murphy & Associates, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans, extending the term from November 1, 2017 through October 31, 2018 - Not to exceed $225,000, from $675,000 to $900,000 - Financing: Employee Benefits Current Funds (subject to annual appropriations)

BACKGROUND

This Supplemental Agreement provides the City with benefits consulting services and auditing services of medical and pharmacy benefit plans. This Supplemental Agreement will continue to provide the City with assistance in maximizing employee benefits services and to offer advice on options to mitigate costs. Holmes Murphy & Associates, will be responsible for keeping the City's Plan Administrators and City Attorney's Office informed of best practices and advising on any pending legislation that can impact the benefits plan. Additionally, the consultant will perform tasks such as:

- Conduct audits of the medical and pharmacy vendors
- Conduct annual plan evaluations
- Develop funding strategies
- Project plan costs
- Review proposals and provide recommendations
- Conduct benchmark studies and surveys
- Conduct required Governmental Accounting and Standards Board actuarial valuations

The City offers medical, dental and vision coverage to approximately 22,000 participants. These plans are administered through the Benefits Division of the Human Resources Department. The selected vendor will assist with consulting on these plan options.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 12, 2014, City Council authorized a three-year service contract, with two, one-year renewal options, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans - Holmes Murphy & Associates, most advantageous proposer of nine by Resolution No. 14-1877.

On September 5, 2017, the Government Performance and Financial Management Committee was briefed.

FISCAL INFORMATION

Employee Benefits Current Funds - $225,000 (subject to annual appropriations)

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the consultant contract with Holmes Murphy & Associates, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans, extending the term from November 1, 2017 through October 31, 2018 - Not to exceed $225,000, from $675,000 to $900,000 - Financing: Employee Benefits Current Funds (subject to annual appropriations)

Holmes Murphy & Associates is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$175,000.00	77.78%
Non-local contracts	$50,000.00	22.22%
TOTAL THIS ACTION	$225,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
PPC Partners Plus Consulting	WFDB66720Y0917	$50,000.00	100.00%
Total Minority - Non-local		$50,000.00	100.00%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$50,000.00	22.22%	$170,000.00	18.89%
Total	$50,000.00	22.22%	$170,000.00	18.89%

September 27, 2017

WHEREAS, on November 12, 2014, City Council authorized a three-year contract, with two, one-year renewal options, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans - Holmes Murphy & Associates, most advantageous proposer of nine by Resolution No. 14-1877.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the consultant contract with Holmes Murphy & Associates, approved as to form by the City Attorney, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans, extending the term from November 1, 2017 through October 31, 2018, in an amount not to exceed $225,000, increasing the contract amount from $675,000 to $900,000.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $225,000 (subject to annual appropriations) to Holmes Murphy & Associates, from Employee Benefits Current Fund, Fund 0260, Department PER, Unit 7906, Object 3070, Encumbrance CT-PERHM2603070FY18, Vendor VC13667.

SECTION 3. That this contract is designated as Contract No. PER-2017-00002700.

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 ITEM # 21

STRATEGIC PRIORITY:	Quality of Life
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Library
CMO:	Joey Zapata, 670-1204
MAPSCO:	N/A

SUBJECT

Authorize the **(1)** acceptance of a grant from the Institute of Museum and Library Service through the Texas State Library and Archives Commission for the FY 2018 Special Projects Grant Program (Grant No. 478-18006/Federal ID No. LS-00-17-0044-17, CFDA No. 45.310) in the amount of $75,000 for the period September 1, 2017 through August 31, 2018; **(2)** establishment of appropriations in an amount not to exceed $75,000 in the FY 2018 TSLAC-Special Projects Grant-ESL17-18 Fund; **(3)** receipt and deposit of funds in an amount not to exceed $75,000 in the FY 2018 TSLAC-Special Projects Grant 17-18-ESL Fund; and **(4)** execution of the grant agreement - Not to exceed $75,000 - Financing: Texas State Library and Archives Commission Grant Funds

BACKGROUND

Texas State Library and Archives Commission (TSLAC) awards competitive grants to libraries and regional library systems across the state to support literacy and educational initiatives. The Dallas Public Library is the recipient of one such grant from TSLAC.

The Dallas Public Library was awarded the 2017 TSLAC Special Projects Grants to provide continued staffing for its Homeless Engagement Initiative at the J. Erik Johnson Central Library for the period September 1, 2016 through August 31, 2017. This collaborative project between the Dallas Public Library, the Friends of the Dallas Public Library and City Square's AmeriCorps program with over 4,000 homeless customers who attended programs and received services through the Library's referral desk. This grant supported a full-time Coordinator II and a part-time Customer Service Representative.

BACKGROUND (continued)

The 2018 TSLAC Special Projects Grant, in the amount of $75,000, will provide support for a new suite of English language learning classes. The collaborative project between the Dallas Public Library, Dollar General, and the Friends of the Dallas Public Library will create new advanced English as a Second Language (ESL) courses that will supplement the library's current general ESL classes. These Applied ESL classes will focus on subjects applicable to the community and workplace such as customer service, school enrollment, doctor visits, and interviewing. This grant will support one full-time and one part-time Instructor position who will develop course curriculum and teach courses at library locations.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 28, 2016, City Council authorized the acceptance of the FY 2017 TSLAC-Special Projects Grant by Resolution No. 16-1571.

Information about this item will be provided to the Quality of Life, Arts & Culture Committee on September 25, 2017.

FISCAL INFORMATION

Texas State Library and Archives Commission Grant Funds - $75,000

September 27, 2017

WHEREAS, the Texas State Library has awarded the City of Dallas, Dallas Public Library, funds to enhance community engagement and child literacy efforts, including the Special Projects Grant to support staff salaries for the Library's Applied ESL classes; and

WHEREAS, the Applied ESL classes will focus on subjects applicable to the community and workplace such as customer service, school enrollment, doctor visits, and interviewing; and

WHEREAS, on September 28, 2016, City Council authorized the acceptance of the FY 2017 TSLAC-Special Projects Grant by Resolution No. 16-1571; and

WHEREAS, it is recommended that the City Manager be authorized to accept this grant fund, in an amount not to exceed $75,000.

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 Institute of Museum and Library Service through the Texas State Library and Archives Commission for the FY 2018 Special Projects Grant Program (Grant No. 478-18006 /Federal ID No. LS-00-17-0044-17,CFDA No. 45.310) in the amount of $75,000 for the period September 1, 2017 through August 31, 2018; and sign the grant agreement and other documents required by the grant, 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 $75,000 in the FY 2018 TSLAC-Special Projects Grant-ESL 17-18 Fund, Fund F532, Department LIB, Unit 3329, various object codes, according to the attached Schedule.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $75,000 into the FY 2018 TSLAC-Special Projects Grant-ESL 17-18 Fund, Fund F532, Department LIB, Unit 3329, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $75,000 from the FY 2018 TSLAC-Special Projects Grant-ESL 17-18 Fund, Fund F532, Department LIB, Unit 3329, various object codes, according to the attached Schedule.

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 receipt of the report.

SECTION 7. That this contract is designated as Contract No. LIB-2017-00003796.

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.

Schedule
FY 2018 Special Projects Grant
Fund F532, Department LIB, Unit 3329

Object Code	Description	Amount
1101	Salary	52,065
1301	Pension	7,497
1303	Life Insurance	36
1304	Health Insurance	9,920
1306	FICA	755
1309	Wellness	41
3851	Pension Bond Debt Service	4,686
	Total	**75,000**

AGENDA ITEM # 22

STRATEGIC PRIORITY:	Economic Vibrancy
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	3, 4, 5, 7, 8, 9, 12, 14
DEPARTMENT:	Mobility and Street Services
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	17V 36B 38U 54U 59K 62R 66P

SUBJECT

Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the U.S. Department of Transportation Federal Highway Administration for the Highway Safety Improvement Program (HSIP) (Grant No. CSJ 0918-46-291, etc., CFDA No. 20.205) to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following seven off-system locations: Frankford Road and Marsh Lane, Cockrell Hill Road and Red Bird Lane, Ferguson Road and Peavy Road, Greenville Avenue and Lovers Lane, Illinois Avenue and Marsalis Avenue, Lake June Road and Prairie Creek Road, and Simpson Stuart Road and Bonnie View Road; **(2)** the establishment of appropriations in an amount not to exceed $145,693 in the TxDOT Signal and Seven Intersection Improvement-Frankford, various-HSIP Project Fund; and **(3)** the receipt and deposit of funds in an amount not to exceed $145,693 in the TxDOT Signal and Seven Intersection Improvement-Frankford, various-HSIP Project Fund - Not to exceed $145,693 - Financing: Texas Department of Transportation Grant Funds

BACKGROUND

The City of Dallas was awarded grant funding totaling $6.17 million from the 2015 Highway Safety Improvement Program administered by the Texas Department of Transportation (TxDOT) to upgrade several traffic signals at high-accident intersections in the City of Dallas.

TxDOT will begin construction at seven off-system intersections: Frankford Road and Marsh Lane (CSJ 0918-46-291), (Cockrell Hill Road and Red Bird Lane (CSJ 0918-47-153), Ferguson Road and Peavy Road (CSJ 0918-47-155), Greenville Avenue and Lovers Lane (CSJ 0918-47-157), Illinois Avenue and Marsalis Avenue (CSJ 0918-47-160), Lake June Road and Prairie Creek Road (CSJ 0918-47-161), Simpson Stuart Road and Bonnie View Road (CSJ 0918-47-164). The intersection improvements at the seven off-system intersections will include upgrades to pedestrian features, signage, pavement markings and reconstruction of traffic signals.

BACKGROUND (continued)

To remain consistent with other equipment in the city-wide system, the City of Dallas will provide labor and material for installation of traffic signal controllers, controller cabinets, traffic signs and other traffic control equipment for the project. TxDOT has agreed to reimburse the City for 100 percent of the above costs which includes labor and materials.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2016
Completed Design	July 2017
Begin Construction	October 2017
Complete Construction	December 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on September 25, 2017.

FISCAL INFORMATION

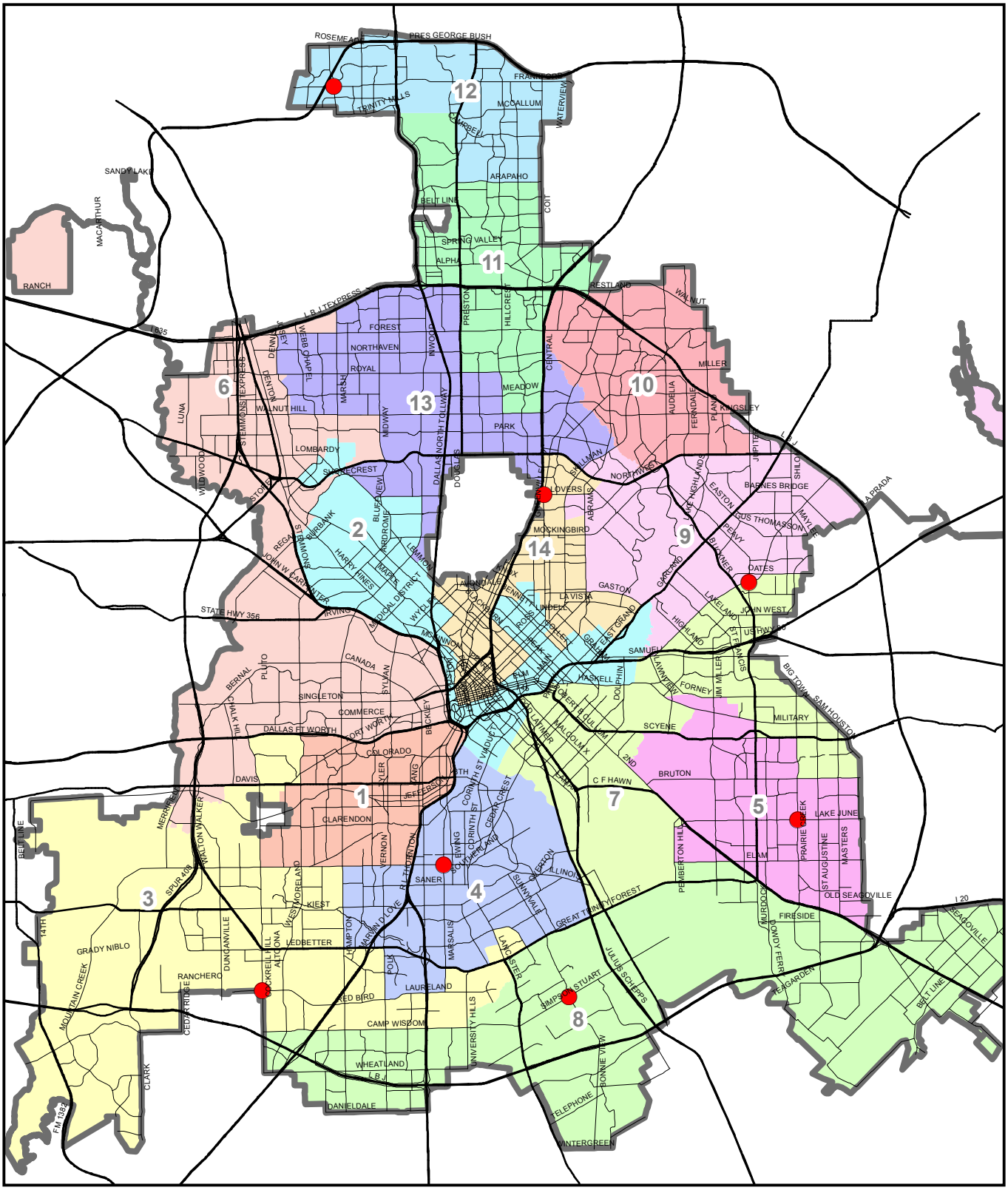
Texas Department of Transportation Grant Funds - $145,692.05

Council District	Amount
3	$ 20,813.15
4	$ 20,813.15
5	$ 20,813.15
7	$ 10,406.58
8	$ 20,813.15
9	$ 10,406.57
12	$ 20,813.15
14	$ 20,813.15
Total	$145,692.05

MAP

Attached

HSIP 2015 Submittal
with Seven Intersections (CSJ 0918-46-291,etc)


12
11
13
6
10
2
14
9
1
7
5
3
4
8
ROSEMEAD
PRES GEORGE BUSH
TRINITY HILLS
MCCALLUM
ARAPAHO
BELT LINE
SPRING VALLEY
ALPHA
RESTLAND
WALNUT
MILLER
FOREST
NORTHAVEN
ROYAL
MEADOW
PARK
WALNUT HILL
LOMBARDY
SHADYCREST
MOCKINGBIRD
LOVERS
NORTHWEST
BARNES BRIDGE
DATES
GASTON
LA VISTA
JOHN WEST
SAMUELL
HASKELL
FORNEY
SCYENE
MILITARY
BRUTON
C F HAWN
CANADA
SINGLETON
COMMERCE
DALLAS FT WORTH
COLORADO
DAVIS
CLARENDON
SANER
ELAM
LAKE JUNE
OLD SEAGOVILLE
FIRESIDE
KIEST
LEDBETTER
RANCHERO
LAURELAND
RED BIRD
CAMP WISDOM
WHEATLAND
DANIELDALE
TELEPHONE
WINTERGREEN
GRADY NIBLO
SPUR 408
STATE HWY 356
IRVING
DALLAS FT WORTH
BIG TOWN
SAM HOUSTON
I-635
I-20
I-30
I-45
I-35E
I-35W
LBJ
RANCH
SANDY LAKE
MACARTHUR
LUNA
WILDWOOD
DENTON
MARSH
MIDWAY
INWOOD
PRESTON
HILLCREST
CENTRAL
AUDELIA
FERNDALE
PLANO
KINGSLEY
JUPITER
SHILOH
LA PRADA
EASTON
ABRAMS
GREENVILLE
GARLAND
BAKER
JIM MILLER
LANGLAND
HIGHLAND
ST FRANCIS
BERNAL
PLUTO
CHALK HILL
SYLVAN
BECKLEY
HOUSTON SCHOOL
MALCOLM X
2ND
EAST GRAND
GRIGGS
MOORE
MOUNT AUBURN
LAMAR
ROBERT B CULLUM
CORINTH ST VIADUCT
CORINTH ST
CEDAR CREST
SUNNYVALE
GLENFIELD
ILLINOIS
GREAT TRINITY FOREST
PEMBERTON HILL
MURDOCK
PRAIRIE CREEK
ST AUGUSTINE
MASTERS
JULIUS SCHEPPS
LANCASTER
MARSALIS
RL THORNTON
VERNON
JEFFERSON
BECKLEY
HAMPTON
MARVIN D LOVE
POLK
WESTMORELAND
DUNCANVILLE
ALTONA
COCKRELL HILL
CEDAR RIDGE
MOUNTAIN CREEK
CLARK
FM 1382
BELT LINE
14TH
MERRIFIELD
WINTON WALKER
UNIVERSITY HILLS
BONNIE VIEW
SIMPSON STUART
FAIRMONT
HOUSTON
STEMMONS
STEMMONS EXPRESS
L B J EXPRESS
DALLAS NORTH TOLLWAY
DOUGLAS
WYCLIFF
BLUEBIRD
HARRY HINES
MARSH
LEMMON
REGAL ROW
RIVERBANK
JOHN W CARPENTER
WYCLIFF
MAPLE
KNOX
LEMMON
ROSS
MCKINNON
ST PAUL
PEARL
AKARD
ERVAY
LAMAR
CROWDUS
GRIGGS
EAST GRAND
SAMUELL
HASKELL
DOLPHIN
FORNEY
JIM MILLER
LANGLAND
HIGHLAND
ST FRANCIS
BIG TOWN
SAM HOUSTON
MILITARY
SCYENE
BRUTON
C F HAWN
2ND
MALCOLM X
ROBERT B CULLUM
LAMAR
CROWDUS
PEARL
AKARD
ERVAY
ST PAUL
MCKINNON
MOORE

September 27, 2017

WHEREAS, the Texas Department of Transportation (TxDOT) will provide reimbursement to the City of Dallas for material and labor costs incurred for improvements at seven intersections, including upgrades to the traffic signals, specifically at: Frankford Road and Marsh Lane, Cockrell Hill Road and Red Bird Lane, Ferguson Road and Peavy Road, Greenville Avenue and Lovers Lane, Illinois Avenue and Marsalis Avenue, Lake June Road and Prairie Creek Road, and Simpson Stuart Road and Bonnie View Road; and

WHEREAS, TxDOT will reimburse 100 percent of labor and material costs, in an amount not to exceed $145,692.05; and

WHEREAS, the City of Dallas desires to enter into an Interlocal Agreement with TxDOT to receive cost reimbursement for material and labor costs incurred for traffic signal improvements under the Highway Safety Improvement Program (HSIP).

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign an Interlocal Agreement with the Texas Department of Transportation through a grant from the U.S. Department of Transportation Federal Highway Administration (CFDA 20.205), approved as to form by the City Attorney, for improvements at seven intersections, including upgrades to the traffic signals, Agreement Nos. CSJ 0918-46-291 (Frankford Road and Marsh Lane), CSJ 0918-47-153 (Cockrell Hill Road and Red Bird Lane), CSJ 0918-47-155 (Ferguson Road and Peavy Road), CSJ 0918-47-157 (Greenville Avenue and Lovers Lane), CSJ 0918-47-160 (Illinois Avenue and Marsalis Avenue), CSJ 0918-47-161 (Lake June Road and Prairie Creek Road), CSJ 0918-47-164 (Simpson Stuart Road and Bonnie View Road). The agreement remains effective as long as the project is incomplete or unless otherwise terminated or modified.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $145,692.05 in the TxDOT Signal and Seven Intersection Improvement-Frankford, various-HSIP Project Fund, Fund F8FZ, Department STS, Unit 88FZ, Activity THRG, Object 4820, Major Program STSMJR, Program TPF8FZ17.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit all reimbursements from TxDOT in an amount not to exceed $145,692.05, in the TxDOT Signal and Seven Intersection Improvement-Frankford, various-HSIP Project Fund, Fund F8FZ, Department STS, Unit 88FZ, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $145,692.05 from the TxDOT Signal and Seven Intersection Improvement-Frankford, various-HSIP Project Fund, Fund F8FZ, Department STS, Unit 88FZ, Activity THRG, Object 4820, Major Program STSMJR, Program TPF8FZ17.

SECTION 5. That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of any 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 receipt of the report.

SECTION 7. That this contract is designated as Contract No. STS-2017-00003666.

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 ITEM # 23

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	2
DEPARTMENT:	Mobility and Street Services
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	45T

SUBJECT

Authorize an increase to the construction services contract with Texas Standard Construction, Ltd. for street and pedestrian lighting upgrades, traffic signal detection upgrades, and additional asphalt paving for Cadiz Street from Riverfront Boulevard to South Lamar Street - Not to exceed $149,000, from $5,001,480 to $5,150,480 - Financing: 2006 Bond Funds

BACKGROUND

On June 11, 2008, City Council authorized a professional services contract with GSWW, Inc. (now a division of Burgess & Niple, Inc.) for the engineering design of a thoroughfare project for Cadiz Street from South Industrial Boulevard to the railroad underpass by Resolution No. 08-1696.

On December 11, 2013, City Council authorized a construction services contract with Texas Standard Construction, Ltd., for the construction of street paving, storm drainage, traffic signal, landscape, water and wastewater main improvements for Cadiz Street from Riverfront Boulevard to South Lamar Street, in an amount not to exceed $4,892,134.50, by Resolution No. 13-2075.

This action will authorize Change Order No. 5 to the construction services contract with Texas Standard Construction, Ltd. for street and pedestrian lighting upgrades, traffic signal detection upgrades, and additional asphalt paving, in the amount not to exceed $149,000.00, increasing the contract amount from $5,001,480.02 to $5,150,480.02.

The street and pedestrian lighting upgrades entail replacing the existing metal halide lights with light-emitting diode (LED) luminaries in order to meet the City's new illumination standards. The new LED lights will increase the electrical efficiency and life span of the fixtures. The traffic signal detection upgrades entail providing radar detection in lieu of loop detectors in the pavement.

BACKGROUND (continued)

The new radar detection is being installed at the following three signalized intersections: Cadiz Street at Lamar Street, Cadiz Street at Hotel Street, and Cadiz Street at Riverfront Boulevard. The additional asphalt paving being provided with this change order is needed to provide a temporary roadway transition between the Cadiz Street new concrete paving and the existing bridge on Cadiz Street over the Able Sump. The bridge is planned to be replaced with construction estimated to start mid 2018. However, until the bridge is replaced, temporary asphalt paving is needed to provide for the additional street width needed, as well as to ensure a smooth vertical transition from the new paving to the existing bridge roadway surface.

ESTIMATED SCHEDULE OF PROJECT

Began Design	July 2008
Completed Design	June 2012
Began Construction	February 2014
Complete Construction	October 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 11, 2008, City Council authorized a professional services contract with GSWW, Inc. (now a division of Burgess & Niple, Inc.) for the engineering design of a thoroughfare project for Cadiz Street from South Industrial Boulevard to the railroad underpass by Resolution No. 08-1696.

On June 9, 2010, City Council authorized Supplemental Agreement No. 3 to the professional services contract with Burgess & Niple, Inc. for a structural study, additional survey, and the engineering design of streetscape and traffic signal improvements in order to extend the project limit on Cadiz Street from Riverfront Boulevard to Hotel Street in a northerly direction to South Lamar Street by Resolution No. 10-1490.

On October 10, 2011, City Council authorized Supplemental Agreement No. 4 to the professional services contract with Burgess & Niple, Inc. for the engineering design of subsurface utilities to accommodate a new bridge over the Able Sump, traffic signal improvements, and lighting to improve pedestrian safety for Cadiz Street from Riverfront Boulevard to South Lamar Street by Resolution No. 11-2742.

On March 28, 2012, City Council authorized Supplemental Agreement No. 5 to the professional services contract with Burgess & Niple, Inc. for additional engineering design of street paving, streetscape, surveying, water and wastewater improvements for South Austin Street and Cadiz Street Connector from Austin Street Bridge to South Lamar Street by Resolution No. 12-0933.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On December 11, 2013, City Council authorized a construction services contract with Texas Standard Construction, Ltd., lowest responsible bidder of five, for the construction of street paving, storm drainage, traffic signal, landscape, water and wastewater main improvements for Cadiz Street from Riverfront Boulevard to South Lamar Street by Resolution No. 13-2075.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on September 25, 2017.

FISCAL INFORMATION

2006 Bond Funds - $149,000.00

Design Contract - PBW	$ 184,147.20
Design Contract - DWU	$ 48,393.00
Supplemental Agreement No. 1	$ 5,900.00
Supplemental Agreement No. 2	$ 22,500.00
Supplemental Agreement No. 3	$ 97,373.00
Supplemental Agreement No. 4	$ 39,090.80
Supplemental Agreement No. 5	$ 45,196.00
Construction	
Paving & Drainage - PBW	$3,624,033.50
Water & Wastewater - DWU	$1,268,101.00
Change Order No. 1	$ 49,471.00
Change Order No. 2	$ 0.00
Change Order No. 3	$ 9,955.25
Change Order No. 4	$ 49,919.27
Change Order No. 5 (this action)	$ 149,000.00
Total	$5,593,080.02

M/WBE INFORMATION

See attached.

OWNER

Texas Standard Construction, Ltd.

Ronald H. Dalton, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase to the construction services contract with Texas Standard Construction, Ltd. for street and pedestrian lighting upgrades, traffic signal detection upgrades, and additional asphalt paving for Cadiz Street from Riverfront Boulevard to South Lamar Street - Not to exceed $149,000, from $5,001,480 to $5,150,480 - Financing: 2006 Bond Funds

Texas Standard Construction, Ltd. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$149,000.00	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$149,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Kenyatta Sand and Gravel	BMDB68075Y0818	$38,740.00	26.00%
Total Minority - Local		$38,740.00	26.00%

Non-Local Contractors / Sub-Contractors

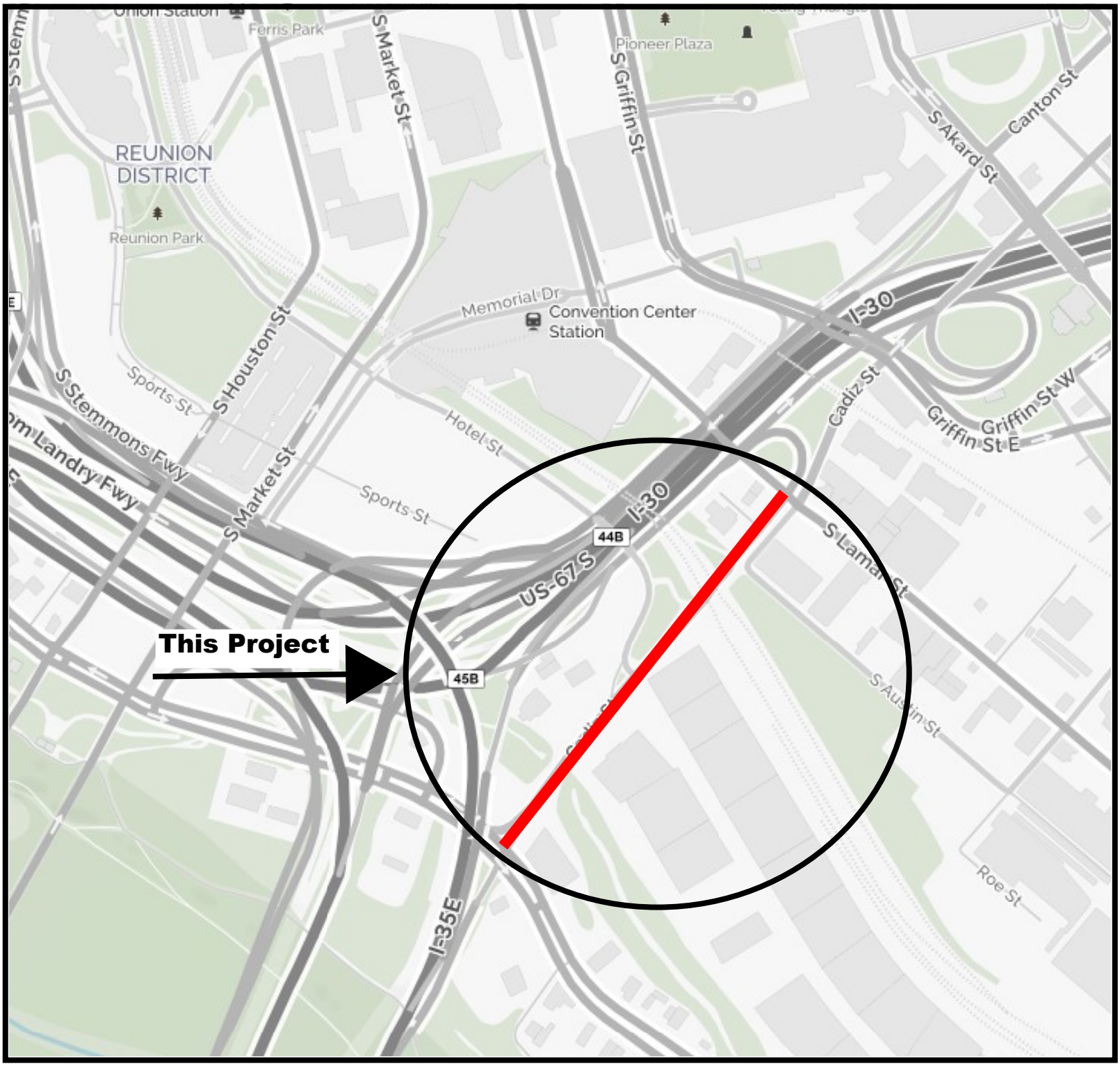
None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$38,740.00	26.00%	$1,312,968.21	25.49%
Hispanic American	$0.00	0.00%	$41,116.21	0.80%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$38,740.00	26.00%	$1,354,084.42	26.29%

STREET RECONSTRUCTION

Cadiz Street from Riverfront Boulevard to South Lamar Street



Mapsco 45T

September 27, 2017

WHEREAS, on June 11, 2008, City Council authorized a professional services contract with GSWW, Inc. (now a division of Burgess & Niple, Inc.), for the engineering design of a thoroughfare project for Cadiz Street from South Industrial Boulevard to railroad underpass, in an amount not to exceed $232,540.20, by Resolution No. 08-1696; and

WHEREAS, on February 4, 2009, Administrative Action No. 09-0382 authorized Supplemental Agreement No. 1 to the professional services contract with Burgess & Niple, Inc., to modify the name of the consultant GSWW, Inc., which was acquired by Burgess & Niple, Inc. and increased the scope of the contract to provide a connectivity study for Cadiz Street from the railroad underpass to South Lamar Street, in an amount not to exceed $5,900.00, from $232,540.20 to $238,440.20; and

WHEREAS, on February 25, 2010, Administrative Action No. 10-0811 authorized Supplemental Agreement No. 2 to the professional services contract with Burgess & Niple, Inc., to provide subsurface utility investigation and change the project limit name, South Industrial Boulevard to Riverfront Boulevard, which was authorized by City Ordinance No. 27406 on November 10, 2008, by Resolution No. 08-3111, in an amount not to exceed $22,500.00, from $238,440.20 to $260,940.20; and

WHEREAS, on June 9, 2010, City Council authorized Supplemental Agreement No. 3 to the professional services contract with Burgess & Niple, Inc., for a structural study, additional survey, and the engineering design of streetscape and traffic signal improvements in order to extend the project limit on Cadiz Street from Riverfront Boulevard to Hotel Street in a northerly direction to South Lamar Street, in an amount not to exceed $97,373.00, from $260,940.20 to $358,313.20, by Resolution No. 10-1490; and

WHEREAS, on October 10, 2011, City Council authorized Supplemental Agreement No. 4 to the professional services contract with Burgess & Niple, Inc. for the engineering design of subsurface utilities to accommodate a new bridge over the Able Sump, traffic signal improvements, and lighting to improve pedestrian safety for Cadiz Street from Riverfront Boulevard to South Lamar Street, in an amount not to exceed $39,090.80, from $358,313.20 to $397,404.00, by Resolution No. 11-2742; and

WHEREAS, on March 28, 2012, City Council authorized Supplemental Agreement No. 5 to the professional services contract with Burgess & Niple, Inc., for additional engineering design of street paving, streetscape, surveying, water and wastewater improvements for South Austin Street and Cadiz Street Connector from Austin Street Bridge to South Lamar Street, in an amount not to exceed $45,196.00, increasing the contract amount from $397,404.00 to $442,600.00, by Resolution No. 12-0933; and

WHEREAS, on October 3, 2013, bids were received for the construction of street paving, storm drainage, traffic signal, landscape, water and wastewater main improvements for Cadiz Street from Riverfront Boulevard to South Lamar Street; and

WHEREAS, on December 11, 2013, City Council authorized a construction services contract with Texas Standard Construction, Ltd., lowest responsible bidder of five, for the construction of street paving, storm drainage, traffic signal, landscape, water and wastewater main improvements for Cadiz Street from Riverfront Boulevard to South Lamar Street, in an amount not to exceed $4,892,134.50, by Resolution No. 13-2075; and

WHEREAS, on March 24, 2015, Administrative Action No. 15-0569 authorized Change Order No. 1 to the construction services contract with Texas Standard Construction, Ltd. for street paving, storm drainage, traffic signal, landscape and water and wastewater main improvements for Cadiz Street from Riverfront Boulevard to South Lamar Street, in an amount not to exceed $49,471.00, from $4,892,134.50 to $4,941,605.50; and

WHEREAS, on March 17, 2016, Administrative Action No. 16-0239 authorized Change Order No. 2 to the construction services contract with Texas Standard Construction, Ltd. to add additional construction items related to street paving for Cadiz Street from Riverfront Boulevard to South Lamar Street, a zero dollar amount change order, not increasing the contract amount of $4,941,605.50; and

WHEREAS, on September 20, 2016, Administrative Action No. 16-0927 authorized Change Order No. 3 to the construction services contract with Texas Standard Construction, Ltd. for an additional construction item related to street paving for Cadiz Street from Riverfront Boulevard to South Lamar Street, in an amount not to exceed $9,955.25, from $4,941,605.50 to $4,951,560.75; and

WHEREAS, on October 27, 2016, Administrative Action No. 16-0942 authorized Change Order No. 4 to the construction services contract with Texas Standard Construction, Ltd. to increase the quantities of concrete walks, pavement, retaining walls, curbs, traffic signals and lighting for Cadiz Street from Riverfront Boulevard to South Lamar Street, in an amount not to exceed $49,919.27, from $4,951,560.75 to $5,001,480.02; and

WHEREAS, it is now necessary to authorize Change Order No. 5 to the construction services contract with Texas Standard Construction, Ltd. for street and pedestrian lighting upgrades, traffic signal detection upgrades, and additional asphalt paving for Cadiz Street from Riverfront Boulevard to South Lamar Street, in an amount not to exceed $149,000.00, increasing the contract amount from $5,001,480.02, to $5,150,480.02.

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. 5) is authorized for street and pedestrian lighting upgrades, traffic signal detection upgrades, and additional asphalt paving for Cadiz Street from Riverfront Boulevard to South Lamar Street, in an amount not to exceed $149,000.00, increasing the contract from $5,001,480.02 to $5,150,480.02.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $149,000.00 to Texas Standard Construction, Ltd., as follows:

Street and Transportation Improvements Fund Fund 7T22, Department STS, Unit U778, Activity THRF Object 4510, Program PB06U778 Encumbrance CT PBW06U778C1, Vendor 508379	$118,875.80
Street and Transportation Improvements Fund Fund 8T22, Department STS, Unit U778, Activity THRF Object 4510, Program PB06U778 Encumbrance CT PBW06U778C1, Vendor 508379	$ 30,124.20
Total amount not to exceed	$149,000.00

SECTION 3. That this contract is designated as Contract No. PBW-2016-00000459.

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 ITEMS # 24,25

STRATEGIC PRIORITY:	Economic Vibrancy
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	1
DEPARTMENT:	Mobility and Street Services Office of Economic Development
CMO:	Majed Al-Ghafry, 670-3302 Raquel Favela, 670-3309
MAPSCO:	43 Z

SUBJECT

Collective Sustainable Development Infrastructure Project

* Authorize an amendment to Resolution No. 12-2360, previously approved on September 26, 2012, for the Collective Sustainable Development Infrastructure Project to **(1)** delete the reimbursements to The Park at Kessler, LP; **(2)** correct the funding source to receive and deposit funds from the Texas Department of Transportation; **(3)** authorize the Fort Worth Avenue Tax Increment Financing (TIF) Board of Directors to dedicate up to $496,563 in the Fort Worth Avenue TIF District Funds as the required local matching funds for the North Central Texas Council of Governments Sustainable Development Program associated with the Collective Sustainable Development Infrastructure Project in the Fort Worth Avenue TIF District; and **(4)** increase appropriations in an amount not to exceed $496,563 in the Fort Worth Avenue TIF District Fund - Not to exceed $496,563 - Financing: Fort Worth Avenue TIF District Funds
* Authorize an amendment to Resolution No. 12-2361, previously approved on September 26, 2012, to rescind the execution of the development agreement with The Park at Kessler, LP for the Collective Sustainable Development Infrastructure Project and associated reimbursement of project costs - Financing: No cost consideration to the City

BACKGROUND

The Collective Sustainable Development Infrastructure Project was submitted by the City of Dallas to the North Central Texas Council of Governments' (NCTCOG) third Sustainable Development Program Call for Projects in 2009 and subsequently selected for funding. The program requires a local match of 20 percent of the total project cost that was to be provided by the developer, The Park at Kessler, LP. However, The Park at Kessler, LP is no longer the owner of the development site located south of Fort Worth Avenue between Colorado Boulevard and Bahama Drive. The development site is now owned by the Lincoln Property Company.

Additionally, the Fort Worth Avenue Tax Increment Financing (TIF) District is now proposed to provide the required local matching funds for the Collective Sustainable Development Infrastructure Project. Thus, the development agreement with The Park at Kessler, LP, previously authorized by City Council, is no longer applicable.

This action will authorize an amendment to Resolution No. 12-2361, previously approved on September 26, 2012, to rescind the execution of the development agreement with The Park at Kessler, LP, and the associated cost reimbursements for the Collective Sustainable Development Infrastructure project. This action will also amend Resolution No. 12-2360, previously approved on September 26, 2012, to delete any reimbursements to The Park at Kessler, LP, and to receive and deposit funds from the Texas Department of Transportation, instead of NCTCOG.

The Collective Sustainable Development Project is being implemented in two phases in order to accommodate planned mixed-use development in the area. Phase 1 entails sidewalks and pedestrian lighting improvements along Fort Worth Avenue between Colorado Boulevard and Bahama Drive. Phase 2 improvements include intersection improvements along Fort Worth Avenue (between Colorado Boulevard and Bahama Drive), bicycle lanes along Colorado Boulevard and Fort Worth Avenue, sidewalk improvements along Bahama Drive, and a trail extension along Plymouth Road for the Coombs Creek Trail.

The Collective Sustainable Development Infrastructure Project cost estimate is $2,482,813, which is to be funded 80 percent by the Texas Department of Transportation Regional Toll Revenue Fund ($1,986,250) and 20 percent by the City of Dallas Fort Worth Avenue TIF Fund ($496,563).

ESTIMATED SCHEDULE OF PROJECT

Phase 1 of the Collective Sustainable Development Infrastructure Project

Began Design	March 2017
Completed Design	May 2017
Began Construction	June 2017
Completed Construction	August 2017

ESTIMATED SCHEDULE OF PROJECT (continued)

Phase 2 of the Collective Sustainable Development Infrastructure Project

Begin Design	January 2018
Complete Design	June 2018
Begin Construction	October 2018
Complete Construction	July 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 13, 2009, the Transportation and Environment Committee was briefed on the Regional Transportation Council Sustainable Development Program Call for Projects for 2009-2010.

On September 15, 2009, the Transportation and Environment Committee was briefed on and endorsed the recommended project list.

The Transportation and Environment Committee was briefed by memorandum regarding the resolution of support for the selected projects on August 10, 2010.

On August 25, 2010, City Council authorized support for projects selected within the City of Dallas for the Regional Transportation Council Sustainable Development Program and authorized the City Manager to negotiate agreements with the North Central Texas Council of Governments and private sector partners, where applicable by Resolution No. 10-2152.

On September 17, 2012, the Economic Development Committee was briefed by memorandum to consider agreements with the North Central Texas Council of Governments, the State of Texas, and The Park at Kessler, LP for the Collective Sustainable Development Infrastructure Project.

On September 26, 2012, City Council authorized an agreement with the North Central Texas Council of Governments and the State of Texas to obtain funding to reimburse a private developer for the costs of construction for the Collective Sustainable Development Infrastructure Project by Resolution No. 12-2360.

On September 26, 2012, City Council authorized a Development Agreement with The Park at Kessler, LP for the cost of construction of the Collective Sustainable Development Infrastructure Project by Resolution No. 12-2361.

On December 12, 2016, the Fort Worth Avenue TIF Board of Directors approved District-wide TIF funding request of up to $496,562 as local match for the Collective Sustainable Development Infrastructure Project in the Fort Worth Avenue TIF District in partnership with North Central Texas Council of Governments (NCTCOG) Regional Transportation Council (RTC) for its Sustainable Development Program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed regarding this matter on September 25, 2017.

FISCAL INFORMATION

Fort Worth Avenue TIF District Funds - $496,563

Estimated Project Cost:

Phase 1 of the Collective Sustainable Development Infrastructure Project

Design (administered and paid by developer)	$ 45,500
Construction	$ 351,712
Subtotal	$ 397,212

Phase 2 of the Collective Sustainable Development Infrastructure Project

Design	$ 208,282
Construction	$1,922,819
Subtotal	$2,131,101

Estimated total project cost for Phase 1 and Phase 2	$2,528,313

Project Share Cost

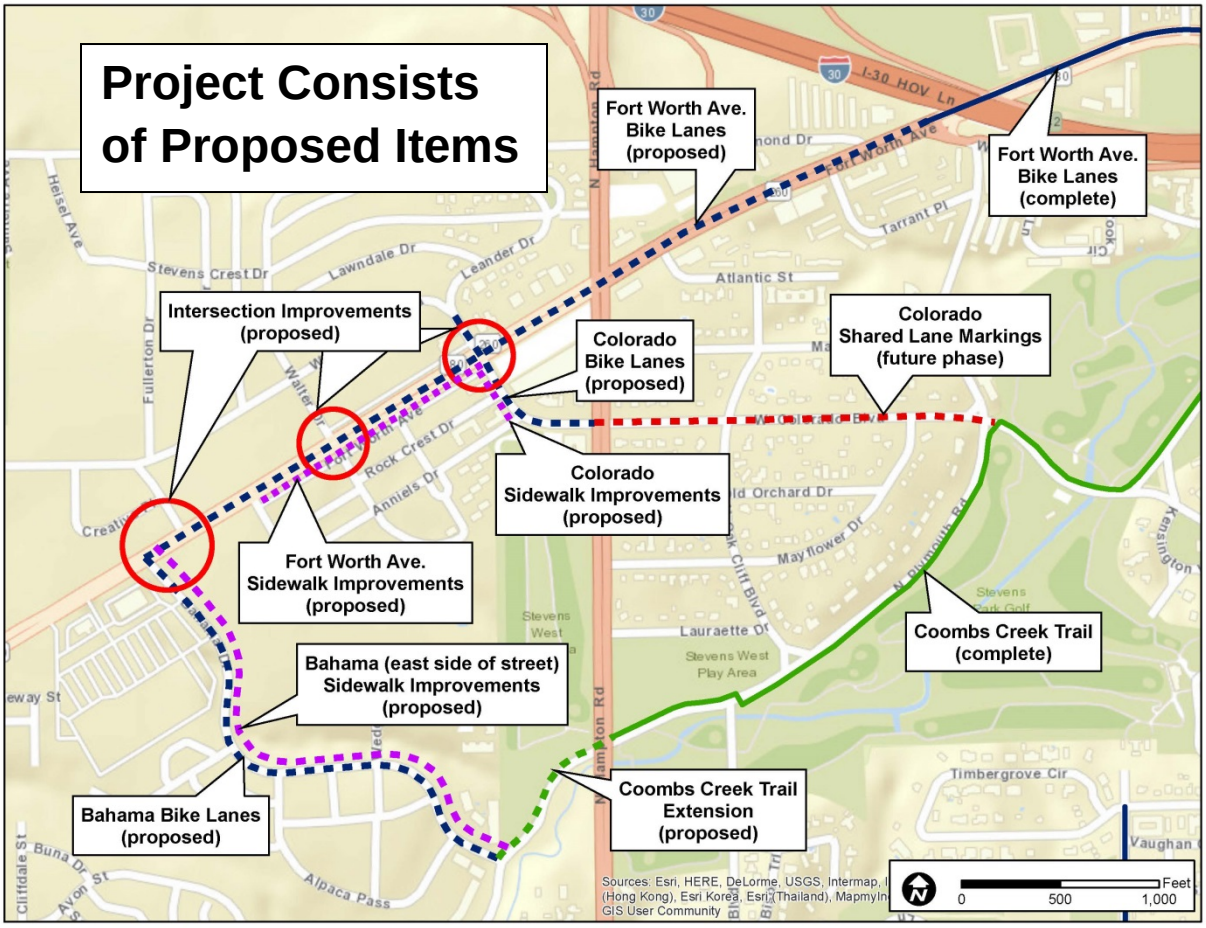
NCTCOG/TxDOT's share of cost	$1,986,250
City's share of cost (Fort Worth Avenue TIF Fund)	$ 496,563 (this action)
Private Fund for Design (will not be reimbursed by TxDOT)	$ 45,500
Total	$2,528,313

MAP

Attached

The Collective Sustainable Development Infrastructure Project

(Council District: 1)



MAPSCO 43Z

WHEREAS, the Regional Transportation Council (RTC) is the regional transportation policy board of the North Central Texas Council of Governments (NCTCOG), and is a regional forum for cooperative decisions on transportation; and

WHEREAS, pursuant to Chapter 228 of the Texas Transportation Code, the State of Texas provided surplus revenue from a SH 121 toll project to RTC for its Sustainable Development Program; and

WHEREAS, the RTC approved $41 million for the 2009-2010 Sustainable Development Program Call for Projects; and

WHEREAS, the City of Dallas issued a request for proposals to private developers and other organizations to solicit projects to submit to the RTC's Sustainable Development Call for Projects; and

WHEREAS, the City of Dallas submitted sixteen infrastructure projects, including the Collective Infrastructure Project, and seven planning projects to the RTC's Sustainable Development Call for Projects; and

WHEREAS, on June 3, 2010, the RTC approved $13,779,712 in Regional Toll Revenue (RTR) or Regional Transportation Council (RTC) local funds for nine infrastructure and three planning projects in the city of Dallas; and

WHEREAS, on February 24, 2011, the Texas Transportation Commission concurred with RTC's selection of projects for the Collective Sustainable Development Infrastructure project and its funding of $1,986,250; and

WHEREAS, the Sustainable Development Program requires a minimum local match of 20 percent of the total project cost of $2,482,813, or $496,563, which was to be provided by The Park at Kessler, LP; and

WHEREAS, on August 25, 2010, City Council authorized support for the Collective Sustainable Development Infrastructure Project and authorized the City Manager to negotiate agreements with NCTCOG and private sector partners by Resolution No. 10-2152; and

WHEREAS, on September 26, 2012, City Council authorized an agreement with NCTCOG and TxDOT to obtain funding to reimburse The Park at Kessler, LP, for the cost of construction of the Collective Sustainable Development Infrastructure Project in the amount of $1,986,250 from NCTCOG by Resolution No. 12-2360; and

September 27, 2017

WHEREAS, on September 26, 2012, City Council authorized a developer agreement with The Park at Kessler, LP, for reimbursement of construction costs for the Collective Sustainable Development Infrastructure Project by Resolution No. 12-2361; and

WHEREAS, the development project with the developer, The Park at Kessler, LP, that was contemplated in the original funding application did not go forward in part due to the past economic recession, and subsequently, the development site was purchased by the Lincoln Property Company while the Fort Worth Avenue Tax Increment Finance (TIF) District is now proposed to provide the required local matching funds for the Collective Sustainable Development Project as required by the funding agreement with TxDOT; and

WHEREAS, on December 12, 2016, the Fort Worth Avenue TIF Board of Directors approved District-wide TIF funding request of up to $496,562 as the required local matching funds for the Collective Sustainable Development Infrastructure project in the Fort Worth Avenue TIF District in partnership with North Central Texas Council of Governments Regional Transportation Council (RTC) for its Sustainable Development (SD) Program; and

WHEREAS, it is now necessary to amend Resolution No. 12-2360, previously approved on September 26, 2012, for the Collective Sustainable Development Infrastructure Project to **(1)** delete the reimbursements to The Park at Kessler, LP; **(2)** correct the funding source to receive and deposit funds from the Texas Department of Transportation; **(3)** authorize the Fort Worth Avenue Tax Increment Financing (TIF) District Board of Directors to dedicate up to $496,563 in the Fort Worth Avenue TIF District Funds as the required local matching funds for the North Central Texas Council of Government's Sustainable Development Program associated with the Collective Sustainable Development Infrastructure Project in the Fort Worth Avenue TIF District; and **(4)** increase appropriations in an amount not to exceed $496,563 in the Fort Worth Avenue TIF District Fund.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to amend Resolution No. 12-2360, previously approved by on September 26, 2012, for the Collective Sustainable Development Project to **(1)** delete the reimbursements to The Park at Kessler, LP; and **(2)** correct the funding source to receive and deposit funds from the Texas Department of Transportation, approved as to form by the City Attorney, as follows:

Section 1. That the City Manager, upon approval as to form by the City Attorney's Office, is hereby authorized to execute an agreement with NCTCOG and the State of Texas to obtain funding ~~to reimburse a private developer, The Park at Kessler, LP,~~ for the costs of design and construction of the Collective Sustainable Development Infrastructure Project in an amount not to exceed $1,986,250.

Section 2. That the ~~City Controller~~ Chief Financial Officer is hereby authorized to receive and deposit funds from the ~~North Central Texas Council of Governments~~ Texas Department of Transportation in Fund S251, Department ECO, Unit P738, Activity ECSD, Revenue Source 6516, in an amount not to exceed $1,986,250.

SECTION 2. That the Fort Worth Avenue TIF District Board of Directors are hereby authorized to dedicate up to $496,563 in the Fort Worth Avenue Tax TIF fund as required local matching funds for the North Central Texas Council of Governments Sustainable Development Grant Program associated with the Collective Sustainable Development Infrastructure Project to support the development in the Fort Worth Avenue TIF District.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in the Fort Worth Avenue TIF Fund 0058 for the local 20 percent match in accordance with the agreement, in Fund 0058, Department ECO, Unit W180, Object 3016, in an amount not to exceed $496,563.

SECTION 4. That the Chief Financial Officer is hereby authorized to encumber and disburse funds in an amount not to exceed $496,563 in accordance with the terms of the local match requirements of the grant and as approved by TxDOT from the Fort Worth Avenue TIF Fund, Fund 0058, Department ECO, Unit W180, Object 3016.

SECTION 5. That this contract is designated as Contract No. STS-2017-00003114.

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.

WHEREAS, the Regional Transportation Council (RTC) is the regional transportation policy board of the North Central Texas Council of Governments (NCTCOG), and is a regional forum for cooperative decisions on transportation; and

WHEREAS, pursuant to Chapter 228 of the Texas Transportation Code, the State of Texas provided surplus revenue from a SH 121 toll project to RTC for its Sustainable Development Program; and

WHEREAS, the RTC approved $41 million for the 2009-2010 Sustainable Development Program Call for Projects; and

WHEREAS, on April 13, 2009, the Transportation and Environment Committee was briefed on the Regional Transportation Council Sustainable Development Program Call for Projects for 2009-2010; and

WHEREAS, the City of Dallas issued a request for proposals to private developers and other organizations to solicit projects to submit to the RTC's Sustainable Development Call for Projects; and

WHEREAS, the City of Dallas submitted sixteen infrastructure projects, including the Collective Infrastructure Project, and seven planning projects to the RTC's Sustainable Development Call for Projects; and

WHEREAS, on June 3, 2010, the RTC approved $13,779,712 in Regional Toll Revenue (RTR) or Regional Transportation Council (RTC) local funds for nine infrastructure and three planning projects in the city of Dallas; and

WHEREAS, on February 24, 2011, the Texas Transportation Commission concurred with RTC's selection of projects for the Collective Sustainable Development Infrastructure Project and its funding of $1,986,250; and

WHEREAS, the Sustainable Development Program requires a minimum local match of 20 percent of the total project cost of $2,482,813, or $496,563, which was to be provided by The Park at Kessler, LP; and

WHEREAS, on August 25, 2010, City Council authorized support for projects selected within the City of Dallas for the Regional Transportation Council Sustainable Development Program and authorized the City Manager to negotiate agreements with the North Central Texas Council of Governments and private sector partners by Resolution No. 10-2152; and

September 27, 2017

WHEREAS, on September 26, 2012, City Council authorized an agreement with the North Central Texas Council of Governments and the State of Texas to obtain funding to reimburse a private developer for the costs of construction for The Collective Sustainable Development Infrastructure Project by Resolution No. 12-2360; and

WHEREAS, on September 26, 2012, City Council authorized a Development Agreement with The Park at Kessler, LP, for the cost of construction of the Collective Sustainable Development Infrastructure Project, in an amount not to exceed $1,986,250, by Resolution No. 12-2361; and

WHEREAS, the development project with the developer, The Park at Kessler, LP, that was contemplated in the original funding application did not go forward in part due to the past economic recession, and subsequently, the development site was purchased by Lincoln Property Company while the Fort Worth Avenue Tax Increment Finance (TIF) District will now provide the local matching funds for the Collective Sustainable Development Infrastructure Project as required by the funding agreement with the Texas Department of Transportation; and

WHEREAS, on December 12, 2016, the Fort Worth Avenue TIF Board of Directors approved the District-wide TIF funding request of up to $496,562 as the required local matching funds for the Collective Sustainable Development Infrastructure Project in the Fort Worth Avenue TIF District in partnership with North Central Texas Council of Governments (NCTCOG) Regional Transportation Council (RTC) for its Sustainable Development (SD) Program; and

WHEREAS, it is now necessary to amend Resolution No. 12-2361, previously approved on September 26, 2012, to rescind the execution of the development agreement with The Park at Kessler, LP for the Collective Sustainable Development Infrastructure Project and associated reimbursement 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 amend Resolution No. 12-2361, previously approved on September 26, 2012, to rescind the execution of the development agreement with The Park at Kessler, LP for the Collective Sustainable Development Infrastructure Project and associated reimbursement of project costs.

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 ITEM # 26

STRATEGIC PRIORITY:	Public Safety
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Emergency Management
CMO:	Jon Fortune, 670-1204
MAPSCO:	N/A

SUBJECT

Authorize a two-year Interlocal Agreement with Dallas County Health and Human Services to provide the professional services of its Health Authority for the City for the period October 1, 2017 through September 30, 2019 - Not to exceed $20,000 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

State regulations require that cities with populations over 300,000 must designate a Health Authority. A Health Authority is a physician appointed to administer state and local laws relating to public health issues within the appointing body's jurisdiction. An individual appointed to serve as Health Authority for a county or municipality may serve as the Health Authority for one or more jurisdictions under an interlocal contract made in accordance with Chapter 791 of the Government Code, Vernon's Texas Code Annotated.

The Dallas County Department of Health and Human Services' (County) Medical Director serves as the Health Authority for Dallas County and is mandated by state law to protect the public health of the county and prevent the spread of disease. The County has agreed to have its Health Authority also act as Health Authority for the City of Dallas in accordance with Chapter 121 of Texas Health and Safety Code.

This City Council approval will allow for a two-year contract period in the amount of $10,000 per year.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 12, 2013, City Council approved the authorization of an Interlocal Agreement with Dallas County Health and Human Services to provide professional services of its Health Authority for the City for the period October 1, 2013 through September 30, 2015, by Resolution No. 13-0928.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On September 22, 2015, City Council authorized an Interlocal Agreement with Dallas County Health and Human Services to provide the professional services of its Health Authority for the City for the period October 1, 2015 through September 30, 2017, by Resolution No. 15-1823.

Information about this item will be provided to the Public Safety and Criminal Justice Committee on September 11, 2017.

FISCAL INFORMATION

Current Funds - $20,000 (subject to annual appropriations)

September 27, 2017

WHEREAS, the City of Dallas is in need of a Health Authority to protect the public health of Dallas' citizens and to perform all duties as prescribed by the Texas Board of Health in accordance with Chapter 121 of the Texas Health and Safety Code; and

WHEREAS, Dallas County Health and Human Services has agreed to allow its Health Authority to serve as the designated Health Authority for the City of Dallas; and

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Government Code, Vernon's Texas Code Annotated, provides authorization for any local government to contract with one or more local governments to perform governmental functions and services under the terms of said Act; and

WHEREAS, on November 12, 2013, City Council authorized an Interlocal Agreement with Dallas County Health and Human Services to provide the professional services of its Health Authority for the City for the period October 1, 2013 through September 30, 2015, by Resolution No. 13-1928; and

WHEREAS, on September 22, 2015, City Council authorized an Interlocal Agreement with Dallas County Health and Human Services to provide the professional services of its Health Authority for the City for the period October 1, 2015 through September 30, 2017, by Resolution No.15-1823; and

WHEREAS, approval of this item will allow for a two-year contract period in the amount of $10,000 per year.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a two-year Interlocal Agreement with Dallas County Health and Human Services to provide the professional services of its Health Authority to the City for the period October 1, 2017 through September 30, 2019, and execute any and all documents required by this agreement, approved as to form by the City Attorney.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $10,000 per year (subject to annual appropriations) to Dallas County Health and Human Services (Vendor 254643) from Fund 0001, Department MGT, Unit 2706, Object Code 3099, Encumbrance/Contract No. CX MGT-2017-00003915.

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 ITEM # 27

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Public Information
CMO:	Kimberly Bizor Tolbert, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize a two-year contract through the U.S. Communities Cooperative with INSIGHT PUBLIC SECTOR, INC. to provide GovQA Public Records Request Management Software, in compliance with the Freedom of Information Act (FOIA), for the period October 1, 2017 through September 30, 2019 - Not to exceed $151,616 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

In 2015, the City of Dallas implemented the GovQA Public Records Request Management Software, in compliance with the FOIA, to comply with the Texas Public Information Act. Additionally, the use of this software has allowed enhancements in efficiency, transparency, and customer service to citizens requesting public information from the City of Dallas.

GovQA Public Records Request Management Software, in compliance with the FOIA, allows for the sharing of open records with the public via the City's web portal. Access to the open records portal is free to the public. Citizens can easily submit requests for public information, check the status of their public records requests, as well as retrieve their responsive documents electronically.

Benefits experienced by the City since the implementation and use of the GovQA Public Records Request Management Software, in compliance with the FOIA, include, but are not limited to the following:

- Ability to receive and respond to public information requests received via email, fax, postal mail and online form;
- Monitor multiple public information requests in one database and create a centralized system for processing public information requests;
- Internal workflow that allows requests to be automatically routed to the appropriate department and open records request coordinator; and
- Ability to deliver responsive documents to citizens electronically.

BACKGROUND (continued)

Within the last year, the City has processed over 11,000 open record requests.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Current Funds - $151,616 (subject to annual appropriations)

September 27, 2017

WHEREAS, the City recognizes the importance of its role in providing its citizen's public access to the governmental decision making process; and

WHEREAS, the citizens of the city of Dallas will benefit from increased access to public information; and

WHEREAS, FY 2017-19 Current Funds have been allocated in the Office of Management Services' budget to meet this purpose; and

WHEREAS, it is necessary to authorize a two-year contract through the U.S. Communities Cooperative with INSIGHT PUBLIC SECTOR, INC., to provide GovQA Public Records Request Management Software, in compliance with the Freedom of Information Act (FOIA), for the period October 1, 2017 through September 30, 2019.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a two-year contract with INSIGHT PUBLIC SECTOR, INC., approved as to form by the City Attorney, to provide GovQA Public Records Request Management Software, in compliance with the Freedom of Information Act, for the period October 1, 2017 through September 30, 2019, and execute any and all documents required by the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds to INSIGHT PUBLIC SECTOR, INC., in an amount not to exceed $151,616 (subject to annual appropriations) from Fund 0001, Department MGT, Unit 1128, Object 3070, Activity BM24, Vendor 343565.

SECTION 3. That this contract is designated as Contract No. MGT-2017-00003768.

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 ITEM # 28

STRATEGIC PRIORITY:	Quality of Life
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	8
DEPARTMENT:	Park & Recreation
CMO:	Willis Winters, 670-4071
MAPSCO:	65-U X Y

SUBJECT

Authorize an application for an Urban Outdoor Recreation Grant in the amount of $1,000,000 from the Texas Parks and Wildlife Department for Development of the Phase 2 of the Runyon Creek Trail project located at 1900 East Camp Wisdom Road - Financing: This action has no cost consideration to the City

BACKGROUND

The Texas Parks and Wildlife Department (TP&WD) administers the Urban Outdoor Recreation Grant. Funding for this program comes from a portion of the state sales tax on sporting goods through the Texas Recreation and Parks Account, the Texas Large County and Municipality Recreation and Parks Account, and from the federal Land and Water Conservation Fund.

The scoring criteria for this grant program focuses on projects that provide a major linear trail development that connects or extends an existing trail system or wildlife corridor; applicant has a locally adopted and department-approved parks, recreation and open space master plan; project that reduces the threat to the public availability of conservation or recreation opportunity; underserved populations; involves public or private cooperation and meets the goals of TPWD Land and Water Resources Conservation and Recreation Plan.

The grant program stipulates a 50 percent match funding requirement. The City's existing 2012 Bond Program allocation for the Runyon Creek Trail Project will be used for $900,000 of the required match funding and the University of North Texas at Dallas has committed to provide a $100,000 match. If successful, the grant will supplement the existing funding for construction of a trail connection from the new Singing Hills Recreation Center, which is currently under construction, to the University of North Texas, Dallas campus. Phase 1 of the Runyon Creek Trail currently connects Glendale Park to the new Singing Hills Recreation Center.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized an application for an Urban Outdoor Recreation Grant on September 7, 2017.

Information about this item will be provided to the Quality of Life, Arts and Cultural Committee on September 25, 2017.

FISCAL INFORMATION

This action has no cost consideration to the City.

MAP

Attached

0 340 680 1,360 2,040 Feet

Dallas Park & Recreation

Runyon Creek Trail
(1900 E Camp Wisdom Rd)

Mapsco
65 U,X,Y

District
8

September 27, 2017

WHEREAS, the United States Congress has passed the Land and Water Conservation Fund Act of 1965 (Public Law 88-578) authorizing the Secretary of the Interior to provide financial assistance to states, and political subdivisions thereof, for outdoor recreation purposes; and

WHEREAS, the Texas Legislature has approved the Park and Wildlife Code, Section 131.309 authorizing the State of Texas, and its political subdivisions, to participate in the Federal program established under said Public Law 88-578, or such other programs as are hereinafter established by the Federal Government; and

WHEREAS, the Texas Legislature has approved the Parks and Wildlife Code, Section 24.005 for the purpose of allowing the political subdivisions of the State of Texas to participate in the Texas Recreation and Parks Account Program; and

WHEREAS, the City of Dallas is fully eligible to receive assistance under these programs; and

WHEREAS, Runyon Creek Trail is part of the current comprehensive plan; and

WHEREAS, the 2012 Bond Program and University of North Texas at Dallas has set aside funding for this trail; and

WHEREAS, the applicant is desirous of authorizing an official to represent and act for the applicant in dealing with the Texas Parks and Wildlife Department concerning these programs.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City of Dallas, Texas hereby certifies that it is eligible to receive assistance under these programs.

SECTION 2. That the City of Dallas, Texas hereby certifies that the matching share for this application is available through $900,000 from the 2012 Bond Program and $100,000 commitment from the University of North Texas at Dallas.

SECTION 3. That the City of Dallas, Texas hereby authorizes and directs the Director of the Park and Recreation Department to represent and act for the City in dealing with the Texas Parks and Wildlife Department for the purposes of the program, and that the Director is hereby officially designated as the representative in this regard.

SECTION 4. That the City of Dallas, Texas hereby specifically authorizes the Park and Recreation Department to make application to the Texas Parks and Wildlife Department concerning the site known as the Runyon Creek Trail in the Runyon Creek Greenbelt in the City of Dallas for use as a trail.

SECTION 5. That the City Manager is hereby authorized to apply for reimbursable grant funds in the amount of $1,000,000 from the Texas Parks and Wildlife Department and to execute any and all documents required by the grant, approved as to form by the City Attorney.

SECTION 6. That it is the intent of the City Council of the City of Dallas, Texas that all operating funds required for the Runyon Creek Trail project be appropriated and funded as needed for operating costs.

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 ITEM # 29

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 1

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 54C

SUBJECT

Authorize a construction services contract for dam safety and shoreline improvements at Kidd Springs Park located at 700 West Canty Street - A S Con, Inc., lowest responsible bidder of six - Not to exceed $726,578 – Financing: 2003 Bond Funds ($285,780) and 2006 Bond Funds ($440,798)

BACKGROUND

On July 14, 2017, six bids were received for dam safety and shoreline improvements at Kidd Springs Park. The scope of work includes reconfiguring the dam to lengthen, establishing an emergency spillway, installing protective armor, replacing the sidewalk across the dam, reconfiguring the natural spring flowing into the lake, landscape planting, constructing a picnic area near the lake with shoreline protection, constructing a fishing pier area with shoreline protection, and restocking fish. This item authorizes award of the construction services contract with A S Con, Inc. for the Base Bid and Alternate Nos. 1, 2, 3, and 4 for a total bid amount of $726,578.

The following chart illustrates A S Con's contractual activities with the City of Dallas for the past three years.

	MSS	DWU	PKR
Projects Completed	0	0	5
Change Orders	0	0	8
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2015
Completed Design	June 2017
Begin Construction	October 2017
Complete Construction	May 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 22, 2014, the Texas Commission on Environmental Quality recommended Kidd Springs Dam safety improvements.

On March 10, 2016, the Park and Recreation Board authorized proceeding with advertisement for construction procurement.

Information about this item will be provided to the Quality of Life, Culture and Arts Committee on September 25, 2017.

FISCAL INFORMATION

2003 Bond Funds - $285,780.32
2006 Bond Funds - $440,797.68

M/WBE INFORMATION

See attached.

BID INFORMATION

The following six bids were received and opened on July 14, 2017.

*Denotes the successful bidder

Bidders	Base Bid	Alternate Nos. 1, 2, 3, and 4**	Total Bid
*A S Con Inc. 15724 Golden Circle Creek Road Dallas, Texas 75248	$538,660.00	$187,918.00	$ 726,578.00
RLM Earthco	$532,571.27	$241,417.96	$ 773,989.23
The Fain Group, Inc.	$751,021.00	$377,025.00	$1,128,046.00
Macval Associates Inc.	$795,472.50	$453,479.00	$1,248,951.50
H. D. Cook's Rock Solid Inc.	$717,540.50	$557,054.50	$1,274,595.00
C. Green Scaping Inc.	$949,968.50	$372,901.50	$1,322,870.00

OWNER

A S Con Inc.

Ali Safdarinia, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a construction services contract for dam safety and shoreline improvements at Kidd Springs Park located at 700 West Canty Street - A S Con, Inc., lowest responsible bidder of six - Not to exceed $726,578 – Financing: 2003 Bond Funds ($285,780) and 2006 Bond Funds ($440,798)

A S Con Inc., a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$593,622.00	81.70%
Total non-local contracts	$132,956.00	18.30%
TOTAL CONTRACT	$726,578.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

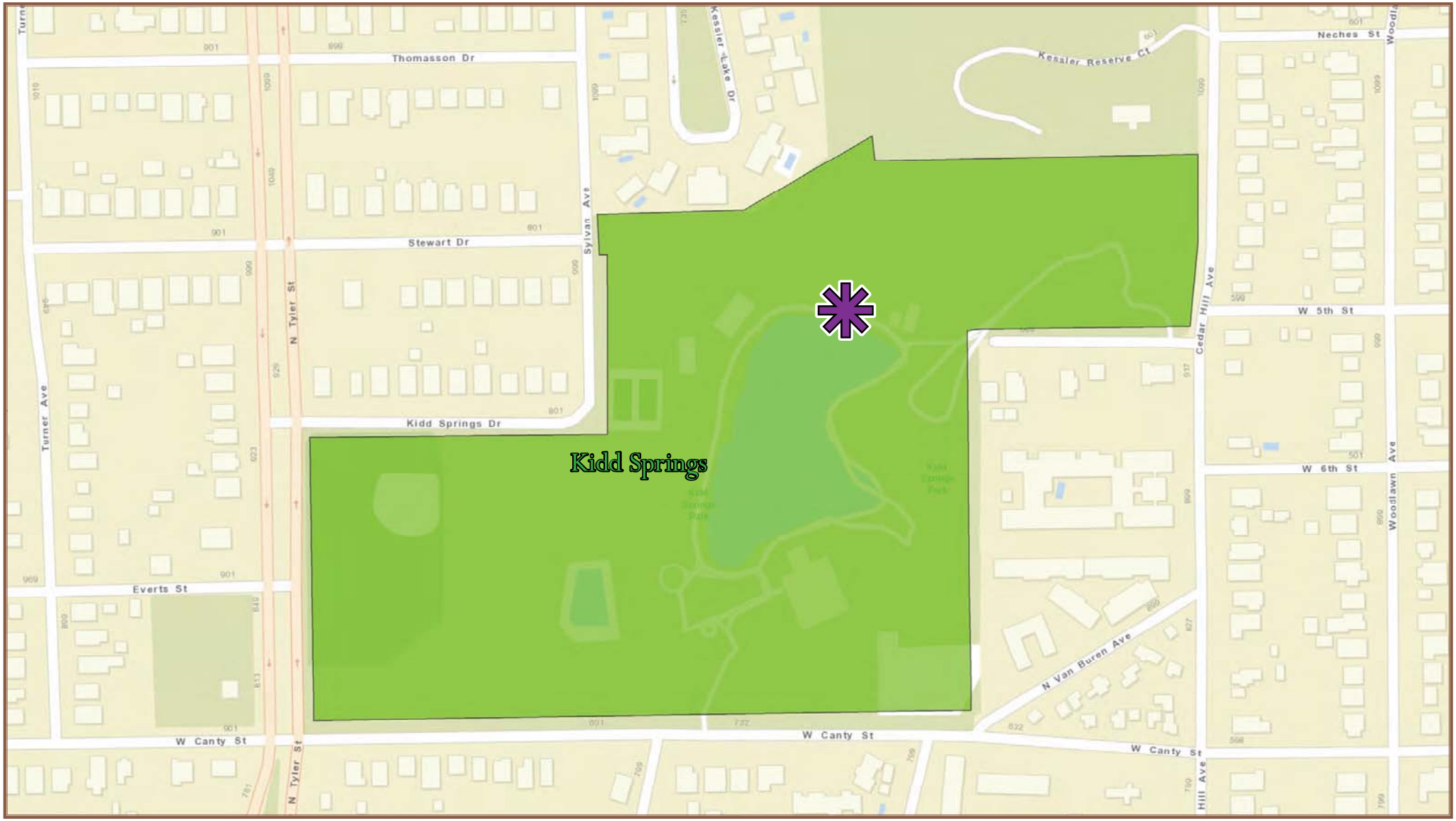
Local	Certification	Amount	Percent
Berumen Construction	HMMB31544N0818	$186,700.00	31.45%
Total Minority - Local		$186,700.00	31.45%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$186,700.00	31.45%	$186,700.00	25.70%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$186,700.00	31.45%	$186,700.00	25.70%



0 87.5 175 350 525 Feet

September 7, 2017

Kidd Spring Park
(700 W Canty St)

Mapsco
54 C

District
1

September 27, 2017

WHEREAS, on July 14, 2017, six bids were received for dam safety and shoreline improvements at Kidd Springs Park. The scope of work includes reconfiguring the dam to lengthen, establishing an emergency spillway, installing protective armor, replacing the sidewalk across the dam, reconfiguring the natural spring flowing into the lake, landscape planting, constructing a picnic area near the lake with shoreline protection, constructing a fishing pier area with shoreline protection, and restocking fish.

Bidders	**Base Bid**	**Alternate Nos. 1, 2, 3, and 4****	**Total Bid**
A S Con Inc.	$538,660.00	$187,918.00	$ 726,578.00
RLM Earthco	$532,571.27	$241,417.96	$ 773,989.23
The Fain Group, Inc.	$751,021.00	$377,025.00	$1,128,046.00
Macval Associates Inc.	$795,472.50	$453,479.00	$1,248,951.50
H. D. Cook's Rock Solid Inc.	$717,540.50	$557,054.50	$1,274,595.00
C. Green Scaping Inc.	$949,968.50	$372,901.50	$1,322,870.00

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a construction services contract with A S Con Inc., approved as to form by the City Attorney, for dam safety and shoreline improvements at Kidd Springs Park, in an amount not to exceed $726,578.00.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with A S Con Inc., 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 $726,578.00 to A S Con Inc., in accordance with the terms and conditions of Contract No. PKR-2017-00003082, as follows:

(2006) Park and Recreation Facilities Fund
Fund 1T00, Department PKR, Unit T194, Object 4599
Activity RFSI, Program PK06T194.5, Commodity 91200
Encumbrance/Contract No. CX-PKR-2017-00003082, Vendor 261853 $220,242.00

(2006) Park and Recreation Facilities Fund
Fund 2T00, Department PKR, Unit T194, Object 4599
Activity RFSI, Program PK06T194.5, Commodity 91200
Encumbrance/Contract No. CX-PKR-2017-00003082, Vendor 261853 $11,982.31

(2006) Park and Recreation Facilities Fund Fund 8T00, Department PKR, Unit T194, Object 4599 Activity RFSI, Program PK06T194.5, Commodity 91200 Encumbrance/Contract No. CX-PKR-2017-00003082, Vendor 261853	$32,120.10
(2006) Park and Recreation Facilities Fund Fund 9T00, Department PKR, Unit T194, Object 4599 Activity RFSI, Program PK06T194.5, Commodity 91200 Encumbrance/Contract No. CX-PKR-2017-00003082, Vendor 261853	$11,350.22
(2006) Park and Recreation Facilities Fund Fund BT00, Department PKR, Unit T194, Object 4599 Activity RFSI, Program PK06T194.5, Commodity 91200 Encumbrance/Contract No. CX-PKR-2017-00003082, Vendor 261853	$165,103.05
(2003) Neighborhood and Community Park, Playground, Recreation Fund Fund 4R05, Department PKR, Unit T194, Object 4599 Activity RFSI, Program PK06T194.5, Commodity 91200 Encumbrance/Contract No. CX-PKR-2017-00003082, Vendor 261853	$53,608.83
(2003) Neighborhood and Community Park, Playground, Recreation Fund Fund 5R05, Department PKR, Unit T194, Object 4599 Activity RFSI, Program PK06T194.5, Commodity 91200 Encumbrance/Contract No. CX-PKR-2017-00003082, Vendor 261853	$130,934.50
(2003) Neighborhood and Community Park, Playground, Recreation Fund Fund 6R05, Department PKR, Unit T194, Object 4599 Activity RFSI, Program PK06T194.5, Commodity 91200 Encumbrance/Contract No. CX-PKR-2017-00003082, Vendor 261853	$101,236.99
Total amount not to exceed	$726,578.00

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 ITEM # 30

STRATEGIC PRIORITY:	Quality of Life
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	1
DEPARTMENT:	Park & Recreation Water Utilities Mobility and Street Services
CMO:	Willis Winters, 670-4071 Majed Al-Ghafry, 670-3302
MAPSCO:	44-X

SUBJECT

Authorize **(1)** an increase in the construction services contract with Northstar Construction, LLC to add Kessler Steps Reconstruction/Water and Wastewater utility work to the Runyon Creek Greenbelt Trail Project; **(2)** the establishment of appropriations in an amount not to exceed $71,000 in the Capital Gifts, Donation and Development Fund; and **(3)** the receipt and deposit of funds in an amount not to exceed $71,000 in the Capital Gifts, Donation and Development Fund - Not to exceed $298,962, from $2,567,726 to $2,866,688 - Financing: Capital Gifts, Donation and Development Funds ($71,000), Current Funds ($30,911) and Water Utilities Capital Construction Funds ($197,051)

BACKGROUND

On April 27, 2016, City Council authorized a contract with Northstar Construction, LLC for trail improvements at Runyon Creek Greenbelt Trail located between Glendale Park to Camp Wisdom Road, in an amount not to exceed $2,497,700, by Resolution No. 16-0638.

On September, 14, 2016, City Council authorized Change Order No. 1 to the contract with Northstar Construction, LLC to add a section of trail from Crouch Road to the new Singing Hills Recreation Center and associated work; and to delete a section of the trail from Crouch Road to Runyon Springs Branch and Camp Wisdom Road, in an amount not to exceed ($143,600), decreasing the contract amount from $2,497,700 to $2,354,100, by Resolution No. 16-1454.

BACKGROUND (continued)

On August 23, 2017, City Council authorized Change Order No. 2 to the contract with Northstar Construction, LLC to add increased scope of work associated with the Runyon Creek Trail located between Glendale Park to the new Singing Hills Recreation Center, in an amount not to exceed $213,626, increasing the contract amount from $2,354,100 to $2,567,726, by Resolution No. 17-1335. This action included: additional pier height to Glendale bridge approach ramps, relocate existing bollards and install new hand rails at the existing Singing Hills bridge, install guard rail at Red Bird Lane headwall, install concrete trailhead at the new Singing Hills Recreation Center, add additional bridge length and an additional pier to Crouch Road bridge, provide credit for change to drinking fountain model unit, relocate existing trail section at the Existing Singing Hills Recreation Center to accommodate football field relocation, install turn down wall at Red Bird Plaza, add 4" electrical sleeves on the trail to new Singing Hills Recreation Center for lighting, add pedestrian crosswalk signals at Crouch Road and Wagon Wheel street crossings, remove and replace existing deteriorated trail at Glendale Park, and remove and replace existing deteriorated sidewalk at Duet Drive.

This project was sponsored by the Kessler Neighbors United (KNU), who wishes to re-establish the original staircase connection between their neighborhood and the Coombs Creek Trail. KNU has raised $71,000 to help pay for the construction costs. As part of this project, the City of Dallas will update the existing Dallas Water Utility facilities in this area which date back to 1927.

This action will authorize Change Order No. 3 to the construction services contract with Northstar Construction, LLC to add the reconstruction of the Kessler Steps and water and wastewater utility work, in an amount not to exceed $298,962, increasing the contract amount from $2,567,726 to $2,866,688.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	June 2016
Complete Construction	January 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 6, 2015, the Park and Recreation Board authorized proceeding with advertisement for construction procurement.

On March 10, 2016, the Park and Recreation Board deferred award of the contract.

On April 7, 2016, the Park and Recreation Board authorized award of the contract.

On April 27, 2016, City Council authorized award of the contract by Resolution No. 16-0638.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On August 18, 2016, the Park and Recreation Board authorized Change Order No. 1.

Information about this item was provided to the Quality of Life & Environment Committee on September 12, 2016.

On September 14, 2016, the City Council authorized Change Order No. 1, by Resolution No. 16-1454.

On May 18, 2017, the Park and Recreation Board authorized Change Order No. 2.

The Quality of Life, Arts, and Culture Committee was briefed by memorandum regarding this matter on June 26, 2017.

On June 28, 2017, this item was deferred by Councilmember Sandy Greyson.

On August 23, 2017, City Council authorized Change Order No. 2 by Resolution No. 17-1335.

Information about this item will be provided to the Quality of Life, Arts, and Culture Committee on September 25, 2017.

FISCAL INFORMATION

Capital Gifts, Donation and Development Funds - $71,000
Current Funds - $30,911
Water Utilities Capital Construction Funds - $197,051

Construction Contract	$2,497,700
Change Order No. 1	($143,600)
Change Order No. 2	$ 213,626
Change Order No. 3 (this action)	$ 298,962
Total not to exceed	$2,866,688

M/WBE INFORMATION

See attached.

OWNER

Northstar Construction, LLC

Micheal A. Heimlich, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** an increase in the construction services contract with Northstar Construction, LLC to add Kessler Steps Reconstruction/Water and Wastewater utility work to the Runyon Creek Greenbelt Trail Project; **(2)** the establishment of appropriations in an amount not to exceed $71,000 in the Capital Gifts, Donation and Development Fund; and **(3)** the receipt and deposit of funds in an amount not to exceed $71,000 in the Capital Gifts, Donation and Development Fund - Not to exceed $298,962, from $2,567,726 to $2,866,688 - Financing: Capital Gifts, Donation and Development Funds ($71,000), Current Funds ($30,911) and Water Utilities Capital Construction Funds ($197,051)

Northstar Construction, LLC, a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$11,600.00	15.51%
Total non-local contracts	$63,200.00	84.49%
TOTAL CONTRACT	$74,800.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

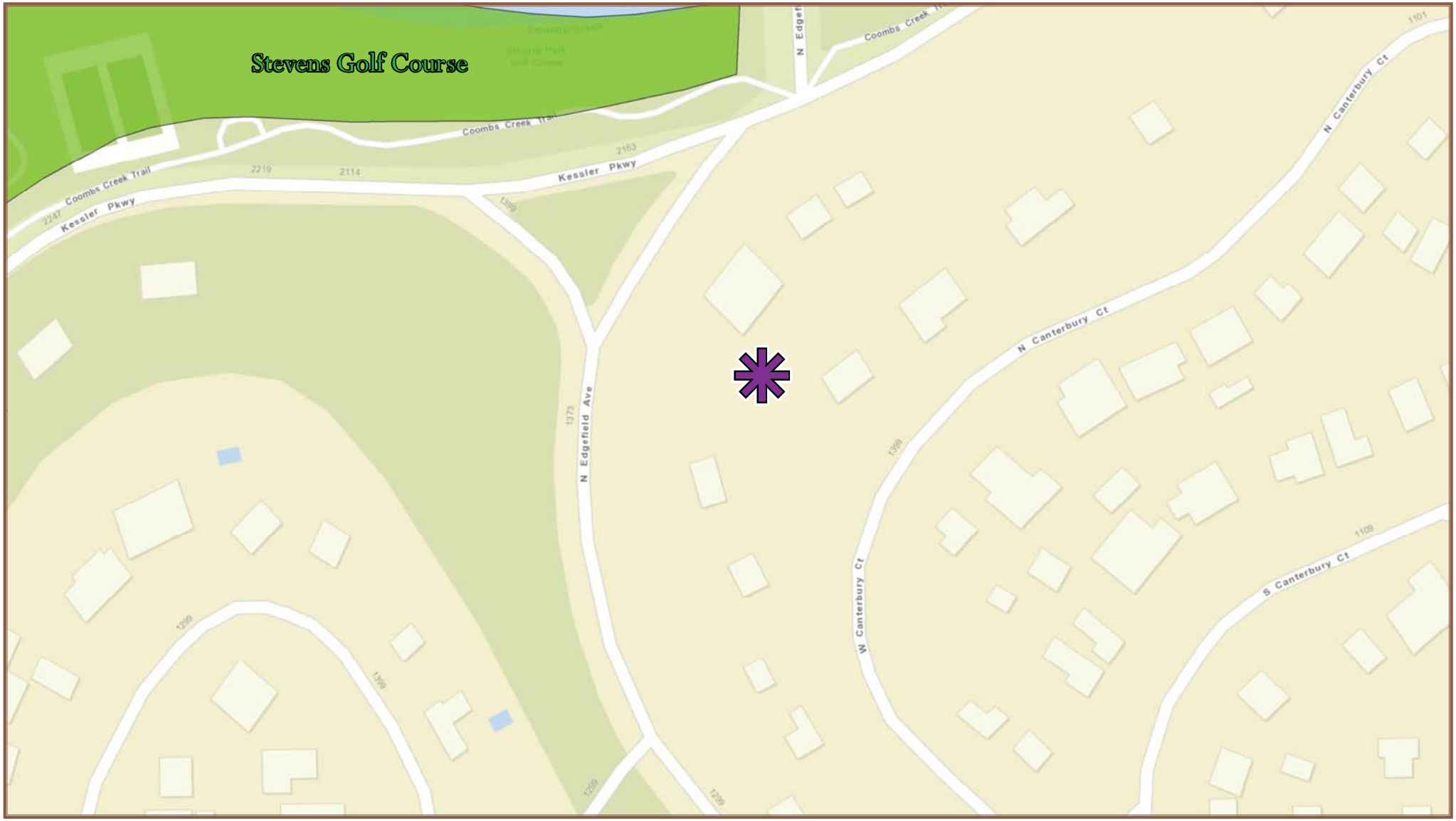
Local	Certification	Amount	Percent
Logan Trucking	BMMB960N0119	$11,600.00	100.00%
CT & S Metalworks	WFDB80075Y0218	$2,700.00	23.28%
Total Minority - Local		$14,300.00	123.28%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Cowtown RediMix	WFWB91377Y0917	$44,500.00	70.41%
LKT & Associates, LTD	WFDB02060Y1017	$16,000.00	25.32%
Total Minority - Non-local		$60,500.00	95.73%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$11,600.00	100.00%	$11,600.00	15.51%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$2,700.00	23.28%	$63,200.00	84.49%
Total	$14,300.00	123.28%	$74,800.00	100.00%



0 45 90 180 270 Feet

N W E S

Kessler Steps
(N Edgefield Ave to W Canterbury Ct)

Mapsco
44 X

District
1

September 27, 2017

WHEREAS, on April 27, 2016, City Council authorized a contract with Northstar Construction, LLC for trail improvements at Runyon Creek Trail located between Glendale Park to Camp Wisdom Road, in an amount not to exceed $2,497,700, by Resolution No. 16-063; and

WHEREAS, on September, 14, 2016, City Council authorized Change Order No. 1 to the contract with Northstar Construction, LLC to add a section of trail from Crouch Road to the new Singing Hills Recreation Center and associated work; and to delete a section of the trail from Crouch Road to Runyon Springs Branch and Camp Wisdom Road, in an amount not to exceed ($143,600), from $2,497,700 to $2,354,100, by Resolution No. 16-1454; and

WHEREAS, on August 23, 2017, City Council authorized Change Order No. 2 to the contract with Northstar Construction, LLC for modifications to the contract with Northstar Construction, LLC to add increased scope of work associated with the Runyon Creek Trail located between Glendale Park to the new Singing Hills Recreation Center, in an amount not to exceed $213,626, from $2,354,100 to $2,567,726, by Resolution No. 17-1335; and

WHEREAS, this action will authorize Change Order No. 3 to the construction services contract with Northstar Construction, LLC for modifications to the contract with Northstar, LLC to for an increase in the contract to add the reconstruction of the Kessler Steps and water and wastewater work, in an amount not to exceed $298,962, increasing the contract amount from $2,567,726 to $2,866,688.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY OF COUNCIL OF THE CITY OF DALLAS

SECTION 1. That an increase in the construction services contract with Northstar Construction, LLC (Change Order No. 3) is authorized to add the reconstruction of the Kessler Steps and water and wastewater utility work in an amount not to exceed $298,962, increasing the contract amount from $2,567,726 to $2,866,688.

SECTION 2. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $71,000 in the Capital Gifts, Donation and Development Fund, Fund 0530, Department PKR, Unit 7165, Object 4599.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed $71,000 from the Dallas Parks Foundation in the Capital Gifts, Donation and Development Fund, Fund 0530, Department PKR, Unit 7165, Revenue Code 8411.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $298,962 to Northstar Construction, LLC, as follows:

(2012) Street and Transportation Improvement Fund Fund 8T22, Department STS, Unit W144, Object 4599 Activity HIBT, Program ST12W144, Encumbrance CT-PKR16019537 Commodity 91200, Vendor VS0000060205	$ 30,911
Capital Gifts, Donation and Development Fund Fund 0530, Department PKR, Unit 7165, Object 4599 Activity HIBT, Program ST12W144, Encumbrance CT-PKR16019537 Commodity 91200, Vendor VS0000060205	$ 71,000
Dallas Water Utilities Capital Construction Fund Fund 0103, Department DWU, Unit CS42, Object 4560 Activity HIBT, Program 718016, Encumbrance CT-PKR16019537 Commodity 91200, Vendor VS0000060205	$ 19,320
Dallas Water Utilities Capital Construction Fund Fund 0102, Department DWU, Unit CW42, Object 4550 Activity HIBT, Program 718015, Encumbrance CT-PKR16019537 Commodity 91200, Vendor VS0000060205	$177,731
Total amount not to exceed	$298,962

SECTION 5. That this contract be designated as Contract No. PKR-2016-00000386.

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 ITEMS # 31,32

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Jon Fortune, 670-1204

MAPSCO: N/A

SUBJECT

Internet Crimes Against Children

* Authorize **(1)** an application for and acceptance of supplemental funding for the 2016-2019 Internet Crimes Against Children Continuation Grant from the U.S. Department of Justice (DOJ), Office of Juvenile Justice and Delinquency Prevention, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of the Internet-facilitated child exploitation for the period July 1, 2016 through September 30, 2019; **(2)** an amendment to Resolution Nos. 16-1813 and 16-1814, previously approved on November 9, 2016 to correct the performance period from July 1, 2016 through June 30, 2017 to July 1, 2016 through September 30, 2019 due to approval of project period changes by DOJ; **(3)** an increase in appropriations in an amount not to exceed $465,874 in the DOJ-Internet Crimes Against Children Grant 16-19 Fund; **(4)** the receipt and deposit of additional grant funds in an amount not to exceed $465,874 in the DOJ-Internet Crimes Against Children Grant 16-19 Fund; and **(5)** execution of the grant agreement - Not to exceed $465,874, from $488,767 to $954,641 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

* Authorize a continuation of cooperative working agreements with various Police Departments, District Attorney's Offices, Sheriff Offices, and the Dallas Children's Advocacy Center (list attached) for the period July 1, 2016 through June 30, 2019 through the 2016-2019 Internet Crimes Against Children Continuation Grant supplement - Total not to exceed $163,000 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

BACKGROUND

The Dallas Police Department has received the 2016-2019 Internet Crimes Against Children (ICAC) Continuation Grant for the period July 1, 2016 through September 30, 2019. The grant will fund the Dallas Crimes Against Children Task Force to reduce crime related to the internet sexual exploitation of children. The ICAC Grant allows the Dallas Police Department to support internet crime operations through designated satellite law enforcement agencies that assist the Dallas Police Department in its efforts to combat internet crimes against children.

This grant will provide additional funding for the District Attorney's Offices in Dallas and Tarrant Counties; and the Collin County, Denton County and Wichita County Sheriff's Offices; and the Police Department in the cities of Lubbock, Abilene, Amarillo, Fort Worth, Arlington, Garland, Longview, Mesquite, Carrollton and Grand Prairie. All the funds will be for each agency to use on equipment, training, undercover expenses, and overtime as related to their Internet Crimes Against Children efforts.

This grant will also provide funding for the Dallas Children's Advocacy Center to sponsor scholarships for smaller agencies that normally would not be able to send representative to the 2017 Crimes Against Children Conference to be held in Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 23, 2013, City Council authorized an application for and acceptance of the 2013 Internet Crimes Against Children Continuation Grant, No. 2013-MC-FX-K036 for the period July 1, 2013 through June 30, 2014, by Resolution No. 13-1842.

On February 12, 2014, City Council authorized a continuation of cooperative working agreements with the Dallas County District Attorney’s Office, Tarrant County District Attorney’s Office, Potter County District Attorney’s Office, Collin County Sheriff’s Office, Taylor County Sheriff’s Office, Wichita County Sheriff’s Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center for the period July 1, 2013 through June 30, 2014 through the 2013 Internet Crimes Against Children Continuation Grant supplement by Resolution No. 14-0299.

On November 12, 2014, City Council authorized an application for and acceptance of the 2014 Internet Crimes Against Children Continuation Grant, No. 2013-MC-FX-K036 for the period July 1, 2013 through June 30, 2015, by Resolution No. 14-1908.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On November 12, 2014, City Council authorized the continuation of and an increase in the cooperative working agreements with agencies that assist the Dallas Police Department in combatting internet crimes against children, increasing the allocations for the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center by Resolution No. 14-1909.

On October 28, 2015, City Council authorized an application for and acceptance of a supplemental award to the 2013 Internet Crimes Against Children Continuation Grant, No. 2013-MC-FX-K036 for the period July 1, 2013 through June 30, 2016, by Resolution No. 15-1956.

On October 28, 2015, City Council authorized a continuation of cooperative working agreements with the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center for the period July 1, 2013 through June 30, 2016 through the 2013 Internet Crimes Against Children Continuation Grant supplement from July 1, 2015 through June 30, 2016, by Resolution No. 15-1957.

On November 9, 2016, City Council authorized an application for and acceptance of the 2017 Internet Crimes Against Children Continuation Grant, No. 2016-MC-FX-K034 for the period July 1, 2016 through June 30, 2017, by Resolution No. 16-1813.

On November 9, 2016, City Council authorized a continuation of cooperative working agreements with the Dallas County District Attorney's Office, Potter County District Attorney's Office, Tarrant County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Abilene Police Department, Amarillo Police Department, Arlington Police Department, Fort Worth Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department and the Dallas Children's Advocacy Center for the period July 1, 2016 through June 30, 2017 through the 2017 Internet Crimes Against Children Continuation Grant supplement from July 1, 2016 through June 30, 2017, by Resolution No. 16-1814.

Information about this item will be provided to the Public Safety and Criminal Justice Committee on September 25, 2017.

FISCAL INFORMATION

U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds - $465,874

Federal- Internet Crimes Against Children Continuation Grant
Cooperative Working Agreement Subrecipients

Agencies	**Amount**
Dallas County District Attorney's Office	$ 3,000
Potter County District Attorney's Office	$ 0.00
Tarrant County District Attorney's Office	$ 5,000
Collin County Sheriff's Office	$ 15,000
Taylor County Sheriff's Office	$ 0.00
Wichita County Sheriff's Office	$ 5,000
Denton County Sheriff's Office	$ 4,500
Abilene Police Department	$ 5,000
Amarillo Police Department	$ 7,000
Arlington Police Department	$ 13,000
Fort Worth Police Department	$ 12,000
Garland Police Department	$ 12,000
Longview Police Department	$ 13,000
Lubbock Police Department	$ 20,000
Carrollton Police Department	$ 3,000
Mesquite Police Department	$ 4,500
Grand Prairie Police Department	$ 4,000
Dallas Children's Advocacy Center	$ 37,000
Total	$163,000

*Agencies not limited to those listed

September 27, 2017

WHEREAS, the U.S. Department of Justice, Office of Juvenile and Delinquency Prevention has made continuation grant funds available to aid missing and exploited children during Fiscal Years 2016-2019; and

WHEREAS, on November 9, 2016, City Council authorized an application for and acceptance of the 2017 Internet Crimes Against Children Grant, Grant No. 2016-MC-FX-K034 for the period July 1, 2016 through June 30, 2017, by Resolution No. 16-1813; and

WHEREAS, a supplemental funding was awarded to the City of Dallas for the 2016-2019 Internet Crimes Against Children Grant, Grant No. 2016-MC-FX-K034 for the second year, FY 2017-18; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to apply for and accept supplemental funding for the 2016-2019 Internet Crimes Against Children Continuation Grant from the U.S. Department of Justice (DOJ), Office of Juvenile Justice and Delinquency Prevention (Grant No. 2016-MC-FX-K034, CFDA No. 16.543), in an amount not to exceed $465,874, from $488,767 to $954,641 for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of the Internet-facilitated child exploitation for the period July 1, 2016 through September 30, 2019; amend Resolution Nos. 16-1813 and 16-1814, previously approved on November 9, 2016 to correct the performance period from July 1, 2016 through June 30, 2017 to July 1, 2016 through September 30, 2019 due to approval of project period changes by DOJ; and sign the grant agreement, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $465,874, from $488,767 to $954,641 in the DOJ-Internet Crimes Against Children Grant 16-19 Fund, Fund F509, Department DPD, Unit 2063, in accordance with the attached Schedule A.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit additional grant funds in an amount not to exceed $465,874 in the DOJ-Internet Crimes Against Children Grant 16-19 Fund, Fund F509, Department DPD, Unit 2063, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse additional grant funds in an amount not to exceed $465,874 from the DOJ-Internet Crimes Against Children Grant 16-19 Fund, Fund F509, Department DPD, Unit 2063, according to the attached Schedule A.

SECTION 5. That in the event of loss or misuse of funds, the grantee will return grant funds to the Office of the Governor, Criminal Justice Division, in full. 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 the Office of the Governor, Criminal Justice Division, final monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. DPD-2017-00003742.

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.

Schedule A

Internet Crimes Against Children Continuation Grant

Fund F509, Unit 2063

Obj	Description	Budget FY 16-17	Supplement FY 17-18	Total
1102	Salaries - Uniform	172,036	152,208	324,244
1202	Overtime - Uniform	9,500	9,500	19,000
1302	Pension, Sworn	47,312	41,858	89,170
1304	Health, Sworn	11,560	12,432	23,992
1306	FICA	2,494	2,207	4,701
2731	Data Processing Equipment	3,200		3,200
2735	Software Purchase	20,675	50,469	71,144
3060	Equipment (Outside City)	27,288	30,000	57,288
3099	Misc. Special Services (Contractual)	173,402	167,200	340,602
3361	Professional Development (Travel)	20,000	-	20,000
3429	Blackberry Fees	1,300	-	1,300
Total Budget		488,767	465,874	954,641

September 27, 2017

WHEREAS, the City of Dallas applies for grant funds available from the U.S. Department of Justice to aid missing and exploited children; and

WHEREAS, the services of the Arlington Police Department, Garland Police Department, Longview Police Department, Fort Worth Police Department, Abilene Police Department, Amarillo Police Department, Lubbock Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office and the Dallas Children's Advocacy Center are approved by the execution of cooperative working agreements; and

WHEREAS, on November 9, 2016, City Council authorized an application for and acceptance of the 2017 Internet Crimes Against Children Grant, Grant No. 2016-MC-FX-K034 for the period July 1, 2016 through June 30, 2017, by Resolution No. 16-1813; and

WHEREAS, on November 9, 2016, City Council authorized a continuation of cooperative working agreements with the Dallas County District Attorney's Office, Potter County District Attorney's Office, Tarrant County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Abilene Police Department, Amarillo Police Department, Arlington Police Department, Fort Worth Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department and the Dallas Children's Advocacy Center for the period July 1, 2016 through June 30, 2017 through the 2017 Internet Crimes Against Children Continuation Grant supplement from July 1, 2016 through June 30, 2017, by Resolution No. 16-1814; and

WHEREAS, the Internet Crimes Against Children Continuation Grant Supplement for the period July 1, 2016 through September 30, 2019, Grant No. 2016-MC-FX-K034 was awarded to the City of Dallas; and

WHEREAS, the 2016-2019 Internet Crimes Against Children Continuation Grant Supplement, Grant No. 2016-MC-FX-K034 will be considered for acceptance by City Council on September 27, 2017; and

WHEREAS, execution of the cooperative working agreements with various Police Departments, District Attorney's Offices, Sheriff Offices, and the Dallas Children's Advocacy Center per the attached Schedule B the must be authorized by the Dallas City Council.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into respective Internet Crimes cooperative working agreements with various Police Departments, District Attorney's Offices, Sheriff Offices, and the Dallas Children's Advocacy Center per the attached Schedule B, for the period July 1, 2016 through June 30, 2019 through the 2016-2019 Internet Crimes Against Children Continuation Grant supplement as requested for the investigation, prosecution, education, and counseling activities related to the Dallas Internet Crimes Against Children Task Force response to Internet related sexual exploitation of children.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for approved grant related expenses.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $163,000 from Master Agreement Service Contract No. MASC-ICAC2017.

SECTION 4. This contract is designated as Contract No. DPD-2017-00003872.

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.

SCHEDULE B

Federal- Internet Crimes Against Children Continuation Grant

Fund F509, Unit 2063

	Agency	2016 Allocation	2017-18 Supplement Allocation	Fund	Dept.	Unit	Obj	Master Agreement Number	Commodity	Vendor No.
1	Dallas County District Attorney's Office	$ 5,000.00	$ 3,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	14003
2	Potter County District Attorney's Office	$ 3,000.00		F509	DPD	2063	3099	MASC ICAC2017	95217	VC0000001926
3	Tarrant County District Attorney's Office	$ 7,500.00	$ 5,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	331260
4	Collin County Sheriff's Office	$ 18,000.00	$ 15,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	VS0000014264
5	Taylor County Sheriff's Office	$ 3,000.00	$ -	F509	DPD	2063	3099	MASC ICAC2017	95217	VS0000014301
6	Wichita County Sheriff's Office	$ 5,000.00	$ 5,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	VC0000008139
7	Abilene Police Department	$ 5,500.00	$ 5,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	VC16266
8	Amarillo Police Department	$ 9,000.00	$ 7,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	520020
9	Arlington Police Department	$ 13,000.00	$ 13,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	520488
10	Fort Worth Police Department	$ 10,000.00	$ 12,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	VC16273
11	Garland Police Department	$ 13,000.00	$ 12,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	268175
12	Longview Police Department	$ 15,000.00	$ 13,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	516362
13	Lubbock Police Department	$ 23,000.00	$ 20,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	VC0000009161
14	Dallas Children's Advocacy Center	$ 37,000.00	$ 37,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	263854
15	Carrollton Police Department	$ -	$ 3,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	238775
16	Mesquite Police Department	$ -	$ 4,500.00	F509	DPD	2063	3099	MASC ICAC2017	95217	930026
17	Denton County Sheriffs Office	$ -	$ 4,500.00	F509	DPD	2063	3099	MASC ICAC2017	95217	CSCTS0195
18	Grand Prairie Police Department	$ -	$ 4,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	255147
	Grand Total	**$ 167,000.00**	**$ 163,000.00**							

*This schedule is not limited to the agencies listed

AGENDA ITEM # 33

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction City Attorney's Office
CMO:	Majed Al-Ghafry, 670-3302 Larry Casto, 670-3491
MAPSCO:	67V

SUBJECT

Authorize **(1)** settlement in lieu of proceeding further with condemnation in the condemnation suit styled City of Dallas v. Diann Tessman Slaton, et al, pending in County Court at Law No. 2, Cause No. CC-14-01509-B, for acquisition from Diann Tessman Slaton, et al., of approximately 26 acres of land for right-of-way and approximately 75,722 square feet of land in easement located in Dallas County, Texas for the Southwest 120/96-inch Water Transmission Pipeline Project; and **(2)** the deposit of the settlement amount reached through Court ordered mediation and negotiation of the condemnation suit for an amount not to exceed the amount of the settlement amount - Not to exceed $1,081,110, increased from $911,105 ($904,259 being the award, plus closing costs and title expenses not to exceed $6,846) to $1,992,215 ($1,985,369 being the settlement amount, plus closing costs and title expenses not to exceed $6,846) - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item authorizes settlement for the acquisition of approximately 26 acres of land for right-of-way and approximately 75,722 square feet of land in easement located in Dallas County, Texas for the Southwest 120/96-inch Water Transmission Pipeline Project. This settlement will allow acquisition of the property without further condemnation proceedings.

City Council authorized the purchase and/or condemnation in the amount of $683,955.00, based on an independent appraisal and inclusive of title and closing costs by Resolution Nos. 11-0174 and 13-0521. The Owner rejected the official offer and the City Attorney filed the condemnation proceeding for the acquisition of the property for the project.

BACKGROUND (continued)

The Special Commissioners' awarded $904,259.00 on May 25, 2016. The City filed a Judgment in the Absence of Objections on January 13, 2017.

On May 25, 2016, City Council authorized the Special Commissioners' award amount of $904,259.00, by Resolution No. 16-0816. The Special Commissioners' award was deposited with the County Clerk of Dallas County, Texas on July 15, 2016.

The City and Diann Tessman Slaton, et al., attended a court ordered mediation on August 17, 2017. The parties reached an amount to settle the lawsuit.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On January 12, 2011 and March 27, 2013, City Council authorized acquisition including the exercise of the right of eminent domain, if such becomes necessary, by Resolution No. 11-0174 and Resolution No. 13-0521.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on September 25, 2017.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - $1,081,109.90

Resolution No. 11-0174	$ 184,002.00
Resolution No. 13-0521	$ 689,105.00
Resolution No. 17-0816 (Commissioners' Award)	$ 911,105.00
Additional Amount (this action)	$1,081,109.90
Total Authorized Amount	$1,992,214.90

OWNER

Diann Tessman Slaton, et al.

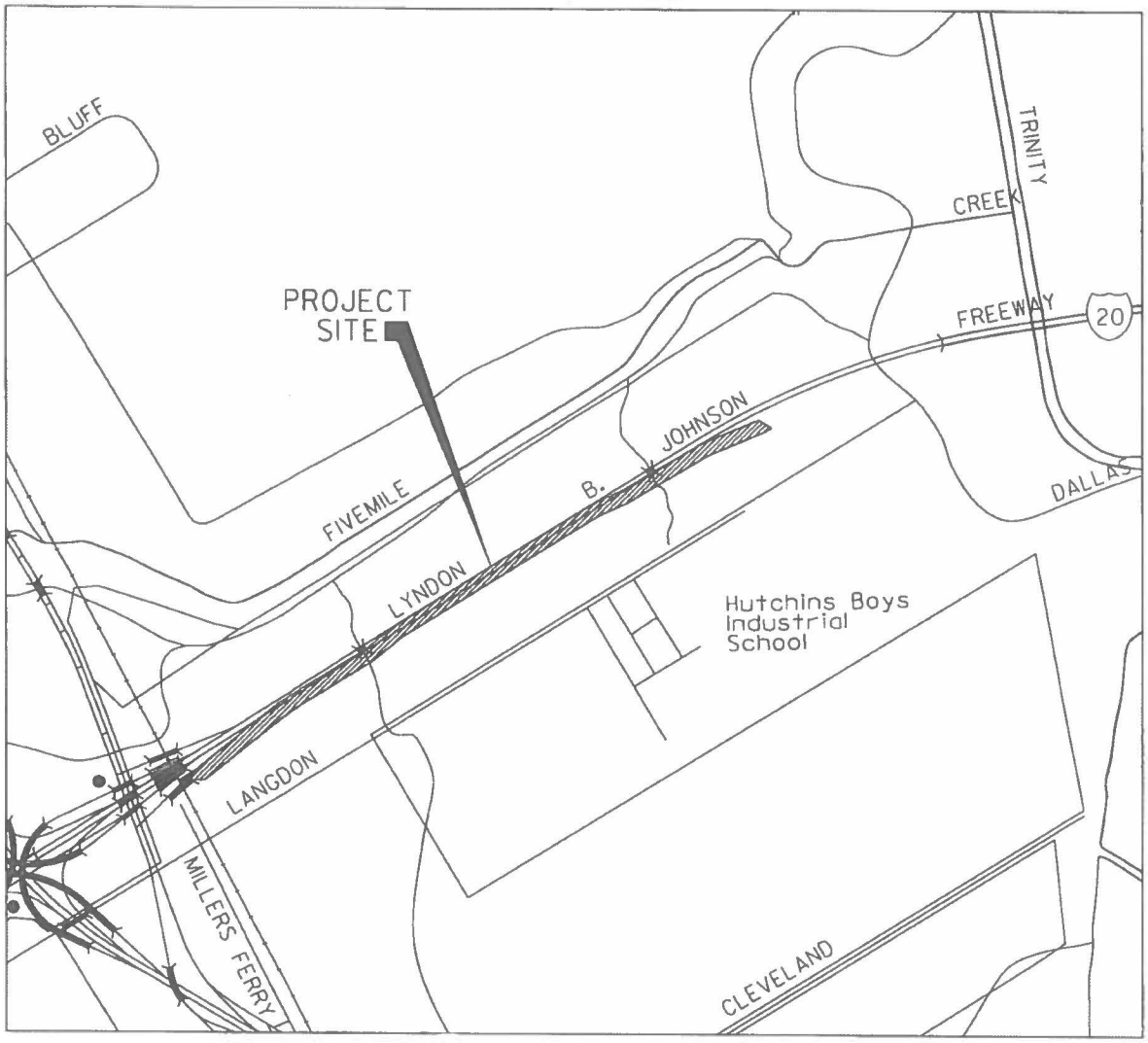
MAPS

Attached

PARCEL E-128F

Tract One

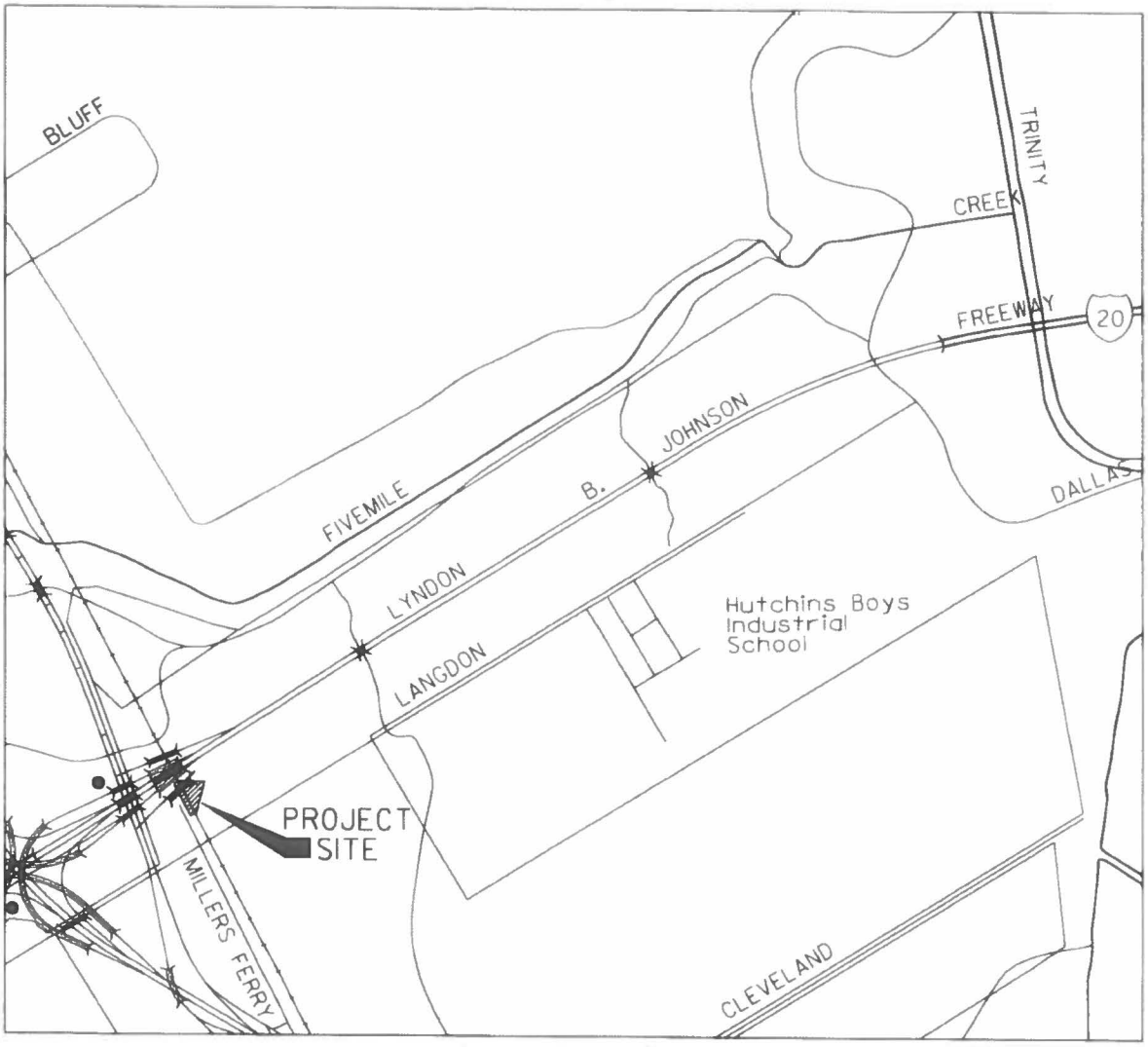
CITY OF HUTCHINS, DALLAS COUNTY, TEXAS



PARCEL E-128E

Tract Two

CITY OF HUTCHINS, DALLAS COUNTY, TEXAS



September 27, 2017

A RESOLUTION AUTHORIZING SETTLEMENT OF A CONDEMNATION LAWSUIT.

All capitalized terms are defined in Section 1 below.

WHEREAS, the Dallas City Council by the FIRST RESOLUTION found that the USE of the PROPERTY INTEREST in and to the PROPERTY for the PROJECT is a public use; and

WHEREAS, the Dallas City Council by the FIRST RESOLUTION found that a public necessity requires that CITY acquire the PROPERTY INTEREST in and to the PROPERTY from OWNER for the PROJECT; and

WHEREAS, the Dallas City Council by the FIRST RESOLUTION authorized acquisition, by purchase, of the PROPERTY INTEREST in and to the PROPERTY held by OWNER for the PROJECT; and

WHEREAS, OWNER refused to sell the PROPERTY INTEREST in and to the PROPERTY to CITY for the OFFICIAL OFFER AMOUNT contained in the FIRST RESOLUTION; and

WHEREAS, the Dallas City Council by the SECOND RESOLUTION authorized and directed the City Attorney to file the necessary proceeding and to take the necessary action for the acquisition of the PROPERTY INTEREST in and to the PROPERTY by condemnation, or in any other manner provided by law; and

WHEREAS, the City Attorney, pursuant to the SECOND RESOLUTION, filed a CONDEMNATION PROCEEDING for the acquisition of the PROPERTY INTEREST in and to the PROPERTY for the PROJECT; and

WHEREAS, the Dallas City Council by the THIRD RESOLUTION authorized the City Attorney to deposit the SPECIAL COMMISSIONERS' AWARD AMOUNT rendered by the Special Commissioners appointed by the Court in the CONDEMNATION PROCEEDING; and

WHEREAS, objections to the SPECIAL COMMISSIONERS' AWARD AMOUNT were filed, turning the CONDEMNATION PROCEEDING into a CONDEMNATION LAWSUIT; and

WHEREAS, OWNERS have agreed to settle the CONDEMNATION LAWSUIT for the SETTLEMENT AMOUNT; and

WHEREAS, the Dallas City Council desires to authorize the City Attorney and the City Manager to settle the CONDEMNATION LAWSUIT for the SETTLEMENT AMOUNT.

Now, Therefore,

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

SECTION 1. For the purposes of this resolution, the following definitions shall apply:

"CITY": The City of Dallas

"FIRST RESOLUTION": Resolution No. 11-0174 approved by the Dallas City Council on January 12, 2011, authorizing negotiations, which is incorporated herein by reference.

"SECOND RESOLUTION": Resolution No. 13-0521 approved by the Dallas City Council on March 27, 2017, authorizing filing of a condemnation proceeding, which is incorporated herein by reference.

"CONDEMNATION PROCEEDING/LAWSUIT": Cause No. CC-14-01509-B, in Dallas County Court at Law No. 2, and styled City of Dallas v. Diann Tessman Slaton, et al., filed pursuant to the SECOND RESOLUTION.

"THIRD RESOLUTION": Resolution No. 16-0816 approved by the Dallas City Council on May 25, 2017, authorizing deposit of the SPECIAL COMMISSIONERS' AWARD AMOUNT, which is incorporated herein by reference.

"PROPERTY": Approximately 26 acres of land in fee and 75,722 square feet of land in easement Dallas County, Texas, as described in the CONDEMNATION PROCEEDING.

"PROPERTY INTEREST": Fee and Easement

"PROJECT": Southwest 120/96-inch Water Transmission Pipeline Project

"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, together with such appurtenant facilities as may be necessary, however, to the extent fee title to the PROPERTY is acquired through instrument, such title in and to the PROPERTY shall not be limited to, or otherwise deemed restricted to, the USE herein provided.

SECTION 1. (continued)

"OFFICIAL OFFER AMOUNT": $683,955.00, as approved in the FIRST RESOLUTION.

"SPECIAL COMMISSIONERS' AWARD AMOUNT": $904,259.00, the same having been previously deposited pursuant to the THIRD RESOLUTION.

"SETTLEMENT AMOUNT": $1,985,368.90, which includes the SPECIAL COMMISSIONERS' AWARD AMOUNT.

"ADDITIONAL AMOUNT": $1,081,109.90, the difference between the SETTLEMENT AMOUNT and the SPECIAL COMMISSIONERS' AWARD AMOUNT.

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $6,846.00

"AUTHORIZED AMOUNT": Not to exceed $1,992,214.90

"DESIGNATED FUNDS":

$184,002.00 from Water Utilities Capital Improvement Funds, Fund 3115, Department DWU, Unit PW40, Activity MPSA, Program 706623, Object 4210, Encumbrance CT DWU706623CPAM

$505,103.00 from Water Utilities Capital Improvement Funds, Fund 2115, Department DWU, Unit PW40, Activity MPSA, Program 706623, Object 4210, Encumbrance CT DWU706623CPAMA

$222,000.00 from Water Utilities Capital Improvement Funds, Fund 3115, Department DWU, Unit PW40, Activity MPSA, Program 706623, Object 4210, Encumbrance CT DWU706623CPAMA

$1,081,109.90 from Water Utilities Capital Construction Funds, Fund 0102, Department DWU, Unit CW40, Activity MPSA, Program 706623, Object 4210, Encumbrance/Contract No. CT DWU-2017-00003568.

SECTION 2. That the City Attorney and the City Manager are hereby authorized to settle the CONDEMNATION LAWSUIT for the SETTLEMENT AMOUNT.

SECTION 3. That the City Attorney and the City Manager are hereby authorized to prepare and execute such documents as may be necessary to effect the settlement described herein.

SECTION 4. That if the PROPERTY INTEREST in and to the PROPERTY is being acquired by instrument, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the ADDITIONAL AMOUNT, made payable to OWNER, or the then current owner(s) of record, or to the title company insuring the transaction described herein. If the PROPERTY INTEREST in and to the PROPERTY is not being acquired through instrument, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the ADDITIONAL AMOUNT, made payable to the County Clerk of Dallas County, Texas, which is to be deposited into the registry of the Court. The Chief Financial Officer is further authorized and directed to issue another check, to be paid out of and charged to the DESIGNATED FUNDS, in the amount of the CLOSING COSTS AND TITLE EXPENSES, made payable to the title company insuring the transaction described herein. The ADDITIONAL AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

AGENDA ITEM # 34

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize acquisition from Harold J. Baber, of approximately 5,379 square feet of land located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $29,700 ($27,750, plus closing costs and title expenses not to exceed $1,950) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition from Harold J. Baber, of approximately 5,379 square feet of land with a vacant manufactured home 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. No relocation benefits are required.

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, TX and then to the Eastside Water Treatment Plant located in Sunnyvale, TX. 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 September 25, 2017.

FISCAL INFORMATION

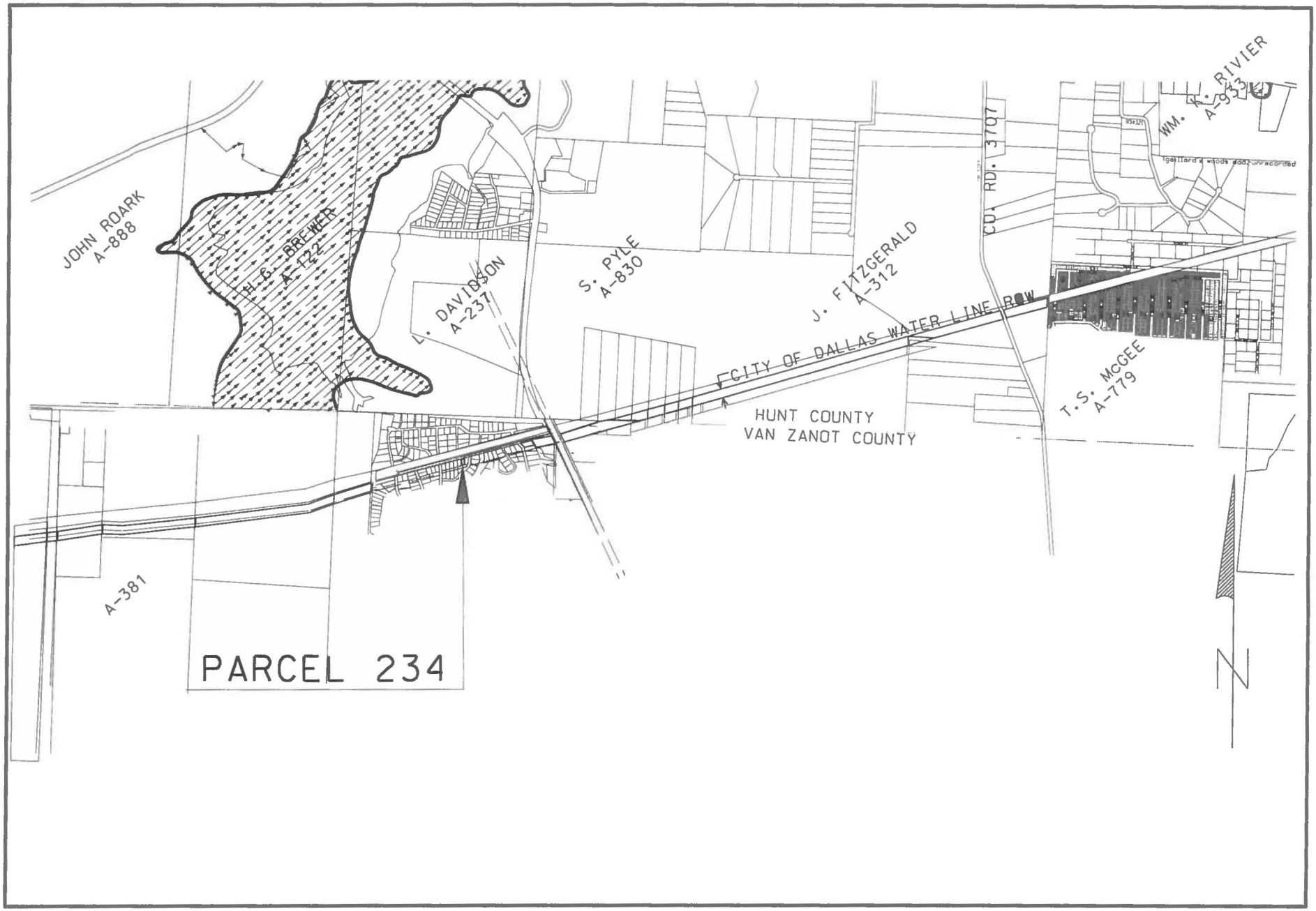
Water Utilities Capital Construction Funds - $29,700 ($27,750, plus closing costs and title expenses not to exceed $1,950)

OWNER

Harold J. Baber

MAP

Attached



VICINITY MAP

APPROXIMATE SCALE 1" = 2000'

P:\0515-LakeTawakoni\Parcel\ParcelsMap_234.dgn Plotted on 4/17/2015 at 2:37:31 PM By: jason Project: City Of Dallas Plot Driver: dteprinter.pltcfg PenTable:dte.tbl

September 27, 2017

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 5,379 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 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": Harold J. Baber, 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": $27,750

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $1,950

"AUTHORIZED AMOUNT": Not to exceed $29,700

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 Utilities Capital Construction Funds, Fund 0102, Department DWU, Unit CW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2017-00002861. 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:
LARRY E. CASTO, 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: 234

BEING a 5,379 square foot (0.1235 acre) tract of land in the J. McCown Survey, Abstract No. 527, being all of Lot 198 of the Retirement Village Revision No. II, an Addition to Rolling Oaks Subdivision, as recorded in Slide 34-A of the Plat Records of Van Zandt County, Texas, said Lot 198 being described in Warranty Deed to Harold J. Baber, as recorded in Volume 927, Page 943, of the Real 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.

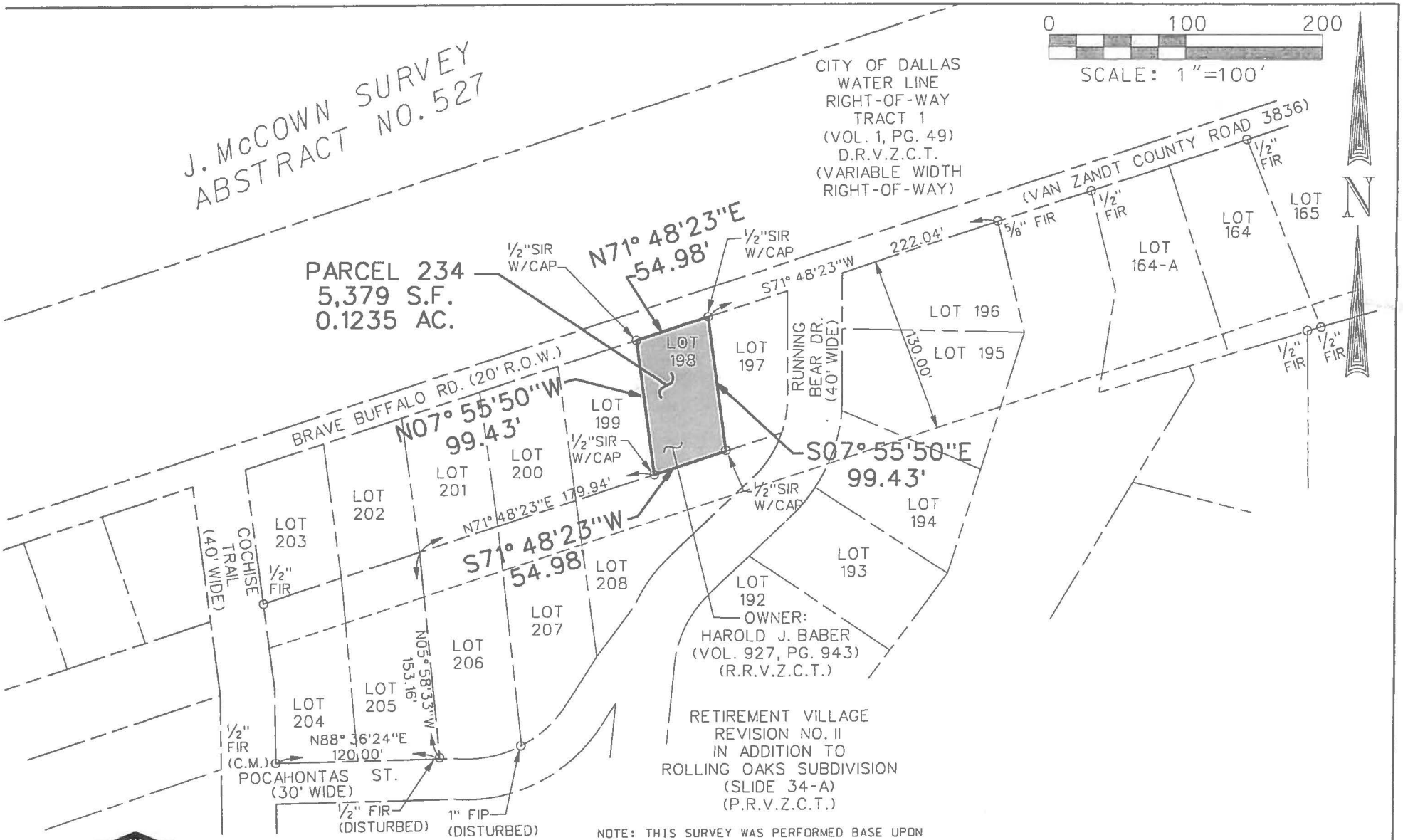
Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 4.20.15

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: 5/4/15



NOTE: THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED UNDER ALLIANT NATIONAL TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 30839-CB11, WITH AN EFFECTIVE DATE OF FEBRUARY 24, 2011

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

4.20.15

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O ½"SIR W/CAP	½" 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
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

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 Harold J. Baber, a single man (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 TWENTY SEVEN THOUSAND SEVEN HUNDRED FIFTY AND 00/100 DOLLARS ($27,750.00) 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 _____, _____.

_____
Harold J. Baber

* *

STATE OF TEXAS '
COUNTY OF VAN ZANDT '

This instrument was acknowledged before me on _____
by Harold J. Baber.

_____
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. 43240

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: 234

BEING a 5,379 square foot (0.1235 acre) tract of land in the J. McCown Survey, Abstract No. 527, being all of Lot 198 of the Retirement Village Revision No. II, an Addition to Rolling Oaks Subdivision, as recorded in Slide 34-A of the Plat Records of Van Zandt County, Texas, said Lot 198 being described in Warranty Deed to Harold J. Baber, as recorded in Volume 927, Page 943, of the Real 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.

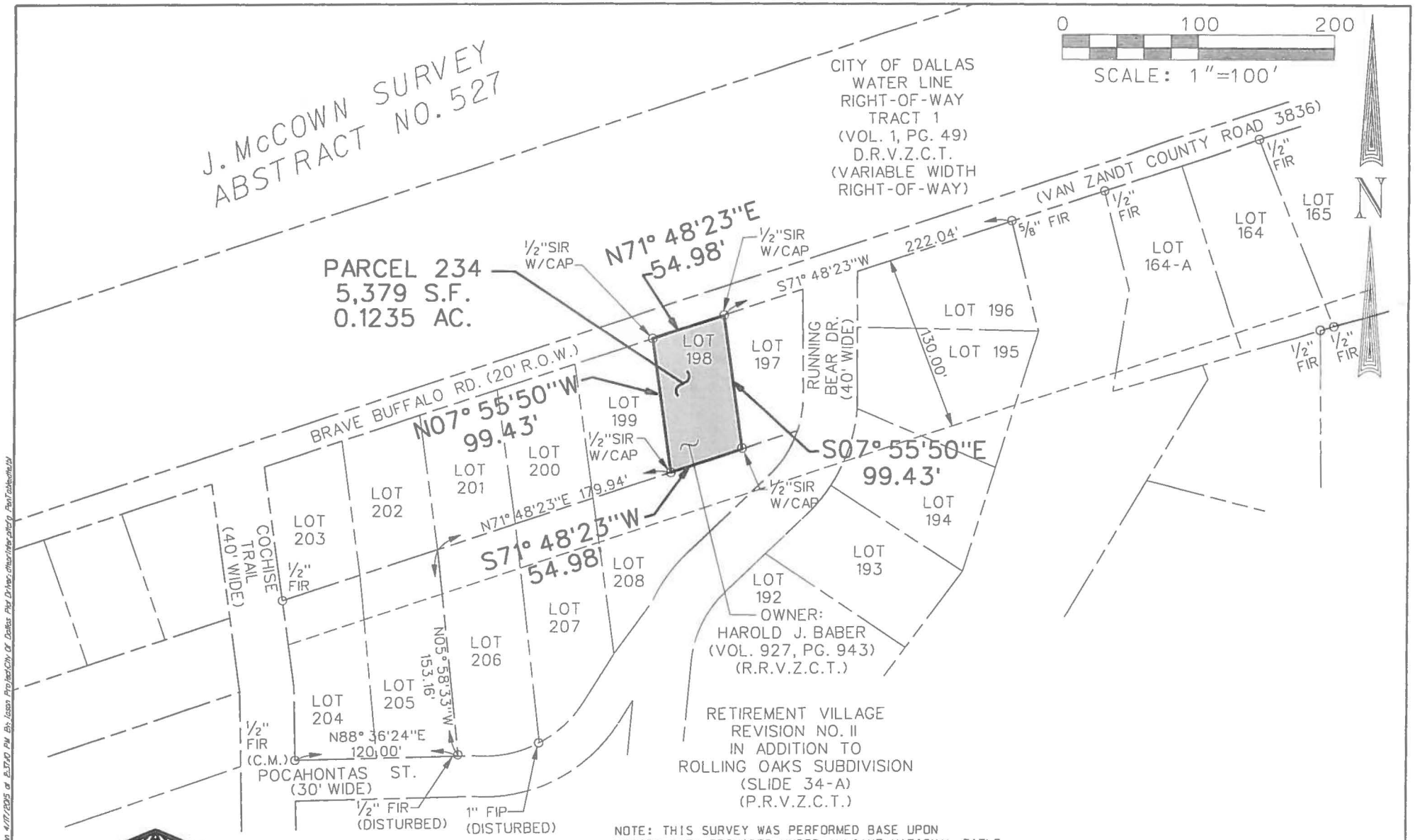
A plat of even survey date herewith accompanies this legal description.

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

By: _____ Date: 4.20.15

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

FIELD NOTES APPROVED:
5/4/15



NOTE: THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED UNDER ALLIANT NATIONAL TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 30839-CB11, WITH AN EFFECTIVE DATE OF FEBRUARY 24, 2011

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

4-20-15

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
O	½"SIR W/CAP	½" 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
J McCOWN SURVEY, ABSTRACT NO 527
VAN ZANDT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17-100 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

AUSSS-Late Traverse\Parcel\PAR-234.dgn Plotted on 4/17/2015 at 8:37:40 PM By: Jason Project:\City Of Dallas Plat Drives\marchtear.plot.tbl PenTablet.stb

AGENDA ITEM # 35

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	4
DEPARTMENT:	Sustainable Development and Construction Equipment & Building Services
CMO:	Majed Al-Ghafry, 670-3302 Jody Puckett, 670-3390
MAPSCO:	55H

SUBJECT

Authorize 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 Streets for the Cadillac Heights Phase II Project - Not to exceed $43,700 ($42,000, plus closing costs and title expenses not to exceed $1,700) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes 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 Streets for the Cadillac Heights Phase II Project. This property will be used for future location of City service and maintenance facilities. The consideration is based on an independent appraisal. The relocation benefits are estimated to be $59,900.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on September 25, 2017.

FISCAL INFORMATION

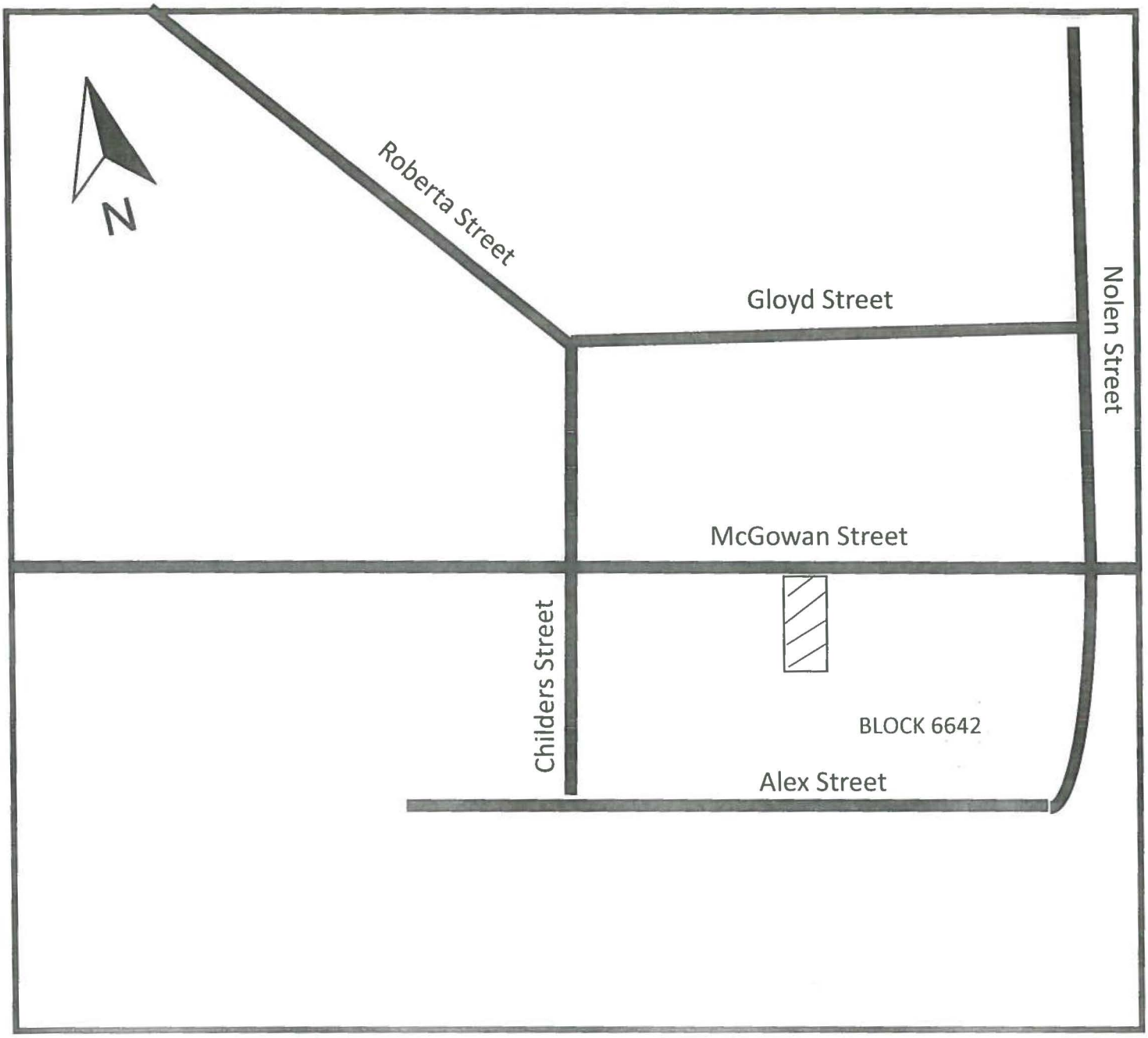
2006 Bond Funds - $43,700 ($42,000, plus closing costs and title expenses not to exceed $1,700)

OWNER

Maria Gloria DeLeon

MAP

Attached


N
Roberta Street
Gloyd Street
Nolen Street
McGowan Street
Childers Street
BLOCK 6642
Alex Street

SUBJECT:

September 27, 2017

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 5,772 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

"USE": City service 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 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": Maria Gloria DeLeon 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": $42,000

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $1,700

"AUTHORIZED AMOUNT": Not to exceed $43,700

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 Funds, Fund BT11, Department EBS , Unit T825, Activity LAAQ, Program PB06T825, Object 4210, Encumbrance/Contract No. CX EBS-2017-00003247. 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:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

EXHIBIT A

Being Lot 56, in Dallas City Block 6642 of MEADOW GARDENS, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, page 465, 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.

EXHIBIT B

GENERAL WARRANTY DEED

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

That Maria Gloria DeLeon, 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 FORTY-TWO THOUSAND AND NO/100 DOLLARS ($42,000.00) 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, 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 _____, 2017.

_____
Maria Gloria DeLeon

ACKNOWLEDGEMENT

****

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____
by Maria Gloria DeLeon.

_____
Notary Public, State of TEXAS

****

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

Warranty Deed Log No. 39982 / Block 6642

EXHIBIT A

Being Lot 56, in Dallas City Block 6642 of MEADOW GARDENS, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, page 465, of the Map Records of Dallas County, Texas.

AGENDA ITEM # 36

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 54B

SUBJECT

A resolution declaring approximately 4,497 square feet of undevelopable City-owned land unwanted and unneeded, located near the intersection of Polk Street and Turner Avenue, and authorizing its sale to Jose Guadalupe Yanez, the abutting owner – Revenue: $20,000

BACKGROUND

This item will declare approximately 4,497 square feet of undevelopable City-owned land unwanted and unneeded, located near the intersection of Polk Street and Turner Avenue, and authorizing its sale to Jose Guadalupe Yanez, the abutting owner. The area will be included with the property of the abutting owner to extend his property and construct a fence. The land cannot be used independently under the current zoning or under applicable subdivision or other development control ordinances, and should be sold only to the abutting owner.

This property will be conveyed with a restriction prohibiting the placement of industrialized housing and a reservation of all oil, gas and other minerals in and under the property.

The purchase price is based on Dallas Central Appraisal District value. This property will return to the tax rolls upon conveyance.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on September 25, 2017.

FISCAL INFORMATION

Revenue - $20,000

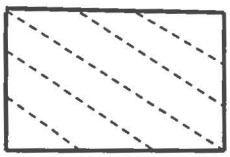
OWNER

Jose Guadalupe Yanez

MAP

Attached

SURPLUS PROPERTY: 626 TURNER AVE



September 27, 2017

WHEREAS, the City of Dallas is the owner of a tract of land containing approximately 4,497 square feet of land, Block 3477, Dallas County, Texas, (the “Property”); and being more fully described in Exhibit "A" attached hereto and made a part of hereof for all purposes, which is no longer needed for municipal use; and

WHEREAS, the tract is a narrow strip of land, that because of its shape, street frontage on three sides, and frontage set back requirements, the area cannot be used independently under its current zoning or under applicable subdivision or other development control ordinances, and may be sold without public bid to the abutting owner; and

WHEREAS, Jose Guadalupe Yanez, the abutting property owner, proposes to purchase said property at fair market value.

Now, Therefore,

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

SECTION 1. That upon receipt of **TWENTY THOUSAND AND NO/100 ($20,000.00) DOLLARS** from Jose Guadalupe Yanez, the City Manager or designee is hereby authorized to execute a Deed Without Warranty, to be attested by the City Secretary upon approval as to form by the City Attorney for approximately 4,497 square feet of land, Block 3477, Dallas County, Texas and located near the intersection of Polk Street and Turner Avenue. The 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 Jose Guadalupe Yanez (**"GRANTEE"**) is 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

(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

SECTION 2. (continued)

(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 or 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.,

SECTION 2. (continued)

as amended, (f) asbestos, (g) polychlorinated biphenyls, (h) 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 thereunder; and

(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, 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 Code 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8118.

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 contract is designated as Contract No. DEV-2017-00003013.

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:

LARRY E. CASTO, CITY ATTORNEY

BY: _____
Assistant City Attorney

Exhibit A

FIELD NOTES DESCRIBING A 4,497 SQUARE FOOT (0.103 ACRE) TRACT OF SURPLUS LAND TO BE CONVEYED IN BLOCK 3477

BEING a 4,497 square foot (0.103 acres) tract of land situated in the Aaron Overton Survey, Abstract No. 1101, and being a portion of Lot 10, Block 3477, official City of Dallas numbers, of the Second Installment of Sunrise Slope Addition, an addition to the City of Dallas, Dallas County, Texas as described in a Warranty Deed dated February 17, 1966 and recorded in Volume 760, Page 1744, Deed Records, Dallas County, Texas (DRDCT) and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with red plastic cap stamped "CITY OF DALLAS" (hereinafter referred to as "with cap") set at the intersection of the common line of lots 9 and 10 of said block with the east line of said Turner Ave. (50' width) from which a ½" iron pipe found at the intersection of the common line of Lots 7 and 8 of said Block with the east line of said Turner Ave. bears North 0°38'40" West, a distance of 110.00 feet, said set iron rod also being the northwest corner of the herein described tract and the southwest corner of Lot 9 as described in a Warranty Deed to Jose Guadalupe Yanez dated August 29, 2001 and recorded in Volume 2001170, Page 2266, DRDCT:

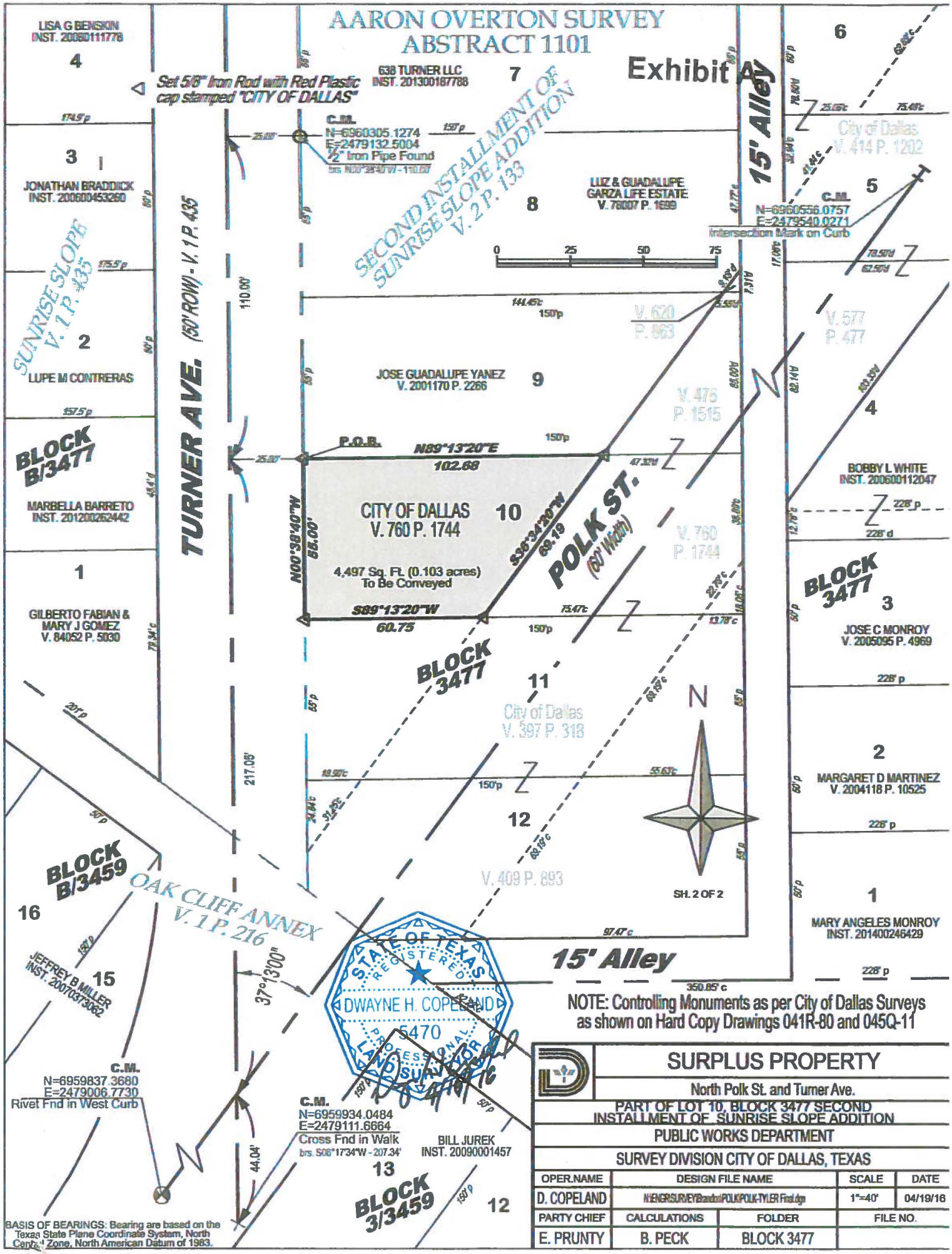
THENCE North 89°13'20" East, along the common line of Lots 9 and 10 of said Block, a distance of 102.68 feet to a 5/8" iron rod with cap set in the northwest line of Polk St. (60' width), said iron rod also being at the northeast corner of the herein described tract:

THENCE South 36°34'20" West, departing the common line of Lots 9 and 10 of said Block and along the northwest line of said Polk St., a distance of 69.19 feet to a 5/8" iron rod with cap set at the intersection of the said northwest line of Polk St. with the common line of Lots 10 and 11 of said Block, said iron rod also being at the southeast corner of the herein described tract:

THENCE South 89°13'20" West, departing the said northwest line of Polk St. and along the common line of Lots 10 and 11 of said Block, a distance of 60.75 feet to a 5/8" iron rod with cap set at the intersection of said common line of Lots 10 and 11 with the east line of said Turner Ave. from which a cross cut in concrete sidewalk on the southward prolongation of the centerline of said Turner Ave. as shown on City of Dallas survey drawing 041R-80 on file in the City of Dallas Survey Records Vault bears South 6°17'34" West, a distance of 207.34 feet:

THENCE North 0°38'40" West, departing the northwest line of said Polk St. and along the east line of said Turner Ave., a distance of 55.00 feet to the **POINT OF BEGINNING** and containing 4,497 square feet (0.103 acres) of land.

BASIS OF BEARINGS: Bearings are based on the Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983.



NOTE: Controlling Monuments as per City of Dallas Surveys as shown on Hard Copy Drawings 041R-80 and 045Q-11

SURPLUS PROPERTY

North Polk St. and Turner Ave.

PART OF LOT 10, BLOCK 3477 SECOND INSTALLMENT OF SUNRISE SLOPE ADDITION

PUBLIC WORKS DEPARTMENT

SURVEY DIVISION CITY OF DALLAS, TEXAS

OPER.NAME	DESIGN FILE NAME		SCALE	DATE
D. COPELAND	N:\ENGR.SURVEY\Brandon\POLK\POLK-TYLER Final.dgn		1"=40'	04/19/16
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.	
E. PRUNTY	B. PECK	BLOCK 3477		

AGENDA ITEM # 37

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	7
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	48R

SUBJECT

Authorize an amendment to an existing lease agreement with Continental Electronics Corporation to extend the lease agreement for an additional three years for approximately 28,000 square feet of warehouse and office space and 127 secured parking spaces located at 8231 and 8239 Hoyle Avenue to be used as a Water Utilities Pumping Division and Wastewater Collections Division for the period October 1, 2017 through September 30, 2020 - Not to exceed $393,156 - Financing: Water Utilities Current Funds (subject to annual appropriations)

BACKGROUND

This item authorizes an amendment to an existing lease agreement with Continental Electronics Corporation to extend the lease agreement for an additional three years for approximately 28,000 square feet of warehouse and office space and 127 secured parking spaces located at 8231 and 8239 Hoyle Avenue. The three-year extension will provide for the continued use as a Water Utilities Pumping Division and Wastewater Collections Division. The Pumping Division is occupying 8231 Hoyle Avenue for approximately 22,022 square feet of space and the Wastewater Collections Division is occupying 8239 Hoyle Avenue for approximately 5,978 square feet of space.

The three-year extension will begin on October 1, 2017 through September 30, 2020.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 23, 1994, City Council authorized a three-year Lease Agreement by Resolution No. 94-1186.

On February 12, 1997, City Council authorized a three-year renewal to the Lease Agreement by Resolution No. 97-0430.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On June 13, 2001, City Council authorized a three-year renewal to the Lease Agreement by Resolution No. 01-1809.

On June 15, 2004, City Council authorized the First Amendment to the Lease Agreement for a five-year extension by Resolution No. 04-1828.

On August 12, 2009, City Council authorized a Second Amendment to the Lease Agreement for a three-year extension by Resolution No. 09-1944.

On September 26, 2012, City Council authorized a Third Amendment to the Lease Agreement for a five-year extension by Resolution No. 12-2377.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on September 25, 2017.

FISCAL INFORMATION

Water Utilities Current Funds - $393,156 (subject to annual appropriations)

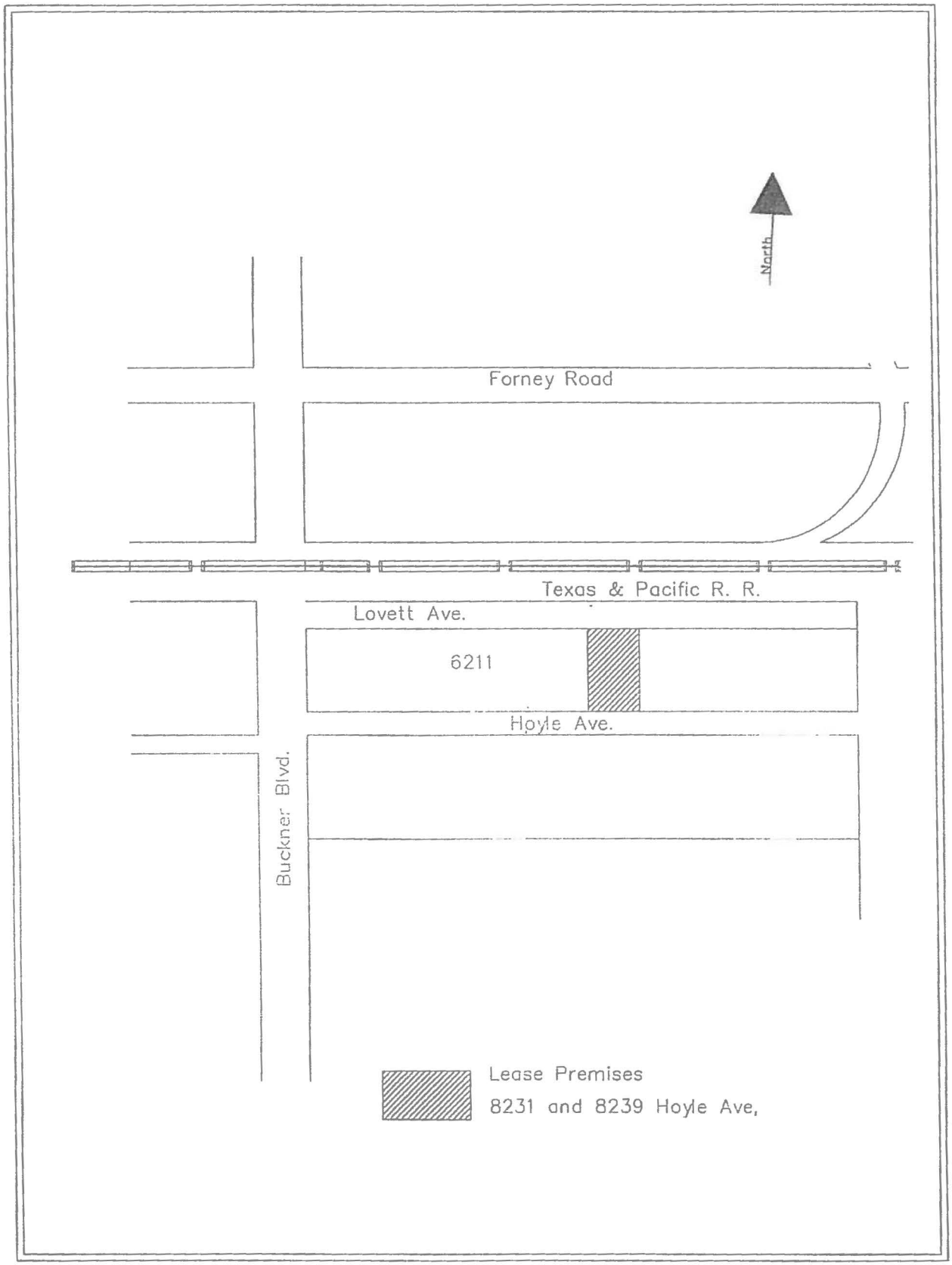
OWNER

Continental Electronics Corporation

Dan Dickey, Chief Executive Officer

MAP

Attached


North
Forney Road
Texas & Pacific R. R.
Lovett Ave.
6211
Hoyle Ave.
Buckner Blvd.
Lease Premises
8231 and 8239 Hoyle Ave,

September 27, 2017

WHEREAS, on March 23, 1994, City Council authorized a three-year lease agreement dated March 23, 1994, ("the Lease") with Continental Electronics Corporation ("Landlord"), as landlord, and City of Dallas ("City"), as tenant, for approximately 28,000 square feet of warehouse and office space, and related adjacent 127 secured parking spaces, located at 8231 and 8239 Hoyle Avenue, Dallas, Dallas County, Texas ("Premises") to be used by Water Utilities Pumping Division and Wastewater Collections Division by Resolution No. 94-1186; and

WHEREAS, on February 12, 1997, City Council authorized a Lease Agreement dated February 12, 1997, to extend the lease term for an additional three years by Resolution No. 97-0430; and

WHEREAS, on June 13, 2001, City Council authorized a Lease Agreement dated June 13, 2001, to extend the lease term for an additional three years by Resolution No. 01-1809; and

WHEREAS, Continental Electronics Corporation changed its name to DRS Broadcast Technologies, Inc., effective December 2, 2003; and

WHEREAS, on June 15, 2004, City Council authorized the First Amendment to the Lease Agreement dated June 15, 2004, to extend the lease term for an additional five years by Resolution No. 04-1828; and

WHEREAS, DRS Broadcast Technologies, Inc. changed its name to Continental Electronics Corporation, effective March 17, 2005; and

WHEREAS, on August 12, 2009, City Council authorized the Second Amendment to the Lease Agreement dated August 24, 2009, to extend the lease term for an additional three years by Resolution No. 09-1944; and

WHEREAS, on September 26, 2012, City Council authorized the Third Amendment to the Lease Agreement dated October 1, 2012, to extend the lease term for an additional five years by Resolution No. 12-2377; and

WHEREAS, the Lease, as amended, expires by its own terms on September 30, 2017; and

WHEREAS, the parties desire to renew, extend, modify and/or amend the Lease to provide for an additional three-year term.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the Fourth Amendment to the Lease Agreement between Continental Electronics Corporation, a Nevada corporation and the City of Dallas, approved as to form by the City Attorney.

SECTION 2. That the special terms and conditions of the Fourth Amendment to the Lease Agreement are:

a. The term of the Lease is extended for an additional three years, effective October 1, 2017 and ending September 30, 2020, provided however, that City and Landlord retain the right to terminate the Lease as provided elsewhere therein.

b. Monthly rental payments shall be as follows (subject to annual appropriations):

October 1, 2017 – September 30, 2018	$10,600.00 per month
October 1, 2018 – September 30, 2019	$10,918.00 per month
October 1, 2019 – September 30, 2020	$11,245.00 per month

c. All other terms of the Lease, as previously amended, not expressly amended hereby shall remain unchanged and in full force and effect.

SECTION 3. That the Chief Financial Officer is hereby authorized to draw warrants payable to Continental Electronics Corporation, or its successors and assigns on the first day of each month in advance during the lease term beginning October 1, 2017 in the amount specified below:

October 1, 2017 – September 30, 2018 (subject to annual appropriations)	$10,600.00 per month
October 1, 2018 – September 30, 2019 (subject to annual appropriations)	$10,918.00 per month
October 1, 2019 – September 30, 2020 (subject to annual appropriations)	$11,245.00 per month

SECTION 4. That the payments will be charged as follows:

October 1, 2017- September 30, 2018:

Fund 0100, Department DWU, Unit 7311, Object 3330, Encumbrance/Contract No. CX DWU-2017-00003674, Commodity Code 97145, Vendor 515525, Amount $8,335.00

SECTION 4. (continued)

Fund 0100, Department DWU, Unit 7411, Object 3330, Encumbrance/Contract No. CX DWU-2017-00003674, Commodity Code 97145, Vendor 515525, Amount $2,265.00

October 1, 2018 - September 30, 2019:

Fund 0100, Department DWU, Unit 7311, Object 3330, Encumbrance/Contract No. CX DWU-2017-00003674 Commodity Code 97145, Vendor 515525, Amount $8,588.00

Fund 0100, Department DWU, Unit 7411, Object 3330, Encumbrance/Contract No. CX DWU-2017-00003674, Commodity Code 97145, Vendor 515525, Amount $2,330.00

October 1, 2019 - September 30, 2020:

Fund 0100, Department DWU, Unit 7311, Object 3330, Encumbrance/Contract No. CX DWU-2017-00003674 Commodity Code 97145, Vendor 515525, Amount $8,845.00

Fund 0100, Department DWU, Unit 7411, Object 3330, Encumbrance/Contract No. CX DWU-2017-00003674, Commodity Code 97145, Vendor 515525, Amount $2,400.00

SECTION 5. That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective utility, janitorial, communication and security companies upon receipt of a bill for services or other applicable charges throughout the term of the lease.

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:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

AGENDA ITEM # 38

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45Q

SUBJECT

An ordinance granting a private license to FM CADIZ OWNER LP, for the use of a total of approximately 934 square feet of aerial space to install, maintain and utilize three canopies without premise sign over a portion of Harwood Street right-of-way near its intersection with Cadiz Street - Revenue: $300 one-time fee, plus the $20 ordinance publication fee

BACKGROUND

This item grants a private license to FM CADIZ OWNER LP, for the use of a total of approximately 934 square feet of aerial space to install, maintain and utilize three canopies without premise sign over a portion of Harwood Street right-of-way near its intersection with Cadiz Street. The use of this area will not impede pedestrian or vehicular traffic.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on September 25, 2017.

FISCAL INFORMATION

Revenue - $300 one-time fee, plus the $20 ordinance publication fee

OWNER

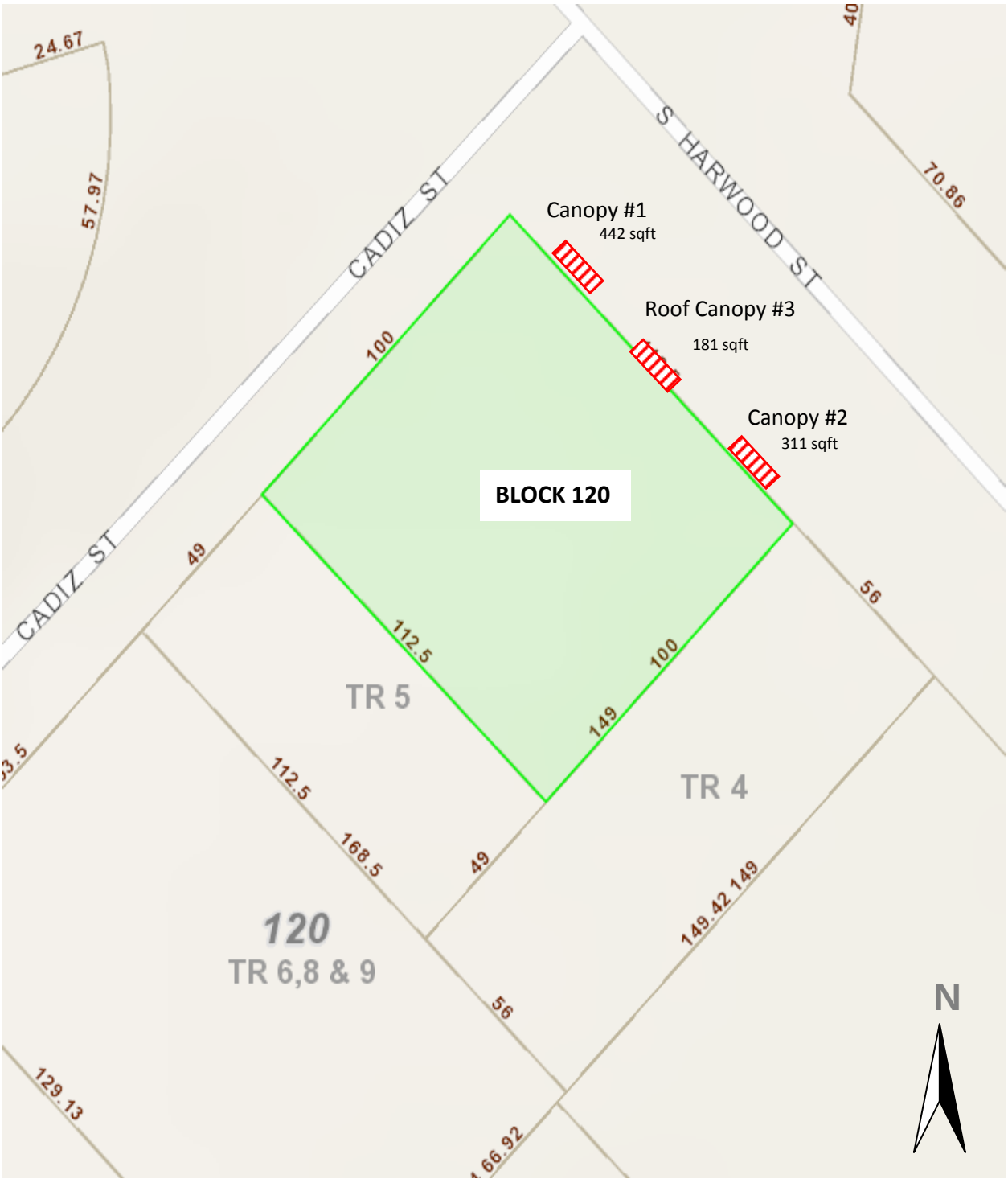
FM CADIZ OWNER LP

FM CADIZ GP LP, General Partner

LYND DEVELOPMENT, LLC, Managing Member
Daniel Zunker, Manager

MAP

Attached



LICENSE AREAS

ORDINANCE NO. _____

An ordinance granting a private license to FM CADIZ OWNER LP to occupy, maintain and utilize a portion of Harwood Street right-of-way located near its intersection with Cadiz Street adjacent to City Block 120 within the limits hereinafter more fully described, for the purpose of occupying, maintaining and utilizing three canopies without premise sign; providing for the terms and conditions of this license; providing for the one-time fee compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

ooo0ooo

SECTION 1. That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to FM CADIZ OWNER LP, a Delaware limited partnership its successors and assigns, hereinafter referred to as **"GRANTEE"**, to occupy, maintain and utilize for the purpose set out hereinbelow the tract of land described in Exhibit A, hereinafter referred to as "licensed area" which is attached hereto and made a part hereof.

SECTION 2. That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That **GRANTEE** shall pay to the City of Dallas a one-time license fee in the sum of **THREE HUNDRED AND NO/100 ($300.00) DOLLARS**, for the license herein granted, said sum to be paid prior to the final passage of this ordinance and shall cover the consideration for the license term, in accordance with the special fees established by Section 43-115.1 of the Dallas City Code. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in General Fund, Fund 0001, Department DEV, Unit 1181, Revenue Code 8200. In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of $25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10 percent a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: occupy, maintain, and utilize three canopies without premise sign.

SECTION 5. That this license is subject to the provisions set forth in Exhibit B, attached hereto and made a part hereof.

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed areas for any public purpose. The Governing Body of the City of Dallas reserves the right by resolution duly passed by said Governing Body, to terminate and cancel this license upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed areas at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in Exhibit B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

a) **GRANTEE** shall ensure that there is no impediment to, or removal of on-street parking or required signage.

b) **GRANTEE** shall have no special pavers, stone, or decorative concrete within 24 inches from the curb or edge of the loading dock unless, it can be easily adapted to support the placement of poles for government signs and/or parking meters with

SECTION 7. (continued)

1) the removal of sections of the area (to be backfilled with concrete) or 2) drilled into for placement of items or 3) portholes left in place or created for the placement of government signage and/or parking meters. Placement is subject to the approval of the Director of the Department of Transportation.

c) **GRANTEE** shall acknowledge AT&T has aerial cable on Harwood Street that may conflict with the canopies. **GRANTEE** may need to cover cost to relocate telephone cable. Contact Dean Woodruff at 214-320-6430.

SECTION 8. That upon the effectiveness of this ordinance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 9. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 10. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restriction and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area**,** and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 11. 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 fee pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the 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 12. That this contract is designated as Contract No. DEV-2017-00003680.

SECTION 13. 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:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

EXHIBIT A

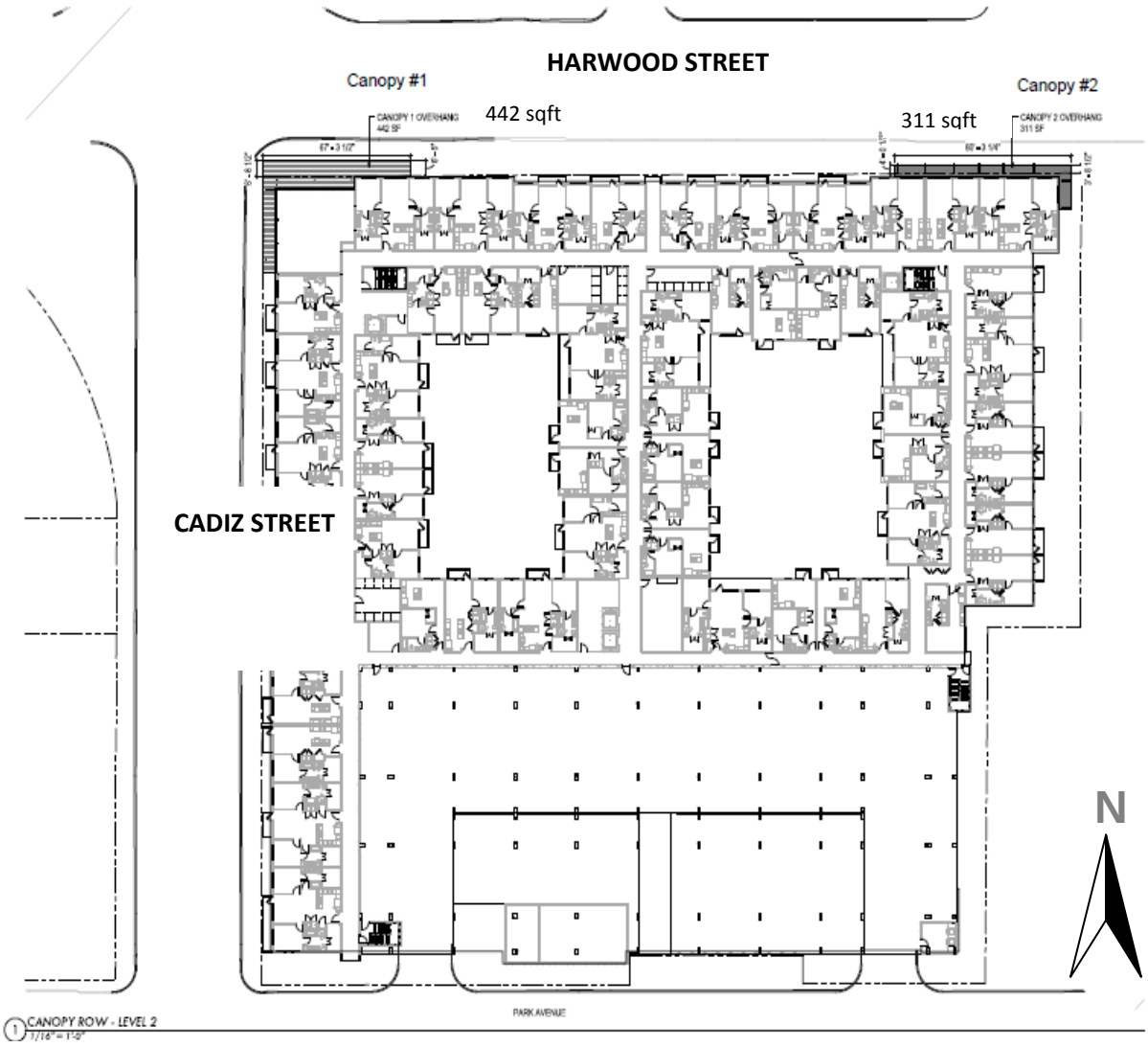

HARWOOD STREET
Canopy #1
442 sqft
Canopy #2
311 sqft
CADIZ STREET
N
PARK AVENUE
CANOPY ROW - LEVEL 2

EXHIBIT A

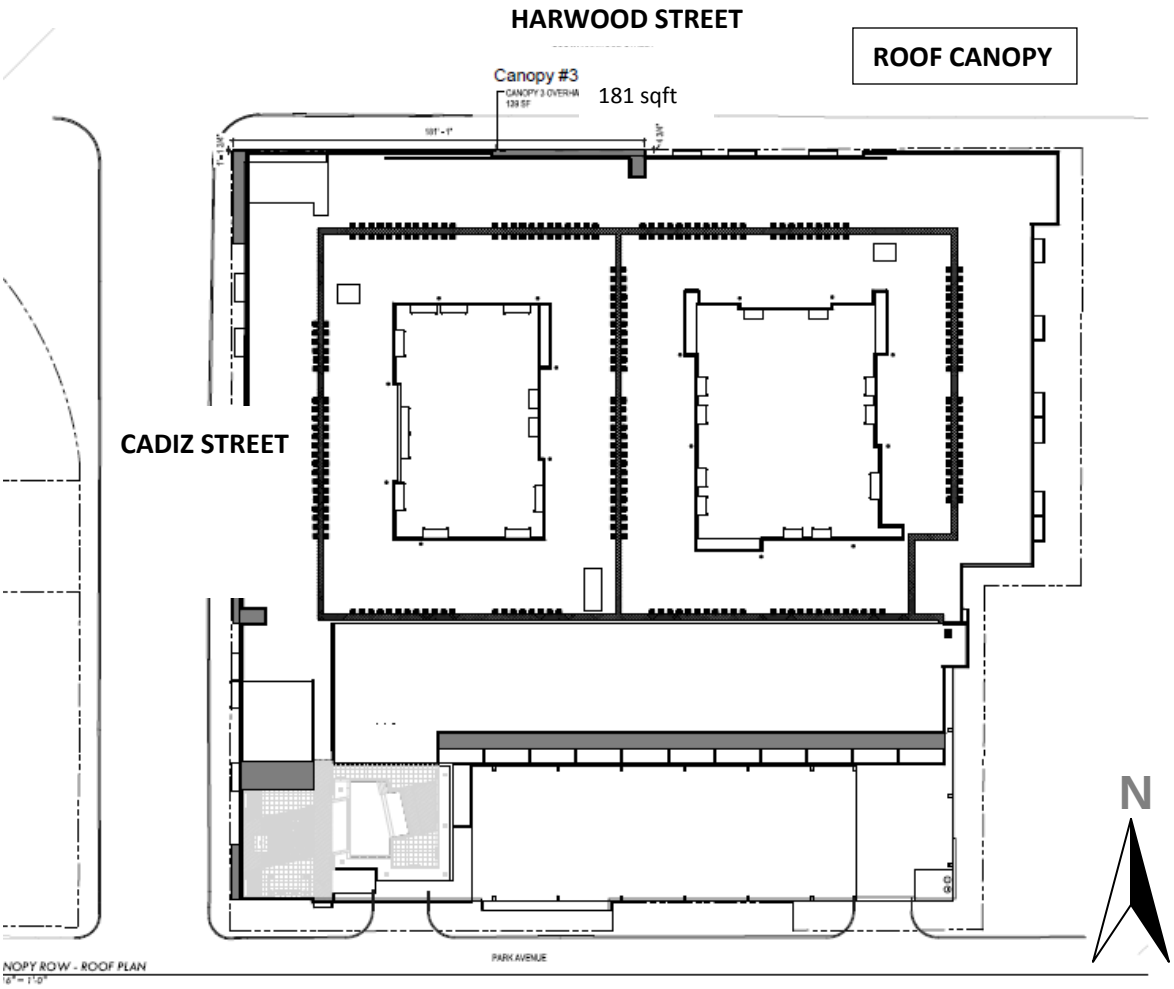

HARWOOD STREET
ROOF CANOPY
Canopy #3
181 sqft
CADIZ STREET
N
PARK AVENUE
NOPY ROW - ROOF PLAN

EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS

That this license is granted subject to the following additional conditions, terms and reservations:

(a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.

(b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

(c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than $500,000 per occurrence and $500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

twelve (12) months following termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.

(d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.

(e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

(f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.

(g) As a condition hereof, **GRANTEE** agrees and is bound to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily 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 the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to

flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

(h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

AGENDA ITEM # 39

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45P

SUBJECT

An ordinance granting a private license to RBP Adolphus LLC, for the use of approximately 109 square feet of land to maintain and utilize a sidewalk café on a portion of Commerce Street right-of-way near its intersection with Field Street - Revenue: $200 annually, plus the $20 ordinance publication fee

BACKGROUND

This item grants a private license to RBP Adolphus LLC, for the use of approximately 109 square feet of land to maintain and utilize a sidewalk café on a portion of Commerce Street right-of-way near its intersection with Field Street. The use of this area will not impede pedestrian or vehicular traffic.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on September 25, 2017.

FISCAL INFORMATION

Revenue - $200 annually, plus the $20 ordinance publication fee

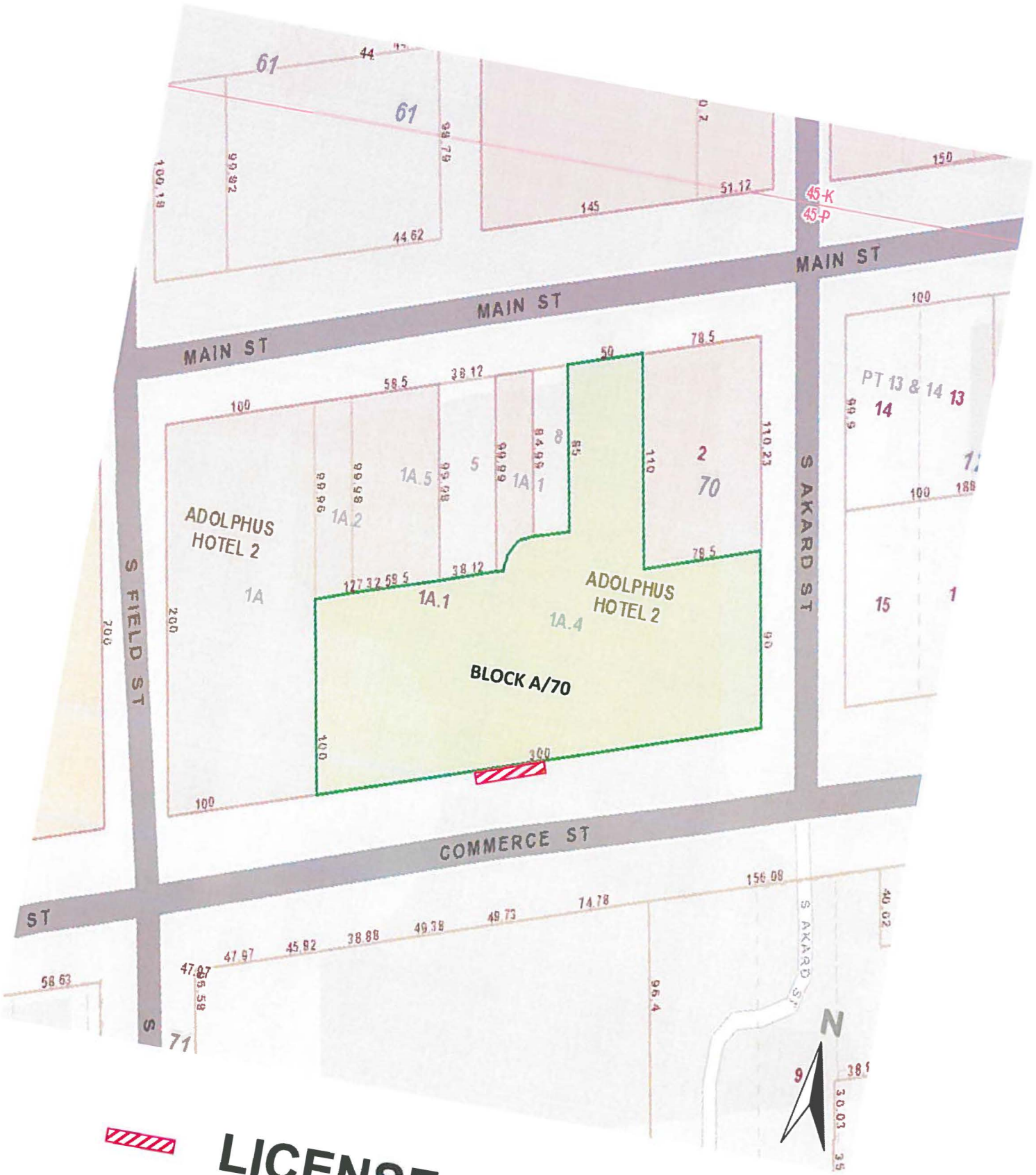
OWNER

RBP Adolphus LLC

Kenneth J. Krebs, Manager

MAP

Attached


MAIN ST
MAIN ST
MAIN ST
S FIELD ST
S AKARD ST
COMMERCE ST
ST
ADOLPHUS HOTEL 2
1A
1A.1
1A.2
1A.4
1A.5
ADOLPHUS HOTEL 2
BLOCK A/70
61
61
70
71
PT 13 & 14
13
14
15
45-K
45-P
N
LICENSE AREA

ORDINANCE NO. _____

An ordinance granting a private license to RBP Adolphus LLC to occupy, maintain and utilize a portion of Commerce Street right-of-way located near its intersection with Field Street adjacent to City Block A/70 within the limits hereinafter more fully described, for the purpose of maintaining and utilizing a sidewalk café; providing for the annual compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

ooo0ooo

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

SECTION 1. That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to RBP Adolphus LLC, a Delaware limited liability company its successors and assigns, hereinafter referred to as **"GRANTEE"**, to occupy, maintain and utilize for the purpose set out hereinbelow the tract of land described in Exhibit A, hereinafter referred to as "licensed area" which is attached hereto and made a part hereof.

SECTION 2. That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That **GRANTEE** shall pay to the City of Dallas the sum of **TWO HUNDRED AND NO/100 ($200.00) DOLLARS** annually for the license herein granted, said sum to become due and payable on the 2nd day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum of **TWO HUNDRED AND NO/100 ($200.00) DOLLARS** shall be paid prior to the final passage of this ordinance and shall cover the consideration for 2017. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of the Department of Sustainable Development may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in General Fund, Fund 0001, Department DEV, Unit 1181,

SECTION 3. (continued)

Revenue Code 8200. In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of $25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10 percent a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: occupy, maintain, and utilize a sidewalk café.

SECTION 5. That this license is subject to the provisions set forth in Exhibit B, attached hereto and made a part hereof.

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by resolution duly passed by said Governing Body, to terminate and cancel this license upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in Exhibit B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

a) **GRANTEE** acknowledges, per the City Council adopted Complete Streets Manual 8, 15 feet of sidewalk is required for mix-use street, requiring a minimum of 6 feet of unobstructed sidewalk; the minimum requirement has been met per the drawing provided on July 25, 2017.

b) **GRANTEE** shall ensure that there is no impediment or removal of on-street parking or required signage.

c) **GRANTEE** shall have no special pavers, stone, or decorative concrete within 24 inches from the curb or edge of the loading dock unless it can be easily adapted to support the placement of poles for government signs and/or parking meters with 1) the removal of sections of the area (to be backfilled with concrete) or 2) drilled into for placement of items or 3) portholes left in place or created for the placement of government signage and/or parking meters. Placement is subject to the approval of the Director of the Transportation Department.

d) **GRANTEE** shall ensure that the right-of-way is maintained in order to facilitate emergency response and water supply during and after completion of the project.

e) **GRANTEE** acknowledges Atmos has active facilities in the area and if conflicts exist, **GRANTEE** will be responsible for cost to relocate said facilities otherwise Exhibit B would apply.

SECTION 8. That upon the effectiveness of this ordinance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 9. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 10. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restriction and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area**,** and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 11. 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 fee pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the 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 12. That this contract is designated as Contract No. DEV-2017-00003591.

SECTION 13. 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:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

EXHIBIT A

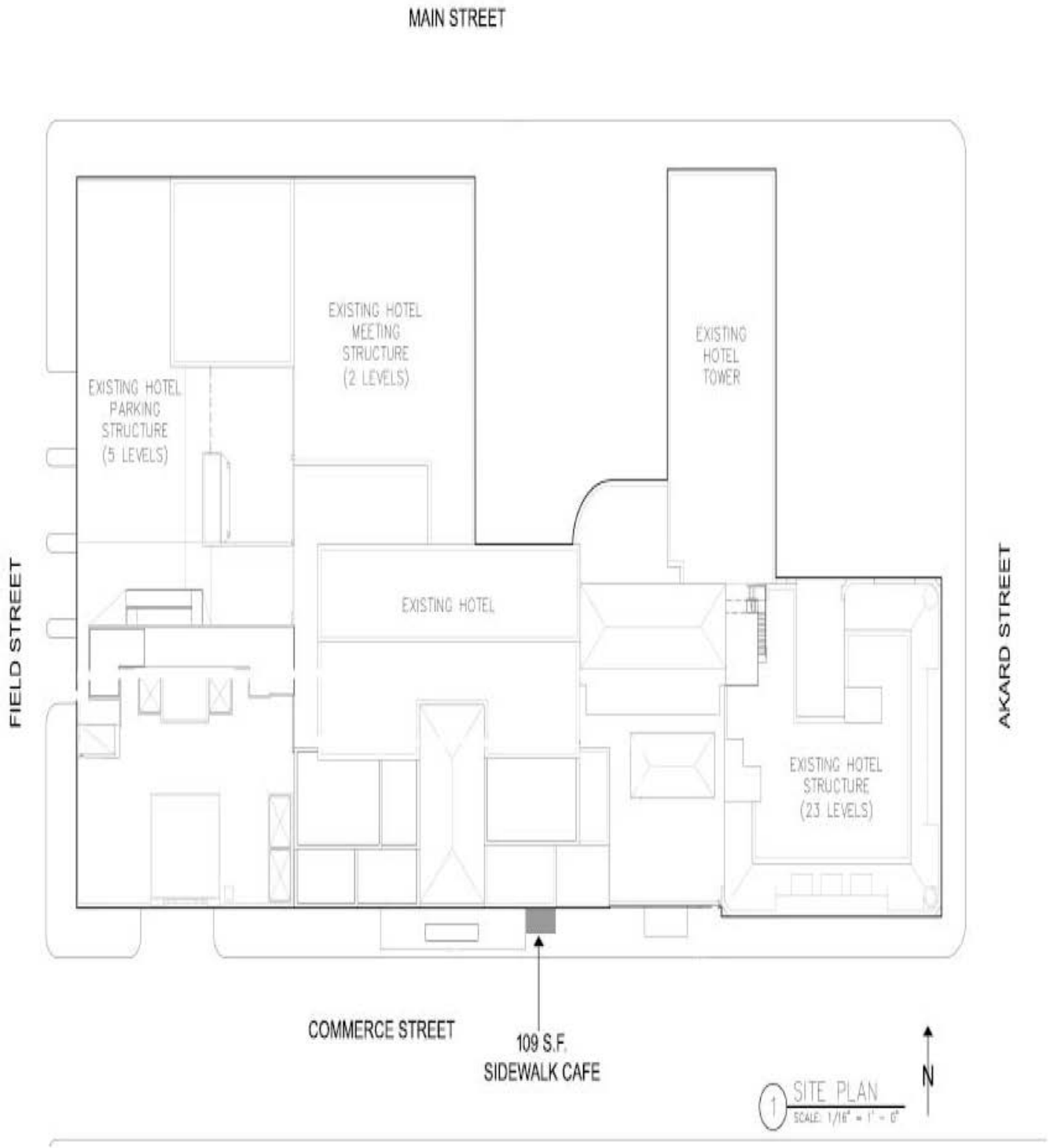

MAIN STREET
EXISTING HOTEL PARKING STRUCTURE (5 LEVELS)
EXISTING HOTEL MEETING STRUCTURE (2 LEVELS)
EXISTING HOTEL TOWER
EXISTING HOTEL
EXISTING HOTEL STRUCTURE (23 LEVELS)
FIELD STREET
AKARD STREET
COMMERCE STREET
109 S.F.
SIDEWALK CAFE
N
1 SITE PLAN
SCALE: 1/16" = 1' - 0"

EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS

That this license is granted subject to the following additional conditions, terms and reservations:

(a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.

(b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

(c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than $500,000 per occurrence and $500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

twelve (12) months following termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.

(d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.

(e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

(f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.

(g) As a condition hereof, **GRANTEE** agrees and is bound to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily 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 the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to

flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

(h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

AGENDA ITEM # 40

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 34Y

SUBJECT

An ordinance granting a private license to Southwestern Medical District for the total use of approximately 26,791 square feet to install, maintain and utilize two illuminated gateway monument signs, landscaping, irrigation, a power pedestal electrical unit, two underground conduits, two ground boxes, and two junction boxes on a portion of Harry Hines Boulevard right-of-way near its intersection with Market Center Boulevard – Revenue: $7,000 annually and $300 one-time fee, plus the $20 ordinance publication fee

BACKGROUND

This item grants a private license to Southwestern Medical District for the total use of approximately 26,791 square feet to install, maintain and utilize two illuminated gateway monument signs, landscaping, irrigation, a power pedestal electrical unit, two underground conduits, two ground boxes, and two junction boxes on a portion of Harry Hines Boulevard right-of-way near its intersection with Market Center Boulevard. The use of this area will not impede pedestrian or vehicular traffic.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on September 25, 2017.

FISCAL INFORMATION

Revenue - $7,000 annually and $300 one-time fee, plus the $20 ordinance publication fee

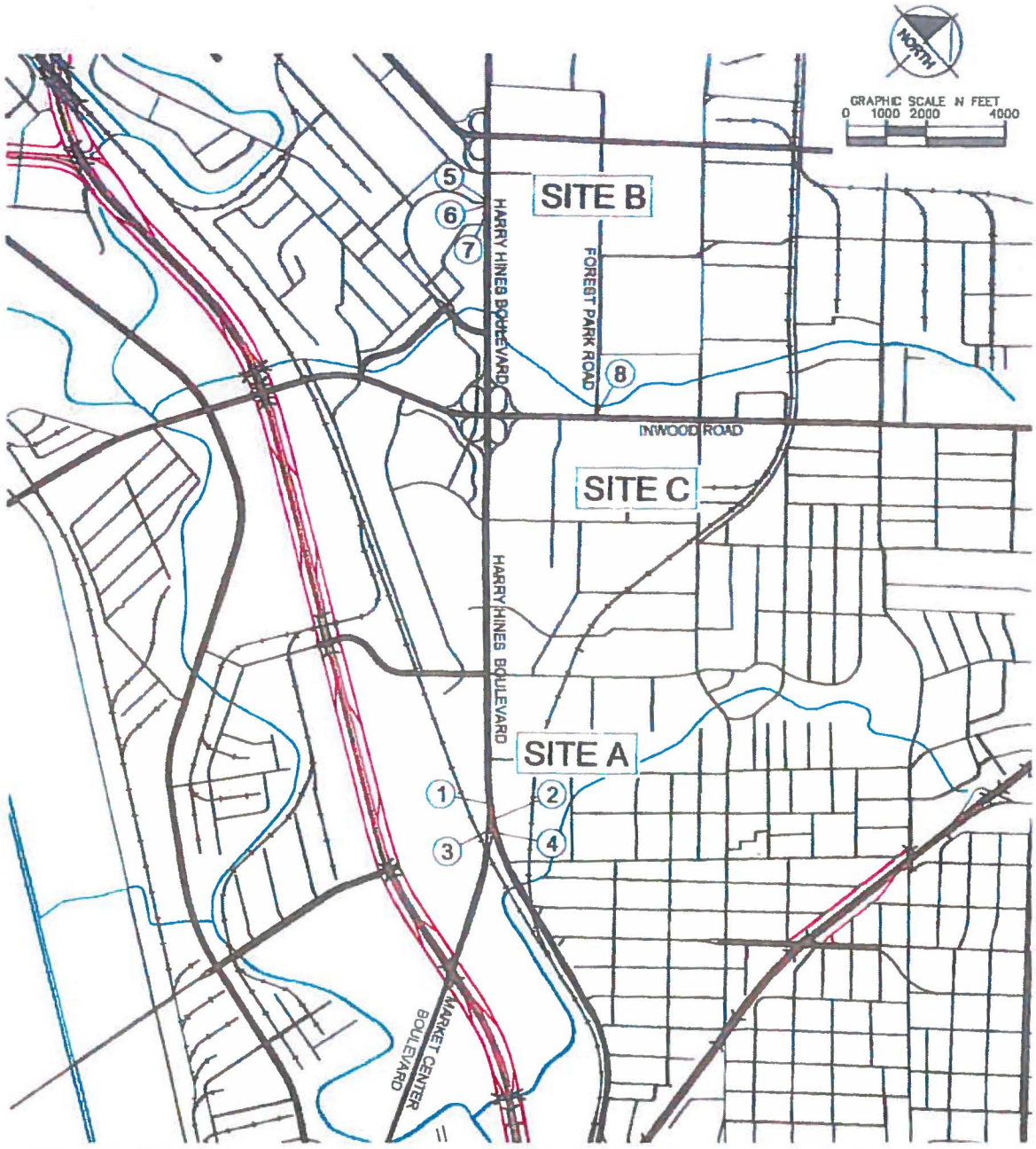
OWNER

Southwestern Medical District

John D. McConnell, Manager

MAP

Attached



LEGEND		
SITE	TRACTS	INFORMATION
A	①	LED illuminated monument sign conduit, landscaping, irrigation
	②	Landscaping & irrigation
	③	Landscaping & irrigation
	④	Landscaping & irrigation
B	⑤	Landscaping & irrigation
	⑥	LED illuminated monument sign, underground condit landscaping, irrigation
	⑦	Underground conduit, ground boxes,
C	⑧	Power pedestal service & underground conduit

LICENSE AREAS

ORDINANCE NO. _____

An ordinance granting a private license to Southwestern Medical District to install, maintain and utilize a portion of Harry Hines Boulevard right-of-way located near the intersection of Market Center Boulevard and Harry Hines Boulevard adjacent to City Blocks 5744 and 6055, 5758 and 6060, C/5759 and D/2371 within the limits hereinafter more fully described, for the purpose of installing, maintaining, and utilizing two illuminated gateway monument signs, landscaping, irrigation, a power pedestal electrical unit, two underground conduits, two ground boxes, and two junction boxes; providing for the terms and conditions of this license; providing for the annual and one-time fee compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

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

SECTION 1. That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to Southwestern Medical District, a Texas non-profit corporation, its successors and assigns, hereinafter referred to as **"GRANTEE"**, to occupy, maintain and utilize for the purpose set out hereinbelow the tracts of land described in Exhibit A, hereinafter referred to as "licensed areas" which is attached hereto and made a part hereof.

SECTION 2. That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That **GRANTEE** shall pay to the City of Dallas the sum of **SEVEN THOUSAND AND NO/100 ($7,000.00) DOLLARS** annually for the license herein granted for a power pedestal electrical unit, two underground conduits, two ground boxes, and two junction boxes said sum to become due and payable on the 2nd day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum of **SEVEN THOUSAND AND NO/100 ($7,000.00) DOLLARS** shall be paid prior to the final passage of this ordinance and shall cover the

SECTION 3. (continued)

consideration for 2017. In addition, in accordance with the special fees established by Section 43-115.1 of the Dallas City Code, **GRANTEE** shall pay to the City of Dallas a one-time license fee in the sum of **THREE HUNDRED NO/100 ($300.00) DOLLARS**, for the license herein granted for the two illuminated gateway monument signs, landscaping and irrigation, said sum to be paid prior to the final passage of this ordinance and shall cover the total consideration for said purpose during the license term. Such annual and one-time fee consideration, collectively, shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of Department of Sustainable Development and Construction may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in General Fund, Fund 0001, Department DEV, Unit 1181, Revenue Code 8200. In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of $25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10 percent a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: to occupy, maintain and utilize two illuminated gateway monument signs, landscaping and irrigation, a power pedestal electrical unit, two underground conduits, two ground boxes, and two junction boxes.

SECTION 5. That this license is subject to the provisions set forth in Exhibit B, attached hereto and made a part hereof.

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by resolution duly passed by said Governing Body, to terminate and cancel this license upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in Exhibit B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

a) **GRANTEE** final configuration of accessible path along this area must meet Americans with Disabilities Act and Texas Accessibility Standard requirements. In addition to the required building permits for electrical work, Right-of-Way permits must be applied for and issued for each location prior to any work within the right-of-way. Detailed construction drawings will be required to be submitted with Right-of-Way permit request and the plan review may require some elements of the work to change from the concept plans submitted with the license request.

b) **GRANTEE** shall ensure that there are no visibility obstructions that would cause safety hazards to vehicular and pedestrian traffic.

SECTION 7. (continued)

c) **GRANTEE** shall coordinate design and location of proposed signs with Dallas Water Utility (DWU) Engineering Services, DWU Distribution and DWU Collections to alleviate possible conflicts with water and wastewater mains.

d) **GRANTEE** acknowledges Atmos has active facilities in all areas of the right-of-way license area. If conflicts exist, the **GRANTEE** will be responsible for the cost to relocate those facilities otherwise Exhibit B would apply.

e) **GRANTEE** acknowledges Charter Communications (formerly Time Warner Cable) has easements and utility lines and equipment in the vicinity of this license area. Contractor shall locate and confirm no conflicts with Charter Communications utility lines and equipment.

f) **GRANTEE** acknowledges the Trinity Strand Trail Phase 2 project is currently under design and shall coordinate with Dallas Park and Recreation Department on its and said project. **GRANTEE** shall submit all plans to Dallas Park and Recreation Department for review before beginning construction.

SECTION 8. That upon the effectiveness of this ordinance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 9. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 10. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restrictions and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed areas and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of

SECTION 10. (continued)

Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 11. 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 fees pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the 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 12. That this contract is designated as Contract No. DEV-2017-00001656.

SECTION 13. 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:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

EXHIBIT A-TRACT 1

BEING a 7,261 square foot (0.1667-acres) tract of land situated in the Crawford Grigsby Survey, Abstract No.533, City of Dallas, Dallas County, Texas; and being part of Harry Hines Boulevard (a variable width right-of-way, formerly Dallas Northwest Connection, formerly U.S. Highway No. 77) adjacent to City of Dallas Blocks 5744 and 6055; and being part of a 8.68 acre tract of land described in Right-of-Way Deed to The County of Dallas, recorded in Volume 2232, Page 632, Deed Records of Dallas County, Texas, part of a 0.89 acre tract of land described in Right-of-Way Deed to County of Dallas, recorded in Volume 2183, Page 491, Deed Records of Dallas County, Texas and part of a 0.78 acre tract of land described in Right-of-Way Deed to the State of Texas, recorded in Volume 1954, Page 377, Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" set for the westernmost end of a right-of-way corner clip located at the intersection of the northeast right-of-way line of said Harry Hines Boulevard (a variable width right-of-way) with the northwest right-of-way line of Lucas Drive (a 50-foot wide right-of-way) created in Right of Way Deed to the County of Dallas, recorded in Volume 2243, Page 551, Deed Records of Dallas County, Texas, and being the southernmost southeast corner of a 2.241 acre tract of land described in Special Warranty Deed to Market Center DFW Hotel, LLC, recorded in Instrument No. 20070391897 of the Official Public Records of Dallas County, Texas;

THENCE with said northeast right-of-way line of Harry Hines Boulevard, the northeast line of said 0.89 acre tract and the southwest line of said 2.241 acre tract, the following courses and distances:

North 69°10'33" West, a distance of 78.38 feet to a point for corner;
North 66°29'33" West, a distance of 100.03 feet to a point for corner;
North 64°13'53" West, a distance of 100.00 feet to a point for corner;
North 60°54'13" West, a distance of 99.85 feet to a 1/2" iron rod found at the west corner of said Market Center DFW Hotel, LLC tract and the south corner of a 91,534 square foot tract of land described as "Tract 1" in Warranty Deed to University of Texas Systems recorded in Volume 80218, Page 581, of said Deed Records; from said point a "X" cut in concrete found bears along a non-tangent curve to the right having a central angle of 8°58'34", a radius of 2055.95 feet, a chord bearing and distance of North 57°04'06" West, 321.76 feet, an arc distance of 322.09 feet;

THENCE departing said northeast right-of-way line of Harry Hines Boulevard, the northeast line of said 0.89 acre tract and southwest line of said 2.241 acre tract, over and across said 0.89 acre tract, South 4°13'15" West, at a distance of 101.7 feet, passing the southwest line of said 0.89 acre tract and the northeast line of said 0.78 acre tract, continuing over and across said 0.78 acre tract, in all a total distance of 121.14 feet to a "X" cut in concrete set at the beginning of a curve to the right having a central angle of 160°11'23", a radius of 6.00 feet, a chord bearing and distance of South 37°10'16" West, 11.82 feet, and for the **POINT OF BEGINNING**;

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3992

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR
2.9.17

LICENSE AGREEMENT

HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCKS 5744 & 6055
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 533
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC	SRD	JAN. 2017	064424705	1 OF 3

EXHIBIT A-TRACT 1

THENCE over and across said 0.78 acre tract, said 8.68 acre tract and said 0.89 acre tract, the following courses and distances:

In a southwesterly direction, with said curve to the right, an arc distance of 16.78 feet to a "X" cut in concrete set at the beginning of a compound curve to the right having a central angle of 5°12'25", a radius of 1741.34 feet, a chord bearing and distance of North 60°07'50" West, 158.19 feet;

In a northwesterly direction, with said curve to the right, at an arc distance of 94.45 feet passing the west line of said 0.78 acre tract and the east line of said 8.68 acre tract, continuing in all a total arc distance of 158.25 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a compound curve to the right having a central angle of 3°07'57", a radius of 1755.49 feet, a chord bearing and distance of North 55°57'40" West, 95.96 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 95.97 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left having a central angle of 0°46'55", a radius of 1755.49 feet, a chord bearing and distance of North 35°12'51" East, 23.96 feet;

In a northeasterly direction, with said curve to the left, an arc distance of 23.96 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 56°31'52" East, a distance of 28.99 feet to a point at the beginning of a tangent curve to the left having a central angle of 14°59'30", a radius of 124.13 feet, a chord bearing and distance of South 64°01'37" East, 32.39 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 32.48 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the right having a central angle of 10°37'31", a radius of 178.21 feet, a chord bearing and distance of South 66°12'36" East, 33.00 feet;

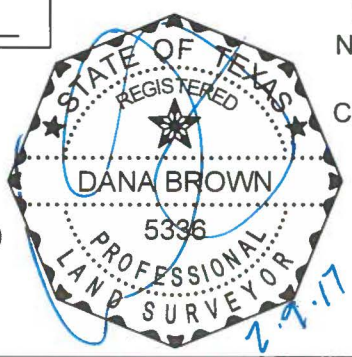
In a southeasterly direction, with said curve to the right, an arc distance of 33.05 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a compound curve to the right having a central angle of 17°58'25", a radius of 514.59 feet, a chord bearing and distance of South 51°54'38" East, 160.77 feet;

In a southeasterly direction with said curve to the right, at an arc distance of 69.9 feet, passing said east line of the 8.68 acre tract and said west line of the 0.89 acre tract, at an arc distance of 119.7 feet, passing said south line of the 0.89 acre tract and the north line of said 0.78 acre tract, continuing in all a total arc distance of 161.43 feet to the **POINT OF BEGINNING** and containing 7,261 square feet or 0.1667 acres of land.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3992

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com



2.7.17

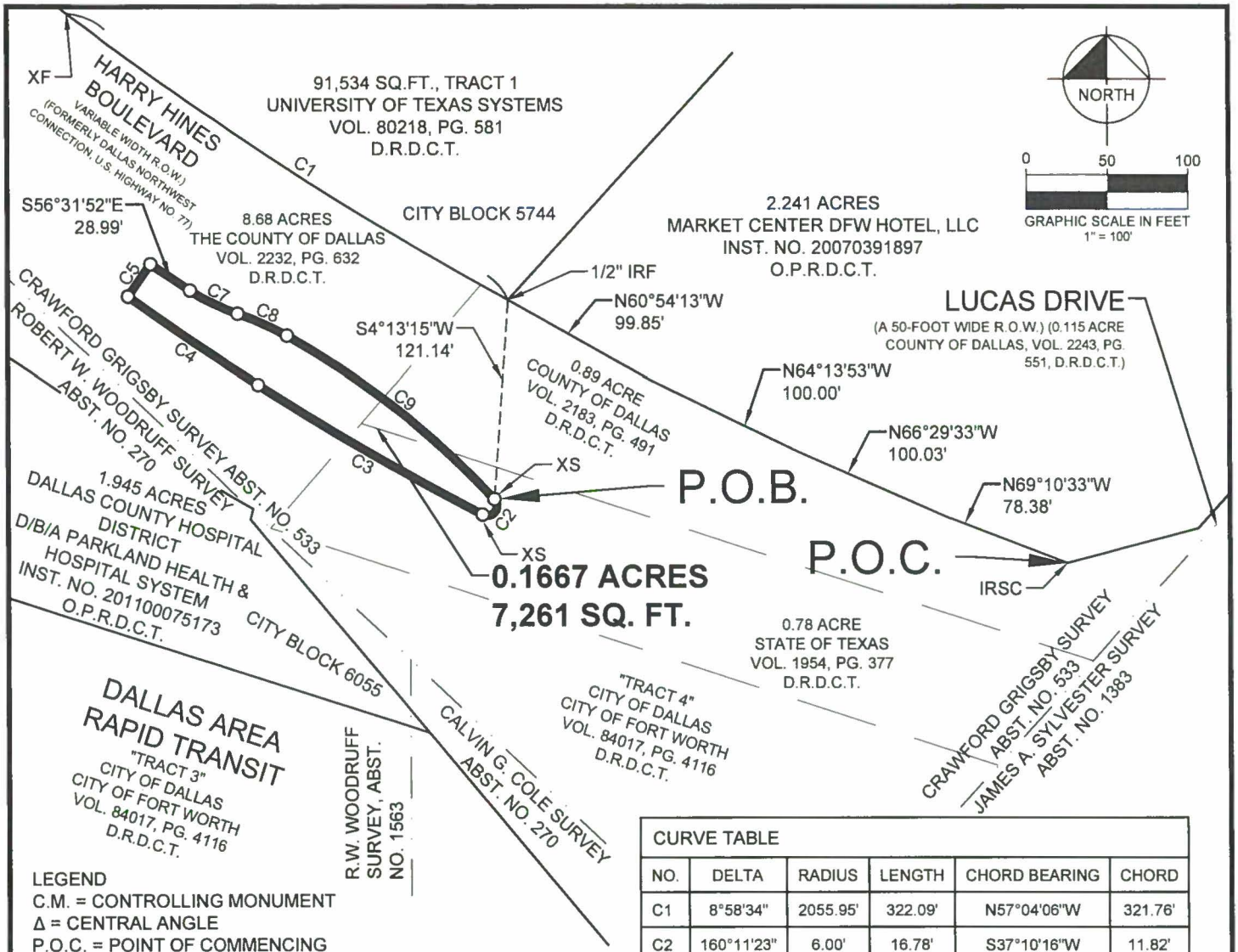
LICENSE AGREEMENT

HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCKS 5744 & 6055
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 533
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC	SRD	JAN. 2017	064424705	2 OF 3

EXHIBIT A-TRACT 1



CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	8°58'34"	2055.95'	322.09'	N57°04'06"W	321.76'
C2	160°11'23"	6.00'	16.78'	S37°10'16"W	11.82'
C3	5°12'25"	1741.34'	158.25'	N60°07'50"W	158.19'
C4	3°07'57"	1755.49'	95.97'	N55°57'40"W	95.96'
C5	0°46'55"	1755.49'	23.96'	N35°12'51"E	23.96'
C7	14°59'30"	124.13'	32.48'	S64°01'37"E	32.39'
C8	10°37'31"	178.21'	33.05'	S66°12'36"E	33.00'
C9	17°58'25"	514.59'	161.43'	S51°54'38"E	160.77'

LEGEND
C.M. = CONTROLLING MONUMENT
Δ = CENTRAL ANGLE
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRF = IRON ROD FOUND
XF/XS = "X" CUT IN CONCRETE FOUND/SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
R.O.W. = RIGHT-OF-WAY
INST. NO. = INSTRUMENT NUMBER
VOL. , PG. = VOLUME , PAGE
ABST. NO. = ABSTRACT NUMBER
O = LICENSE AGREEMENT CORNER

NOTES

All corners of the license agreement to be acquired are a 5/8" iron rod with "KHA" cap set unless otherwise noted.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3992

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR
2-9-17

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

LICENSE AGREEMENT

HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCKS 5744 & 6055
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 533
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	MTC	SRD	JAN. 2017	064424705	3 OF 3

EXHIBIT A-TRACT 2

BEING a 5,123 square foot (0.1176-acres) tract of land situated in the Crawford Grigsby Survey, Abstract No.533, City of Dallas, Dallas County, Texas; and being part of Harry Hines Boulevard (a variable width right-of-way, formerly Dallas Northwest Connection, formerly U.S. Highway No. 77) adjacent to City of Dallas Blocks 5744 and 6055; and being part of a 8.68 acre tract of land described in Right-of-Way Deed to The County of Dallas, recorded in Volume 2232, Page 632, Deed Records of Dallas County, Texas, part of a 0.78 acre tract of land described in Right-of-Way Deed to the State of Texas, recorded in Volume 1954, Page 377, Deed Records of Dallas County, Texas, part of a tract of land described as "Tract 4" in Deed to the City of Dallas and the City of Fort Worth, recorded in Volume 84017, Page 4116, Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" set for the westernmost end of a right-of-way corner clip located at the intersection of the northeast right-of-way line of said Harry Hines Boulevard (a variable width right-of-way) with the northwest right-of-way line of Lucas Drive (a 50-foot wide right-of-way) created in Right of Way Deed to the County of Dallas, recorded in Volume 2243, Page 551, Deed Records of Dallas County, Texas, and being the southernmost southeast corner of a 2.241 acre tract of land described in Special Warranty Deed to Market Center DFW Hotel, LLC, recorded in Instrument No. 20070391897 of the Official Public Records of Dallas County, Texas;

THENCE with said northeast right-of-way line of Harry Hines Boulevard, the northeast line of said 0.89 acre tract and the southwest line of said 2.241 acre tract, the following courses and distances:

North 69°10'33" West, a distance of 78.38 feet to a point for corner;
North 66°29'33" West, a distance of 100.03 feet to a point for corner;
North 64°13'53" West, a distance of 100.00 feet to a point for corner;
North 60°54'13" West, a distance of 99.85 feet to a 1/2" iron rod found at the west corner of said Market Center DFW Hotel, LLC tract and the south corner of a 91,534 square foot tract of land described as "Tract 1" in Warranty Deed to University of Texas Systems recorded in Volume 80218, Page 581, of said Deed Records; from said point a "X" cut in concrete found bears along a non-tangent curve to the right having a central angle of 8°58'34", a radius of 2055.95 feet, a chord bearing and distance of North 57°04'06" West, 321.76 feet, an arc distance of 322.09 feet;

THENCE departing said northeast right-of-way line of Harry Hines Boulevard, the northeast line of said 0.89 acre tract and southwest line of said 2.241 acre tract, over and across said 0.89 acre tract, South 47°41'44" West, at a distance of 113.9 feet, passing the southwest line of said 0.89 acre tract and the northeast line of said 0.78 acre tract, continuing over and across said 0.78 acre tract, at a distance of 164.0 feet passing the northwest corner of said 0.78 acre tract and the southeast line of said 8.68 acre tract, continuing over and across said 8.68 acre tract, in all a total distance of 165.09 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for the **POINT OF BEGINNING**;

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3993

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR
2.9.17

LICENSE AGREEMENT

HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCK 5744 & 6055
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 533
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	JAN. 2017	064424705	1 OF 3

EXHIBIT A-TRACT 2

THENCE over and across said 8.68 acre tract, said 0.78 acre tract and said Tract 4, the following courses and distances:

South 59°15'10" East, at a distance of 0.1 feet passing said southeast line of said 8.68 acre tract and said northwest line of the 0.78 acre tract, continuing over and across said 0.78 acre tract, in all a total distance of 23.62 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 7°28'45", a radius of 311.32 feet, a chord bearing and distance of South 62°59'32" East, 40.61 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 40.64 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the right having a central angle of 3°44'21", a radius of 335.63 feet, a chord bearing and distance of South 64°51'44" East, 21.90 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 21.90 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 62°59'34" East, a distance of 31.83 feet to a point at the beginning of a tangent curve to the right having a central angle of 83°12'45", a radius of 8.23 feet, a chord bearing and distance of South 21°23'11" East, 10.93 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 11.95 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 20°13'12" West, at a distance of 5.7 feet passing the south line of said 0.78 acre tract and the north line of said Tract 4, continuing over and across said Tract 4, in all a total distance of 9.53 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 26°42'45", a radius of 120.00 feet, a chord bearing and distance of South 6°51'49" West, 55.44 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 55.95 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the right having a central angle of 150°34'03", a radius of 5.02 feet, a chord bearing and distance of South 68°47'29" West, 9.70 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 13.18 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

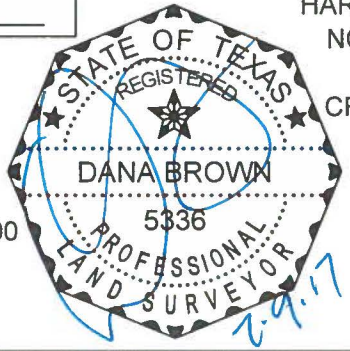
North 35°55'30" West, at a distance of 109.3 feet, passing said north line of Tract 4 and the said south line of the 0.78 acre tract, continuing over and across said 0.78 acre tract at a distance of 158.3 feet, passing said northeast line of the 0.78 acre tract and the southeast line of said 8.68 acre tract, continuing over and across said 8.68 acre tract, in all a total distance of 158.48 feet to a "X" cut in concrete set at the beginning of a tangent curve to the right having a central angle of 156°40'20", a radius of 2.50 feet, a chord bearing and distance of North 42°24'40" East, 4.90 feet;

In a northeasterly direction with said curve to the right, an arc distance of 6.84 feet to the **POINT OF BEGINNING** and containing 5,123 square feet or 0.1176 acres of land.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3993

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com



2.9.17

LICENSE AGREEMENT

HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCK 5744 & 6055
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 533
CITY OF DALLAS, DALLAS COUNTY, TEXAS

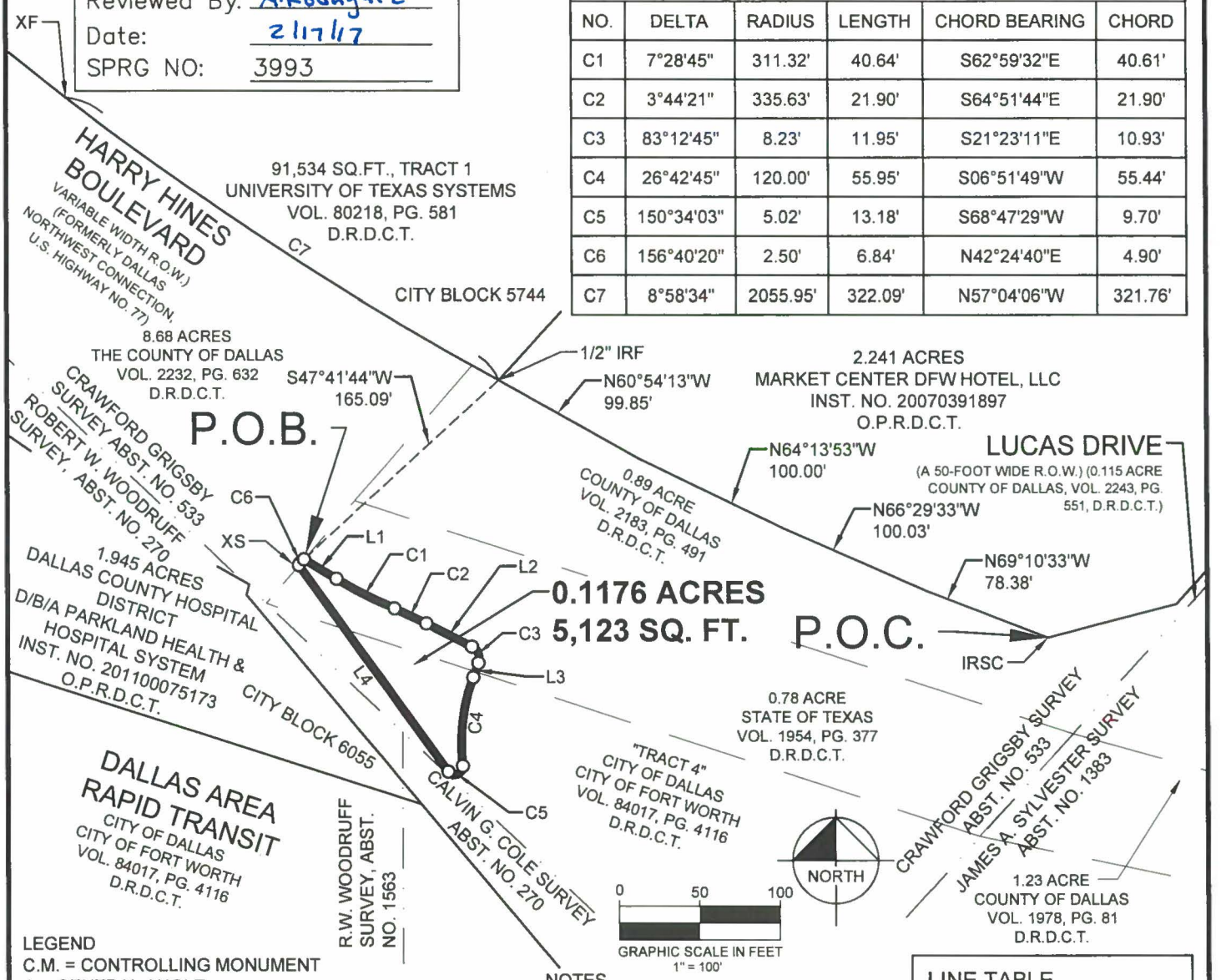
Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	JAN. 2017	064424705	2 OF 3

EXHIBIT A-TRACT 2

(For SPRG use only)
Reviewed By: A.Rodriguez
Date: 2/17/17
SPRG NO: 3993

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	7°28'45"	311.32'	40.64'	S62°59'32"E	40.61'
C2	3°44'21"	335.63'	21.90'	S64°51'44"E	21.90'
C3	83°12'45"	8.23'	11.95'	S21°23'11"E	10.93'
C4	26°42'45"	120.00'	55.95'	S06°51'49"W	55.44'
C5	150°34'03"	5.02'	13.18'	S68°47'29"W	9.70'
C6	156°40'20"	2.50'	6.84'	N42°24'40"E	4.90'
C7	8°58'34"	2055.95'	322.09'	N57°04'06"W	321.76'



LINE TABLE		
NO.	BEARING	LENGTH
L1	S59°15'10"E	23.62'
L2	S62°59'34"E	31.83'
L3	S20°13'12"W	9.53'
L4	N35°55'30"W	158.48'

LEGEND
C.M. = CONTROLLING MONUMENT
Δ = CENTRAL ANGLE
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRF = IRON ROD FOUND
XF/XS = "X" CUT IN CONCRETE FOUND/SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
R.O.W. = RIGHT-OF-WAY
INST. NO. = INSTRUMENT NUMBER
VOL. , PG. = VOLUME , PAGE
ABST. NO. = ABSTRACT NUMBER
O = LICENSE AGREEMENT CORNER

NOTES

All corners of the license agreement to be acquired are a 5/8" iron rod with "KHA" cap set unless otherwise noted.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

LICENSE AGREEMENT

HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCK 5744 & 6055
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 533
CITY OF DALLAS, DALLAS COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR
2.9.17

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	JAN. 2017	064424705	3 OF 3

EXHIBIT A-TRACT 3

BEING a 4,180 square foot (0.0960-acres) tract of land situated in the Crawford Grigsby Survey, Abstract No.533, City of Dallas, Dallas County, Texas; and being part of Harry Hines Boulevard (a variable width right-of-way, formerly Dallas Northwest Connection, formerly U.S. Highway No. 77) adjacent to City of Dallas Blocks 5744 and 6055; and being part of a 0.78 acre tract of land described in Right-of-Way Deed to the State of Texas, recorded in Volume 1954, Page 377, Deed Records of Dallas County, Texas, part of a tract of land described as "Tract 4" in Deed to the City of Dallas and the City of Fort Worth, recorded in Volume 84017, Page 4116, Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" set for the westernmost end of a right-of-way corner clip located at the intersection of the northeast right-of-way line of said Harry Hines Boulevard (a variable width right-of-way) with the northwest right-of-way line of Lucas Drive (a 50-foot wide right-of-way) created in Right of Way Deed to the County of Dallas, recorded in Volume 2243, Page 551, Deed Records of Dallas County, Texas, and being the southernmost southeast corner of a 2.241 acre tract of land described in Special Warranty Deed to Market Center DFW Hotel, LLC, recorded in Instrument No. 20070391897 of the Official Public Records of Dallas County, Texas;

THENCE with said northeast right-of-way line of Harry Hines Boulevard, the northeast line of said 0.89 acre tract and the southwest line of said 2.241 acre tract, the following courses and distances:

North 69°10'33" West, a distance of 78.38 feet to a point for corner;
North 66°29'33" West, a distance of 100.03 feet to a point for corner;
North 64°13'53" West, a distance of 100.00 feet to a point for corner;
North 60°54'13" West, a distance of 99.85 feet to a 1/2" iron rod found at the west corner of said Market Center DFW Hotel, LLC tract and the south corner of a 91,534 square foot tract of land described as "Tract 1" in Warranty Deed to University of Texas Systems recorded in Volume 80218, Page 581, of said Deed Records; from said point a "X" cut in concrete found bears along a non-tangent curve to the right having a central angle of 8°58'34", a radius of 2055.95 feet, a chord bearing and distance of North 57°04'06" West, 321.76 feet, an arc distance of 322.09 feet;

THENCE departing said northeast right-of-way line of Harry Hines Boulevard, the northeast line of said 0.89 acre tract and southwest line of said 2.241 acre tract, over and across said 0.89 acre tract, South 07°24'07" West, at a distance of 109.4 feet, passing the southwest line of said 0.89 acre tract and the northeast line of said 0.78 acre tract, continuing over and across said 0.78 acre tract, in all a total distance of 187.22 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for the **POINT OF BEGINNING**;

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3994

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR
2.9.17

LICENSE AGREEMENT

HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCK 5744 & 6055
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 533
C.G. COLE SURVEY, ABSTRACT NO. 270
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	JAN. 2017	064424705	1 OF 3

EXHIBIT A-TRACT 3

THENCE over and across said 0.78 acre tract and Tract 4, the following courses and distances:

South 65°50'45" East, a distance of 6.98 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the right having a central angle of 60°45'24", a radius of 24.45 feet, a chord bearing and distance of South 35°28'03" East, 24.73 feet;

In a southeasterly direction, with said curve to the right, at an arc distance of 16.6 feet passing the south line of said 0.78 acre tract and the north line of said Tract 4, continuing over and across said Tract 4, a total arc distance of 25.93 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 5°05'21" East, a distance of 40.27 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 19°51'36", a radius of 187.74 feet, a chord bearing and distance of South 15°01'09" East, 64.75 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 65.07 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 73°36'49" West, a distance of 25.99 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 37°54'36" West, a distance of 28.18 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the right having a central angle of 24°29'11", a radius of 92.07 feet, a chord bearing and distance of North 25°40'01" West, 39.05 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 39.35 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a compound curve to the right having a central angle of 30°58'24", a radius of 66.07 feet, a chord bearing and distance of North 2°03'47" East, 35.28 feet;

In a northeasterly direction, with said curve to the right, an arc distance of 35.71 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

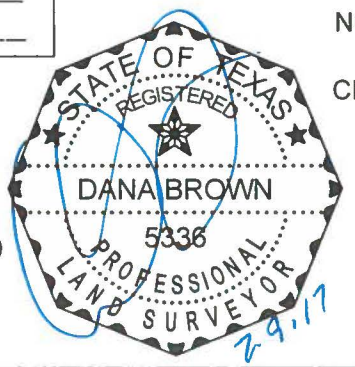
North 17°32'58" East, at a distance of 21.8 feet passing said north line of Tract 4 and said south line of the 0.78 acre tract, continuing over and across said 0.78 acre tract, in all a total distance of 22.10 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the right having a central angle of 96°36'16", a radius of 7.45 feet, a chord bearing and distance of North 65°51'07" East, 11.13 feet;

In a northeasterly direction with said curve to the right, an arc distance of 12.57 feet to the **POINT OF BEGINNING** and containing 4,180 square feet or 0.0960 acres of land.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3994

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com



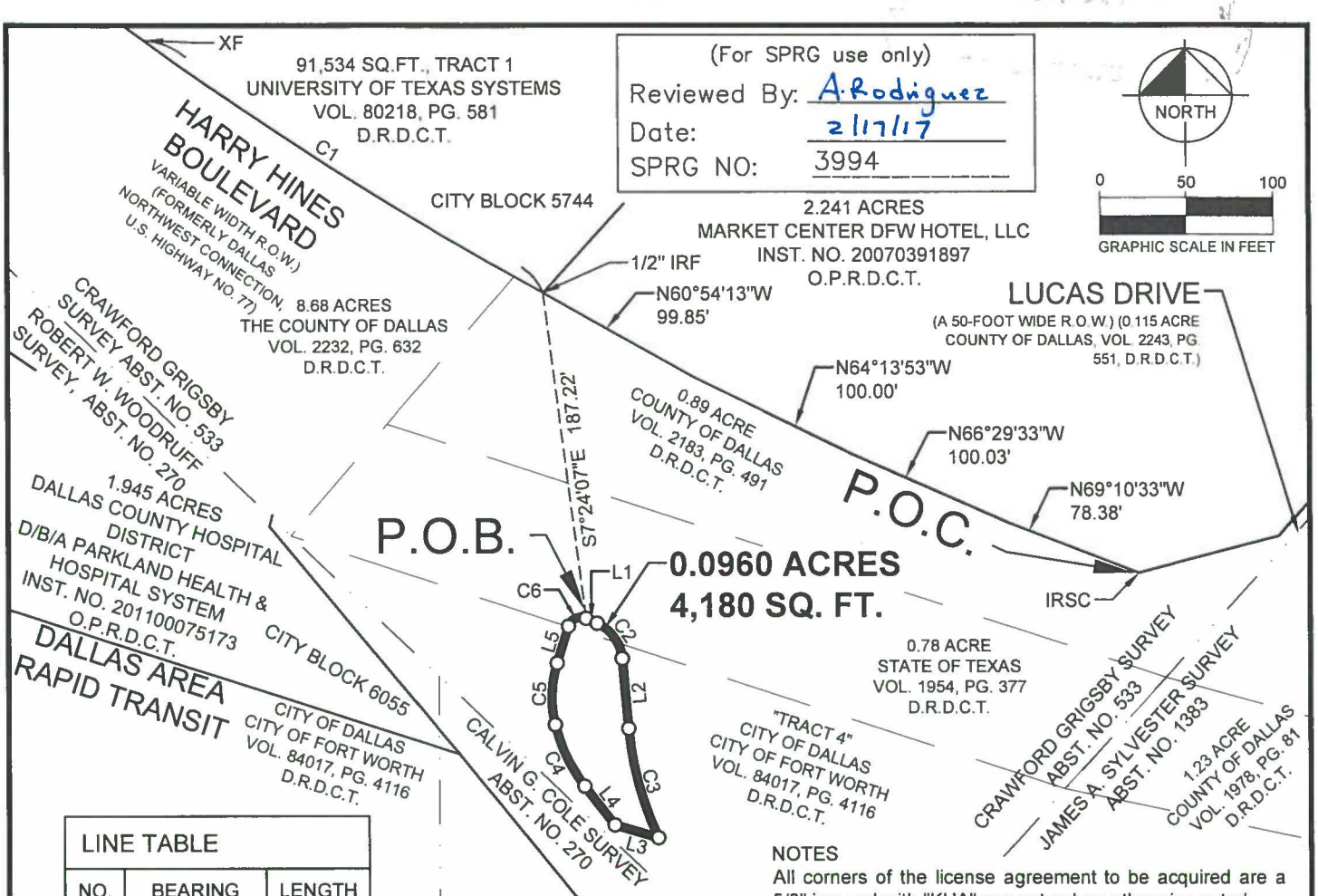
LICENSE AGREEMENT

HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCK 5744 & 6055
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 533
C.G. COLE SURVEY, ABSTRACT NO. 270
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	JAN. 2017	064424705	2 OF 3

EXHIBIT A-TRACT 3



(For SPRG use only)
Reviewed By: A.Rodriguez
Date: 2/17/17
SPRG NO: 3994

LINE TABLE		
NO.	BEARING	LENGTH
L1	S65°50'45"E	6.98'
L2	S05°05'21"E	40.27'
L3	N73°36'49"W	25.99'
L4	N37°54'36"W	28.18'
L5	N17°32'58"E	22.10'

NOTES
All corners of the license agreement to be acquired are a 5/8" iron rod with "KHA" cap set unless otherwise noted.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	8°58'34"	2055.95'	322.09'	N57°04'06"W	321.76'
C2	60°45'24"	24.45'	25.93'	S35°28'03"E	24.73'
C3	19°51'36"	187.74'	65.07'	S15°01'09"E	64.75'
C4	24°29'11"	92.07'	39.35'	N25°40'01"W	39.05'
C5	30°58'24"	66.07'	35.71'	N02°03'47"E	35.28'
C6	96°36'16"	7.45'	12.57'	N65°51'07"E	11.13'

LEGEND
C.M. = CONTROLLING MONUMENT
Δ = CENTRAL ANGLE
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRF = IRON ROD FOUND
XF/XS = "X" CUT IN CONCRETE FOUND/SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
R.O.W. = RIGHT-OF-WAY
INST. NO. = INSTRUMENT NUMBER
VOL. , PG. = VOLUME , PAGE
ABST. NO. = ABSTRACT NUMBER
O = LICENSE AGREEMENT CORNER

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

LICENSE AGREEMENT

HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCK 5744 & 6055
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 533
C.G. COLE SURVEY, ABSTRACT NO. 270
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	JAN. 2017	064424705	3 OF 3

DUNN, STACY 2/9/2017 9:51 AM K:\DAL_SURVEY\064424705-SWMD MONUMENT SIGNS\DWG\064424705-SWMD LICENSE AGREEMENT 1C.DWG

EXHIBIT A-TRACT 4

BEING a 2,387 square foot (0.0548-acres) tract of land situated in the Crawford Grigsby Survey, Abstract No.533, City of Dallas, Dallas County, Texas; and being part of Harry Hines Boulevard (a variable width right-of-way, formerly Dallas Northwest Connection, formerly U.S. Highway No. 77) adjacent to City of Dallas Blocks 5744 and 6055; and being part of a 0.78 acre tract of land described in Right-of-Way Deed to the State of Texas, recorded in Volume 1954, Page 377, Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8" iron rod with plastic cap stamped "KHA" set for the westernmost end of a right-of-way corner clip located at the intersection of the northeast right-of-way line of said Harry Hines Boulevard (a variable width right-of-way) with the northwest right-of-way line of Lucas Drive (a 50-foot wide right-of-way) created in Right of Way Deed to the County of Dallas, recorded in Volume 2243, Page 551, Deed Records of Dallas County, Texas, and being the southernmost southeast corner of a 2.241 acre tract of land described in Special Warranty Deed to Market Center DFW Hotel, LLC, recorded in Instrument No. 20070391897 of the Official Public Records of Dallas County, Texas;

THENCE with said northeast right-of-way line of Harry Hines Boulevard, the northeast line of said 0.89 acre tract and the southwest line of said 2.241 acre tract, the following courses and distances:

North 69°10'33" West, a distance of 78.38 feet to a point for corner;
North 66°29'33" West, a distance of 100.03 feet to a point for corner;
North 64°13'53" West, a distance of 100.00 feet to a point for corner;
North 60°54'13" West, a distance of 99.85 feet to a 1/2" iron rod found at the west corner of said Market Center DFW Hotel, LLC tract and the south corner of a 91,534 square foot tract of land described as "Tract 1" in Warranty Deed to University of Texas Systems recorded in Volume 80218, Page 581, of said Deed Records; from said point a "X" cut in concrete found bears along a non-tangent curve to the right having a central angle of 8°58'34", a radius of 2055.95 feet, a chord bearing and distance of North 57°04'06" West, 321.76 feet, an arc distance of 322.09 feet;

THENCE departing said northeast right-of-way line of Harry Hines Boulevard, the northeast line of said 0.89 acre tract and southwest line of said 2.241 acre tract, over and across said 0.89 acre tract, South 24°02'03" East, at a distance of 132.9 feet, passing the southwest line of said 0.89 acre tract and the northeast line of said 0.78 acre tract, continuing over and across said 0.78 acre tract, in all a total distance of 174.83 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a curve to the right having a central angle of 19°21'01", a radius of 59.00 feet, a chord bearing and distance of South 81°12'42" East, 19.83 feet for the **POINT OF BEGINNING**;

THENCE over and across said 0.78 acre tract, the following courses and distances to wit:

In a southeasterly direction, with said curve to the right, an arc distance of 19.93 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a compound curve to the right having a central angle of 6°07'10", a radius of 148.90 feet, a chord bearing and distance of South 68°28'36" East, 15.90 feet;

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3995

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR

LICENSE AGREEMENT

HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCK 5744 & 6055
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 533
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	JAN. 2017	064424705	1 OF 4

EXHIBIT A-TRACT 4

In a southeasterly direction, with said curve to the right, an arc distance of 15.90 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 65°25'01" East, a distance of 68.74 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left having a central angle of 6°56'29", a radius of 594.24 feet, a chord bearing and distance of South 67°44'01" East, 71.95 feet;
In a southeasterly direction, with said curve to the left, an arc distance of 71.99 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 71°12'16" East, a distance of 36.59 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 5°33'53", a radius of 348.06 feet, a chord bearing and distance of South 73°59'12" East, 33.79 feet;
In a southeasterly direction, with said curve to the left, an arc distance of 33.81 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 13°13'51" West, a distance of 4.20 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 7°13'38", a radius of 65.89 feet, a chord bearing and distance of North 75°14'38" West, 8.31 feet;
In a northwesterly direction, with said curve to the right, an arc distance of 8.31 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
North 71°37'49" West, a distance of 95.33 feet to a point at the beginning of a tangent curve to the left having a central angle of 9°44'31", a radius of 110.00 feet, a chord bearing and distance of North 76°30'04" West, 18.68 feet;
In a northwesterly direction, with said curve to the left, an arc distance of 18.70 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
North 81°22'20" West, a distance of 17.50 feet to a point at the beginning of a tangent curve to the right having a central angle of 14°43'54", a radius of 110.00 feet, a chord bearing and distance of North 74°00'22" West, 28.21 feet;
In a northwesterly direction, with said curve to the right, an arc distance of 28.28 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
North 66°38'25" West, a distance of 57.19 feet to a "X" cut in concrete set at the beginning of a tangent curve to the right having a central angle of 22°39'25", a radius of 34.51 feet, a chord bearing and distance of North 55°18'43" West, 13.56 feet;
In a northwesterly direction, with said curve to the right, an arc distance of 13.65 feet to a "X" cut in concrete set at the beginning of a compound curve to the right having a central angle of 19°10'51", a radius of 35.54 feet, a chord bearing and distance of North 34°23'34" West, 11.84 feet;
In a northwesterly direction, with said curve to the right, an arc distance of 11.90 feet to a "X" cut in concrete set at the beginning of a compound curve to the right having a central angle of 113°54'56", a radius of 2.00 feet, a chord bearing and distance of North 32°09'20" East, 3.35 feet;
In a northeasterly direction with said curve to the right, an arc distance of 3.98 feet to the **POINT OF BEGINNING** and containing 2,387 square feet or 0.0548 acres of land.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3995

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR
2.9.17

LICENSE AGREEMENT

HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCK 5744 & 6055
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 533
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	JAN. 2017	064424705	2 OF 4

EXHIBIT A-TRACT 4

Exhibit A

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	8°58'34"	2055.95'	322.09'	N57°04'06"W	321.76'
C2	19°21'01"	59.00'	19.93'	S81°12'42"E	19.83'
C3	6°07'10"	148.90'	15.90'	S68°28'36"E	15.90'
C4	6°56'29"	594.24'	71.99'	S67°44'01"E	71.95'
C5	5°33'53"	348.06'	33.81'	S73°59'12"E	33.79'
C6	7°13'38"	65.89'	8.31'	N75°14'38"W	8.31'
C7	9°44'31"	110.00'	18.70'	N76°30'04"W	18.68'
C8	14°43'54"	110.00'	28.28'	N74°00'22"W	28.21'
C9	22°39'25"	34.51'	13.65'	N55°18'43"W	13.56'
C10	19°10'51"	35.54'	11.90'	N34°23'34"W	11.84'
C11	113°54'56"	2.00'	3.98'	N32°09'20"E	3.35'

LINE TABLE		
NO.	BEARING	LENGTH
L1	S65°25'01"E	68.74'
L2	S71°12'16"E	36.59'
L3	S13°13'51"W	4.20'
L4	N71°37'49"W	95.33'
L5	N81°22'20"W	17.50'
L6	N66°38'25"W	57.19'

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3995

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR

2.9.17

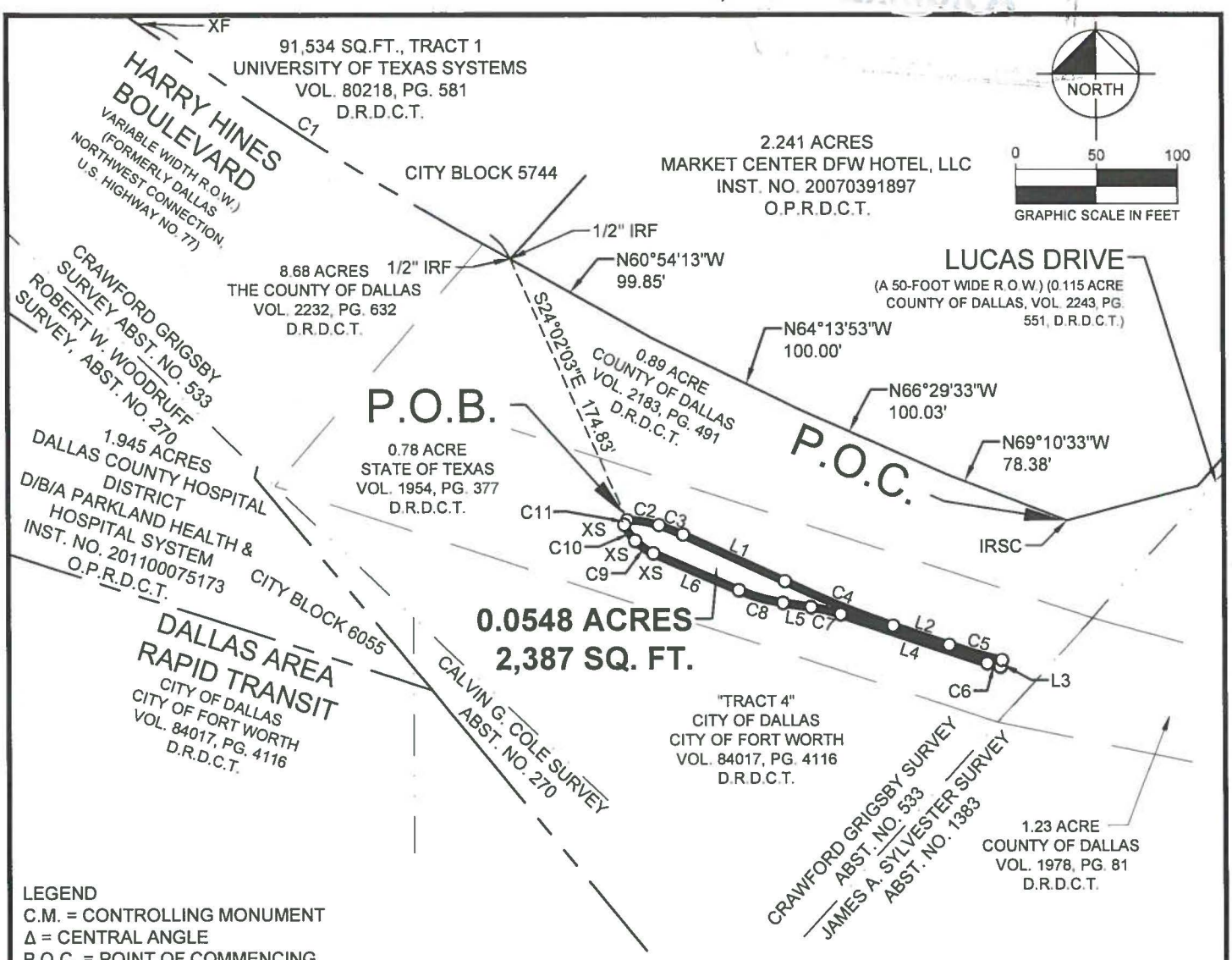
LICENSE AGREEMENT

HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCK 5744 & 6055
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 533
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	JAN. 2017	064424705	3 OF 4

EXHIBIT A-TRACT 4



LEGEND
C.M. = CONTROLLING MONUMENT
Δ = CENTRAL ANGLE
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRF = IRON ROD FOUND
XF/XS = "X" CUT IN CONCRETE FOUND/SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
R.O.W. = RIGHT-OF-WAY
INST. NO. = INSTRUMENT NUMBER
VOL. , PG. = VOLUME , PAGE
ABST. NO. = ABSTRACT NUMBER
○ = LICENSE AGREEMENT CORNER

NOTES
All corners of the license agreement to be acquired are a 5/8" iron rod with "KHA" cap set unless otherwise noted.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3995

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR
2.9.17

LICENSE AGREEMENT
HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCK 5744 & 6055
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 533
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	JAN. 2017	064424705	4 OF 4

DUNN, STACY 2/9/2017 9:51 AM K:\DAL_SURVEY\064424705-SWMD MONUMENT SIGNS\DWG\064424705-SWMD LICENSE AGREEMENT 1D.DWG

EXHIBIT A-TRACT 5

Exhibit A

BEING a 3,669 square foot (0.0842-acre) tract of land situated in the Hiram Bennett Survey, Abstract No. 83, City of Dallas, Dallas County, Texas; and being part of Harry Hines Boulevard (formerly Dallas Northwest Connection, Bennett Road, and U.S. Highway No. 77) adjacent to City of Dallas Blocks 5758 & 6060 and part of a 1.244 acre tract of land described in Right-of-Way Deed to the State of Texas, recorded in Volume 2176, Page 268, Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 1/2" iron rod found at the intersection of southeast right-of-way line of Treadway Street (a variable width right-of-way, created by deed to the City of Dallas, recorded in Volume 4346, Page 542, Deed Records of Dallas County, Texas and by Warranty Deed to the City of Dallas, recorded in Volume 4149, Page 433, Deed Records of Dallas County, Texas) and the northeast right-of-way line of Harry Hines Boulevard (a variable width right-of-way) in the northeast line of a 0.51 acre tract of land described in Right-of-Way Deed to the State of Texas, recorded in Volume 2176, Page 267, Deed Records of Dallas County, Texas and being at the west corner of a 17.7390 acre tract of land described as "Tract 1" in Warranty Deed to Board of Regents of the University of Texas System recorded in Instrument No. 20080251751 of the Official Public Records of Dallas County, Texas;

THENCE departing said northeast right-of-way line, said southwest line of Tract 1 and the northeast line of said 0.51 acre tract; over and across said 0.51 acre tract, South 24°20'52" East, at a distance of 95.5 feet, passing the southwest line of said 0.51 acre tract and the northeast line of said 1.244 acre tract, continuing over and across said 1.244 acre tract, in all a total distance of 188.37 feet to a 5/8" iron rod with plastic cap stamped "KHA" set the beginning of a curve to the right having a central angle of 3°10'01", a radius of 1019.93 feet, a chord bearing and distance of South 50°16'05" East, 56.32 feet, and for the **POINT OF BEGINNING**;

THENCE over and across said 1.244 acre tract, the following courses and distances:

In a southeasterly direction, with said curve to the right, an arc distance of 56.33 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 48°41'09" East, a distance of 18.29 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the right having a central angle of 49°44'49", a radius of 48.91 feet, a chord bearing and distance of South 23°48'45" East, 41.15 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 42.47 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a compound curve to the right having a central angle of 83°20'33", a radius of 3.00 feet, a chord bearing and distance of South 42°43'56" West, 3.99 feet;

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3996

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR
2.9.17

LICENSE AGREEMENT
PART OF HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, BENNETT ROAD, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCKS 5758 & 6060
HIRAM BENNETT SURVEY, ABSTRACT NO. 83
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	JAN. 2017	064424705	1 OF 3

Exhibit A

In a southwesterly direction, with said curve to the right, an arc distance of 4.36 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a compound curve to the right having a central angle of 48°12'06", a radius of 48.91 feet, a chord bearing and distance of North 71°29'44" West, 39.94 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 41.15 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 47°23'41" West, a distance of 75.77 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 42°36'19" East, a distance of 33.53 feet to the **POINT OF BEGINNING** and containing 3,669 square feet or 0.0842 acres of land.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	3°10'01"	1019.13'	56.33'	S50°16'05"E	56.32'
C2	49°44'49"	48.91'	42.47'	S23°48'45"E	41.15'
C3	83°20'33"	3.00'	4.36'	S42°43'56"W	3.99'
C4	48°12'06"	48.91'	41.15'	N71°29'44"W	39.94'

LINE TABLE

NO.	BEARING	LENGTH
L1	S48°41'09"E	18.29'
L2	N47°23'41"W	75.77'
L3	N42°36'19"E	33.53'

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3996

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR

LICENSE AGREEMENT

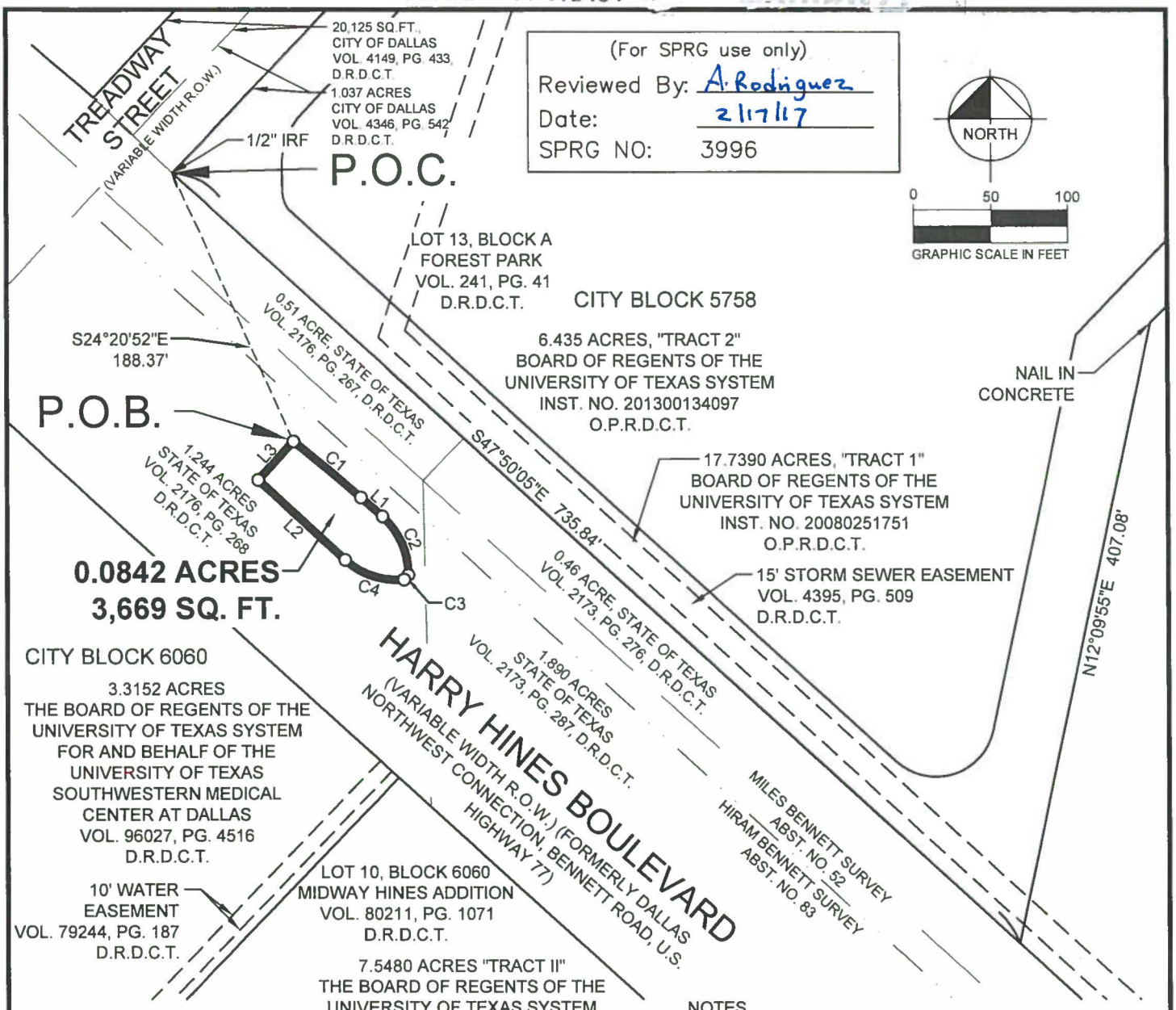
PART OF HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, BENNETT ROAD, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCKS 5758 & 6060
HIRAM BENNETT SURVEY, ABSTRACT NO. 83
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	JAN. 2017	064424705	2 OF 3

EXHIBIT A-TRACT 5

Exhibit A



LEGEND
C.M. = CONTROLLING MONUMENT
Δ = CENTRAL ANGLE
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRF = IRON ROD FOUND
XF/XS = "X" CUT IN CONCRETE FOUND/SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
R.O.W. = RIGHT-OF-WAY
INST. NO. = INSTRUMENT NUMBER
VOL. , PG. = VOLUME , PAGE
ABST. NO. = ABSTRACT NUMBER
O = LICENSE AGREEMENT CORNER

NOTES

All corners of the license agreement to be acquired are a 5/8" iron rod with "KHA" cap set unless otherwise noted.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR

LICENSE AGREEMENT

PART OF HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, BENNETT ROAD, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCKS 5758 & 6060
HIRAM BENNETT SURVEY, ABSTRACT NO. 83
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SRD	DAB	JAN. 2017	064424705	3 OF 3

EXHIBIT A-TRACT 6

Exhibit A

BEING a 3,157 square foot (0.075 acres) tract of land situated in the Hiram Bennett Survey, Abstract No.83, City of Dallas, Dallas County, Texas; and being part of Harry Hines Boulevard (formerly Dallas Northwest Connection, Bennett Road, U.S. Highway No. 77) adjacent to City of Dallas Blocks 5758 & 6060; and part of a 1.89 acre tract of land described in Right-of-Way Deed to the State of Texas, recorded in Volume 2173, Page 287, Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 1/2" iron rod found at the intersection of southeast right-of-way line of Treadway Street (a variable width right-of-way, created by deed to the City of Dallas, recorded in Volume 4346, Page 542, Deed Records of Dallas County, Texas and by Warranty Deed to the City of Dallas, recorded in Volume 4149, Page 433, Deed Records of Dallas County, Texas) and the northeast right-of-way line of Harry Hines Boulevard (a variable width right-of-way) in the northeast line of a 0.51 acre tract of land described in Right-of-Way Deed to the State of Texas, recorded in Volume 2176, Page 267, Deed Records of Dallas County, Texas and being at the west corner of a 17.7390 acre tract of land described as "Tract 1" in Warranty Deed to Board of Regents of the University of Texas System recorded in Instrument No. 20080251751 of the Official Public Records of Dallas County, Texas;

THENCE with said northeast right-of-way line of Harry Hines Boulevard, the northeast line of said 0.51 acre tract and the northeast line of a 0.46 acre tract of land described in Right-of-Way Deed to the State of Texas, recorded in Volume 2173, Page 276, Deed Records of Dallas County, Texas and the southwest line of said Tract 1, South 47°50'05" East, a distance of 735.84 feet to a point, from which a nail in concrete found bears, North 12°09'55" East, a distance of 407.08 feet;

THENCE departing said northeast right-of-way line and the northeast line of said 0.46 acre tract, over and across said 0.46 acre tract, North 63°59'12" West, at a distance of 132.5 feet, passing the southwest line of said 0.46 acre tract and the northeast line of said 1.89 acre tract, continuing over an across said 1.89 acre tract, a total distance of 285.72 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for the **POINT OF BEGINNING**;

THENCE over and across said 1.89 acre tract, the following courses and distances:

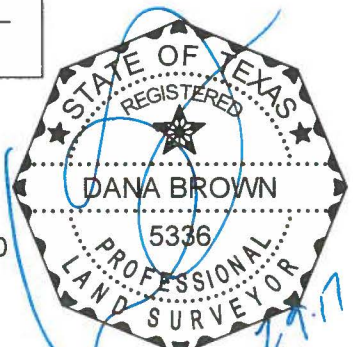
South 42°06'01" West, a distance of 30.18 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 47°53'59" West, a distance of 82.55 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the right having a central angle of 38°32'36", a radius of 45.00 feet, a chord bearing and distance of North 28°37'41" West, 29.70 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 30.27 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

(For SPRG use only)
Reviewed By: A.Rodriguez
Date: 2/17/17
SPRG NO: 3997

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com



LICENSE AGREEMENT

PART OF HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, BENNETT ROAD, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCKS 5758 & 6060
HIRAM BENNETT SURVEY, ABSTRACT NO. 83
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC	SRD	JAN. 2017	064424705	1 OF 3

North 9°21'23" West, a distance of 4.07 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the right having a central angle of 99°55'23", a radius of 2.00 feet, a chord bearing and distance of North 40°36'19" East, 3.06 feet;
In a northeasterly direction, with said curve to the right, an arc distance of 3.49 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 89°26'00" East, a distance of 5.23 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the right having a central angle of 41°32'01", a radius of 45.00 feet, a chord bearing and distance of South 68°39'59" East, 31.91 feet;
In a southeasterly direction, with said curve to the right, an arc distance of 32.62 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 47°53'59" East, a distance of 80.10 feet to the **POINT OF BEGINNING** and containing 3,157 square feet or 0.0725 acres of land.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	38°32'36"	45.00'	30.27'	N28°37'41"W	29.70'
C2	99°55'23"	2.00'	3.49'	N40°36'19"E	3.06'
C3	41°32'01"	45.00'	32.62'	S68°39'59"E	31.91'

LINE TABLE

NO.	BEARING	LENGTH
L1	S42°06'01"W	30.18'
L2	N47°53'59"W	82.55'
L3	N09°21'23"W	4.07'
L4	S89°26'00"E	5.23'
L5	S47°53'59"E	80.10'

(For SPRG use only)
Reviewed By: A.Rodriguez
Date: 2/7/17
SPRG NO: 3997

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR

LICENSE AGREEMENT

PART OF HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, BENNETT ROAD, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCKS 5758 & 6060
HIRAM BENNETT SURVEY, ABSTRACT NO. 83
CITY OF DALLAS, DALLAS COUNTY, TEXAS

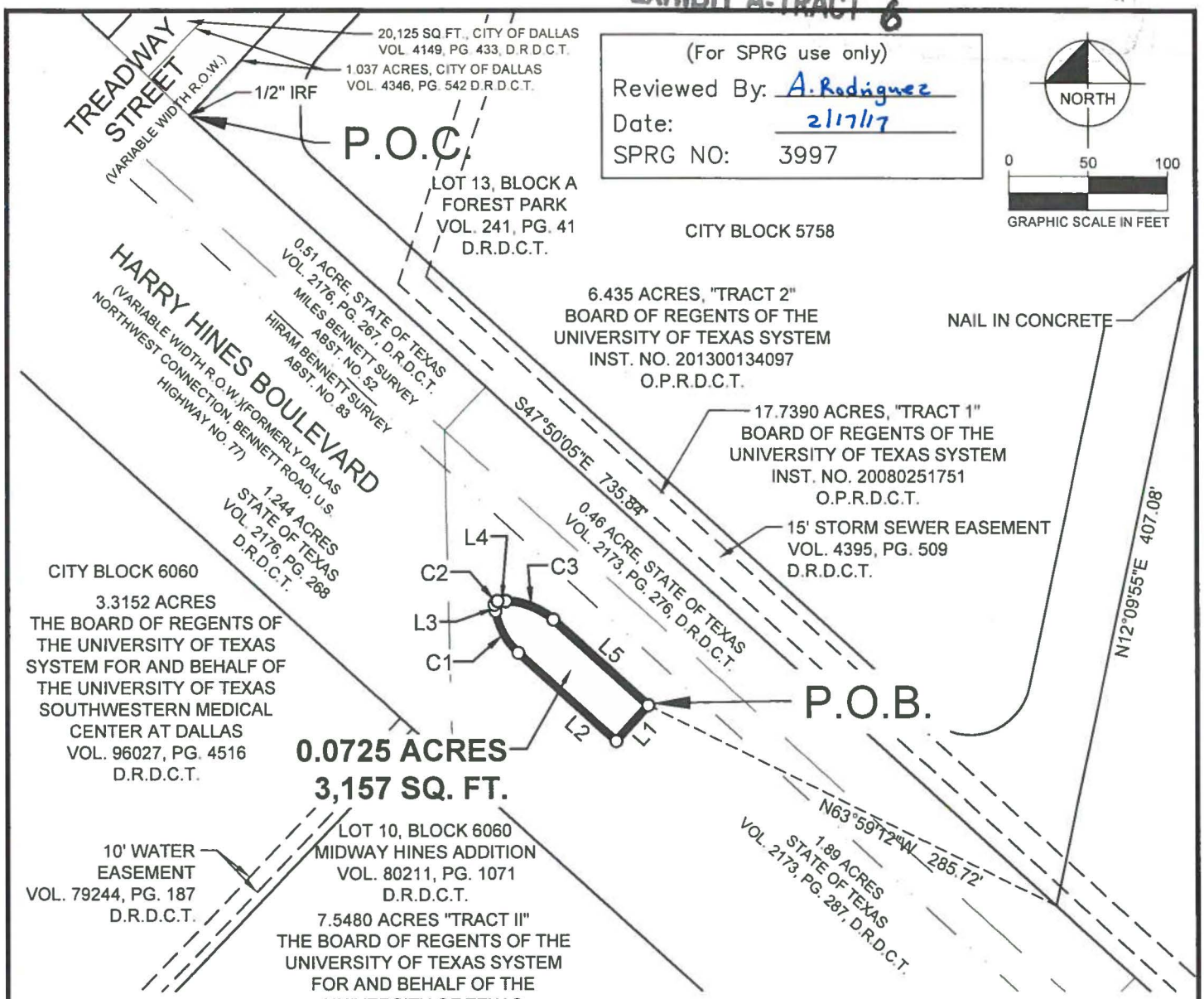
Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC	SRD	JAN. 2017	064424705	2 OF 3

Exhibit A

EXHIBIT A-TRACT 6

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3997



LEGEND
C.M. = CONTROLLING MONUMENT
Δ = CENTRAL ANGLE
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRF = IRON ROD FOUND
XF/XS = "X" CUT IN CONCRETE FOUND/SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
R.O.W. = RIGHT-OF-WAY
INST. NO. = INSTRUMENT NUMBER
VOL. , PG. = VOLUME , PAGE
ABST. NO. = ABSTRACT NUMBER
O = LICENSE AGREEMENT CORNER

NOTES

All corners of the license agreement to be acquired are a 5/8" iron rod with "KHA" cap set unless otherwise noted.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR

2.9.17

LICENSE AGREEMENT

PART OF HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, BENNETT ROAD, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCKS 5758 & 6060
HIRAM BENNETT SURVEY, ABSTRACT NO. 83
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	MTC	SRD	JAN. 2017	064424705	3 OF 3

EXHIBIT A-TRACT 7 Exhibit A

BEING a 933 square feet (0.0214 acres) tract of land situated in the Hiram Bennett Survey, Abstract No.83, City of Dallas, Dallas County, Texas; and being part of Harry Hines Boulevard (formerly Northwest Connection, Bennett Road, U.S. Highway No. 77) adjacent to City of Dallas Blocks 5758 & 6060; and part of a 1.89 acre tract of land described in Right-of-Way Deed to the State of Texas, recorded in Volume 2173, Page 287, Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 1/2" iron rod found at the intersection of southeast right-of-way line of Treadway Street (a variable width right-of-way, created by deed to the City of Dallas, recorded in Volume 4346, Page 542, Deed Records of Dallas County, Texas and by Warranty Deed to the City of Dallas, recorded in Volume 4149, Page 433, Deed Records of Dallas County, Texas) and the northeast right-of-way line of Harry Hines Boulevard (a variable width right-of-way) in the northeast line of a 0.51 acre tract of land described in Right-of-Way Deed to the State of Texas, recorded in Volume 2176, Page 267, Deed Records of Dallas County, Texas and being at the west corner of a 17.7390 acre tract of land described as "Tract 1" in Warranty Deed to Board of Regents of the University of Texas System recorded in Instrument No. 20080251751 of the Official Public Records of Dallas County, Texas;

THENCE with said northeast right-of-way line of Harry Hines Boulevard, the northeast line of said 0.51 acre tract and the northeast line of a 0.46 acre tract of land described in Right-of-Way Deed to the State of Texas, recorded in Volume 2173, Page 276, Deed Records of Dallas County, Texas and the southwest line of said Tract 1, South 47°50'05" East, a distance of 735.84 feet to a point, from which a nail in concrete found bears, North 12°09'55" East, a distance of 407.08 feet;

THENCE departing said northeast right-of-way line and the northeast line of said 0.46 acre tract, over and across said 0.46 acre tract, North 75°37'33" West, at a distance of 78.8 feet, passing the southwest line of said 0.46 acre tract and the northeast line of said 1.89 acre tract, continuing over an across said 1.89 acre tract, a total distance of 224.30 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for the **POINT OF BEGINNING**;

THENCE over and across said 1.89 acre tract, the following courses and distances:

South 42°06'01" West, a distance of 67.50 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 47°50'04" East, a distance of 12.52 feet to a 5/8" iron rod with plastic cap stamped "KHA" for corner;

South 42°09'56" West, a distance of 17.92 feet to a 5/8" iron rod with plastic cap stamped "KHA" in the southwest right-of-way line of said Harry Hines Boulevard, the southwest line of said 1.89 acre tract, the northeast line of a 7.5480 acre tract of land described as "Tract II" in Special Warranty Deed to the Board of Regents of the University of Texas System for and behalf of the University of Texas Southwestern Medical Center at Dallas, recorded in Volume 96027, Page 4522, Deed Records of Dallas County, Texas;

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3998

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

LICENSE AGREEMENT
PART OF HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, BENNETT ROAD, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCKS 5758 & 6060
HIRAM BENNETT SURVEY, ABSTRACT NO. 83
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC	SRD	JAN. 2017	064424705	1 OF 3

EXHIBIT A-TRACT 7

THENCE with the southwest right-of-way line of said Harry Hines Boulevard, the southwest line of said 1.89 acre tract, the northeast line of said Tract II, North 47°50'04" West, a distance of 5.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" for corner;

THENCE departing the southwest right-of-way line of said Harry Hines Boulevard, the southwest line of said 1.89 acre tract, the northeast line of said Tract II, over and across said 1.89 acre tract, the following courses and distances to wit:

North 42°09'56" East, a distance of 5.86 feet to a 5/8" iron rod with plastic cap stamped "KHA" for corner;

North 47°50'04" West, a distance of 12.50 feet to a 5/8" iron rod with plastic cap stamped "KHA" for corner;

North 42°06'01" East, a distance of 74.56 feet to a 5/8" iron rod with plastic cap stamped "KHA" for corner;

North 47°53'59" West, a distance of 70.99 feet to a 5/8" iron rod with plastic cap stamped "KHA" for corner;

North 42°06'01" East, a distance of 5.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" for corner;

South 47°53'59" East, a distance of 75.99 feet to the **POINT OF BEGINNING** and containing 933 square feet or 0.0214 acres of land.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

LINE TABLE			LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S42°06'01"W	67.50'	L5	N42°09'56"E	5.86'	L9	N42°06'01"E	5.00'
L2	S47°50'04"E	12.52'	L6	N47°50'04"W	12.50'	L10	S47°53'59"E	75.99'
L3	S42°09'56"W	17.92'	L7	N42°06'01"E	74.56'			
L4	N47°50'04"W	5.00'	L8	N47°53'59"W	70.99'			

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3998

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR
2.9.17

LICENSE AGREEMENT

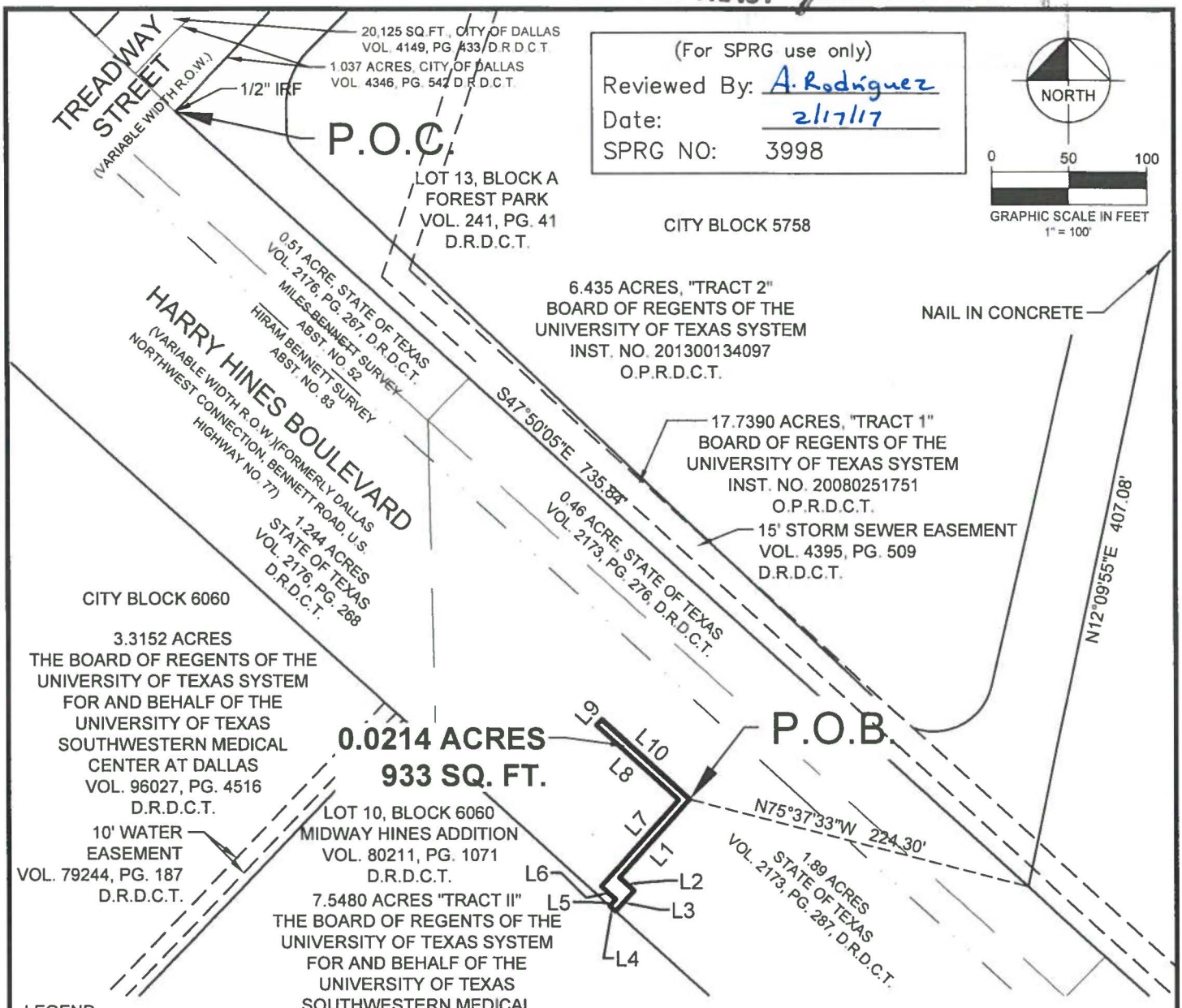
PART OF HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, BENNETT ROAD, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCKS 5758 & 6060
HIRAM BENNETT SURVEY, ABSTRACT NO. 83
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC	SRD	JAN. 2017	064424705	2 OF 3

EXHIBIT A-TRACT 7

Exhibit A



LEGEND

C.M. = CONTROLLING MONUMENT
Δ = CENTRAL ANGLE
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRF = IRON ROD FOUND
XF/XS = "X" CUT IN CONCRETE FOUND/SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
R.O.W. = RIGHT-OF-WAY
INST. NO. = INSTRUMENT NUMBER
VOL. , PG. = VOLUME , PAGE
ABST. NO. = ABSTRACT NUMBER
O = LICENSE AGREEMENT CORNER

NOTES

All corners of the license agreement to be acquired are a 5/8" iron rod with "KHA" cap set unless otherwise noted.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

LICENSE AGREEMENT

PART OF HARRY HINES BOULEVARD (FORMERLY DALLAS NORTHWEST CONNECTION, BENNETT ROAD, U.S. HIGHWAY NO. 77)
ADJACENT TO BLOCKS 5758 & 6060
HIRAM BENNETT SURVEY, ABSTRACT NO. 83
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	MTC	SRD	JAN. 2017	064424705	3 OF 3

EXHIBIT A-TRACT 8 Exhibit A

BEING an 81 square foot (0.0019-acres) tract of land situated in the Miles Bennet Survey, Abstract No. 52, City of Dallas, Dallas County, Texas; being part of Forest Park Road (formerly Forest Avenue) adjacent to Block C/5759 and Block D/2371 created by plat of Forest Park, an addition to the City of Dallas, Texas recorded in Volume 241, Page 41, Map Records of Dallas County, Texas and part of a 0.458 acre tract of land described as "Fourth Tract" in easement to the City of Dallas, recorded in Volume 4346, Page 542, Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with plastic cap stamped "KHA" set in the southwest right-of-way line of Forest Park Road (a 70-foot wide right-of-way), and the northeast line of a 8.295 acre tract of land described in Special Warranty Deed to the Board of Regents of the University of Texas System for and on behalf of the University of Texas Southwestern Medical Center at Dallas, recorded in Volume 92146, Page 4605, Deed Records of Dallas County, Texas; from which the northernmost end of a right-of-way corner clip at the intersection of said southwest right-of-way line and the northwest right-of-way line of Inwood Road (a variable width right-of-way, per said plat of Forest Park) bears South 46°11'55" East, a distance of 1.14 feet;

THENCE with said southwest right-of-way line and said northeast line of the 8.295 acre tract, North 46°11'55" West, a distance of 1.01 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

THENCE departing said southwest right-of-way line and said northeast line, over and across said 0.458 acre tract and said Forest Park Road, the following courses and distances to wit:

North 34°56'27" East, at a distance of 5.06 feet, passing the northeast line of said 0.458 acre tract and the southwest line of said Forest Park Road, continuing in all a total distance of 56.22 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 42°42'45" West, a distance of 3.98 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 47°17'15" East, a distance of 5.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 42°42'45" East, a distance of 5.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner from which a "X" cut in concrete found at the westernmost end of a right-of-way corner clip at the intersection of the northeast right-of-way line of Forest Park Road and said northwest right-of-way line of Inwood Road bears North 86°29'14" East, a distance of 12.95 feet;

South 47°17'15" West, a distance of 5.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 34°56'27" West, a distance of 56.16 feet to the **POINT OF BEGINNING** and containing 81 square feet or 0.0019 acres of land.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 2/17/17
SPRG NO: 3999

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR

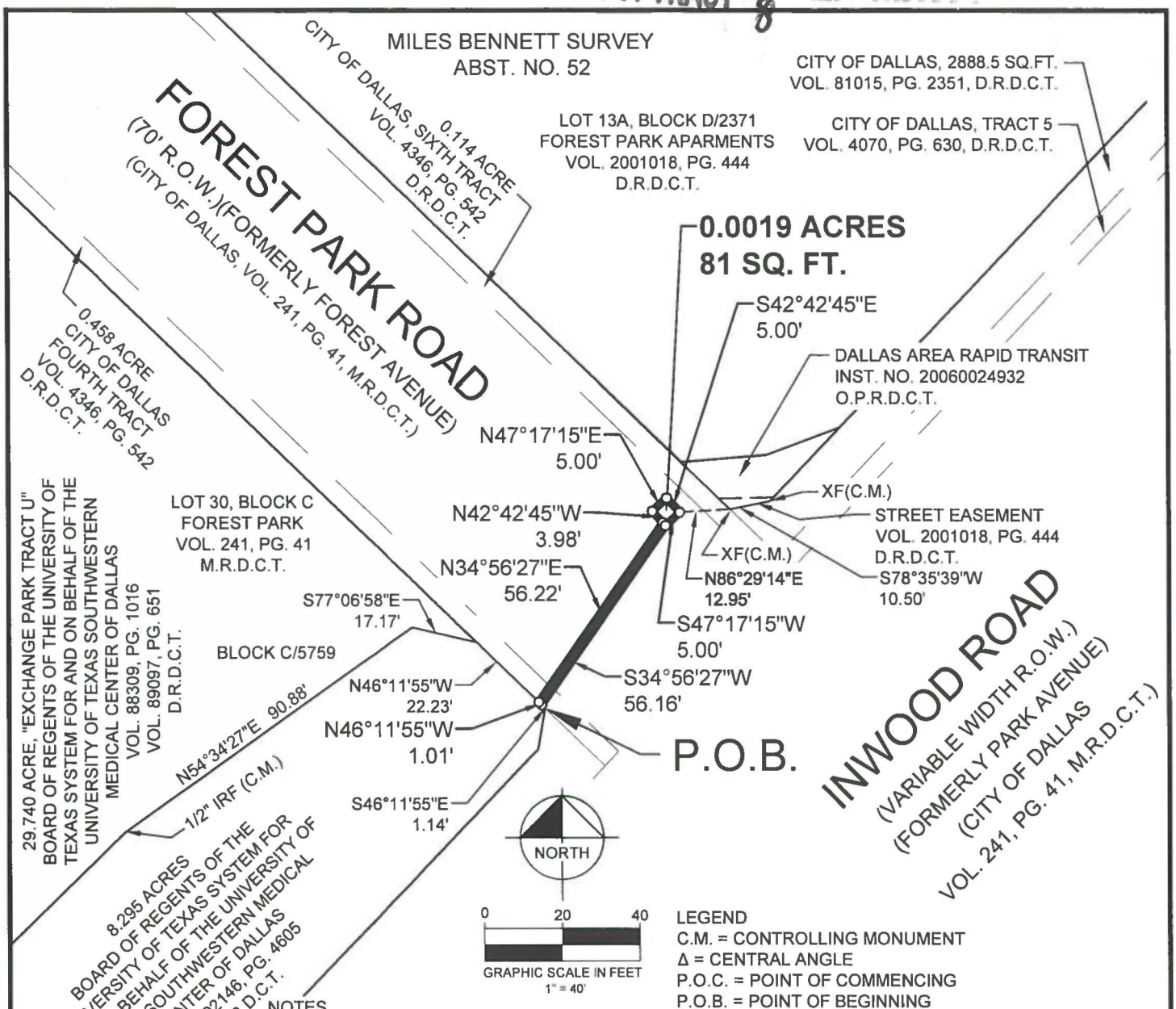
29.1

LICENSE AGREEMENT
FOREST PARK ROAD (FORMERLY FOREST AVENUE)
ADJACENT TO BLOCKS C/5759 & D/2371
MILES BENNET SURVEY, ABSTRACT NO. 52
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	JAN. 2017	064424705	1 OF 2

EXHIBIT A-TRACT 8 Exhibit A



NOTES

All corners of the license agreement to be acquired are a 5/8" iron rod with "KHA" cap set unless otherwise noted.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

LEGEND

C.M. = CONTROLLING MONUMENT
Δ = CENTRAL ANGLE
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRF = IRON ROD FOUND
XF/XS = "X" CUT IN CONCRETE FOUND/SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
R.O.W. = RIGHT-OF-WAY
INST. NO. = INSTRUMENT NUMBER
VOL. , PG. = VOLUME , PAGE
ABST. NO. = ABSTRACT NUMBER
O = LICENSE AGREEMENT CORNER

(For SPRG use only)
Reviewed By: A.Rodriguez
Date: 2/17/17
SPRG NO: 3999

LICENSE AGREEMENT

FOREST PARK ROAD (FORMERLY FOREST AVENUE)
ADJACENT TO BLOCKS C/5759 & D/2371
MILES BENNET SURVEY, ABSTRACT NO. 52
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR
2.9.17

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	SRD	DAB	JAN. 2017	064424705	2 OF 2

EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS

That this license is granted subject to the following additional conditions, terms and reservations:

(a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.

(b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

(c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than $500,000 per occurrence and $500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

twelve (12) months following termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.

(d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.

(e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

(f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.

(g) As a condition hereof, **GRANTEE** agrees and is bound to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily 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 the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to

flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

(h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

AGENDA ITEM # 41

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Water Utilities

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 2 T

SUBJECT

Authorize a contract for the construction of a new pump station to replace the existing Pump Station No. 1 at the Elm Fork Water Treatment Plant - BAR Constructors, Inc., lowest responsible bidder of five - Not to exceed $50,090,500 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

The Elm Fork Water Treatment Plant located in Carrollton, Texas, originally constructed in the 1950's, 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. Due to its age, replacement of the facility is necessary to address aging infrastructure and bring the facility up to current standards and capacity requirements.

This action includes construction of a new pump station to replace the existing Pump Station No. 1 at the Elm Fork Water Treatment Plant. The new facility will incorporate newer, more efficient technology and will provide greater flexibility in pumping operations. The project includes the installation of four, 55 million gallons per day (MGD) raw water pumps and four, 40 MGD potable water pumps, as well as associated yard piping, valves, and electrical improvements necessary to connect the new pump station. Also included are post clearwell chlorine and ammonia feeds which will improve water quality into the distribution system.

The new pump station also provides a connection point for the proposed 72-inch water main between the Bachman Water Treatment Plant and the Elm Fork Water Treatment Plant. The 72-inch water main will provide additional redundancy to the existing 66-inch water main between Bachman and Elm Fork and will provide improved flexibility to transfer flows between the plants, better serving DWU's customers.

BACKGROUND (continued)

The following chart illustrates BAR Constructors, Inc.'s contractual activities with the City of Dallas for the past three years:

	MSS	DWU	PKR
Projects Completed	0	2	0
Change Orders	0	1	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2011
Completed Design	June 2017
Begin Construction	December 2017
Complete Construction	December 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 2010, City Council authorized a professional services contract with Malcolm Pirnie, Inc. to provide engineering services for the Elm Fork Water Treatment Plant water quality improvements by Resolution No. 10-1641.

On September 14, 2011, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services for the Elm Fork Water Treatment Plant water quality improvements by Resolution No. 11-2422.

On August 28, 2013, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant by Resolution No. 13-1469.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on September 25, 2017.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - $50,090,500

Design	$ 3,086,278
Construction (this action)	$50,090,500
Total Project Cost	$53,176,778

M/WBE INFORMATION

See attached.

BID INFORMATION

The following five bids with quotes were opened on July 7, 2017:

*Denotes successful bidder

Bidders	Bid Amount
*BAR Constructors, Inc. 805 Katy Street Lancaster, Texas 75146	$50,090,500
Archer Western Construction, LLC	$53,827,500
Eagle Contracting, LP	$54,256,000
Quest Civil Constructors, Inc.	$56,618,000
Balfour Beatty Infrastructure, Inc.	$58,685,000

OWNER

BAR Constructors, Inc.

Isidro Arrambide Jr., President
Jose L. Arrambide and Michael Arrambide, Vice Presidents
Marlene A. Arrambide, Secretary/Treasurer

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the construction of a new pump station to replace the existing Pump Station No. 1 at the Elm Fork Water Treatment Plant - BAR Constructors, Inc., lowest responsible bidder of five - Not to exceed $50,090,500 - Financing: Water Utilities Capital Improvement Funds

BAR Constructors, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$35,968,767.00	71.81%
Total non-local contracts	$14,121,733.00	28.19%
TOTAL CONTRACT	$50,090,500.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
DFW Aggregates, LLC	HFDB78626N0817	$836,650.00	2.33%
BAR Constructors, Inc.	HMMB47224Y1218	$20,762,356.00	57.72%
Total Minority - Local		$21,599,006.00	60.05%

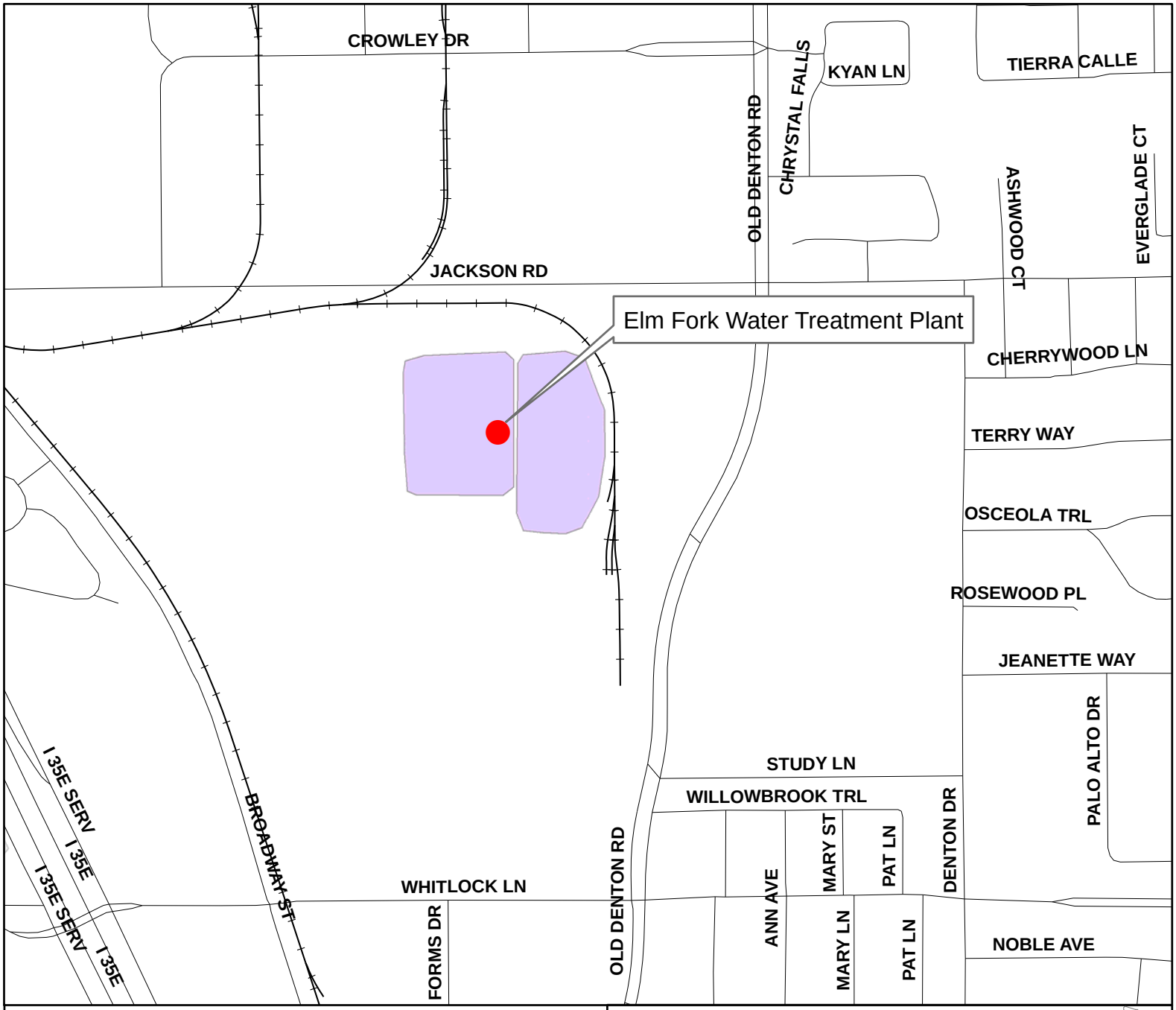
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Partnering for Success, Inc.	HFMB42467Y0618	$19,050.00	0.13%
C. Green Scaping, LP	HFDB63808Y0817	$10,500.00	0.07%
Ricochet Fuel Dist., Inc.	WFWB69066Y0219	$200,000.00	1.42%
Brock Environmental Services, LLC	WFWB96114Y1118	$750.00	0.01%
Total Minority - Non-local		$230,300.00	1.63%

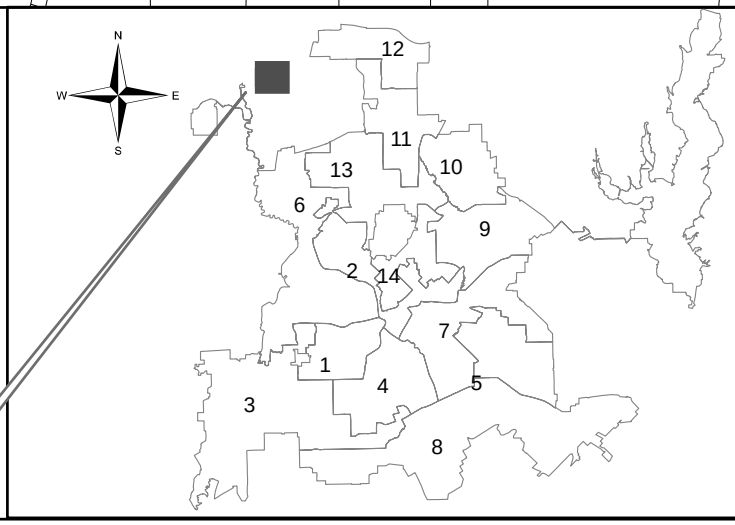
BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY
Page 2

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$21,599,006.00	60.05%	$21,628,556.00	43.18%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$200,750.00	0.40%
Total	$21,599,006.00	60.05%	$21,829,306.00	43.58%



Mapsco: 2 T



Council District: Outside City Limits

Dallas Water Utilities
Contract No. 17-027
Elm Fork Water Treatment Plant
Replacement of Pump Station No. 1

September 27, 2017

WHEREAS, on July 7, 2017, the five bids listed below were received in response to Contract No. 17-027 for the construction of a new pump station to replace existing Pump Station No. 1 at the Elm Fork Water Treatment Plant, listed as follows:

Bidders	**Bid Amount**
BAR Constructors, Inc.	$50,090,500
Archer Western Construction, LLC	$53,827,500
Eagle Contracting, LP	$54,256,000
Quest Civil Constructors, Inc.	$56,618,000
Balfour Beatty Infrastructure, Inc.	$58,685,000

WHEREAS, the bid submitted by BAR Constructors, Inc., 805 Katy Street, Lancaster, Texas 75146, in the amount of $50,090,500, is the lowest and best of all bids received.

Now, Therefore,

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

SECTION 1. That the bid submitted by BAR Constructors, Inc., in the amount of $50,090,500, for doing the work covered by the plans, specifications, and contract documents, Contract No. 17-027, be accepted.

SECTION 2. That the City Manager is hereby authorized to sign a construction services contract with BAR Constructors, Inc., approved as to form by the City Attorney, for the construction of a new pump station to replace existing Pump Station No. 1 at the Elm Fork Water Treatment Plant, in an amount not to exceed $50,090,500.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $50,090,500 to BAR Constructors, Inc. from 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.

DEPARTMENT: City Secretary

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): N/A

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 ITEM # 43

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	10
DEPARTMENT:	Office of Economic Development
CMO:	Raquel Favela, 670-3309
MAPSCO:	27Q

SUBJECT

Authorize a development agreement with NADG/SHOP Lakeridge LP and/or its affiliates in an amount not to exceed $4,500,630, payable from future Skillman Corridor TIF District Funds in consideration of the development of the Lakeridge Project on property currently located at 9634 and 9660 Audelia Road in Tax Increment Financing Reinvestment Zone Number Fourteen (Skillman Corridor TIF District) - Not to exceed $4,500,630 - Financing: Skillman Corridor TIF District Funds (subject to future appropriations from tax increments)

BACKGROUND

NADG/SHOP Lakeridge LP ("Owner") is planning to revitalize a retail center on the southeast corner of Walnut Hill Lane and Audelia Road. The developer will renovate the retail buildings, approximately 90,476 square feet and add outdoor patio space, pedestrian walkways, and a pocket park.

On May 26, 2017, the Urban Design Peer Review Panel reviewed the project and provided recommendations. Following a staff site visit, an illustration for making stronger pedestrian connections and the location of open space was provided. The developer is evaluating internal green space locations and final design will be reviewed by City design staff.

The total investment in this project is estimated to exceed $26 million. The Owner's project scope, as it relates to the proposed TIF agreement, includes a minimum private investment of $18 million for acquisition costs, site preparation, construction hard costs, and costs of the plaza and pocket park.

On August 31, 2017, the Skillman Corridor TIF District Board recommended that up to $4,500,630 from future Skillman Corridor TIF District revenues be dedicated to the proposed project. TIF funding will be used for environmental remediation and demolition; utility burial; streetscape improvements; and an economic development grant to offset other costs for an enhanced center including common open space.

BACKGROUND (continued)

The project meets TIF Grant Program criteria as a redevelopment of an obsolete retail center that includes façade and other physical enhancements that support the creation of a unique design identity for the area and provides open space and pedestrian connections. The project is not financially viable without the TIF grant.

TIF funding is offered on a reimbursement basis and will be paid only after project completion, adherence to all project requirements, and only as funding flows into the district. No TIF funding will be available on an "up front" basis.

ESTIMATED SCHEDULE OF PROJECT

Project Start Date June 2018
Project Completion Date December 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 26, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Fourteen, the Skillman Corridor TIF District by Resolution No. 05-3067; Ordinance No. 26148, as amended.

On December 13, 2006, City Council authorized an ordinance approving the Final Project Plan and Reinvestment Zone Financing Plan for the Skillman Corridor TIF District by Resolution No. 06-3434; Ordinance No. 26534, as amended.

On August 31, 2017, the Skillman Corridor TIF District Board of Directors reviewed the proposed Lakeridge Project and recommended City Council authorize a development agreement with NADG/SHOP Lakeridge LP and dedicate an amount not to exceed $4,500,630 for eligible project costs associated with the development.

Information about this item was provided to the Economic Development and Housing Committee on September 5, 2017.

FISCAL INFORMATION

Skillman Corridor TIF District Funds - $4,500,630 (subject to future appropriations from tax increments)

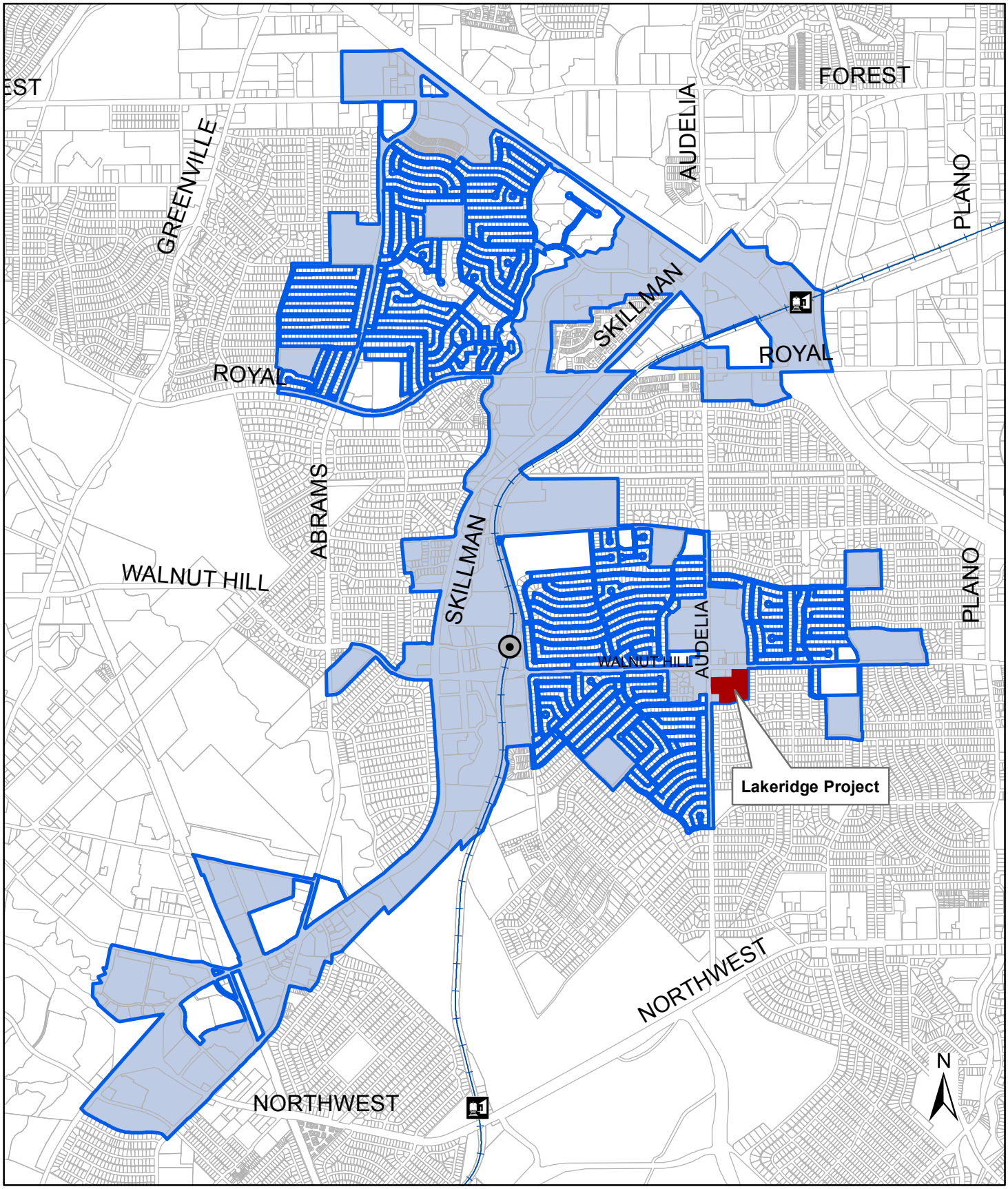
OWNER/DEVELOPER

NADG/SHOP Lakeridge LP
A Texas limited liability company

Daniel Fuller, Manager

MAP

Attached



Lakeridge Project Site
Skillman Corridor TIF District

Map is for descriptive purposes only. Please confirm the status of individual parcels by contacting the Office of Economic Development.

- Existing DART Station
- Future Station
- DART Blue Line
- TIF Perimeter Boundary
- Properties & right-of-way inside TIF

CITY OF DALLAS

Office of Economic Development
August 2017

September 27, 2017

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, on October 26, 2005, City Council authorized the creation of Tax Increment Reinvestment Zone Number Fourteen, (the "Skillman Corridor TIF District"), in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, Chapter 311) to promote development and redevelopment in the Skillman Corridor area through the use of tax increment financing by Resolution No. 05-3067; Ordinance No. 26148, as amended; and

WHEREAS, on December 13, 2006, City Council authorized an ordinance approving the Final Project Plan and Reinvestment Zone Financing Plan for the Skillman Corridor TIF District by Resolution No. 06-3434; Ordinance No. 26534, as amended; and

WHEREAS, on August 31, 2017, the Skillman Corridor TIF District Board of Directors reviewed the proposed Lakeridge Project and recommended City Council authorize a development agreement with NADG/SHOP Lakeridge LP and dedicate an amount not to exceed $4,500,630 for eligible project costs associated with the development; and

WHEREAS, in furtherance of the Skillman Corridor TIF District Project Plan and Reinvestment Zone Financing Plan, the City desires to reimburse NADG/SHOP LP (the "Owner") for the costs of demolition, environmental remediation, infrastructure improvements and other eligible costs, related to the Lakeridge Project at a site currently located at 9634 and 9660 Audelia Road in the Skillman Corridor TIF District as described in the Conceptual Site Plan and renderings attached hereto as **Exhibits A1-A6**.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a development agreement between NADG/SHOP Lakeridge LP ("Owner") and the City of Dallas, on behalf of the Skillman Corridor TIF District, approved as to form by the City Attorney, thereby confirming the Skillman Corridor TIF District Board of Director's dedication of future tax increment revenues in an amount not to exceed $4,500,630 to provide funding for TIF-eligible project costs as shown in the TIF Funded Project Budget attached hereto as **Exhibit B**. This project includes demolition, environmental remediation, infrastructure improvements, and an economic development grant as part of the implementation of the Skillman Corridor TIF District Project Plan and Reinvestment Zone Financing Plan.

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 Chief Financial Officer is hereby authorized to encumber and disburse funds to the Skillman Corridor TIF District (subject to future appropriations from tax increments), as follows:

Skillman Corridor TIF District Fund Fund 0052, Department ECO, Unit W227 Activity SCTI, Object 3072, Program W227SCTIF Encumbrance/Contract No. CX ECO-2017-00003799-01 Vendor VS95794, in an amount not to exceed	$ 286,799
Skillman Corridor TIF District Fund Fund 0052, Department ECO, Unit W227 Activity SCTI, Object 4510, Program W227SCTIF Encumbrance/Contract No. CX ECO-2017-00003799-02 Vendor VS95794, in an amount not to exceed	$ 529,500
Skillman Corridor TIF District Fund Fund 0052, Department ECO, Unit W227, Activity SCTI Object 4510, Program W227SCTIF Encumbrance/Contract No. CX ECO-2017-00003799-03 Vendor VS95794, in an amount not to exceed	$ 463,271
Skillman Corridor TIF District Fund Fund 0052, Department ECO, Unit W227, Activity SCTI Object 3016, Program W227SCTIF Encumbrance/Contract No. CX ECO-2017-00003799-04 Vendor VS95794, in an amount not to exceed	$3,221,060
Total amount not to exceed	$4,500,630

SECTION 4. That the Owner shall design, fund and/or construct public improvements to support the development of the Lakeridge Project at a site currently located at 9634 and 9660 Audelia Road in the Skillman Corridor TIF District as described in Section 6 and in substantial conformance with **Exhibits A1-A6 - Site Plan and Preliminary Conceptual Renderings**. Up to $4,500,630 of the TIF-eligible project costs for the Project in the Skillman Corridor TIF District may be reimbursed from the Skillman Corridor TIF District Funds. The Owner will be paid solely from the Skillman Corridor TIF District Funds in accordance with the terms of the development agreement described in hereof and **Exhibit C – TIF Increment Allocation Policy Skillman Corridor TIF District**, but only to the extent such Skillman Corridor TIF District Funds are available for such purpose. No interest will be paid on this award since funds are not advanced to the City for these improvements.

SECTION 5. That nothing in this resolution shall be construed to require the City to approve payment from any source of City funds other than the Skillman Corridor TIF District Fund and/or Tax Increment Bonds.

Any funds expended under the development agreement that remain unpaid upon termination of the Skillman Corridor TIF District, due to lack or unavailability of Skillman Corridor TIF District Funds, shall no longer be considered project costs of the Skillman Corridor TIF District or the City and the obligation of the Skillman Corridor TIF District to pay Owner 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. A minimum of $18 million in private improvements in the Project including all land and building acquisition, site preparation, construction hard costs and costs of the plaza and pocket park, but excluding soft costs.

B. Renovation of the project site for a minimum of 85,000 square feet of retail or commercial space including outdoor restaurant space documented and verified by City staff's review of certificates of occupancy and as built conditions if necessary.

C. The Owner shall obtain a building permit for the construction of the Project by June 30, 2018.

D. Owner shall complete construction and obtain a final certificate of occupancy or equivalent evidence of completion of all building shell requirements for the Project by December 31, 2018.

E. Owner shall obtain a letter of acceptance or similar documentation issued by the City and signifying acceptance of the TIF eligible public improvements by December 31, 2018.

F. Owner shall provide 2,500 minimum square feet of publicly accessible, privately owned “common open space” in the form of pocket park or plazas within the Project. If the location of common open space, as approved in design plan, were to change with future development of the center, Owner will give notice to the Director on a proposed comparable location for the open space within the Project; otherwise, a recapture of TIF funds associated with the open space improvement may be required, in the City’s sole discretion.

SECTION 6. (continued)

G. Owner shall execute an Operating and Maintenance Agreement for all non-standard public improvements associated with the project by December 31, 2018. Compliance with the executed Operating and Maintenance Agreement shall be required of all future owners for the entire period of the Operating and Maintenance Agreement.

H. In addition to complying with a Business Inclusion and Development ("BID") goal of 25% for the TIF reimbursable improvements (hard construction costs only), the Owner shall make a good faith effort to achieve a goal of certified minority/women-owned business enterprise (M/WBE) participation for the private improvement construction of 25% of total construction expenditures on private improvements and meet all reporting requirements for each.

I. Until the Project has received a final certificate of occupancy (or equivalent evidence of completion) and all required paperwork for TIF reimbursement has been submitted, Owner shall submit to the Office of Economic Development a quarterly status report for ongoing work on the Project, as well as public improvements.

J. Owner shall construct public and private improvements that substantially conform in design and materials to images and site plans approved by the Skillman Corridor TIF Board of Directors and the Urban Design Peer Review Panel (UDPRP) as shown in **Exhibit A1-A6** - Site Plan and preliminary conceptual renderings unless modifications are approved by the Director. The size and location of a proposed pocket park and perimeter sidewalk improvements is still being evaluated and will need specific follow up with the City Design Studio staff. As the final step to the UDPRP process, Owner shall provide a set of permit drawings to the Design Studio for internal review and approval at time of submittal to ensure compliance to UDPRP recommendations and responses. The improvements must conform to the approved plans.

K. Owner shall instruct all tenants to provide best efforts such as holding outreach events and job fairs targeting residents from the neighborhood for any new jobs created.

L. If a minimum of 50% of the commercial space is not occupied within 18 months of the Certificate of Occupancy Date, then the payment of TIF Subsidy shall cease until such occupancy is achieved. If occupancy is not achieved within 24 months of the CO Date, Owner will be in default. Once 50% occupancy is obtained, occupancy must continue to be maintained throughout the term of the agreement. If occupancy falls below 50%, Owner will be in default of the agreement.

SECTION 6. (continued)

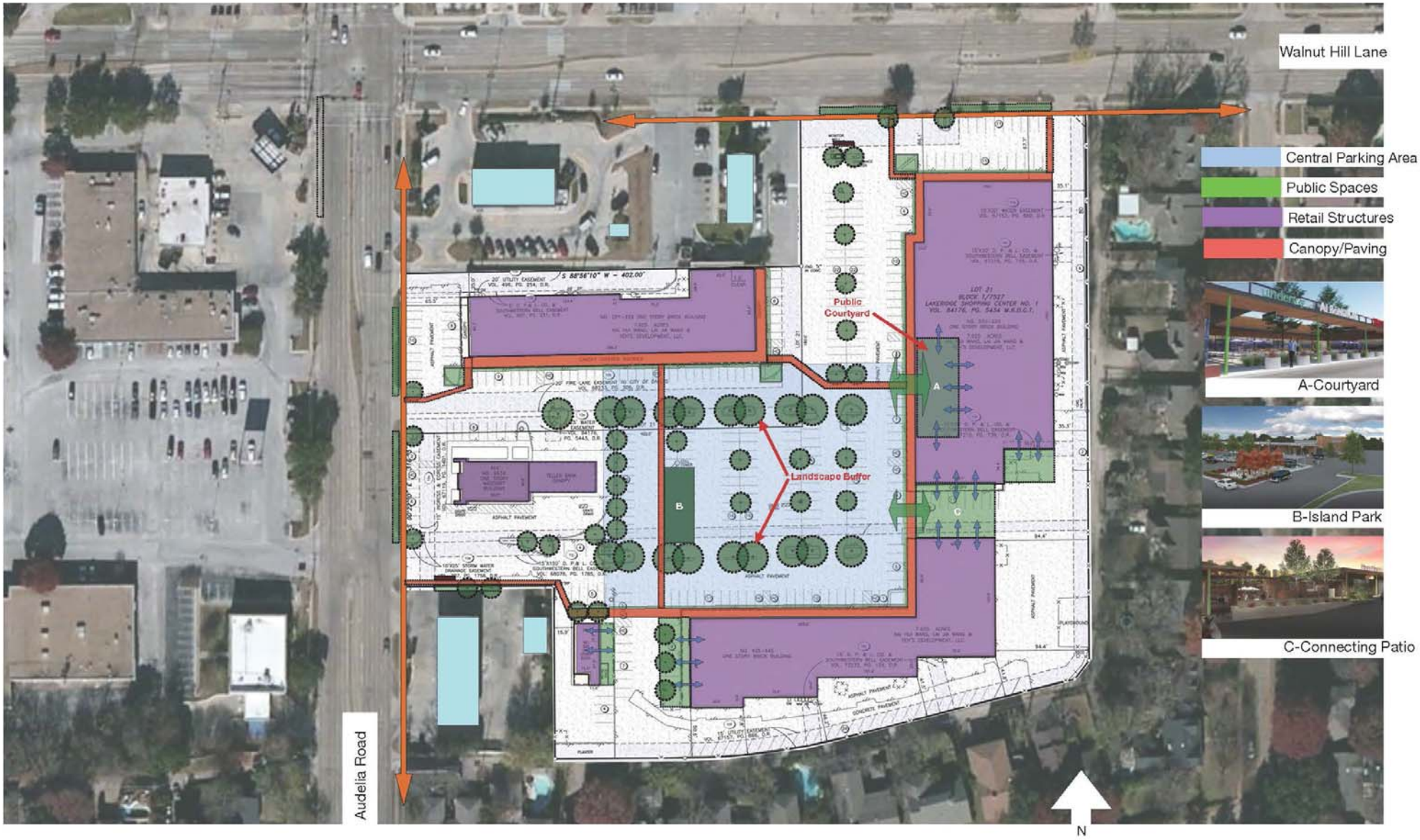
M. The Owner shall provide evidence that reasonable efforts were made to promote the hiring of neighborhood residents for any new jobs created.

SECTION 7. That upon completion of the project and satisfaction of all project requirements, and subject to the availability of Skillman Corridor District TIF funds, the Project shall be eligible for total TIF reimbursements in an amount not to exceed $4,500,630 in accordance with the adopted **Exhibit C - TIF Increment Allocation Policy Skillman Corridor TIF District**.

SECTION 8. That the Director of the Office of Economic Development, after approval and recommendation of the Skillman Corridor TIF District Board of Directors, may authorize minor modifications to the project including development mix, design elements, and/or an extension of the project deadlines up to six months.

SECTION 9. That until completion of the Project, an assignment of the agreement will only be allowed to a direct affiliate with approval from Director. After the Project Improvements are completed and the conditions for the TIF Subsidy have been met, the Owner may assign the agreement with the prior written approval from Director or other City officer, which approval shall not be unreasonably withheld, delayed, or conditioned; however, City Council approval shall not be required. Such new owner must expressly assume all the obligations of the Developer under this Agreement for the balance of the term of this Agreement.

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.



LAKERIDGE VILLAGE-Siteplan Strategy
DALLAS TEXAS

SHOP cos.

A·GRUPPO ARCHITECTS

Exhibit A1

Proposed Courtyard

LAKERIDGE VILLAGE
DALLAS TEXAS

Exhibit A2

SHOP COS.

A·GRUPPO ARCHITECTS

Connecting Patio between buildings-Accessible Ramp provides solution to connecting between the differing heights of the adjacent buildings

LAKERIDGE VILLAGE
DALLAS TEXAS

Exhibit A3

SHOP COS.

A·GRUPPO ARCHITECTS

Island Park- Provides some containment at the Western edge of parking lot. Pragmatically activates space

LAKERIDGE VILLAGE
DALLAS TEXAS

Exhibit A4

SHOP COS.

A·GRUPPO
ARCHITECTS

New Canopy and storefront condition

LAKERIDGE VILLAGE
DALLAS TEXAS

Exhibit A5

SHOP cos.

A·GRUPPO
ARCHITECTS

Proposed Courtyard

LAKERIDGE VILLAGE
DALLAS TEXAS

Exhibit A6

SHOP COS.

A·GRUPPO
ARCHITECTS

Exhibit B
Lakeridge Project – TIF Project Budget

TIF Improvement Category	Amount
Other Skillman Corridor Improvements:	
Environmental remediation & demolition	$286,799
Street & utility improvements	$529,500
Streetscape improvements	$463,271
Economic Development Grant (to offset other costs for an enhanced center, including open space improvements)	$3,221,060
TOTAL TIF REQUEST	**$4,500,630**

Expenditures may be shifted from one TIF-eligible category to another as long as the total amount of TIF funding does not exceed $4,500,630. Design/engineering costs may be included in the above categories. The TIF financial contribution to the project could be less if actual costs are less and/or adequate increment does not accrue to the TIF fund.

Exhibit C

TIF Funding Increment Allocation Policy
Skillman Corridor TIF District
Approved by TIF Board on May 30, 2007 and Amended June 1, 2011 and August 31, 2017

It is important for the City of Dallas to encourage as many projects as possible in the Skillman Corridor TIF District. In that spirit, Skillman Corridor TIF District funds will be allocated to projects proportionately, dependent on the portion of the increment created by the project and other projects by that developer in the District.

Definitions:

Project (TIF-eligible) - development or redevelopment that adds taxable real property value at a particular site or is a space or facility of public benefit such as open space, trails or cultural facilities. The Project has been approved for TIF funds and all requirements set forth in the development agreement have been completed.

Developer – A person or entity that has completed all requirements for a TIF-eligible Project as set out in the fully executed development agreement for the Project.

Related Project/Developer – if a Developer or a Developer's affiliates (as defined in a development agreement) has other development or redevelopment projects in addition to a TIF-eligible Project, increment from those Related Project(s) may be included in Individual Increment for reimbursement of the TIF-eligible Project expenses. A Developer of a TIF-eligible Project must have direct or indirect control of the ownership interest in any Related Project. These requirements will be further specified in a development agreement where applicable.

Related Projects must create new taxable real property value for the District based on the following criteria:

- New development on previously vacant land or demolished structures.
- Redevelopment or major modification of an existing building if this results in an increased taxable value of 50% or more of the original building or any increase in the floor area of an original building if the expansion is over 50% for residential projects, over 65% for mixed-use projects, and over 75% for office/commercial projects.

Total Increment – the annual amount of increment deposited into the TIF fund from the participating jurisdictions.

Individual Increment – the portion of the increment that a Project or Related Project creates each year less (1) expected legal and administrative fees, (2) 30% of the RISD tax increment reserved for RISD facility improvements in the TIF Budget until a $5 million total dollar amount has been allocated, and (3) the portion set aside for District-Wide improvements if applicable.

Net Individual Increment – Individual Increment less the Project's and/or Related Project's portion of Administrative Expenses each year. This portion will be based on the ratio of Individual Increment to Total Increment.

Administrative Expenses – the City will take a share of TIF revenue from this District for the amount it bills to the District for costs necessary for administration of the TIF District program, which may include charges from other departments, each year.

Exhibit C

District-Wide Improvements – improvements that are not specific to a single development site such as gateways, trails, open space, public facilities, or utility/streetscape improvements benefiting multiple properties or blocks.

Shared Increment – the Total Increment less (1) expected legal and administrative fees, (2) 30% of the RISD tax increment reserved for RISD facility improvements in the TIF Budget until a $5 million total dollar amount has been allocated, (3) the portion set aside for District-Wide Improvements if applicable, and (4) the sum of the Individual Increments of all eligible projects.

Available Cash - cash in the Skillman Corridor TIF fund that is not already allocated, encumbered, or otherwise set aside for other purposes.

Developers that are approved for TIF funding from the Skillman Corridor TIF District will be eligible, after completion of all requirements, to receive their Individual Increment. Annual allocations for each project will then be based on the Individual Increment from that project. For example, the Individual Increment for a project worth $20 million is estimated to be approximately $300,000 annually, but may be less depending on the actual taxable value as determined by the Dallas County Appraisal District (DCAD).

In addition to the Individual Increment, projects will be eligible to receive a portion of the Available Cash and Shared Increment, if any, from Skillman Corridor TIF District funds. The portion of the Available Cash and Shared Increment allotted to an eligible Project shall be the proportion of each eligible Project's Individual Increment to the sum of the Individual Increments for all eligible Projects for that year *with the exception of the Lake Highlands Town Center (LHTC) which may receive Shared Increment, based on provisions made in a pre-existing agreement as amended for Phase I (other phases of the agreement were terminated by the developer),and the Lakeridge Project as outlined below.*

<u>Lake Highlands Town Center – Amended Agreement Specific Provisions</u>

a. Annually, after 1) administrative fees have been paid, 2) 30% of the RISD tax increment is reserved for RISD facility improvements in the TIF Budget until a $5 million total dollar amount has been allocated, and 3) a portion of the increment, as determined by the TIF Board, has been set aside for District-wide improvements, Owner will be eligible to receive the balance of the portion of the increment that the Project or Related Projects creates (the Individual Increment).

b. An initial lump sum one-time payment in June 2011 or thereafter from up to 75% of Available Cash will be made available once conditions specified in an amended agreement are met.

c. In addition to this increment, the project is eligible to receive 75% of Shared Increment towards a Phase I $10 million of TIF subsidy

<u>Lakeridge Project –Agreement Specific Provisions</u>

- The Lakeridge Project includes a significantly higher level of public amenities for a retail center renovation that will be impactful for the surrounding community; therefore, with the exception of any existing obligation to the Lake Highlands Town Center Phase I, at

least 10% of shared increment will be allocated to reimburse the Project until payoff. Any shared increment amount above that level will be on a proportional basis (as described in the above general policy) with any other projects.

Notes

In general, the assignment of increment will be done annually, after each participating jurisdiction has deposited its annual increment into the TIF fund. However, in most cases this method requires a developer with a completed project to wait months before receiving any TIF funding. Therefore, in addition to the annual allocations, upon completion of a project, and on a first-in-first-out basis, developers may apply for funding from Available Cash currently in the TIF fund, if any. This funding would be applied toward the outstanding TIF obligation.

If the appraised value of the remaining property in the TIF District decreases in value despite new development, the TIF subsidy for projects that year may be reduced or unpaid. Likewise, if the sum of 1) administrative fees, 2) RISD increment, 30% set aside for facilities, 3) District-wide improvements, and 4) the sum of the Individual Increments is greater than the Total Increment, then the Individual Increments shall be allotted on a pari passu basis dependent on the proportion of each eligible project's Individual Increment to the sum of the Individual Increments for that year.

The arrangement described herein shall not require the City to modify any prior agreement that may be inconsistent with the foregoing formula. For example, any projects approved under earlier arrangements, particularly under the first-in-first-out arrangement, shall be fully funded from the district's Available Cash and Shared Increment before newer projects are assigned additional increment.

The Skillman Corridor TIF Board may make adjustments to this funding formula at its discretion.

AGENDA ITEM # 44

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Human Resources

CMO: T.C. Broadnax, 670-3297

MAPSCO: N/A

SUBJECT

An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code by amending Sections 34-1, 34-22, 34-23, 34-30 and 34-38 to: **(1)** clarify the policy; **(2)** amend sick leave policies; **(3)** amend vacation leave policies; **(4)** amend military leave consistent with state law; and **(5)** amend grievance and appeal procedures - Financing: No cost consideration to the City

BACKGROUND

These ordinance amendments include the Human Resources Department's annual review of Chapter 34, Personnel Rules, of the Dallas City Code.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this item on September 15, 2017.

FISCAL INFORMATION

No cost consideration to the City.

9/12/17

ORDINANCE NO. _____

An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code by amending Sections 34-1, 34-22, 34-23, 34-30, and 34-38; clarifying the policy; amending sick leave policies; amending vacation leave policies; amending military leave consistent with state law; amending grievance and appeal procedures; 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 Section 34-1, "Policy," of Article I, "General Provisions," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended to read as follows:

"SEC. 34-1. POLICY.

"The provisions of this chapter are subject to modification, rescission, and amendment by the Dallas city council at any time. Nothing in this chapter conveys a contract of employment with the city of Dallas and nothing in this chapter is intended to be a term of a contract when combined with any other document, instrument, or writing. Nothing in this chapter conveys a private cause of action to any employee."

SECTION 2. That Section 34-22, "Sick Leave," of Article III, "Leave Policies," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended by adding a new Subsection (u), "Discretionary Sick Leave for New Third-Tier Executive and Above," to read as follows:

"(u) Discretionary sick leave for new third-tier executive and above. In addition to sick leave accrual authorized in Subsection (d) of this section, the city manager may, beginning on the person's employment start date, approve up to 80 hours of sick leave for a person hired into a third-tier executive position and above. This subsection does not apply to a city employee who is promoted into a third-tier executive position and above."

SECTION 3. That Subsection (a), "Eligibility," of Section 34-23, "Vacation Leave," of Article III, "Leave Policies," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended to read as follows:

"(a) Eligibility. Every permanent employee accrues vacation leave during the initial six months of city employment. Except for a newly hired third-tier executive and above who has been granted discretionary vacation leave pursuant to Subsection (r) of this section, [~~but~~] vacation leave may not be used until the initial six months of employment are completed. All vacation leave is forfeited if the employee terminates employment before completing the initial six months of employment."

SECTION 4. That Section 34-23, "Discretionary Vacation Leave," of Article III, "Leave Policies," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended by adding a new Subsection (r), "Discretionary Vacation Leave for New Third-Tier Executive and Above," to read as follows:

"(r) Discretionary vacation leave for new third-tier executive and above. In addition to vacation leave accrual authorized in Subsection (c) of this section, the city manager may, beginning on the person's employment start date, approve up to 80 hours of vacation leave for a person hired into a third-tier executive position and above. An employee forfeits any leave granted under this subsection if his or her employment terminates within the first six months. This subsection does not apply to a city employee who is promoted into a third-tier executive position and above."

SECTION 5. That Subsection (c), "Military Leave," of Section 34-30, "Military Service/Military Leave," of Article III, "Leave Policies," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended to read as follows:

"(c) Military leave. The city will grant military leave to city employees in compliance with the Uniformed Services Employment and Reemployment Rights Act, as amended, and [~~;~~] Chapters [~~431~~] 437 and 613 of the Texas Government Code, as amended [~~; and Chapter 613 of the Texas Government Code, as amended~~]. Specific procedures and requirements for the administration of military service/military leave policies are outlined in the administrative directives of the city. No procedure or requirement adopted by administrative directive may conflict with the Uniformed Services Employment and Reemployment Rights Act, as amended, or with [~~;~~] Chapters [~~431~~] 437 [~~of the Texas Government Code, as amended;~~] or [~~Chapter~~] 613 of the Texas Government Code, as amended."

SECTION 6. That Section 34-38, "Grievance and Appeal Procedures," of Article VI, "Discipline, Grievance, and Appeal Procedures," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended by adding a new Subsection (k) to read as follows:

"(k) For purposes of this section only, a reference to an assistant city manager also refers to a non-sworn managerial chief designated by the city manager, including, without limitation,

chief of economic development and housing, chief of community services, and chief of staff to the city manager."

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 34 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9 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 10. That this ordinance shall take effect on October 1, 2017, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____

AGENDA ITEM # 45

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Sanitation Services
CMO:	Jody Puckett, 670-3390
MAPSCO:	N/A

SUBJECT

Authorize **(1)** an Inter-Jurisdictional Hurricane Harvey Mutual Aid Agreement by and between the City of Houston, Texas, a Texas Home-Rule City located principally in Harris County and the City of Dallas, a Texas Home-Rule City located principally in Dallas County to provide mutual aid in the form of personnel, supplies and equipment during the Hurricane Harvey disaster as well as during cleanup periods; and **(2)** the City Manager to execute agreements for services associated with lodging and incidentals resulting from participation under the Mutual Aid Agreement, with payment to vendors based only on the amount of services directed to be performed by the City to be reimbursed subject to the terms of the Mutual Aid Agreement - Not to exceed $175,000 - Financing: Hurricane Harvey Deployment Funds

BACKGROUND

On August 25, 2017, Hurricane Harvey made landfall in parts of southern Texas as a Category 4 Hurricane, causing widespread flooding throughout areas in and around the City of Houston. The widespread flooding created vulnerability of the people and communities located in the area. Hurricane Harvey has presented equipment and manpower requirements beyond the capacity of the City of Houston. The City of Houston has requested assistance from numerous municipal and county agencies across the state specifically related to the removal of debris caused by Hurricane Harvey.

The City of Houston and the City of Dallas entered into a Mutual Aid Agreement in 2008 pursuant to Resolution No. 08-3196, approved by the Dallas City Council on November 19, 2008. That Mutual Aid Agreement extended to all services except for law enforcement. It was based on the statutes in existence in 2008.

BACKGROUND (continued)

The City of Houston has requested a Mutual Aid Agreement between the two cities to replace the existing Mutual Aid Agreement entered into in 2008. The City of Houston is no longer willing to proceed under the 2008 Agreement and wants to replace it with a new Agreement in order to update it to improve reporting requirements, make it consistent with amended statutes and limit the aid to Hurricane Harvey relief. This agreement will allow the personnel of the responding department to perform public works related response operations outside the responding party's territorial limits, but within the territorial limits of the requesting party. This agreement will allow for both the addition of personnel and/or equipment to remove debris on behalf of the requesting party. It is anticipated that these activities will not exceed 30 days of support on behalf of the requesting party. Activities performed and associated costs such as personnel, equipment, housing and supplies associated with the activities are eligible for reimbursement by the requesting party.

The City of Dallas is prepared to respond with a Response Team comprising personnel from Dallas Water Utilities, Trinity Watershed Management, Street Services and Sanitation Services, (utilizing about 35% of bulk and brush collection program staffing). In order to provide assistance for debris removal, the City of Dallas bulk and brush service will be temporarily modified. The temporary bulk and brush program modification maintains the current monthly collection schedule and would only be for the months of October, November, and December 2017, with a return to the normal program in January 2018. The modified collection cycle would be as follows: (1) October and December - brush/yard waste only, (2) November - bulk waste only. Again, other services would remain unaffected.

The cost associated with the mutual aid response has an estimated Federal Emergency Management Agency reimbursement value of $1.8 million (personnel, equipment, lodging). The new Agreement provides for full reimbursement of actual and reasonable expenses in providing aid, regardless of whether the City of Houston receives reimbursement from the federal government or other sources. Though only public works and waste management services are being requested, the new Agreement will extend to all services except for law enforcement and fire protection. These public safety services are not being requested. At the City of Houston's request, this new Agreement only extends to aid for Hurricane Harvey relief.

This action authorizes the City Manager to enter into a formal agreement for mutual aid with the City of Houston that will replace the existing 2008 Agreement and extend only to Hurricane Harvey relief, and which will allow for coordination of effort, provide that adequate equipment is available, and help ensure that mutual aid is accomplished with proper documentation of the work performed under the agreement. This action also authorizes the City Manager to execute agreements for services associated with lodging and incidentals resulting from participation under the Mutual Aid Agreement, with payment to vendors based only on the amount of services directed to be performed by the City to be reimbursed subject to the terms of the Mutual Aid Agreement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 19, 2008, City Council authorized a Memorandum of Understanding by and between the City of Houston and the City of Dallas to provide mutual aid between both parties in the form of personnel, supplies and equipment during disasters and/or civil emergencies as well as during cleanup periods, by Resolution No. 08-3169.

On August 30, 2018, City Council appropriated $5,000,000 for the Hurricane Harvey Deployment Fund (F533) and the Hurricane Harvey Shelter Operations Fund (F534) to be reimbursed, from among other sources, in accordance with Sections 418.020 and 418.118 of the Texas Government Code, and an additional amount of $3,000,000 if upon the recommendation of the City Manager, the Mayor determines the increase to be necessary by Resolution No. 17-1370.

Information about this item will be provided to the Quality of Life, Arts & Culture and Mobility Solutions, Infrastructure and Sustainability Committees on September 25, 2017.

FISCAL INFORMATION

Hurricane Harvey Deployment Funds - The cost associated with the mutual aid response has an estimated Federal Emergency Management Agency reimbursement value of $1.8 million (personnel, equipment, lodging)

Hurricane Harvey Deployment Funds - $175,000 - lodging and incidentals resulting from participation under the Mutual Aid Agreement, with payment to vendors based only on the amount of services directed to be performed by the City to be reimbursed subject to the terms of the Mutual Aid Agreement.

WHEREAS, the City of Dallas recognizes the vulnerability of the people and communities located within local governments and public subdivisions to damage, injury, and loss of life and property resulting in emergencies, disasters or civil emergencies and recognize that such incidents may present equipment and personnel requirements beyond the capacity of each individual governmental entity; and

WHEREAS, Hurricane Harvey has developed into one of the greatest weather events to affect Texas; and

WHEREAS, the City of Houston has been particularly hard-hit by Hurricane Harvey, especially through a record-setting rainfall and associated reservoir releases that has caused historic flooding in the City of Houston; and

WHEREAS, the governing officials of the Parties desire to secure for each Party the benefits of mutual aid to provide assistance in removing debris that may result in a public health and safety hazard; and

WHEREAS, the Parties recognize that a formal agreement for mutual aid would allow for a coordinated effort, provide that adequate equipment is available, and help ensure that mutual aid is accomplished in the minimum time possible and with proper documentation of the work performed under this Agreement; and

WHEREAS, the City of Dallas may provide debris removal assistance through the use of City forces and equipment for a duration of up to 30 days; and

WHEREAS, the City of Dallas is prepared to respond with a Response Team comprising personnel from Dallas Water Utilities, Trinity Watershed Management, Street Services and Sanitation Services, (utilizing about 35% of bulk and brush collection program staffing); and
WHEREAS, providing mutual aid assistance will require a temporary modification to the bulk and brush program while maintaining the current monthly collection schedule; and

WHEREAS, the City of Houston through the Mutual Aid Agreement agrees to reimburse the City of Dallas for activities following submittal of reimbursement requests; and

WHEREAS, on August 30, 2017, City Council appropriated $5,000,000 for the Hurricane Harvey Deployment Fund (F533) and the Hurricane Harvey Shelter Operations Fund (F534) to be reimbursed, from among other sources, in accordance with Sections 418.020 and 418.118 of the Texas Government Code, and an additional amount of $3,000,000 if upon the recommendation of the City Manager, the Mayor determines the increase to be necessary by Resolution No. 17-1370; and

WHEREAS, the City of Dallas finds that an emergency or extraordinary need exists and the City must assist with providing operational support to remove debris that may result in a public health safety hazard.

Now, Therefore,

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

SECTION 1. That the City Manager be authorized to execute an INTER-JURISDICTIONAL HURRICANE HARVEY MUTUAL AID AGREEMENT by and between the City of Houston, Texas, a Texas Home-Rule City located principally in Harris County and the City of Dallas, a Texas Home-Rule City located principally in Dallas County to provide mutual aid in the form of personnel, supplies and equipment during the Hurricane Harvey disaster as well as during cleanup periods.

SECTION 2. That this agreement shall cover all services within the general governmental functions of local government that may be necessary for recovery from a disaster or emergency, excluding law enforcement and fire protection.

SECTION 3. That all costs associated with the provision of mutual aid shall be reimbursed by the requesting Party out of current funds as set out in the Agreement and Requesting Party shall be bound to reimburse the Party providing aid for services pursuant to a Party's request, regardless of whether the Party requesting aid receives aid, grants, or reimbursement from any source.

SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit all reimbursements from the City of Houston in the Hurricane Harvey Deployment Fund, F533, Revenue Code 6512, various Departments and Units, for expenses related to this mutual aid agreement, including lodging and incidentals for the debris removal activities to be performed by the City.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $175,000 from Hurricane Harvey Deployment Fund, Fund F533, various Departments and Units, for lodging and incidentals for the debris removal activities to be performed by the City, as follows:

Fund	Department	Unit	Object	Amount
F533	SDM	3548	3099*	To be determined
F533	DWU	3342	3099*	To be determined
F533	SAN	3402	3099*	To be determined

*Object codes not limited to this list.

SECTION 6. That the City Manager is hereby authorized to execute agreements for services associated with lodging and incidentals resulting from participation under the Mutual Aid Agreement in an amount not to exceed $175,000, with payment to vendors based only on the amount of services directed to be performed by the City.

SECTION 7. That this contract is designated as Contract No. CMO-2017-00003936.

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 ITEM # 46

STRATEGIC PRIORITY: Economic Vibrancy

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 46E

SUBJECT

An ordinance abandoning a portion of Bird Street to Criswell Center for Biblical Studies, Inc. the abutting owner, containing approximately 17,700 square feet of land, located near the intersection of Haskell Avenue and Bird Street; and authorizing the quitclaim and providing for the dedication of approximately 17,700 square feet of land needed for a wastewater easement - Revenue: $212,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of Bird Street to Criswell Center for Biblical Studies, Inc. the abutting owner. The area will be included with the property of the abutting owner to expand the school campus. The owner will dedicate approximately 17,700 square feet of land needed for a wastewater easement. The abandonment fee is based on an independent appraisal.

Notices were sent to 21 property owners located within 300 feet of the proposed abandonment area. There were 2 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 August 14, 2017.

On August 23, 2017, this item was deferred by Deputy Mayor Pro Tem Adam Medrano.

FISCAL INFORMATION

Revenue - $212,400, plus the $20 ordinance publication fee

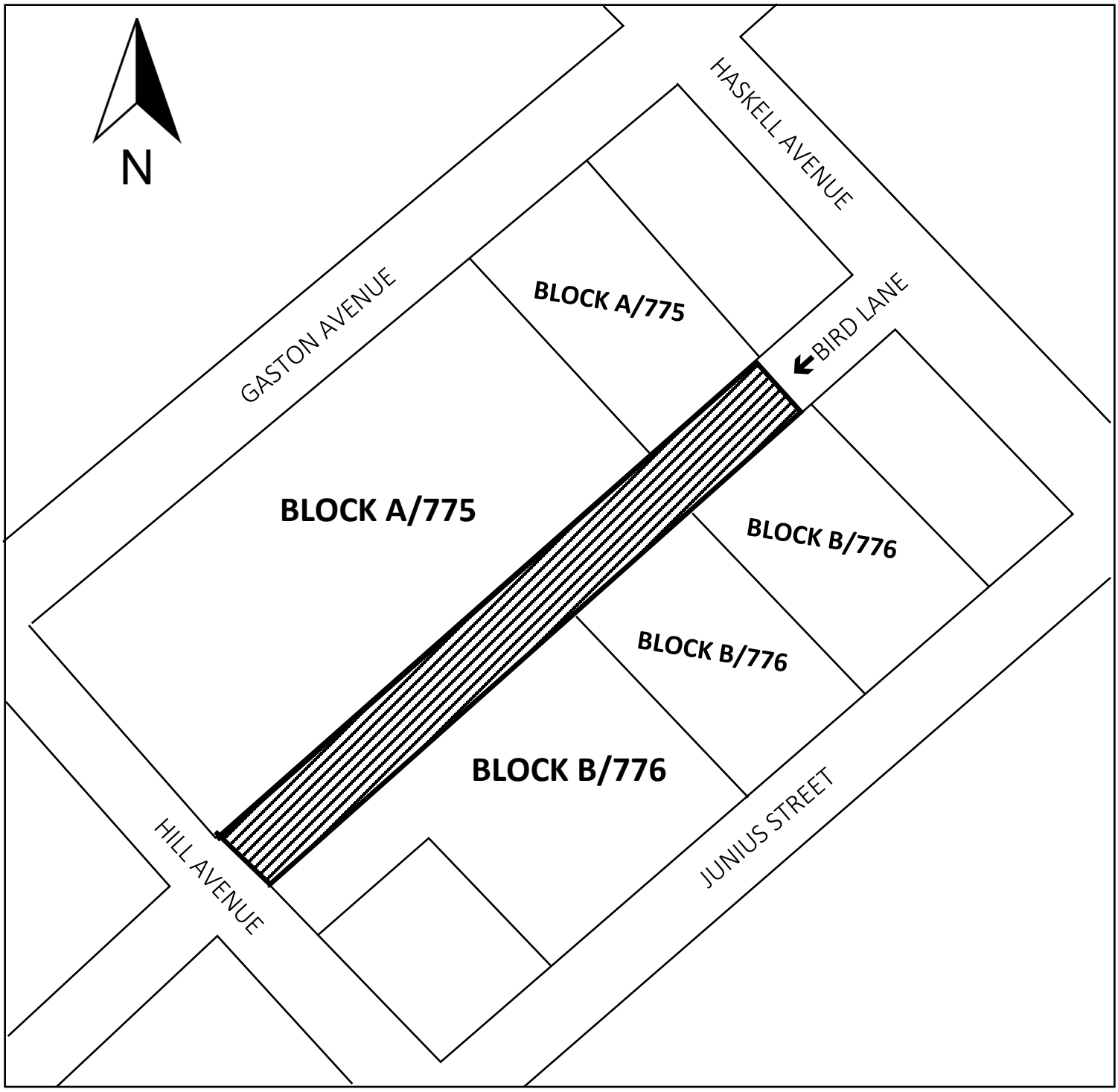
OWNER

Criswell Center for Biblical Studies, Inc.

Jerry A. Johnson, President

MAP

Attached



ABANDONMENT AREA

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of Bird Street located adjacent to City Blocks A/775 and B/776 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Criswell Center for Biblical Studies, Inc.; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; 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; providing for the waiver of certain provisions of the Dallas City Code; providing a future effective date for this abandonment; 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 Criswell Center for Biblical Studies, Inc., a Texas non-profit corporation, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of Bird Street 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 and conditions hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That those certain provisions of section 51A-8.506(b) of the Dallas City Code regarding dead-end streets to the extent, not required by state law or City Charter, are hereby waived with respect to this ordinance.

SECTION 2. 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

SECTION 2. (continued)

closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 3. That for and in monetary consideration of the sum of **TWO HUNDRED TWELVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($212,400.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, 11, 12, 13 and 14, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract 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 4. That upon payment of the monetary consideration set forth in Section 3, **GRANTEE** accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 5. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 3 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 the 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 6. 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 7. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 8. 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 9. 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

SECTION 9. (continued)

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 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

a) ensure that public pedestrian access is maintained between Haskell Avenue and Hill Avenue through a public easement on a plat.

b) ensure that nothing may restrict pedestrian access.

c) dedicate a wastewater main easement for the existing wastewater main in accordance with DWU standards for wastewater easements.

d) shall be responsible for any costs associated with relocation of Atmos facilities within the abandonment.

SECTION 11. 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 12. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey by separate instrument a wastewater easement to the City of Dallas, within 90 days of the effective date of this ordinance, in, under, through, across and along certain properties located in City Blocks A/775 and B/776 and containing approximately 17,700 square feet of land, a description is attached hereto and made a part hereof as Exhibit C. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described easement as set forth shall render this ordinance null and void and of no further effect.

SECTION 13. That at such time as the instrument described in Section 11 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the Deed Records of Dallas County, Texas; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

SECTION 14. 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 abandonment, 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**, it's successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 15. 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 3, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and completion of the dedication set forth in Section 11, 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, 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 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 16. That this contact is designated as Contract No. DEV-2017-00002467.

SECTION 17. 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:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

Exhibit A

STREET RIGHT OF WAY ABANDONMENT
W. B. MILLER'S ADDITION REVISED
PART OF BIRD STREET FORMERLY MINNIE STREET
ADJACENT TO BLOCK A/775 & B/776
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

BEING a 17,700 square feet or 0.406 acre tract situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas, being part of Bird Street formerly known as Minnie Street being adjacent to City of Dallas Blocks A/775 and B/776 between Haskell Avenue and North Hill Avenue, as created by WB Miller's Addition Revised, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 84, Page 597 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod (controlling monument) at the intersection of the southeast Right Of Way line of Bird Street (50' ROW) and the northeast Right Of Way line of North Hill Avenue (50' ROW), said iron rod being the west corner of Block B/776 from which a 1/2" iron rod found at the intersection of the said northeast Right Of Way line of North Hill Avenue and the northwest Right Of Way line of Junius Street (50' ROW) created in Volume 84, Page 597, Deed Records of Dallas County, Texas and bears S 45°41'39" E a distance of 175.00';

THENCE N 45°41'39" W a distance of 50.00' to a capped 1/2" iron rod stamped "4613" set for corner at the intersection of the northwest Right Of Way line of Bird Street and the northeast Right Of Way line of North Hill Avenue, said iron rod being the south corner of Block A/775;

THENCE N 44°18'21" E following the northwest Right Of Way line of Bird Street and the southeast line of Block A/775 a distance of 354.00' to a "X" cut set for corner at the southeast line of said Block A/775;

THENCE S 45°41'39" E a distance of 50.00' to a "X" cut set for corner in the southeast Right Of Way line of Bird Street and the northwest line of Block B/776;

THENCE S 44°18'21" W following the southeast Right Of Way line of Bird Street and the northwest line of Block B/776 a distance of 354.00' to the POINT OF BEGINNING and containing 17,700 Square Feet or 0.4063 Acres of land.

The basis of bearings, horizontal position are derived from Texas WDS RTK Network, Texas State Plane Coordinates System, Nad83, North Central Zone (4202) Nad 83 (CORS96) Epoch 2002.0.

REVIEWED BY: G.S.
DATE: 7-18-17
SPRG: 3937

STATE OF TEXAS
REGISTERED
DAVID J. SURDUKAN
4613
PROFESSIONAL
LAND SURVEYOR

July, 7, 2017

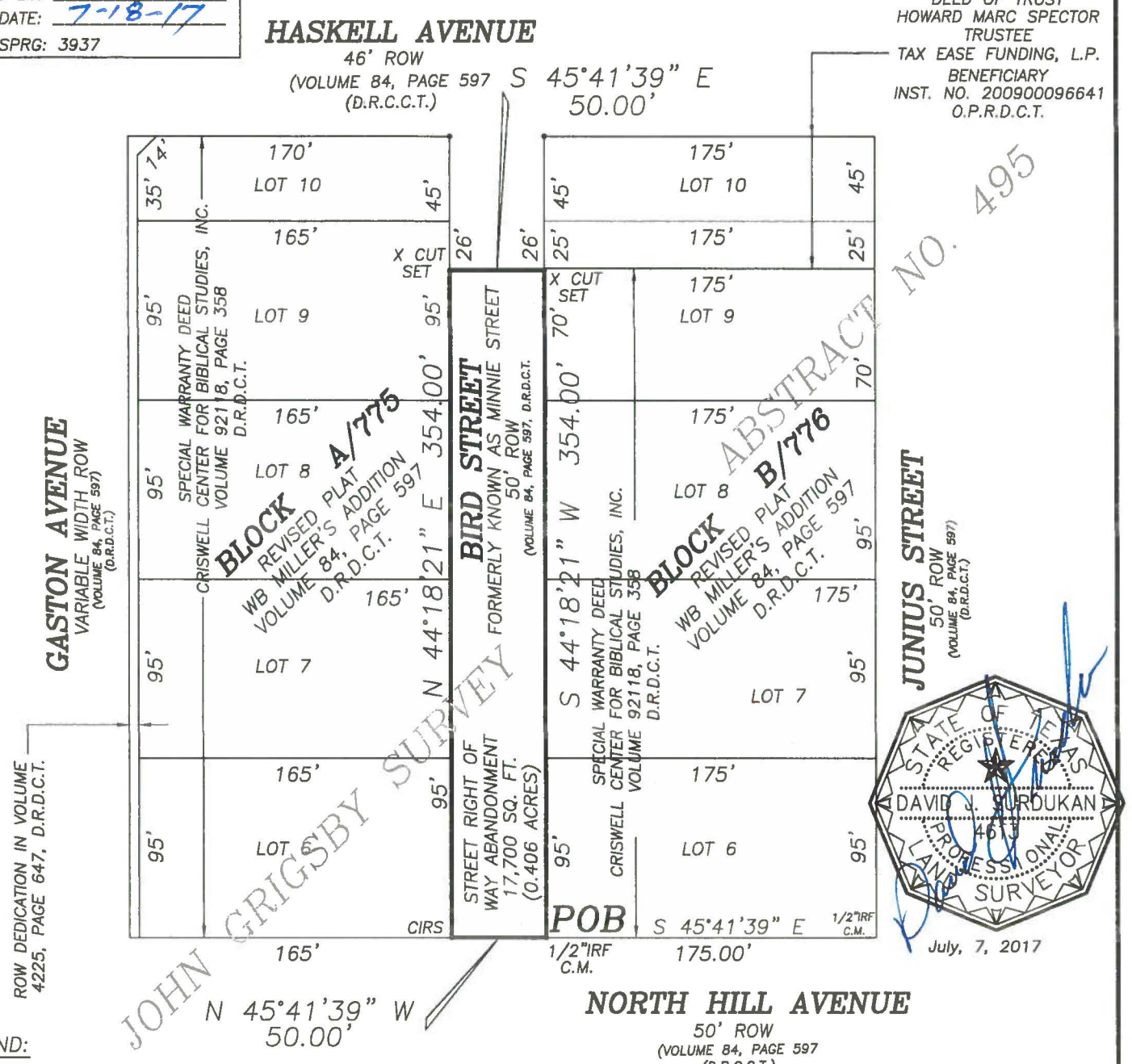
STREET RIGHT OF WAY ABANDONMENT
W. B. MILLER'S ADDITION REVISED
PART OF BIRD STREET FORMERLY MINNIE STREET
ADJACENT TO BLOCK A/775 & B/776
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

DATE: AUGUST 19, 2016

SURDUKAN SURVEYING, INC.
P.O. BOX 126
ANNA, TEXAS 75409
(972) 924-8200
TEXAS FIRM NO. 10069500

Exhibit A

REVIEWED BY: G.S.
DATE: 7-18-17
SPRG: 3937



LEGEND:

INST. NO. = INSTRUMENT NUMBER
C.M. = CONTROLLING MONUMENT
M.R.C.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
CIRS = 1/2" IRON ROD W/CAP STAMPED "4613" SET
IRF = IRON ROD FOUND
POB = POINT OF BEGINNING
D.R.D.C.T. = DEED RECORDS DALLAS COUNTY, TEXAS
SQ. FT. = SQUARE FEET
ROW = RIGHT OF WAY

The basis of bearings, horizontal position are derived from Texas WDS RTK Network, Texas State Plane Coordinates System, Nad83, North Central Zone (4202) Nad 83 (CORS96) Epoch 2002.0.

0 80 160 240

SURDUKAN SURVEYING, INC.
P.O. BOX 126
ANNA, TEXAS 75409
(972) 924-8200
TEXAS FIRM NO. 10069500

STREET RIGHT OF WAY ABANDONMENT
W. B. MILLER'S ADDITION REVISED
PART OF BIRD STREET FORMERLY MINNIE STREET
ADJACENT TO BLOCK A/775 & B/776
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

DATE: AUGUST 19, 2016

SHEET 2 OF 2 JOB NO. 2016-87

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.

Exhibit C

WASTEWATER EASEMENT
W. B. MILLER'S ADDITION REVISED
PART OF BIRD STREET FORMERLY MINNIE STREET
ADJACENT TO BLOCK A/775 & B/776
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

BEING a 17,700 square feet or 0.406 acre tract situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas, being part of Bird Street formerly known as Minnie Street being adjacent to City of Dallas Blocks A/775 and B/776 between Haskell Avenue and North Hill Avenue, as created by WB Miller's Addition Revised, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 84, Page 597 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod (controlling monument) at the intersection of the southeast Right Of Way line of Bird Street (50' ROW) and the northeast Right Of Way line of North Hill Avenue (50' ROW), said iron rod being the west corner of Block B/776 from which a 1/2" iron rod found at the intersection of the said northeast Right Of Way line of North Hill Avenue and the northwest Right Of Way line of Junius Street (50' ROW) created in Volume 84, Page 597, Deed Records of Dallas County, Texas and bears S 45°41'39" E a distance of 175.00';

THENCE N 45°41'39" W a distance of 50.00' to a capped 1/2" iron rod stamped "4613" set for corner at the intersection of the northwest Right Of Way line of Bird Street and the northeast Right Of Way line of North Hill Avenue, said iron rod being the south corner of Block A/775;

THENCE N 44°18'21" E following the northwest Right Of Way line of Bird Street and the southeast line of Block A/775 a distance of 354.00' to a "X" cut set for corner at the southeast line of said Block A/775;

THENCE S 45°41'39" E a distance of 50.00' to a "X" cut set for corner in the southeast Right Of Way line of Bird Street and the northwest line of Block B/776;

THENCE S 44°18'21" W following the southeast Right Of Way line of Bird Street and the northwest line of Block B/776 a distance of 354.00' to the POINT OF BEGINNING and containing 17,700 Square Feet or 0.4063 Acres of land.

The basis of bearings, horizontal position are derived from Texas WDS RTK Network, Texas State Plane Coordinates System, Nad83, North Central Zone (4202) Nad 83 (CORS96) Epoch 2002.0.

REVIEWED BY: G.S.
DATE: 7-18-17
SPRG: 4092

STATE OF TEXAS
REGISTERED
DAVID J. SURDUKAN
4613
PROFESSIONAL
LAND SURVEYOR

July, 7, 2017

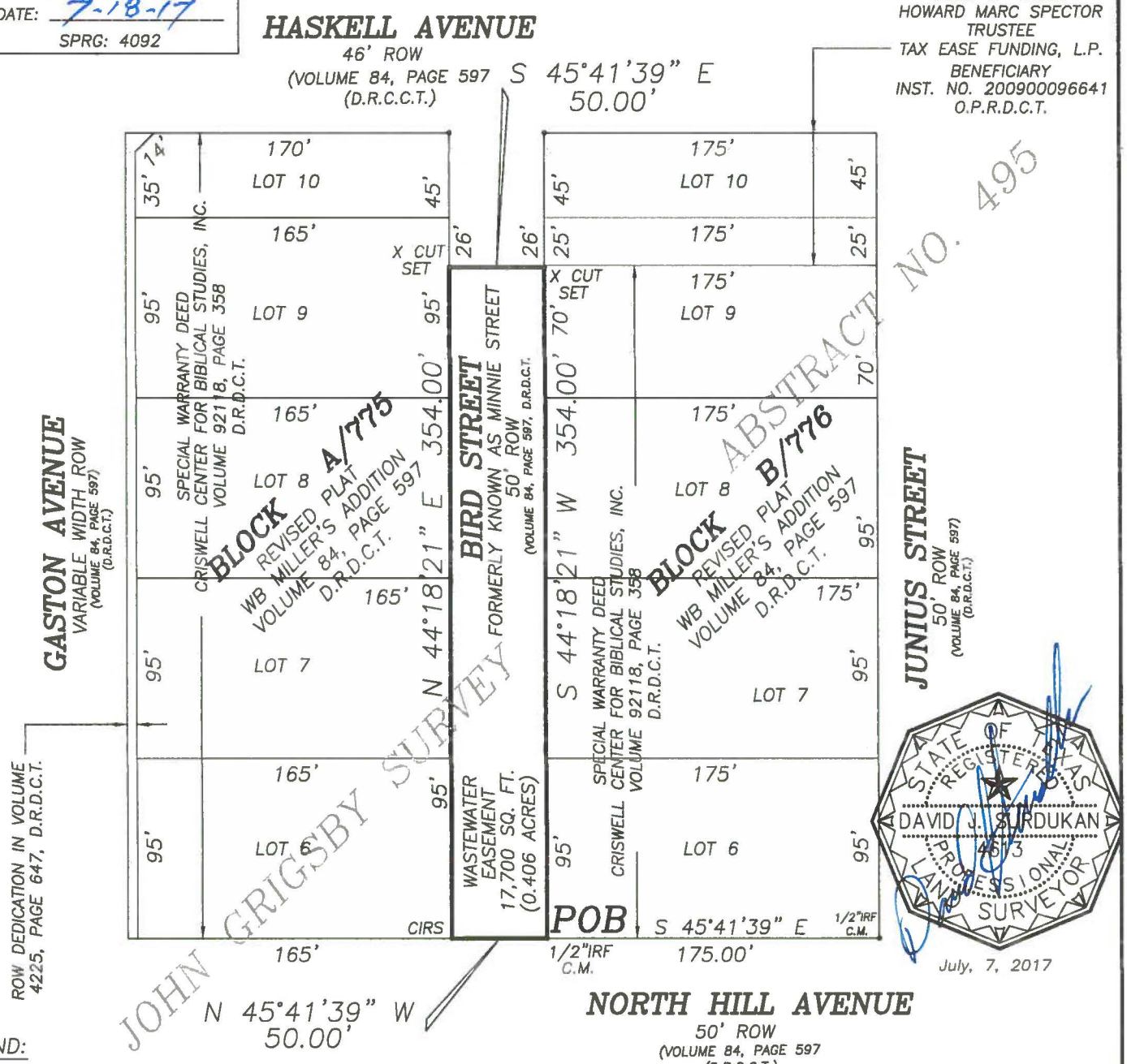
WASTEWATER EASEMENT
W. B. MILLER'S ADDITION REVISED
PART OF BIRD STREET FORMERLY MINNIE STREET
ADJACENT TO BLOCK A/775 & B/776
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

DATE: MARCH 21, 2017

SURDUKAN SURVEYING, INC.
P.O. BOX 126
ANNA, TEXAS 75409
(972) 924-8200
TEXAS FIRM NO. 10069500

Exhibit C

REVIEWED BY: G.S.
DATE: 7-18-17
SPRG: 4092



LEGEND:

INST. NO. = INSTRUMENT NUMBER
C.M. = CONTROLLING MONUMENT
M.R.C.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
CIRS = 1/2" IRON ROD W/CAP STAMPED "4613" SET
IRF = IRON ROD FOUND
POB = POINT OF BEGINNING
D.R.D.C.T. = DEED RECORDS DALLAS COUNTY, TEXAS
SQ. FT. = SQUARE FEET
ROW = RIGHT OF WAY

The basis of bearings, horizontal position are derived from Texas WDS RTK Network, Texas State Plane Coordinates System, Nad83, North Central Zone (4202) Nad 83 (CORS96) Epoch 2002.0.

0 80 160 240

SURDUKAN SURVEYING, INC.
P.O. BOX 126
ANNA, TEXAS 75409
(972) 924-8200
TEXAS FIRM NO. 10069500

WASTEWATER EASEMENT
W. B. MILLER'S ADDITION REVISED
PART OF BIRD STREET FORMERLY MINNIE STREET
ADJACENT TO BLOCK A/775 & B/776
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

DATE: MARCH 21, 2017

SHEET 2 OF 2 JOB NO. 2016-87

AGENDA ITEM # 47

STRATEGIC PRIORITY:	Economic Vibrancy
AGENDA DATE:	September 27, 2017
COUNCIL DISTRICT(S):	2
DEPARTMENT:	Sustainable Development and Construction
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	34D H

SUBJECT

An ordinance abandoning a portion of an alley, alley easement, and a utility and access easement to Inwood National Bank of Dallas, the abutting owner, containing a total of approximately 7,446 square feet of land, located near the intersection of Inwood Road and Newmore Avenue, and authorizing the quitclaim; and providing for the dedication of a total of approximately 16,388 square feet of land needed for street rights-of-way and wastewater easement - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of an alley, alley easement, and a utility and access easement to Inwood National Bank of Dallas, the abutting owner. The area will be included with the property of the abutting owner for construction of an additional parking lot. The owner will dedicate a total of approximately 16,388 square feet of land needed for street rights-of-way and a wastewater easement. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

Notices were sent to 36 property owners located within 300 feet of the proposed abandonment area. There were no 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 August 14, 2017.

On August 23, 2017, this item was deferred by Deputy Mayor Pro Tem Adam Medrano.

FISCAL INFORMATION

Revenue - $5,400, plus the $20 ordinance publication fee

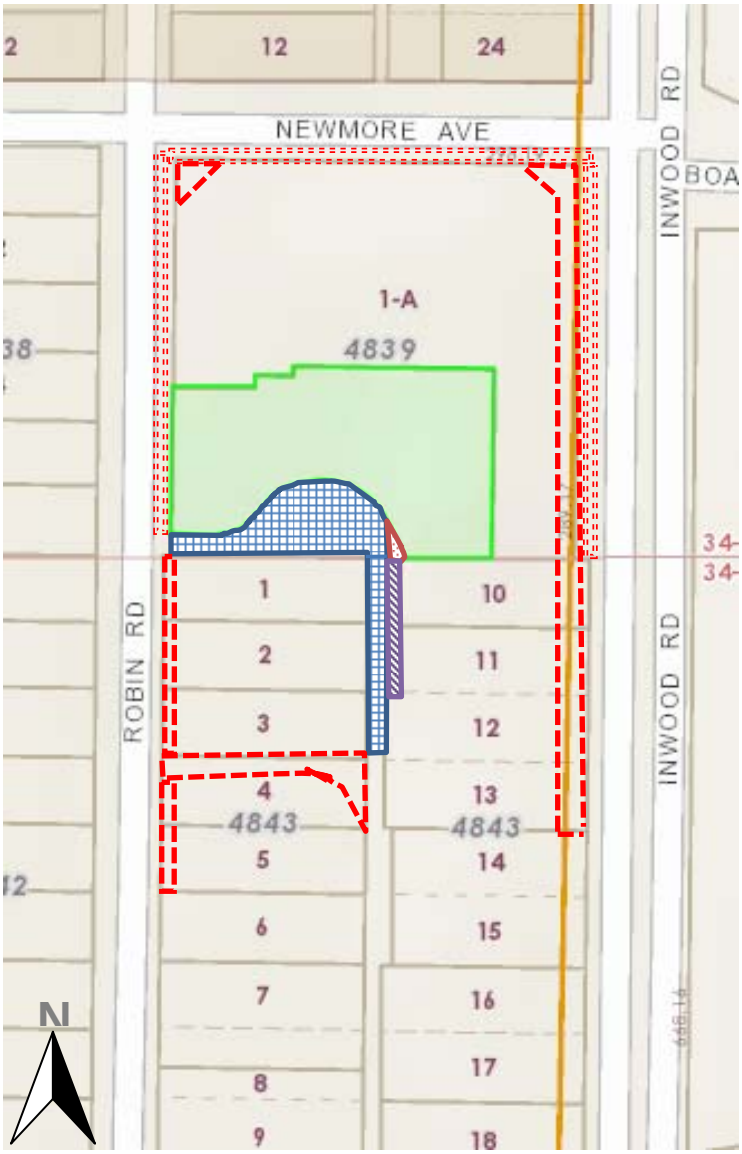
OWNER

Inwood National Bank of Dallas

Dennis Lorch, Executive Vice President

MAP

Attached



Log: 42495

Applicant: Inwood National Bank of Dallas

Abandonments: Alley: Alley Easement: Utility & Access Easement:

Dedications:

Re-dedication:

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of an alley, alley easement, and utility and access easement located adjacent to City Blocks 8/4839 and 12/4839 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Inwood National Bank of Dallas; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; 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; providing a future effective date for this abandonment; 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 Inwood National Bank of Dallas, a Texas corporation, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of an alley, alley easement, and a utility and access easement are 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 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 tracts 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 conditions and future effective date 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, 9, 10, 13, 14, and 15, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tracts 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, future effective date 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 areas 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 areas set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas 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 areas 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.

SECTION 8. (continued)

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 record a final replat of the adjoining properties within one year of the effective date of this ordinance showing the dedication of a wastewater easement of not less than 3,633 square feet of needed land in City Blocks 8/4839 and 12/4843. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall 1) convey land for street right-of-way, by General Warranty Deed to the City of Dallas, within 90 days of the effective date of this ordinance, good, indefeasible and marketable fee simple title, subject to only those title exceptions approved by the City Attorney, and insured by an owner's policy of title insurance approved as to form by the City Attorney, to certain properties located in City Blocks 12/4843 and 8/4849, containing approximately 10,413 square feet of land, collectively, a description of which is attached hereto and made a part hereof as Exhibit C; and 2) **GRANTEE** shall re-dedicate in same, General Warranty Deed described in (1) herein, fee simple interest in certain properties located in City Block 8/4843, containing a total of 5,975 square feet of land formerly dedicated to the city by street easement for street right-of-way, a description of which is attached hereto and made a part hereof as Exhibit D. This abandonment shall not be effective unless and until the dedication and re-dedication are completed as herein provided and failure

to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

SECTION 11. That at such time as the instrument described in Section 10 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the official real property records of the county in which the subject property is located; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

SECTION 12. That this ordinance and properly executed General Warranty Deed, approved as to form by the City Attorney, be forwarded to a title insurance company for closing. Subsequent to closing, all instruments conveying real estate interests to the City of Dallas shall be recorded in the official real property records of the county in which the subject property is located and thereafter returned to the City Secretary for permanent record.

SECTION 13. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall pay all closing costs and title expenses associated with the acquisition of the property described in Section 10 above.

SECTION 14. 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 abandonment, close, barricade and/or place signs in the areas 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 areas 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 15. 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

SECTION 15. (continued)

Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Sections 2 and 13, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and the filing of the final replat set forth in Section 9, and completion of the dedications and re-dedications set forth in Sections 9 and 10, 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, 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 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 16. That this ordinance is designated as Contract No. DEV-2017-00001871.

SECTION 17. 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:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

ALLEY ABANDONMENT

LOVERS LANE HEIGHTS AND
RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

DALLAS CITY BLOCKS 8/4839 AND 12/4839

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 1

BEING a 6,981 square foot tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, City of Dallas Blocks 12/4843 and 8/4839, being part of a 10-foot alley dedicated by plat of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, also being all of a dedication for alley as shown on plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a MAG nail with shiner set for the Southwest corner of Lot 1-A, Block 8/4839, of said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition on the East right-of-way of Robin Road (formerly known as Minier Road), a variable width right-of-way as established by 5-foot dedication for Robin Road widening per said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, at its intersection with the Southerly line of said dedication for alley, said iron rod being in the North line of Lot 1, Block 12/4843 of said Lovers Lane Heights;

THENCE departing the East right-of-way of said Robin Road, along the Northerly line of said dedication for alley, the following courses and distances:

North 89 deg 34 min 58 sec East, a distance of 32.33 feet to a MAG nail with shiner set for corner, said iron rod being the beginning of a tangent curve to the left having a radius of 40.00 feet, a central angle of 54 deg 46 min 36 sec, a chord bearing of North 62 deg 11 min 53 sec East, and a chord length of 36.80 feet;

Along said tangent curve to the left, an arc distance of 38.24 feet to an "X" cut in concrete found for corner, said "X" being the beginning of a tangent curve to the right having a radius of 55.00 feet, a central angle of 109 deg 53 min 57 sec, a chord bearing of North 89 deg 45 min 12 sec East, and a chord length of 90.05 feet;

THENCE continuing along the Northerly line of said dedication for alley and along said tangent curve to the right, an arc distance of 105.50 feet to a MAG nail with shiner set for corner on the East line of said 10-foot alley;

THENCE South 00 deg 12 min 02 sec East, along the East line of said 10-foot alley, 181.66 feet to a 1/2 inch iron rod with red plastic cap stamped "W.A.I." set for corner from which a 5/8-inch iron rod found for the southeast corner of Lot 12, Block 12/4843 bears North 89 deg 34 min 58 sec East, a distance of 145.00 feet, said iron rod set being the Southwest corner of Lot 12, and the Northwest corner of Lot 13, Block 12/4843, of said Lovers Lane Heights;

(Continued on Sheet 2)

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Firm Registration/license No. 10086500 Expires 12-31-15
COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale :	N/A
Date :	01.24.14
Dwg. File :	00616-ALLEY-ABAND
Project No. :	00616

STATE OF TEXAS REGISTERED LEONARD JAY LUEKER 5714 PROFESSIONAL LAND SURVEYOR

(For SPRG use only)
Reviewed by: JL
Date: 7-6-17
SPRG No. 3877

SHEET 1 OF 3

G:\006\16\Survey\Exhibits\00616-ALLEY-ABAND.dwg

ALLEY ABANDONMENT

LOVERS LANE HEIGHTS AND
RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

DALLAS CITY BLOCKS 8/4839 AND 12/4839
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 1

(Continued from Sheet 1)

THENCE South 89 deg 34 min 58 sec West, departing the East line of said 10-foot alley and over and across said 10-foot alley, a distance of 10.00 feet to a 1/2-inch iron rod found for corner on the West line of said 10-foot alley and being the Southeast corner of Lot 3, Block 12/4843 of said Lovers Lane Heights and the Northeast corner of Lot 4, Block 12/4843 of said Lovers Lane Heights;

THENCE North 00 deg 12 min 02 sec West, along the West line of said 10-foot alley, a distance of 150.00 feet to a MAG nail with shiner set for corner at the intersection of the West line of said 10-foot alley with the South line of said dedication for alley, said MAG nail also being the Northeast corner of said Lot 1, Block12/4843 of said Lovers Lane Heights;

THENCE South 89 deg 34 min 58 sec West, along the North line of said Lot 1, Block 12/4843, and the South line of said dedication for alley, a distance of 145.00 feet to a MAG nail with shiner set for corner;

THENCE North 00 deg 12 min 02 sec West, departing the North line of said Lot 1, Block 12/4843 and along the East right-of-way of said Robin Road, a distance of 15.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 6,981 square feet or 0.160 acres of land, more or less.

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N00°12'02"W	15.00'
L2	N89°34'58"E	32.33'
L3	S89°34'58"W	10.00'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C1	54°46'36"	40.00'	38.24'	36.80'	N62°11'53"E
C2	109°53'57"	55.00'	105.50'	90.05'	N89°45'12"E

Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) of North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, D.R.D.C.T.

LEGEND

IRF	Iron Rod Found
XCF	"X" in Concrete Found
CM	Controlling Monument
CIRS	1/2-inch iron rod with red plastic cap stamped "WAI" set
CC #	County Clerks' Instrument No.
D.R.D.C.T.	Deed Records, Dallas County, Texas
O.P.R.D.C.T.	Official Public Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet
MAG	MAG nail with shiner set

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Firm Registration/license No. 10086600 Expires 12-31-15
COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale : N/A
Date : 01.24.14
Dwg. File : 00616-ALLEY-ABAND
Project No. : 00616

STATE OF TEXAS REGISTERED LEONARD JAY LUEKER 5714 PROFESSIONAL LAND SURVEYOR

(For SPRG use only)
Reviewed by: JR
Date: 7-6-17
SPRG No. 3877

G:\006\16\Survey\Exhibits\00616-ALLEY-ABAND.dwg

ALLEY ABANDONMENT

EXHIBIT A-TRACT 1

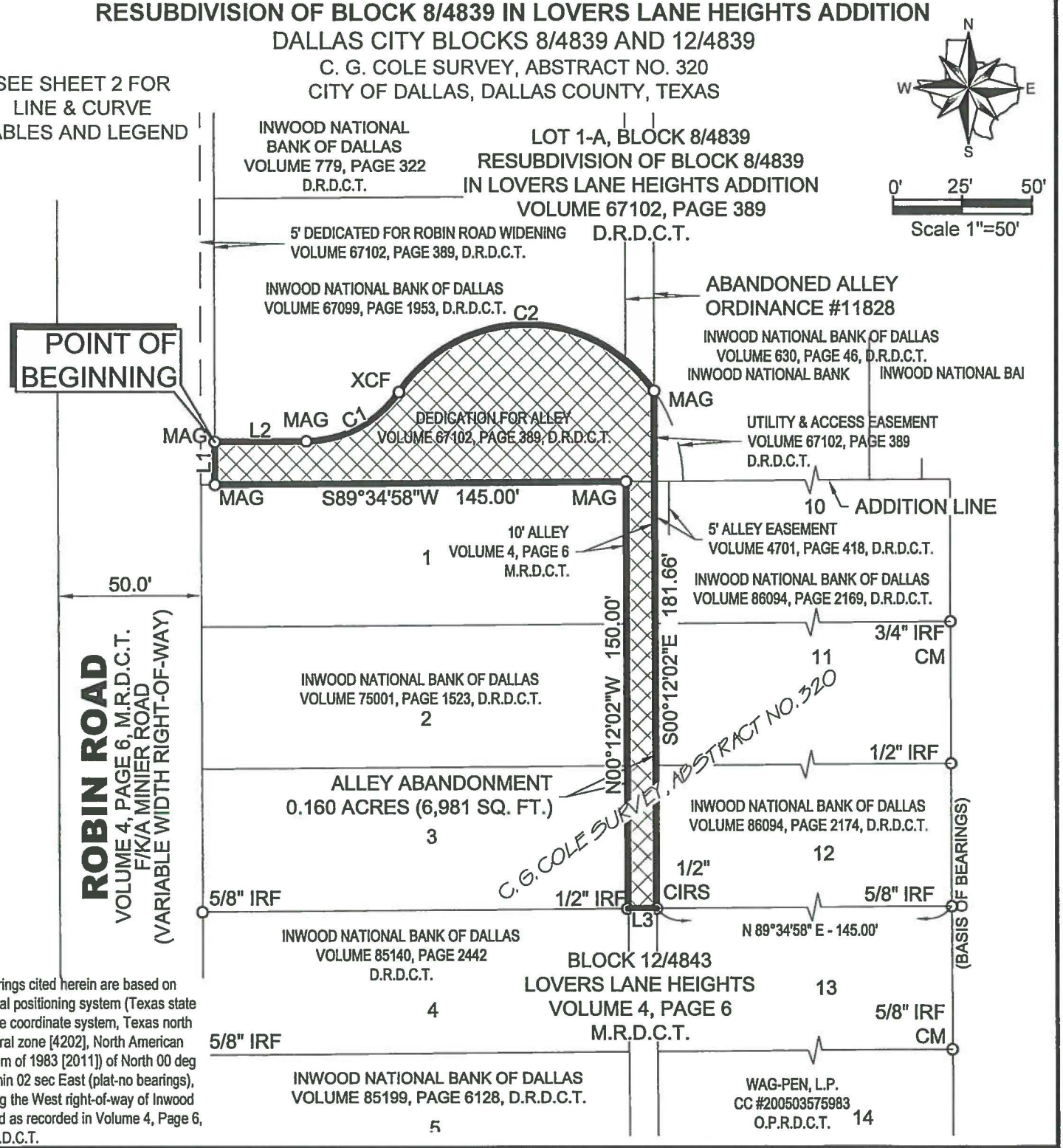
LOVERS LANE HEIGHTS AND RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

DALLAS CITY BLOCKS 8/4839 AND 12/4839

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

SEE SHEET 2 FOR LINE & CURVE TABLES AND LEGEND



Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) of North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, M.R.D.C.T.

Winkelmann & Associates, Inc.

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

6750 HILLCREST PLAZA DRIVE, SUITE 325 DALLAS, TEXAS 75230 (972) 490-7090 (972) 490-7099 FAX

Texas Engineers Registration No. 89

Firm Registration/license No. 10086600 Expires 12-31-15

COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale :	1" = 50'
Date :	01.24.14
Dwg. File :	00616-ALLEY-ABAND
Project No. :	00616

STATE OF TEXAS REGISTERED LEONARD JAY LUEKER 5714 PROFESSIONAL LAND SURVEYOR

7/7/17

(For SPRG use only)

Reviewed by: JL

Date: 7-6-17

SPRG No. 3877

SHEET 3 OF 3

G:\006\16\Survey\Exhibits\00616-ALLEY-ABAND.dwg

ALLEY EASEMENT ABANDONMENT

LOVERS LANE HEIGHTS

PART OF LOT 10, DALLAS CITY BLOCK 12/4839

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 2

BEING 250 square foot tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, City of Dallas Block 12/4843, being part of Lot 10, Block 12/4843, of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and a portion of a tract of land described in Special Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 86094, Page 2169, Deed Records, Dallas County, Texas, and being all of an easement to the City of Dallas for alley purposes described in Warranty Deed as recorded in Volume 4701, Page 418, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner at the Southwest corner of said Inwood National Bank of Dallas tract, at its intersection with the East line of a 10-foot alley dedicated by said Lovers Lane Heights plat, said point being the Southwest corner of said Lot 10 and the Northwest corner of Lot 11, Block 12/4839, of said Lovers Lane Heights;

THENCE North 00 deg 12 min 02 sec West, along the East line of said 10-foot alley and the West line of said Lot 10, a distance of 50.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for the northwest corner of said Lot 10 on the South line of Lot 1-A, Block 8/4839, of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in 67102. Page 389, Deed Records, Dallas County, Texas;

THENCE North 89 deg 34 min 58 sec East, departing said 10-foot alley and the West line of said Lot 10 and along the North line of said Lot 10 and the South line of said Lot 1-A, a distance of 5.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner from which a 5/8 inch iron rod found for the Northeast corner of said Lot 10 bears North 89 deg 34 min 58 sec East, a distance of 145.00 feet;

THENCE South 00 deg 12 min 02 sec East, departing the North line of said Lot 10 and over and across said Lot 10, a distance of 50.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner from which a 3/4 inch iron rod found for the Southeast corner of said Lot 10 bears North 89 deg 34 min 58 sec East, a distance of 145.00 feet, said iron rod set being situated in the south line of said Lot 10 and the north line of Lot 11 of said Lovers Lane Heights Addition;

THENCE South 89 deg 34 min 58 sec West, along the North line of said Lot 11 and the South line of said Lot 10, a distance of 5.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 250 square feet or 0.006 acres of land, more or less. Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) of North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.

Winkelmann & Associates, Inc.

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090

DALLAS, TEXAS 75230 (972) 490-7099 FAX

Texas Engineers Registration No. 89

Firm Registration/license No. 10086600 Expires 12-31-15

COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale :	N/A
Date :	06.22.16
Dwg. File :	00616-ALLEY-ABAND2
Project No. :	00616

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR

10/11/16

(For SPRG use only)

Reviewed by: JL

Date: 10-12-16

SPRG No. 3878

SHEET 1 OF 2

G:\006\16\Survey\Exhibits\00616-ALLEY-ABAND2.dwg

ALLEY EASEMENT ABANDONMENT

LOVERS LANE HEIGHTS

PART OF LOT 10, DALLAS CITY BLOCK 12/4839
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 2

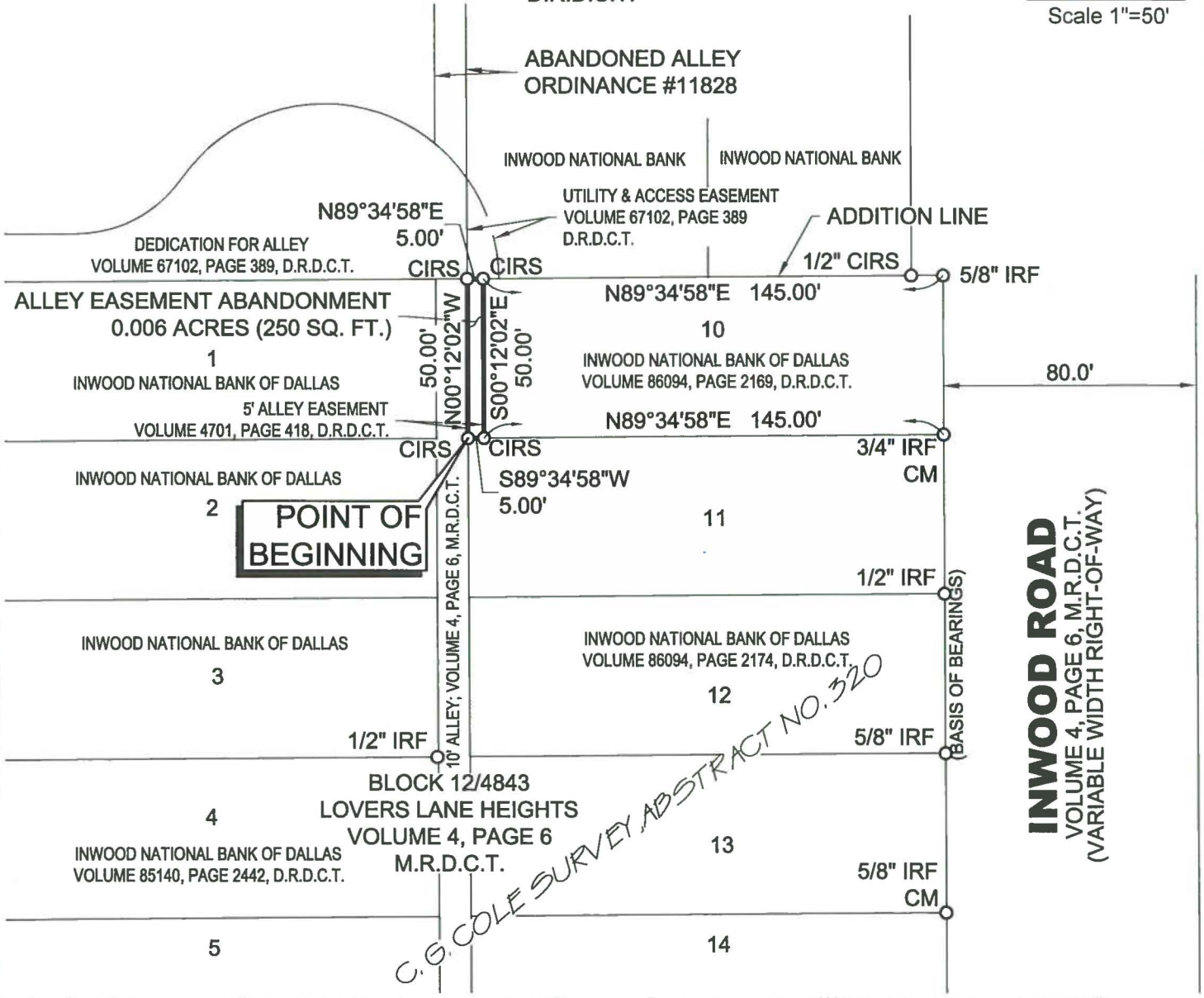
LEGEND

IRF	Iron Rod Found
XCF	"X" in Concrete Found
C.M.	Controlling Monument
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet
CIRS	1/2 inch iron rod with red plastic cap stamped "WAI" set

LOT 1-A, BLOCK 8/4839
RESUBDIVISION OF BLOCK 8/4839
IN LOVERS LANE HEIGHTS ADDITION
VOLUME 67102, PAGE 389
D.R.D.C.T.

N
W E
S

0' 25' 50'
Scale 1"=50'



Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) off North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Firm Registration/license No 10086600 Expires 12-31-15

COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale :	1" = 50'
Date :	06.22.16
Dwg. File :	00616-ALLEY-ABAND2
Project No. :	00616

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR
10/11/16

(For SPRG use only)
Reviewed by: JL
Date: 10-12-16
SPRG No. 3878

SHEET 2 OF 2

G:\006\16\Survey\Exhibits\00616-ALLEY-ABAND2.dwg

UTILITY & ACCESS EASEMENT ABANDONMENT

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

PART OF LOT 1-A, DALLAS CITY BLOCK 8/4839

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 5

BEING 215 square foot tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, City of Dallas Block 8/4839, being all of a utility & access easement reserved by Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and being a portion of a tract of land described in Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 630, Page 46, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a MAG nail with shiner set for corner on the South line of Lot 1-A, Block 8/4839, said MAG nail being the Northwest corner of Lot 10, Block 12/4843, of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and the Southwest corner of said utility & access easement;

THENCE North 00 deg 12 min 02 sec West, along the West line of said utility & access easement and the East line of said dedication for alley, a distance of 31.66 feet to a MAG nail with shiner set for corner, said point being the beginning of a non-tangent curve to the right having a radius of 55.00 feet, a central angle of 35 deg 05 min 46 sec, a chord bearing of South 17 deg 44 min 57 sec East, and a chord length of 33.17 feet;

THENCE along said non-tangent curve to the right, in a Southeasterly direction, along the Easterly side of said utility & access easement, over and across said Lot 1-A and said Inwood National Bank of Dallas tract (Volume 630, Page 46), an arc distance of 33.69 feet to a MAG nail with shiner set for corner on the North line of said Lot 10, from which a 5/8 inch iron rod found for the Northeast corner of said Lot 10 bears, North 89 deg 34 min 58 sec East, a distance of 140.00 feet;

THENCE South 89 deg 34 min 58 sec West, along the North line of said Lot 10 and the South line of said Lot 1-A, a distance of 10.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 215 square feet or 0.005 acres of land, more or less. Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) off North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Map Records, Dallas County, Texas.

Winkelmann & Associates, Inc.

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 480-7090
DALLAS, TEXAS 75230 (972) 480-7099 FAX

Texas Engineers Registration No. 89
Firm Registration/license No. 10086600 Expires 12-31-15

COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale :	N/A
Date :	06.22.16
Dwg. File :	00616-UTIL-ABAND
Project No. :	00616

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR
10/10/16

(For SPRG use only)
Reviewed by: JL
Date: 10-12-16
SPRG No. ~~3878~~ 3890

G:\006\16\Survey\Exhibits\00616-UTIL-ABAND.dwg

UTILITY & ACCESS EASEMENT ABANDONMENT

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

PART OF LOT 1-A, DALLAS CITY BLOCK 8/4839

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 3

0' 25' 50'

Scale 1"=50'

LEGEND	
IRF	Iron Rod Found
XCF	"X" in Concrete Found
C.M.	Controlling Monument
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet
CIRS	1/2 inch iron rod with red plastic cap stamped "WAI" set
MAG	MAG nail with shiner set

LOT 1-A, BLOCK 8/4839
RESUBDIVISION OF BLOCK 8/4839
IN LOVERS LANE HEIGHTS ADDITION
VOLUME 67102, PAGE 389
D.R.D.C.T.

ABANDONED ALLEY
ORDINANCE #11828

INWOOD NATIONAL BANK OF DALLAS
VOLUME 630, PAGE 46, D.R.D.C.T.

UTILITY & ACCESS
EASEMENT ABANDONMENT
0.005 ACRES (215 SQ. FT.)

Δ=35°05'46"
R=55.00'; L=33.69'
CB=S17°44'57"E; CL=33.17'

N00°12'02"W 31.66'

DEDICATION FOR ALLEY
VOLUME 67102, PAGE 389, D.R.D.C.T.

UTILITY & ACCESS EASEMENT
VOLUME 67102, PAGE 389; D.R.D.C.T.

N89°34'58"E 140.00'

1/2" IRF

155.00'

MAG

MAG

S89°34'58"W
10.00'

5/8" IRF

1/2" CIRS

ADDITION LINE

10

1

POINT OF BEGINNING

INWOOD NATIONAL BANK OF DALLAS
VOLUME 86094, PAGE 2169, D.R.D.C.T.

ROBIN ROAD
F/K/A MINIER ROAD
VARIABLE WIDTH RIGHT-OF-WAY

10' ALLEY; VOLUME 4, PAGE 6, M.R.D.C.T.

5' ALLEY EASEMENT
VOLUME 4701, PAGE 418, D.R.D.C.T.

3/4" IRF
CM

2

INWOOD NATIONAL BANK OF DALLAS
VOLUME 75001, PAGE 1523, D.R.D.C.T.

11

C. G. COLE SURVEY, ABSTRACT NO. 320

3

INWOOD NATIONAL BANK OF DALLAS
VOLUME 86094, PAGE 2174, D.R.D.C.T.

12

1/2" IRF

5/8" IRF

BLOCK 12/4843
LOVERS LANE HEIGHTS
VOLUME 4, PAGE 6
M.R.D.C.T.

(BASIS OF BEARINGS)

4

INWOOD NATIONAL BANK OF DALLAS
VOLUME 85140, PAGE 2442, D.R.D.C.T.

13

5/8" IRF
CM

5/8" IRF

5

14

Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) off North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.

Winkelmann & Associates, Inc.

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX

Texas Engineers Registration No. 89
Firm Registration/license No. 10086600 Expires 12-31-15

COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale :	1" = 50'
Date :	06.22.16
Dwg. File :	00616-UTIL-ABAND
Project No. :	00616

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR

10/11/16

(For SPRG use only)

Reviewed by: JL

Date: 10-12-16

SPRG No. ~~3878~~ 3890

SHEET 2 OF 2

G:\006\16\Survey\Exhibits\00616-UTIL-ABAND.dwg

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.

RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 4 AND 5
DALLAS CITY BLOCK 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C TRACT 1

BEING a 255 square feet or 0.006 acre tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, and being a portion of Lots 4, and 5, City of Dallas Block 12/4843 of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and being a portion of the tracts of land described in Warranty Deeds to Inwood National Bank of Dallas as recorded in Volume 85199, Page 6128 and Volume 85140, Page 2442, Deed Records, Dallas County , Texas, and being more particularly describe as follows:

BEGINNING at a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner on the East right-of-way of Robin Road, a 50-foot right-of-way at this point, formerly known as Minier Street, dedicated by said Lovers Lane Heights, said point being the Southwest corner of said Lot 5 and the Northwest corner of Lot 6, Block 12/4843, of said Lovers Lane Heights Addition;

THENCE North 00 degrees 12 minutes 02 seconds West, along the East right-of-way of said Robin Road and the West lines of said Lots 5 and 4, passing at a distance of 50.00 feet, a 5/8-inch iron rod found for the Northwest corner of said Lot 5 and the Southeast corner of said Lot 4, in all a total distance of 85.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner, said point being South 00 deg 12 min 02 sec East, 15.00 feet from a 5/8-inch iron rod found for the Northwest corner of said Lot 4 and the Southwest corner of Lot 3, Block 12/4843, of said Lovers Lane Heights Addition;

THENCE North 89 degrees 34 minutes 58 seconds East, departing the East right-of-way of said Robin Road, over and across said Lot 4, a distance of 3.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner;

THENCE South 00 degrees 12 minutes 02 seconds East, over and across said Lots 4 and 5, a distance of 85.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner on the South line of said Lot 5 and the North line of Lot 6 of said Lovers Lane Heights Addition;

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said Lot 5 and the North line of said Lot 6, a distance of 3.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 255 square feet or 0.006 acres of land, more or less.

Bearings cited herein are based on global positioning system (state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

COPYRIGHT © 2017, Winkelmann & Associates, Inc

Scale :	N/A
Date :	03.27.17
Dwg. File :	00616.0A-ROW-DED2
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR

4/21/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4043

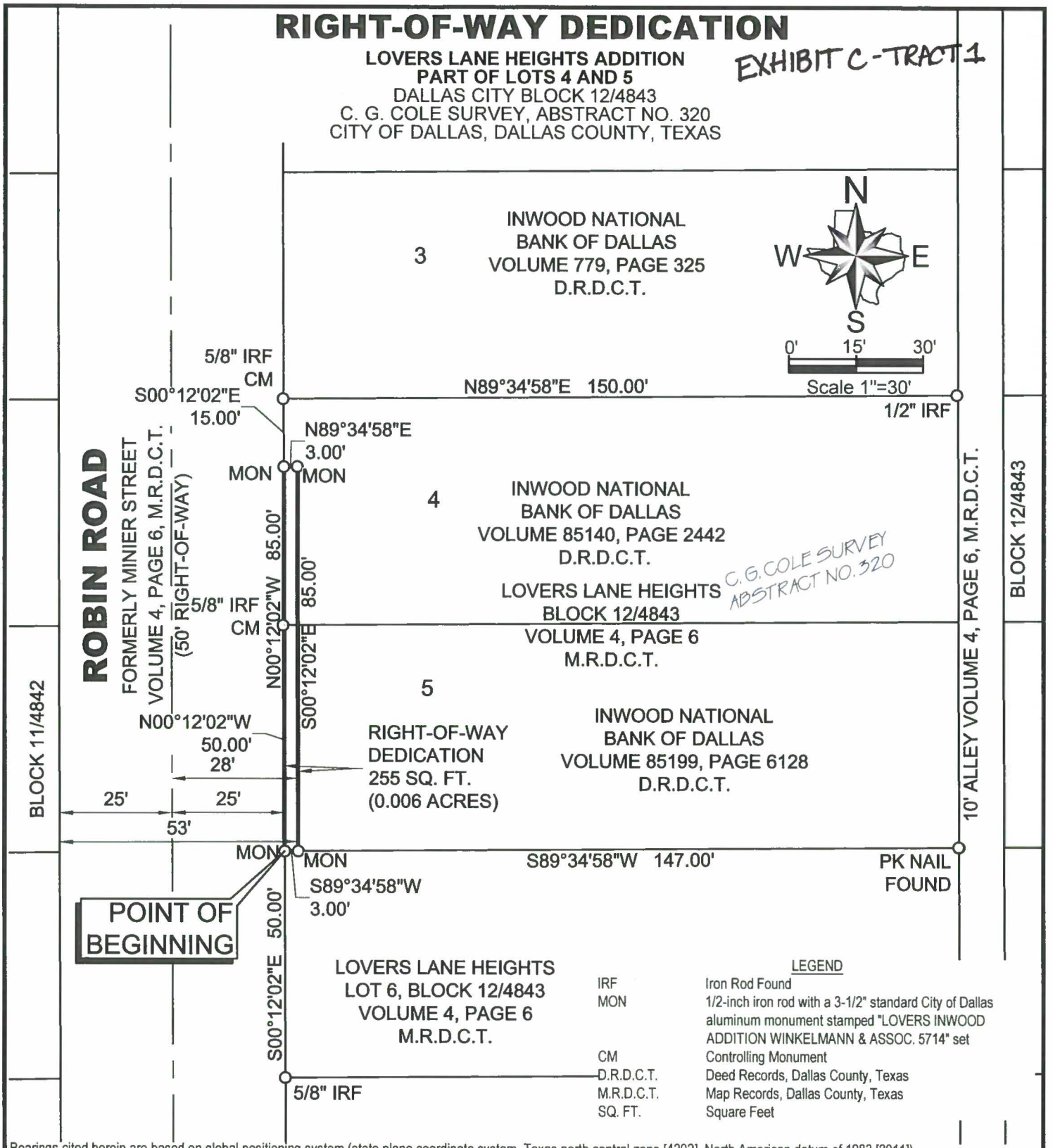
SHEET 1 OF 2

G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-DED2.dwg

RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 4 AND 5
DALLAS CITY BLOCK 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C-TRACT 1



LEGEND	
IRF	Iron Rod Found
MON	1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set
CM	Controlling Monument
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet

Bearings cited herein are based on global positioning system (state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

COPYRIGHT © 2017, Winkelmann & Associates, Inc.

Scale :	1" = 30'
Date :	03.27.17
Dwg. File :	00616.0A-ROW-DED2
Project No. :	00616.0A

STATE OF TEXAS REGISTERED LEONARD JAY LUEKER 5714 PROFESSIONAL LAND SURVEYOR

4/21/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4043

SHEET 2 OF 2

G:\006\16\0A\SURVEY\Exhibits\00616 0A-ROW-DED2.dwg

ALLEY RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS

PART OF LOTS 4 & 5, DALLAS CITY BLOCK 12/4839 EXHIBIT C-TRACT 2

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING 2,596 square foot tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, City of Dallas Block 12/4843, being part of Lots 4 and 5, Block 12/4843, of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and a portion of a tract of land described in Special Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 85140, Page 2442, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod found for corner at the Northwest corner of said Inwood National Bank of Dallas tract, at its intersection with the East right-of-way line of Robin Road (variable width right-of-way), said point being the Southwest corner of Lot 3 and the Northwest corner of said Lot 4, Block 12/4839, of said Lovers Lane Heights;

THENCE North 89 deg 34 min 58 sec East, departing the East right-of-way line of said Robin Road and along the common lot line between said Lots 3 and 4, a distance of 150.00 feet to a 1/2-inch iron rod found for the Southeast corner of said Lot 3, the Northeast corner of said Lot 4 and being situated in the west right-of-way line of a 10 foot alley as shown on plat of said Lovers Lane Heights;

THENCE South 00 deg 12 min 02 sec East, departing said common line between said Lots 3 and 4 and along the east line of said Lot 4 and Lot 5 of said Lovers Lane Heights and along the west right-of-way line of said 10 foot alley, a distance of 55.15 feet to a1/2 inch iron rod with red plastic cap stamped "WAI" set for corner and situated in the east line of said Lot5, said iron rod being the beginning of a non-tangent curve to the left having a radius of 40.00 feet, a central angle of 90 deg 13 min 00 sec, a chord bearing of North 45 deg 18 min 32 sec West and a chord length of 56.68 feet;

THENCE departing the East line of said Lot 5 and over and across said Lot 5 and Lot 4 and along said non-tangent curve to the left, an arc distance of 62.98 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE South 89 deg 34 min 58 sec West, continuing over and across said Lot 4, a distance of 109.85 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" set for corner and situated in the East right-of-way line of said Robin Road;

THENCE North 00 deg 12 min 02 sec West, along said East right-of-way line, a distance of 15.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 2,596 square feet or 0.060 acres of land, more or less. Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) of North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.

Winkelmann & Associates, Inc.

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX

Texas Engineers Registration No 89
Firm Registration/license No. 10086600 Expires 12-31-15

COPYRIGHT © 2015, Winkelmann & Associates, Inc.

Scale :	N/A
Date :	06 22 16
Dwg. File :	00616-ALLEY-DED
Project No. :	00616

STATE OF TEXAS
REGISTERED
LEONARD JAY LUSKER
5711
PROFESSIONAL
LAND SURVEYOR
6/17

(For SPRG use only)
Reviewed by: _____
Date: _____
SPRG No. _____

SHEET 1 OF 2

G:\006\16\Survey\Exhibits\00616-ALLEY-DED.dwg

ALLEY RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS

EXHIBIT C-TRACT 2

PART OF LOTS 4 & 5, DALLAS CITY BLOCK 12/4839

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

LEGEND

IRF	Iron Rod Found
XCF	"X" in Concrete Found
C.M.	Controlling Monument
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet
CIRS	1/2 inch iron rod with red plastic cap stamped "WAI" set

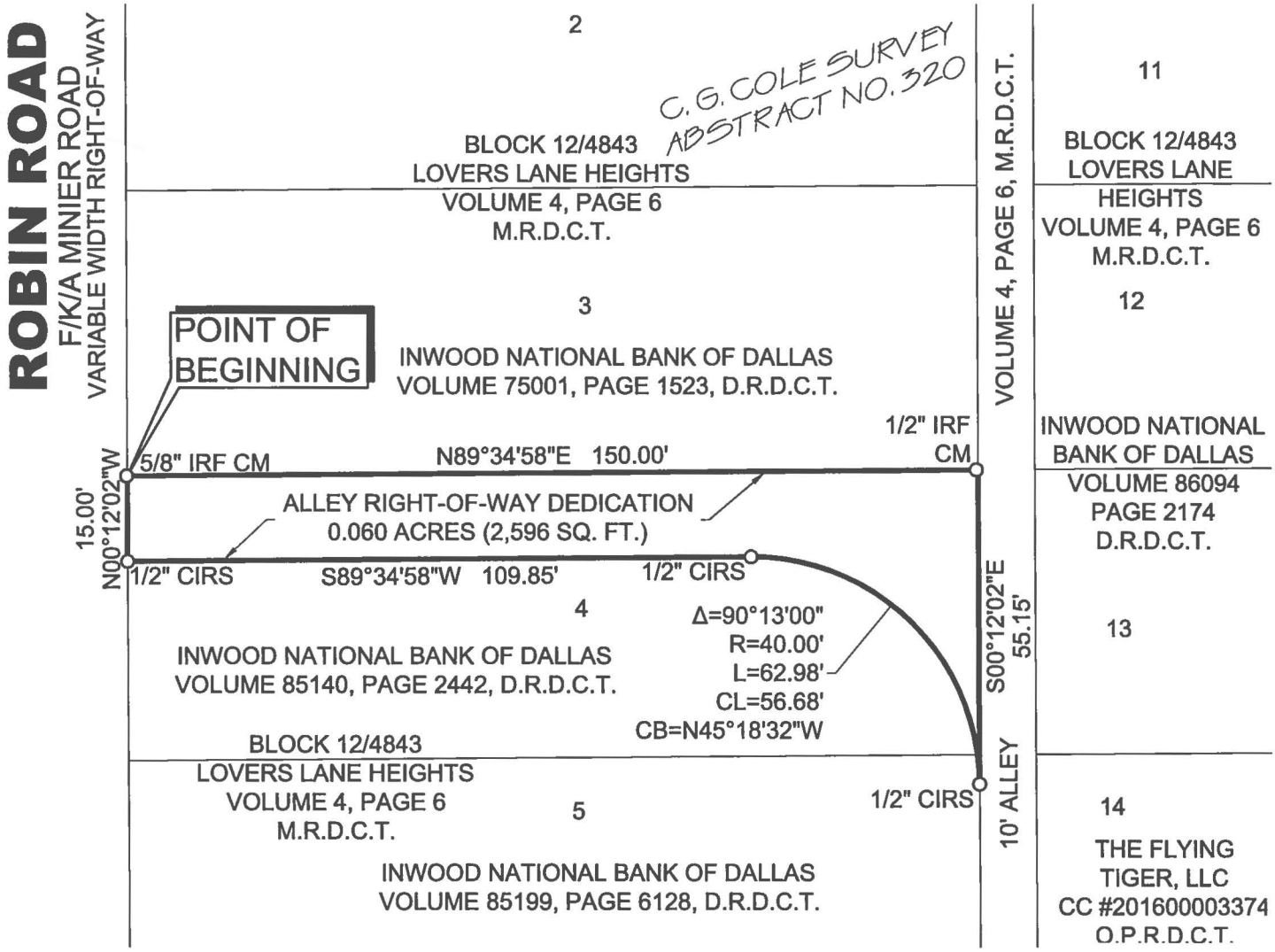
N

W E

S

0' 25' 50'

Scale 1"=50'



Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) off North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.

Winkelmann & Associates, Inc.

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX

Texas Engineers Registration No. 89
Firm Registration/license No. 10086600 Expires 12-31-15

COPYRIGHT © 2015, Winkelmann & Associates, Inc

Scale :	1" = 30'
Date :	06.22.16
Dwg. File :	00616-ALLEY-DED
Project No. :	00616

STATE OF TEXAS REGISTERED LEONARD JAY UJEKE 5714 PROFESSIONAL LAND SURVEYOR

1/6/17

(For SPRG use only)

Reviewed by: _____

Date: _____

SPRG No. _____

SHEET 2 OF 2

G \006\16\Survey\Exhibits\00616-ALLEY-DED.dwg

RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS, PART OF LOTS 1, 2, AND 3
DALLAS CITY BLOCK 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C-TRACT 3

BEING a 450 square feet or 0.010 acre tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, being part of Lots 1, 2, and 3, Block 12/4843 of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and being part of a tract of land described in Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 75001, Page 1523, Deed Records, Dallas County, Texas, and being more particularly describe as follows:

BEGINNING at a 5/8-inch iron rod found for corner on the East right-of-way of Robin Road, a 50-foot right-of-way at this point, formerly known as Minier Street, created by said Lovers Lane Heights addition, said point being the Southwest corner of said Lot 3 and the Northwest corner of Lot 4, Block 12/4843, of said Lovers Lane Heights;

THENCE North 00 degrees 12 minutes 02 seconds West, along the West right-of-way of said Robin Road and the West lines of said Lot 1, 2, and 3, a distance of 150.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for the Northwest corner of said Lot 1 and the Southwest corner of Lot 1-A, Block 8/4839, Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and "5' dedicated for Robin Road widening" per said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

THENCE North 89 degrees 34 minutes 58 seconds East, along the North line of Lot 1 and the South line of said Lot 1-A and said "5' dedicated for Robin Road widening", a distance of 3.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner;

THENCE South 00 degrees 12 minutes 02 seconds East, departing the South line of said Lot 1-A and said "5' dedicated for Robin Road widening, over and across said Lots 1, 2, and 3, a distance of 150.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner on the South line of said Lot 3 and the North line of said Lot 4;

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said Lot 1-A and the North line of said Lot 4, a distance of 3.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 450 square feet or 0.010 acres of land, more or less.

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

COPYRIGHT © 2017, Winkelmann & Associates, Inc.

Scale :	N/A
Date :	03.27.17
Dwg. File :	00616.0A-ROW-DED3
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR

4/21/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4042

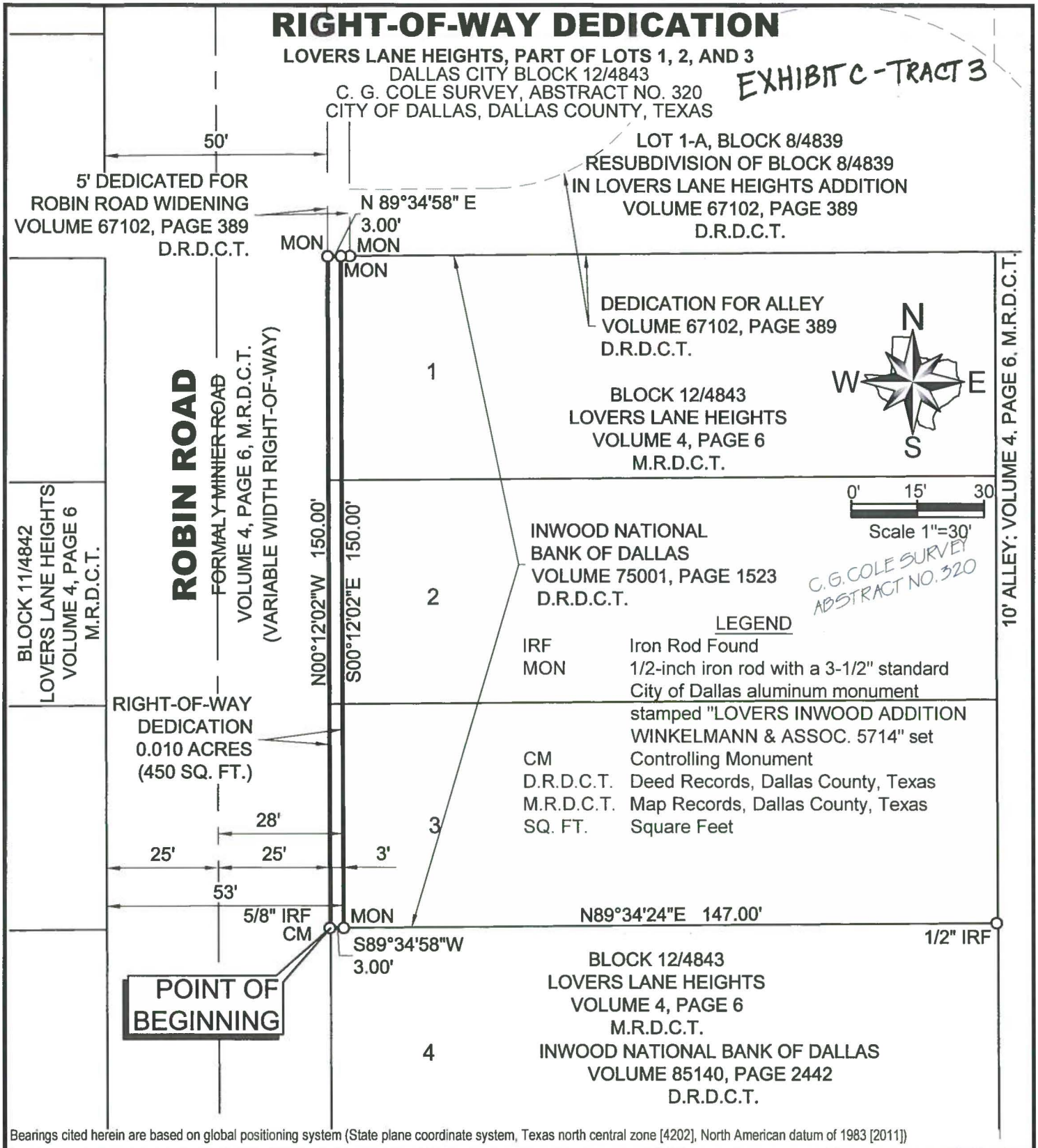
SHEET 1 OF 2

G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-DED3.dwg

RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS, PART OF LOTS 1, 2, AND 3
DALLAS CITY BLOCK 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C - TRACT 3



LEGEND

IRF	Iron Rod Found
MON	1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set
CM	Controlling Monument
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

COPYRIGHT © 2017, Winkelmann & Associates, Inc.

Scale :	1" = 30'
Date :	03.27.17
Dwg. File :	00616.0A-ROW-DED3
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR
4/21/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4042

SHEET 2 OF 2

G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-DED3.dwg

RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839, LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 8/4839
DALLAS CITY BLOCK 8/4839
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C -TRACT 4

BEING a 50 square feet (0.001 Acres) tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, being a portion of Lot 1-A, Resubdivision of Block 8/4839, Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, City of Dallas Block 8/4839 and being part of the tract of land described in Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 779, Page 318, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod found for the Northwest corner said Lot 1-A, said point being the intersection of the South line of "5' dedicated for Newmore Avenue widening" as shown on said Resubdivision of Block 8/4839, Lovers Lane Heights Addition, with the East line of the "5' dedicated for Robin Road widening" as shown on said Resubdivision of Block 8/4839, Lovers Lane Heights Addition;

THENCE North 89 degrees 34 minutes 58 seconds East, along the South line of said "5' dedicated for Newmore Avenue widening" and the North line of said Lot 1-A, a distance of 10.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner;

THENCE South 44 degrees 41 minutes 28 seconds West, departing the South line of said "5' dedicated for Newmore Avenue widening", over and across said Lot 1-A, a distance of 14.17 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner, from which a 5/8 inch iron rod found for the southwest corner of Lot 3, Block 12/4843, Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 4, Page 6. Map Records, Dallas County, Texas, bears South 00 degrees 12 minutes 02 seconds East, a distance of 435.00 feet and South 89 degrees 34 minutes 58 seconds West, a distance of 5.00 feet, said monument being situated in the East line of said "5' dedicated for Robin Road widening" and the West line of said Lot 1-A;

THENCE North 00 degrees 12 minutes 02 seconds West, along the East line of said "5' dedicated for Robin Road widening" and the West line of said Lot 1-A, a distance of 10.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 50 square feet or 0.001 acres of land, more or less.

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N89°34'58"E	10.00'
L2	S44°41'28"W	14.17'
L3	N00°12'02"W	10.00'

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

COPYRIGHT © 2017, Winkelmann & Associates, Inc.

Scale :	N/A
Date :	03.27.17
Dwg. File :	00616.0A-ROW-DED1
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR
4/21/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/11/17
SPRG No. 4044

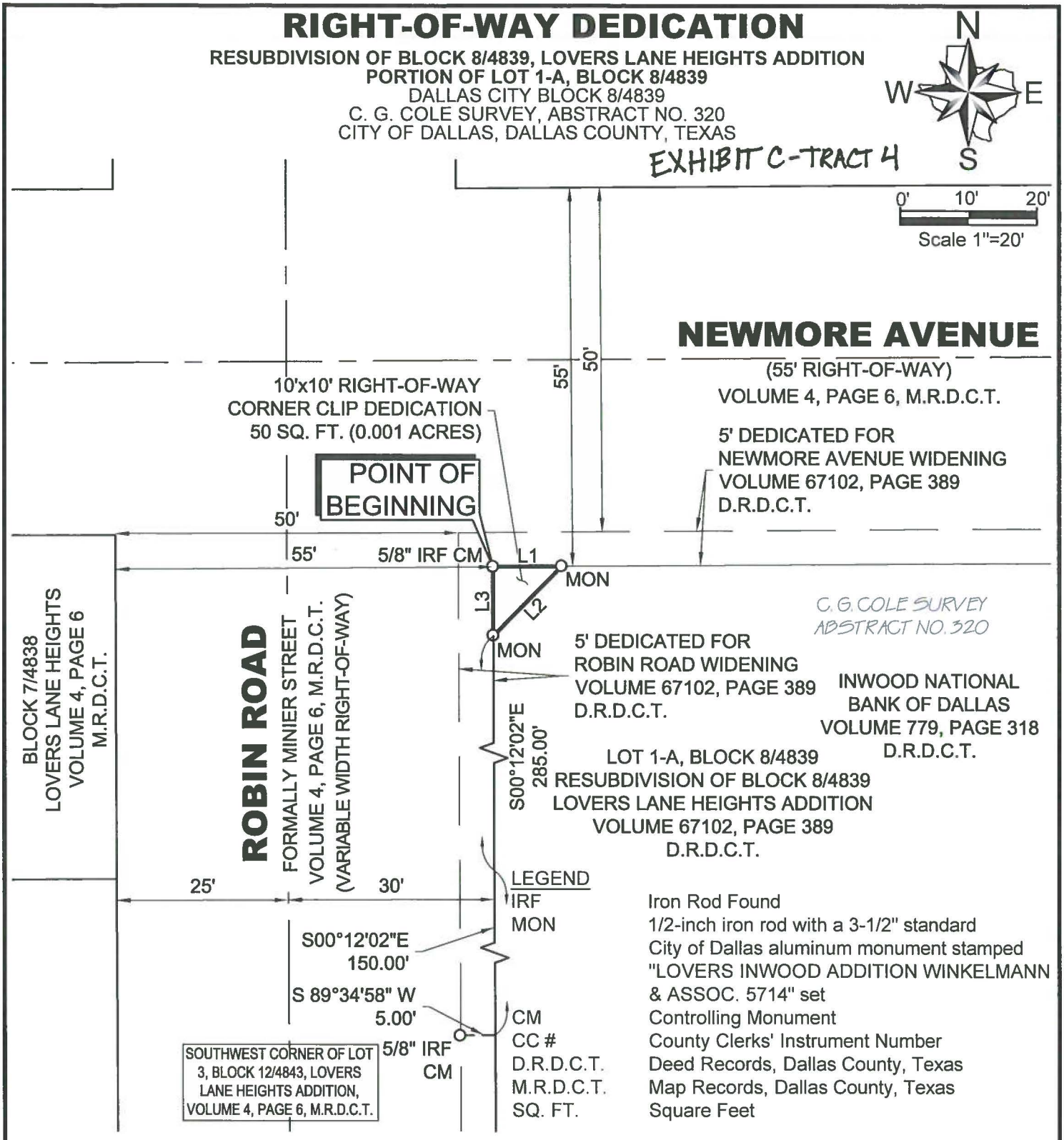
SHEET 1 OF 2

G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-DED1.dwg

RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839, LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 8/4839
DALLAS CITY BLOCK 8/4839
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C-TRACT 4



LEGEND

IRF	Iron Rod Found
MON	1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set
CM	Controlling Monument
CC #	County Clerks' Instrument Number
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

COPYRIGHT © 2017, Winkelmann & Associates, Inc.

Scale :	1" = 20'
Date :	03.27.17
Dwg. File :	00616.0A-ROW-DED1
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR

4/21/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4044

SHEET 2 OF 2

G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-DED1.dwg

RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 12/4843 and
LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 10-13, BLOCK 12/4843 EXHIBIT C - TRACT 5

DALLAS CITY BLOCKS 8/4839 and 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 7,062 square feet (0.162 Acres) tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88, in the City of Dallas, Dallas County, Texas, being a portion of Lot 1-A, City of Dallas Block 8/4839, Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and being a portion of Lots 10-13, City of Dallas Block 12/4843, Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and being a portion of the tracts of land described in Warranty Deeds to Inwood National Bank of Dallas as recorded in Volume 815, Page 400; Volume 76084, Page 2135; Volume 630, Page 46; Volume 86094, Page 2174; Volume 86094, Page 2169, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron found for corner on the Westerly right-of-way of Inwood Road, a 90' width right-of-way (County Road No. 79), said point being the Northeast corner of said Lot 10 and the Southeast corner of said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, said point also being the Southeast corner of "10' dedicated for Inwood Road widening" as shown on said Plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

THENCE South 00 degrees 12 minutes 02 seconds East, along the Westerly right-of-way of said Inwood Road and the East line of Block 12/4843, a distance of 200.00 feet to a 5/8-inch iron rod found for corner, said iron rod being the Southeast corner of said Lot 13;

THENCE South 89 degrees 34 minutes 58 seconds West, departing the West right-of-way of said Inwood Road, along the South line of said Lot 13 and the North line of Lot 14, Block 12/4843 described in Special Warranty Deed to The Flying Tiger, LLC as recorded in County Clerk's Instrument No. 201600003374, Official Public Records, Dallas County, Texas, a distance of 20.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner;

THENCE North 00 degrees 12 minutes 02 seconds West, departing the North line of said Lot 14, over and across Blocks 12/4843 and 8/4839, and said Inwood National Bank of Dallas tracts, a distance of 480.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner ;

(continued on Sheet 2)

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10085600 Expires 12-31-17
COPYRIGHT © 2017, Winkelmann & Associates, Inc.

Scale :	N/A
Date :	04.03.17
Dwg. File :	00616.0A-ROW-DED4
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR
4/3/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4045

SHEET 1 OF 5

G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-DED4.dwg

RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 12/4843 and
LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 10-13, BLOCK 12/4843

EXHIBIT C-TRACT 5

DALLAS CITY BLOCKS 8/4839 and 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(continued from Sheet 1)

THENCE North 45 degrees 18 minutes 32 seconds West, departing the West line of said "10' dedicated for Inwood Road widening", over and across said Lot 1-A, a distance of 21.17 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner on the South line of a "5' dedicated for Newmore Avenue widening" as shown on said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition and the North line of said Lot 1-A;

THENCE North 89 degrees 34 minutes 58 seconds East, along the South line of said "5' dedicated for Newmore Avenue widening" and the North line of said Lot 1-A, a distance of 25.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner at the intersection of the West line of said "10' dedicated for Inwood Road widening" with the South line of said "5' dedicated for Newmore Avenue widening", said point being the Northeast corner of said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

THENCE South 00 degrees 12 minutes 02 seconds East, along the West line of said "10' dedicated for Inwood Road widening" and the East line of said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, a distance of 295.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for the Southwest corner of said "10' dedicated for Inwood Road widening" and the Southeast corner of said Lot 1-A on the North line of said Lot 10;

THENCE North 89 degrees 34 minutes 58 seconds East, along the South line of said "10' dedicated for Inwood Road widening" and the North line of said Lot 10, a distance of 10.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 7,062 square feet or 0.162 acres of land, more or less.

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10085600 Expires 12-31-17
COPYRIGHT © 2017, Winkelmann & Associates, Inc.

Scale :	N/A
Date :	04.03.17
Dwg. File :	00616.0A-ROW-DED4
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY WEKER
5714
PROFESSIONAL
LAND SURVEYOR
4/13/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4045

SHEET 2 OF 5

G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-DED4.dwg

RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 12/4843 and
LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 10-13, BLOCK 12/4843 EXHIBIT C- TRACT 5

DALLAS CITY BLOCKS 8/4839 and 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PROPERTY INFORMATION				
TRACT	OWNERS NAME	RECORDING INFORMATION	LOT/BLOCK	SOURCE
1	INWOOD NATIONAL BANK OF DALLAS	VOLUME 815, PAGE 400	LOT 7, BLOCK 8/4839	D.R.D.C.T.
2	INWOOD NATIONAL BANK OF DALLAS	VOLUME 76084, PAGE 2135	LOT 8, BLOCK 8/4839	D.R.D.C.T.
3	INWOOD NATIONAL BANK OF DALLAS	VOLUME 630, PAGE 46	LOTS 9-12, BLOCK 8/4839	D.R.D.C.T.
4	INWOOD NATIONAL BANK OF DALLAS	VOLUME 86094, PAGE 2174	LOTS 10, BLOCK 12/4843	D.R.D.C.T.
5	INWOOD NATIONAL BANK OF DALLAS	VOLUME 86094, PAGE 2169	LOTS 11-13, BLOCK 12/4843	D.R.D.C.T.
6	THE FLYING TIGER, LLC	INST. NO. 201600003374	LOTS 14-15, BLOCK 12/4843	O.P.R.D.C.T.

(#) INDICATES TRACT NUMBER

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S89°34'58"W	20.00'
L2	N45°18'32"W	21.17'
L3	N89°34'58"E	25.00'
L4	N89°34'58"E	10.00'

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

COPYRIGHT © 2017, Winkelmann & Associates, Inc.

STATE OF TEXAS — REGISTERED — LEONARD JAY LUEKER — 5714 — PROFESSIONAL LAND SURVEYOR

Scale :	N/A
Date :	04.03.17
Dwg. File :	00616.0A-ROW-DED4
Project No. :	00616.0A

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4045

SHEET 3 OF 5

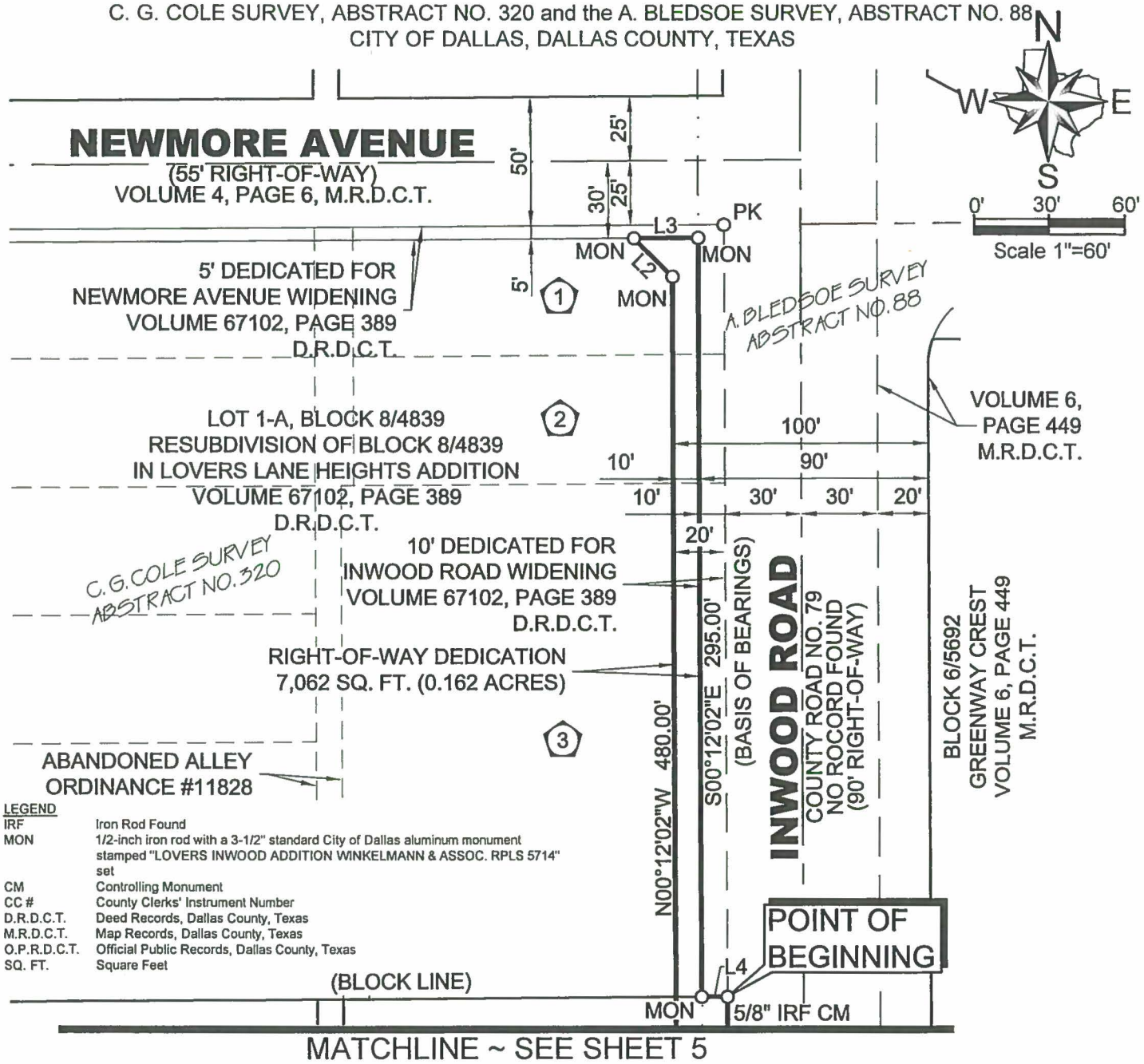
G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-DED4.dwg

RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 12/4843 and
LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 10-13, BLOCK 12/4843

EXHIBIT C - TRACTS

DALLAS CITY BLOCKS 8/4839 and 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS



MATCHLINE ~ SEE SHEET 5

LEGEND

IRF	Iron Rod Found
MON	1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set
CM	Controlling Monument
CC #	County Clerks' Instrument Number
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
O.P.R.D.C.T.	Official Public Records, Dallas County, Texas
SQ. FT.	Square Feet

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

COPYRIGHT © 2017, Winkelmann & Associates, Inc.

Scale :	1" = 60'
Date :	04.03.17
Dwg. File :	00616.0A-ROW-DED4
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR
5/1/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4045

SHEET 4 OF 5

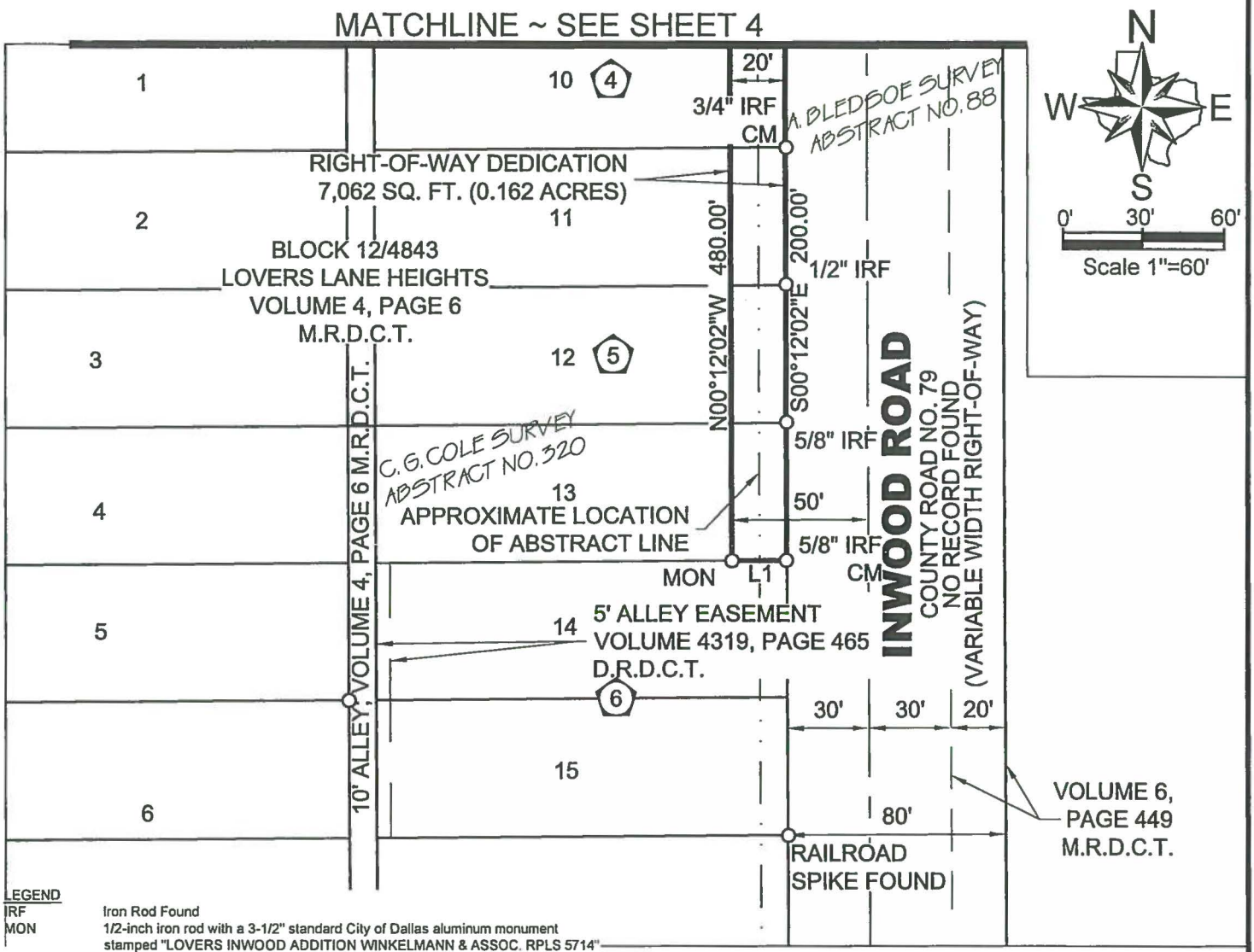
G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-DED4.dwg

RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 12/4843 and
LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 10-13, BLOCK 12/4843

EXHIBIT C - TRACT 5

DALLAS CITY BLOCKS 8/4839 and 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS



LEGEND

IRF	Iron Rod Found
MON	1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set
CM	Controlling Monument
CC #	County Clerks' Instrument Number
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
O.P.R.D.C.T.	Official Public Records, Dallas County, Texas
SQ. FT.	Square Feet

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 480-7090
DALLAS, TEXAS 75230 (972) 480-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

COPYRIGHT © 2017, Winkelmann & Associates, Inc.

STATE OF TEXAS
REGISTERED
LEONARD JAY LEEKER
5714
PROFESSIONAL
LAND SURVEYOR
5/3/17

Scale :	1" = 60'
Date :	04.03.17
Dwg. File :	00616.0A-ROW-DED4
Project No. :	00616.0A

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/11/17
SPRG No. 4045

SHEET 5 OF 5

G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-DED4.dwg

RIGHT-OF-WAY REDEDICATION

ALL OF 5' DEDICATED FOR ROBIN ROAD WIDENING
ALL OF 5' DEDICATED FOR NEWMORE AVENUE WIDENING EXHIBIT D
ALL OF 10' DEDICATED FOR INWOOD ROAD WIDENING
LOT 1A, RESUBDIVISION OF BLOCK 8/4843 IN LOVERS LANE HEIGHTS ADDITION
AND PART OF AN ABANDONED ALLEY-CITY OF DALLAS ORDINANCE NO.11828
DALLAS CITY BLOCK 8/4839
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 5,975 square feet (0.137 Acres), tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88, in the City of Dallas, Dallas County, Texas, City of Dallas Block 8/4839, being a portion of Lot 1A, Resubdivision of Block 8/4839, Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and being 5.00 foot dedicated for Robin Road widening, 5.00 foot dedicated for Newmore Avenue widening, and 10.00 foot dedicated for Inwood Road widening, and being portions of the tracts of land described in Warranty Deeds to Inwood National Bank of Dallas as recorded in Volume 779, Page 318; Volume 779, Page 316; Volume 779, Page 325; Volume 779, Page 322; Volume 67099, Page 1953; Volume 815, Page 400; Volume 76084, Page 2135; and Volume 630, Page 46, Deed Records, Dallas County, Texas, and part of an abandoned alley provided for by City of Dallas Ordinance No. 11828, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for the Northwest corner of Lot 1-A, Block 8/4839 of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, said point being the intersection of the South line of said "5' dedicated for Newmore Avenue widening", with its intersection of the East "5' dedicated for Robin Road widening";

THENCE South 00 degrees 12 minutes 02 seconds East, along the East line of said "5' dedicated for Robin Road widening" and the West line of said Lot 1-A, a distance of 295.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner on the North line of Lot 1, Block 12/4843 of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, said point being the Southeast corner of said "5' dedicated for Robin Road widening"

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said "5' dedicated for Robin Road widening" and the North line of said Lot 1, a distance of 5.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for the Northwest corner of said Lot 1 and the Southwest corner of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition and said "5" dedicated for Robin Road widening;

THENCE North 00 degrees 12 minutes 02 seconds West, along the West line of said "5' dedicated for Robin Road widening" and said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, a distance of 300.00 feet to a PK nail with a washer stamped "WAI 5714" set for corner at the intersection of said "5' dedicated for Robin Road widening" with the North line of said "5' dedicated for Newmore Avenue widening", said point being the Northwest corner of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

(continued on Sheet 2)

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 480-7090
DALLAS, TEXAS 75230 (972) 480-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17
COPYRIGHT © 2017, Winkelmann & Associates, Inc.

Scale :	N/A
Date :	01.04.17
Dwg. File :	00616.0A-ROW-REDEDICATION
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR
4/27/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4047

SHEET 1 OF 4

G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-REDEDICATION.dwg

RIGHT-OF-WAY REDEDICATION

EXHIBIT D

ALL OF 5' DEDICATED FOR ROBIN ROAD WIDENING
ALL OF 5' DEDICATED FOR NEWMORE AVENUE WIDENING
ALL OF 10' DEDICATED FOR INWOOD ROAD WIDENING
LOT 1A, RESUBDIVISION OF BLOCK 8/4843 IN LOVERS LANE HEIGHTS ADDITION
AND PART OF AN ABANDONED ALLEY-CITY OF DALLAS ORDINANCE NO.11828
DALLAS CITY BLOCK 8/4839
C.G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(continued from Sheet 1)

THENCE North 89 degrees 34 minutes 58 seconds East, along the North line of said "5' dedicated for Newmore Avenue widening" and said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, a distance of 310.00 feet to a PK nail with a washer stamped "WAI 5714" set for corner at the intersection of the North line of said "5' dedicated for Newmore Avenue widening" with the East line of said "10' dedicated for Inwood Road widening", said point being the Northwest corner of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

THENCE South 00 degrees 12 minutes 02 seconds East, along the East line of said "10' dedicated for Inwood Road widening" and the East line of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, a distance of 300.00 feet to a 5/8-inch iron rod found for the Southeast corner of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition and said "10' dedicated for Inwood Road widening" and the Northeast corner of Lot 10, Block 12/4843, of said Lovers Lane Heights, said iron rod being North 00 degrees 12 minutes 02 seconds West, 50.00 feet from a 3/4-inch iron rod found for the Southeast corner of said Lot 10, Block 12/4843, of said Lovers Lane Heights and the Northeast corner of Lot 11, Block 12/4843, of said Lover Lane Heights;

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said "10' dedicated for Inwood Road widening" and the North line of said Lot 10, a distance of 10.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner on the North line of said Lot 10, said point being the Southeast corner of said Lot 1-A and the Southwest corner of said "10' dedicated for Inwood Road widening";

THENCE North 00 degrees 12 minutes 02 seconds West, along the West line of said "10' dedicated for Inwood Road widening" and the East line of said Lot 1-A, a distance of 295.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner at the intersection of the South line of said "5' dedicated for Newmore Avenue widening" with the West line of said "10' dedicated for Inwood Road widening", said point being the Northeast corner of said Lot 1-A;

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said "10' dedicated for Newmore Avenue widening" and the North line of said Lot 1-A, a distance of 295.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 5,975 square feet or 0.137 acres of land, more or less.

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17
COPYRIGHT © 2017, Winkelmann & Associates, Inc.

Scale :	N/A
Date :	04.03.17
Dwg. File :	00616.0A-ROW-REDEDICATION
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKEN
5714
PROFESSIONAL
LAND SURVEYOR
4/21/17

(For SPRG use only)
Reviewed by: A.Rodriguez
Date: 5/1/17
SPRG No. 4047

SHEET 2 OF 4

G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-REDEDICATION.dwg

RIGHT-OF-WAY REDEDICATION

EXHIBIT D

ALL OF 5' DEDICATED FOR ROBIN ROAD WIDENING
ALL OF 5' DEDICATED FOR NEWMORE AVENUE WIDENING
ALL OF 10' DEDICATED FOR INWOOD ROAD WIDENING
LOT 1A, RESUBDIVISION OF BLOCK 8/4843 IN LOVERS LANE HEIGHTS ADDITION
AND PART OF AN ABANDONED ALLEY-CITY OF DALLAS ORDINANCE NO.11828
DALLAS CITY BLOCK 8/4839
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PROPERTY INFORMATION

TRACT	OWNERS NAME	RECORDING INFORMATION	LOT/BLOCK	SOURCE
1	INWOOD NATIONAL BANK OF DALLAS	VOLUME 779, PAGE 318	LOT 1, BLOCK 8/4839	D.R.D.C.T.
2	INWOOD NATIONAL BANK OF DALLAS	VOLUME 779, PAGE 316	LOT 2, BLOCK 8/4839	D.R.D.C.T.
3	INWOOD NATIONAL BANK OF DALLAS	VOLUME 779, PAGE 325	LOT 3, BLOCK 8/4839	D.R.D.C.T.
4	INWOOD NATIONAL BANK OF DALLAS	VOLUME 779, PAGE 322	LOT 4, BLOCK 8/4839	D.R.D.C.T.
5	INWOOD NATIONAL BANK OF DALLAS	VOLUME 67099, PAGE 1953	LOTS 5 & 6, BLOCK 8/4839	D.R.D.C.T.
6	INWOOD NATIONAL BANK OF DALLAS	VOLUME 815, PAGE 400	LOT 7, BLOCK 8/4839	D.R.D.C.T.
7	INWOOD NATIONAL BANK OF DALLAS	VOLUME 76084, PAGE 2135	LOT 8, BLOCK 8/4839	D.R.D.C.T.
8	INWOOD NATIONAL BANK OF DALLAS	VOLUME 630, PAGE 46	LOTS 9-12, BLOCK 8/4839	D.R.D.C.T.

(#) INDICATES TRACT NUMBER

LEGEND

IRF	Iron Rod Found
PK	PK nail with washer stamped "WAI 5714" set
MON	1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set
CM	Controlling Monument
CC #	County Clerks' Instrument Number
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
8750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

COPYRIGHT © 2017, Winkelmann & Associates, Inc.

Scale :	N/A
Date :	04.03.17
Dwg. File :	00616.0A-ROW-REDEDICATION
Project No. :	00616.0A

STATE OF TEXAS REGISTERED LEONARD JAY LUEKER 5714 PROFESSIONAL LAND SURVEYOR

4/21/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4047

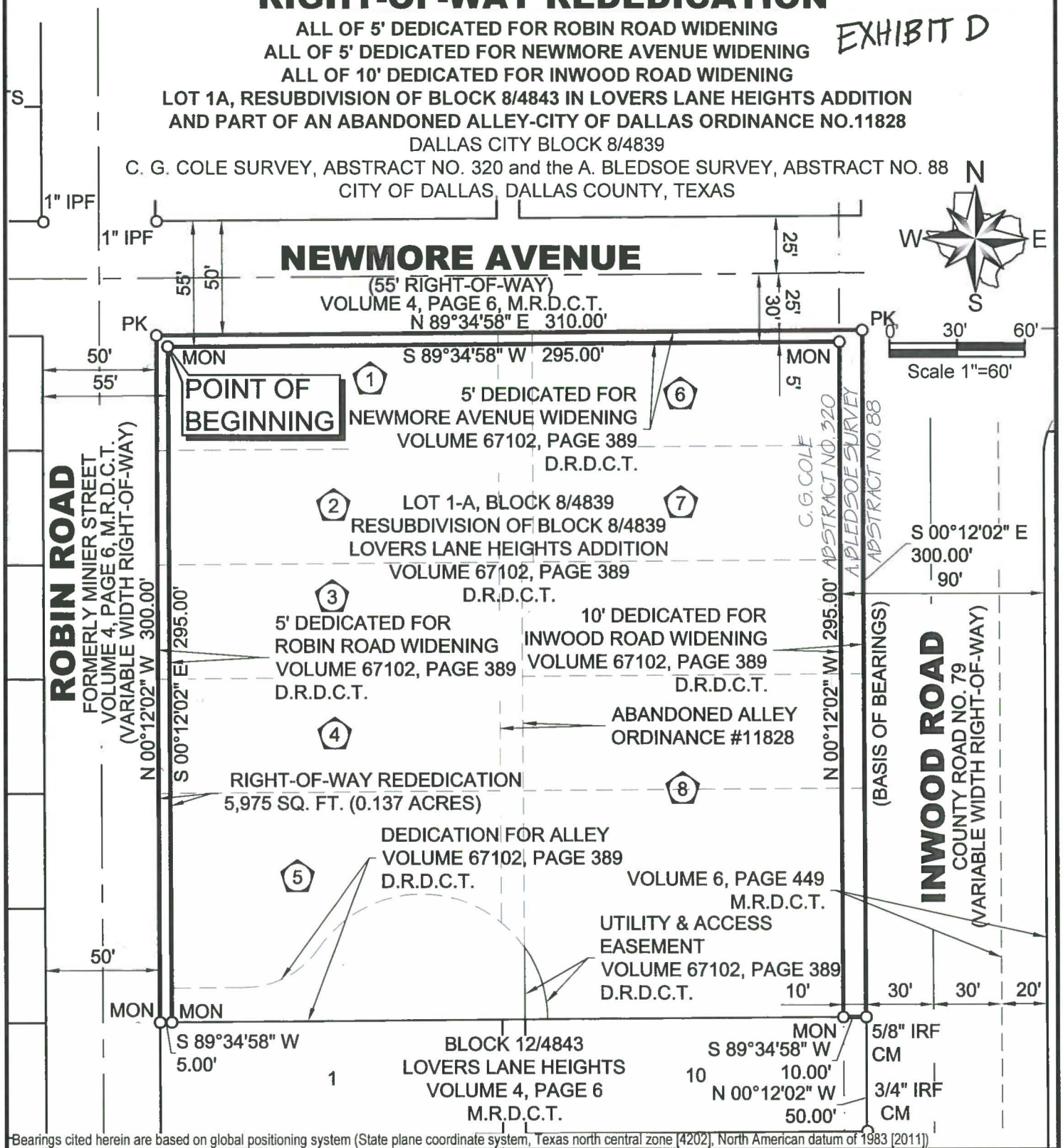
SHEET 3 OF 4

G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-REDEDICATION.dwg

RIGHT-OF-WAY REDEDICATION

EXHIBIT D

ALL OF 5' DEDICATED FOR ROBIN ROAD WIDENING
ALL OF 5' DEDICATED FOR NEWMORE AVENUE WIDENING
ALL OF 10' DEDICATED FOR INWOOD ROAD WIDENING
LOT 1A, RESUBDIVISION OF BLOCK 8/4843 IN LOVERS LANE HEIGHTS ADDITION
AND PART OF AN ABANDONED ALLEY-CITY OF DALLAS ORDINANCE NO.11828
DALLAS CITY BLOCK 8/4839
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS



Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

COPYRIGHT © 2017, Winkelmann & Associates, Inc.

Scale :	1" = 60'
Date :	04.03.17
Dwg. File :	00616.0A-ROW-REDEDICATION
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR

9/21/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4047

SHEET 4 OF 4

G:\006\16\0A\SURVEY\Exhibits\00616.0A-ROW-REDEDICATION.dwg

AGENDA ITEM # 48

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 56 Q; U; V

SUBJECT

A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a Planned Development District for commercial, industrial and transportation uses; **(2)** an ordinance granting an amendment to Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batching plant [Tract II]; **(3)** an ordinance granting a Specific Use Permit for two industrial (outside) not potentially incompatible uses for a concrete batching plant [Tract I and Tract III]; **(4)** an ordinance terminating Specific Use Permit No. 1613 for an industrial (outside) not potentially incompatible use for a concrete batch plant; and **(5)** a resolution terminating deed restrictions [Z078-204] on property zoned an IR-D Industrial Research District with a D Liquor Control Overlay on a portion and Specific Use Permit No. 1613 on a portion; a CS-D Commercial Service District with a D Liquor Control Overlay on a portion and Specific Use Permit No. 1602 for vehicle storage lot on a portion; and an IM-D Industrial Manufacturing District with a D Liquor Control Overlay on a portion, Specific Use Permit No. 1715 on a portion and deed restrictions on the northeast corner of State Highway 310 and Linfield Road

Recommendation of Staff and CPC: Approval of a Planned Development District for commercial, industrial and transportation uses, subject to a conceptual plan and conditions; approval of an amendment to Specific Use Permit No. 1715 for an asphalt batch plant for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions; approval of a Specific Use Permit for an industrial (outside) not potentially incompatible use for a concrete batch plant on Tract I and Tract III for a ten-year period with eligibility for automatic renewal for one ten-year period, subject to a site/landscape plan and conditions; approval of the termination of Specific Use Permit No. 1613; and approval of the termination of deed restrictions [Z078-204]

Z145-301(WE)

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, SEPTEMBER 27, 2017
ACM: Majed Al-Ghafry

FILE NUMBER: Z145-301(WE) **DATE FILED:** July 17, 2015

LOCATION: State Highway 310 and Linfield Road, northeast corner

COUNCIL DISTRICT: 7 **MAPSCO:** 56 Q; U; V

SIZE OF REQUEST: Approx. 74.74 acres **CENSUS TRACT:** 86.03

APPLICANT / OWNER: St. Louis S. W. Railway Co. Union Pacific %Erik Omar

REPRESENTATIVE: Maxwell Fisher, MASTERPLAN

REQUEST: An application for (1) a Planned Development District for commercial, industrial and transportation uses; (2) an amendment to Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batching plant [Tract II]; (3) a Specific Use Permit for two industrial (outside) not potentially incompatible uses for a concrete batching plant [Tract I and Tract III]; (4) the termination of Specific Use Permit No. 1613 for an industrial (outside) not potentially incompatible use for a concrete batch plant; and (5) the termination of deed restrictions [Z078-204] on property zoned an IR-D Industrial Research District with a D Liquor Control Overlay on a portion and Specific Use Permit No. 1613 on a portion; a CS-D Commercial Service District with a D Liquor Control Overlay on a portion and Specific Use Permit No. 1602 for vehicle storage lot on a portion; and an IM-D Industrial Manufacturing District with a D Liquor Control Overlay on a portion, Specific Use Permit No. 1715 on a portion and deed restrictions.

CPC RECOMMENDATION:

Approval of a Planned Development District for commercial, industrial and transportation uses, subject to a conceptual plan and conditions; approval of an amendment to Specific Use Permit No. 1715 for an asphalt batch plant for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions; approval of a Specific Use Permit for an industrial (outside) not potentially incompatible use for a concrete batch plant on Tract I and Tract III for a ten-year period with eligibility for automatic renewal for one ten-year period, subject to a site/landscape plan and conditions; approval of the termination of Specific Use Permit No. 1613; and approval of the termination of deed restrictions [Z078-204].

STAFF RECOMMENDATION:

Approval of a Planned Development District for commercial, industrial and transportation uses, subject to a conceptual plan and conditions; approval of an amendment to Specific Use Permit No. 1715 for an asphalt batch plant for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions; approval of a Specific Use Permit for an industrial (outside) not potentially incompatible use for a concrete batch plant on Tract I and Tract III for a ten-year period with eligibility for automatic renewal for one ten-year period, subject to a site/landscape plan and conditions; approval of the termination of Specific Use Permit No. 1613; and approval of the termination of deed restrictions [Z078-204].

BACKGROUND INFORMATION:

- The purpose of the request is to allow for an asphalt batch plant to continue to operate on Tract I and allow for two additional concrete batch plants to operate on Tracts II and III within the subject site. The applicant is also requesting to terminate an SUP that allows for the operation of a batch plant on the northern portion of the site as well as deed restrictions that are on a portion of the site. The deed restrictions prohibit specific lodging and industrial uses on a portion of the property.

- The applicant's request for a Planned Development District for commercial, industrial and transportation uses will allow the site to be governed under cohesive development regulations. Currently, there are three zoning districts that are located throughout the site: CS Commercial Service District, IR Industrial Research District, and an IM Industrial Manufacturing District.

- The existing rail yard has served as a rail hub for Union Pacific Railroad since the turn of the 20th century. The site is currently being used to transport various types of materials to various destinations in the city. A large portion of the site is paved, but is undeveloped.

- On September 26, 2007, the City Council approved a Specific Use Permit No. 1613 for an industrial (outside) not potentially incompatible use for a concrete batch plant for a ten-year period.

- On June 25, 2008, the City Council approved a Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batch plant for a five year period and approved deed restrictions prohibiting specific lodging and industrial type uses on site.

- On June 26, 2013, the City Council approved an amendment to Specific Use Permit No. 1715 for a ten year period with eligibility for automatic renewals for additional ten year periods.

- On February 5, 2015, the City Plan approved a minor amendment to the site plan for the location of natural gas and vaporization tanks to facilitate the process for the batching plant operations.

- The applicant has proposed to operate three batching plants on site; two new concrete batching plants and one existing asphalt batching plant. These plants will be contiguous to one another and will be located adjacent to the western property line, near South Central Expressway. To differentiate between the various three SUPs, the batch plant conditions will be identified as Tracts. Tracts I and III are new concrete batch plants and Tract II is an existing asphalt plant. The eastern portion of the site is developed with a rail line that will transport the materials from the batch plant to various destinations.

Zoning History: There has been one zoning case in the area over the past five years.

1. Z123-184 On June 26, 2013, the City Council approved an amendment to Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batching plant for a ten-year period with eligibility for automatic renewals for additional ten-year periods. [Request site]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
State Highway 301		Variable right-of-way widths	Variable right-of-way widths
Linfield Road	Principal Arterial	100 ft.	100 ft.

Land Use Compatibility:

	Zoning	Land Use
Site	IM-D, CS-D, IR-D SUP No. 1613, SUP No. 1715 with DR, SUP No. 1602,	Rail line, Asphalt batch plant
North	IR, CS	Auto related use, Great Trinity Forest
South	IR, IM	Industrial, bar
East	IR-D, IR	Rail Line, Flood Plain
West	CS	Auto related uses, hotel or motel, Commercial type uses

STAFF ANALYSIS

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. The Plan identifies the request site in an Industrial Building Block.

The request site is located within an area of the city that has been operating with industrial uses. A portion of the site has a rail line that transports and delivers various types of material to the City. The proposed concrete batching plants are a vital part of the industrial fabric that allows specific materials to be processed and transported to various locations throughout the City.

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

Trinity River Corridor Comprehensive Land Use Plan. In March 2005, the City Council approved the Trinity River Corridor Comprehensive land Use Plan. The site is located within a Residential Urban module, which limits uses to residential and compatible residential, office, and civic uses but references the flexibility factor for industrial-manufacturing uses are unlimited.

Land Use Compatibility: The request site is developed with an improved surface parking lot, an asphalt batching plant and a rail line that is being used to transport materials to and from the site. The applicant's request for a Planned Development District will permit the following: 1) consolidation of three zoning districts under one governing set of development standards and regulations, 2) terminate Specific Use Permit No. 1613 for a batching plant, 3) terminate existing deed restrictions that prohibited certain type of industrial and lodging uses, 4) permit two additional concrete batching plants and 5) extend time period for Specific Use Permit No. 1715. The three batch plants will be divided into three separate tracts with individual SUP conditions that will allow for each operation to function separately. The request site will have two concrete batch plants that will be operated by separate tenants and an asphalt batch plant that is currently operating on site.

The request site has been an industrial site for over 70 years with an active rail line to transport various types of materials throughout the City as well as various parts of the country. The proposed consolidation of the zoning districts will allow for certain main uses to be permitted on site as well as comply with cohesive set of development standards and regulations. The proposed PDD conditions will allow for certain main uses to be permitted on site. The uses will allow the applicant some flexibility to develop the site with uses that are compatible with the adjacent land uses. In addition, consolidating the zoning district into one set of regulations will make any future development comply with one set of regulations as oppose to developing a project that is govern by several zoning regulations. The applicant believes that the IM Industrial Manufacturing District will support their future needs as it relates to the yard, space and lot regulations.

Moreover, the applicant is proposing to terminate deed restrictions that are on an existing asphalt batching plant, which is located on the northern portion of the site. The deed restrictions prohibited the following uses: Extended stay hotel or motel, Hotel or motel, Industrial (inside) not potentially incompatible, Industrial (inside) potentially incompatible, Lodging or boarding house, Medical/infectious waste incinerator, Metal salvage facility, Mining, Municipal waste incinerator, Organic compost recycling facility,

Outside salvage or reclamation, and Pathological waste incinerator. The PDD conditions will prohibit a majority of the uses above except for the Industrial (inside) not potentially incompatible and Industrial (inside) potentially incompatible. The industrial (inside) type uses should not have any negative impact on the adjacent uses as a result of the materials and operations are conducted inside the facility.
In June 2013, the City Council approved an amendment to Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batching plant. The applicant is requesting the terminate Specific Use Permit No. 1613 for an asphalt batch plant because the plant is no longer in operation.

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's recommendation of ten years periods with one additional ten year period will allow staff the opportunity to evaluate and monitor the various operations. The batch plants will be monitored by the City's Environmental Air and Quality Control Department. The provisions in the SUP conditions will require ground and dust control measures.

The additional uses on site will support the operations of the UP Intermodal Terminal in Wilmer as well as provide a valuable service to the City of Dallas. The compatibility of land uses and the site's adjacency to an existing rail line allows an opportunity for the applicant to use the existing infrastructure and resources to operate the proposed uses.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
IM Industrial manufacturing	15' 0' on minor	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	110' 8 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
Proposed PDD	15' 0' on minor	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	110' 8 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Landscaping: Landscaping must be provided as shown on the site plan / landscape plan.

Due to the proposed development and operation of the batch plants, Article X landscaping requirements will be triggered for the entire site. Since the entire site was developed prior to the adoption of Article X standards and is completely covered with impervious surface, the applicant is proposing to landscape the areas that are visible from the street to screen the batch plants. The chart below compares the differences between Article X requirements and the applicant's proposed landscaping of the site.

Article X Standards	Applicants Proposal
• Typically, site trees are required at 1:4000 sf. of building site (74.74 acres = 814 trees)	• Site trees not required
• Typical is all required parking spaces within 120' of a large canopy tree.	• Parking lot trees not required
• Typical street tree requirement is 1:50' (1540/50 = 31 trees (within 30 feet of curb)	• Street trees amended to Linfield Road requirement only at 1:40 feet. No street tree requirement for SH310.
• Two design standards are typical	• Design standards not required.

The PDD conditions will amend Article X standards to reflect the following:

- Street trees (10.125) would be placed along Linfield Road at 1:40'.
- A minimum 30 deep landscape buffer is required along Linfield Road.
- A minimum of 5 large canopy trees are required within 120 feet from the SH310 curb line at the main entrance.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

Parking: The Development Code requirement for off-street parking for an industrial (outside) use is one space per 600 square feet of floor area plus one space per 600 square feet of outside manufacturing area. The 1,900 square feet of office floor area that is associated with each concrete batch plant requires three off-street parking spaces. The applicant is providing three off-street parking spaces for the area identified as Tract I. As for the existing SUP No. 1715 and the area identified as Tract III, the applicant is providing more than three spaces. Staff will ask the applicant to revised the site plans to reflect the actual number of off-street parking spaces. The use does not involve outside manufacturing.

Miscellaneous – PDD conditions: The applicant is requesting a parking reduction for the Office showroom/warehouse use. The applicant is proposing one space per 333 square feet of office floor area, one space per 1,000 square feet of floor area for first 20,000 square feet of showroom/warehouse floor area, and one parking space for each 6,000 square feet of floor area in excess of 20,000 square feet of showroom/warehouse.

The Development Code requires one space per 333 square feet of office floor area, one space per 1,000 square feet of floor area for the showroom/warehouse. The applicant envisions that the request site could a use where the back office is computerized; thus, reducing the need for vehicular traffic and off-street parking.

CPC Action (December 15, 2016)

Motion: In considering an application for 1) a Planned Development District for commercial, industrial and transportation uses, 2) an amendment to Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batching plant [Tract II], 3) a Specific Use Permit for two industrial (outside) potentially incompatible uses for concrete batching plants [Tract I and Tract III], 4) terminate Specific Use Permit No. 1613 for an industrial (outside) not potentially incompatible use for a concrete batch plant, and 5) terminate deed restrictions [Z078-204] on property zoned an IR Industrial Research District with a Dry Overlay on a portion and Specific Use Permit No. 1613 on a portion; a CS Commercial Service District with a Dry Overlay on a portion and Specific Use Permit No. 1602 on a portion; and an IM Industrial Manufacturing District with a Dry Overlay on a portion, Specific Use Permit No. 1715 on a portion and deed restrictions on a portion on the northeast corner of State Highway 310 and Linfield Road, it was moved to hold this case under advisement until January 19, 2017.

Maker: Houston
Second: Davis
Result: Carried: 12 to 0

For:	12 - Anglin, Houston, Davis, Shidid, Haney, Jung, Housewright*, Schultz, Peadon, Murphy, Ridley, Tarpley
Against:	0
Absent:	2 - Rieves, Anantasomboon
Vacancy:	1 - District 7

*out of the room, shown voting in favor

Notices:	Area:	500	Mailed:	64
Replies:	For:	3	Against:	1

Speakers: None

CPC Action (January 19, 2017)

Motion: In considering an application for 1) a Planned Development District for commercial, industrial and transportation uses, 2) an amendment to Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batching plant [Tract II], 3) a Specific Use Permit for two industrial (outside) potentially incompatible uses for concrete

batching plants [Tract I and Tract III], 4) terminate Specific Use Permit No. 1613 for an industrial (outside) not potentially incompatible use for a concrete batch plant, and 5) terminate deed restrictions [Z078-204] on property zoned an IR Industrial Research District with a Dry Overlay on a portion and Specific Use Permit No. 1613 on a portion; a CS Commercial Service District with a Dry Overlay on a portion and Specific Use Permit No. 1602 on a portion; and an IM Industrial Manufacturing District with a Dry Overlay on a portion, Specific Use Permit No. 1715 on a portion and deed restrictions on a portion on the northeast corner of State Highway 310 and Linfield Road, it was moved to **hold** this case under advisement until February 16, 2017.

Maker: Mack
Second: Houston
Result: Carried: 15 to 0

For: 15 - Anglin*, Rieves, Houston, Davis, Shidid, Anantasomboon, Mack, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 64
Replies: For: 3 Against: 1

Speakers: None

CPC Action (February 16, 2017)

Motion: It was moved to recommend **approval** of a Planned Development District for commercial, industrial and transportation uses, subject to a conceptual plan and conditions, **approval** of an amendment to Specific Use Permit No. 1715 for an asphalt batch plant on Tract II for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions, **approval** of a Specific Use Permit for an industrial (outside) not potentially incompatible use for a concrete batch plant on Tract I for a ten-year period with eligibility for automatic renewal for one ten-year period, subject to a site/landscape plan and conditions, **approval** of an Specific Use Permit for an industrial (outside) not potentially incompatible use for a concrete batch plant on Tract III for a ten-year period with eligibility for automatic renewal for one ten-year period, subject to a site/landscape plan and conditions, **approval** of the termination of Specific Use Permit No. 1613 and termination of deed restrictions on a portion; and **approval** of the termination of deed restrictions [Z078-204] on property zoned an IR Industrial Research District with a Dry Overlay on a portion and Specific Use Permit No. 1613 on a portion; a CS Commercial Service District with a Dry Overlay on a portion and Specific Use Permit No. 1602 on a portion; and an IM Industrial Manufacturing District with a Dry Overlay on a portion, Specific Use Permit No. 1715 on a portion and deed restrictions on a portion on the northeast corner of State Highway 310 and Linfield Road.

Maker: Mack
Second: Anglin
Result: Carried: 10 to 2

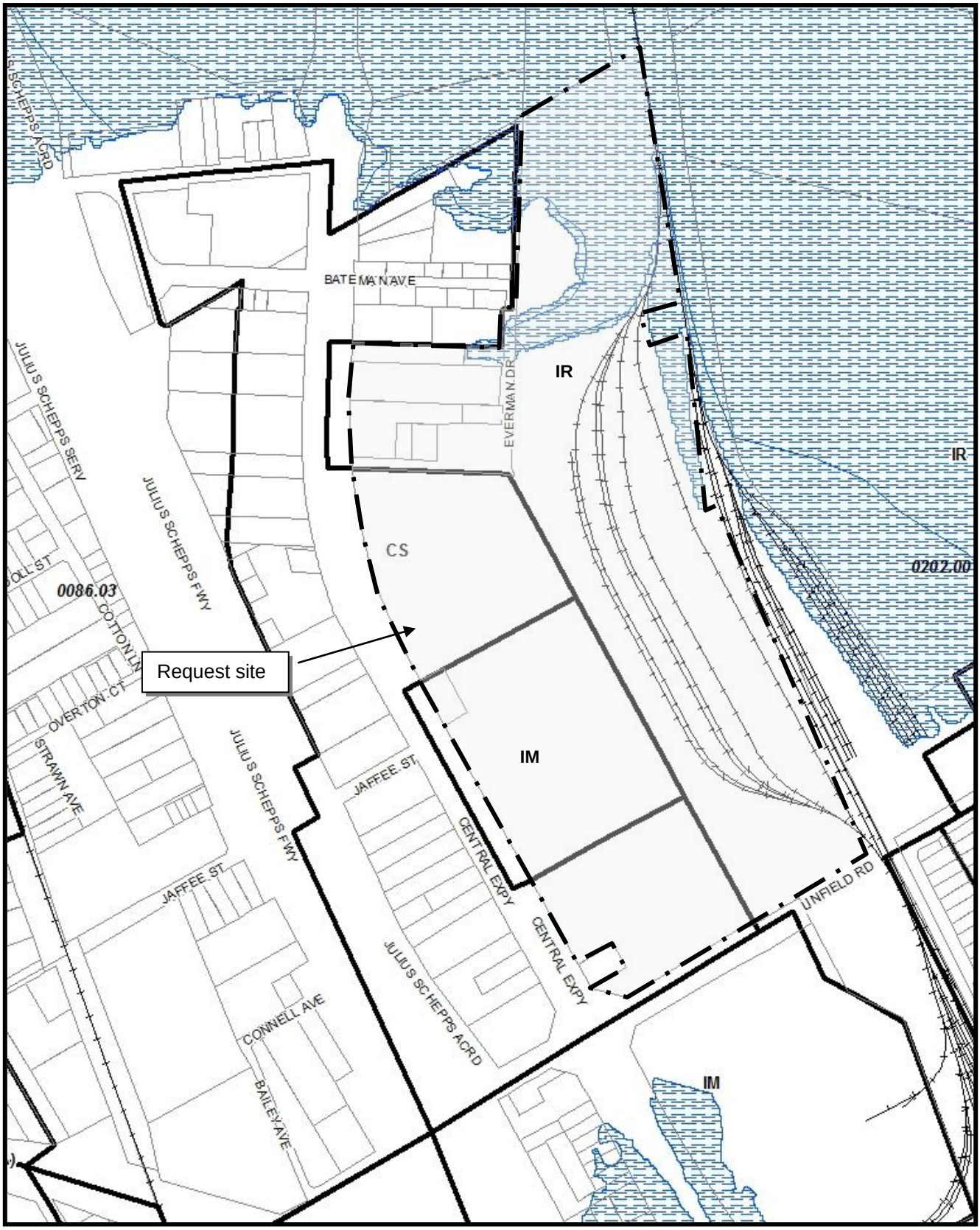
For: 10 - Anglin, Rieves, Houston, Shidid, Mack, Jung, Housewright, Peadon, Murphy, Ridley

Against: 2 - Davis, Haney
Absent: 3 - Anantasomboon, Schultz, Tarpley
Vacancy: 0

Notices: Area: 500 Mailed: 64
Replies: For: 3 Against: 1

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None

Current Zoning Districts



LIST OF OFFICERS
St. Louis S. W. Railway Co. Union Pacific

UNION PACIFIC

Directors	**Officers**
Andrew H. Card, Jr. *President* *Franklin Pierce University* *Higher Education*	**John J. Koraleski** Chairman of the Board Union Pacific Corporation and Union Pacific Railroad Company
Erroll B. Davis, Jr. *Former Chairman* *President and CEO* *Alliant Energy Corporation* *Business*	**Eric L. Butler** Executive Vice President Marketing & Sales Union Pacific Railroad Company
David B. Dillon *Former Chairman* *The Kroger Company* *Business*	**Diane K. Duren** Executive Vice President and Corporate Secretary Union Pacific Corporation
Lance M. Fritz *President and Chief Executive Officer* *Union Pacific Corporation and* *Union Pacific Railroad Company*	**Lance M. Fritz** President and Chief Executive Officer Union Pacific Corporation and Union Pacific Railroad Company
Judith Richards Hope *Emeritus Professor of Law and* *Distinguished Visitor from Practice* *Georgetown University Law Center* *Law School*	**Mary Sanders Jones** Vice President and Treasurer Union Pacific Corporation
John J. Koraleski *Chairman of the Board,* *Union Pacific Corporation and* *Union Pacific Railroad Company*	**D. Lynn Kelley, PhD.** Vice President - Supply and Continuous Improvement Union Pacific Railroad Company
Charles C. Krulak *President* *Birmingham-Southern College* *Higher Education*	**Robert M. Knight, Jr.** Executive Vice President - Finance and Chief Financial Officer Union Pacific Corporation
Michael R. McCarthy	**Joseph E O'Connor** Vice President - Labor Relations Union Pacific Railroad Company

LIST OF OFFICERS

St. Louis S. W. Railway Co. Union Pacific

Chairman
McCarthy Group, LLC
Investment Management

Michael W. McConnell
General Partner
Brown Brothers Harriman & Company
Banking

Thomas F. McLarty III
President
McLarty Associates
Strategic Advisory and Advocacy Services

Steven R. Rogel
Former Chairman
Weyerhaeuser Company
Integrated Forest Products Company

Jose H. Villarreal
Advisor
Akin, Gump, Strauss, Hauer & Feld, LLP
Law Firm

Patrick J. O'Malley
Vice President - Taxes and
General Tax Counsel
Union Pacific Corporation

Michael A. Rock
Vice President - External Relations
Union Pacific Corporation

Cameron A. Scott
Executive Vice President
Operations
Union Pacific Railroad Company

Gayla L. Thal
Senior Vice President - Law and
General Counsel
Union Pacific Corporation

Jeffrey P. Totusek
Vice President and Controller
Union Pacific Corporation

Lynden L. Tennison
Senior Vice President and
Chief Information Officer
Union Pacific Corporation

Robert W. Turner
Senior Vice President - Corporate Relations
Union Pacific Corporation

CPC PROPOSED PDD CONDITIONS

ARTICLE

PD

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- ____.102. PROPERTY LOCATION AND SIZE.

PD _____ is established on property east line of State Highway 301, north of Linfield Road. The size of PD _____ is approximately 74.74 acres.

SEC. 51P- ____.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) This district is considered to be a non-residential zoning district.

SEC. 51P-___.104. CREATION OF TRACTS.

This Planned Development District is divided into four tracts: Tract I, Tract II Tract III and Tract IV.

SEC. 51P-___.105. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit ___A: conceptual plan.

SEC. 51P-___. 106. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit ___ A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC. 51P- ____.107. DEVELOPMENT PLAN NOT REQUIRED

The provisions of Section 51A-4.702, "Planned Development (PD) District Regulations," relating to site plans and development plans, do not apply to this district.

SEC. 51P- ____.108. MAIN USES PERMITTED.

a) Agricultural uses.
-- None permitted.

b) Commercial and business service uses.
-- Building repair and maintenance shop.
-- Bus or rail transit vehicle maintenance or storage facility.
-- Custom woodworking, furniture construction, or repair.
-- Electronics service center.
-- Job or lithographic printing.
-- Machine or welding shop
-- Machinery, heavy equipment, or truck sales and services.
-- Technical school.
-- Tool or equipment rental.
-- Vehicle or engine repair or maintenance.

c) Industrial uses.
-- Industrial (inside) potentially incompatible.
-- Industrial (outside) potentially incompatible. [SUP]
-- Industrial (inside) for light manufacturing.
-- Industrial (inside or outside) not potentially incompatible.
-- Temporary concrete or asphalt batching plant.
[By special authorization of the building official.]

d) Miscellaneous uses.
-- Attached non-premise sign [SUP]
-- Temporary construction or sales office.

e) Office uses.
-- Office.

f) Recreation uses.
-- None permitted.

g) Residential uses.
-- None permitted

h) Retail and personal service uses.
-- Auto service center.

-- Commercial parking lot or garage.
-- Liquefied natural gas fueling station.
-- Truck stop

i) Transportation uses.
-- Airport or landing field. [SUP]
-- Commercial bus station and terminal.
-- Railroad passenger station. [SUP]
-- Railroad yard, roundhouse, or shops.
-- Transit passenger shelter.
-- Transit passenger station or transfer center. [By SUP or city council resolution.]

j) Utility and public service uses.
-- Electrical generating plant. [SUP]
-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Radio, television, or microwave tower.
-- Tower/antenna for cellular communication.
-- Utility of government installation other than listed.

k) Wholesale, distribution, and storage uses.
-- Auto auction.
-- Contractor's maintenance yard.
-- Freight terminal.
-- Mini-warehouse.
-- Office showroom/warehouse.
-- Outside storage [RAR]
-- Petroleum product storage and wholesale.
-- Recycling buy-back center.
-- Recycling collection center.
-- Recycling drop-off container.
-- Recycling drop-off for special occasion collection.
-- Sand, gravel, or earth sales and storage.
-- Trade center.
-- Vehicle storage lot.
-- Warehouse.

SEC. 51P-____.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 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, consult Section 51A-4.217.

(b) The following accessory uses are not permitted in this subdistrict:
-- Accessory medical/infectious waste incinerator.
-- Accessory pathological waste incinerator.
-- General waste incinerator.
-- Pedestrian skybridges.

SEC. 51P-_____.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. In the event of a conflict, between this section and Division 51A-4.400, this section controls.)

In general. Except as provided in this section, the yard, lot, and space regulations of the IM Industrial Manufacturing District apply.

SEC. 51P- _____.111. OFF-STREET PARKING AND LOADING.

Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

(a) Office/showroom, warehouse: One space per 333 square feet of office floor area. One space per 1,000 square feet of floor area for first 20,000 square feet of showroom/warehouse floor area. One parking space for each 6,000 square feet of floor area in excess of 20,000 square feet of showroom/warehouse.

(b) Outside storage: One space per 10,000 square feet of site area designated as outside storage.

SEC. 51P- _____.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-_____.113. LANDSCAPING AND TREE PRESERVATION.

Except as provided in this section, landscaping must be provided in accordance with Article X. In the event there is a conflict between this section and Article X, this section controls.

(a) Site trees are not required.

(b) A minimum 30’ deep landscape buffer is required along Linfield Road and at the main entrance on S. Central Expressway as described on the conceptual plan.

(c) One street tree is required for each 40 lineal feet of the aforementioned landscape buffer along Linfield Road.

(d) A minimum of 5 large canopy trees are required within 120 feet of the S. Central Expressway (SH310) curb line at the main entrance.

(e) Parking lot trees are not required.

(f) Section 51A-10.126 Design Standards do not apply.

(g) Compliance with provision (d) of this section is not required until a building permit is issued to authorize construction of a habitable building with a minimum cumulative floor area of 5,000 square feet or greater.

SEC. 51P- ____.114. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P- ____.115. ADDITIONAL PROVISIONS.

(a) The entire Property must be properly maintained in a state of good repair and neat appearance.

(b) Screening of on-site outdoor activities or storage from public streets is not required.

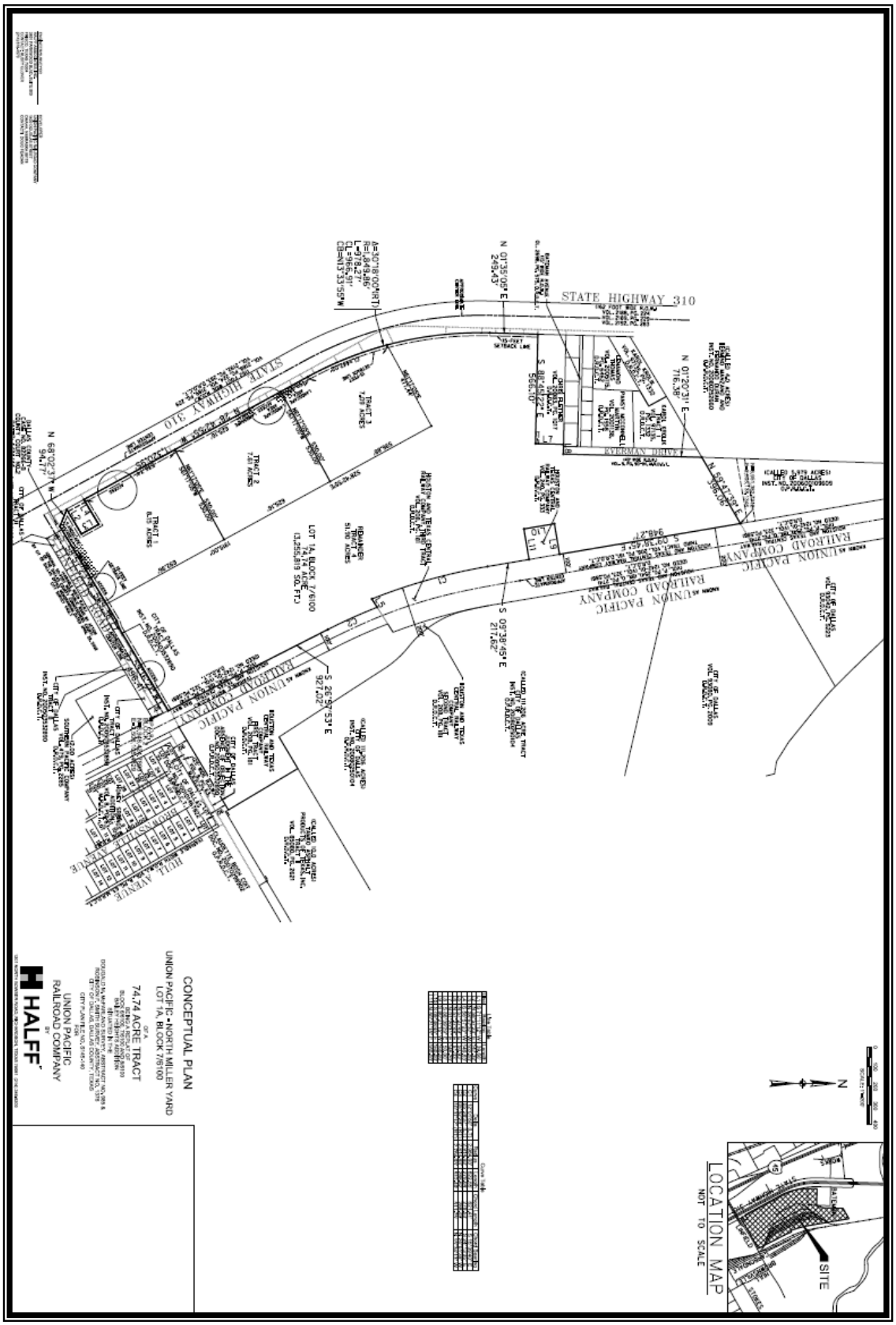
(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SEC. 51P-____.116. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard City of Dallas 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 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 of Dallas.

PROPOSED CONCEPTUAL PLAN



CPC PROPOSED SUP CONDITIONS
Tract I

1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use to be used as a concrete batching plant.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan/landscape plan.

3. TIME LIMIT: This specific use permit expires on _____(ten years from the passage of this ordinance), but is eligible for automatic renewal for one additional ten-year periods pursuant to Section 51A-4.219 of 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 application for automatic renewal is strictly enforced.)

4. DUST CONTROL:

   A. The following conditions must be met on an ongoing basis:

      i. Trucks must be loaded through a discharge equipped with a water ring that eliminates visible dust emissions.

      ii. All permanent roads inside the plant must be paved, watered, and swept to eliminate visible dust emissions.

      iii. The area between the sand/aggregate stockpiles and conveyor charge hopper used for vehicle traffic must be paved, watered, and swept as necessary to achieve maximum control of dust emissions. Other areas used for vehicle traffic must be watered as necessary to eliminate visible dust emissions.

      iv. During operations, all stockpiles must be sprinkled with water or chemicals as necessary to eliminate visible dust emissions.

v. The cement storage silos and cement weigh hopper must be vented to a fabric filter to eliminate visible dust emissions.

vi. During operations, the conveyor charge hopper must have a water spray sufficient to eliminate visible dust emissions.

vii. To avoid overloading, a mechanism must be installed on each cement storage silo to warn operators that the silo is full.

viii. Spillage of cement must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and/or vehicle traffic are minimized.

B. A ground and dust control plan incorporating existing and proposed infrastructure required by Paragraph A must be documented in written form and delivered to the director of environmental and health services and the director of sustainable development and construction by _____(60 days after passage of ordinance).

5. FLOOR AREA: The maximum floor area is 1,900 square feet in the location shown on the attached site plan and landscape plan.

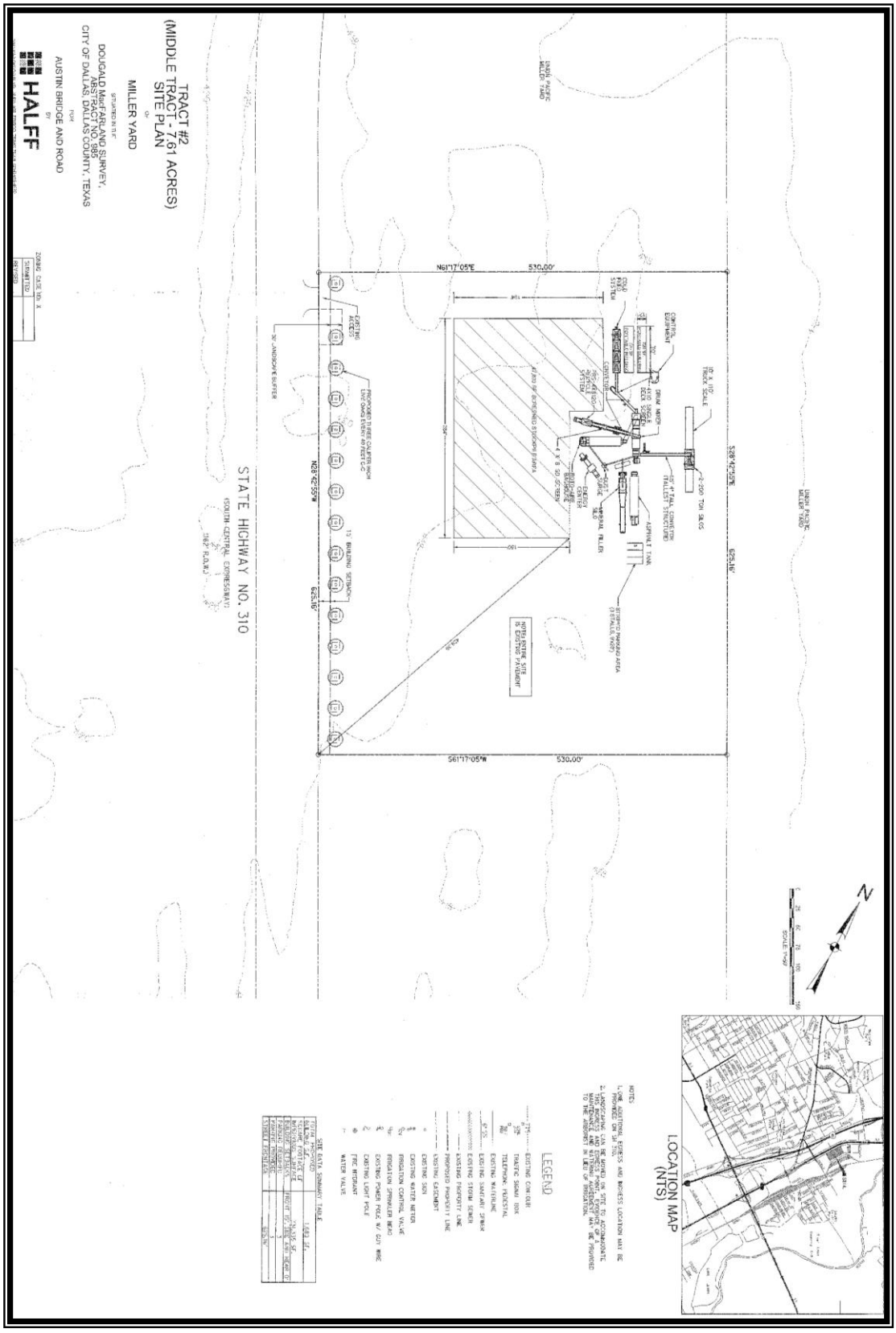
6. PARKING: A minimum of three off-street parking spaces must be provided in the location as shown on the attached site plan and landscape plan.

7. OUTSIDE STORAGE: Materials stored outside must be located within bins that are screened on three sides by a 10 foot high solid screening wall. Maximum height of materials is 40 feet.

8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

9. 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
Tract I



CPC AMENDMENT TO SUP No. 1715
Tract II

1. USE: The only use authorized by this specific use permit is an industrial (outside) potentially incompatible use for an asphalt batching plant.

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 [~~June 26, 2023~~] (ten years from the passage of this ordinance), but is eligible for automatic renewal for one additional ten-year period pursuant to Section 51A-4.219 of 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 application for automatic renewal is strictly enforced.)

4. LANDSCAPING: Landscaping must be provided as shown on the attached site plan. Plant materials must be maintained in a healthy, growing condition.

5. GROUND AND DUST CONTROL:

   A. The following conditions must be met on an ongoing basis:

      i. All permanent roads inside the plant must be paved, watered, and swept to eliminate visible dust emissions.

      ii. During operations, all stockpiles must be sprinkled with water or chemicals as necessary to eliminate visible dust emissions.

      iii. Spillage of cement must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and vehicle traffic are minimized.

iv. Emissions from the drum dryer must be vented to a fabric filter baghouse. The baghouse must be installed in accordance with the manufacturer's specifications and operated properly. No visible fugitive emissions may leave the site.

v. To avoid overloading, a mechanism must be installed on each cement storage silo to warn operators that the silo is full.

C. A ground and dust control plan incorporating existing and proposed infrastructure, as required by conditions (i) through (iii) above, must be documented in written form and delivered to the Director of Environmental and Health Services and the Director of Sustainable Development and Construction by [~~August 24, 2008~~].

6. OUTSIDE STORAGE: Materials stored outside must be located in bins that are screened on three sides by 10-foot-high screening wall.

7. PARKING: Parking must be located as shown on the attached site plan.

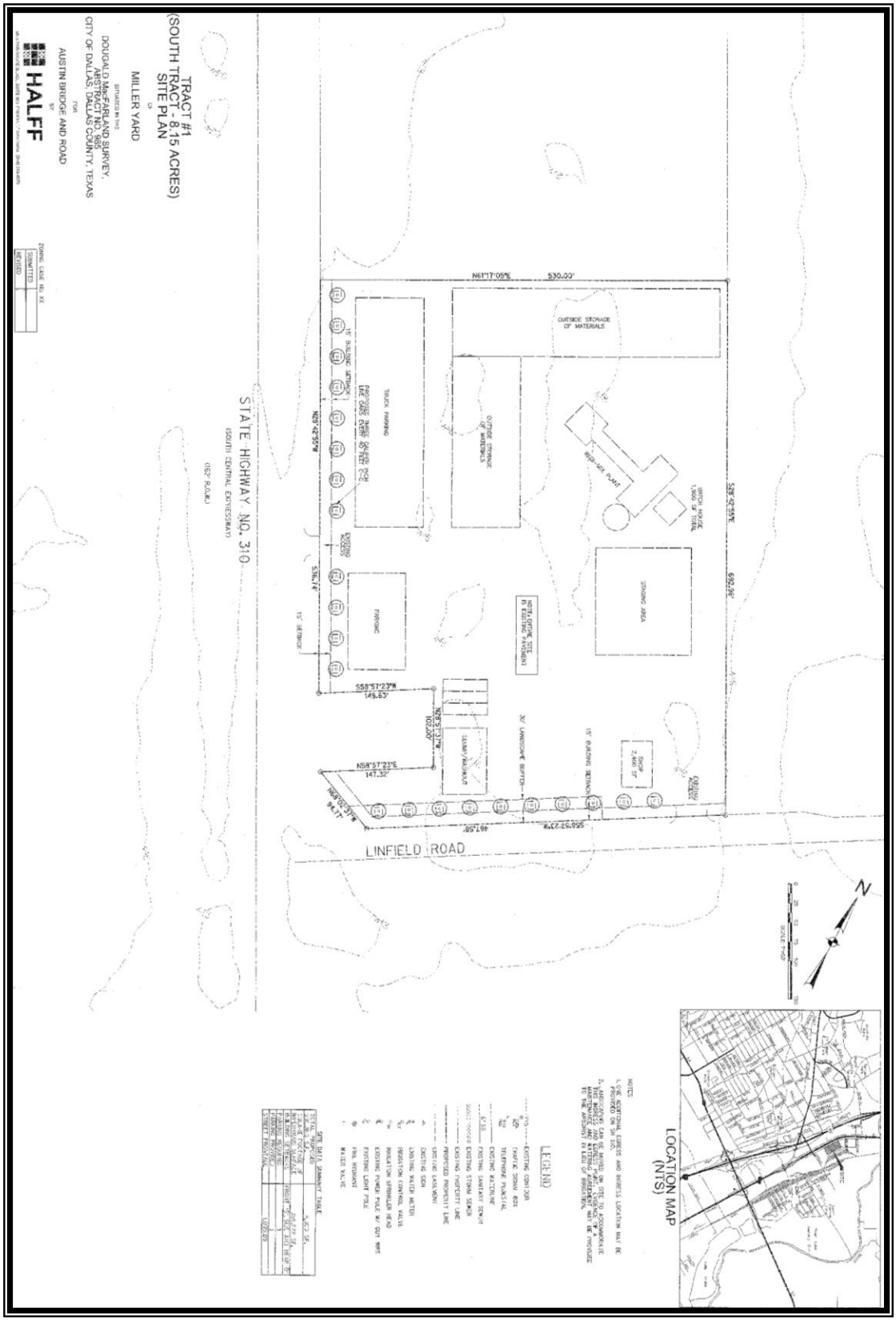
8. PERMITS: A certificate of occupancy may not be issued until all required environmental permits are obtained from the Texas Commission on Environmental Quality, Federal Emergency Management Agency, and all other state, federal, or city agencies.

9. SCREENING: A minimum eight-foot-high screening fence must be provided in the location shown on the attached site plan The fence must either be solid or have screening elements, such as slats or mesh, to screen the interior of the Property.

10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

11. 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
Tract II



CPC PROPOSED SUP CONDITIONS
Tract III

1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use to be used as a concrete batching plant.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan/landscape plan.

3. TIME LIMIT: This specific use permit expires on _____(ten years from the passage of this ordinance), but is eligible for automatic renewal for one additional ten-year periods pursuant to Section 51A-4.219 of 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 application for automatic renewal is strictly enforced.)

4. DUST CONTROL:

   A. The following conditions must be met on an ongoing basis:

      i. Trucks must be loaded through a discharge equipped with a water ring that eliminates visible dust emissions.

      ii. All permanent roads inside the plant must be paved, watered, and swept to eliminate visible dust emissions.

      iv. The area between the sand/aggregate stockpiles and conveyor charge hopper used for vehicle traffic must be paved, watered, and swept as necessary to achieve maximum control of dust emissions. Other areas used for vehicle traffic must be watered as necessary to eliminate visible dust emissions.

iv. During operations, all stockpiles must be sprinkled with water or chemicals as necessary to eliminate visible dust emissions.

v. The cement storage silos and cement weigh hopper must be vented to a fabric filter to eliminate visible dust emissions.

vi. During operations, the conveyor charge hopper must have a water spray sufficient to eliminate visible dust emissions.

vii. To avoid overloading, a mechanism must be installed on each cement storage silo to warn operators that the silo is full.

viii. Spillage of cement must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and/or vehicle traffic are minimized.

D. A ground and dust control plan incorporating existing and proposed infrastructure required by Paragraph A must be documented in written form and delivered to the director of environmental and health services and the director of sustainable development and construction by _____(60 days after passage of ordinance).

5. FLOOR AREA: The maximum floor area is 1,900 square feet in the location shown on the attached site plan and landscape plan.

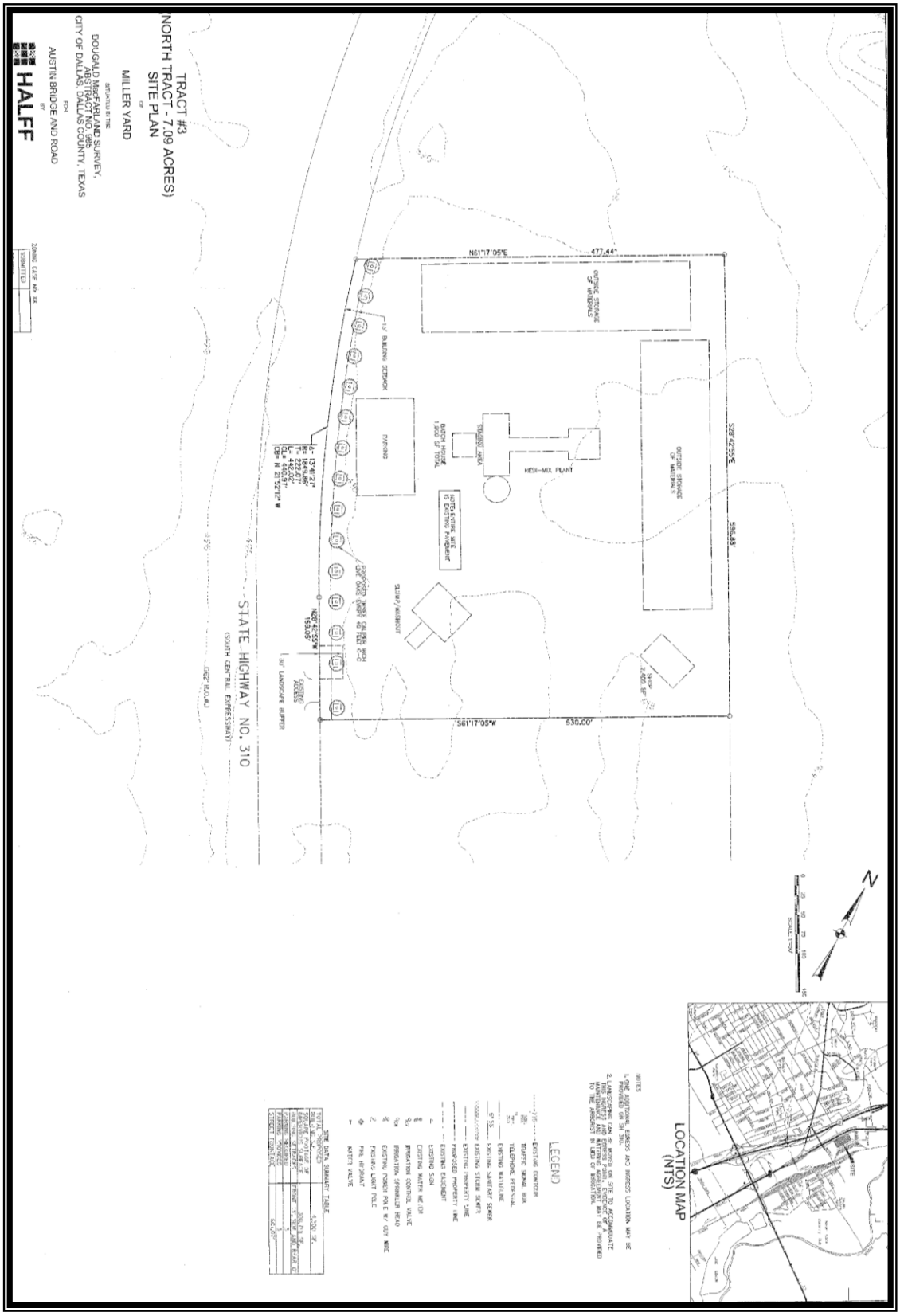
6. PARKING: A minimum of two off-street parking spaces must be provided in the location as shown on the attached site plan and landscape plan.

7. OUTSIDE STORAGE: Materials stored outside must be located within bins that are screened on three sides by a 10 foot high solid screening wall. Maximum height of materials is 40 feet.

8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

9. 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
Tract III



TERMINATE SUP No. 1613

[1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use for a concrete batch plant.]

[2. SITE PLAN: Use and development of the Property must comply with the attached site plan.]

[3. TIME LIMIT: This specific use permit shall automatically terminate on June 14, 2016.]

[4. LANDSCAPING: Landscaping must be provided as shown on the attached site plan. Plant materials must be maintained in a healthy, growing condition.]

[5. GROUND AND DUST CONTROL:]

[A. The following conditions must be met on an ongoing basis:]

[i. All on-site travelways and maneuvering lanes must be paved, watered, and swept as necessary to achieve maximum control of dust emissions.]

[ii. During operations, all stockpiles must be sprayed with water as necessary to achieve maximum control of dust emissions.]

[iii. All silos and weigh hoppers must be vented to a filter to eliminate visible dust emissions.]

[iv. To avoid overloading, a mechanism must be installed on each silo to warn operators that the silo is full.]

[v. Spillage of materials must be cleaned up and contained or dampened within 30 minutes of the spillage so that emissions from wind erosion and vehicle traffic are minimized.]

[B. A ground and dust control plan incorporating existing and proposed infrastructure as required by conditions (i) through (v) above must be documented in written form and delivered to the director of environmental and health services and the director of development services within 60 days after the passage of this ordinance.]

[~~6. OUTSIDE MATERIALS STORAGE: Materials stored outside must be located in bins that are screened on three sides by solid walls a minimum of 10 feet in height.~~]

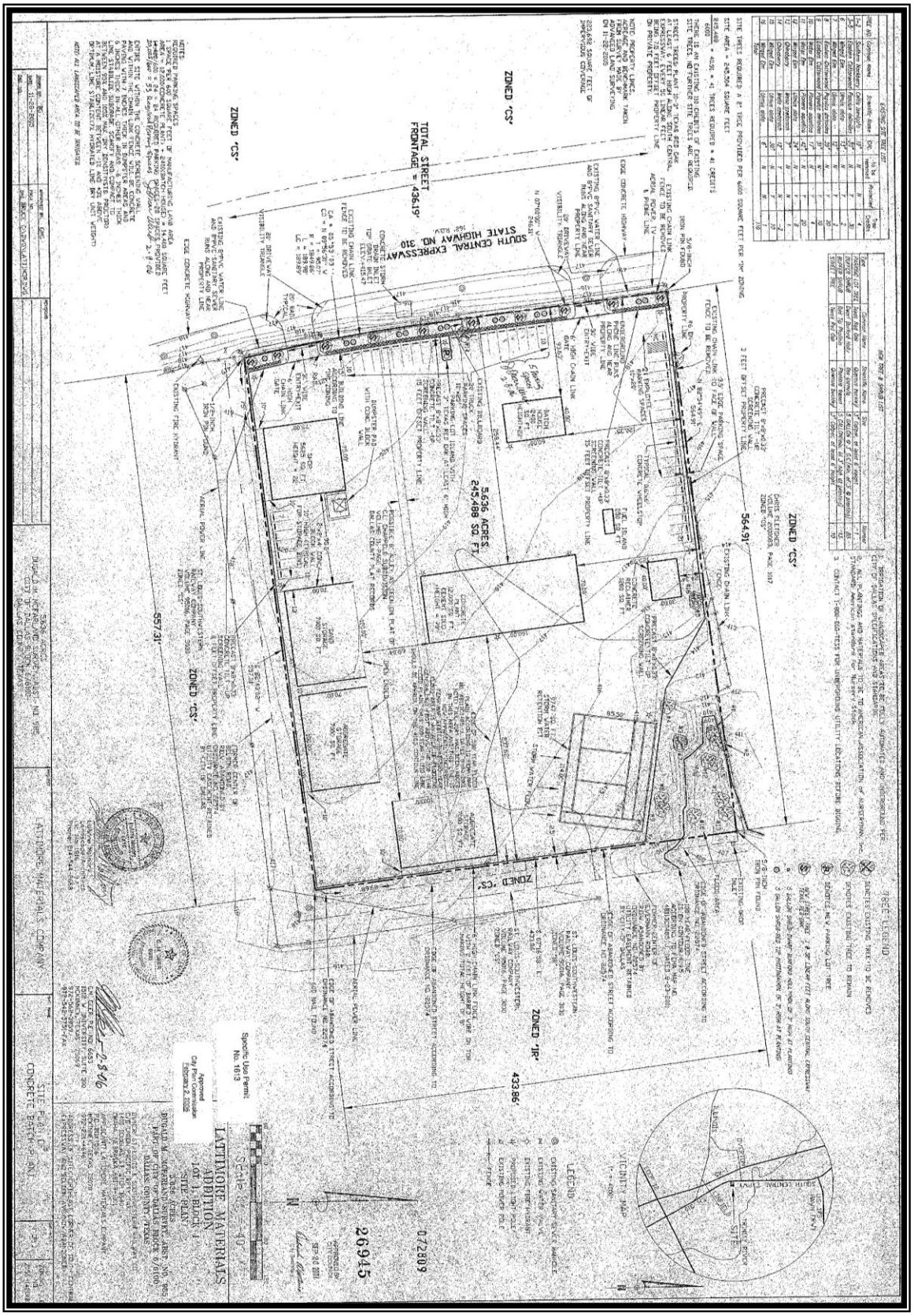
[~~7. PARKING: Parking must be located as shown on the attached site plan.~~]

[~~8. SCREENING: A minimum eight-foot-high solid fence must be provided in the location shown on the attached site plan.~~]

[~~9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.~~]

[~~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.~~]

TERMINATE SITE PLAN
SUP No. 1613



TERMINATE DEED RESTRICTIONS

THE STATE OF TEXAS)
) KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS)

I.

The undersigned, St. Louis S. W. Railway Co. – Union Pacific ("the Owner"), is the owner of the following described property ("the Property"), being a tract of land in the Douglas M. McFarland Survey, Abstract No. 986, City of Dallas, Dallas County, Texas, and the Robinson F. Smith Survey, Abstract No. 1376, City of Dallas, Dallas County, Texas, and being all of those tracts of land described in deeds to St. Louis Southwestern Railway Company of Texas (known as Union Pacific Railroad Company), as recorded in Volume 70229, Page 1658, Volume 68190, Page 1569, Volume 68225, Page 1766, Volume 68214, Page 1312, Document No. 200503630485, Volume 68225, Page 1744, Volume 68225, Page 1774, Volume 68225, Page 1764, Volume 68184, Page 1460, Volume 68225, Page 1776, Volume 68225, Page 1762, Volume 68225, Page 1856, Volume 68225, Page 1794, Volume 68225, Page 1792, Volume 68225, Page 1900, Volume 68184, Page 1464, Volume 68225, Page 1824, Volume 68225, Page 1798, Volume 68184, Page 1544, Volume 68202, Page 1752, Volume 68225, Page 1790, Volume 68225, Page 1788, Volume 68225, Page 1786, Volume 69017, Page 0253, Volume 68225, Page 1832, Volume 68225, Page 1758, Volume 68184, Page 1542, Volume 68225, Page 1784, Volume 70224, Page 1311, Volume 70224, Page 1309, Volume 70229, Page 1658, Volume 68225, Page 1782, City of Dallas Ordinance No. 26484, as recorded in Document No. 200600462770, and parts of those tracts of land described in City of Dallas Ordinance No. 12355, recorded in Volume 68229, Page 2035, and City of Dallas Ordinance No. 12409, recorded in Volume 69017, Page 253, and being all of the G.C. Newton Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 14, Page 443, A Re-Subdivision Of Part Of Lot 7, Block 8/6100 For H.F. & Lillie 0. Cauble, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 14, Page 301, the Revision Of Lot 7-A, Block 816100, Bailey Heights Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 20, Page 469, the Subdivision of Part of Lot 10, Block 8/6100, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 39, Page 213, the Kosanke & Headrick Subdivision, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 33, Page 171, and parts of the Bailey Heights Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 5, Page 90, and the Subdivision Of Part Of Lot 12, Block 8, Bailey Heights Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 16, Page 383, all recorded in the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a point for corner on the easterly right-of-way line of State Highway No. 310 (also known as South Central Expressway, a 162 foot right-of-way), said corner being the northwest corner of Lot 3, Block 8-A/6100 of the Kosanke & Headrick Subdivision, and being that tract of land described in deed to said St. Louis
Southwestern Railway Company of Texas, as recorded in Document Number 200503630485, D.R.D.C.T.;

THENCE North 28 degrees 42 minutes 55 seconds West, along the easterly right-of-way line of said State Highway No. 310, a distance of 66.00 feet to a point for corner;

THENCE North 61 degrees 17 minutes 05 seconds East, departing the easterly right-of-way line of said State Highway No. 310, over-and-across Block 8/6100 of said Bailey Heights Addition, a distance of 630.00 feet to a point for corner in the westerly line of the Everman Street Abandonment by City Ordinance No. 12409, as recorded in Volume 69017, Page 0253, D.R.D.C.T.;

THENCE South 28 degrees 42 minutes 55 seconds East, along the westerly line of said Everman Street Abandonment, and a prolongation of said abandonment, a distance of 313.50 feet to a point for corner;

THENCE South 28 degrees 33 minutes 10 seconds East, continuing along the westerly line of said Everman Street Abandonment, and a prolongation of said abandonment, a distance of 528.90 feet to a point for corner;

THENCE South 61 degrees 17 minutes 05 seconds West, departing the westerly line of said Everman Street Abandonment, and over and across said Block 8/6100, a distance of 628.50 feet to a point for corner on the easterly right-of-way line of said State
Highway No. 310;

THENCE North 28 degrees 42 minutes 55 seconds West, along the easterly right-of-way line of said State Highway No. 310, a distance of 776.40 feet to the POINT OF BEGINNING AND CONTAINING 530,315 square feet, or 12.17 acres of land, more or less.

II.

The Property was impressed with certain deed restrictions ("restrictions") as shown in an instrument dated June 25, 2008, signed by Lawrence E Wzorek and recorded in Volume 20080221856 of the Deed Records of Dallas County, Texas, a true and correct copy of which is attached to this instrument as Exhibit "A" and made a part of this instrument.

III.

The Owner does hereby terminate and release the following restrictions as they apply to the Property, to wit:

The following uses are prohibited:

Extended stay hotel or motel.
Hotel or motel.
Industrial (inside) not potentially incompatible.
Industrial (inside) potentially incompatible.
Lodging or boarding house.
Medical/infectious waste incinerator.
Metal salvage facility.
Mining.
Municipal waste incinerator.
Organic compost recycling facility.
Outside salvage or reclamation.
Pathological waste incinerator.

These restrictions shall continue in full force and effect for a period of twenty (20) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless amended or terminated in the manner specified in this document.

IV.

The above termination was made following a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings was given as would have been required by law for a zoning change on the Property. The Owner must file this instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the termination becomes effective.

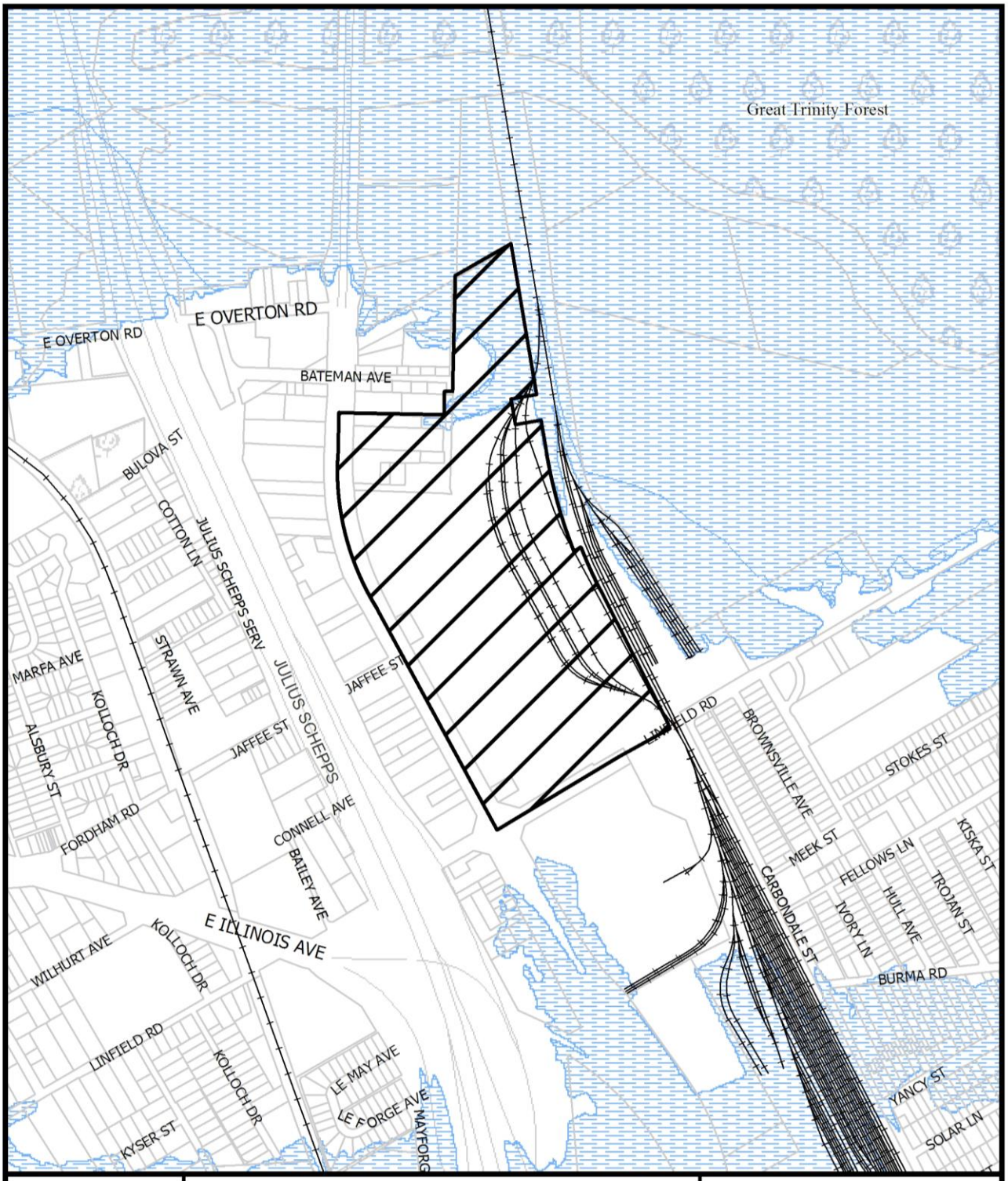
V.

The termination of these restrictions is not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

VI.

The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with this termination.

VII.

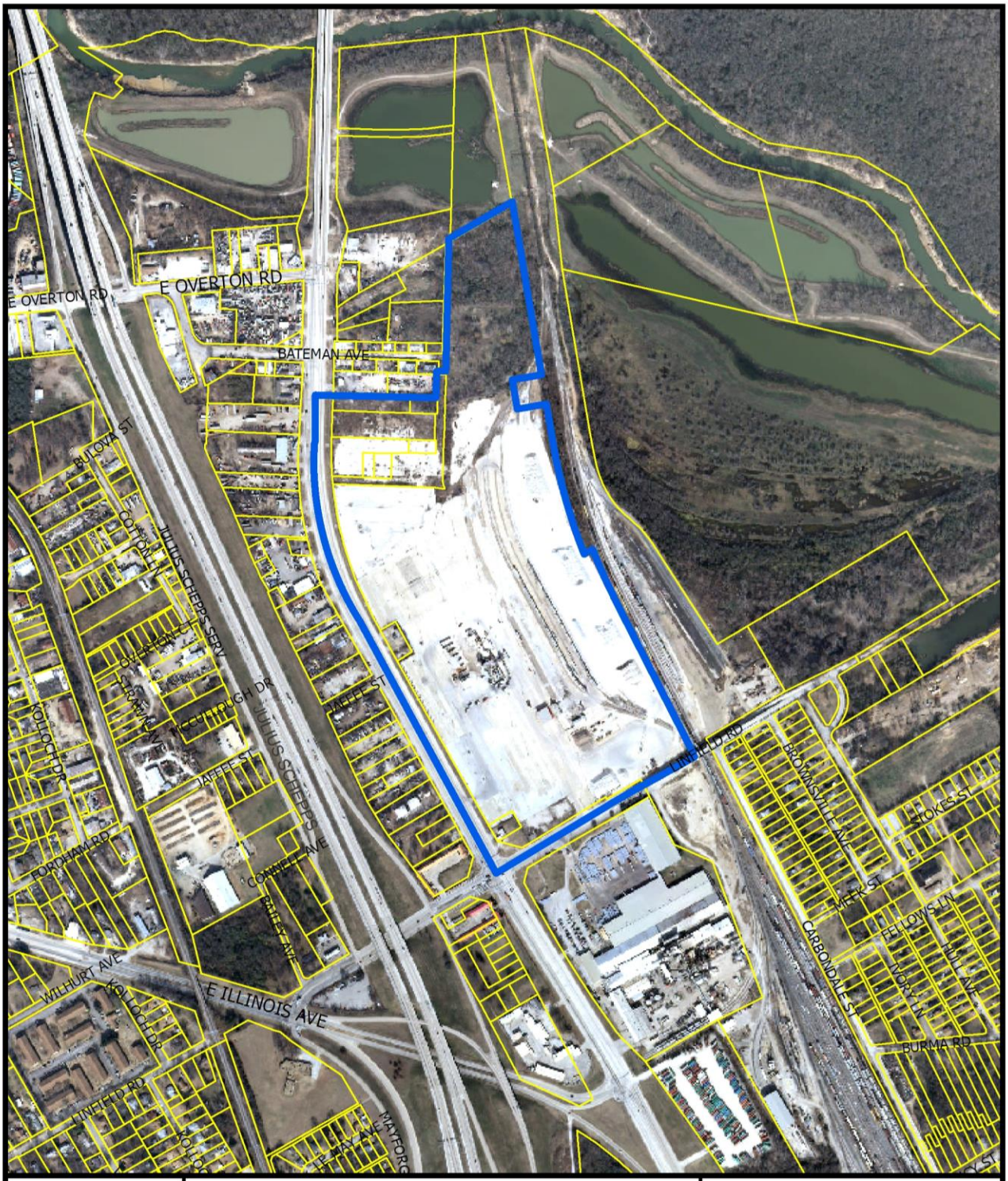


1:9,600

VICINITY MAP

Case no: Z145-301

Date: 9/23/2016



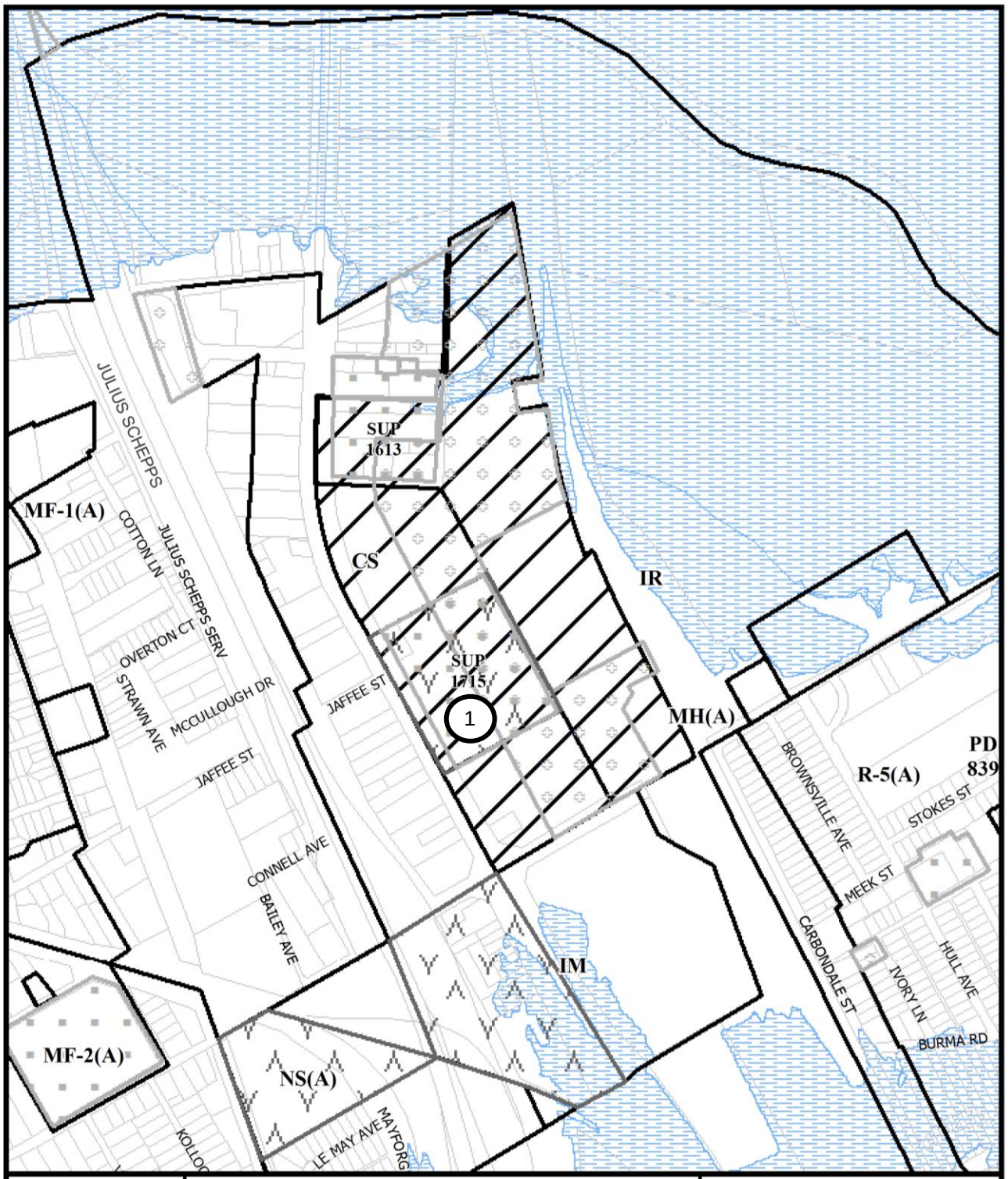
1:8,400

AERIAL MAP

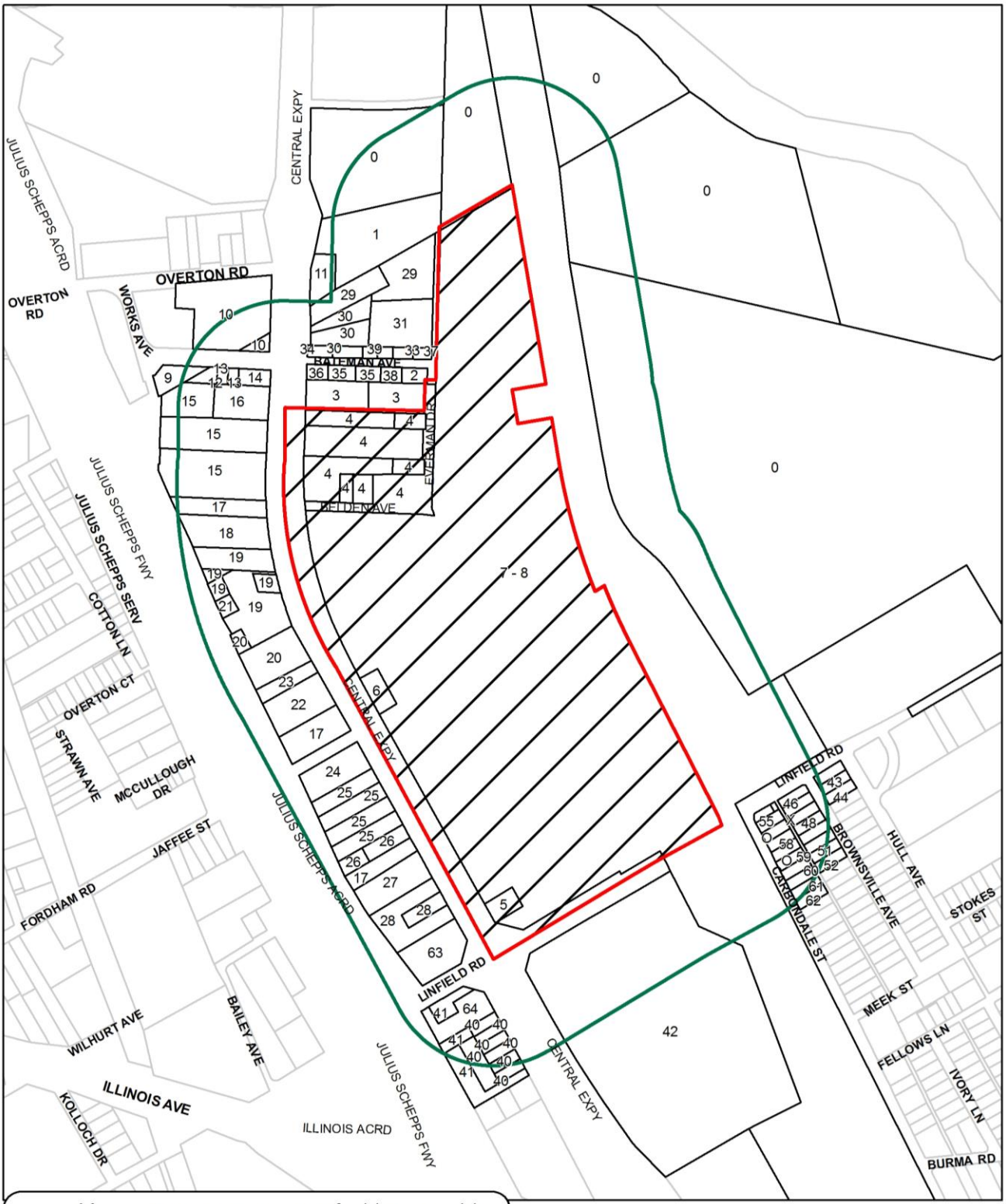
Case no: Z145-301

Date: 9/23/2016

Auto related use
Commercial / Industrial
Commercial / Industrial
Bar
Hotel/ motel
Industrial
Single family
SUP 1613
SUP 1715
CS
IR
IM
IM
MH(A)
MF-1(A)
MF-2(A)
NS(A)
R-5(A)
PD 839
JULIUS SCHEPPS
COTTON LN
JULIUS SCHEPPS SERV
OVERTON CT
STRAWN AVE
MCCULLOUGH DR
JAFFEE ST
JAFFEE ST
CONNELL AVE
BAILEY AVE
LE MAY AVE
BROWNSVILLE AVE
STOKES ST
MEEK ST
CARBONDALE ST
IVORY LN
HULL AVE
BURMA RD
1:8,400
ZONING AND LAND USE
Case no: Z145-301
Date: 9/28/2016


SUP 1613
SUP 1715
1
CS
IR
MH(A)
IM
NS(A)
MF-1(A)
MF-2(A)
R-5(A)
PD 839
JULIUS SCHEPPS
JULIUS SCHEPPS SERV
COTTON LN
OVERTON CT
STRAWN AVE
MCCULLOUGH DR
JAFFEE ST
JAFFEE ST
CONNELL AVE
BAILEY AVE
LE MAY AVE
MAYFORD
BROWNSVILLE AVE
STOKES ST
MEEK ST
CARBONDALE ST
IVORY LN
HULL AVE
BURMA RD
1:8,400
ZONING HISTORY
Case no: Z145-301
Date: 9/28/2016

CPC RESPONSES



64	Property Owners Notified (106 parcels)
3	Replies in Favor (3 parcels)
1	Replies in Opposition (1 parcels)
500'	Area of Notification
2/16/2017	Date

Z145-301
CPC

N W E S

1:7,200

01/18/2017

Notification List of Property Owners

Z145-301

64 Property Owners Notified ***3 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	7000	S CENTRAL EXPY	CERDA EUGENIO MEDINA &
	2	4330	BATEMAN AVE	S & C HOLDINGS LLC
	3	7054	S CENTRAL EXPY	FLETCHER CHRIS
	4	3719	EVERMAN DR	ST LOUIS S W RAILWAY CO
	5	7630	S CENTRAL EXPY	HUGHES HENRY LANE
	6	7410	S CENTRAL EXPY	UNION PACIFIC RAILROAD CO
	7	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	8	9999	NO NAME ST	UNION PACIFIC RR CO
	9	4210	BATEMAN AVE	JOINER JIM B
	10	7015	S CENTRAL EXPY	BARAJAS NICK DBA
	11	7020	S CENTRAL EXPY	PALACIOS ENRIQUE CALDERON
	12	4238	BATEMAN AVE	JOINER FRANK
	13	4242	BATEMAN AVE	BASKETT BETTY C LIVING TR
	14	7051	S CENTRAL EXPY	CONWRIGHT ROBERT
	15	7133	S CENTRAL EXPY	BRAR TRANSPORTATION INC
	16	7055	S CENTRAL EXPY	PATEL HASMUKHLAL V
	17	7203	S CENTRAL EXPY	BARAJAS NICK
	18	7211	S CENTRAL EXPY	ORTIZ JOSE & ROSA E
	19	7229	S CENTRAL EXPY	MARTINEZ FORTINO
	20	3902	WORK AVE	MONK JAMES C & AMANDA E
	21	7231	S CENTRAL EXPY	MARTINEZ FORTINO
	22	7403	S CENTRAL EXPY	RICH INELL MARIE
	23	7321	S CENTRAL EXPY	SANCHEZ NOEL RODRIGUEZ &
	24	7501	S CENTRAL EXPY	MONTEMAYOR RUBEN GARCIA
	25	7519	S CENTRAL EXPY	LOPEZ ABRAHAM
	26	7537	S CENTRAL EXPY	BARAJAS NICOLAS

01/18/2017

Reply	*Label #*	*Address*		*Owner*
	27	7601	S CENTRAL EXPY	HURTADO CARLOS & MARIA
	28	7623	S CENTRAL EXPY	PATIDAR PARIMAL C
	29	7022	S CENTRAL EXPY	KROLIK KAROL
	30	7034	S CENTRAL EXPY	LENAMOND THOMAS
	31	3627	EVERMAN DR	MARTYN PANSY MCCONNELL
	32	4331	BATEMAN AVE	PATTERSON DOROTHY L
	33	4337	BATEMAN AVE	HERNANDEZ HERMINIO
	34	7038	S CENTRAL EXPY	LENAMOND THOMAS D
	35	4314	BATEMAN AVE	FLETCHER CHRISTOPHER B
	36	7046	S CENTRAL EXPY	FLECTHER CHRISTOPHER B
	37	4343	BATEMAN AVE	SAMULKA W B & ANNIE B
	38	4332	BATEMAN AVE	HERNANDEZ GEORGE &
	39	4327	BATEMAN AVE	LENAMOND THOMAS
	40	7641	S CENTRAL EXPY	PATEL MAHESH K & JASU M
	41	4100	BASCOM LN	SHREE JALARAM REV TR THE
	42	7910	S CENTRAL EXPY	TAMKO ASPHALT PRODUCTS
	43	4542	LINFIELD RD	COIT CLAUDETTE BOSH
	44	7715	HULL AVE	WILMER HUTCHINS ISD ET AL
	45	7703	BROWNSVILLE AVE	JACKSON MICHAEL J & RONNIE L
X	46	7707	BROWNSVILLE AVE	JACKSON MICHAEL J
	47	7711	BROWNSVILLE AVE	BRANCH ANNIE M EST OF
	48	7715	BROWNSVILLE AVE	MOSS CLOIS
	49	7719	BROWNSVILLE AVE	CLINTON JULIA MAE EST OF
	50	7721	BROWNSVILLE AVE	DALLAS HOUSING ACQUISITION & DEV CORP
	51	7727	BROWNSVILLE AVE	LONG CURTIS JAMES
	52	7731	BROWNSVILLE AVE	MONTERO FLORIBERTO MOLINA
	53	7704	CARBONDALE ST	MCCLINTON JULIA MAE EST OF
	54	4518	LINFIELD RD	CLINTON JULIA MAE
O	55	7708	CARBONDALE ST	CHRISTOPHER LARRY WAYNE
	56	7712	CARBONDALE ST	RECA LIMITED PS
O	57	7716	CARBONDALE ST	MILLER CLEOPHUS JR &

01/18/2017

Reply	*Label #*	*Address*		*Owner*
O	58	7720	CARBONDALE ST	MILLER CLEOPHUS JR &
	59	7724	CARBONDALE ST	HIGH SAM & BAILEY
	60	7732	CARBONDALE ST	DALLAS NEIGHBORHOOD
	61	7736	CARBONDALE ST	RHODES EZELL C
	62	7740	CARBONDALE ST	ALLAHHAM BASEL KHALED
	63	7635	S CENTRAL EXPY	SHREE JALARAM CORP
	64	4202	LINFIELD RD	JASUMAN ENTERPRISES INC

AGENDA ITEM # 49

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 35 T

SUBJECT

A public hearing to receive comments regarding an application for and **(1)** a resolution terminating existing deed restrictions; and **(2)** an ordinance granting a Planned Development Subdistrict for O-2-D Office Subdistrict, barber and beauty shop, and massage establishment uses on property zoned an O-2-D Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay, on the north line of Herschel Avenue, east of Throckmorton Street

Recommendation of Staff and CPC: Approval of the termination of existing deed restrictions; and approval, subject to a conceptual plan and conditions

Z167-147(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, SEPTEMBER 27, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-147(SM) **DATE FILED:** December 2, 2016

LOCATION: North line of Herschel Avenue, east of Throckmorton Street

COUNCIL DISTRICT: 14 **MAPSCO:** 35 T

SIZE OF REQUEST: Approx. 0.6582 acres **CENSUS TRACT:** 6.03

APPLICANT / OWNER: J. Herbert Horn, Don Lewis, and M. B. Franklin

REPRESENTATIVE: Robert Reeves, Robert Reeves & Associates

REQUEST: An application for 1) the termination of existing deed restrictions; and 2) a Planned Development Subdistrict for O-2-D Office Subdistrict, barber and beauty shop, and massage establishment uses on property zoned an O-2-D Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay.

SUMMARY: The purpose of the request is to allow barber and beauty shop and massage establishment uses within the four existing structures with reduced parking requirements and modified landscaping standards. The O-2-D Office Subdistrict requirements are proposed to remain unchanged for new construction.

CPC RECOMMENDATION: **Approval** of the termination of existing deed restrictions; and **approval**, subject to a conceptual plan and conditions.

STAFF RECOMMENDATION: **Approval** of the termination of existing deed restrictions; and **approval**, subject to a conceptual plan and conditions.

BACKGROUND INFORMATION:

- The site consists of the following four residential structures according to Dallas Central Appraisal District Records:

Address	Floor Area (SF)	No. Stories	Year Built
4205 Herschel Ave	2,681	2	1930
4209 Herschel Ave	1,976	1	1930
4215 Herschel Ave	5,328	2	1960
4217 Herschel Ave	1,506	1	1930

- The surface parking lot in the rear of the aforementioned structures appeared in aerial photography between the years 1979 and 1989.

- The site's permit records show:

Address	Document Type	Use	Date Issued
4205 Herschel Ave	CO	Office	11/9/2006
4209 Herschel Ave	Plumbing Permit	Single Family	9/2/1994
4215 Herschel Ave	Electric Permit	Muliple Family	6/23/2008
4217 Herschel Ave	CO	Office	3/17/1982

- The existing deed restrictions that are proposed to be terminated were approved by Council on December 8, 2004 with an authorized hearing that created PDS No. 59 to the west of the site. The restrictions required that when development voluntarily demolished 50 percent or more of the westernmost structure, construction was limited to 36 feet in height and was limited to residential uses. Further discussion on the application is discussed in the land use compatibility section of this report.

Zoning History: There have not been any zoning changes in the surrounding area in the last five years.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request, including maintaining access to the alley for the existing buildings and the requested parking reduction, and determined that the proposed development will not have a negative impact on the surrounding street system.

Thoroughfare/Street	Function	Proposed Dimension
Herschel Avenue	Local	60' ROW

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.

ECONOMIC ELEMENT

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Planning for balanced growth in a dynamic economic environment calls for flexible zoning regulations to enable the City to respond to changing markets and to better facilitate development that aligns with economic priorities.

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.

Area Plans: The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

(1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

The applicant's request for a new PDS meets the above listed objectives, simply stated, because the existing zoning restrictions are remaining but with only a few exceptions as described in staff's analysis below.

STAFF ANALYSIS:

Surrounding Land Use:

	Zoning within PDD No. 193	Land Use
Site	O-2-D, DR No. Z034-289	Barber and beauty shop, massage establishment and residential
North	MF-1	Single Family, duplex, multiple family
East	O-2-D	Multiple family
South	O-2-D, DR No. Z034-289	Multiple family
West	PDS No. 59	Duplex

Land Use Compatibility: Surrounding land uses include mixed residential to the north, multiple family to the east and south, and duplexes to the west. The request site contains four structures that were originally built to house residential uses; however, the structures have been converted into barber and beauty shop and massage establishment uses over the past 28 or more years. The O-2 Office Subdistrict of PDD No. 193 allows office as a main use but it limits barber and beauty shop and massage establishment[1] uses to street level uses. Street level uses are defined in Section 51P-193.110 and, among other restrictions, are (1) limited to 2,000 square feet per use, (2) must be located on the street level, and (3) are limited to 50 percent of the aggregate floor area of all uses on the street level.

In order to make conversions from residential to barber and beauty shop and massage establishment uses legal, the applicant proposes to add a restriction to allow barber and beauty shop, and massage establishment uses by right when located within an original structure, in contrast to the additional restrictions of a street level use. The defined terms *new construction* and *original building* allow the applicant's proposed goals of legal conversion within an original building but restricts new construction to O-2 Office Subdistrict provisions. Staff supports the request because lifting the street level use restrictions for barber and beauty shop and massage establishment uses is not foreseen to have an adverse impact on surrounding properties as the property has generally operated in this manner for approximately 30 years.

The applicant also proposes to terminate the existing deed restrictions that cover the westernmost 50 feet of the site. The existing deed restrictions require that when 50 percent or more of the westernmost structure is demolished, new construction is limited to 36 feet in height and is limited to residential uses. In addition to the O-2 Subdistrict

[1] Massage establishments are defined as one type of health studio use in the Oak Lawn Special Purpose District. See Section 51P-193.107(j)(7).

requirements, the proposed PDS conditions require two provisions for new construction for the westernmost 50 feet of the property—the area of the existing deed restrictions—(1) the maximum height is 36 feet, and (2) a minimum 25-foot landscape buffer for new construction that exceeds 24 feet in height. Staff supports this request to terminate the existing deed restrictions because the proposed conditions are consistent with the spirit and intent of the existing deed restrictions.

Landscaping: Except for one provision to accommodate legal conversions of the existing buildings, landscaping must be provided in accordance with Part I of PDD No. 193, the Oak Lawn Special Purpose District. Since landscaping is triggered with the addition of one square foot of pavement in Part I of PDD No. 193, the applicant requests to increase the minimum threshold to 1,000 square feet. For comparison, Article X of the Dallas Development Code is triggered when 2,000 or more square feet of pavement is added to a site.

Staff supports the applicant's request because the proposed conditions are reasonable and consistent with the spirit and intent of Part I of PDD No. 193, the Oak Lawn Special Purpose District.

Parking: According to the applicant, the site has 33 parking spaces in the surface parking lot to the rear of the building, two parking spaces in the front, and a total of 11,491 square feet of floor area.

The applicant requests to maintain the minimum parking requirements of Part I of PDD No. 193, the Oak Lawn Special Purpose District for new construction but has requested a parking reduction for barber and beauty shop and a massage establishment uses when located within an original building in order to lawfully convert the four existing structures.

Part I of PDD No. 193, the Oak Lawn Special Purpose District requires barber and beauty shop uses to provide parking at a ratio of one space per 220 square feet and it requires massage establishments at a ratio of one space per 150 square feet. The applicant has provided a parking demand study for the site and concluded that the requested parking reduction to require one space per 372 square feet of floor area will neither create a traffic hazard nor restrict the parking operations of adjacent properties during peak hours.

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request for a parking reduction and determined that the request will not have a negative impact on the surrounding properties. The determination is based upon a parking demand study the applicant provided.

CPC Action – August 17, 2017:

Motion: It was moved to recommend **approval** of 1) the termination of existing deed restrictions; and **approval** of 2) a Planned Development Subdistrict for O-2-D Office Subdistrict, barber and beauty shop, and massage establishment uses, subject to a conceptual plan and conditions on property zoned an O-2-D Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay, on the north line of Herschel Avenue, east of Throckmorton Street.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Haney, Jung, Housewright, Schultz*, Peadon*, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Anantasomboon, Mack
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 211
Replies: For: 5 Against: 21

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Peg Cribari, 4215 Herschel Ave., Dallas, TX, 75219
Ann Joseph, 5200 Swiss Ave., Dallas, TX, 75214
Against: None

LIST OF OFFICERS

List of Partners & Owners

4205 Herschel Ave.

RL Investments
Don V. Lewis – Managing Partner

4209 Herschel Ave.

Don V. Lewis – Owner

4215 & 4217 Herschel Ave.

J. Herbert Horn – Owner

M.B. Franklin – Owner

CPC Recommended Conditions
Division S-_____. PD Subdistrict _____.

SEC. S-_____.101. LEGISLATIVE HISTORY.

PD Subdistrict _____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. S-_____.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict _____ is established on property located at _____. The size of PD Subdistrict _____ is 0.6582 acres.

SEC. S-_____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls. In this division,

(1) MAJOR MODIFICATION means reconstruction of an original building or an expansion of floor area of an original building by a minimum of 50 percent.

(2) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Texas Occupation Code Chapter 455, as amended.

(3) NEW CONSTRUCTION means construction of a main structure that is not an original building.

(4) ORIGINAL BUILDING means a structure existing on the date of the establishment of this district, but does not include a structure that has undergone a major modification.

(5) SUBDISTRICT means a subdistrict of PD 193.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(c) This subdistrict is considered to be a nonresidential zoning district.

SEC. S- ____.104. EXHIBIT.

The following exhibit is incorporated into this division: Exhibit ___A: conceptual plan.

SEC. S-_____.105. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit S-____A). If there is a conflict between the text of this division and the conceptual plan, the text of this division controls.

SEC. S-_____.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 subdistrict. If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For development and use of the Property within an original building or for work that does not meet the standards of a major modification, 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.

SEC. S-_____.107. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the O-2 Office Subdistrict, subject to the same conditions applicable in the O-2 Office Subdistrict, as set out in Part I of this article. For example, a use permitted in the O-2 Office Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the O-2 Office Subdistrict is subject to DIR in this subdistrict; etc.

(b) The following main uses are permitted by right when located within an original building:

-- Barber and beauty shop.
-- Massage establishment.

SEC. S-_____.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to

additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

SEC. S-_____.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 Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) Except as provided in this section, the yard, lot, and space regulations for the O-2 Office Subdistrict apply.

(b) For purposes of determining yard, lot, and space regulations, the Property is considered one lot.

(c) Maximum structure height within 50 feet of the western Property line is 36 feet.

SEC. S-_____.110. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) For a barber and beauty shop and a massage establishment, when located in an original building:

(1) One off-street parking space per 372 square feet of floor area is required.

(2) No loading space is required.

(c) For parking purposes, the Property is considered one lot.

SEC. S-_____.111. NONCONFORMING STRUCTURES.

(a) In general. Except as provided in this section, consult Part I of this article for the specific requirements for nonconforming structures.

(b) Nonconforming structures. A person may, without board approval, cause a structure to become nonconforming as to the yard, lot, and space regulations by converting the use of an original building to a barber and beauty shop or a massage establishment.

SEC. S-_____.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-_____.113 LANDSCAPING.

(a) Except as provided in this section, landscaping and screening must be provided in accordance with Part I of this article.

(b) For landscaping purposes, the Property is considered one lot.

(c) Landscaping is not required when nonpermeable coverage of the lot is increased by up to 1,000 square feet.

(d) Except for alley access, a screening fence or wall with a minimum height of six feet must be constructed along the north Property line prior to the issuance of a certificate of occupancy.

(e) For new construction that exceeds 24 feet in height within 50 feet of the western Property line, a minimum 25-foot landscape buffer is required. The landscape buffer area must include a minimum 60 percent landscape site area and a general planting area that is at least one-half of the landscape site area.

(f) Plant materials must be maintained in a healthy, growing condition.

SEC. S-_____.114. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. S-_____.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.

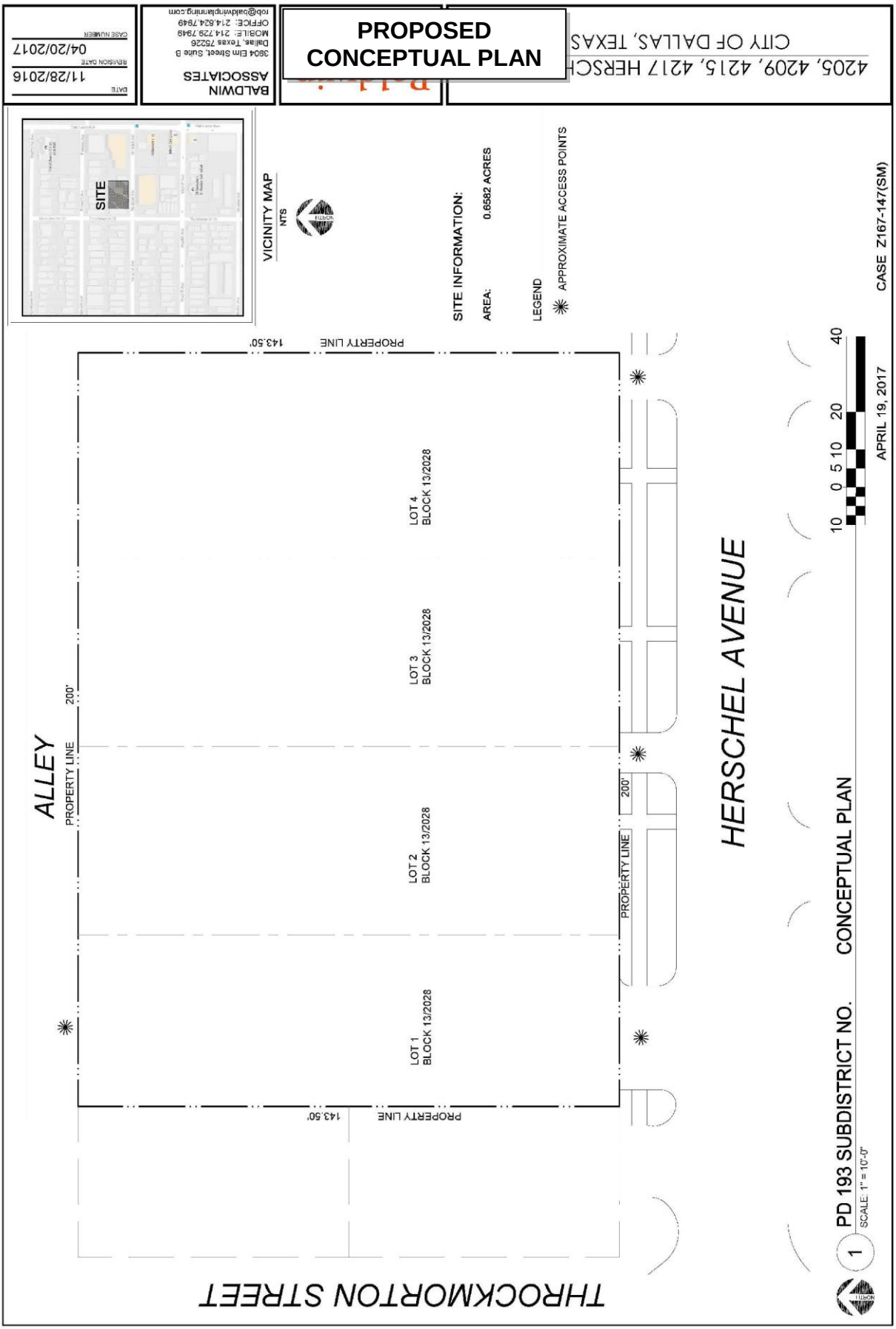
(c) Development and use of the Property must comply with Part I of this article.

SEC. S-_____.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 city.

(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 subdistrict until there has been

full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.


PROPOSED
CONCEPTUAL PLAN
4205, 4209, 4215, 4217 HERSCH
CITY OF DALLAS, TEXAS
BALDWIN
ASSOCIATES
3904 Elm Street, Suite B
Dallas, Texas 75226
OFFICE: 214.824.7949
MOBILE: 214.729.7949
rob@baldwinplanning.com
DATE
11/28/2016
REVISION DATE
04/20/2017
CASE NUMBER
SITE
VICINITY MAP
NTS
SITE INFORMATION:
AREA: 0.6582 ACRES
LEGEND
APPROXIMATE ACCESS POINTS
CASE Z167-147(SM)
APRIL 19, 2017
PROPERTY LINE 143.50'
LOT 4 BLOCK 13/2028
LOT 3 BLOCK 13/2028
LOT 2 BLOCK 13/2028
LOT 1 BLOCK 13/2028
ALLEY
200'
PROPERTY LINE
200'
PROPERTY LINE
HERSCHEL AVENUE
THROCKMORTON STREET
10 0 5 10 20 40
1 PD 193 SUBDISTRICT NO. CONCEPTUAL PLAN
SCALE: 1" = 10'-0"

APPLICANT PARKING DEMAND STUDY

DeShazo Group

Traffic. Transportation Planning. Parking. Design.

Technical Memorandum

To: *Robert Reeves* — Robert Reeves & Associates, Inc.

From: *David Nevarez, PE, PTOE* — DeShazo Group, Inc.

Date: March 13, 2017

Re: Parking Demand Study for 4205 – 4217 Herschel Avenue in Dallas, Texas;
DeShazo No. 17036

Introduction

DeShazo Group, Inc. (DeShazo) is a consulting firm providing licensed engineers and planners skilled in traffic operations, transportation engineering, and parking design and demand studies. The services of DeShazo were retained by Robert Reeves & Associates, Inc. to provide a parking demand study for existing personal service use establishments located at 4205, 4209, 4215, and 4217 Herschel Avenue in Dallas, Texas. This report presents a technical evaluation of the parking needs for the existing land use and recommended parking supply.

Description

The subject properties are currently zoned under Planned Development (PD) District 193, Subdistrict O-2. The properties include four two-story buildings of approximately 11,491 square feet of combined gross building area. As shown in the attached development plan, the site provides a total of 35 on-site parking spaces. In addition to the off-street parking, on-street parking is available on Herschel Avenue with a two-hour time restriction. According to the property owners, 1,800 square feet of the total leasable area is vacant at the time of this study.

Field Observations

DeShazo conducted on-site parking accumulation counts on Wednesday, March 8; Friday, March 10; and Saturday, March 11, 2017. DeShazo also interviewed tenants to obtain a general description of their services. Peak hours were ascertained based on tenants input. According to all individuals interviewed, customers arrive by appointment only. There is a fixed number of styling (work) stations.

DeShazo's parking accumulation counts show a maximum parking demand of 25 vehicles for all four properties. **Table 1** provides a summary of these observations.

Table 1: Parking Demand Observations

	Wednesday, March 8, 2017 @ 1:30 PM	Friday, March 10, 2017 @ 4:30 PM	Saturday, March 11, 2017 @ 11:30 AM
Off-Street Parking Demand	**14**	**6**	**6**
On-Street Parking * (Herschel Ave., 2 hr. limit)	**11**	**7**	**3**

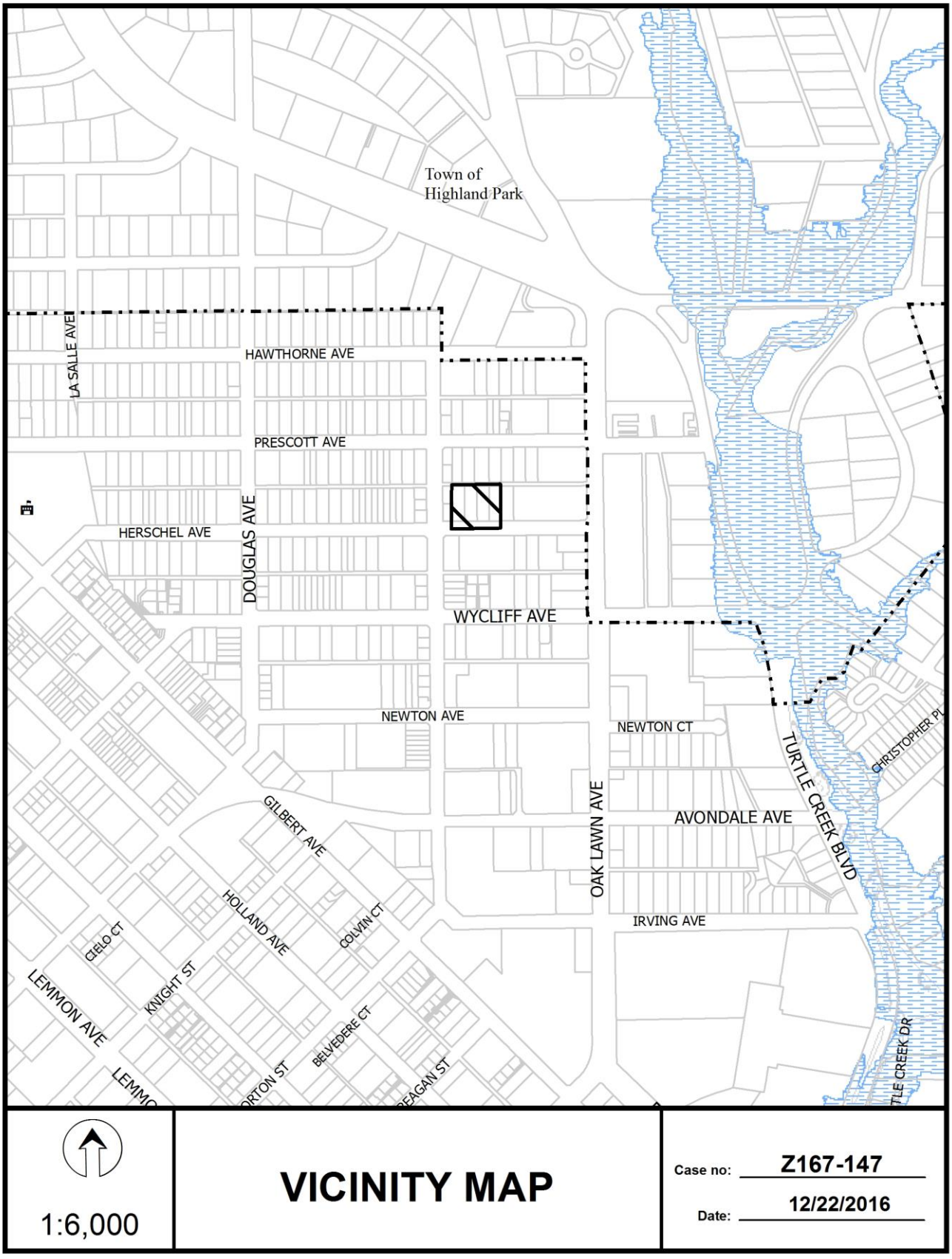
*Available for general traffic; DeShazo was not able to discern whether all vehicles were associated with the subject properties.

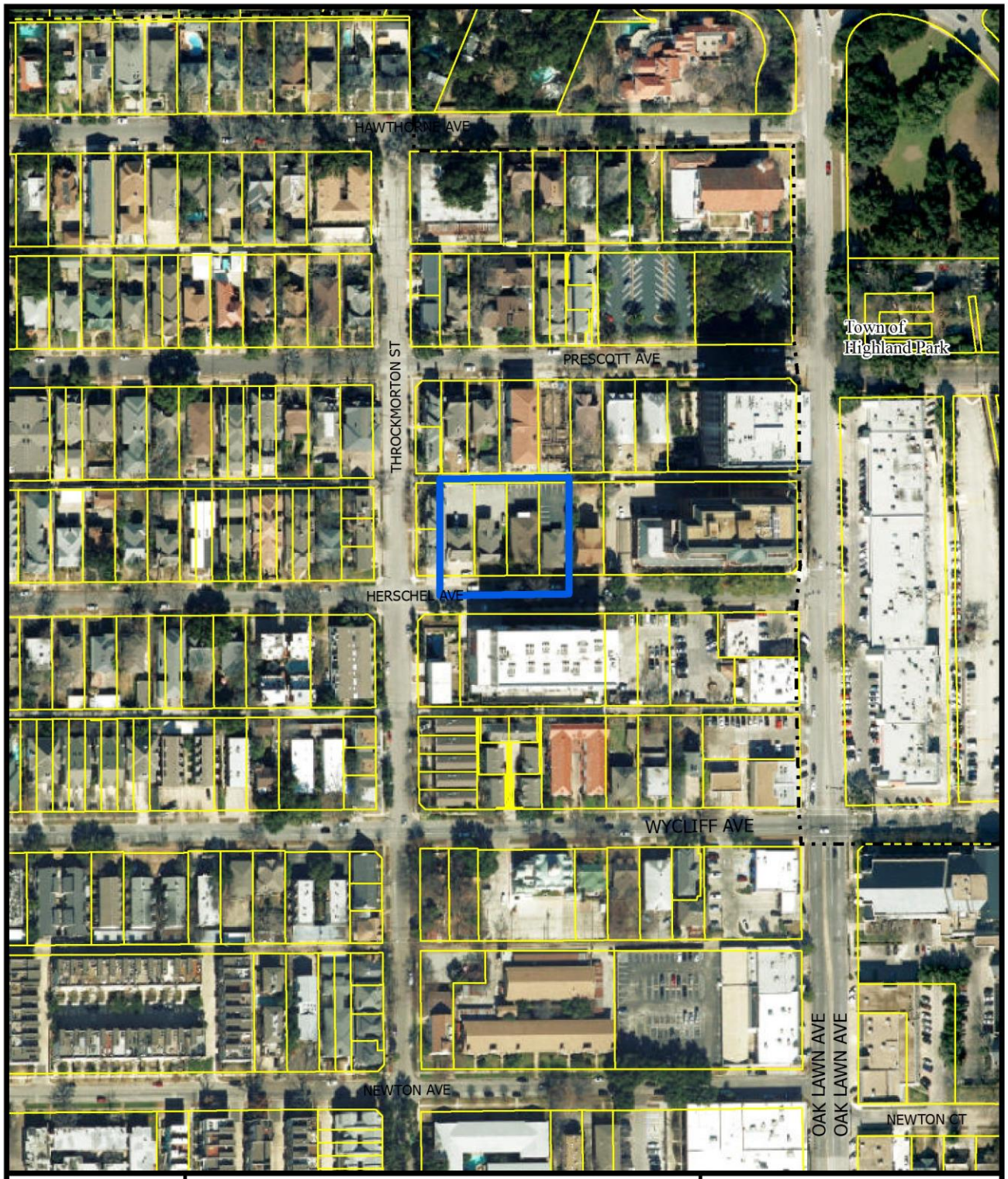
Conclusion

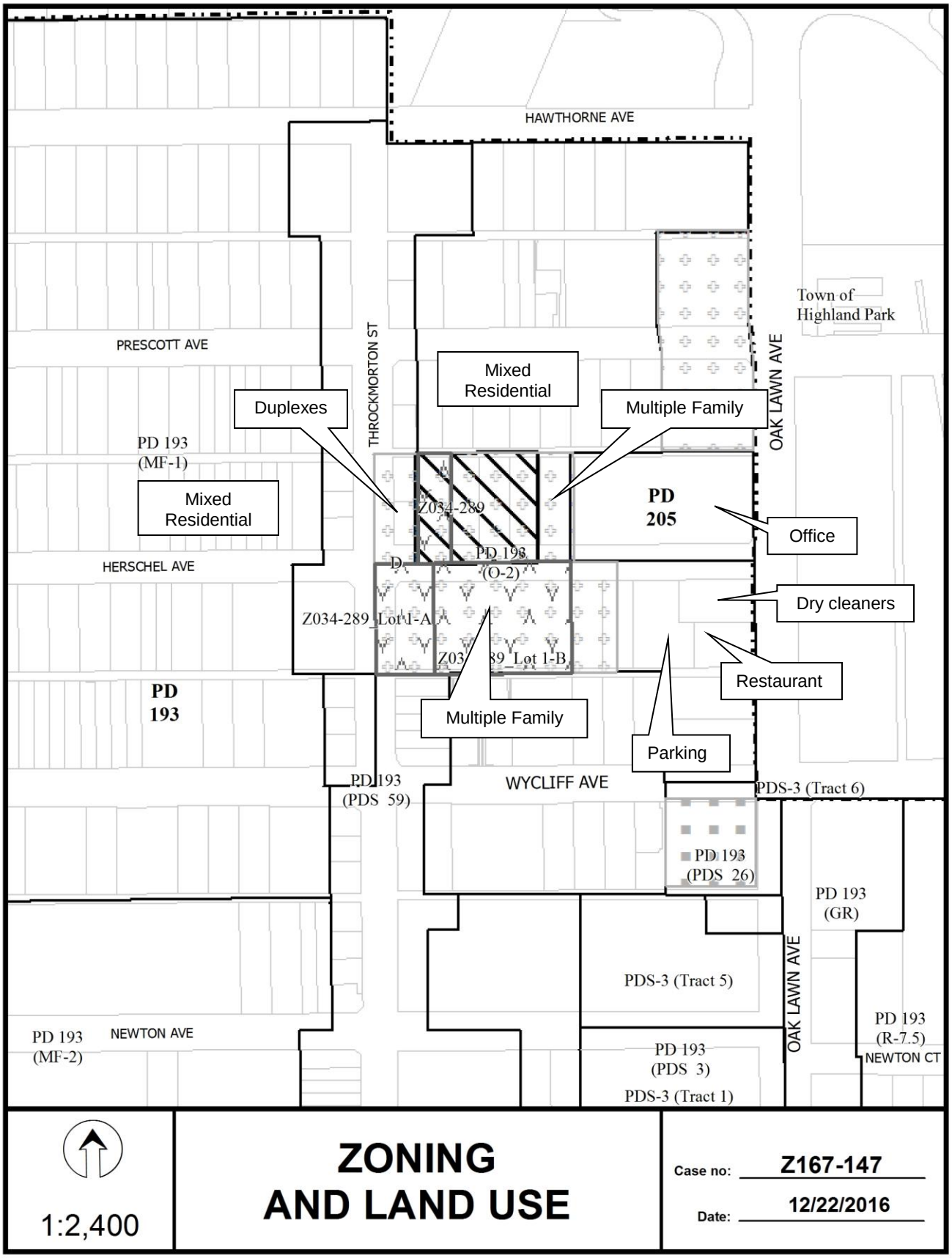
The owner is seeking approval of a proposed zoning change to allow personal service use establishments to operate with a proposed site plan including 35 off-street parking spaces. Based upon an assessment of the parking needs, the proposed parking supply is determined to be adequate to meet the needs of all tenants and their customers.

Furthermore, the requested parking reduction will neither create a traffic hazard nor restrict the parking operations of adjacent properties during peak hours. It is also presumed that it is in the best interest of the property owners to provide an appropriate parking environment to their tenants.

END OF MEMO


Town of
Highland Park
LA SALLE AVE
HAWTHORNE AVE
PRESCOTT AVE
HERSCHEL AVE
DOUGLAS AVE
WYCLIFF AVE
NEWTON AVE
NEWTON CT
OAK LAWN AVE
AVONDALE AVE
IRVING AVE
TURTLE CREEK BLVD
CHRISTOPHER PL
GILBERT AVE
HOLLAND AVE
COLVIN CT
CIELO CT
KNIGHT ST
LEMMON AVE
BELVEDERE CT
1:6,000
VICINITY MAP
Case no: Z167-147
Date: 12/22/2016


HAWTHORNE AVE
PRESCOTT AVE
THROCKMORTON ST
Town of Highland Park
HERSCHEL AVE
WYCLIFF AVE
NEWTON AVE
OAK LAWN AVE
OAK LAWN AVE
NEWTON CT
1:2,400
AERIAL MAP
Case no: Z167-147
Date: 12/22/2016


HAWTHORNE AVE
Town of Highland Park
PRESCOTT AVE
THROCKMORTON ST
OAK LAWN AVE
Duplexes
Mixed Residential
Multiple Family
PD 193 (MF-1)
Mixed Residential
Z034-289
PD 205
Office
HERSCHEL AVE
PD 193 (O-2)
Dry cleaners
Z034-289_Lot1-A
Z034-289_Lot 1-B
Restaurant
PD 193
Multiple Family
Parking
PD 193 (PDS 59)
WYCLIFF AVE
PDS-3 (Tract 6)
PD 193 (PDS 26)
PD 193 (GR)
PDS-3 (Tract 5)
OAK LAWN AVE
PD 193 (MF-2)
NEWTON AVE
PD 193 (R-7.5)
NEWTON CT
PD 193 (PDS 3)
PDS-3 (Tract 1)
1:2,400
ZONING AND LAND USE
Case no: Z167-147
Date: 12/22/2016

CPC Responses
HAWTHORNE AVE
PRESCOTT AVE
THROCKMORTON ST
HERSCHEL AVE
OAK LAWN AVE
WYCLIFF AVE
NEWTON AVE
NEWTON CT
63 62 61 60
109 - 113 72 71 70 27 69 69
53 54 X 55 56 57 27 58 59
64 65 66 182 - 186 X 103 102 106 105 104 67 68
108 108
180 - 181 45 44 X 98 97 43 O 42 41 40 39
100 X 101 52 51 50 X 49 27 48 47 114 - 161
27 28 29 30 96 95 32 31 34 33 35 36 38 37 X
6 5 1 2 3 O 4 O 46 X 99
107
19 17 18 16 X 15 172 - 179 X 187 - 191
94 94 26 26 26 25 24
80 162 - 171 192 - 195 14 204 - 211 83 82 81
84 85 86 87 88 91 90 89 93 92 21 22 13 23 20 20
7 8 196 - 203 73 74 O 9 X
10 11 75 76 12 13 78 O 77 79
211 Property Owners Notified (130 parcels)
5 Replies in Favor (5 parcels)
21 Replies in Opposition (10 parcels)
500' Area of Notification
8/17/2017 Date
Z167-147
CPC
N
W E
S
1:2,400

08/16/2017

Reply List of Property Owners

Z167-147

211 Property Owners Notified ***5 Property Owners in Favor*** ***21 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4205	HERSCHEL AVE	RL INVESTMENTS LLP
	2	4209	HERSCHEL AVE	LEWIS DON V
O	3	4215	HERSCHEL AVE	HORN HERBERT J &
O	4	4217	HERSCHEL AVE	HORN J HERBERT &
	5	4300	THROCKMORTON ST	COLLINS STEPHEN G & SUZANNE B
	6	4310	THROCKMORTON ST	HICKS M LAWRENCE JR &
	7	4138	WYCLIFF AVE	MM WYCLIFF HOLDINGS LLC
	8	4142	WYCLIFF AVE	MIZERANY JOHN & DIANE
X	9	4117	THROCKMORTON ST	ISENMANN GLENN D
	10	4202	WYCLIFF AVE	CALHOUN JARREL W
	11	4206	WYCLIFF AVE	KHALAF AMAR &
	12	4222	WYCLIFF AVE	DIOCESE OF THE SOUTH
	13	4226	WYCLIFF AVE	KOSTER PROPERTIES LTD
	14	4143	WYCLIFF AVE	TRAN ANH & LANANH
	15	4138	HERSCHEL AVE	SBRJWM LTD
X	16	4134	HERSCHEL AVE	WEIGL FAMILY LP
	17	4128	HERSCHEL AVE	MERSON REGINA
	18	4130	HERSCHEL AVE	WALKER DEBORAH
	19	4126	HERSCHEL AVE	F P E INC
	20	4201	OAK LAWN AVE	DOWELL CAM F JR
	21	4217	WYCLIFF AVE	PHOL INVESTMENT INC
	22	4223	WYCLIFF AVE	TOPSPIN DEVELOPMENT LP
	23	4233	WYCLIFF AVE	DOWELL CAM F JR
	24	4217	OAK LAWN AVE	C & S RESTAURANTS INC
	25	4225	OAK LAWN AVE	4225 OAK LAWN LP
	26	4232	HERSCHEL AVE	STREET LEISA

Reply	*Label #*	*Address*		*Owner*
	27	4125	HERSCHEL AVE	HERSCHEL HAWTHORNE LLC
	28	4129	HERSCHEL AVE	SCHIEFFER CARL B
	29	4133	HERSCHEL AVE	SIMONSON RICHARD & LEE ANN
	30	4135	HERSCHEL AVE	OLSEN BRENDA S
	31	4143	HERSCHEL AVE	4143 HERSCHEL SERIES
	32	4145	HERSCHEL AVE	VIEHMAN JAMES K & POLLY G
	33	4147	HERSCHEL AVE	4147 HERSCHEL SERIES
	34	4149	HERSCHEL AVE	KESSING KEVIN W
	35	4151	HERSCHEL AVE	OAK LAWN PROPERTIES LLC
	36	4155	HERSCHEL AVE	WALHOOD PRESTON STEVEN &
X	37	4159	THROCKMORTON ST	GOTT JEREMY M
	38	4157	THROCKMORTON ST	NEEDHAM RONDA M
	39	4152	PRESCOTT AVE	PEARLE MARY JEAN
	40	4148	PRESCOTT AVE	HOLMES JOHN B
	41	4144	PRESCOTT AVE	ROSS ANNADELE H
	42	4142	PRESCOTT AVE	EMBRY LAUREN
O	43	4140	PRESCOTT AVE	PACYNA LEO J JR &
X	44	4134	PRESCOTT AVE	SYMNS GLADYS JENELLE
	45	4130	PRESCOTT AVE	HADDOCK JOHN J TR & CHRISTINE TR
X	46	4221	HERSCHEL AVE	HEED CYNTHIA LOUISE
	47	4226	PRESCOTT AVE	TOMLIN F GERALD SR &
	48	4224	PRESCOTT AVE	PRESPLEXES LLC
	49	4214	PRESCOTT AVE	OATES NICKEY L
X	50	4210	PRESCOTT AVE	DU REVT PRESCOTT INVESTMENT LLC &
	51	4206	PRESCOTT AVE	REILLY JOHN G
	52	4204	PRESCOTT AVE	BAUMGARDNER TIMOTHY T &
	53	4125	PRESCOTT AVE	ELEUTERI FRANCO
X	54	4129	PRESCOTT AVE	NELSONBROWN SUSAN E
	55	4131	PRESCOTT AVE	ADAMS RONALD C
	56	4137	PRESCOTT AVE	GRAY EDWARD W &
	57	4143	PRESCOTT AVE	FILMORE DIANA FELDER TR &

Reply	*Label #*	*Address*		*Owner*
	58	4149	PRESCOTT AVE	FLETCHER BLDG PARTNERS LP
	59	4153	PRESCOTT AVE	KRAUSS ANDRES M &
	60	4150	HAWTHORNE AVE	FSG LLC
	61	4144	HAWTHORNE AVE	HOWARD RAYMOND G
	62	4140	HAWTHORNE AVE	ABTAHI MICHAEL LIVING TRUST
	63	4138	HAWTHORNE AVE	WARD JUDY &
	64	4203	PRESCOTT AVE	CASTLE PEAK HOMES III LP
	65	4201	PRESCOTT AVE	CASTLE PEAK HOMES III LP
	66	4205	PRESCOTT AVE	GRAHAM JEFFREY
	67	4229	PRESCOTT AVE	THIRD CHURCH OF CHRIST
	68	4239	PRESCOTT AVE	THIRD CHURCH OF CHRIST
	69	4419	OAK LAWN AVE	THIRD CHURCH OF CHRIST
	70	4220	HAWTHORNE AVE	BARBOGLIO FRANCES
	71	4214	HAWTHORNE AVE	REEVES BRADFORD FRANK &
	72	4212	HAWTHORNE AVE	STONECOURT INC
	73	4121	THROCKMORTON ST	BOORSTEIN JASON J &
O	74	4119	THROCKMORTON ST	HINKLEY SARAH &
	75	4208	WYCLIFF AVE	ST SERAPHIM EASTERN
	76	4218	WYCLIFF AVE	ST SERAPHIM ORTHODOX CATHEDRAL
	77	4232	WYCLIFF AVE	MCFARLAND MICHAEL B
O	78	4230	WYCLIFF AVE	GRAY MICHAEL
	79	4236	WYCLIFF AVE	4309 OAK PARTNERS LP
	80	4129	WYCLIFF AVE	SCHROEDER LYNLY
	81	4211	THROCKMORTON ST	REINBOLD MICHAEL T TRUST
	82	4219	THROCKMORTON ST	BOOTH ROBERT EARLY FAMILY TRUST
	83	4225	THROCKMORTON ST	WILSMANN JO
	84	4230	THROCKMORTON AVE	LAMSON GROUP LLC THE
	85	4224	THROCKMORTON ST	KING MARSHA & CHERYL KING
	86	4218	THROCKMORTON ST	TERRY SHAWN D
	87	4212	THROCKMORTON ST	BATTS JANE A
	88	4206	THROCKMORTON ST	THIES FREDERICK T

Reply	*Label #*	*Address*		*Owner*
	89	4209	WYCLIFF AVE	QUINONES WILLIAM A
	90	4209	WYCLIFF AVE	BILLIANG AUDREY C
	91	4209	WYCLIFF AVE	SHATSMAN KARINA
	92	4213	WYCLIFF AVE	MATHEW LINDSEY &
	93	4213	WYCLIFF AVE	DAS RAJASREE &
	94	4220	HERSCHEL AVE	THROCKMORTON LP
	95	4139	HERSCHEL AVE	WELCH MEGHAN A
	96	4141	HERSCHEL AVE	ALLEN RICHARD L &
	97	4138	PRESCOTT AVE	DELGADODALMAU DAVID &
	98	4136	PRESCOTT AVE	MCKELLAR MATTHEW F & JENNIFER D
	99	4311	OAK LAWN AVE	4311 PARTNERS LTD
X	100	4200	PRESCOTT AVE	ROVIRA INTERESTS LLC
	101	4322	THROCKMORTON ST	FEDORYSHYN ERIC
	102	4217	PRESCOTT AVE	PATTON BRYANT H &
	103	4219	PRESCOTT AVE	TAYLOR CAROL HILL &
	104	4221	PRESCOTT AVE	THOMAS SANDRA W
	105	4223	PRESCOTT AVE	MALVIDO VIRGINIA
	106	4225	PRESCOTT AVE	SANSONE VICTOR J III
	107	4200	OAK LAWN AVE	HIGHLAND PARK SHOPS LLC
	108	4301	LAKESIDE DR	HUTCHINSON WILLIAM L
	109	4206	HAWTHORNE AVE	KAILING KATHERINE N
	110	4206	HAWTHORNE AVE	EQUITY TRUST COMPANY
	111	4206	HAWTHORNE AVE	ARISTARCHOS LLC
	112	4206	HAWTHORNE AVE	TODD ROBERT
	113	4206	HAWTHORNE AVE	EQUITY TRUST COMPANY DBA STERLING TRUST CO
	114	4240	PRESCOTT AVE	VAUGHAN PAUL A
	115	4240	PRESCOTT AVE	REGE ROBERT V & GLORIA
	116	4240	PRESCOTT AVE	BIDDLE BROOKE E &
	117	4240	PRESCOTT AVE	KLINE KIM W
	118	4240	PRESCOTT AVE	HOGUE WILLIAM ROBERT
	119	4240	PRESCOTT AVE	RAMOS EDID &

Reply	*Label #*	*Address*		*Owner*
	120	4240	PRESCOTT AVE	BRAND DAVID E & SANDRA M
	121	4240	PRESCOTT AVE	HOCHSCHULER STEPHEN H & KIMBERLY A
	122	4240	PRESCOTT AVE	DIENES JOHN D & SALLY B
	123	4240	PRESCOTT AVE	COLLIER ANNE B
	124	4240	PRESCOTT AVE	GOLDSTEIN ELAINE
	125	4240	PRESCOTT AVE	NORWOOD ELSA B
	126	4240	PRESCOTT AVE	RYRIE BRUCE C
	127	4240	PRESCOTT AVE	WALDRON TERRY R & LYNETTE
	128	4240	PRESCOTT AVE	JOBE REX V
	129	4240	PRESCOTT AVE	ENGLE NANCY S
	130	4240	PRESCOTT AVE	JENSON BENALEE
	131	4240	PRESCOTT AVE	DILL REVOCABLE TRUST
	132	4240	PRESCOTT AVE	DOWDALL JOHN D
	133	4240	PRESCOTT AVE	HYMAN CHARLES H
	134	4240	PRESCOTT AVE	JONES KIM P
	135	4240	PRESCOTT AVE	VESTAL JOHN H & JENNIFER C
	136	4240	PRESCOTT AVE	FIGUEROA DAVID O SR
	137	4240	PRESCOTT AVE	HUTCHINSON KATHLEEN
	138	4240	PRESCOTT AVE	BARRETT TERRY L
	139	4240	PRESCOTT AVE	BARRETT DR TERRY
	140	4240	PRESCOTT AVE	HULSEY RONALD R &
	141	4240	PRESCOTT AVE	LUDWIG RICHARD R & DONNA L
	142	4240	PRESCOTT AVE	ALVAREZ ANDREA
	143	4240	PRESCOTT AVE	ABSTON TYSON & ANNE
	144	4240	PRESCOTT AVE	LUDWIG RICHARD R & DONNA L
	145	4240	PRESCOTT AVE	BUCHANAN LUCY M SURVIVORS TRUST THE
	146	4240	PRESCOTT AVE	YARBROUGH JULIE
	147	4240	PRESCOTT AVE	MOERBEEK PETER J
	148	4240	PRESCOTT AVE	YEAMAN JOHN M
	149	4240	PRESCOTT AVE	HOVE JOHN N

Reply	*Label #*	*Address*		*Owner*
	150	4240	PRESCOTT AVE	BONNER IAN J & KATHI J
	151	4240	PRESCOTT AVE	AMENDOLA TRUST
	152	4240	PRESCOTT AVE	ROLLINS NANCY
	153	4240	PRESCOTT AVE	RLC TEXAS PROPERTY LLC
	154	4240	PRESCOTT AVE	KROENER BRENT W & JO A
	155	4240	PRESCOTT AVE	HILL JOAN BUCHANAN
	156	4240	PRESCOTT AVE	CONNALLY MARK M
	157	4240	PRESCOTT AVE	FISHER LAWRENCE N &
	158	4240	PRESCOTT AVE	STUBBS MERSINA & PHIN
	159	4240	PRESCOTT AVE	JASSIN BASEM
	160	4240	PRESCOTT AVE	DILL SHELLEY M REV TRUST
	161	4240	PRESCOTT AVE	SIMPLE DIRT LLC
	162	4131	WYCLIFF AVE	RODRIGUEZ EDMEE
	163	4131	WYCLIFF AVE	TORNOW KELLY
	164	4131	WYCLIFF AVE	THOMAS MANDI D
	165	4131	WYCLIFF AVE	SALINAS MAYRA A
	166	4131	WYCLIFF AVE	FERRARO VERA L &
	167	4135	WYCLIFF AVE	BERNAL AMPARO
	168	4135	WYCLIFF AVE	AGHAJANYAN LUCINE
	169	4135	WYCLIFF AVE	SHIPTON LYLE A
	170	4135	WYCLIFF AVE	HASH WILLIAM BARRY
	171	4135	WYCLIFF AVE	BARYLKO BARBARA
X	172	4142	HERSCHEL AVE	WEYMAN CAROL ELIZABETH
X	173	4142	HERSCHEL AVE	MELTON EMILY K
X	174	4142	HERSCHEL AVE	TOWLE DAVID L &
X	175	4142	HERSCHEL AVE	TAPIA ALEFIA A
X	176	4142	HERSCHEL AVE	KRIEG DANA
X	177	4142	HERSCHEL AVE	SCHMIDTBORN MICHAEL
X	178	4142	HERSCHEL AVE	MCMAHON WENDY LYNN
X	179	4142	HERSCHEL AVE	WARRICK LAURA
	180	4124	PRESCOTT AVE	FONBERG MITCHELL IRWIN
	181	4126	PRESCOTT AVE	HAJDU ALYSON &

08/16/2017

Reply	*Label #*	*Address*		*Owner*
X	182	4211	PRESCOTT AVE	SCHILLI KEVIN RANDAL
X	183	4215	PRESCOTT AVE	LARA JAIME ROBLES
X	184	4211	PRESCOTT AVE	BLAND JAMES M & GAIL
X	185	4211	PRESCOTT AVE	MEIER ROSANNE
X	186	4215	PRESCOTT AVE	OPDERBECK THOMAS H
	187	4241	THROCKMORTON ST	HOANG THANH
	188	4243	THROCKMORTON ST	WERLEY JULIE
	189	4245	THROCKMORTON ST	HETTICH REBECCA P
	190	4247	THROCKMORTON ST	KAHLA JEFFREY D & JOAN E
	191	4249	THROCKMORTON ST	SANDLIN PRISCILLA
	192	4139	WYCLIFF AVE	BOND RONALD E
	193	4139	WYCLIFF AVE	DESJARDINS LAURA A & RICHARD R
	194	4139	WYCLIFF AVE	BOWEN BRADLEY H & EMILY
	195	4139	WYCLIFF AVE	SCHLESSER MICHAEL A
	196	4150	WYCLIFF AVE	MCCARLEY JOHN
	197	4146	WYCLIFF AVE	ALVARADO HEATH
	198	4150	WYCLIFF AVE	REEVES JIMMY W
	199	4146	WYCLIFF AVE	POE GARY W
	200	4150	WYCLIFF AVE	SINGER RUTH &
	201	4146	WYCLIFF AVE	TURNER LESLIE
	202	4150	WYCLIFF AVE	GARRISON PAULA
	203	4146	WYCLIFF AVE	GREENWOOD CHRISTOPHER J
	204	4147	WYCLIFF AVE	HUD
	205	4147	WYCLIFF AVE	NAVE OMRI & ELESHA
	206	4147	WYCLIFF AVE	SIMMONS LARRY C JR
	207	4147	WYCLIFF AVE	SMITH KIMBERLY LYNN
	208	4151	WYCLIFF AVE	ZIELKE PETER
	209	4151	WYCLIFF AVE	OSBORN DERRILL R
	210	4151	WYCLIFF AVE	JOHNSON ANDREA
	211	4151	WYCLIFF AVE	HIGHLEY GWENDOLYN R

AGENDA ITEM # 50

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 69A L; M; Q

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) use limited to a dance hall on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the northeast side of C.F. Hawn Service Road, southeast of Edd Road

Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Z167-170(PD)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, SEPTEMBER 27, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-170(PD) **DATE FILED:** December 30, 2016

LOCATION: Northeast side of C.F. Hawn Service Road, southeast of Edd Road

COUNCIL DISTRICT: 8 **MAPSCO:** 69A L; M; Q

SIZE OF REQUEST: Approx. 1.475 acres **CENSUS TRACT:** 171.01

APPLICANT/OWNER: Abraham Quintanilla

REQUEST: An application for a Specific Use Permit for a commercial amusement (inside) use limited to a dance hall on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay

SUMMARY: The purpose of this request is to allow for an approximately 10,000-square foot commercial amusement (inside) use with a 400-square foot dance floor in a 9,000-square foot existing structure with a 1,000-square foot addition.

CPC RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, 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 9,000-square foot commercial building with an automotive service use.
- The purpose of this request is to permit the use of a dance hall in an existing structure that will operate as a ballroom/banquet hall to be rented for special events.
- The existing structure will undergo an exterior cosmetic remodel and a 1,000-square foot addition.

Zoning History: There has been one recent zoning request in the area.

1. **Z167-108** On February 8, 2017, the City Council approved an application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Edd Road	Residential Collector	60 ft.

Traffic:

The Engineering Division of the Department Sustainable Development and Construction has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

STAFF ANALYSIS:

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.

The use is consistent with the following land use policy:

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.

Surrounding Land Uses:

	Zoning	Land Use
Site	CS - D-1	Auto-related
North	CS - D-1	Nursery, garden shop or plant sales
South	CS – D-1	C.F. Hawn Freeway, Manufactured Home Park
West	CS – D-1	Auto Service Center
East	CS – D-1	Commercial amusement (inside)

Land Use Compatibility:

The approximately 1.475-acre request site is zoned a CS-D-1 Commercial Service District with a D-1 Dry Liquor Control Overlay and is currently developed with a commercial building. The applicant is proposing to use the structure as a commercial amusement (inside) use with a dance hall on the property, which the dance hall requires a Specific Use Permit by the existing zoning. The applicant proposes to use the building as a ballroom/banquet hall to be rented for special events.

The request site is adjacent to a heavy truck sales and service use to the west; a nursery to the north; and a commercial amusement (inside) use to the east. Directly south, across C.F. Hawn Freeway, is a manufactured home park. No incompatible uses were identified in the immediate area. The surrounding land uses would support the commercial amusement (inside) use due to the location of the general property. The request site is easily accessible because of its adjacency to a freeway. The site is immediately adjacent to uses that are nonresidential with a residential use located to the south. However, the residential use is separated by an estimated 160-foot wide state freeway (C.F. Hawn) and would not be adversely impacted by the request. Therefore, staff recommends the request be approved because the requested specific use permit is foreseen to be compatible with the surrounding land uses.

In the CS District, a general commercial amusement (inside) use is allowed by right. However, the specific specialization of the dance hall, or dance floor area, within a commercial amusement (inside) use requires a specific use permit. 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.

Parking:

The Dallas Development Code requires off-street parking to be provided for a commercial amusement (inside) use at one space for each 100 square feet of floor area and a dance hall requires one space for each 25 square feet of dance floor. The commercial amusement is proposed in a 10,000-square foot structure and contains a 400 square foot dance floor. Pursuant to the Dallas Development Code, the proposal would require 112 parking spaces; with 116 parking spaces proposed.

Landscaping:

Landscaping of the property must be provided in accordance with Article X of the Dallas Development Code.

CPC ACTION:
August 17, 2017

Note: The Commission considered this item individually.

Motion I: It was moved to recommend **approval** of a Specific Use Permit for a commercial amusement (inside) use limited to a dance hall for a two-year period, subject to a site plan and conditions on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the northeast side of C.F. Hawn Service Road, southeast of Edd Road.

Maker: Haney
Second: Mack
Result: Failed: 5 to 9

For: 5 - Rieves, Mack, Haney, Jung, Schultz

Against: 9 - Anglin, Houston, Davis, Shidid, Housewright, Peadon, Murphy, Ridley, Tarpley
Absent: 1 - Anantasomboon
Vacancy: 0

Motion II: It was moved to recommend **approval** of a Specific Use Permit for a commercial amusement (inside) use limited to a dance hall for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the northeast side of C.F. Hawn Service Road, southeast of Edd Road.

Maker: Anglin
Second: Shidid
Result: Carried: 11 to 3

For: 11 - Anglin, Houston, Davis, Shidid, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 3 - Rieves, Mack, Haney
Absent: 1 - Anantasomboon
Vacancy: 0

Notices: Area: 300 Mailed: 53
Replies: For: 0 Against: 0

Speakers: For: Abraham Quintanilla, 13209 C.F. Hawn Freeway, Dallas, TX, 75253
Against: None

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is for a commercial amusement (inside) limited to a dance hall.

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-year), 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.)

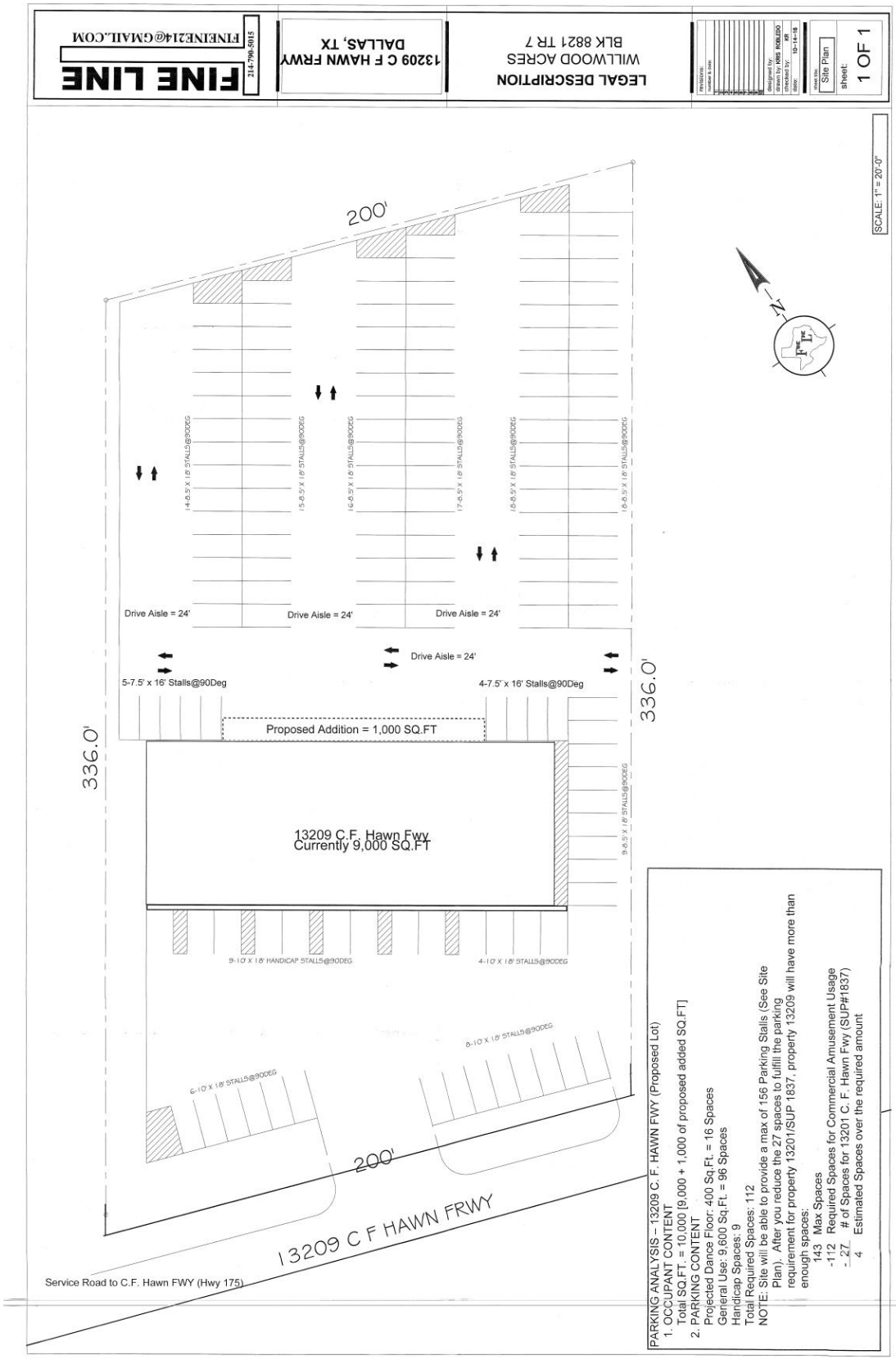
4. MAXIMUM FLOOR AREA: The dance floor may not exceed 400 square feet in area.

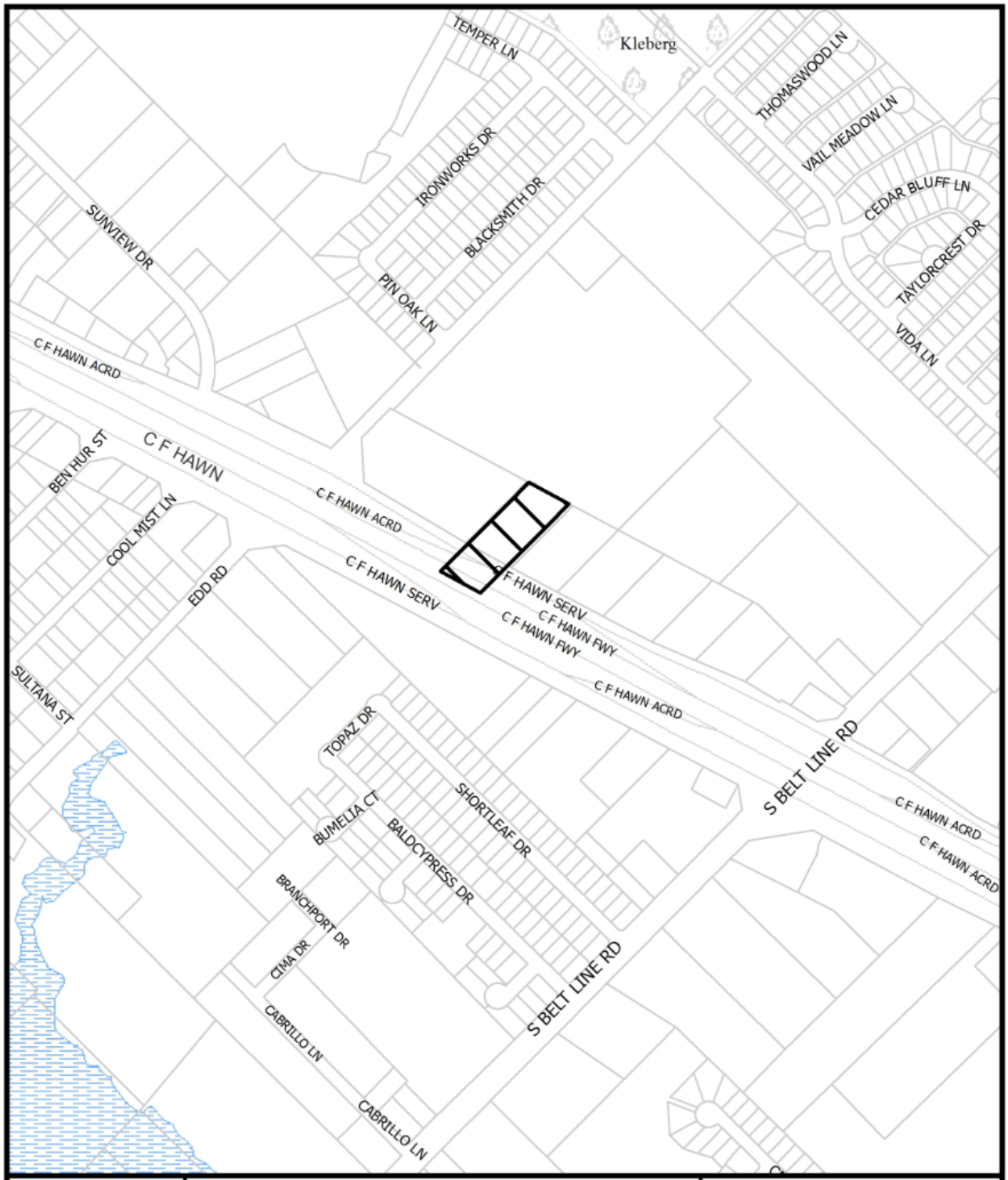
5. PARKING: Parking must be located as shown on the attached site plan. Delta credits may not be used to meet the off-street parking requirement.

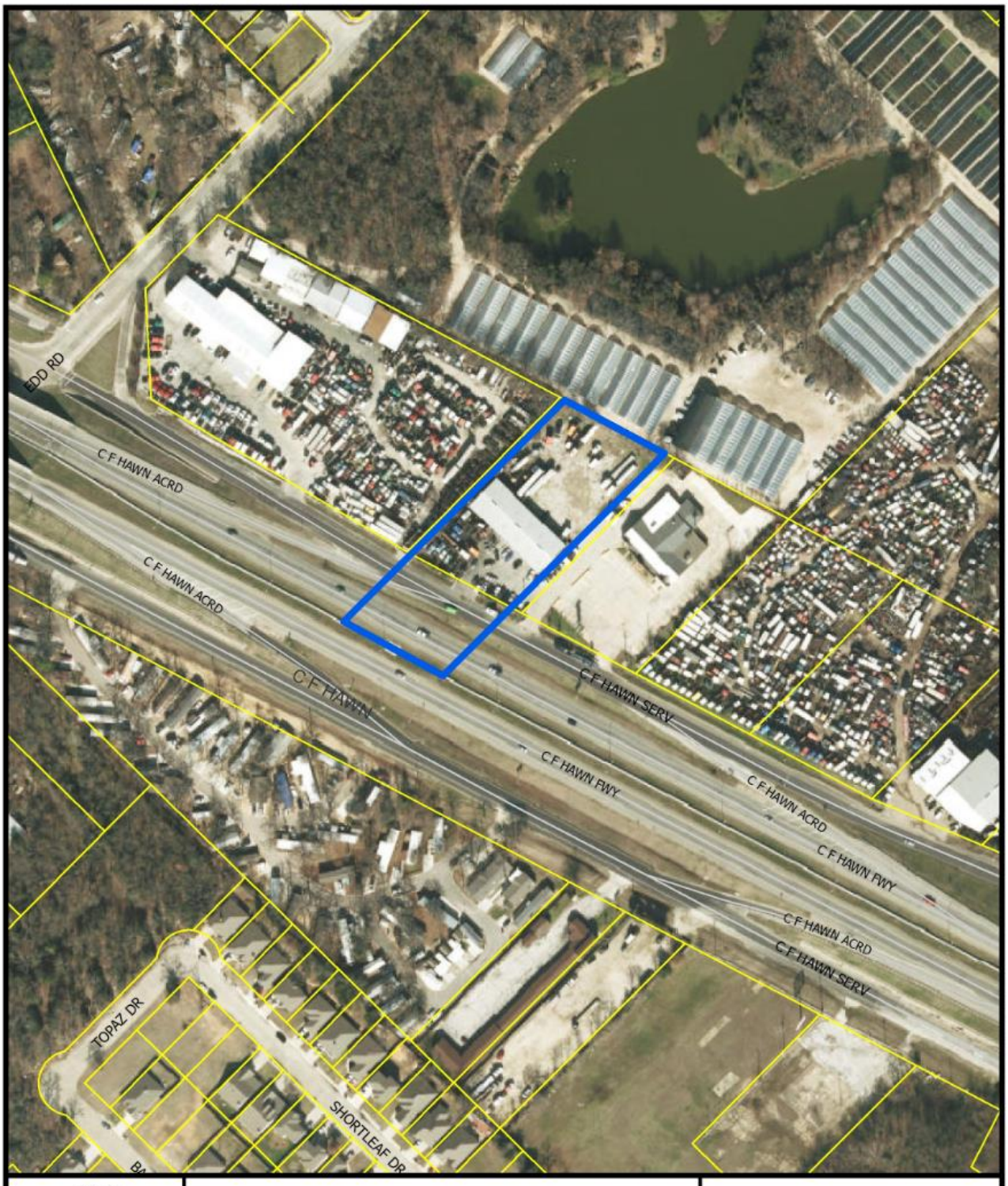
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

7. 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.

SITE PLAN


FINE LINE
214-796-5015
FINELINE214@GMAIL.COM
13209 C F HAWN FRWY
DALLAS, TX
LEGAL DESCRIPTION
WILLWOOD ACRES
BLK 8821 TR 7
Site Plan
1 OF 1
SCALE: 1" = 20'-0"
200'
336.0'
336.0'
Drive Aisle = 24'
Drive Aisle = 24'
Drive Aisle = 24'
Drive Aisle = 24'
5-7.5' x 16' Stalls@90Deg
4-7.5' x 16' Stalls@90Deg
Proposed Addition = 1,000 SQ.FT
13209 C.F. Hawn Fwy
Currently 9,000 SQ.FT
9-10' X 18' HANDICAP STALLS@90DEG
4-10' X 18' STALLS@90DEG
8-10' X 18' STALLS@90DEG
6-10' X 18' STALLS@90DEG
200'
13209 C F HAWN FRWY
Service Road to C.F. Hawn FWY (Hwy 175)
PARKING ANALYSIS – 13209 C. F. HAWN FWY (Proposed Lot)
1. OCCUPANT CONTENT
Total SQ.FT. = 10,000 [9,000 + 1,000 of proposed added SQ.FT]
2. PARKING CONTENT
Projected Dance Floor: 400 Sq.Ft. = 16 Spaces
General Use: 9,600 Sq.Ft. = 96 Spaces
Handicap Spaces: 9
Total Required Spaces: 112
NOTE: Site will be able to provide a max of 156 Parking Stalls (See Site Plan). After you reduce the 27 spaces to fulfill the parking requirement for property 13201/SUP 1837, property 13209 will have more than enough spaces:
143 Max Spaces
-112 Required Spaces for Commercial Amusement Usage
- 27 # of Spaces for 13201 C. F. Hawn Fwy (SUP#1837)
4 Estimated Spaces over the required amount


TEMPER LN
Kleberg
THOMASWOOD LN
VAIL MEADOW LN
CEDAR BLUFF LN
TAYLORCREST DR
VIDA LN
IRONWORKS DR
BLACKSMITH DR
PIN OAK LN
SUNVIEW DR
C F HAWN ACRD
BEN HUR ST
C F HAWN
COOL MIST LN
EDD RD
C F HAWN SERV
C F HAWN FWY
SULTANA ST
TOPAZ DR
BUMELIA CT
SHORTLEAF DR
BALDCYPRESS DR
S BELT LINE RD
BRANCHPORT DR
CIMA DR
CABRILLO LN
1:6,000
VICINITY MAP
Case no: Z167-170
Date: 5/2/2017

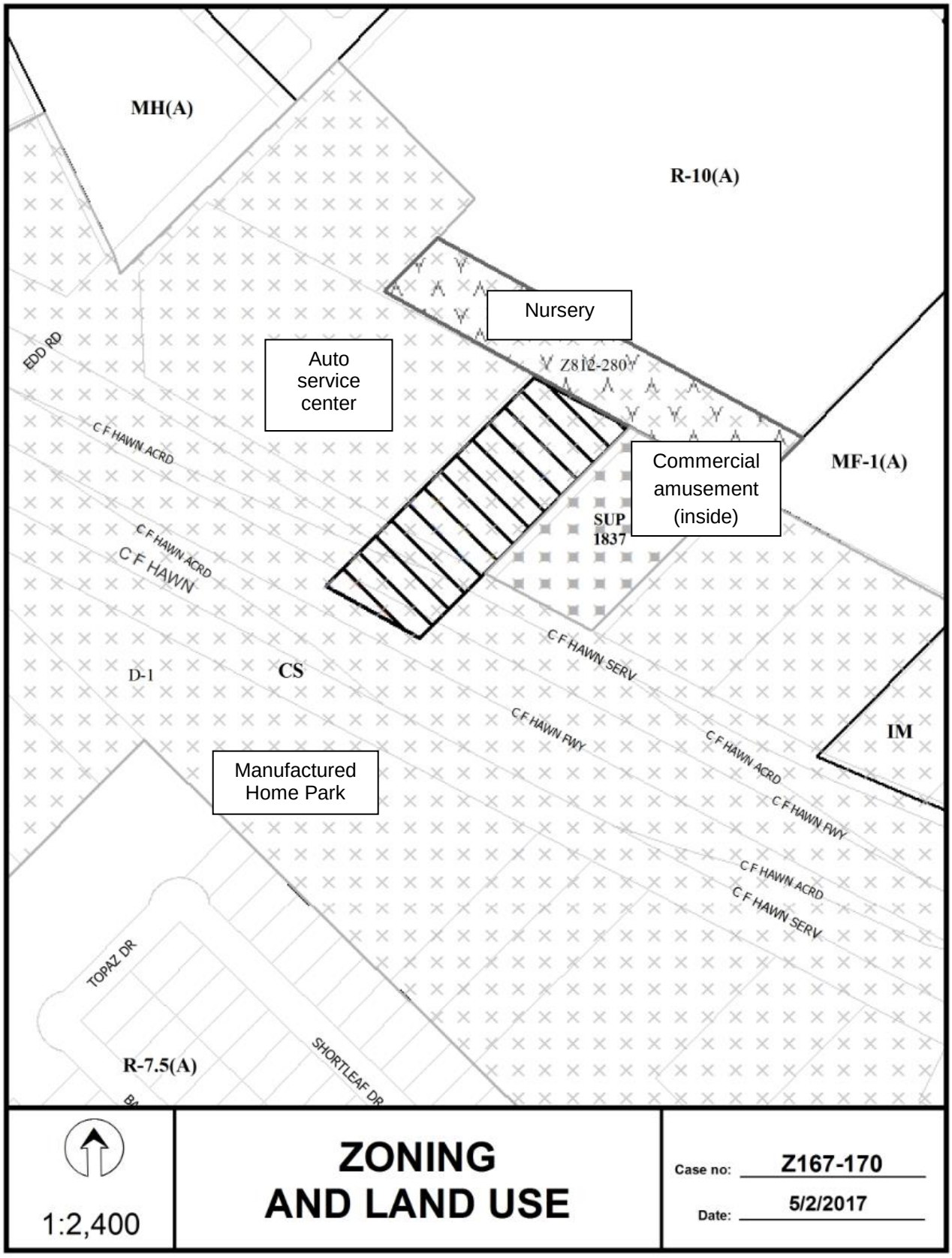


1:2,400

AERIAL MAP

Case no: Z167-170

Date: 5/2/2017


MH(A)
R-10(A)
Nursery
Auto service center
Z812-280
EDD RD
C F HAWN ACRD
Commercial amusement (inside)
MF-1(A)
SUP 1837
C F HAWN ACRD
C F HAWN
C F HAWN SERV
D-1
CS
C F HAWN FWY
C F HAWN ACRD
IM
Manufactured Home Park
C F HAWN FWY
C F HAWN ACRD
C F HAWN SERV
TOPAZ DR
SHORTLEAF DR
R-7.5(A)
1:2,400
ZONING AND LAND USE
Case no: Z167-170
Date: 5/2/2017

CPC Responses

08/16/2017

Reply List of Property Owners

Z167-170

53 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	13209	C F HAWN FWY	J & R TRUCK & EQUIPMENT
	2	13122	C F HAWN FWY	WILDWOOD VENTURES LLC
	3	13122	C F HAWN FWY	MORENO YOLANDA ORTIZ
	4	13122	C F HAWN FWY	METRA PROPERTIES
	5	13122	C F HAWN FWY	WILDWOOD ACRES
	6	13122	C F HAWN FWY	DIAZ FERNADO
	7	13122	C F HAWN FWY	VALENCIA STEPHANIE
	8	13122	C F HAWN FWY	GILBERTO MORENO
	9	13122	C F HAWN FWY	GARCIA MILDRED
	10	13122	C F HAWN FWY	HERNANDEZ ADRIAN
	11	13122	C F HAWN FWY	DISHEROON MARIE
	12	13122	C F HAWN FWY	OLIVIA ALEXIS
	13	13122	C F HAWN FWY	SCOTT JAMES
	14	13122	C F HAWN FWY	NUNEZ RICARDO
	15	13122	C F HAWN FWY	FULLER JEAN
	16	13122	C F HAWN FWY	RAMIREZ JOSE ENRIQUE
	17	13122	C F HAWN FWY	VILLAREAL BRENDA
	18	13122	C F HAWN FWY	CRUZ TULIA
	19	13122	C F HAWN FWY	MORALES BEATRIS
	20	13122	C F HAWN FWY	WILDWOOD ACRES
	21	13122	C F HAWN FWY	METRA PROPERTIES
	22	13122	C F HAWN FWY	CORNEJO ROBERTO
	23	13122	C F HAWN FWY	PARTIDA LISBETH M
	24	13122	C F HAWN FWY	CRESTOBAL ABREGO
	25	13122	C F HAWN FWY	MARTINEZ SANDRA
	26	13122	C F HAWN FWY	OLGUIN BUENO ESPERANZA

08/16/2017

Reply	*Label #*	*Address*		*Owner*
	27	13122	C F HAWN FWY	MENTRA PROPERTIES
	28	13122	C F HAWN FWY	RODRIGUEZ HERLINDO
	29	13122	C F HAWN FWY	DIAZ MIGUEL ALEJANDRO
	30	13122	C F HAWN FWY	GOMEZ ROSA
	31	13122	C F HAWN FWY	DISHEROON ROBERTO
	32	13122	C F HAWN FWY	VARGAS MANOLO
	33	13122	C F HAWN FWY	DIAZ MIGUEL ALEJANDRO
	34	13122	C F HAWN FWY	SALAZAR JESUS
	35	13122	C F HAWN FWY	GUILLEN JOEL
	36	13122	C F HAWN FWY	CROOK ED
	37	13122	C F HAWN FWY	NOE JOHN
	38	13122	C F HAWN FWY	YOUNGBLOOD NIKI
	39	13122	C F HAWN FWY	FRANKLIN ANA MARIE
	40	13122	C F HAWN FWY	MEJIA JORGE
	41	13122	C F HAWN FWY	SCOTT ANITA
	42	13122	C F HAWN FWY	SHELTON TAMMY
	43	13122	C F HAWN FWY	MARTIN ANZUIANO
	44	13122	C F HAWN FWY	ZOUZALIK BERNICE
	45	13122	C F HAWN FWY	ROBLES VERONICA
	46	13122	C F HAWN FWY	VIRIDIANA GOMEZ
	47	13122	C F HAWN FWY	CORNEJO ROSALINDA
	48	13122	C F HAWN FWY	ROCHA ALDO ALBERTO & CRYSTAL EMILY
	49	13122	C F HAWN FWY	TIJERINA MARIA
	50	13209	C F HAWN FWY	ARMSTRONG JERRY DALE SR
	51	1830	EDD RD	EDD ROAD PROPERTIES LLC
	52	13121	C F HAWN FWY	THOMPSON VAUGHN LEE
	53	13201	C F HAWN FWY	SANTA FE BALLROOM LLC

AGENDA ITEM # 51

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 24 R

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 385 on property zoned Planned Development District No. 385 and Specific Use Permit No. 2024 for an illuminated competitive athletic field on the southwest corner of Inwood Road and Walnut Hill Lane

Recommendation of Staff and CPC: Approval, subject to a revised development plan, revised landscape plan, traffic management plan and conditions

Z167-317(WE)

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, SEPTEMBER 27, 2017
ACM: Majed Al-Ghafry

FILE NUMBER:	Z167-317(WE)	**DATE FILED:**	June 1, 2017
LOCATION:	Inwood Road and Walnut Hill Lane, southwest corner		
COUNCIL DISTRICT:	13	**MAPSCO:**	24 R
SIZE OF REQUEST:	Approx. 25.828 acres.	**CENSUS TRACT:**	206

APPLICANT/OWNER: Ursuline Academy of Dallas

REPRESENTATIVE: Suzan Kedron and Bill Dahlstrom with Jackson Walker

REQUEST: An application for an amendment to Planned Development District No. 385 on property zoned Planned Development District No. 385 and Specific Use Permit No. 2024 for an illuminated competitive athletic field.

SUMMARY: The purpose of this request is to amend the development plan, landscape plan and traffic management plan to accommodate future improvements that are proposed for the campus [Ursuline Academy of Dallas]. The physical improvements will consist of new laboratory spaces/collaborative spaces, a new humanities building, improvements to the cafeteria and chapel, a concession building for the softball field, an improved outdoor landscape space and additional surface parking on the west and east side of the campus. The applicant is also proposing to increase the height of the chapel from 36 feet to 46 feet. There are no additional classroom spaces being proposed.

CPC RECOMMENDATION: **Approval**, subject to a revised development plan, revised landscape plan, traffic management plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised development plan, revised landscape plan, traffic management plan and conditions.

BACKGROUND INFORMATION:

- On August 23, 1993, the City Council established Planned Development District No. 385. Various minor amendments have been approved during this period, with the most recent minor amendment being approved in 2005. The minor amendment provided for a modular classroom area for use during construction-related activity within the main campus.

- On May 22, 2013, the City Council approved Specific Use Permit No. 2024 for an illuminated competitive athletic field for a five-year period with eligibility for automatic renewals for additional six-year periods.

- The applicant's request for an amendment to PDD No. 385 will allow for an increase in the overall floor area of the school's campus. The request will include amending the development plan and landscape plan to reflect the changes on campus; increase the floor area ratio from 0.30 to 0.35 and increase the maximum structure height of the chapel from 36 feet to 46 feet. There are no additional changes that are being made to the PDD conditions. In addition, there are no changes to the number of classrooms.

- The surrounding properties are developed with single family uses.

Zoning History: There has been one zoning change request in the area in the past five years.

1. Z112-290 On May 22, 2013, the City Council approved Specific Use Permit No. 2024 for an illuminated competitive athletic field for a five-year period with eligibility for automatic renewals for additional six-year periods.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Walnut Hill Lane	Principal Arterial	100 ft.	100 ft.
Inwood Road	Principal Arterial	80 ft.	80 ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not impact the surrounding street system.

In May 2013, an initial Traffic Management Plan was approved when the City Council approved the illuminated competitive athletic field. The applicant complied with the submittal deadline for submitting an updated TMP to the Sustainable Development and

Construction Department by November 2016. A revised TMP plan was subsequently submitted with this current application. The Engineering Division has reviewed and supports this revised TMP. As with all TMPs, the applicant is required to submit a traffic study to the director each even-numbered year, to determine if the TMP is being implemented effectively.

Land Use:

	Zoning	Land Use
Site	PDD No. 385, SUP No. 2024	Private school, Illuminated competitive athletic field
North	R-1ac(A)	Single Family
South	R-1ac(A)	Single Family
East	R-1ac(A)	Single Family
West	R-1ac(A)	Single Family

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

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC EVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

NEIGHBORHOOD PLUS

Policy 4.2 Support and leverage emerging school quality and school choice programs.

STAFF ANALYSIS:

Land Use Compatibility: The site is developed with various structures and improvements that support the existing private school campus. The applicant is requesting an amendment to the PDD to allow for future improvements to the campus.

The applicant is proposing to renovate several existing buildings, construct a new chapel with a maximum height of 46 feet within the larger building footprint of the Main Hall West, and increase the total floor area of the existing cafeteria from 4,188 square feet to 8,188 square feet. In addition, the existing 7,075 square-foot library will be razed and replaced with a multi-functional space that will include a media center/library space

within the existing French Family Center. Additional media centers/study spaces will be distributed throughout the campus. The total floor area of the renovations and new construction on campus is approximately 7,825 square feet. The additional floor area necessitates the change in the PD conditions to increase the maximum allowable floor area from 0.30 to 0.35. The proposed changes to the campus should not negatively impact the surrounding residential uses.

The site is surrounded by low density residential uses. Access to the school campus is provided along Walnut Hill Lane (three ingress/egress points) and Inwood Road (one ingress/egress point), with no means of ingress/egress along the site's internal property lines.

Development Standards:

DISTRICT	SETBACKS		Density	Max Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 385 - existing	50'	40'	0.3	36' 3-story	60%	Proximity Slope Visual Intrusion	Private school, Institutional & community services, Recreational uses
PDD No. 385- proposed	50'	40'	0.35	46' 3-story	60%	Proximity Slope Visual Intrusion	Private school, Institutional & community services, Recreational uses

Structure Height: The applicant will raze the existing chapel and construct a new chapel within a larger building footprint within the Main Hall West, which is located in the interior of the school's campus. The increase in the chapel structure height form 36 feet to 46 feet will not adversely affect the surrounding residential uses. The proposed height of 46 feet is below the residential proximately slope.

Landscaping: Landscaping must be provided in accordance with the landscape plan.

Off-street parking: Required off-street parking is provided per the PDD's permitted uses as required by the Dallas Development Code, with not less than 585 spaces for a private school. Since the school is not increasing the number of classrooms, the required number of off-street parking will not change.

CPC Action (August 17, 2017)

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 385, subject to a revised development plan, revised landscape plan, revised traffic management plan (as briefed) and conditions on property zoned Planned Development District No. 385 and Specific Use Permit No. 2024 for an illuminated competitive athletic field on the southwest corner of Inwood Road and Walnut Hill Lane.

Maker: Murphy
Second: Schultz
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves*, Houston, Davis, Shidid, Mack, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 56
Replies: For: 7 Against: 3

Speakers: For: None
For (Did not speak): Bill Dahlstrom, 2323 Ross Ave., Dallas, TX, 75201
Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201
Valerie Oates, 7004 Brook Forest Cr., Plano, TX, 75024
Christy Lambeth, 400 S. Houston St., Dallas, TX, 75202
Win Bell, 6433 Waggoner, Dallas, TX, 75230
Gretchen Kane, 7700 Greenway Blvd., Dallas, TX, 75209
Shannon Quine, 2323 Ross Ave., Dallas, TX, 75201
Catherine Manner, 305 Northview Dr., Richardson, TX, 75080
Karen Sheinberg Pollack, 99219 Strait Ln., Dallas, TX, 75220
Against: None

Board of Trustees

URSULINE ACADEMY of Dallas

OFFICE OF THE PRESIDENT

Ursuline Academy of Dallas Board of Trustees

Win Bell, Chair
Tom Merkel, Vice Chair
Roland Pedevilla, Secretary
Gretchen Kane, Academy President

Kevin Bartholomew
Sr. Ginger Cirone, O.S.U.
Karen Drawz
Jim Duda
Sr. Diane Fulgenzi, O.S.U.
Belinda Golding
Marie Kelly
Caytie Sarandis Langford
Vicky Pitts Lattner
Lydia Haggar Novakov
Scot O'Brien
Cynthia Morgan Ohlenforst
Steven Priddy
Ellen Smith Pryor
Patti Ling Pryor
Mary Templeton
Mike Terry
Angie Wallander
Ann Williams
Sr. Lois Castillon, O.S.U.
Sr. Madonna O'Hara, O.S.U.
Andi Shurley, Principal

CPC RECOMMENDED PDD CONDITIONS

ARTICLE 385.

PD 385. SEC. 51P-385.101. LEGISLATIVE HISTORY.

PD 385 was established by Ordinance No. 21788, passed by the Dallas City Council on August 25, 1993. Ordinance No. 21788 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended.

SEC. 51P-385.102. PROPERTY LOCATION AND SIZE.

PD 385 is established on property generally located on the south line of Walnut Hill Lane, west of Inwood Road. The size of PD 385 is approximately 25.747 acres.

SEC. 51P-385.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions contained in Chapter 51A apply to this article. In this article: COMPETITIVE ATHLETIC FIELD means an athletic field used for scheduled soccer and lacrosse games and practices where one of the teams using the athletic field is comprised of athletes that attend the private school on the Property.

(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 residential zoning district.

SEC. 51P-385.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 385A: development plan.

(2) Exhibit 385B: landscape plan

(3) Exhibit 385C: competitive athletic field landscape plan.

(4) Exhibit 385D: traffic management plan.

SEC. 51P-385.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 385A). Prior to the issuance of a building permit for any other development, a development plan that complies with the requirements of Section 51A-4.702 must be submitted to and approved by the city plan commission.

SEC. 51P-385.106. USE REGULATIONS IN GENERAL.

The private school, theater, and private recreation center, club, or area may be used only for school-sponsored functions.

SEC. 51P-385.107. MAIN USES PERMITTED.

(a) Institutional and community service uses.

-- Church.
-- Convent or monastery.
-- Private school.

(b) Recreation uses.

-- Competitive athletic field. [SUP required if field is illuminated; otherwise, by right.]
-- Private recreation center, club, or area.

(c) Residential uses.

-- Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(3.1) is not met.]
-- Single family.

(d) Retail and personal service uses.

-- Theater.

(e) Utility and public service uses.

-- Local utilities.

SEC. 51P-385.108. 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 in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A- 4.217. (Ord. Nos. 21788; 25850; 29010)

SEC. 51P-385.109. 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) Front yard.

(1) In general. Except as provided in this section, minimum front yard along Inwood Road and Walnut Hill Lane is 50 feet. All other front yards must comply with the setbacks indicated on the approved development plan.

(2) Competitive athletic field. Lighting, retaining walls, protective athletic field netting with supporting poles, and goals are permitted in the front yard.

(b) Side and rear yard. Minimum side and rear yard is 40 feet unless otherwise shown on the development plan.

(c) Dwelling unit density. Maximum dwelling unit density is one dwelling unit per net acre.

(d) Floor area ratio. Maximum floor area ratio is [~~0.3~~] 0.35.

(e) Height.

(1) Residential proximity slope. Except for competitive athletic field lighting standards and competitive athletic field netting and support poles, if any portion of a structure is over 36 feet in height, that portion may not be located above a residential proximity slope, as defined by Section 51A-4.412. The angle of projection of the slope must be set forth on the approved development plan. The extent of the slope is infinite. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope up to 12 feet above the slope.

(2) Maximum height. Maximum structure height is:

(A) 80 feet for the theater;

(B) 46 feet for the bell tower;

(C) 44 feet for the gymnasium;

(D) 25 feet for competitive athletic field netting and support poles, inclusive of any retaining wall.

(E) 45 feet above finished grade of the field for light standards used in conjunction with a competitive athletic field, as measured to the top of the fixture; [~~and~~]

(F) 46 feet for the chapel; and

[~~(F)~~](G) 36 feet for all other structures.

(f) Lot coverage. Maximum lot coverage is 60 percent. No more than two-thirds of the permitted coverage may be for residential, convent or monastery, and private school structures, and no more than one-third of the permitted coverage may be for accessory structures. Parking lots are not considered as main or accessory structures for purposes of lot coverage. Aboveground parking structures and surface parking lots are included in maximum lot coverage calculations; underground parking structures are not.

(g) Lot size. Minimum lot size is one acre.

(h) Stories. Maximum number of stories above grade is three.

SEC. 51P-385.110. OFF-STREET PARKING AND LOADING.

(a) Parking. Required off-street parking:

(1) Two spaces for each single family dwelling and handicapped group dwelling unit.

(2) Six spaces for each classroom of the private school.

(3) One space for each three residents of the convent or monastery with a minimum of two spaces required.

(4) No spaces for the other uses.

(b) Loading. Consult Section 51A-4.303 for requirements regarding off-street loading generally.

SEC. 51P-385.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-385.112. LANDSCAPING.

(a) In general. Except as provided in this section, all landscaping must be provided as shown on the landscape plan (Exhibit 385B). 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. *[Note: Exhibit 385B was erroneously stamped with Ordinance No. 21787 rather than Ordinance No. 21788.]*

(b) For a competitive athletic field, landscaping must be provided as shown on the competitive athletic field landscape plan (Exhibit 385C)

(c) Playing field buffer. One tree must be planted in the playing field buffer shown on the landscape plan for each tree removed during installation of the playing field. The replacement trees must be randomly distributed and each tree must have a minimum caliper of two inches. If the number of replacement trees to be planted exceeds the number the buffer can accommodate in accordance with standard landscaping practices, the excess required trees may be planted elsewhere in the Bachman Branch flood plain on the Property. Native privet and other naturally occurring evergreen materials may be installed.

SEC. 51P-385.113. TRAFFIC MANAGEMENT PLAN.

(a) In general.

(1) Private school. Operation of a private school must comply with the traffic management plan-school section of the traffic management plan (Exhibit 385D).

(2) Competitive athletic field. Operation of a competitive athletic field must comply with the traffic management plan-athletic field section of the traffic management plan (Exhibit 385D).

(b) Queuing.

(1) Private school. Except as provided in the traffic management plan-school section, queuing is only permitted inside the Property. Except as provided in the traffic management plan-school section, student drop-off and pick-up are not permitted within city rights-of-way.

(2) Competitive athletic field. Queuing is only permitted inside the Property. Student athlete and spectator drop-off and pick-up are not permitted within city rights-of-way.

(c) Traffic studies.

(1) Private school. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan-school section. The

initial traffic study must be submitted to the director by November 1, 2016. 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.

(2) Competitive athletic field. The Property owner shall prepare an update to the traffic management plan-athletic field section of the traffic management plan evaluating the sufficiency of the plan. The initial update of the traffic management plan-athletic field section must be submitted to the director by November 1, 2015. After the initial update, the Property owner shall submit additional updates of the traffic management plan-athletic field section to the director by November 1 of each even numbered year.

(3) 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.

(4) 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 the 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-385.114. TRAFFIC CIRCULATION IMPROVEMENTS.

Before issuance of a certificate of occupancy for a competitive athletic field or by November 22, 2013, whichever occurs first, the following improvements must be completed, with final approval by the Transportation Section of the Streets Department:

(1) Install a no-left-turn sign on westbound Walnut Hill Lane at Driveway A to prevent vehicular traffic from entering the Property through Driveway A;

(2) Install a no-right-turn sign on eastbound Walnut Hill Lane at Driveway A to prevent vehicular traffic from entering the Property through Driveway A;

(3) Install a no-right-turn sign on eastbound Walnut Hill Lane at Driveway C to prevent vehicular traffic from entering the Property through Driveway C;

(4) Install a no-right-turn sign on southbound Inwood Road at Driveway D to prevent vehicular traffic from entering the Property through Driveway D;

(5) Restripe the existing crosswalks on Walnut Hill Lane at Surrey Oaks Drive and on Driveway B at Strait Lane; and

(6) Adjust existing school zone warning signals on Walnut Hill Lane to coincide with school hours of operation.

SEC. 51P-385.115. SIGNS.

(a) Except as provided in this section, signs must comply with the provisions for nonbusiness zoning districts in Article VII.

(b) One monument sign with a maximum effective area of 65 square feet and a maximum height of four feet may be located as shown on the development plan.

SEC. 51P-385.116. FLOOD PLAIN.

See Division 51A-5.100.

SEC. 51P-385.117. PLAYING FIELDS.

(a) Other than the playing fields shown on the development plan, no other playing fields may be installed in the Bachman Branch flood plain.

(b) No lighting may be installed or maintained for the playing field.

(c) No school-sponsored activity may be held at the playing field between the end of the spring term and the beginning of the fall term of the private school.

SEC. 51P-385.118. ADDITIONAL REQUIREMENTS FOR A COMPETITIVE ATHLETIC FIELD.

(a) Loudspeakers and other forms of amplification are prohibited.

(b) One scoreboard is allowed in the area shown on the development plan.

(1) Maximum effective area is 56 square feet.

(2) Maximum height is 14 feet.

(3) Lighting is limited to internal sources to indicate time, score, and other pertinent items related to either soccer or lacrosse matches.

(4) All scoreboard lighting must be turned off by: (A) 9:00 p.m. for a maximum 20 scheduled athletic games per year. (B) 7:30 p.m. all other nights

(5) Advertising, other than the name of the school, field name, or its mascot, is prohibited.

(c) Before the completion of the 20th scheduled athletic game on the Property, the Property owner or operator must provide an analysis to the building official, prepared by a registered engineer, measuring noise generated during a minimum of four scheduled athletic games on adjacent residentially zoned properties north and east of the athletic field. If the director determines that the submitted noise analysis results in levels of noise that exceeds Article VI or otherwise creates a nuisance, the director shall require the Property owner to submit an outline of proposed improvements to mitigate reported noise levels. If the Property owner fails to submit an outline of the required improvements within 30 days after the director's request, the director shall notify the city plan commission. For purposes of this subsection, "scheduled athletic games" are those athletic games published on the official website of the private school located on the Property.

(d) Band practice and band events are prohibited.

(e) Bleachers with a maximum capacity of 50 spectators are permitted in the location shown on the development plan.

SEC. 51P-385.119. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

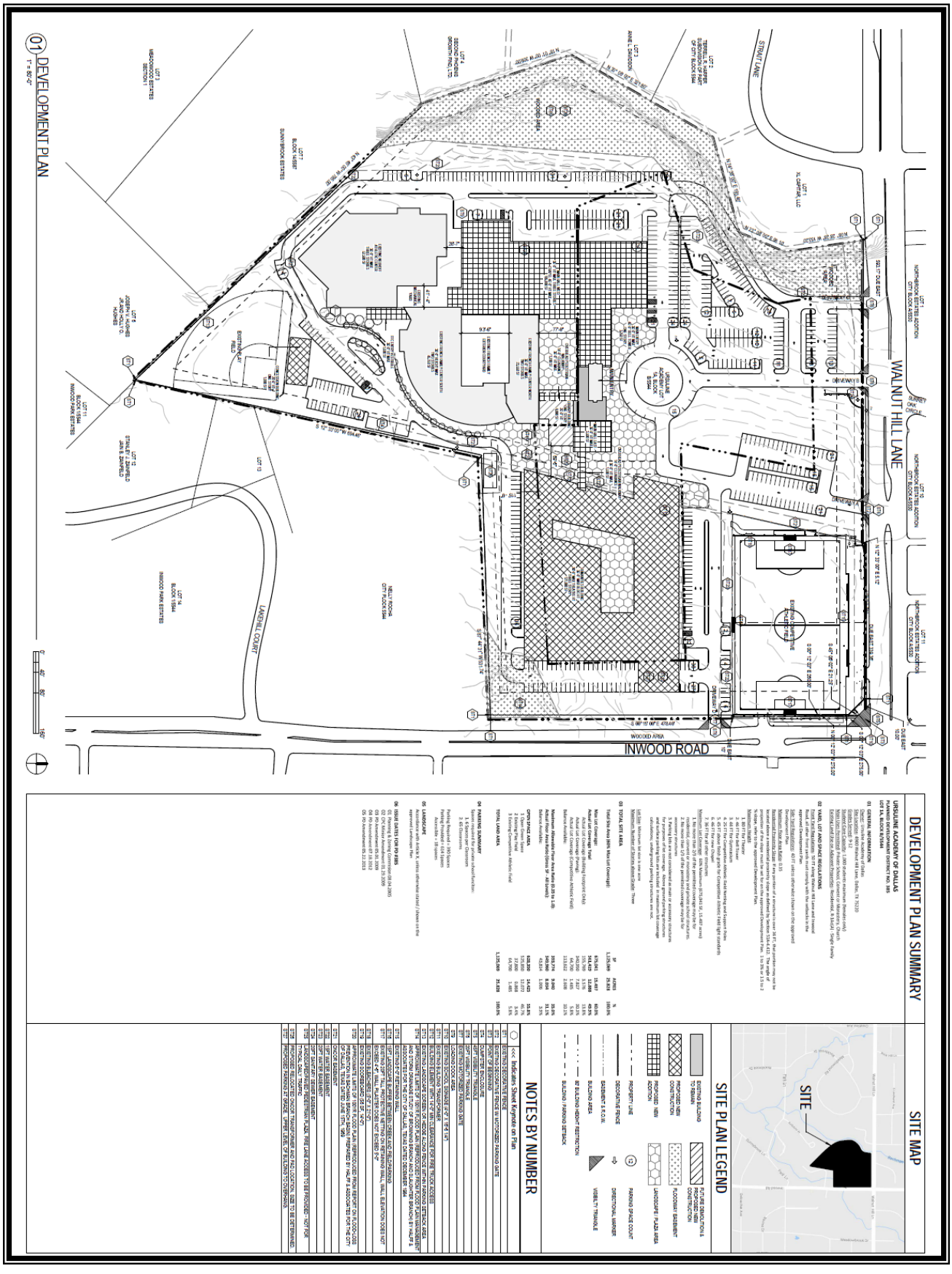
(b) Development and use of the Property must comply with all applicable federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-385.120. COMPLIANCE WITH CONDITIONS.

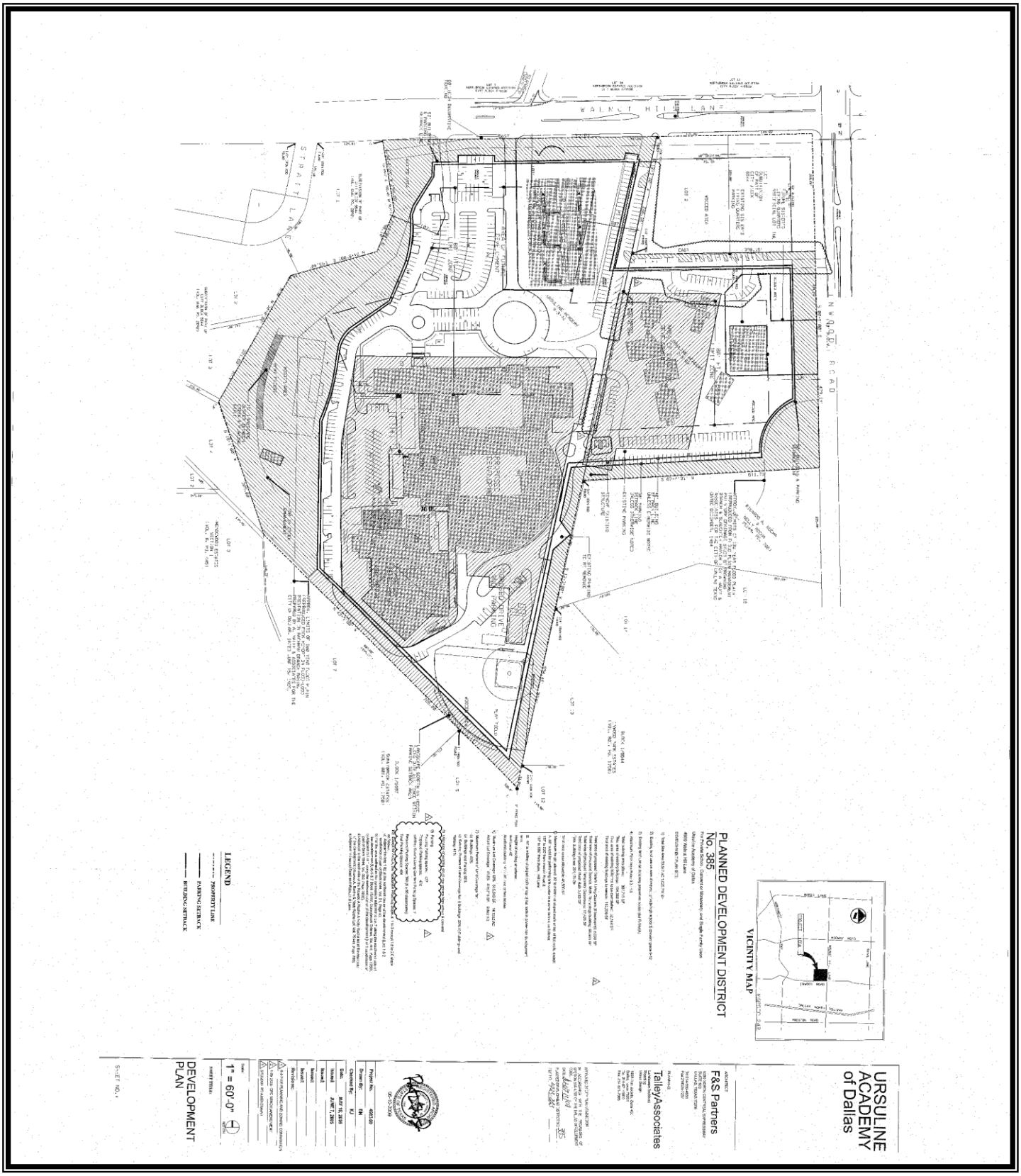
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(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.

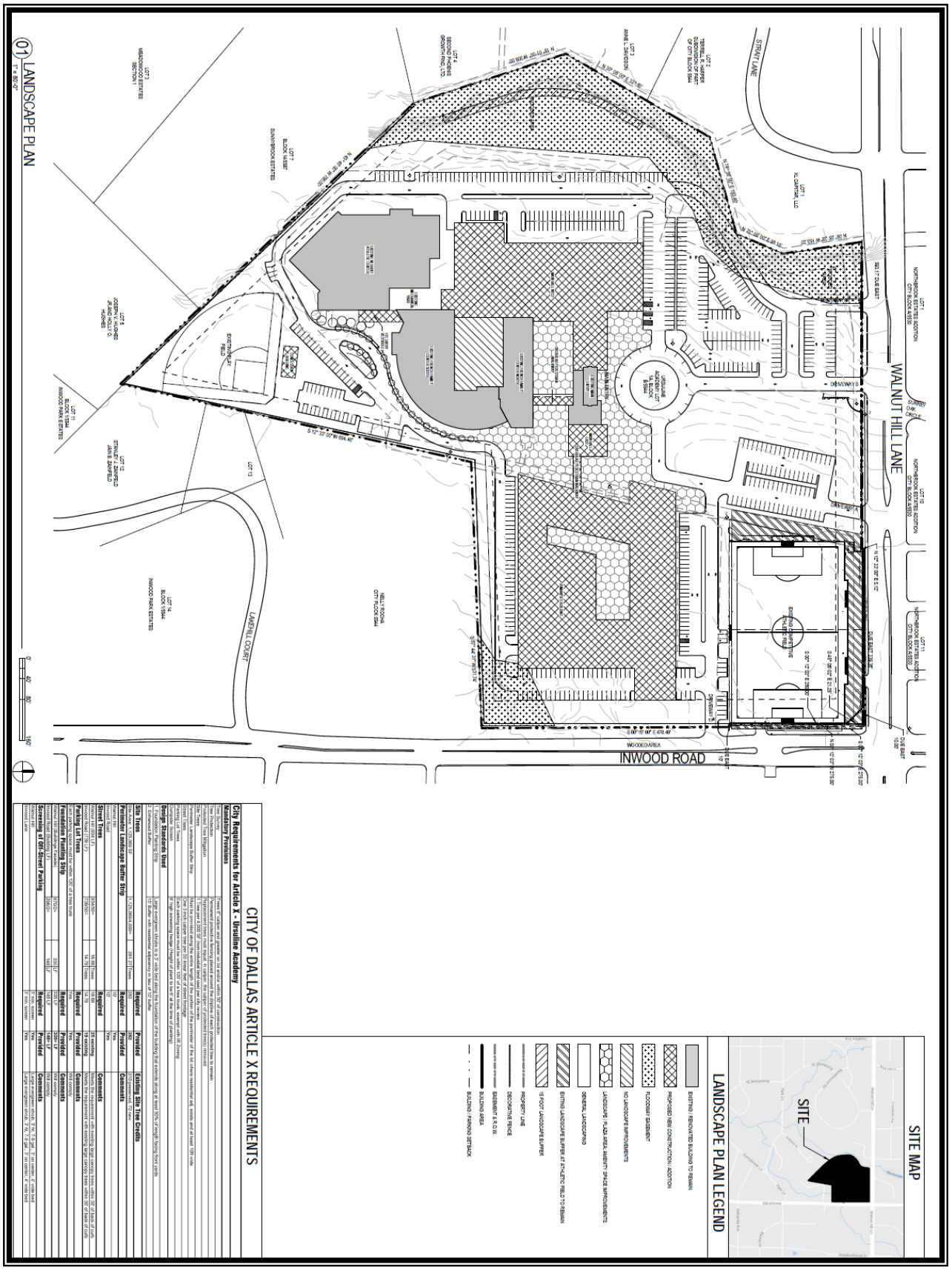
PROPOSED DEVELOPMENT PLAN



EXISTING DEVELOPMENT PLAN



PROPOSED LANDSCAPE PLAN



CITY OF DALLAS ARTICLE X REQUIREMENTS

City Requirements for Article X - Ursuline Academy

Mandation Provisions		Required	Provided	Existing Site Tree Credits
Tree Survey	Trees 6" caliper and greater on lot and/or within 50' of construction	Yes	Yes	
Protected Trees	Replacement trees, Heritage trees, Multi-trunk, Specimen trees, Historic trees			
Replacement Trees	Replacement trees must equal in caliper the caliper of protected trees removed			
Site Trees	1 Tree per 4,000 SF (Non-industrial land use) per CA review			
Landscape Buffer Strip	Buffer strip between residential and non-residential uses			
Street Trees	One 3 inch caliper tree per 50 linear feet of street frontage			
Parking Lot Trees	Each parking space must be within 100' of a tree trunk, except with IR Zoning			
Screening of Off-Street Parking	All off-street parking must be screened from residential adjacency			

Design Standards Used

1. Foundation Planting Strip
2. Perimeter Buffer

Large evergreen shrubs in 3-7' wide bed along the foundation of the building that extends along at least 50% of length facing front public

Site Trees 1 tree per 4,000 SF

		Required	Provided	Existing Site Tree Credits
Total Site Area	31,125 Metric Sqft	39	39 Trees	

Perimeter Landscape Buffer Strip 15' Landscape Buffer

		Required	Provided	Comments
Walnut Hill	1,000 Linear Feet	Yes	Yes	

Street Trees

		Required	Provided	Comments
Walnut Hill (SH 356) (LF)	1,000 Linear Feet	10	10	
Inwood Road (TSW LF)	730 Linear Feet	14	14	2/3 existing

Parking Lot Trees 1 tree per 4,000 SF

		Required	Provided	Comments
Total Site Area	31,125 Metric Sqft	Yes	Yes	

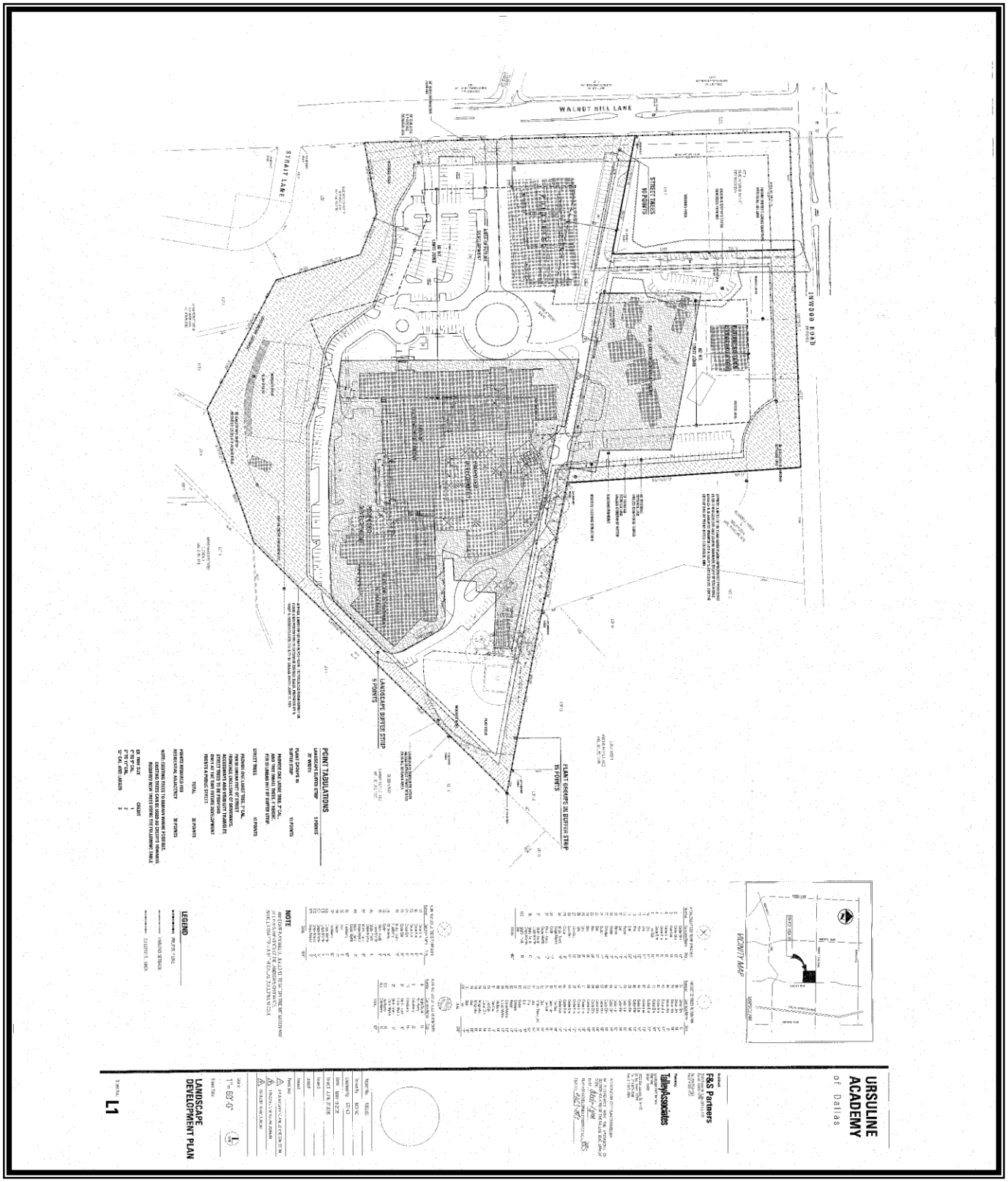
Foundation Planting Strip

		Required	Provided	Comments
Walnut Hill - Buildings Frontage	300 Linear Feet	300 LF	300 LF	Shrub massing
Inwood Road - Buildings Frontage	300 Linear Feet	300 LF	300 LF	Shrub massing

Screening of Off-Street Parking

		Required	Provided	Comments
Walnut Hill	3' min. screen	Yes	Yes	Large evergreen shrub, 3' to 5.5' tall, 3' on center, 4' wide bed
Inwood Road	3' min. screen	Yes	Yes	Large evergreen shrub, 3' to 5.5' tall, 3' on center, 4' wide bed

EXISTING LANDSCAPE PLAN



TRAFFIC MANAGEMENT PLAN

TRAFFIC MANAGEMENT PLAN UPDATE FOR

URSULINE ADADEMY

IN DALLAS, TEXAS

DeShazo Project No. 16065

Z167-317(WE) PD 385

Prepared for:

Ursuline Academy of Dallas

4900 Walnut Hill Lane
Dallas, Texas 75229

Prepared by:

DeShazo Group, Inc.

Texas Registered Engineering Firm F-3199

400 South Houston Street, Suite 330
Dallas, Texas 75202
214.748.6740

August 30, 2017

DeShazo Group

Traffic. Transportation Planning. Parking. Design.

Traffic Management Plan for

Ursuline Academy of Dallas

~ DeShazo Project No. 16065 ~

Table of Contents

INTRODUCTION ..... **ERROR! BOOKMARK NOT DEFINED.**

TRAFFIC MANAGEMENT PLAN..... **ERROR! BOOKMARK NOT DEFINED.**

School Operational Characteristics ..... *Error! Bookmark not defined.*
Site Access and Circulation ***23***
Queue Lengths ***24***
Competitive Athletic Field ***24***

SUMMARY AND RECOMMENDATIONS

ERR

OR! BOOKMARK NOT DEFINED.

LIST OF TABLES:

Table 1. School Operational Characteristics
Table 2. Peak On-Site Vehicle Demand during Afternoon Pick-Up Period

LIST OF EXHIBITS:

Exhibit 1. Traffic Management Plan for Peak School Traffic

Technical Memorandum

To: Director of City of Dallas Department of Sustainable Development and Construction
Cc: Ursuline Academy of Dallas
From: Christy Lambeth, P.E. — *DeShazo Group, Inc.*
Date: August 30, 2017
Re: Traffic Management Plan Update for Ursuline Academy of Dallas in Dallas, Texas
DeShazo Project Number 16065; Z167-317(WE) – PD 385

Introduction

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm providing licensed professional engineers and planners skilled in the field of traffic/transportation engineering. The services of DeShazo were retained by Ursuline Academy of Dallas to provide a requisite Traffic Management Plan (TMP) update for their school campus located at 4900 Walnut Hill Lane in Dallas, Texas.

The school site is zoned Planned Development (PD) District 385. DeShazo prepared a traffic study on September 18, 2012. As a condition of the approval of the school operations, submittal of biennial review of the TMP was required to be submitted to the City of Dallas on every even-numbered year. The plan is intended to assess current traffic conditions during the morning drop-off and afternoon pick-up activities. By consent of the TMP submittal, the school agrees to the strategies presented herein. In addition, the school is held self-accountable to enforce the plan until and unless the City of Dallas deems further mitigation measures are necessary.

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 operations. By properly managing the vehicular traffic generated during critical periods, the safety and efficiency of school carpool operations will also inherently improve. This TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it is a tool that aims to facilitate a safer and more efficient environment.

The analysis summarized below identifies the projected vehicle demand—including parking and queuing space (i.e. vehicle stacking)—needed on site to accommodate projected school traffic demands during peak 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 use of designated parking and queuing areas is necessary to minimize the operational impact on adjacent properties and the public street system.

School Operational Characteristics

Table 1 provides a summary of the operational characteristics for Ursuline Academy of Dallas considered in this analysis.

Table 1. School Operational Characteristics

	Existing Conditions
Enrollment (by grade)	9th Grade: 214 Students 10th Grade: 222 Students 11th Grade: 216 Students 12th Grade: 192 Students Total Enrollment: 844 Students
Daily Schedule	Monday: 9:15 AM – 3:45 PM Tuesday – Friday: 8:45 AM – 3:45 PM
Modes of Transportation for Student Drop-off/Pick-up	By School Bus ≅0% By Walking ≅0% Student Driving ≅41% By Parent ≅59%

DeShazo conducted field observations on three different school days at peak times. In general, most peak traffic activity occurred within thirty minutes. A 20-MPH school zone is provided on Walnut Hill Lane adjacent to the school. Field observations took place during the following dates:

- Afternoon pick-up period on Tuesday, September 6, 2016
- Morning drop-off period on Wednesday, September 7, 2016
- Afternoon pick-up period on Wednesday, September 7, 2016
- Afternoon pick-up period on Thursday September 8, 2016

Site Access and Circulation

The school site includes three driveways on Walnut Hill Lane (labeled A, B, and C in **Exhibit 1**) and one driveway on Inwood Road (Driveway D in **Exhibit 1**). All driveways are secured and/or access-controlled except for school peak traffic hours.

- Driveway A operates one-way, outbound-only. Two off-duty police officers control traffic on Walnut Hill Lane at Driveway A during the afternoon egress peak.
- All inbound traffic to the school enters at Driveway B on Walnut Hill Lane. Driveway B is a one-way operation, inbound-only with a full median access. During the morning peak period, an off-duty police officer is stationed on Walnut Hill Lane at Driveway B. Internally, security staff monitors access through Driveway B.

- Driveway C is a right-turn-, exit-only driveway serving the student parking lot. Driveway C remains closed except during the afternoon peak period.
- Access to Driveway D, on Inwood Road, is controlled by an automatic gate. Any vehicle may exit by pulling up to the gate but only authorized vehicles are allowed to enter. Overall, Driveway D serves a very low volume of traffic.

During student drop-off/pick-up periods, parents should enter via Driveway B, drive through the student parking lot to the peripheral campus loop road. Most student unloading and loading occurs in the designated loading areas at the southeast of the building. Most traffic exits via Driveway A, though some may opt to use Driveway D.

Queue Lengths

A goal for any school should be to accommodate all vehicular queuing and drop-off/pick-up procedures on private property (i.e., not utilize public right-of-way for passenger loading/unloading). At the same time the schools should try to minimize the number of vehicles present on site at any given time in order to minimize potential of vehicles queuing and/or parking in public right-of-way. **Table 2** presents a summary of on-site vehicle accumulation.

Table 2. Peak On-Site Vehicle Demand during Afternoon Pick-Up Period

CONDITIONS	**EXISTING**
Student Enrollment	*844 students* (Observed)
Vehicular Queue (max.)	Grade 9-12: 111 cars

The school site features a one-way loop road around the main school building from which parents may queue and load passengers. DeShazo ascertained the overall queue associated with student pick-up peak hours. The existing school features a one-way loop road around the main school building from which parents may queue and load passengers. All queuing associated with student pick-up occurred in the loop road and did not extend to the public street. **Exhibit 1** provides a graphical summary of the observed queue conditions.

The current plan provides approximately 3,041 linear feet of vehicular queuing or storage on site. This capacity accommodates the projected peak vehicle queues–an observed maximum queue of 111 vehicles and provides a surplus of approximately 432 linear feet.

Competitive Athletic Field

DeShazo prepared a requisite update to the TMP for the competitive athletic field on November 30, 2015.

SUMMARY AND RECOMMENDATIONS

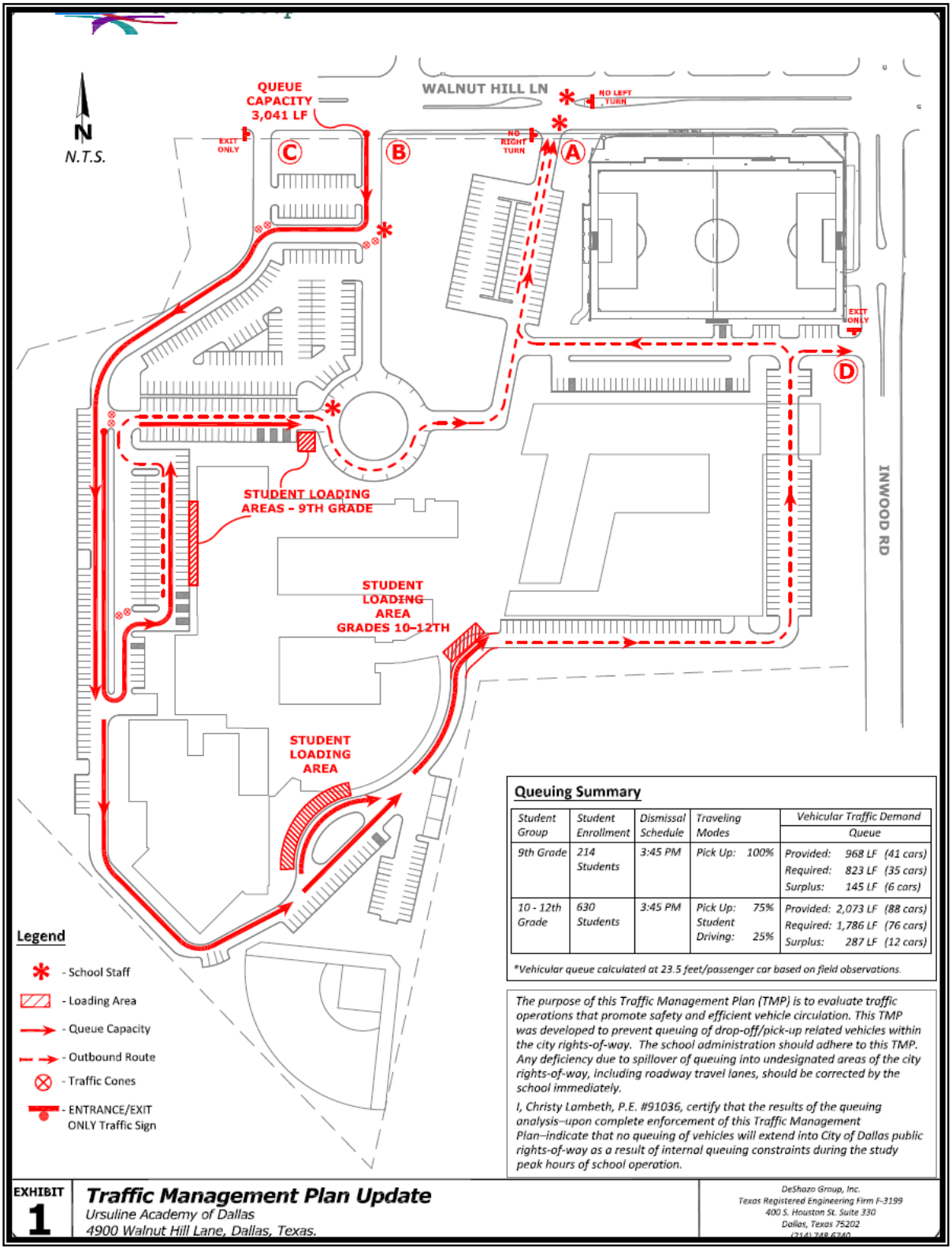
This TMP is provided to summarize the traffic characteristics of Ursuline Academy of Dallas during traditional school peak hours. This report presents a plan that was developed to maintain all queuing at drop-off/pick-up related vehicles within the property. The school administration should enforce this plan to provide safe and efficient circulation for students and staff. In most instances, achieving efficiencies during the afternoon is most critical, while the morning traffic operations require nominal active management.

- DeShazo recommends the traffic circulation plan depicted in **Exhibit 1**, based on TMP originally created in September 2012. The TMP is intended to maintain passenger vehicle loading/unloading within the site and to avoid vehicle queuing and passenger loading/unloading within the City right-of-way. The details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness and compliance and to consider adjustments as needed to provide overall safety.

- 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 for STOP and for SLOW.

- School should encourage parents to load/unload students within the school property at their designated loading areas to maximize efficiency and personal safety. As needed, staff should direct traffic and coordinate the loading of students on school property.

- Full cooperation of all school staff members, students, and parents is crucial for the success of any traffic management plan. Proper training of school staff on duties and expectations pertaining to the plan is recommended. Sufficient communications at the beginning of each school term (and otherwise, as needed) with students and parents on their duties and expectations is also recommended. Details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness and compliance and to consider any adjustments needed to provide overall safety.



Queuing Summary

Student Group	Student Enrollment	Dismissal Schedule	Traveling Modes	Vehicular Traffic Demand Queue
9th Grade	214 Students	3:45 PM	Pick Up: 100%	Provided: 968 LF (41 cars) Required: 823 LF (35 cars) Surplus: 145 LF (6 cars)
10 - 12th Grade	630 Students	3:45 PM	Pick Up: 75% Student Driving: 25%	Provided: 2,073 LF (88 cars) Required: 1,786 LF (76 cars) Surplus: 287 LF (12 cars)

*Vehicular queue calculated at 23.5 feet/passenger car based on field observations.

The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. This TMP was developed to prevent queuing of drop-off/pick-up related vehicles within the city rights-of-way. 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.

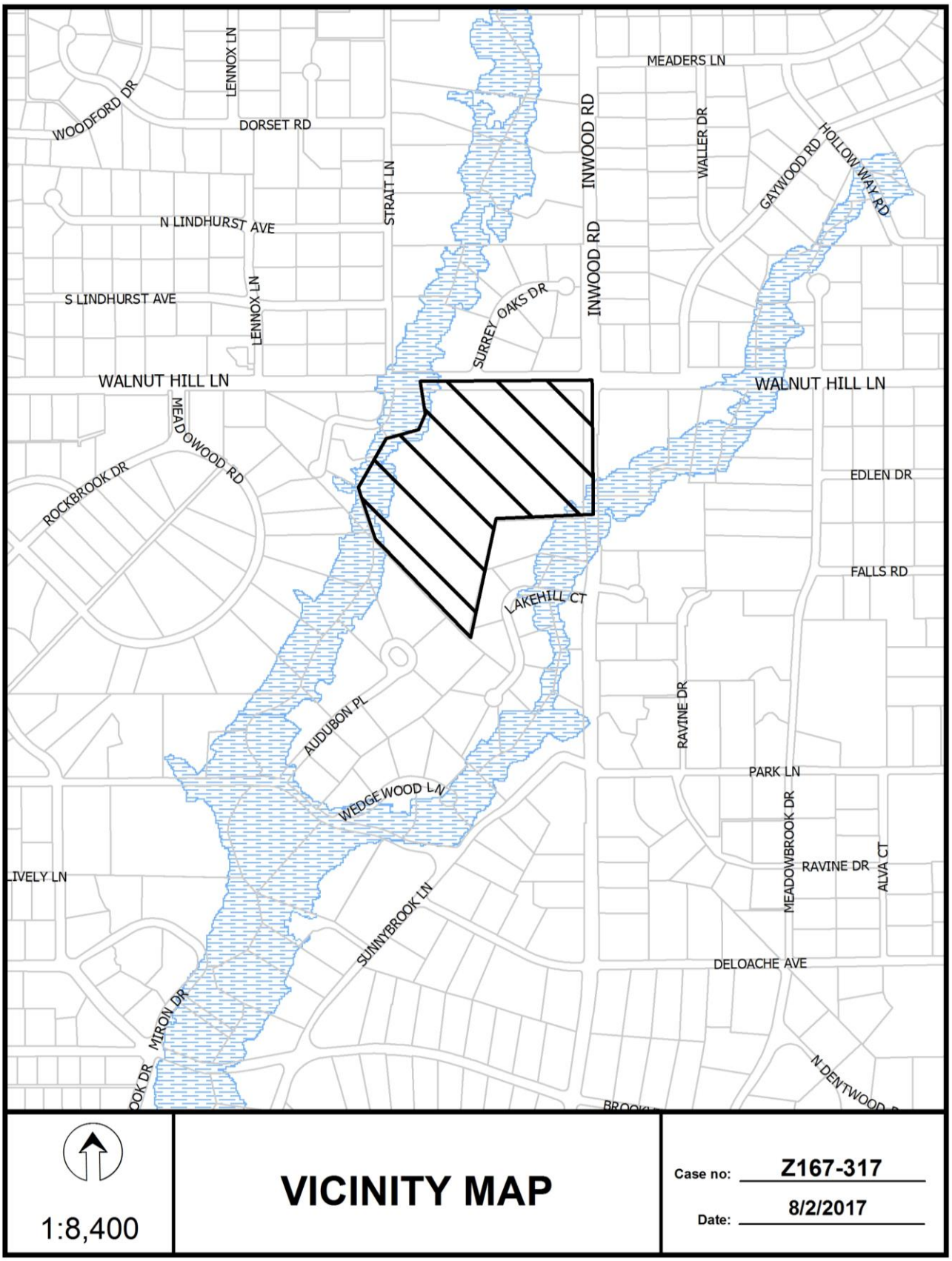
I, Christy Lambeth, P.E. #91036, certify that the results of the queuing analysis--upon complete enforcement of this Traffic Management Plan--indicate that no queuing of vehicles will extend into City of Dallas public rights-of-way as a result of internal queuing constraints during the study peak hours of school operation.

EXHIBIT 1

Traffic Management Plan Update

Ursuline Academy of Dallas
4900 Walnut Hill Lane, Dallas, Texas.

DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748-6740

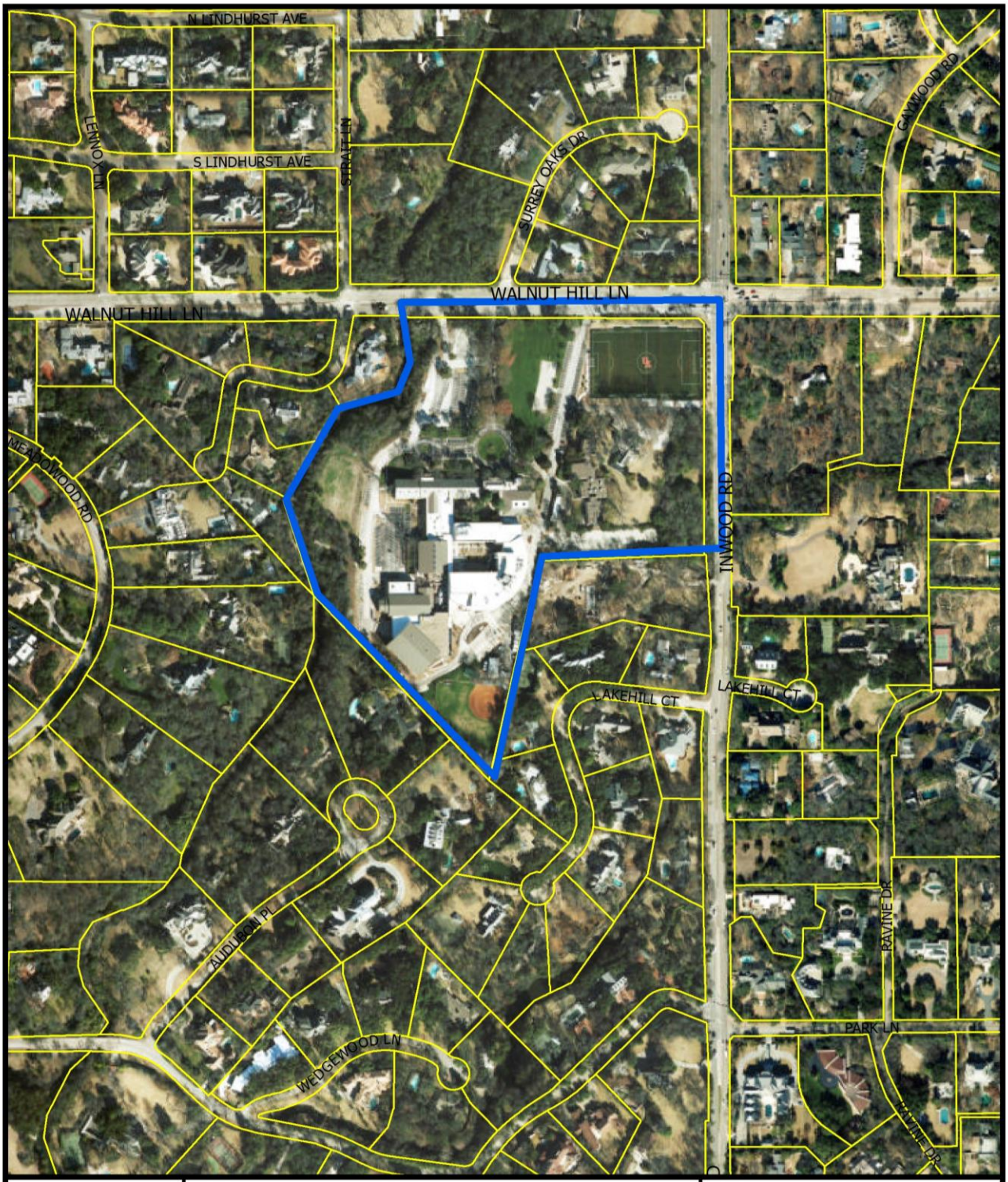


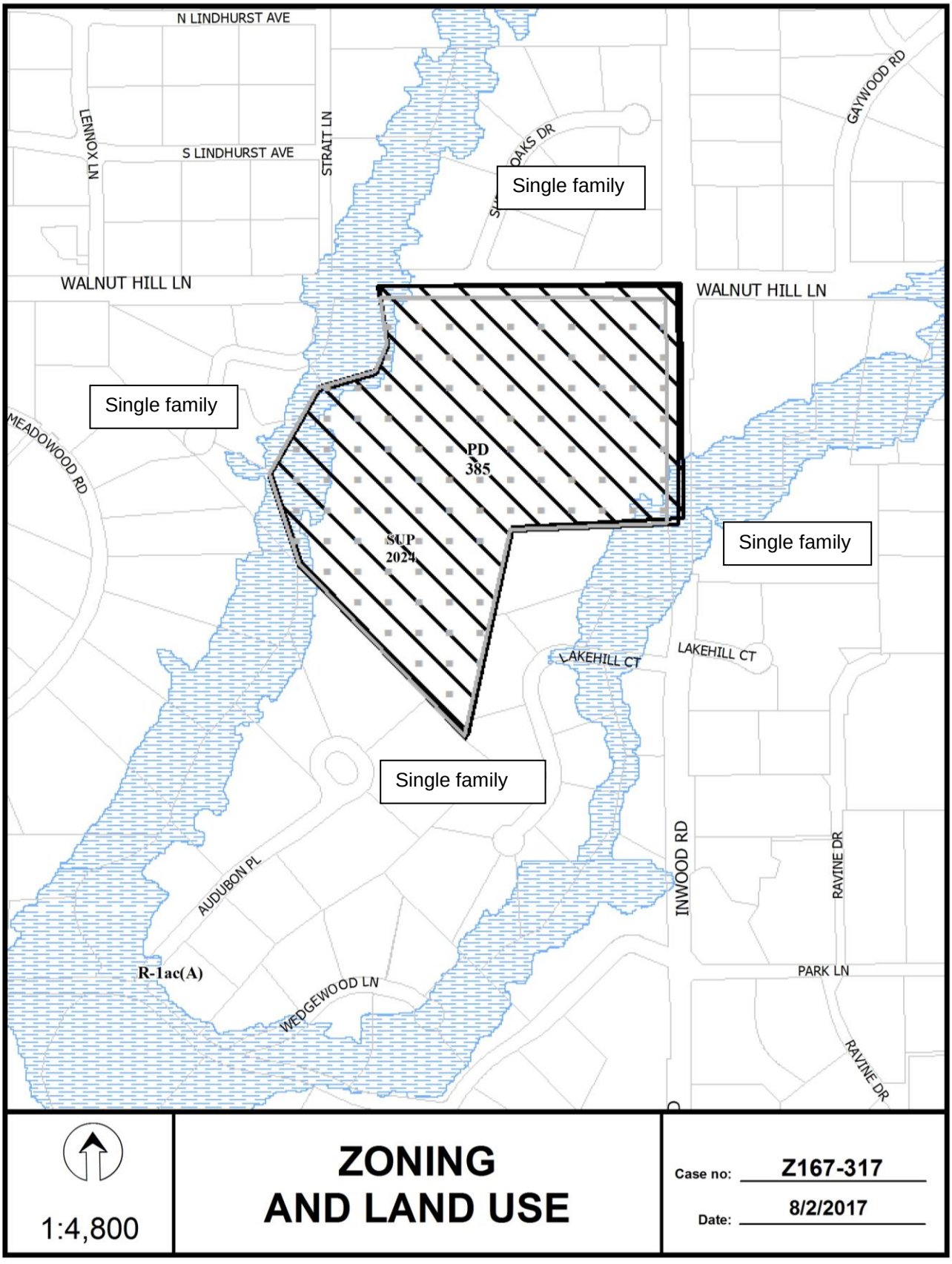
1:8,400

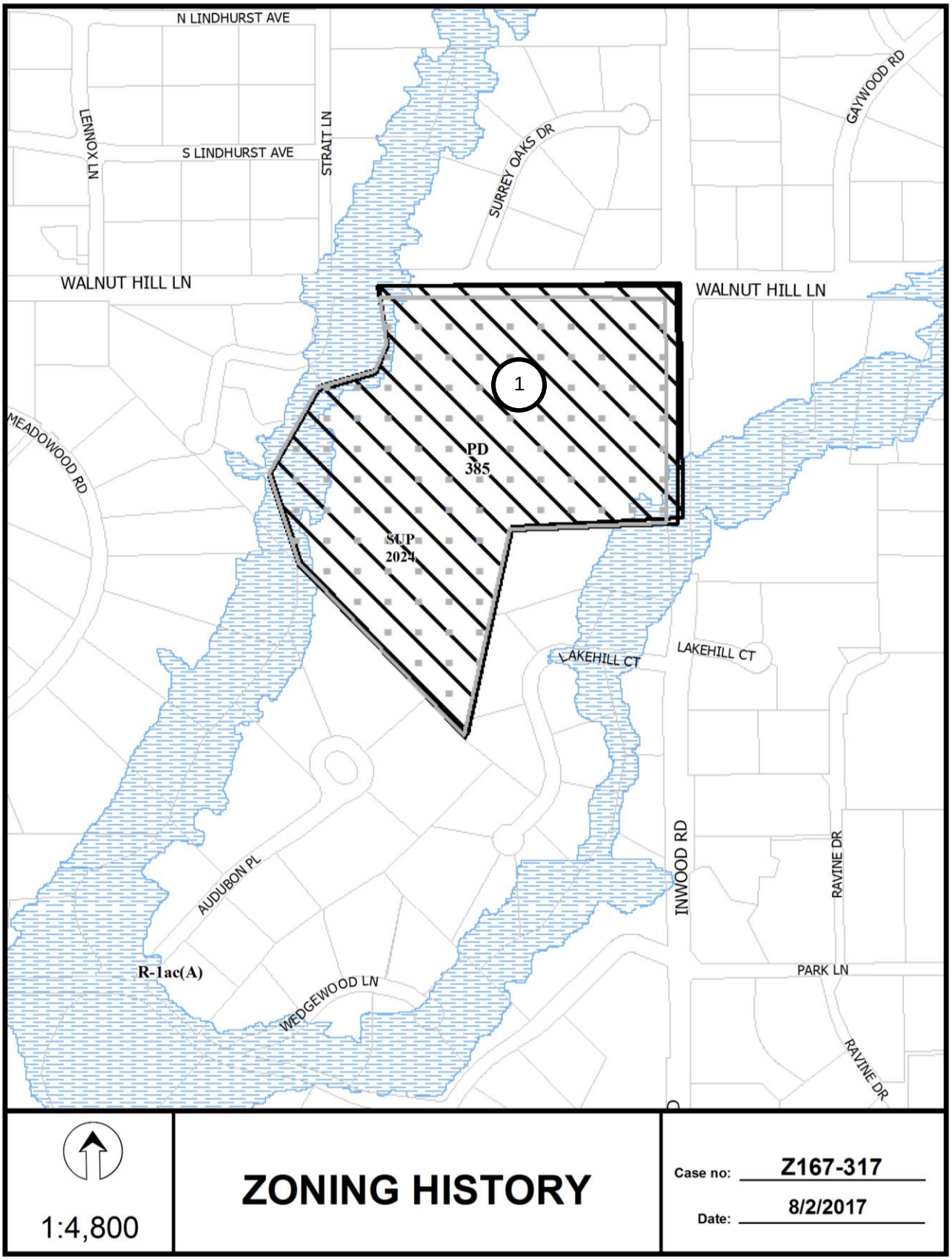
VICINITY MAP

Case no: Z167-317

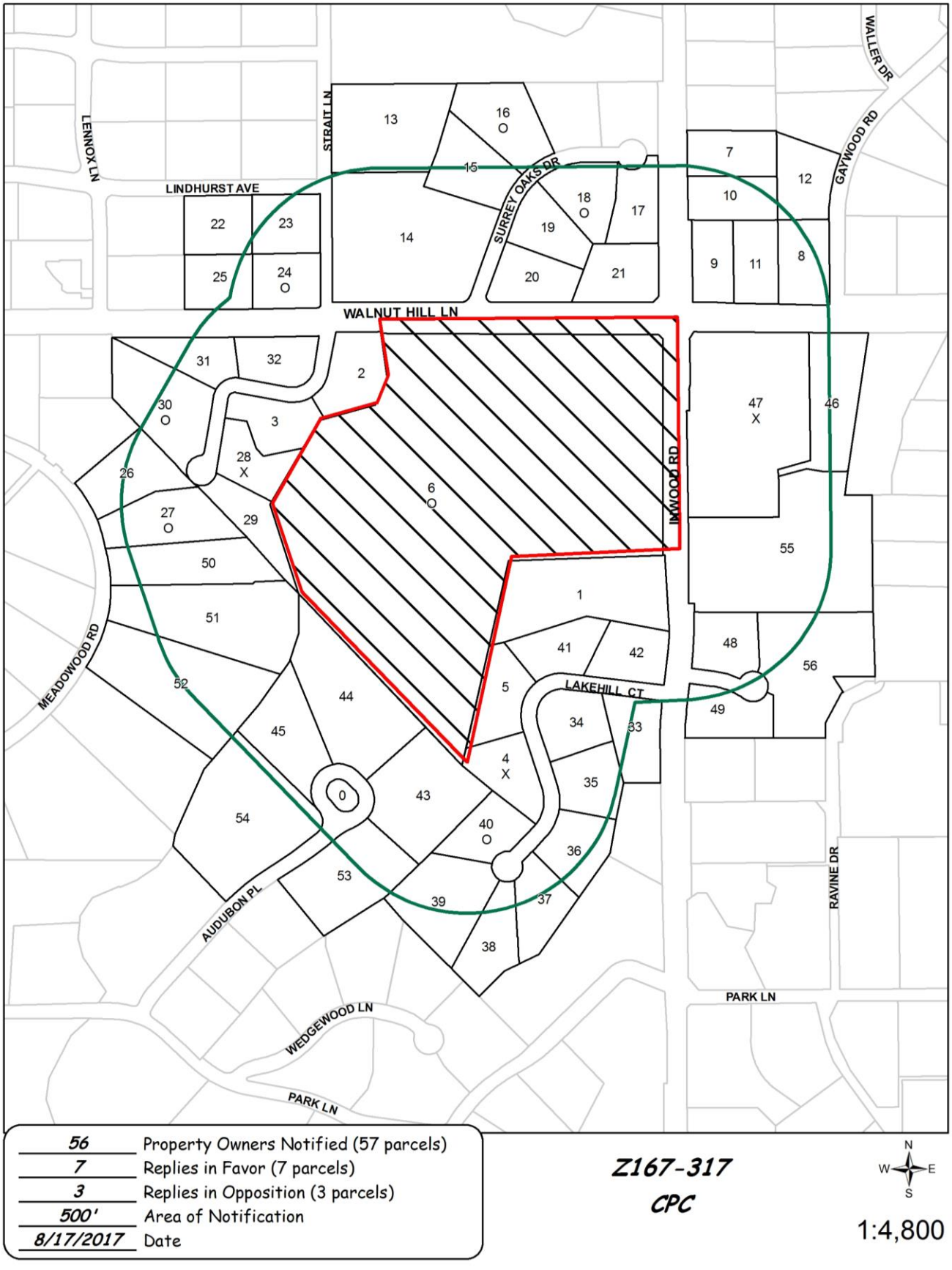
Date: 8/2/2017


N LINDHURST AVE
S LINDHURST AVE
LENNOX LN
GRAPE LN
SURREY OAKS DR
GAYWOOD RD
WALNUT HILL LN
WALNUT HILL LN
MEADOWOOD RD
INWOOD RD
LAKEHILL CT
LAKEHILL CT
AUDUBON PL
WEDGEWOOD LN
RAVINE DR
PARK LN
1:4,800
AERIAL MAP
Case no: Z167-317
Date: 8/2/2017


N LINDHURST AVE
S LINDHURST AVE
LENNOX LN
STRAIT LN
GAYWOOD RD
WALNUT HILL LN
WALNUT HILL LN
Single family
Single family
Single family
Single family
MEADOWOOD RD
PD 385
SUP 2024
LAKEHILL CT
LAKEHILL CT
INWOOD RD
RAVINE DR
AUDUBON PL
R-1ac(A)
WEDGEWOOD LN
PARK LN
RAVINE DR
1:4,800
ZONING AND LAND USE
Case no: Z167-317
Date: 8/2/2017


N LINDHURST AVE
S LINDHURST AVE
LENNOX LN
STRAIT LN
SURREY OAKS DR
GAYWOOD RD
WALNUT HILL LN
WALNUT HILL LN
1
PD 385
SUP 2024
MEADOWOOD RD
LAKEHILL CT
LAKEHILL CT
INWOOD RD
RAVINE DR
AUDUBON PL
R-1ac(A)
WEDGEWOOD LN
PARK LN
RAVINE DR
1:4,800
ZONING HISTORY
Case no: Z167-317
Date: 8/2/2017

CPC RESPONSES



Notification List of Property

Z167-317

56 Property Owners Notified ***7 Property Owners in Favor*** ***3 Property Owners Opposed***

Reply	*Label #*		*Address*	*Owner*
	1	9807	INWOOD RD	HILLMAN ANDREW & ERIN
	2	9970	STRAIT LN	XL CAPITAL LLC
	3	9950	STRAIT LN	SILCOCK JULIE E
X	4	5045	LAKEHILL CT	ZAINFELD JEAN BALLAS
	5	5055	LAKEHILL CT	BECK MICHAEL R &
O	6	5050	WALNUT HILL LN	URSULINE ACADEMY OF DALLAS
	7	10044	INWOOD RD	LIN WENN WED & BERNADETTE
	8	10001	GAYWOOD RD	BOWIE WILLIAM H
	9	10000	INWOOD RD	COFFEY WILLIAM J &
	10	10030	INWOOD RD	HODGE STEPHEN L & RUTH E
	11	5115	WALNUT HILL LN	CASEY MARK &
	12	10035	GAYWOOD RD	ARMSTRONG WILLIAM MARK &
	13	10050	STRAIT LN	BROADY GEORGE K & ELEANOR
	14	10010	STRAIT LN	REESE NINETTA SPEARMAN REV TR
	15	10035	SURREY OAKS DR	RADER HOMER J JR
O	16	10045	SURREY OAKS DR	SAGER RODNEY D &
	17	10064	SURREY OAKS DR	OPSAL AARON L & AMY B
O	18	10056	SURREY OAKS DR	SHOUSE CLINTON BRADLEY &
	19	10024	SURREY OAKS DR	SPIRITAS SS 2003 TRUST
	20	10014	SURREY OAKS DR	LEE RICHARD R JR REVOCABLE TRUST
	21	5055	WALNUT HILL LN	STEWART WALTON H
	22	4834	S LINDHURST AVE	VALENTA TOMMY A & LANA M
	23	10095	STRAIT LN	MCINTYRE MICHAEL P &
O	24	10011	STRAIT LN	JENNINGS LISA C
	25	4833	WALNUT HILL LN	SHANKLE JIMMY &
	26	4668	MEADOWOOD RD	GLAZER PHYLLIS R

08/16/2017

Reply	*Label #*		*Address*	*Owner*
O	27	4664	MEADOWOOD RD	HAYES COLLEEN A &
X	28	9930	STRAIT LN	DAVIDSON ANNE L
	29	9920	STRAIT LN	SECOND PHOENIX GROWTH FUND LTD
	31	9941	STRAIT LN	KING MARK A & MARCIA J
	32	9949	STRAIT LN	GILES CLARICE T & STEPHEN
	33	5074	LAKEHILL CT	REGNER LLOYD
	34	5054	LAKEHILL CT	HAMMOND STEVAN A
	35	5042	LAKEHILL CT	SCHULZE RICHARD H &
	36	5026	LAKEHILL CT	MEYER WILLIAM E
	37	5014	LAKEHILL CT	BRODNAX BRETT
	38	5015	LAKEHILL CT	MARTIN WILLIAM KEITH &
	39	5025	LAKEHILL CT	BRINKMANN J BAXTER
O	40	5035	LAKEHILL CT	FITTS JOHN STUART
	41	5065	LAKEHILL CT	THOMSON BONNIE & CLIFFORD REV TRUST THE
	42	5075	LAKEHILL CT	FRANCIS FRANCIS ANTONY &
	43	9784	AUDUBON PL	HUGHES JOSEPH V JR &
	44	9785	AUDUBON PL	FEARON JEFFREY ARCHER &
	45	9779	AUDUBON PL	DAYTON JOHN W
	46	5202	WALNUT HILL LN	JF LUX HOMES LLC
X	47	9910	INWOOD RD	DOMINION NORTH DALLAS PPTIES LP
	48	5101	LAKEHILL CT	CAMPBELL DAVID A &
	49	5102	LAKEHILL CT	SHEPKO JONATHAN
	50	4660	MEADOWOOD RD	CARTY DONALD J &
	51	4656	MEADOWOOD RD	FOJTASEK JACQUELINE E QUALIFIED PER RES TR 1 & 2
	52	4650	MEADOWOOD RD	LUNSFORD R HOLT &
	53	9762	AUDUBON PL	BEST RANDY & NANCY K
	54	9769	AUDUBON PL	MITCHELL LEE ROY &
	55	9806	INWOOD RD	9806 INWOOD ROAD TRUST
	56	5105	LAKEHILL CT	TURLEY R WINDLE & SHIRLEY A
O	A1	9929	STRAIT LN	POLLOCK RICHARD & KAREN S

AGENDA ITEM # 52

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 4

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 55 T

SUBJECT

A public hearing to receive comments regarding an application for and a resolution terminating deed restrictions on property zoned a CR Community Retail District, on the southwest corner of East Illinois Avenue and South Denley Drive
Recommendation of Staff and CPC: Approval
Z167-323(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, SEPTEMBER 27, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-323(JM) **DATE FILED:** June 9, 2017

LOCATION: Southwest corner of East Illinois Avenue and South Denley Drive.

COUNCIL DISTRICT: 4 **MAPSCO:** 55 T

SIZE OF REQUEST: ±0.286 acres **CENSUS TRACT:** 55.00

OWNER/APPICANT: Benito Mojica

REQUEST: An application for the termination of deed restrictions on property zoned a CR Community Retail District.

SUMMARY: The purpose of the request is to terminate existing deed restrictions which 1) limited the allowable use of the property to truck repair and sales with no paint and body work, open storage with visual screening, and all other uses permitted in an LC Light Commercial District as defined in the Comprehensive Zoning Ordinance of the City of Dallas Development Code; and, 2) required a solid wooden screening fence with a minimum height of eight and a half feet. The applicant would like to operate a general merchandise or food store and install an open wrought-iron fence along East Illinois Avenue and South Denley Drive.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND INFORMATION:

- The request is made to terminate existing deed restrictions to allow the property owner to install fencing other than what is required.

- Existing deed restrictions require the following:

    1. Use of the property to be limited to truck repair and sales, with no paint and body work, open storage with visual screening for currently licensed operable motor vehicles or trucks, and all other uses permitted in a Light Commercial District as defined in the Comprehensive Zoning Ordinance of the City of Dallas.

    2. All truck and automobile repair shall be done on the inside of a building.

    3. A solid wooden screening fence with a minimum height of 8 ½ feet shall be erected and maintained on all sides of the herein described property with the exception of where the building faces the southern and western boundary lines of the property, and with provision for a gate for vehicular entrance on the S. Denley Drive frontage, with the fence and gate to be located as shown on the attached site plan.

- The property is zoned Community Retail CR District, which allows up to a nine-foot fence. Considering the residential adjacency to the south and west, a minimum of a six-foot in height solid screening fence would be required at those boundaries. The applicant is proposing an open wrought-iron fence along E. Illinois Avenue and S. Denley Drive.

Zoning History:

There have been no zoning cases in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Right-of-Way
E. Illinois Avenue	Principal Arterial	100 feet
S. Denley Drive	Local	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

Land Use:

	Zoning	Land Use
Site	Community Retail w/DRs	Vacant (Proposed Retail)
North	Commercial Service	Vacant, Retail, & Vehicle Display, Sales, and Service
East	Community Retail	Auto Service Center & Beauty Shop
South	Community Retail	Residential
West	Community Retail	Vacant & Residential

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.

The proposed retail use is consistent with the Multi-Modal Corridor Building Block. This building block specifically encourages the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods.

Land Use Compatibility:

The site previously operated as an auto service center and is currently vacant and seeking a Certificate of Occupancy for a general merchandise or food store less than 3,500 square feet. Upon review, the existing deed restrictions required an 8 ½ foot solid wooden screening fence along the two street frontages. In lieu of this required screening, the applicant would like to install an open wrought-iron fence in compliance with the Dallas Development Code. The deed restrictions added additional screening to protect the view into the existing/proposed truck repair shop. The proposed use and allowable uses under the CR Community Retail District are appropriate for the area and especially along East Illinois Avenue, a principal arterial road.

Surrounding land uses include vacant structures, retail, and vehicle display, sales, and service to the north; an auto service center and beauty shop to the east; residential uses to the south; and, vacant structures and residential uses to the west.

Staff supports the installation of an open fence for the retail use. Overall, opening the visibility into the site will provide a better pedestrian experience when travelling down this major thoroughfare. The site has a bus stop at the intersection of E. Illinois Avenue and S. Denley Drive and is located about a third of a mile from the Illinois Station, a transit stop for the DART light rail. Providing a retail shop with clearer accessibility will enhance the corridor for the neighborhood.

Parking:

The current deed restrictions do not restrict parking and therefore the termination of the existing deed restrictions will not change the site's parking requirements. The site is subject to compliance with Chapter 51A.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

CPC Action:
August 3, 2017

Motion: It was moved to recommend **approval** of the termination of deed restrictions on property zoned a CR Community Retail District, on the southwest corner of East Illinois Avenue and South Denley Drive.

Maker: Davis
Second: Schultz
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Mack, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Haney
Vacancy: 0

Notices: Area: 200 Mailed: 25
Replies: For: 1 Against: 1

Speakers: For: Benito Mojica, Sr., 2419 S. Lancaster Rd., Dallas, TX, 75216
Benito Mojica, Jr., 2419 S. Lancaster Rd., Dallas, TX, 75216
Against: None

812562

line of Denley Drive, said point being 5 feet South of the point of intersection of the proposed West line of Denley Drive and the proposed South line of Illinois Avenue;

THENCE in a Southerly direction along the proposed West line of Denley Drive a distance of 43 feet, more or less, to the Northeast corner of said original Lot 10;

THENCE South 10 feet along the original line of Lot 10 to the Southeast corner thereof;

THENCE Westerly along the South line of said Lot 10 a distance of 160 feet to the point of beginning.

That the undersigned, Richard Lee Mathis, Jr., does hereby impress all of the following described property with the following deed restrictions, to-wit:

1. Use of the property will be limited to truck repair and sales, with no paint and body work, open storage with visual screening for currently licensed operable motor vehicles or trucks, and all other uses permitted in a Light Commercial District as defined in the Comprehensive Zoning Ordinance of the City of Dallas.

2. All truck and automobile repair shall be done on the inside of a building.

3. A solid wooden screening fence with a minimum height of 8½ feet shall be erected and maintained on all sides of the herein described property with the exception of where the building faces the southern and western boundary lines of the property, and with provision for a gate for vehicular entrance on the Denley Drive frontage, with the fence and gate to be located as shown on the attached site plan.

These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein.

These restrictions shall not be altered, amended or terminated without a public hearing before the City Planning Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

The restrictions contained herein are not in any manner intended to restrict the right of the City Council to exercise its legislative duties and powers insofar as zoning of the porperty is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owner hereof does hereby grant to the City of

82081 1712

TERMINATION OF DEED RESTRICTIONS

THE STATE OF TEXAS)
) KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS)

I.

The undersigned, Benito Mojica ("the Owner"), is the owner of the following described property ("the Property"), being in part of Lot 10 out of the Broadmoor Addition, part of City Block 29/4228, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Mitchell N. Cyrus, by deed dated September 30, 2015, and recorded in Instrument Number 201500276742, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

II.

The Property was impressed with certain deed restrictions ("restrictions") as shown in an instrument dated February 25, 1981, signed by Richard Lee Mathis, Jr. and recorded in Volume 82081, Page 1711, of the Deed Records of Dallas County, Texas, a true and correct copy of which is attached to this instrument as Exhibit "A" and made a part of this instrument.

III.

The Owner does hereby terminate and release the following restrictions as they apply to the Property, to wit:

1) Use of the property will be limited to truck repair and sales, with no paint and body work, open storage with visual screening for currently licensed operable motor vehicles or trucks, and all other uses permitted in a Light Commercial District as defined in the Comprehensive Zoning Ordinance of the City of Dallas .

2) All truck and automobile repair shall be done on the inside of a building.

3) A solid wooden screening fence with a minimum height of 8½ feet shall be erected and maintained on all sides of the herein described property with the exception of where the building faces the southern and western boundary lines of the property, and with provision for a gate for vehicular entrance on the S. Denley Drive frontage, with the fence and gate to be located as shown on the attached site plan.

IV.

The above termination was made following a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings was given as would have been required by law for a zoning change on the Property. The Owner must file this instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the termination becomes effective.

V.

The termination of these restrictions is not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

VI.

The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with this termination.

VII.

Unless stated otherwise in this instrument, the definitions and provisions of Chapter 51A of the Dallas City Code, as amended, apply and are incorporated into this instrument as if recited in this instrument.

VIII.

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

IX.

The invalidation of any provision in this instrument by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.

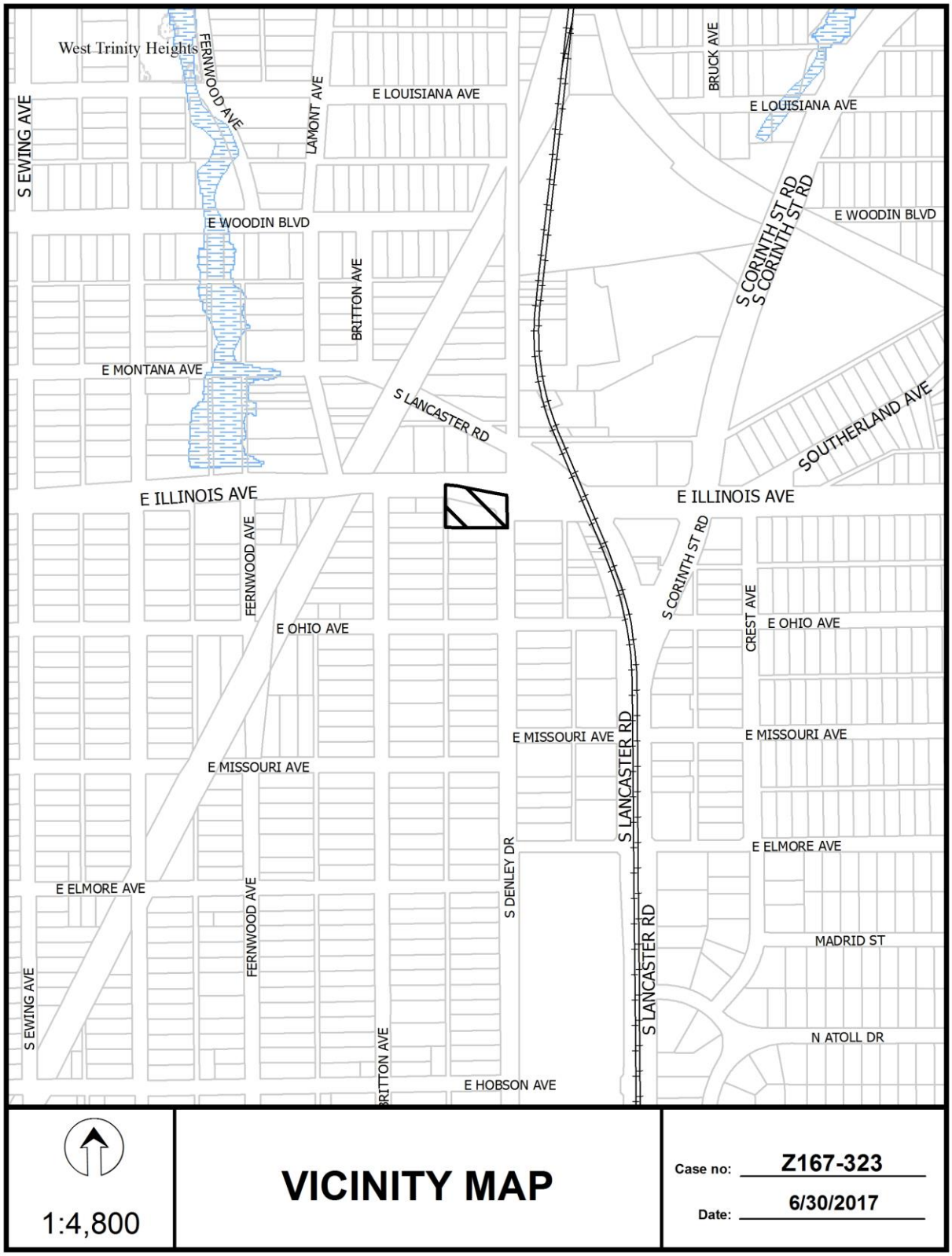
EXECUTED at the City of Dallas, _____ County, this the ____ day of _____, 20__.

_____
Owner
By:_____
Printed Name:_____
Title:_____

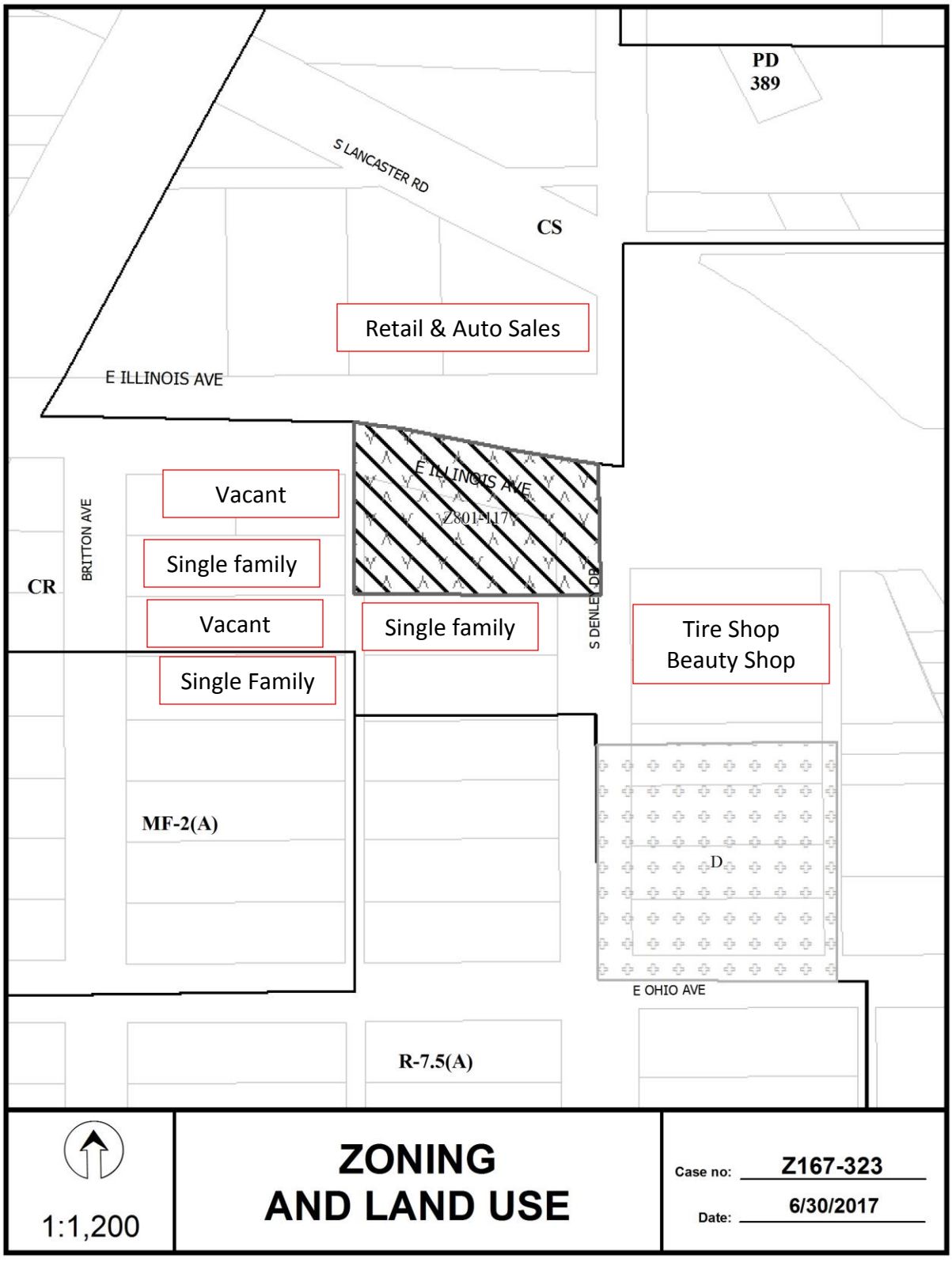
APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

By:_____
Assistant City Attorney

[Attach an acknowledgment for <u>each</u> signer]


West Trinity Heights
FERNWOOD AVE
LAMONT AVE
E LOUISIANA AVE
BRUCK AVE
E LOUISIANA AVE
S EWING AVE
E WOODIN BLVD
BRITTON AVE
S CORINTH ST RD
S CORINTH ST RD
E WOODIN BLVD
E MONTANA AVE
S LANCASTER RD
SOUTHERLAND AVE
E ILLINOIS AVE
E ILLINOIS AVE
FERNWOOD AVE
S CORINTH ST RD
CREST AVE
E OHIO AVE
E OHIO AVE
E MISSOURI AVE
E MISSOURI AVE
E MISSOURI AVE
S LANCASTER RD
E ELMORE AVE
S DENLEY DR
E ELMORE AVE
FERNWOOD AVE
MADRID ST
S EWING AVE
S LANCASTER RD
N ATOLL DR
BRITTON AVE
E HOBSON AVE
1:4,800
VICINITY MAP
Case no: Z167-323
Date: 6/30/2017

S LANCASTER RD
E ILLINOIS AVE
E ILLINOIS AVE
BRITTON AVE
S DENLEY DR
E OHIO AVE
1:1,200
AERIAL MAP
Case no: Z167-323
Date: 6/30/2017


PD
389
S LANCASTER RD
CS
Retail & Auto Sales
E ILLINOIS AVE
E ILLINOIS AVE
Z801-117
Vacant
BRITTON AVE
Single family
CR
Vacant
Single family
S DENLEY DR
Tire Shop
Beauty Shop
Single Family
MF-2(A)
D
E OHIO AVE
R-7.5(A)
1:1,200
ZONING
AND LAND USE
Case no: Z167-323
Date: 6/30/2017

CPC Responses

08/02/2017

Reply List of Property Owners

Z167-323

25 Property Owners Notified ***1 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	2301	S DENLEY DR	MOJICA BENITO
	2	2213	S DENLEY DR	HUDSON JAMES S ET AL
	3	1243	E ILLINOIS AVE	WHITMARSH B A ETAL
	4	1235	E ILLINOIS AVE	YARBROUGH CHARLES L JR
	5	1231	E ILLINOIS AVE	WATKINS LUBERTHA
	6	1219	E ILLINOIS AVE	SMITH REVOCABLE LIVING TRUST THE
	7	2226	S DENLEY DR	LIGHTHOUSE CHURCH OF GOD
	8	1214	E ILLINOIS AVE	MOJICA BENITO & GUADALUPE
	9	2306	BRITTON AVE	ESCOBAR ISAIAS
	10	2308	BRITTON AVE	DALLAS NEIGHBORS
	11	2314	BRITTON AVE	TRAYLOR WILLIAM
	12	2318	BRITTON AVE	TRAYLOR W C &
	13	2322	BRITTON AVE	MILLER JU JUAN D
	14	2326	BRITTON AVE	RAFTER WALKER REAL EST I
	15	2315	S DENLEY DR	WASHINGTON BENNY SR EST OF
	16	2319	S DENLEY DR	BROWN BRENDA JOYCE
	17	2323	S DENLEY DR	MOSS DELMA J
X	18	2333	S DENLEY DR	LOREDO MARTIN
	19	2302	S DENLEY DR	124T1 LLC
	20	2306	S DENLEY DR	ORTEGA JOSE B & IDALIA V
	21	2310	S DENLEY DR	ORTEGA JOSE B &
	22	2316	S DENLEY DR	BRUNER GEVEL
	23	2307	S LANCASTER RD	MINNIEWEATHER PETER
	24	1415	E ILLINOIS AVE	DALLAS AREA RAPID TRANSIT
	25	1415	E ILLINOIS AVE	MCDONALDS CORP 42583

AGENDA ITEM # 53

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 44 Z

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1679 for a drive-thru service and a financial institution with drive-in windows on property zoned Subdistrict E, WMU-8 Walkable Urban Mixed Use within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the south side of East Colorado Boulevard, west of North Zang Boulevard

Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions

Z167-325(PD)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, SEPTEMBER 27, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-325(PD) **DATE FILED:** June 13, 2017

LOCATION: South side of East Colorado Boulevard, west of North Zang Boulevard

COUNCIL DISTRICT: 1 **MAPSCO:** 44 Z

SIZE OF REQUEST: ±0.72 acres **CENSUS TRACT:** 20.00

REPRESENTATIVE: City Credit Union

APPLICANT: City Credit Union

OWNER: Harold & Melanie Hembree Revocable Trust

REQUEST: An application for the renewal of Specific Use Permit No. 1679 for a drive-thru service and a financial institution with drive-in windows on property zoned Subdistrict E, WMU-8 Walkable Urban Mixed Use within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District.

SUMMARY: The applicant proposes to continue operation of the financial institution use with drive-in window [City Credit Union].

CPC RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a 2,635-square foot bank with 3 drive-through lanes and an ATM lane.
- The request site is adjacent to retail, restaurant, gas station, medical office, park, warehouse, and multifamily uses.
- The applicant has revised the request to remove the restaurant with drive-through service use.

Zoning History: There have been no recent zoning cases within the past five years.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
N. Zang Boulevard	Minor Arterial	100 ft.
E. Colorado Boulevard	Collector	80 ft.

Land Use:

	Zoning	Land Use
Site	PD No. 468 Subdistrict E	Financial Institution w/drive-in windows
North	PD No. 468 Subdistrict G	Retail, Gas Station, Medical Office
East	PD No. 468 Subdistrict A and PD No. 468 Subdistrict E	Medical Office, Park
South	PD No. 468 Subdistrict E	Warehouse, Restaurant
West	PD No. 468 Subdistrict E	Restaurant

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 applicant's request is consistent with the Building Block for this area and complies with the following land use goal and policy of the Comprehensive Plan.

ECONOMIC ELEMENT

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.6 Restore Dallas as the foremost retail location in the region.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes

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:

North Oak Cliff Land Use and Development Plan
(April 1986)

The plan recommends Retail/Commercial development. The following objectives apply to the proposed development:

Objective 3. Preserve and enhance positive aspects of existing diversity of north Oak Cliff.

Policy 3.1 Structure and preserve opportunities for small and large development and investment.

Land Use Compatibility:

The request is compatible with the surrounding area as it provides a use that is consistent with the retail and medical office nature of the area. For this reason, the development also complies with the long-range planning objectives for the area. The surrounding land uses are a restaurant to the west; retail, gas station, and medical office to the north; medical office and park to the east; and warehouse and restaurant uses to the south.

The request site consists of a one-story, 2,635 square foot financial institution with four drive-through lanes; three lanes used for teller service and one unmanned ATM lane fronting on the south line of East Colorado Boulevard. The four drive through lanes are covered by canopies located on the south side of the building. The financial institution is allowed by right without the drive-through lanes, but Planned Development District No. 468 requires a Specific Use Permit for financial institution uses with drive-through lanes.

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.

PDD No. 468, in its purpose, envisions the creation of a more desirable pedestrian environment. The request site provides features that are consistent in the creation of such an environment with enhanced pavement in the sidewalk area on the north and west sides of the building, the continued sidewalk across ingress/egress points, and all of the one-way drive aisles support the vision. While the applicant did not submit a landscape plan for SUP No. 1679, the request site further complies with the vision by providing landscaping strips in compliance with the street tree and parking lot screening requirements of PDD No. 468.

Initially, staff recommended a time period of five years with eligibility for automatic renewals of additional ten-year periods. The initial period of five years was recommended to ensure that the use, which is located within the Trinity River Land Use Plan study area (which was in its infancy stages at that time), did not cause traffic problems and/or allow an incompatible use within the area. As a result of the study and the ten years of operation, staff has determined that not only does the request comply with the general provisions for consideration of approval of the SUP renewal, the request further complies with the visions of the area plans and the Trinity River Land Use study. The request is therefore consistent with the character of the neighborhood, does not pose a negative impact and should receive a ten-year time period with eligibility for automatic renewals of additional ten-year periods.

Parking/Traffic:

Per the Dallas Development Codes, the ordinance regulating PDD No. 468 requires off street parking for a financial institution with drive-in windows use at one space for each 333 square feet of floor area. The requested use is an existing 2,635-square feet structure. Pursuant to the Dallas Development Code, the existing structure requires 8 spaces; with 26 spaces provided.

The Dallas Development Code requires a minimum of five stacking spaces be provided for each financial institution teller window or station and each unmanned transaction station (ATM) must have a minimum of three stacking spaces. A minimum of eight stacking spaces must be provided for the drive-through window lanes. The site plan shows that the drive-through lanes meet the stacking requirements.

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 continued operation of the requested use.

Landscaping:

Landscaping is provided in accordance with the requirements of Planned Development District No. 468.

CPC ACTION:
August 17, 2017

Z167-325(PD)

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1679 for a financial institution with drive-in windows for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to revised conditions on property zoned Subdistrict E, WMU-8 Walkable Urban Mixed Use within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the south side of East Colorado Boulevard, west of North Zang Boulevard.

Maker: Anglin
Second: Houston
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Mack, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Notices: Area: 200 Mailed: 14
Replies: For: 0 Against: 0

Speakers: None

PROPOSED CONDITIONS

1. USE: The only use authorized by this specific use permit is a financial institution with drive-in window.

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 ~~September 26, 2017~~, (ten-years from 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 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. DIRECTIONAL SIGNAGE: Directional signage and pavement markings must be provided to indicate ingress and egress to and from the drive-in window lanes. Final design of the signage and pavement markings must be approved by the building official before the issuance of a certificate of occupancy.

5. DRIVE-THROUGH WINDOW: A maximum of four drive-in window lanes, composed of three teller windows and one automated-teller machine (ATM), are permitted in the location shown on the attached site plan.

6. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.

7. STACKING:

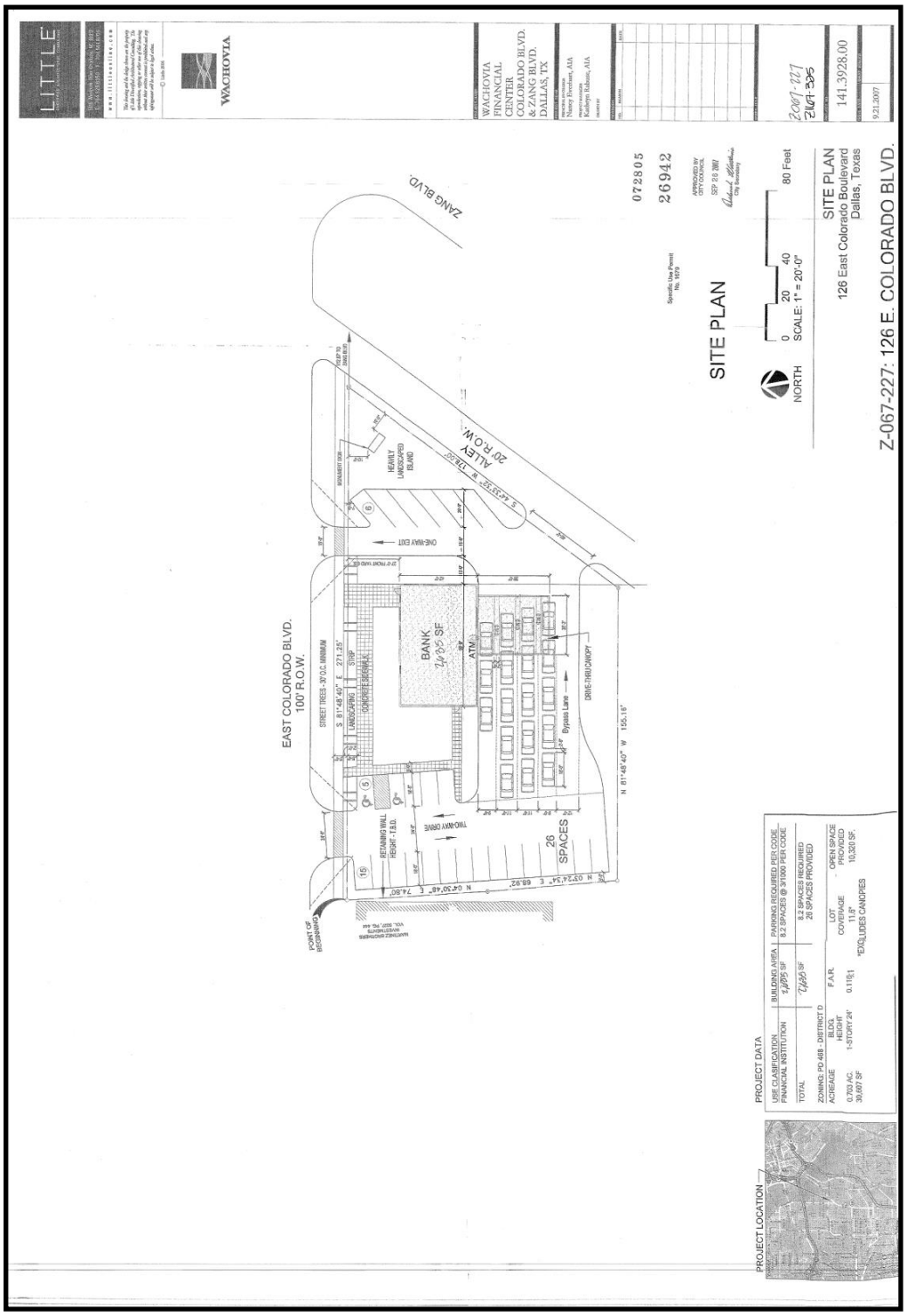
    a. Teller windows. A minimum of five stacking spaces must be provided for each teller window in the location shown on the attached site plan.

    b. Automated-teller machine. A minimum of ~~two~~ three stacking spaces must be provided for the automated-teller machine (ATM) in the location shown on the attached site plan.

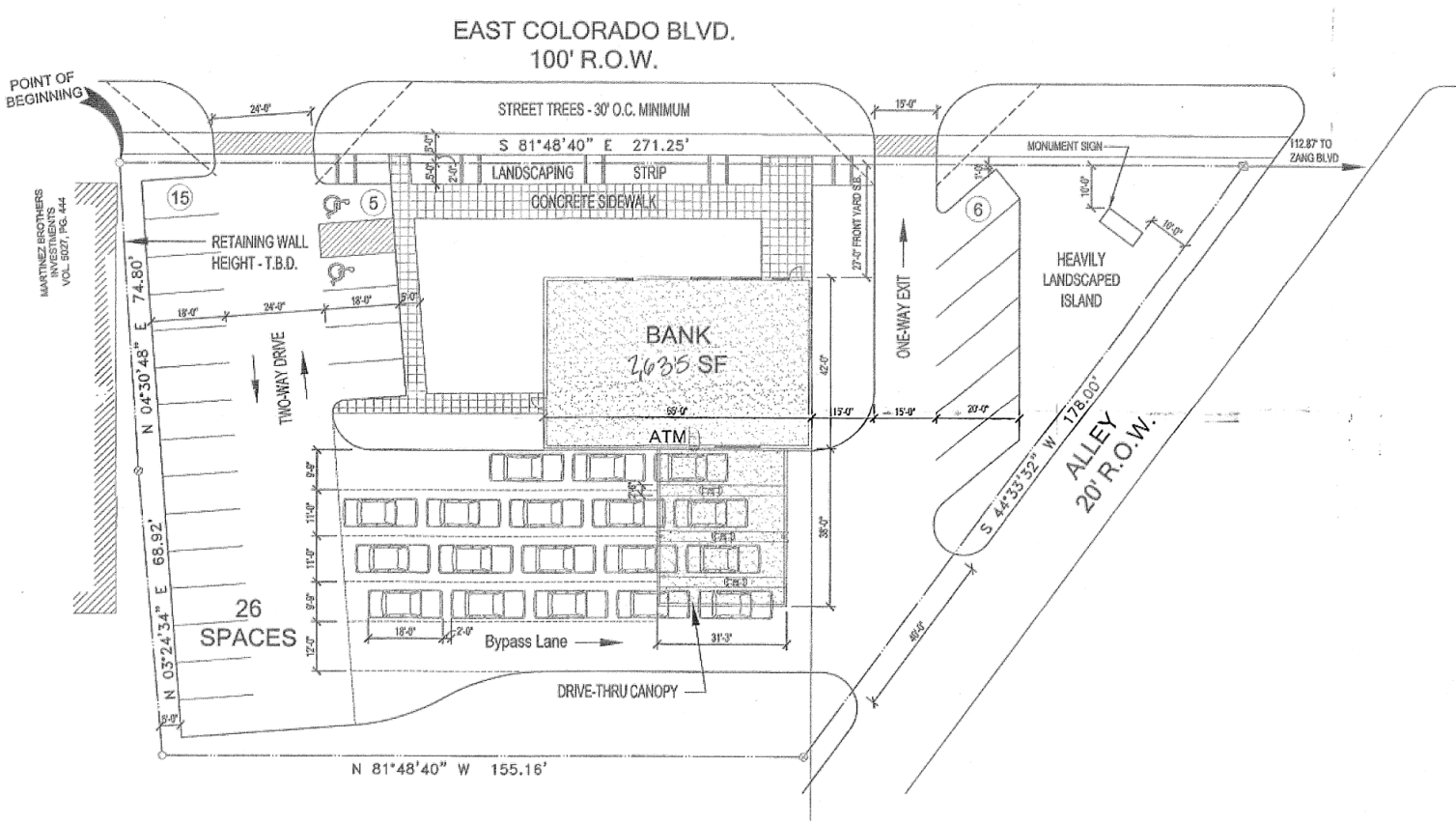
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

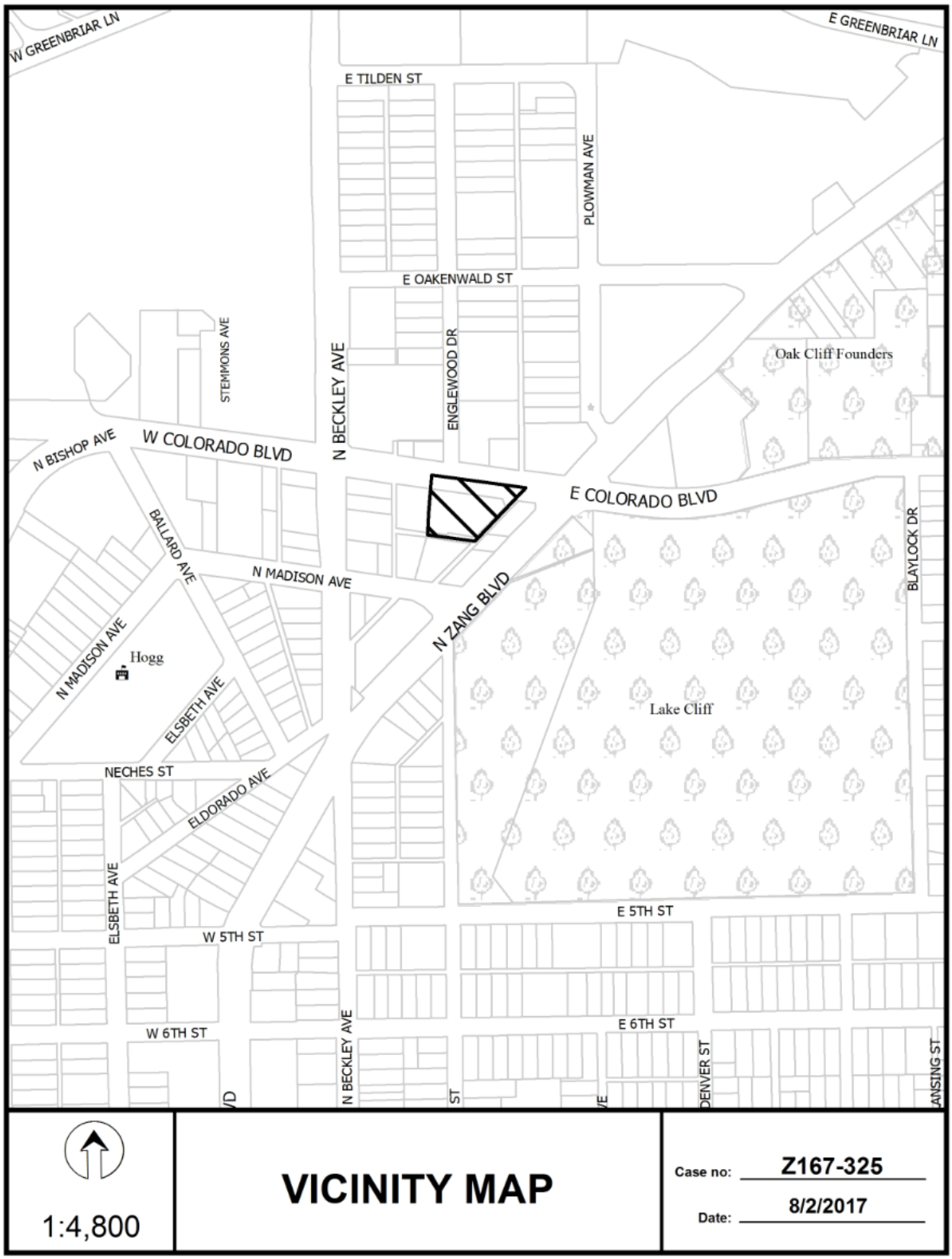
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SITE PLAN

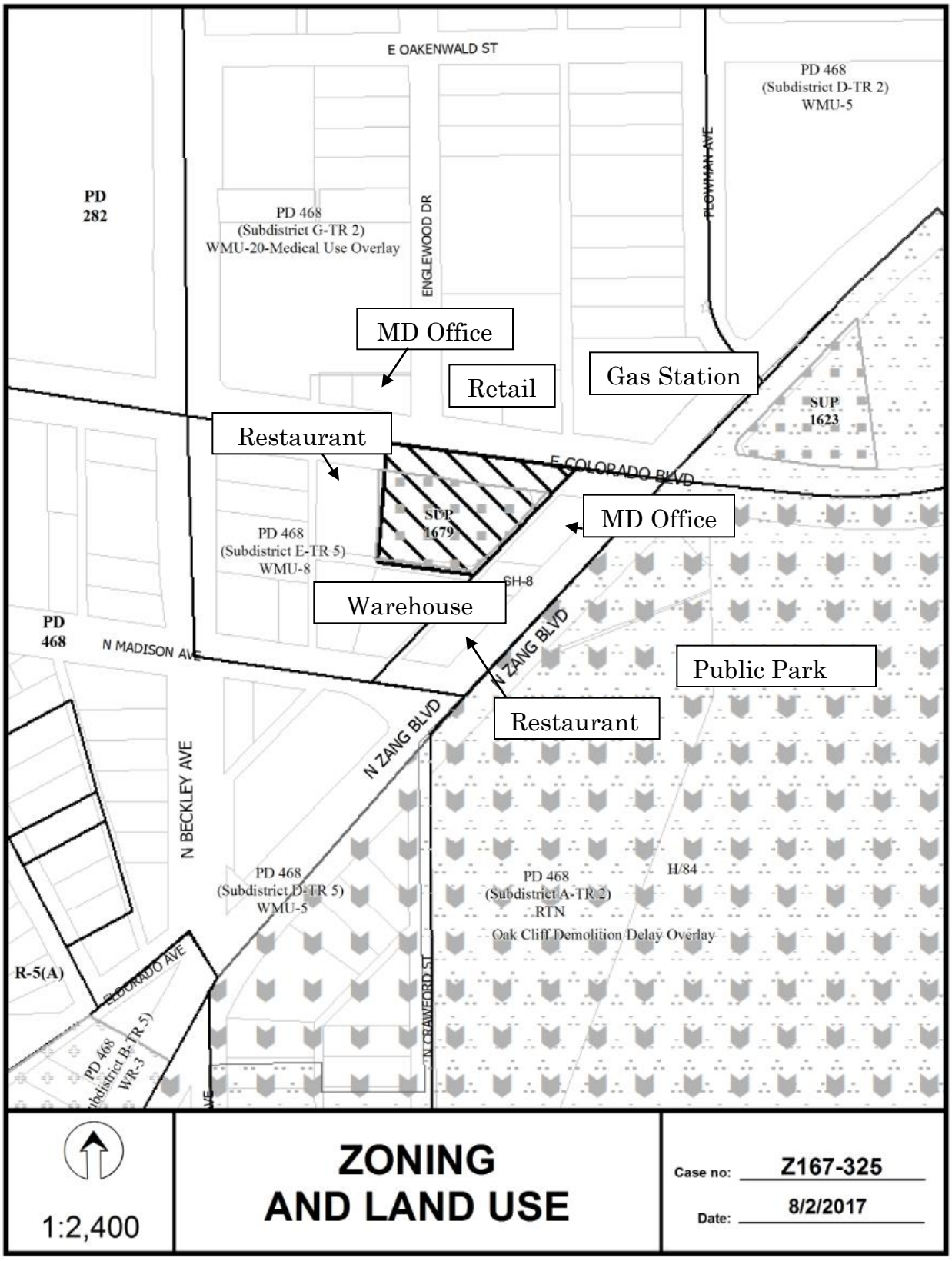

LITTLE
WACHOVIA
WACHOVIA FINANCIAL CENTER
COLORADO BLVD. & ZANG BLVD.
DALLAS, TX
SITE PLAN
126 East Colorado Boulevard
Dallas, Texas
Z-067-227: 126 E. COLORADO BLVD.
SCALE: 1" = 20'-0"
NORTH
0 20 40 80 Feet
EAST COLORADO BLVD.
100' R.O.W.
ZANG BLVD.
ALLEY
20' R.O.W.
BANK
7,695 SF
ATM
DRIVE-THRU CANOPY
Bypass Lane
TWO-WAY DRIVE
ONE-WAY EXIT
26 SPACES
RETAINING WALL
HEIGHT - 1'8.0.
LANDSCAPING
CONCRETE SIDEWALK
STREET TREES - 30'O.C. MINIMUM
HENRY'S LANDSCAPED ISLAND
PROJECT DATA
USE CLASSIFICATION
FINANCIAL INSTITUTION
TOTAL
BUILDING AREA
7,695 SF
7,695 SF
PARKING REQUIRED PER CODE
8.2 SPACES @ 3/1000 PER CODE
8.2 SPACES REQUIRED
28 SPACES PROVIDED
ZONING: PD 468 - DISTRICT D
ACREAGE
0.703 AC.
30,697 SF
BLDG HEIGHT
1-STORY 24'
F.A.R.
0.11:1
LOT COVERAGE
11.8*
*EXCLUDES CANOPIES
OPEN SPACE PROVIDED
10,320 SF.
PROJECT LOCATION
072805
26942
Specific Use Permit No. 1979
APPROVED BY CITY COUNCIL
SEP 26 2007
2007-227
Z167-325
141.3928.00
9.21.2007

Enlarged Site Plan

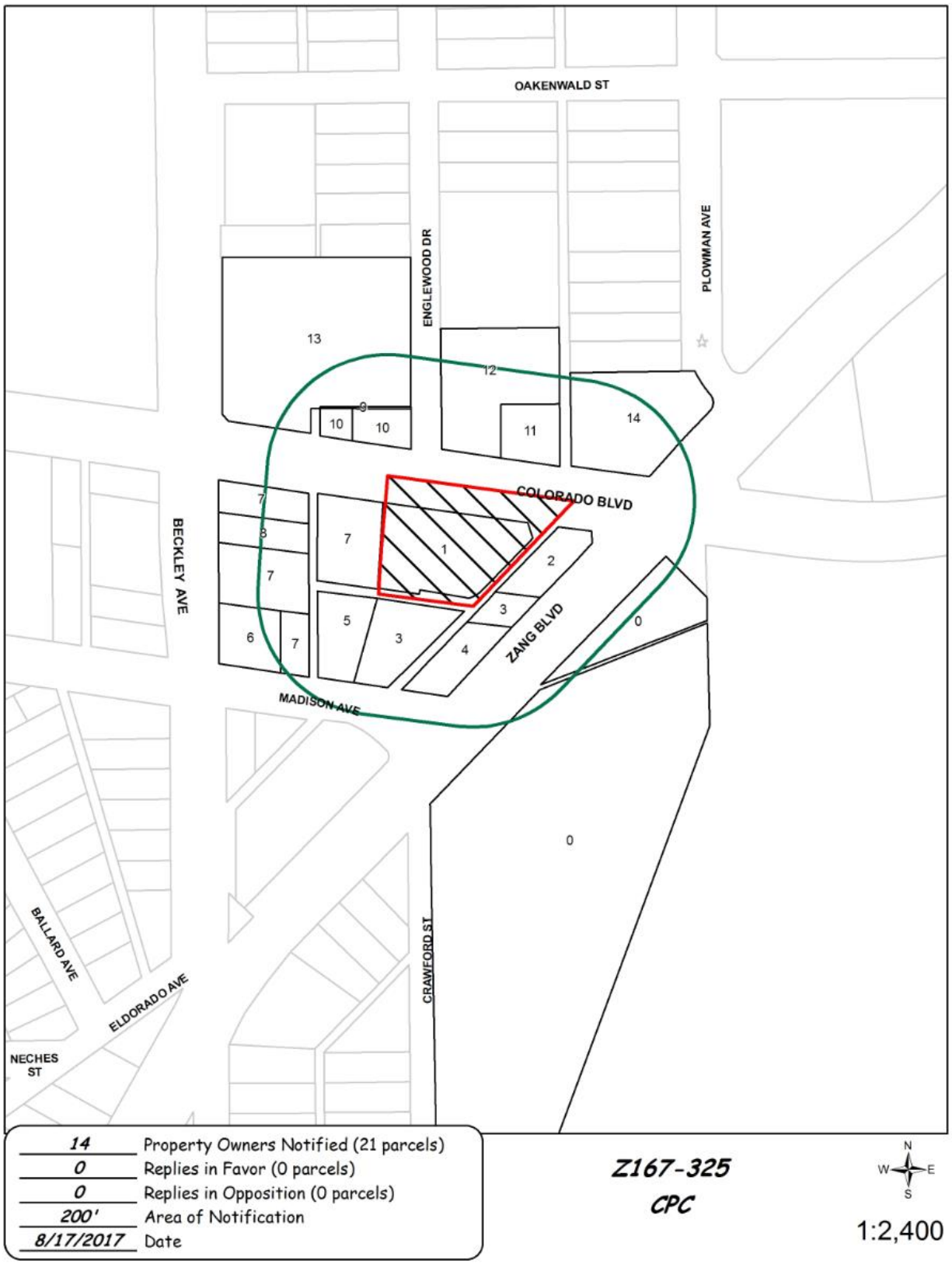



W GREENBRIAR LN
E GREENBRIAR LN
E TILDEN ST
PLOWMAN AVE
E OAKENWALD ST
STEMMONS AVE
N BECKLEY AVE
ENGLEWOOD DR
Oak Cliff Founders
N BISHOP AVE
W COLORADO BLVD
E COLORADO BLVD
BALLARD AVE
N MADISON AVE
N ZANG BLVD
BLAYLOCK DR
N MADISON AVE
Hogg
ELSBETH AVE
Lake Cliff
NECHES ST
ELDORADO AVE
ELSBETH AVE
E 5TH ST
W 5TH ST
W 6TH ST
E 6TH ST
N BECKLEY AVE
DENVER ST
ANSING ST
1:4,800
VICINITY MAP
Case no: Z167-325
Date: 8/2/2017

E OAKENWALD ST
ENGLEWOOD DR
PLOWMAN AVE
W COLORADO BLVD
E COLORADO BLVD
N MADISON AVE
N ZANG BLVD
N ZANG BLVD
N BECKLEY AVE
BALLARD AVE
ELDORADO AVE
NECHES ST
N CRAWFORD ST
1:2,400
AERIAL MAP
Case no: Z167-325
Date: 8/2/2017


E OAKENWALD ST
PD 468
(Subdistrict D-TR 2)
WMU-5
PD
282
PD 468
(Subdistrict G-TR 2)
WMU-20-Medical Use Overlay
ENGLEWOOD DR
PLOWMAN AVE
MD Office
Retail
Gas Station
SUP
1623
Restaurant
E COLORADO BLVD
SUP
1679
MD Office
PD 468
(Subdistrict E-TR 5)
WMU-8
SH-8
Warehouse
PD
468
N MADISON AVE
N ZANG BLVD
Public Park
Restaurant
N ZANG BLVD
N BECKLEY AVE
PD 468
(Subdistrict D-TR 5)
WMU-5
PD 468
(Subdistrict A-TR 2)
RTN
Oak Cliff Demolition Delay Overlay
H/84
R-5(A)
ELDORADO AVE
N CRAWFORD ST
PD 468
(Subdistrict B-TR 5)
WR-3
1:2,400
ZONING
AND LAND USE
Case no: Z167-325
Date: 8/2/2017

CPC Responses



08/16/2017

Reply List of Property Owners

Z167-325

14 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	126	E COLORADO BLVD	HEBREE REVOCABLE LIVING TRUST
	2	222	E COLORADO BLVD	ROBERTS STEPHANIE &
	3	1211	N ZANG BLVD	TRITON ZANG LLC
	4	1201	N ZANG BLVD	TRITON ZANG LLC
	5	1317	N MADISON AVE	NEWMAN WILLIAM E JR
	6	1202	N BECKLEY AVE	TRITON BECKLEY LLC
	7	1309	N MADISON AVE	MARTINEZ BROS INV
	8	1218	N BECKLEY AVE	MARTINEZ BRO INV
	9	1307	ENGLEWOOD DR	AMIRGHOLIZADEH KARIM
	10	123	E COLORADO BLVD	AMIR KARIM
	11	211	E COLORADO BLVD	BARR MARY CHRISTIAN TRUST
	12	203	E COLORADO BLVD	MARY CHRISTIAN BARR TRUST
	13	1306	N BECKLEY AVE	CTA ASSOCIATES LP
	14	225	E COLORADO BLVD	SEJ ASSET MANAGEMENT & INV CO

AGENDA ITEM # 54

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45 M

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1982 for a bar, lounge, or tavern and an inside commercial amusement limited to a Class A dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south corner of Elm Street and North Crowdus Street

Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions

Z167-328(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, SEPTEMBER 27, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-328(SM) **DATE FILED:** June 19, 2017

LOCATION: South corner of Elm Street and North Crowdus Street

COUNCIL DISTRICT: 2 **MAPSCO:** 45 M

SIZE OF REQUEST: Approx. 0.11 acres **CENSUS TRACT:** 204.00

REPRESENTATIVE: Audra Buckley

APPLICANT: Wit's End, James Adkins

OWNER: Westdale Properties America I, Ltd.

REQUEST: An application for the renewal of Specific Use Permit No. 1982 for a bar, lounge, or tavern and an inside commercial amusement limited to a Class A dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

SUMMARY: The applicant proposes to continue operation of a bar and dance hall [Wit's End].

CPC RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

BACKGROUND INFORMATION

- On December 14, 2011, the City Council approved this Specific Use Permit No. 1982. (Case Z101-347).
- On December 11, 2013, the City Council approved an amendment (Case Z123-347) to add a dance hall.
- On December 10, 2014, the City Council approved a renewal of this specific use permit,
- On December 10, 2017, this specific use permit will expire, if not renewed.

Zoning History: There has been 13 recent zoning cases requested in the area in the past five years

1. **Z123-267** On May 28, 2017, the City Council approved amendments to Planned Development District No. 269 with consideration given to amending certain use regulations and development standards
2. **Z123-109** On January 23, 2013, the City Council approved the renewal of Specific Use Permit No. 1694 for a bar, lounge, or tavern and an inside commercial amusement limited to a live music venue.
3. **Z145-249** On August 12, 2015, the City Council approved the renewal of Specific Use Permit No. 2050 for a bar, lounge, or tavern.
4. **Z123-299** On October 8, 2013, the City Council approved Specific Use Permit No. 1750 for a bar, lounge or tavern.
5. **Z134-224** On December 10, 2104, the City Council approved Specific Use Permit No. 2122 for a bar, lounge or tavern.
6. **Z167-154** On April 12, 2017, the City Council approved the renewal of Specific Use Permit No. 2122 for a bar, lounge, or tavern.
7. **Z145-121** On February 11, 2015, the City Council approved the renewal of Specific Use Permit No. 1783 for a bar, lounge, or tavern.
8. **Z145-160** On April 22, 2015, the City Council approved Specific Use Permit No. 2144 for a bar, lounge or tavern.
9. **Z145-176** On May 13, 2015, the City Council approved the renewal of Specific Use Permit No. 1696 for a bar, lounge, or tavern.

10. **Z123-206** On June 12, 2013, the City Council approved the renewal of Specific Use Permit No. 1707 for a tattoo and body piercing studio.

11. **Z167-233** On June 14, 2017, the City Council approved the renewal of Specific Use Permit No. 1685 for a bar, lounge or tavern.

12. **Z167-277** On August 9, 2017, the City Council will consider a Specific Use Permit for a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue.

13. **Z134-222** On August 13, 2014, the City Council approved the renewal of Specific Use Permit No. 1757 for a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Elm Street	Local	70 ft.
N. Crowdus Street	Local	50 ft.

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested renewal and determined it has not had a negative impact upon the surrounding street system.

COMPREHENSIVE PLAN: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request, and it identifies the request site as being in an Urban Mixed Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

STAFF ANALYSIS:

Land Use:

	Zoning	Land Use
Site	PDD 269	Bar, lounge or tavern
North	PDD 269	Retail and surface parking
East	PDD 269	Surface parking
South	PDD 269	Retail
West	PDD 269	Retail and commercial amusement inside

Land Use Compatibility:

The site is surrounded by a mix of retail/restaurant uses that are served by various surface parking lots and metered spaces along Elm Street. The site is in close proximity to the DART Green Line. As noted below, there have been minimal reported police activities at this location for the past three years. As a result of this analysis, staff has determined the request complies with the general provisions for consideration of an SUP.

The use originally obtained the SUP with the provision for a 120 square foot dance floor and a bar, lounge, or tavern. However, the site has not obtained a dance hall license and the issued certificate of occupancy excludes a dance floor. Therefore, the applicant must obtain a new certificate of occupancy from Building Inspection that includes a dance floor and a dance hall license from the Dallas Police Department prior to operating the dance floor that is allowed by the renewal of this SUP.

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.

Parking:

The existing bar and proposed dance hall are required to provide 19 off-street parking spaces. The first 2,500 square feet of a bar located within an original building does not require parking, the remainder requires one space per 100 square feet of floor. A dance hall requires one space per 25 square feet of floor area. The SUP conditions specify that the maximum floor area of a bar is 4,792 square feet; therefore, 23 spaces are required for the bar. In addition, the 120 square foot dance floor requires 5 spaces. The site is also eligible for a 10% parking reduction for proximity to DART and a total of six on-street parking spaces are adjacent to the subject site and may be applied towards the site's off-street parking requirement.

Use	Area (SF)	Ratio	Required
Dance hall	120	25	5
Bar, lounge, or tavern	4792-2500=2292	100	23
		Subtotal	28
		- 10% DART	25
		- On-street	6
		Total required	**19**

All other required off-street parking would be provided via a remote parking agreement.

Police Report:

For the period covering issuance of the SUP, December 10, 2014 to August 2, 2017, police reported activities associated with the subject site are as follows:

Incident Number	Date	Offense
281166-2016	11/25/2016	Not Coded
245879-2016	10/13/2016	Burglary-Business
181487-2016	7/28/2016	Other Thefts
079102-2016	4/3/2016	Fraud
300797-2015	12/27/2015	Not Coded
270290-2015	11/20/2015	Miscellaneous
254403-2015	11/1/2015	Investigation Of
167514-2015	7/21/2015	Criminal Trespass
20140020510	1/25/2014	Investigation Of

CPC Action - August 17, 2017:

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1982 for a bar, lounge, or tavern and an inside commercial amusement limited to a Class A dance hall for a three-year period, subject to conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south corner of Elm Street and North Crowdus Street.

Maker: Anglin
Second: Houston
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Mack, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Anantasomboon
Vacancy: 0

Notices: Area: 200 Mailed: 13
Replies: For: 4 Against: 0

Speakers: None

List of Partners/Principals/Officers

Westdale Properties America I, Ltd., a Texas limited partnership
Officers of Westdale Properties America I, Ltd.
Joseph G. Beard, President
Ken Carlson, Vice President
Chuck Hixson, Vice President

Westdale Properties America, Inc., a Texas corporation, Limited Partner
Officers of Westdale Properties America, Inc.
Joseph G. Beard, President
Ken Carlson, Vice President

JGB Ventures, Inc., a Texas corporation, General Partner
Officers of JGB Ventures, Inc.
Joseph G. Beard, President
Ken Carlson, Vice President

Proposed SUP No. 1982 Amendments

1. **USE:** The only uses authorized by this specific use permit are a bar, lounge, or tavern and an inside commercial amusement limited to a dance hall.

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 (three-years) [~~December 10, 2017~~].

4. **FLOOR AREA:**

   A. Maximum total floor area for a bar, lounge, or tavern and an inside commercial amusement limited to a dance hall is 4,792 square feet in the location shown on the attached site plan.

   B. Maximum floor area for a dance floor is 120 square feet in the location shown on the attached site plan.

   C. Maximum floor area for an uncovered rooftop patio is 2,304 square feet.

5. **HOURS OF OPERATION:** The bar, lounge, or tavern and the inside commercial amusement limited to a dance hall may only operate between 4:00 pm. and 2:00 a.m. (the next day), Monday through Friday and between 12:00 p.m. (noon) and 2:00 a.m. (the next day), Saturday and Sunday.

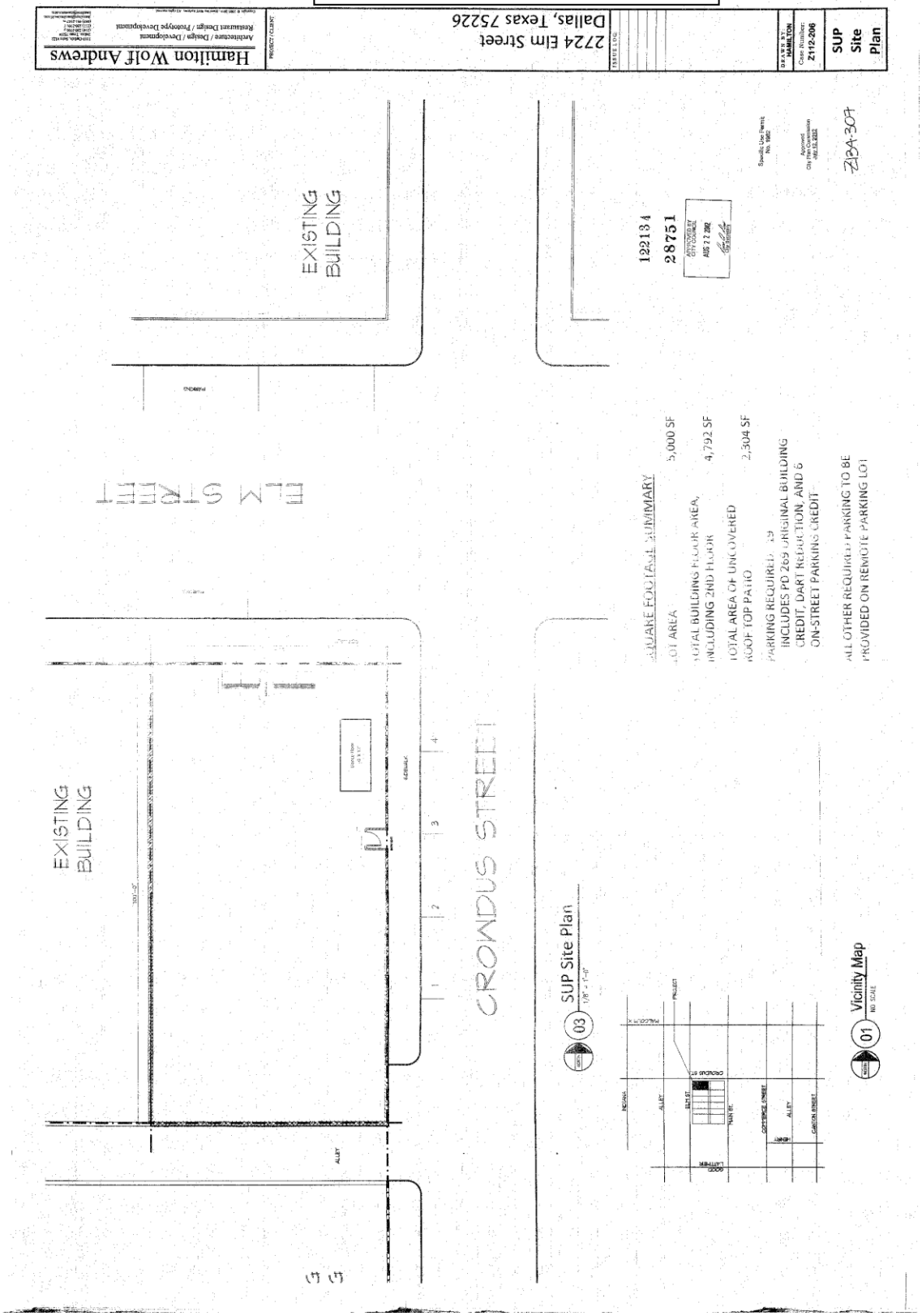
6. **OFF-STREET PARKING:** Off-street parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Dallas Development Code Section 51A-4.704(b)(4), as amended, may not be used to meet the off-street parking requirement.

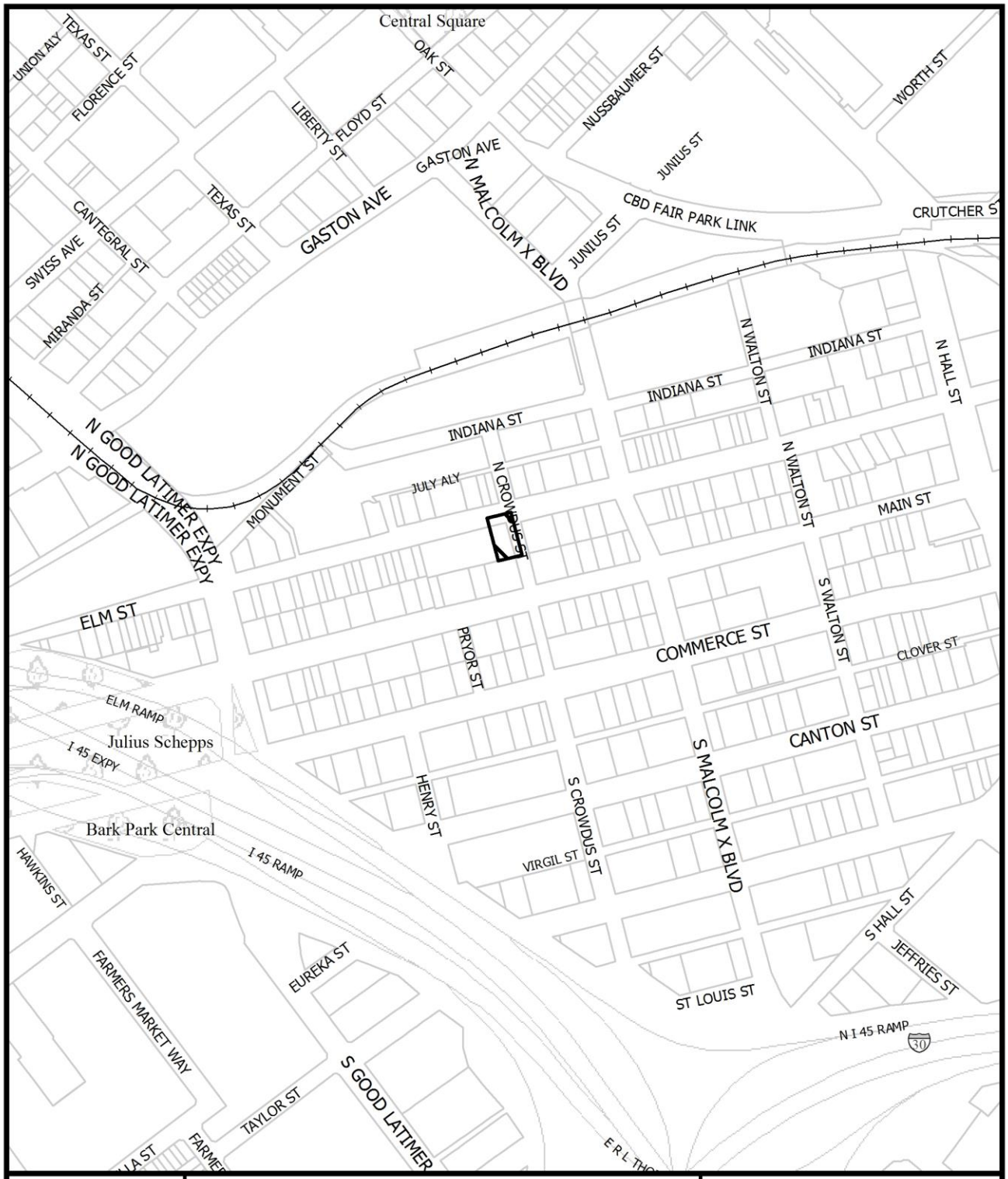
7. **OUTDOOR SPEAKERS:** Outdoor speakers are prohibited.

8. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.

9. **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 SUP Site Plan
(no changes)



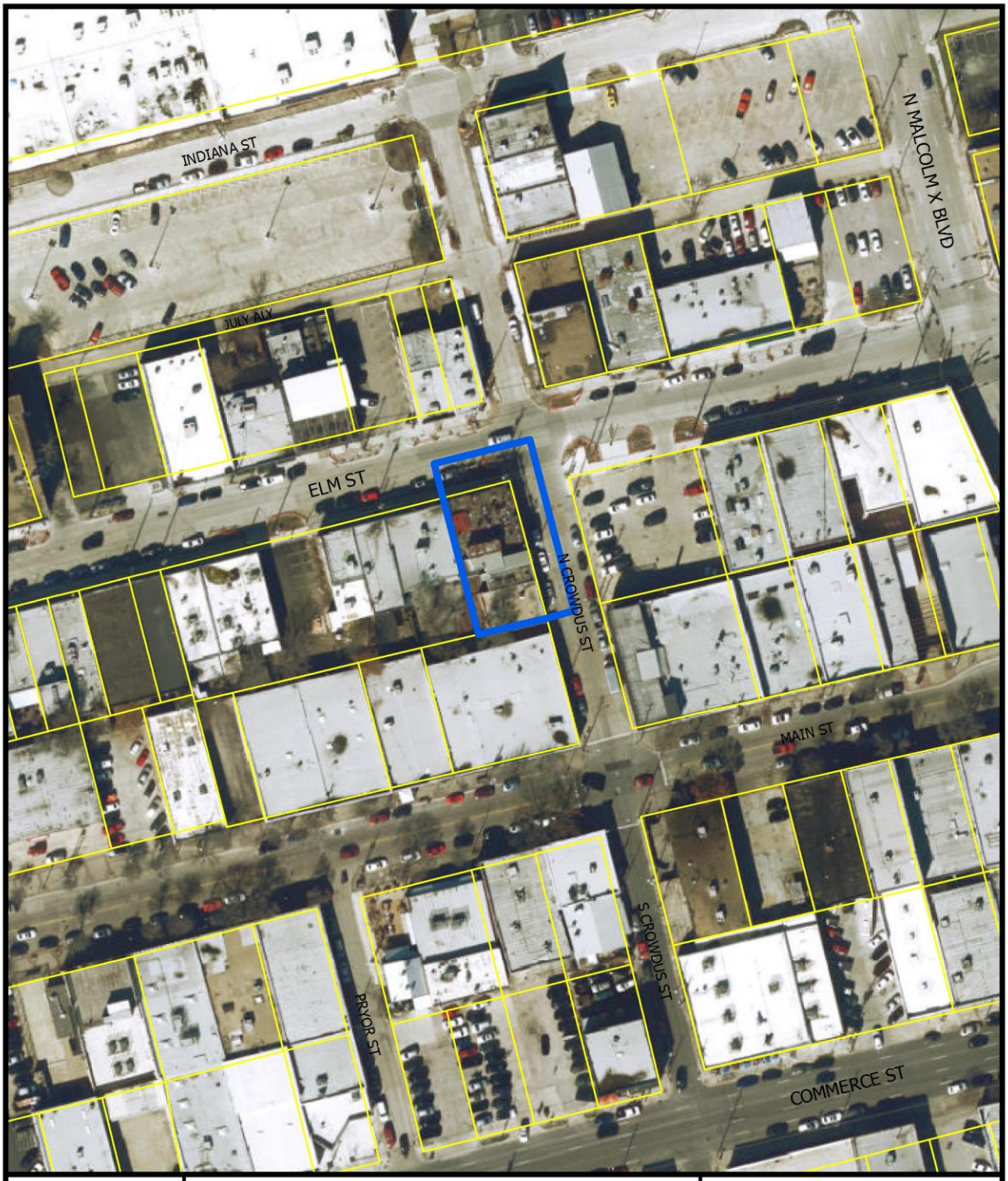


1:4,800

VICINITY MAP

Case no: Z167-328

Date: 6/30/2017

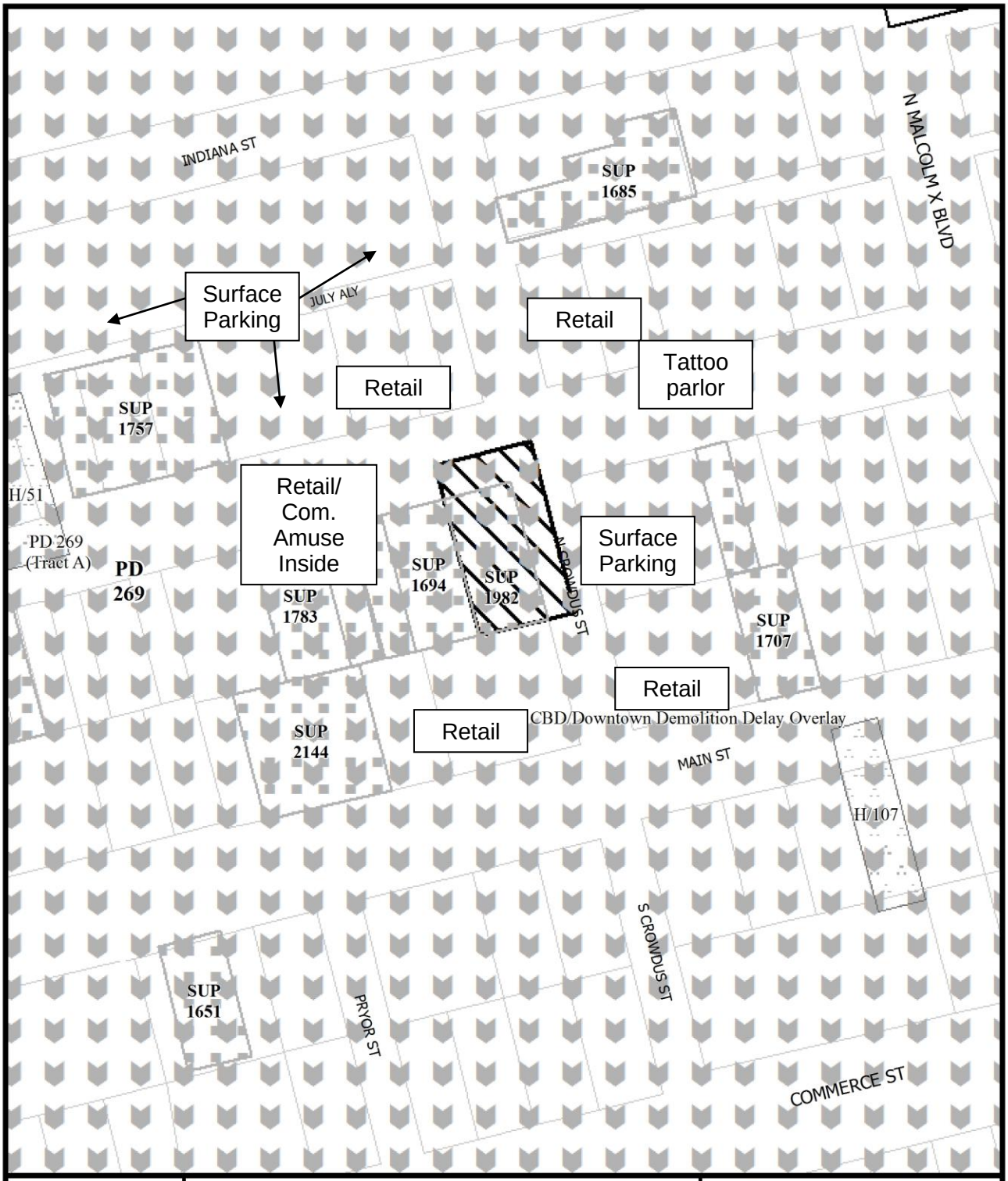


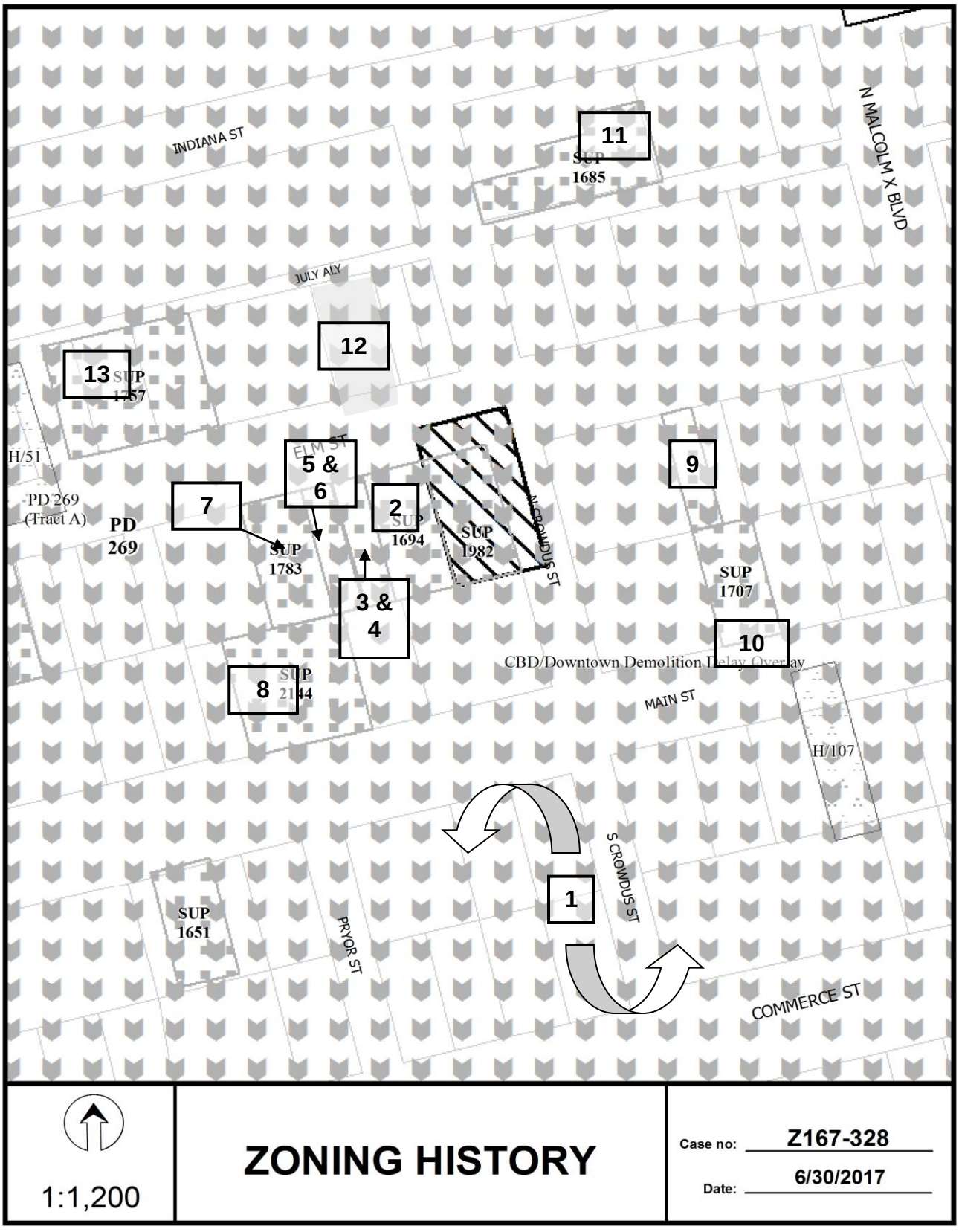
1:1,200

AERIAL MAP

Case no: Z167-328

Date: 6/30/2017


INDIANA ST
SUP 1685
N MALCOLM X BLVD
Surface Parking
JULY ALY
Retail
Tattoo parlor
Retail
SUP 1757
H/51
Retail/ Com. Amuse Inside
PD 269 (Tract A)
PD 269
SUP 1783
SUP 1694
SUP 1982
N CROWDUS ST
Surface Parking
SUP 1707
Retail
Retail
CBD/Downtown Demolition Delay Overlay
SUP 2144
MAIN ST
H/107
S CROWDUS ST
SUP 1651
PRYOR ST
COMMERCE ST
1:1,200
ZONING AND LAND USE
Case no: Z167-328
Date: 6/30/2017


INDIANA ST
JULY ALY
ELM ST
MAIN ST
COMMERCE ST
PRYOR ST
S CROWDUS ST
N CROWDUS ST
N MALCOLM X BLVD
11
SUP 1685
12
13
SUP 1757
H/51
PD 269 (Tract A)
PD 269
7
5 & 6
SUP 1783
2
SUP 1694
SUP 1982
9
SUP 1707
3 & 4
10
8
SUP 2144
CBD/Downtown Demolition Delay Overlay
H/107
1
SUP 1651
1:1,200
ZONING HISTORY
Case no: Z167-328
Date: 6/30/2017

CPC Responses
INDIANA ST
MALCOLM X BLVD
JULY ALY
ELM ST
CROMPUS ST
MAIN ST
PRYOR ST
COMMERCE ST
4
9
3
13
12
6
11
10
10
1
7
8
5
2
13 Property Owners Notified (27 parcels)
4 Replies in Favor (9 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
8/17/2017 Date
Z167-328
CPC
N
W
E
S
1:1,200

08/17/2017

Reply List of Property Owners

Z167-328

13 Property Owners Notified ***4 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	2724	ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	2	2712	MAIN ST	CASS DON E TR
	3	2708	MAIN ST	42 DEEP ELLUM LP
	4	2625	ELM ST	UPLIFT EDUCATION
	5	2800	MAIN ST	CONGRESS STREET NIGHTS
O	6	2720	ELM ST	ELM STREET REALTY LTD
	7	2715	MAIN ST	MAIN PROPERTIES LLC
	8	2707	MAIN ST	DEALEY CHRISTOPHER C
O	9	2816	ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	10	2723	ELM ST	2723 ELM STREET JV
O	11	2717	ELM ST	WESTDALE PPTIES AMERICA LTD
	12	2707	ELM ST	BELMOR CORP
	13	2807	ELM ST	BLANTON JEANNE

AGENDA ITEM # 55

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 36 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions

Z145-300(SH)

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, SEPTEMBER 27, 2017

ACM: Majed Al-Ghafry

FILE NUMBER: Z145-300(SH) **DATE FILED:** July 15, 2015

LOCATION: Northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street

COUNCIL DISTRICT: 2 **MAPSCO:** 36 W

SIZE OF REQUEST: Approx. 5.75 acres **CENSUS TRACT:** 0010.02

OWNER/APPLICANT: See attached list

REPRESENTATIVE: Tommy Mann & Laura Hoffman, Winstead PC

REQUEST: An application for a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District.

SUMMARY: The applicant proposes to develop the site with retail, office, and restaurant uses. The conditions propose to limit the overall square footage for restaurant uses to 12,000 square feet and a minimum of 50 percent food sales will be required in order for a use to be deemed a restaurant. The development will be served by an underground parking structure with limited access to North Henderson Avenue.

CPC RECOMMENDATION: **Approval**, subject to a development plan, landscape plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan, landscape plan and conditions.

BACKGROUND INFORMATION:

- The subject site is comprised of approximately 5.75 acres of undeveloped land and is currently zoned Subdistricts 4 and 5 within Planned Development District No. 462, with a small portion zoned an MF-2(A) Multifamily District.

- On December 11, 1996, the City Council established Planned Development District No. 462. It is currently divided into six districts and extends along both sides of North Henderson Avenue between Central Expressway and Ross. PDD No. 462 possesses approximately 41 acres and allows for a wide variety of land uses.

- The applicant proposes to create a new subdistrict and develop the subject site with retail, office, and restaurant uses. The conditions propose to limit the overall square footage for restaurant uses to 12,000 square feet and a minimum of 50 percent food sales will be required in order for a use to be deemed a restaurant. The development will be served by an underground parking structure with limited access to North Henderson Avenue.

- The surrounding properties are primarily retail and restaurant uses along North Henderson Avenue with residential uses along Madera Street to the northeast and Moser Street to the southwest.

- The zoning request is accompanied by a development plan, landscape plan, and PDD conditions. The applicant has also provided an alternate development plan and landscape plan to address staff's concerns with parking along North Henderson Avenue.

- On January 5; February 16; April 6; and May 4, 2017, the City Plan Commission held this case under advisement to allow additional time for the applicant to collaborate with neighborhood stakeholders and further analyze the details of the case. A neighborhood meeting was held on March 20, 2017. The applicant has subsequently submitted revised PD conditions, Development Plan, and Landscape Plan that seek to address some of the concerns that were raised at this meeting.

Zoning History: There have been four zoning cases in the area over the past five years.

1. **Z101-321** On January 25, 2012, the City Council approved a Planned Development District for Multifamily District uses for 316 dwelling units on the southeast side of Capitol Avenue between Garrett Avenue and Bennett Avenue.

2. **Z123-365** On June 11, 2014, the City Council approved a Planned Development District for MF-2(A) Multifamily District uses for 305 units on property zoned an MF-2(A) Multifamily District on the southeast line of Fuqua Street, southwest line of Moser Avenue, northwest line of Monarch Street and northeast line of North Garrett Avenue.

3. **Z145-238** On November 10, 2015, City Council approved an MF-2(A) Multifamily District and a Planned Development District for multifamily residential uses on property generally bounded by North Fitzhugh Avenue, Chambers Street, North Garrett Avenue, Moser Avenue and Monarch Street.

4. **Z156-202** On August 24, 2016, City Council approved a Planned Development District for MF-2(A) Multifamily District Uses on the northwest line of Capitol Avenue, southwest of North Henderson Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
N. Henderson Avenue	Local	60 ft.
Glencoe Street	Local	55 ft.
Fuqua Street	Local	55 ft.
McMillan Avenue	Minor Arterial	60 ft.

Traffic: According to the Traffic Impact Analysis (TIA) that was submitted with the application, the proposed development is expected to generate approximately 6,651 daily one-way trips, which is 457 more trips than what a fully developed site based on existing zoning would generate. In order to improve access throughout the study area, the following roadway improvements were recommended (see attached TIA exhibit for drive locations):

General

1. North Henderson Avenue will be improved to provide for a Two-Way Left Turn Lane (TWLTL) starting from just west of Glencoe Street and ending at McMillan Avenue. The TWLTL will provide for easier access to the driveways in and out of the site, while minimizing delays resulting from drivers turning left from North Henderson Avenue. By contrasting the pavement color of the TWLTL and decreasing the width of the eastbound and westbound travel lanes, the resulting three lane configuration will encourage slower driving.

Drive A and North Henderson Avenue

2. Although the available storage for this turn lane is minimal due to proximity of Glencoe Street, the 95th percentile queue is very minimal (1-2 cars).
3. Provide for a one-lane exiting approach (shared left/right lane).

Drive B and North Henderson Avenue

4. No intersection improvements are recommended at this driveway.
5. Drive will operate as inbound only.

Drive C and North Henderson Avenue

6. No Intersections improvements are recommended at this driveway.
7. Drive will operate as outbound only. Provide for a one-lane exiting approach (shared left/right lane).

Drive D and North Henderson Avenue

8. Provide for a two-lane exit consisting of a right-turn only lane and a shared through/left turn lane.

Drive E and North Henderson Avenue

9. Provide for a one-lane exiting approach (shared left/right lane)

Capitol Avenue and North Henderson Avenue

10. Re-stripe northbound Capitol Avenue to include a left-turn storage bay.

The applicant's proposed development plan and corresponding landscape plan demonstrates compliance with these proposed recommendations.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 462 (Subdistricts 4 and 5) & MF-2(A)	Undeveloped
Northeast	R-7.5(A)	Residential
South	PDD No. 462 (Subdistrict 4 and 5)	Retail and Restaurant
Southwest	MF-2(A)	Residential
Northwest	PDD No. 462 (Subdistricts 3 and 3A)	Retail and Restaurant

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 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.1.5 Use Vision Building Blocks as a general guide for desired development patterns.

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.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

The Comprehensive Plan classifies the area as an Urban Neighborhood Building Block. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. Urban Neighborhood streets should be designed to be very pedestrian friendly, providing excellent connectivity to shopping and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures.

The proposed mixed-use development meets the intent of the Urban Neighborhood Building Block by providing additional retail and restaurant opportunities within close proximity to established residential areas. In addition, the alternate development plan with the proposed parallel parking will serve as a desired traffic calming measure that can slow traffic along North Henderson Avenue.

Planned Development District No. 462

Planned Development District No. 462, when established, was designated as an area of historical, cultural, and architectural importance and significance, with the following objectives:

(1) Accommodate the existing mix of uses in the area.

The proposed development provides for an array of land uses that are compatible with the surrounding area and will provide the residents in the adjacent communities with additional shopping and dining prospects within a walkable distance. Office uses are also proposed which will provide necessary services and employment opportunities.

(2) Protect the internal and adjacent stable residential neighborhoods.

In an attempt to minimize any adverse impact to the adjacent residential homes along Madera Street, the applicant is proposing an underground

parking structure; a masonry screening wall and landscaping along the north property line; an increased setback from the residential uses; and, maximum height restrictions and specific building orientations to avoid the new development from directly imposing upon the adjacent residential structures.

(3) Preserve and enhance the architectural and cultural significance of the area.

All new construction will be subject to urban design guidelines, which provides specific standards for exterior building materials and colors, façade openings, exterior lighting, pedestrian amenities, and design options.

(4) Strengthen neighborhood identity.

The PDD conditions propose to limit the square footage of individual retail stores as a way to encourage development of boutique-like, unique, community-serving retail stores, which has become a distinguishable characteristic of the North Henderson Avenue corridor in recent development.

(5) Create a more desirable pedestrian environment.

A minimum 10-foot wide sidewalk zone will be provided along the North Henderson Avenue frontage. As depicted on the landscape plan, community open space areas, urban gardens, and pedestrian amenities, including benches, trash cans, and bicycle parking spaces will be incorporated into the development.

STAFF ANALYSIS:

Land Use Compatibility:

The 5.75-acre site is located along the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street and is currently undeveloped. The adjacent properties along the North Henderson Avenue corridor are primarily developed with retail and restaurant uses, with residential uses extending further north and south of the site, along Madera Street and Moser Street, respectively.

The applicant proposes to create a new subdistrict within PDD No. 462 to accommodate a mixed-use development consisting of a variety of retail, office, and restaurant uses with a combined maximum floor area of 190,000 square feet. The development will be divided into two separate tracts, with the 3.553-acre Tract I being located on the northwest side of North Henderson Avenue. It will include a total building area of 170,000 square feet which will be comprised of a maximum of 12,000 square feet of restaurant use, 70,000 square feet of retail and 100,000 square feet of office. Tract II, which consists of 0.775 acres of land, will be located on the southeast side of North Henderson Avenue and will provide for 20,000 square feet of retail and office/showroom uses.

In addition to the referenced mix of uses, the applicant is also proposing commercial greenhouses that will be used for crop production. These commercial greenhouses will be located on rooftops within both tracts in the specific locations shown on the development plan.

The PDD conditions propose to prohibit specific personal service uses within the new subdistrict including massage establishments, tattoo studios, and body piercing studios. In addition, the square footage for all restaurant uses combined will be limited to a maximum of 12,000 square feet and no restaurant may be located in the building adjacent to McMillan Avenue as depicted on the development plan.

The applicant is further restricting restaurant use by requiring that it derive 50 percent or more of its gross revenue on a quarterly basis from the sale or service of food. Since the applicant cannot regulate the quantity of alcohol sales within the development, staff is supportive of the method that the applicant is proposing to try to ensure that the restaurant uses function as intended. Lastly, the square footage allotted to individual retail stores will be restricted to encourage the development of more boutique-like establishments.

In order to promote a more walkable, pedestrian-friendly development, a sidewalk will be provided along North Henderson Avenue with a minimum width of 10 feet, and a minimum eight-foot unobstructed tree planting zone between the back of curb and the sidewalk. The North Henderson Avenue frontage will be enhanced with required pedestrian amenities as outlined in the proposed PDD conditions.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Max FAR	PRIMARY Uses
	Front	Side/Rear					
Existing MF-2(A)	15’	15’	Min 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%	None	Multifamily, duplex, single family
Existing PDD 462 (Sub 4)	15’	0’/0’	30 dua	36’	45%	None	Mixed Uses
Existing PDD 462 (Sub 5)	Min 15’/ Max 30’	0’/0’	30 dua	54’	60%	0.75:1	Mixed Uses
Applicant Request PDD 462 (Sub 5A) Tract I	10’*	40’/40’	170,000 sq. ft. max floor area	48’	55%	1.10:1	Mixed Uses
Applicant Request PDD 462 (Sub 5A) Tract II	10’*	24’/85’	20,000 sq. ft. max floor area	36’	55%	3.5:1	Mixed Uses

**Along N. Henderson Ave, 75 percent of any front building façade must meet max of 30 feet*

Height and Setback:

In Tract I of the mixed-use development, the applicant is requesting a maximum building height of 48 feet, with a minimum setback of 40 feet along the northern portion of the site that is adjacent to residentially-zoned properties. An existing 11-foot alley will provide additional separation and serve as a further buffer between the proposed development and the residential lots.

Tract II will be subject to a maximum building height of 36 feet. The property will be buffered from adjacent uses by a minimum rear yard setback of 85 feet and a minimum side yard setback of 24 feet. Staff believes that the proposed width of the setbacks, combined with the limitations on maximum building height are sufficient measures to ensure that the proposed development does not infringe significantly upon the adjacent land uses.

Landscaping and Screening:

Landscaping for the mixed-use development will be provided as shown on the proposed landscape plan. Street trees will be planted within an eight-foot tree planting zone between the back of curb and the sidewalk at a ratio of one tree per every 30 linear feet of street frontage. The landscape plan depicts designated community open space areas as well as private and public urban gardens within the boundary of the development. In an effort to provide adequate privacy and safety to the adjacent residential properties, the applicant is proposing to install an eight-foot solid screening wall along the full length of the northern property line of Tract I and along the side yard and rear yard property lines of Tract II. Staff is recommending that the required screening be constructed of brick, stone, or concrete masonry material.

Parking:

The PDD conditions stipulate that off-street parking located in Subdistrict 5A may not be used to satisfy the required off-street parking of any alcoholic beverage establishment, except for remote parking agreements in existence on or prior to the date of the most recent remote parking agreement. Staff is working with the applicant to research and finalize this date. Lastly, with respect to parking, the PDD conditions originally proposed to limit the number of tandem parking spaces within the parking garage to no more than 50 percent of the required off-street parking spaces. In response to the concern that this amount was excessive, the applicant is now proposing to limit the maximum number of tandem parking to 150 spaces.

Staff supports the proposed mixed-use development since it will be consistent with the objectives of PDD No. 462 and will provide opportunities for new and unique retail and restaurant uses that currently do not exist in the area and will enhance the overall North Henderson Avenue corridor.

Prior CPC Action – June 8, 2017:

Motion I: It was moved to recommend **denial without prejudice** of a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street.

Maker: Rieves
Second: Jung
Result: Failed: 4 to 8

For: 4 - Rieves, Davis, Jung, Ridley

Against: 8 - Anglin, Houston, Shidid, Haney, Housewright, Peadon, Murphy, Tarpley
Absent: 3 - Anantasomboon, Mack, Schultz
Vacancy: 0

Motion II: It was moved to recommend **approval** of a new subdistrict, subject to an applicant's development plan, applicant's landscape plan, and staff's recommended conditions on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street.

Maker: Housewright
Second: Anglin
Result: Carried: 8 to 4

For: 8 - Anglin, Houston, Shidid, Haney, Housewright, Peadon, Murphy, Tarpley

Against: 4 - Rieves, Davis, Jung, Ridley
Absent: 3 - Anantasomboon, Mack, Schultz
Vacancy: 0

Amending Motion I: It was moved to **approve** an amendment to the motion to allow center left-turn lane and not allow on-street parallel parking.

Maker: Anglin
Second: Ridley
Result: Carried: 9 to 3

For: 9 - Anglin, Houston, Shidid, Haney, Jung, Peadon, Murphy, Ridley, Tarpley
Against: 3 - Rieves, Davis, Housewright
Absent: 3 - Anantasomboon, Mack, Schultz
Vacancy: 0

Amending Motion II: It was moved to **approve** an amendment to the motion to restrict all office parking spaces for public use from 7:00 p.m. to 6:00 a.m.

Maker: Rieves
Second: Davis
Result: Failed: 3 to 9

For: 3 - Rieves, Haney, Jung

Against: 9 - Anglin, Houston, Davis, Shidid, Housewright, Peadon, Murphy, Ridley, Tarpley
Absent: 3 - Anantasomboon, Mack, Schultz
Vacancy: 0

Notices: Area: 500 Mailed: 214
Replies: For: 96 Against: 22

Speakers: For: Mark Masinter, 5410 Surrey Cir., Dallas, TX, 75209
Daniel Hernandez, 1929 McMillan Ave., Dallas, TX, 75206
Phillip Long, 1811 Euclid Ave., Dallas, TX, 75206
George Goodenow, 2002 Moser Ave., Dallas, TX, 75206
Robert Hunt, 5811 Gaston Ave., Dallas, TX, 75214
Dennis Craig, 5200 Capitol Ave., Dallas, TX, 75206
Ian Blair, 1830 Moser Ave., Dallas, TX, 75206
Lee Small, 2737 N. Fitzhugh Ave., Dallas, TX, 75204
Tommy Mann, Address not given
Mr. Good, Address not given
Evan Beattie, 2808 Fairmont St., Dallas, TX, 75243
For (Did not speak): Marla Brandt, 5331 Tremont St., Dallas, TX, 75214
Stephen Merkle, 2817 Amherst Ave., Dallas, TX, 75225
Randal Baker, 2305 Cedar Springs Rd., Dallas, TX, 75201
Against: Fonya Mondell, 1918 Moser Ave., Dallas, TX, 75206
Rick Bentley, 5551 Vickery Blvd., Dallas, TX, 75206
Bruce Richardson, 5607 Richmond Ave., Dallas, TX, 75206
Against (Did not speak): Judith Tichansky, 1912 Moser Ave., Dallas, TX, 75206
Staff: Lloyd Denman, Assistant Director, Engineering, City of Dallas

Prior CPC Action – May 4, 2017:

Motion: In consider an application for a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street, it was move to **hold** this case under advisement until June 8, 2017.

Maker: Rieves
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston*, Davis, Shidid, Anantasomboon, Haney, Mack, Jung*, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 214
Replies: For: 99 Against: 19

Speakers: None

Prior CPC Action – April 6, 2017:

Motion: In consider an application for a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street, it was move to **hold** this case under advisement until May 4, 2017.

Maker: Rieves
Second: Housewright
Result: Carried: 15 to 0

For: 15 - Anglin, Rieves, Houston*, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 214
Replies: For: 99 Against: 19

Speakers: None

Prior CPC Action – February 16, 2017:

Motion: In consider an application for a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street, it was move to **hold** this case under advisement until April 6, 2017.

Maker: Rieves
Second: Ridley
Result: Carried: 12 to 0

For: 12 - Anglin, Rieves, Houston, Davis, Shidid*, Haney, Mack, Jung, Housewright*, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Anantasomboon, Schultz, Tarpley
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 214
Replies: For: 96 Against: 22

Speakers: None

Prior CPC Action – January 5, 2017:

Motion: In consider an application for a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street, it was move to **hold** this case under advisement until February 16, 2017.

Maker: Rieves
Second: Houston
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7

Notices: Area: 500 Mailed: 214
Replies: For: 98 Against: 20

Speakers: For: Mark L. Masinter, 5410 Surrey Cir., Dallas, TX, 75209
Evan Beattie, 2808 Fairmount St., Dallas, TX, 75201
Spencer Bryson, 2025 Glencoe St., Dallas, TX, 75206
Crystal Nolan, 1833 McMillian Ave., Dallas, TX, 75206
Tommy Mann, 2728 N. Harwood St., Dallas, TX, 75201
Brooks Anderson, 5624 Goodwin Ave., Dallas, TX, 75206
For (Did not speak): Daniel Hernandez, 5321 Belmont Ave., Dallas, TX, 75206
Debora Gonzales, 5308 & 5310 Belmont Ave., Dallas, TX, 75206
Brian Payne, 1929 McMillan Ave., Dallas, TX, 75206
Ian Blair, 1830 Moser Ave., Dallas, TX, 75206
Tommy Dealano, 5237 Vickery Blvd., Dallas, TX, 75206
Neal Zurbriggen, 1833 McMillan Ave., Dallas, TX, 75206
Against: Bruce Richardson, 5607 Richmond Ave., Dallas, TX, 75206
Robert Irvin, 5234 Goodwin Ave., Dallas, TX, 75206
Richard Bentley, 5551 Vickery Blvd., Dallas, TX, 75206
Susana Infante, 2023 Cullen Dr., Dallas, TX, 75206
David McCullough, 1914 Moser Ave., Dallas, TX, 75206
Against (Did not speak): Fonya Mondell, 1918 Moser Ave., Dallas, TX, 75206
Staff: Hamid Fard, Traffic Engineering Division

Officers and Directors

Owner: **HENDERSON LOTS OWNER (DALLAS), LLC**

David Thompson Chief Financial Officer

HENDERSON MAIN (DALLAS), LLC

David Thompson Chief Financial Officer

HENDERSON RESIDENTIAL LANDS (DALLAS), LLC

David Thompson Chief Financial Officer

HENDERSON RETAIL LANDS (DALLAS), LLC

David Thompson Chief Financial Officer

CPC RECOMMENDED CONDITIONS

ARTICLE 462.

PD 462.

SEC. 51P-462.101. LEGISLATIVE HISTORY.

PD 462 was established by Ordinance No. 22969, passed by the Dallas City Council on December 11, 1996. Ordinance No. 22969 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 22969 was amended by Ordinance No. 23010, passed by the Dallas City Council on January 22, 1997, and Ordinance No. 23976, passed by the Dallas City Council on August 11, 1999. (Ord. Nos. 19455; 22969; 23010; 23976; 25423)

SEC. 51P-462.102. PROPERTY LOCATION AND SIZE.

PD 462 is established on property generally located along both sides of Henderson Avenue between Central Expressway and Ross Avenue. The size of PD 462 is approximately 41.84 acres. (Ord. Nos. 22969; 23010; 25423)

SEC. 51P-462.103. PURPOSE.

This article provides standards specifically tailored to meet the needs of the Henderson Avenue Area, between North Central Expressway and Ross Avenue, which is hereby designated as an area of historical, cultural, and architectural importance and significance to the citizens of the City of Dallas. The general objectives of these standards are to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and, in part, to achieve the following:

(1) Accommodate the existing mix of uses in the area.

(2) Protect the internal and adjacent stable residential neighborhoods.

(3) Preserve and enhance the architectural and cultural significance of the area.

(4) Strengthen neighborhood identity.

(5) Create a more desirable pedestrian environment. (Ord. Nos. 22969; 25423)

SEC. 51P-462.104. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations contained in Chapter 51A apply to this article.

(b) Unless the context clearly indicates otherwise, in this article:

(0.1) BLADE SIGN means a sign projecting perpendicular from the building façade or corner of the building.

(0.2) BODY PIERCING STUDIO means a facility in which a perforation is created in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.

(0.3) COFFEE-ROASTING SHOP means a retail use that (i) prepares coffee beans for use by roasting them; (ii) sells coffee and coffee-based beverages for consumption on or off the premises; and (iii) in which limited food service may be accessory to the sale of these beverages. Coffee roasters, rotary cylinders, and similar specialty equipment may be used for the roasting and preparation of coffee-beans.

(1) FACING A STREET means parallel to or within 45 degrees of being parallel (excluding ornamental features) to a street, and marking the extent of a front yard.

(2) FLUORESCENT COLOR means any color defined by the Munsell Book of Color as having a minimum value of eight and a minimum chroma of ten.

(3) MAJOR MODIFICATION means modifications to an original building within an one-year period where the value of the modifications as stated on applications for building permits exceeds 50 percent of the building's assessed value as determined by the Dallas Central Appraisal District.

(3.1) MASSAGE ESTABLISHMENT means a massage establishment as defined by Section 25A-1 of Chapter 25A of the Dallas City Code, as amended.

(4) NEW CONSTRUCTION means construction of a structure that is not an original building.

(5) OPENING means a door, window, passageway, or any other feature through which light or solid objects may pass.

(6) ORIGINAL BUILDING means a building constructed on or before the date of passage of Ordinance No. 22969.

(7) RETAIL USE means any use listed in Section 51P 462.108(a)(8) of this article.

(8) TATTOO STUDIO means an establishment or facility in which 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 is performed.

(9) TANDEM PARKING SPACE means a parking space that is only accessed by passing through another parking space.

(10) UNDER AWNING SIGN means a sign plate with tenant letters and graphics limited to eight square feet attached (i) from a canopy or awning above with rigid support, or (ii) perpendicular from the vertical face of a building.

(11) VISIBLE REFLECTANCE means the percentage of available 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 surface will appear.)

(c) Unless otherwise stated, all code references are to Chapter 51A.

(d) Except as otherwise provided for Subdistrict 5A, the provisions of Section 51A-4.702, "Planned Development (PD) District Regulations," relating to site plans, conceptual plans, and development plans do not apply to this district.

(e) 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.

(3) 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. ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800.)

(4) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, 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.)

(f) Unless the context clearly indicates otherwise, this district is considered to be a residential district for purposes of interpreting Chapter 51A. (Ord. Nos. 22969; 25423; 26352)

SEC. 51P-462.104.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 462A: Tract map.

(2) Exhibit 462B: Approved list of plant materials.

(3) Exhibit 462C: Subdistrict 5A development plan.

(4) Exhibit 462D: Subdistrict 5A landscape plan.

SEC. 51P-462.105. ZONING CLASSIFICATION CHANGE.

Chapter 51A is amended by changing the zoning classification from an MF-2(A) Multifamily District, a CR Community Retail District, a CR-D Community Retail-Dry District, an NO(A) Neighborhood Office District, and an MU-1 Mixed Use District to Planned Development District No. 462 and Planned Development District No. 462-Dry (the Henderson Avenue Special Purpose District) on the property described in Ordinance No. 22969, as amended by Ordinance No. 23010. (Ord. Nos. 22969; 23010; 25423)

SEC. 51P-462.106. CREATION OF SUBDISTRICTS.

(a) A map, Exhibit 462A, shows the boundaries of the district and the seven subdistricts. Property descriptions of the subdistricts are provided as Exhibit A of Ordinance No. 22969, as amended. In the event of a conflict between Exhibit A of Ordinance No. 22969 and Exhibit 462A, Exhibit A of Ordinance No. 22969 controls.

(b) The subdistricts are hereby established for purposes of this article. Use regulations and development standards for each subdistrict are set out below. (Ord. Nos. 22969; 23010; 25423; 25441; 26352; 26723)

SEC. 51P-462.107. DEVELOPMENT PLAN.

(a) In general. Except as provided in this section, 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. (Ord. Nos. 22969; 25423)

(b) Subdistrict 5A. Development and use of the Property must comply with the Subdistrict 5A development plan (Exhibit 486C). If there is a conflict between this article and the development plan, the text of this article controls.

SEC. 51P-462.108. SUBDISTRICTS 1, 3, 3A, AND 5.

(a) Main uses permitted in Subdistricts 1, 3, and 5.

(1) Commercial and business service uses.

-- Catering service.
-- Custom business services.
-- Electronics service center.
-- Medical or scientific laboratory.

(2) Institutional and community service uses.

-- Adult day care facility. *[SUP]*
-- Child-care facility. *[SUP]*
-- Church.
-- College, university, or seminary.
-- Community service center. *[SUP]*
-- Hospital. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school.

(3) Lodging uses.

-- Hotel or motel. *[SUP]*
-- Lodging or boarding house. *[SUP]*

(4) Miscellaneous uses.

-- Carnival or circus (temporary). *[By special authorization of the building official.]*
-- Temporary construction or sales office.

(5) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window. *[SUP]*
-- Medical clinic or ambulatory surgical center.
-- Office.

(6) Recreation uses.

-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(7) Residential uses.

-- Duplex.
-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*
-- Multifamily.
-- Single family.

(8) 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. *[SUP]*
-- Commercial amusement (inside).
-- Commercial amusement (outside). *[SUP]*
-- Commercial parking lot or garage. *[RAR]*
-- 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.
-- Liquor store.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.
-- Nursery, garden shop, or plant sales.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service.
-- Temporary retail use.
-- Theater.

(9) Transportation uses.

-- Transit passenger shelter.
-- Transit passenger station or transfer center.

(10) Utility and public service uses.

-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Post office.
-- Radio, television, or microwave tower. *[SUP]*
-- Tower/antenna for cellular communication.
-- Utility or government installation other than listed.

(11) Wholesale, distribution, and storage uses.

-- Recycling drop-off container.
-- Recycling drop-off for special occasion collection.

(b) Main uses permitted in Subdistrict 3A.

(1) Commercial and business service uses.

-- Catering service.
-- Custom business services.
-- Electronics service center.

(2) Institutional and community service uses.

-- Adult day care facility. *[SUP]*
-- Child-care facility. *[SUP]*
-- Library, art gallery, or museum.

(3) Miscellaneous uses.

-- Temporary construction or sales office.

(4) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window. *[SUP]*
-- Medical clinic or ambulatory surgical center.
-- Office.

(5) Residential uses.

-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*
-- Multifamily.

(6) Retail and personal service uses.

-- Animal shelter or clinic without outside run.
-- Commercial parking lot or garage. *[RAR]*
-- 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.
-- Nursery, garden shop, or plant sales.

-- Personal service uses. *[Barber/beauty shop and nail salon allowed by right. Massage establishments, tattoo studios, and body piercing studios prohibited. Massage establishments, tattoo studios, and body piercing studios must be treated as a separate main use and cannot be an accessory use. SUP required for all other personal service uses.]*
-- Restaurant without drive-in or drive-through service.
-- Temporary retail use.

(7) Transportation uses.

-- Transit passenger shelter.

(8) Utility and public service uses.

-- Local utilities.

(c) Accessory uses.

(1) 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.

(2) The following accessory uses are not permitted in Subdistricts 1, 3, 3A, and 5:

-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.
-- Accessory outside display of merchandise.
-- Accessory outside sales.
-- Accessory pathological waste incinerator.
-- Private stable.

(d) Yard, lot, and space regulations. Except as provided in the urban design guidelines, the following yard, lot, and space regulations apply to all properties within Subdistricts 1, 3, 3A, and 5. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51-4.400. In the event of a conflict between this subsection and Division 51-4.400, this subsection controls.)

(1) Front yard. Minimum front yard is 15 feet. Maximum front yard is 30 feet.

(2) Side and rear yard. No minimum side or rear yard.

(3) Density. Maximum dwelling unit density is 30 dwelling units per acre.

(4) Floor area. Maximum floor area ratio is .75:1.

(5) Height. Maximum structure height is 54 feet.

(6) Lot coverage. Maximum lot coverage is 60 percent.

(7) Lot size. No minimum lot size.

(8) Stories. Maximum number of stories is four.

(e) Off-street parking and loading. Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

(f) Environmental performance standards. See Article VI.

(g) Landscaping.

(1) All landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

(2) Plant material must be maintained in a healthy, growing condition.

(h) Street trees.

(1) Except in Subdistrict 1, a tree must be planted within the right-of-way at a density of one tree for each 30 linear feet of frontage, exclusive of driveways.

(2) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating the trees in the parkway. An application for a parkway landscape permit, if required, 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 that director and accompanied by plans or drawings showing the area of the parkway affected and the planting proposed.

(3) Upon receipt of the application and any required fees, the director of public works and transportation shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, that director determines that the planting proposed will not be inconsistent with or unreasonably impair the public use of the right-of-way, the director shall issue a parkway landscape permit to the property owner; otherwise he shall deny the permit.

(4) A property owner is not required to comply with the street tree planting requirement of this subsection if compliance is made impossible due to the denial of a parkway landscape permit by the director of public works and transportation.

(5) A parkway landscape permit issued by the director of public works and transportation 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 requirements of this section if compliance is made impossible due to that director's revocation of the parkway landscape permit.

(6) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees in the public right-of-way.

(i) Signs. Signs must comply with the provisions for business zoning districts contained in Article VII.

(j) Urban design guidelines for new construction or major modifications. Plans for new construction or a major modification of a structure must incorporate the following mandatory requirements and at least one-half of the following design options.

(1) Crime Prevention Through Environmental Design. Principles of Crime Prevention Through Environmental Design (CPTED) must be integrated to the maximum extent possible for all construction requiring a building permit. A copy of the CPTED manual may be obtained in the Department of Development Services, or contact the Building Official Plans Examiner for information on CPTED review standards. The Building Official, or his designee, will review for compliance.

(2) Fluorescent colors. Fluorescent colors are prohibited on the exterior of any structure in Subdistricts 1, 3, 3A, and 5.

(3) Use of metals on facades. Facades incorporating corrugated and extruded metals are prohibited if the area covered by these materials totals more than 50 percent of the total façade area.

(4) Façade openings. The percentage of a front façade containing openings must be between 10 and 90 percent. For purposes of this paragraph, "front façade" means any façade facing a street.

(5) Reflective glass. The maximum permitted visible reflectance of glass used as an exterior building material varies depending on where the glass is used on the building. The visible reflectance of glass used on the exterior of the first two stories of a building may not exceed 15 percent. The visible reflectance of exterior glass used above the first two stories of the building may not exceed 27 percent.

(6) Façade materials. Excluding openings, all building facades must be constructed of stone, brick, glass block, tile, cast metal, concrete, stucco, materials giving the appearance of concrete or stucco, or cast stone. Any façade visible from the street utilizing concrete, stucco, or materials giving the appearance of concrete or stucco as a primary façade material must incorporate accent materials such as stone, brick, glass block, tile, or cast metal on a minimum of 10 percent of that façade area, excluding windows and doors.

(7) Lighting. Exterior lighting must be oriented onto the property they light and directed away from adjacent properties.

(8) Design options. A minimum of one-half of the following requirements must be met:

(A) Retail uses. Allocate a minimum of one-half of the ground floor area to retail uses.

(B) Awning or arcade. Provide an awning or arcade which covers a minimum of one-half of the façade facing a street. To qualify, the arcade or awning must have a minimum depth of three and one-half feet.

(C) Public art. Allocate a minimum of one and one-half percent of the value of the improvements stated in the building permit application to public art. Public art must be visible from the street at all times.

(D) Seasonal color. Provide a landscape area for seasonal color which is the size of a minimum of one-half of a square foot multiplied by the number of feet of frontage the property has. The plants in the landscape area must be changed at least twice a year with the appropriate seasonal colors indicated in Exhibit 462B. 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.

(E) Water features. Allocate five percent of the value of the improvements stated in the building permit application to a water feature, such as a fountain, pool, mechanical water jet, or similar water device. The water feature must be visible from a public right-of-way.

(F) Flags and banners. Allocate 10 percent of the building façade area to an equivalent area of either flags or banners. To qualify, the flags or banners may not fall within the definition of "sign" contained in Article VII of the Dallas Development Code, as amended.

(G) Ground floor light fixtures. Provide decorative light fixtures that frame a ground floor entry or create a repeating motif along the facade of the ground floor.

(H) Pedestrian seating. Provide pedestrian seating in an area which covers one-half of the width of the building.

(I) Paving materials. Cover 50 percent of the outdoor walkway area accessible to the public with decorative pavement. For purposes of this subparagraph, decorative pavement means pavers of colored concrete, brick, or stone.

(J) Open space. Allocate 100 square feet of the required front yard to open space. For purposes of this subparagraph, open space means a space containing no structures or pavement at or above grade. Open space must contain, at a minimum, grass or other natural vegetation.

(k) Urban design guidelines for all other exterior structure modifications. All exterior structure modifications, of whatever kind, must comply with the following regulations.

(1) Crime Prevention Through Environmental Design. Principles of Crime Prevention Through Environmental Design (CPTED) must be integrated to the maximum extent

possible for all construction requiring a building permit. A copy of the CPTED manual may be obtained in the Department of Development Services, or contact the Building Official Plans Examiner for information on CPTED review standards.

(2) Fluorescent colors. Fluorescent colors are prohibited on the exterior of any structure in Subdistricts 1, 3, 3A, and 5.

(3) Use of metals on facades. Facades incorporating corrugated and extruded metals are prohibited if the area covered by these materials totals more than 50 percent of the total façade area.

(4) Façade openings. The percentage of a front façade containing openings must be between 10 and 90 percent. For purposes of this paragraph, "front facade" means any façade facing a street.

(5) Reflective glass. The maximum permitted visible reflectance of glass used as an exterior building material varies depending on where the glass is used on the building. The visible reflectance of glass used on the exterior of the first two stories of a building may not exceed 15 percent. The visible reflectance of exterior glass used above the first two stories of the building may not exceed 27 percent.

(6) Façade materials. Excluding openings, all building facades must be constructed of stone, brick, glass block, tile, cast metal, concrete, stucco, materials giving the appearance of concrete or stucco, or cast stone. Any façade visible from the street utilizing concrete, stucco, or materials giving the appearance of concrete or stucco as a primary façade material must incorporate accent materials such as stone, brick, glass block, tile, or cast metal on a minimum of 10 percent of that façade area, excluding windows and doors.

(7) Lighting. Exterior lighting must be oriented onto the property they light and directed away from adjacent properties.

(l) Commercial alley access. Commercial alley access is prohibited in Subdistrict 3A. (Ord. Nos. 22969; 23976; 25423; 26340; 26352)

SEC. 51P-462.109. SUBDISTRICTS 2 AND 4.

(a) Main uses permitted.

(1) Institutional and community service uses.

-- Adult day care facility. *[SUP]*
-- Child care facility. *[SUP]*
-- Church.
-- Public or private school.

(2) Residential uses.

-- Duplex.

-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*
-- Multifamily.
-- Single family.

(3) Transportation uses.

-- Transit passenger shelter.

(b) Accessory uses.

(1) 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.

(2) The following accessory uses are not permitted in Subdistricts 2 and 4:

-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.
-- Accessory outside display of merchandise.
-- Accessory outside sales.
-- Accessory pathological waste incinerator.
-- Private stable.

(c) Yard, lot, and space regulations. Except as provided in the urban design guidelines, the following yard, lot, and space regulations apply to all properties within Subdistricts 2 and 4. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51-4.400. In the event of a conflict between this subsection and Division 51-4.400, this subsection controls.)

(1) Front yard. Minimum front yard is 15 feet.

(2) Side and rear yard. No minimum side or rear yard.

(3) Density. Maximum dwelling unit density is 30 dwelling units per acre.

(4) Floor area. No maximum floor area ratio.

(5) Height. Maximum structure height is 36 feet.

(6) Lot coverage. Maximum lot coverage is 45 percent.

(7) Lot size. No minimum lot size.

(8) Stories. No maximum number of stories.

(d) Off-street parking and loading. Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

(e) Environmental performance standards. See Article VI.

(f) Landscaping.

(1) Except as provided in Subsection (f)(2) below, all landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

(2) A minimum of three three-inch caliper trees, two of which must be located in the required front yard, must be planted on the lot containing a new single family use.

(3) Plant material must be maintained in a healthy, growing condition.

(g) Signs. Signs must comply with the provisions for non-business zoning districts contained in Article VII.

(h) Urban design guidelines. All new construction and exterior structure modifications must comply with the following design guidelines.

(1) Crime Prevention Through Environmental Design. Principles of Crime Prevention Through Environmental Design (CPTED) must be integrated to the maximum extent possible for all construction requiring a building permit. A copy of the CPTED manual may be obtained in the Department of Development Services, or contact the Building Official Plans Examiner for information on CPTED review standards. The Building Official, or his designee, will review for compliance.

(2) Fluorescent colors. Fluorescent colors are prohibited on the exterior of any structure in Subdistricts 2 and 4.

(3) Façade materials. Facades incorporating corrugated and extruded metals are prohibited if the area covered by these materials totals more than 50 percent of the total façade area. (Ord. Nos. 22969; 25423)

SEC. 51P-462.109.1. SUBDISTRICT 5A

(a) Creation of tracts. Subdistrict 5A is divided into two tracts: Tract I and Tract II as shown on the Subdistrict 5A development plan.

(b) Main uses permitted. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.
-- Custom business services.
-- Electronics service center.

(3) Industrial uses.

None permitted

(4) Institutional and community service uses.

-- Adult day care facility. *[SUP]*
-- Child-care facility. *[SUP]*
-- Library, art gallery, or museum.

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window.
-- Medical clinic or ambulatory surgical center.
-- Office.

(8) Recreation uses.

None permitted.

(9) Residential uses.

None permitted.

(10) Retail and personal service uses.

-- Animal shelter or clinic without outside run.
-- Coffee-roasting shop
-- Commercial parking lot or garage. *[RAR]*
-- 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.
-- Nursery, garden shop, or plant sales.
-- Personal service uses. *[Barber/beauty shop, nail salon, shoe repair, tailor, instructional arts studio, photography studio, laundry or cleaning pick up and receiving station, handcrafted artwork studio, safe deposit boxes, travel bureau, and custom painting or duplicating shop allowed by right. Massage establishments, tattoo studios, and body piercing studios prohibited. Massage establishments, tattoo*

studios, and body piercing studios cannot be an accessory use. SUP required for all other personal service uses.]

-- Restaurant without drive-in or drive-through service *[minimum 50% food sales per SEC. 51P-462.110(l)(2); total maximum of 12,000 square feet for all restaurant uses combined].*

-- Temporary retail use.

-- Theater *[SUP]*

(11) Transportation uses.

-- Transit passenger shelter.

(12) Utility and public service uses.

-- Local utilities.

(c) Accessory uses.

(1) 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.

(2) 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.

-- Private stable.

(e) Yard, Lot and Space Regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. If there is a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) In general. Except as provided in the urban design guidelines, the yard, lot, and space regulations in this paragraph apply to all properties within Subdistrict 5A.

(2) Front yard.

(A) Minimum front yard is 10 feet.

(B) Along Henderson Avenue, 75 percent of any front building façade must meet a maximum front yard of 30 feet.

(C) Underground parking structures may extend to the property line.

(D) The following may project to the property line: awnings and canopies (minimum 12 foot clearance above sidewalk), retaining walls, stoops, and stairs.

(E) In Tract II, buildings may encroach into the front yard in those areas shown on the Subdistrict 5Adevelopment plan.

(3) Side yard.

(A) Tract I. Minimum side yard is the greater of 40 feet or as shown on the development plan. Underground parking structures may extend to the property line.

(B) Tract II. Minimum side yard is 24 feet.

(4) Rear yard.

(A) Tract I. Minimum rear yard is 40 feet.

(B) Tract II. Minimum rear yard is 85 feet.

(5) Floor area.

(A) Maximum ground level floor area for any use is 14,000 square feet. Contiguous retail uses with separate certificates of occupancy are considered separate uses.

(B) Tract I: Maximum total floor area is 170,000 square feet. Maximum floor area for retail, personal service, and restaurant uses is 82,000 square feet subject to the following additional restrictions:

(i) Except as otherwise provided in this subparagraph, no retail or personal service use may be greater than 11,000 square feet.

(ii) Two retail and personal service uses may be greater than 11,000 square feet subject to the following:

(aa) One retail and personal service use between 11,000 and 21,000 square feet is permitted.

(bb) One retail and personal service use between 11,000 and 15,000 square feet is permitted.

(C) Tract II: Maximum total floor area is 20,000 square feet.

(6) Height. Maximum structure heights are as indicated on the development plan.

(A) Only the following projections above the maximum structure height are allowed:

(i) Parapet walls: up to one foot above the maximum

structure height.

(ii) Mechanical equipment, surrounding screening walls, and elevator overruns: a maximum of 10 feet above the maximum structure height only if placed a minimum of 20 feet from the building perimeter as designated on the development plan.

(7) Lot coverage. Maximum lot coverage is 55 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots, and underground parking structures are not.

(8) Minimum lot size. No minimum lot size.

(9) Stories. Except as further restricted on the Subdistrict 5A development plan, maximum number of stories above grade is three.

(f) Off-street parking and loading.

(1) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(2) Off-street parking located in Subdistrict 5A may not be used to satisfy the required off-street parking of any use, except for remote parking agreements in existence on or prior to [date of most recent remote parking agreement], as may be amended in the future. The maximum number of off-street parking spaces that may be provided pursuant to remote parking agreements is 42 spaces.

(3) Valet service may only park vehicles in a below grade parking structure.

(4) Subarea 5A is considered one lot for purposes of off-street parking.

(5) The maximum number of parking spaces located in a below grade parking structure is 755, with a maximum of 150 tandem parking spaces. For tandem parking spaces, an attendant must be provided to park vehicles during business hours of the main uses.

(6) Required off-street parking for a coffee roasting shop is one space per 200 square feet of floor area.

(g) Environmental performance standards. See Article VI.

(h) Landscaping.

(1) In general. Except as provided in this subsection, landscaping must be provided as shown on the Subdistrict 5A landscape plan (Exhibit 462D).

(2) Minor deviations. At time of building permit, the building official may approve minor deviations in the location of trees and other plantings due to conflicts with utilities, driveways, or other infrastructure.

(3) Street trees. A tree must be planted within the right-of-way at a density of one tree for each 30 linear feet of frontage, exclusive of driveways and required visibility triangles.

(i) Signs.

(1) In general. Except as provided in this subsection, signs must comply with the provisions for business zoning districts in Article VII

(2) Attached signs.

(A) On the primary façade, the combined effective area of all attached signs may not exceed 25 percent of the total area of the primary façade. On each secondary façade, the combined effective area of all attached signs may not exceed 15 percent of the total area of that secondary façade.

(B) Blade signs may project no more than 48 inches from the surface of a structure. The lowest part of a blade sign must be located at least eight feet above grade.

(C) Under awning signs are permitted for each ground-level premise or each individual non-residential occupancy. The maximum effective area for an under awning sign is eight square feet. The lowest part of an under awning sign must be located at least eight feet above grade.

(D) The combined effective area of all signs attached to any window or any glass door may not exceed 10 percent of the area of that window or glass door.

(3) Detached signs.

(A) One monument sign may be located at the driveway entrance in the location shown on the Subdistrict 5A development plan. The monument sign may be a multi-tenant sign. The highest part of the monument sign may not exceed 10 feet in height. The maximum effective area of the monument sign is 150 square feet. The monument sign must be set back at least 10 feet in a front yard and at least five feet in a side yard.

(B) One monument sign may be located at the intersection of Henderson Avenue and Glencoe Street and one monument sign may be located at the intersection of Henderson Avenue and McMillan Avenue in the locations shown on the Subdistrict 5A development plan. These monument signs may be multi-tenant signs. The highest part of these monument signs may not exceed four feet in height. The maximum effective area for these monument signs if 32 square feet. These monument signs must be setback at least 10 feet from the street.

(4) Additional Provisions.

(A) Rooftop signs are prohibited.

(B) Illumination of signs is only permitted on a building façade facing Henderson Avenue.

(j) Urban design guidelines for new construction or major modifications.

(1) Plans for new construction or a major modification of a structure must incorporate the following mandatory requirements:

(A) Crime Prevention Through Environmental Design. Principles of Crime Prevention Through Environmental Design (CPTED) must be integrated to the maximum extent possible for all construction requiring a building permit. A copy of the CPTED manual may be obtained in the Department of Sustainable Development and Construction, or contact the building official plans examiner for information on CPTED review standards. The Building Official, or his designee, will review for compliance.

(B) Fluorescent colors. Fluorescent colors are prohibited on the exterior of any structure.

(C) Use of metals on facades. Facades incorporating corrugated and extruded metals are prohibited if the area covered by these materials totals more than 50 percent of the total façade area.

(D) Façade openings. The percentage of a front façade containing openings must be between 10 and 90 percent. For purposes of this paragraph, "front façade" means any façade facing a street.

(E) Reflective glass. The maximum permitted visible reflectance of glass used as an exterior building material varies depending on where the glass is used on the building. The visible reflectance of glass used on the exterior of the first story of a building may not exceed 15 percent. The visible reflectance of exterior glass used above the first story of the building may not exceed 25 percent.

(F) Façade materials. Excluding openings, all building facades must be constructed of stone, brick, glass block, tile, cast metal, concrete, stucco, materials giving the appearance of concrete, or cast stone and for buildings less than 5,000 square feet in floor area, cementitious siding may also be used as a primary façade material. Any façade visible from the street utilizing concrete, stucco, or materials giving the appearance of concrete as a primary façade material must incorporate accent materials such as stone, brick, glass block, tile, or cast metal on a minimum of 10 percent of that façade area, excluding windows and doors. EIFS and other simulated stucco products are prohibited.

(G) Lighting. Exterior lighting must be oriented onto the property it lights and directed away from adjacent properties. Light standards, excluding wall packs on structures, may be a maximum of 16 feet in height to the top of the fixture.

(H) Pedestrian amenities. The following pedestrian amenities must be provided along the Henderson Avenue frontage:

(i) a minimum of 10 and a maximum of 21 benches;

(ii) a minimum of eight and a maximum of 10 trash cans; and

(iii) a minimum of 16 bicycle parking spaces within 75 feet of the Henderson Avenue frontage.

(2) Design options. A minimum of five of the following requirements must be met:

(A) Retail uses. Allocate a minimum of one-half of the ground floor area to retail uses.

(B) Awning or arcade. Provide an awning or arcade which covers a minimum of one-half of the façade facing a street. To qualify, the arcade or awning must have a minimum depth of three and one-half feet.

(C) Public art.

(i) Provide public art that is visible from public right-of-way. Examples of public art include art that is incorporated into the sidewalk or building façade, or freestanding art.

(ii) The public art must be located in exterior open space that contains a minimum of 500 square feet of land area and contains a minimum of two of the following:

(aa) benches, seat walls, or seating areas;

(bb) trash receptacles;

(cc) drinking fountains;

(dd) shade structures, understory shade trees, or awnings.

(iii) The public art may be located in the same exterior open space as a water feature allowed by this section.

(D) Seasonal color. Provide a landscape area for seasonal color which is the size of a minimum of one-half of a square foot multiplied by the number of feet of frontage the property has. The plants in the landscape area must be changed at least twice a year with the appropriate seasonal colors indicated in Exhibit 462B. 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

(E) Water features.

(i) Provide a water feature, such as a fountain, pool, mechanical water jet, or similar water device. The water feature must be visible from a public right-of-way.

(ii) The water feature must be located in exterior open space that contains at least 500 square feet of land area and contains a minimum of two of the following:

(aa) benches, seat walls, or seating areas;

(bb) trash receptacles;

(cc) drinking fountains;

(dd) shade structures, understory shade trees, or awnings.

(iii) The water feature may be located in the same exterior open space as public art required by this section.

(F) Flags and banners. Allocate 10 percent of the building façade area to an equivalent area of either flags or banners. To qualify, the flags or banners may not fall within the definition of "sign" contained in Article VII.

(G) Ground floor light fixtures. Provide decorative light fixtures that frame a ground floor entry or create a repeating motif along the facade of the ground floor.

(H) Pedestrian seating.

(i) Provide pedestrian seating in an area which covers one-half of the width of the building.

(ii) The pedestrian seating area may be contained in the same exterior open space as public art or a water feature required by this section.

(I) Paving materials. Cover 50 percent of the outdoor walkway area accessible to the public with decorative pavement. For purposes of this subparagraph, decorative pavement means pavers of colored concrete, brick, or stone.

(J) Open space. Allocate a minimum of 5,000 square feet of the required front yard on Glencoe and 2,000 square feet of the required front yard on McMillan to open space. For purposes of this subparagraph, open space means a space containing no enclosed structures at or above grade. Open space must contain, at a minimum, grass or other natural vegetation and a minimum of two of the following:

(i) benches, seat walls, or seating areas;
(ii) trash receptacles;
(iii) drinking fountains;
(iv) shade structures, understory shade trees, or awnings.

(k) Additional Provisions.

(1) Rooftop use.

(A) Commercial greenhouses used for crop production may be located on a rooftop in the locations shown on the development plan.

(B) Restaurant uses may not locate dining areas on a rooftop. For all other uses, outdoor gathering areas must be screened so as not to be visible from grade of an abutting property located in an R, R(A), D, D(A), TH, or TH(A) zoning district.

(2) Restaurant use.

(A) Outdoor dining is prohibited after midnight.

(B) No restaurant may be located in the building adjacent to McMillan Avenue as indicated on the Subdistrict 5A development plan.

(C) A restaurant must derive 50 percent or more of its gross revenue on a quarterly (three-month) basis from the sale or service of food.

(i) The person owning or operating the use shall, upon request, supply the building official with any records needed to document the percentage of gross revenue for the previous 12 month period derived from the sale or service of food.

(3) No balconies or outdoor seating areas may face an abutting residential district.

(4) After 6:00pm, a minimum of one peace officer or security personnel must be provided on the Property to monitor activity of the retail parking area.

(5) Use of outdoor speakers or other outdoor amplified sound equipment is prohibited.

SEC. 51P-462.110. MAINTENANCE OF THE PROPERTY.

The Property must be maintained in a state of good repair and neat appearance. (Ord. Nos. 22969; 25423)

SEC. 51P-462.111. COMPLIANCE WITH ALL OTHER LAWS.

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. (Ord. Nos. 22969; 25423)

SEC. 51P-462.112. CONSTRUCTION STANDARDS.

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. 22969; 25423; 26102)

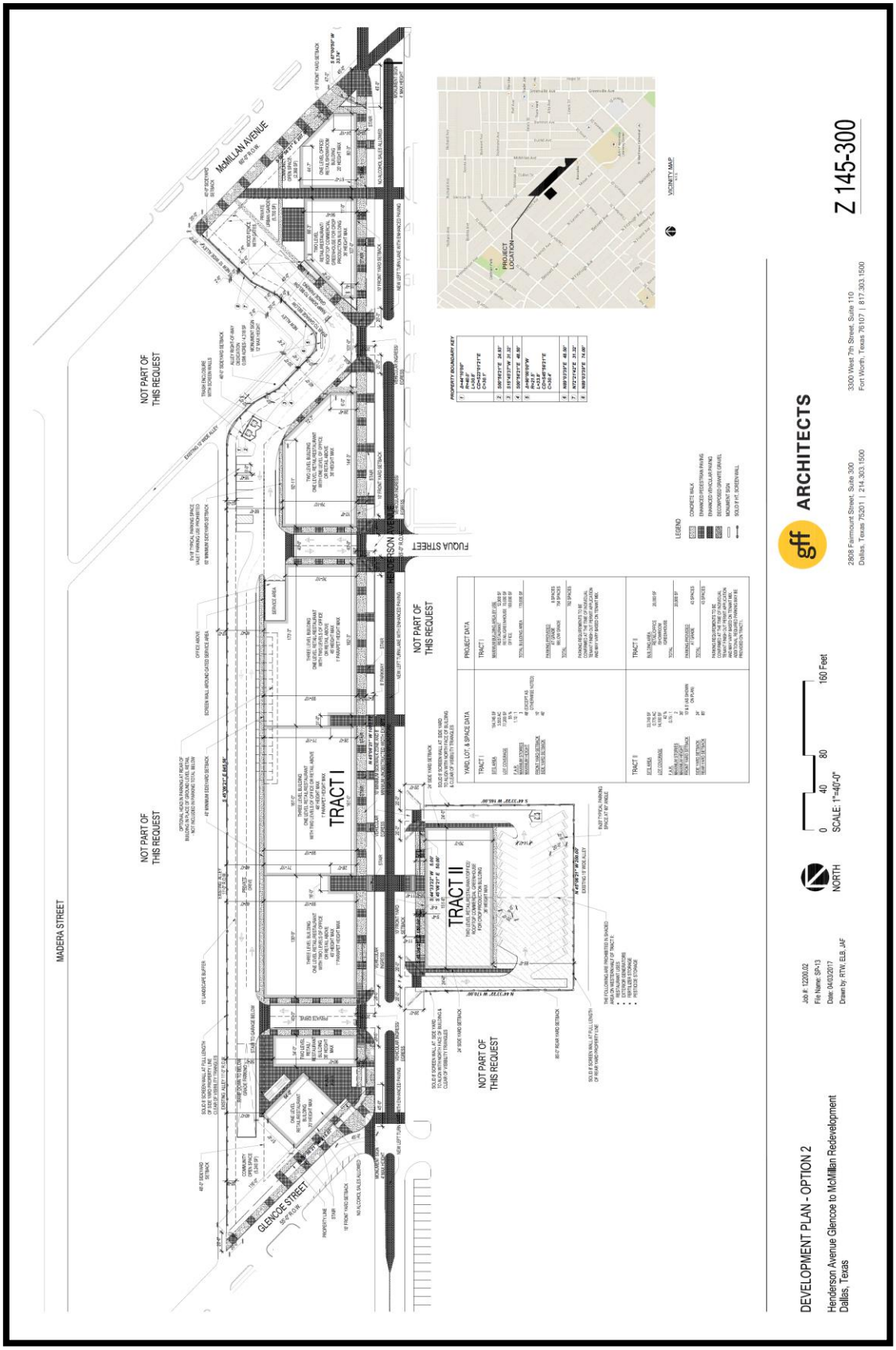
SEC. 51P-462.113. COMPLIANCE REQUIRED.

The building official shall not issue a building permit or a certificate of occupancy for a use ion this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all of other ordinances, rules, and regulations of the city. (Ord. Nos. 22969; 25423; 26102)

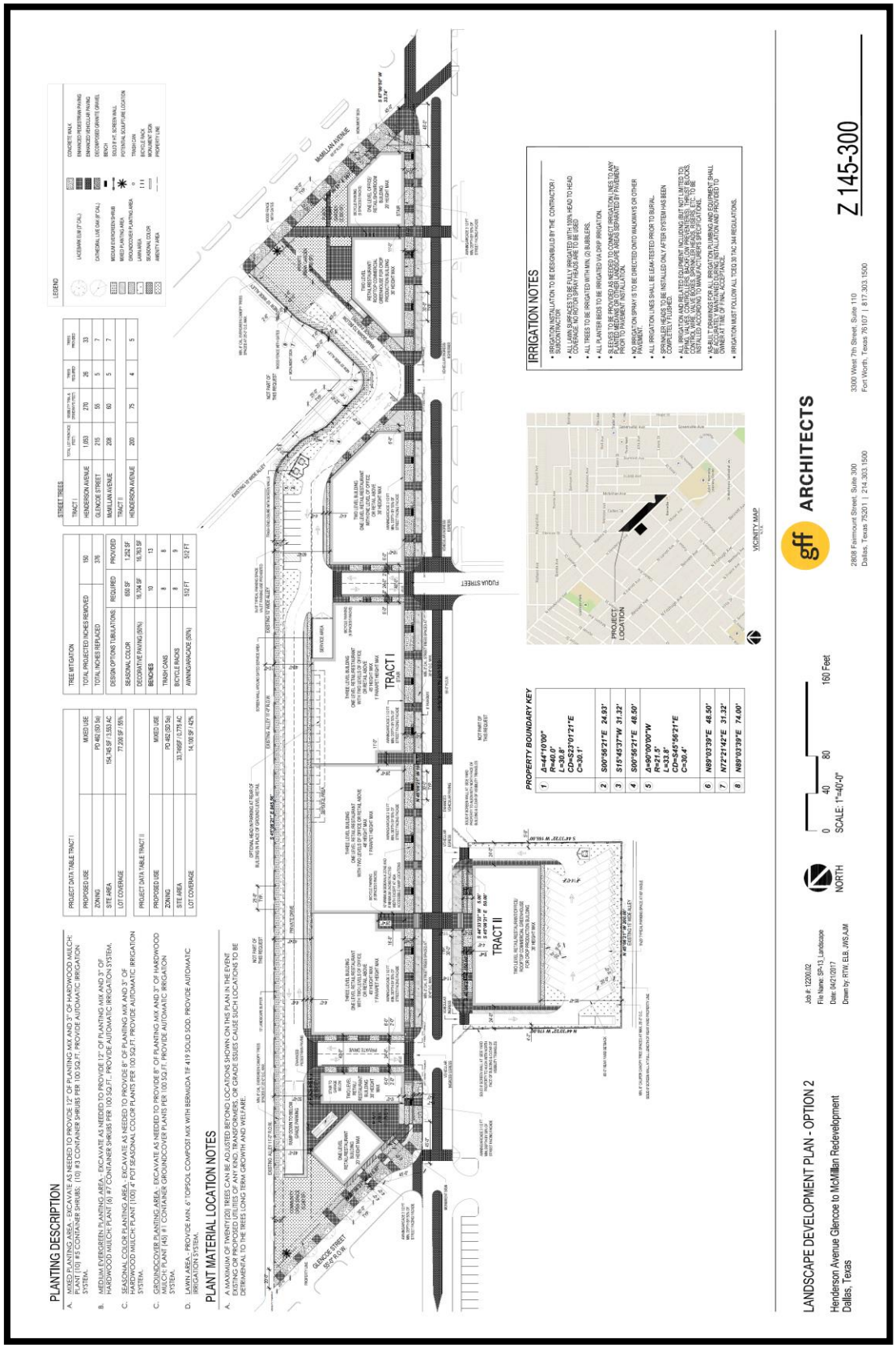
[~~**SEC. 51P-462.114. ZONING MAP.**~~

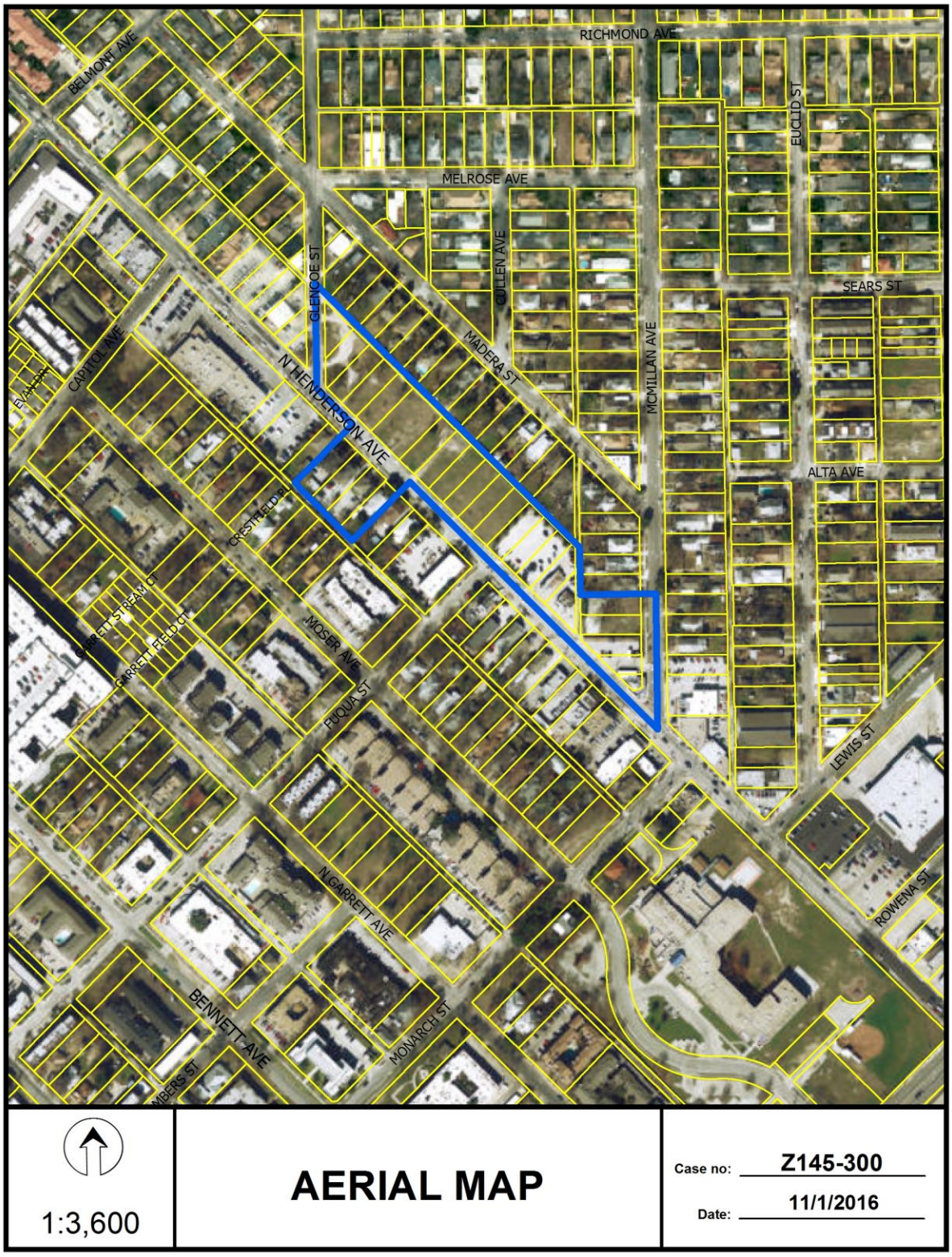
~~PD 462 is located on Zoning Map Nos. H-7, H-8, I-7, and I-8.~~] (Ord. Nos. 22969; 25423

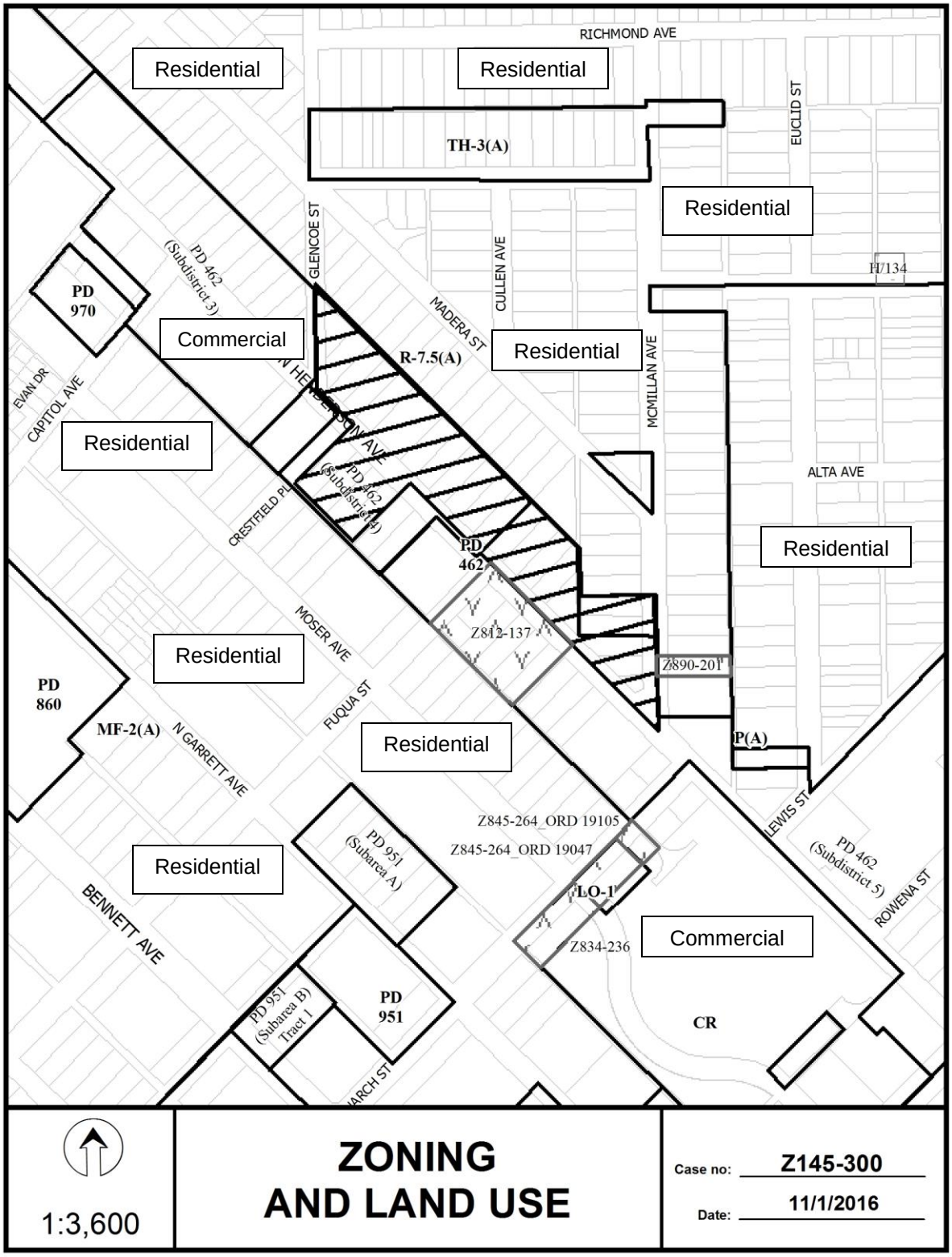
PROPOSED DEVELOPMENT PLAN

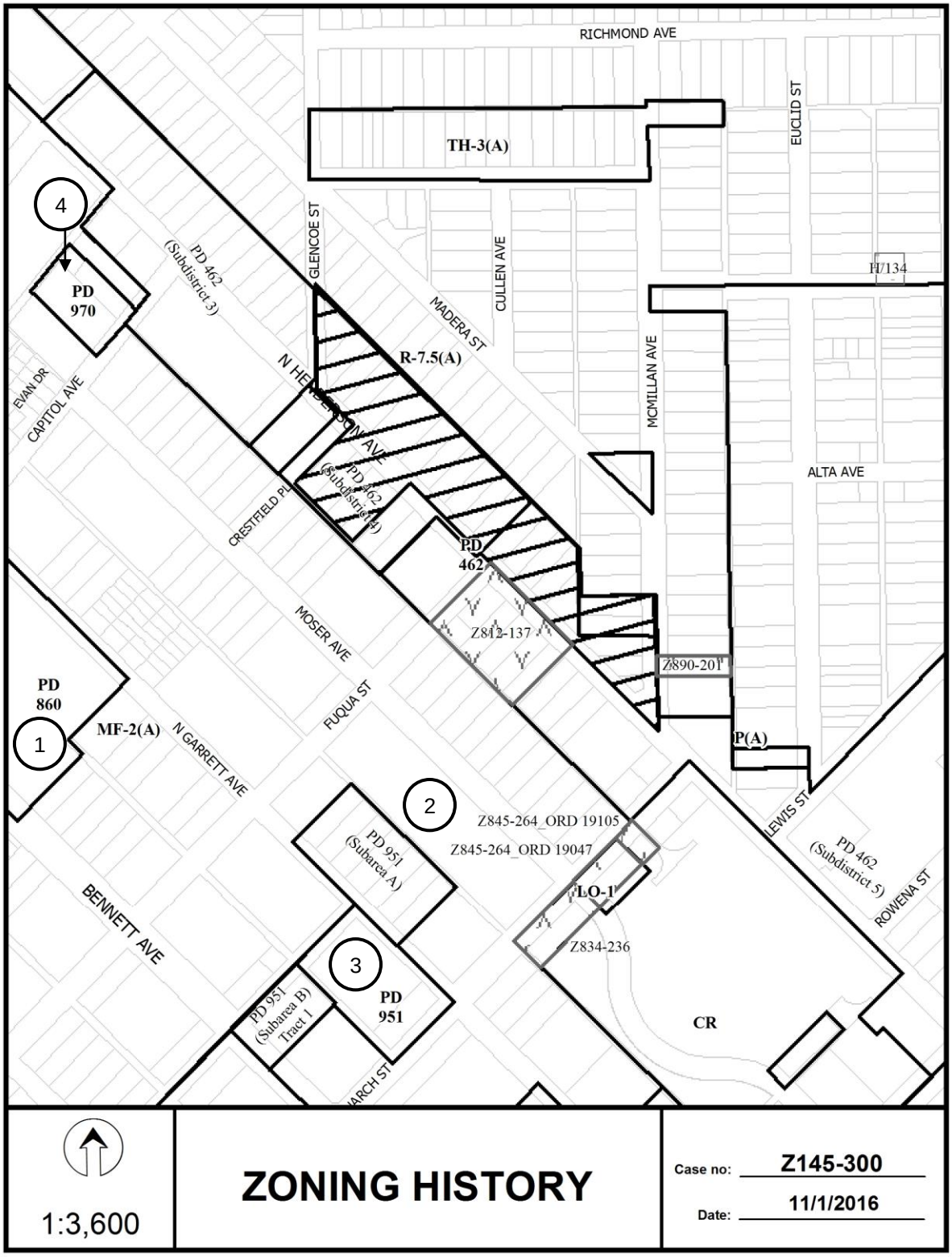


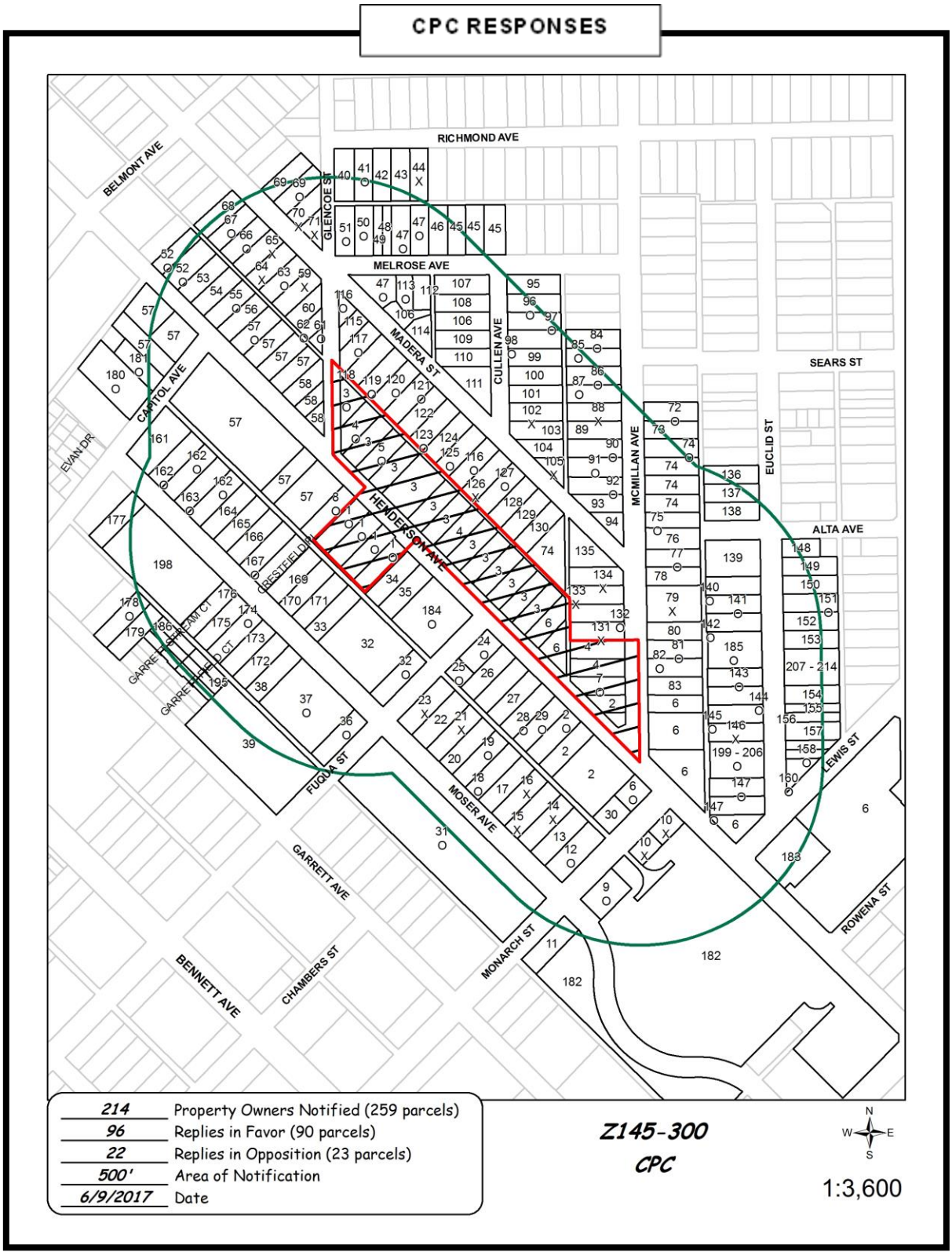
PROPOSED LANDSCAPE PLAN




RICHMOND AVE
BELMONT AVE
EUCLID ST
MELROSE AVE
GLENCOE ST
CULLEN AVE
SEARS ST
MADERA ST
MCMILLAN AVE
CAPITOL AVE
N HENDERSON AVE
ALTA AVE
CRESTFIELD
GARRETT STREAM CT
GARRETT FIELD CT
MOSER AVE
EUQUA ST
LEWIS ST
ROWENA ST
N GARRETT AVE
BENNETT AVE
MONARCH ST
1:3,600
AERIAL MAP
Case no: Z145-300
Date: 11/1/2016


RICHMOND AVE
Residential
Residential
TH-3(A)
EUCLID ST
Residential
GLENCOE ST
CULLEN AVE
H/134
PD 462 (Subdistrict 3)
PD 970
Commercial
MADERA ST
R-7.5(A)
Residential
MCMILLAN AVE
EVAN DR
CAPITOL AVE
Residential
ALTA AVE
PD 462 (Subdistrict 4)
CRESTFIELD PL
PD 462
Residential
Z812-137
MOSER AVE
Z890-201
Residential
PD 860
MF-2(A)
N GARRETT AVE
FUQUA ST
Residential
P(A)
LEWIS ST
Z845-264_ORD 19105
Z845-264_ORD 19047
PD 462 (Subdistrict 5)
PD 951 (Subarea A)
Residential
LO-1
ROWENA ST
BENNETT AVE
Z834-236
Commercial
PD 951 (Subarea B) Tract 1
PD 951
CR
MARCH ST
1:3,600
ZONING
AND LAND USE
Case no: Z145-300
Date: 11/1/2016


RICHMOND AVE
EUCLID ST
TH-3(A)
4
PD 970
PD 462 (Subdistrict 3)
GLENCOE ST
CULLEN AVE
MADERA ST
H/134
MCMILLAN AVE
R-7.5(A)
EVAN DR
CAPITOL AVE
N HENDERSON AVE
PD 462 (Subdistrict 4)
ALTA AVE
CRESTFIELD PL
PD 462
Z812-137
Z890-201
MOSER AVE
PD 860
MF-2(A)
1
N GARRETT AVE
FUQUA ST
P(A)
2
Z845-264_ORD 19105
Z845-264_ORD 19047
LEWIS ST
PD 462 (Subdistrict 5)
PD 951 (Subarea A)
LO-1
ROWENA ST
BENNETT AVE
Z834-236
3
PD 951
PD 951 (Subarea B) Tract 1
CR
1:3,600
ZONING HISTORY
Case no: Z145-300
Date: 11/1/2016


CPC RESPONSES
RICHMOND AVE
BELMONT AVE
GLENCOE ST
MELROSE AVE
MADERA ST
CULLEN AVE
SEARS ST
CAPITOL AVE
EVAN DR
MCMILLAN AVE
EUCLID ST
ALTA AVE
HENDERSON AVE
CRESTFIELD DR
GARRETT TERRACE CT
GARRETT TERRACE DR
FUQUA ST
MOSER AVE
LEWIS ST
ROWENA ST
GARRETT AVE
BENNETT AVE
CHAMBERS ST
MONARCH ST
214 Property Owners Notified (259 parcels)
96 Replies in Favor (90 parcels)
22 Replies in Opposition (23 parcels)
500' Area of Notification
6/9/2017 Date
Z145-300
CPC
N
W
E
S
1:3,600

06/08/2017

Reply List of Property Owners

Z145-300

214 Property Owners Notified ***96 Property Owners in Favor*** ***22 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	2	1921	N HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC
	3	2218	N HENDERSON AVE	HENDERSON RESIDENTIAL LANDS DALLAS LLC
	4	2114	N HENDERSON AVE	HENDERSON RESIDENTIAL LANDS
	6	1900	N HENDERSON AVE	HENDERSON MAIN DALLAS LLC
X	10	1839	N HENDERSON AVE	CANELAKES LOUIS
	11	1833	MOSER AVE	BURNS ROBERT W
	13	1906	MOSER AVE	STELLMACHER RICHARD &
X	14	1912	MOSER AVE	TICHANSKY MICHAEL S &
X	16	1918	MOSER AVE	MONDELL FONYA NAOMI
	17	1922	MOSER AVE	MONDELL CYNTHIA & ALLEN
	20	2008	MOSER AVE	DALLAS SUNDOWN PROPERTY
X	21	2014	MOSER AVE	CUELLAR- VALDEZ ROSANN
	22	2018	MOSER AVE	FAIFAR RIBEIRO PATRICIA X
	26	2019	N HENDERSON AVE	PEDRO PROPERTIES LLC
	27	2011	N HENDERSON AVE	NGUYEN CUNG LUONG 2010 TRUST
	30	5217	MONARCH ST	MUELLER MARK C
	32	2110	MOSER AVE	MPC MOSER II LLC
	33	2122	MOSER AVE	GARCIA JOSE
	34	2117	N HENDERSON AVE	SMITH ISABELLE M
	35	2115	N HENDERSON AVE	AVILA PASTORA MARIA
	38	2123	MOSER AVE	DALLAS SUNDOWN PPTY INVESTMENTS LLC
	39	2116	N GARRETT AVE	MONTANA & CHANCE 21152116 GARRETT LP
	40	5402	RICHMOND AVE	MCCRUMMEN JENNIFER &
O	41	5406	RICHMOND AVE	CARSON CHRIS A
	42	5410	RICHMOND AVE	GARRETT BRECK &
	43	5414	RICHMOND AVE	QUAIL ASSETS LP

06/08/2017

Reply	*Label #*	*Address*		*Owner*
X	44	5418	RICHMOND AVE	WIGGINS ANNA FRANCES
	45	5435	MELROSE AVE	ESTRELLO MARIA
	46	5423	MELROSE AVE	MAJORS JOHN A IV
	48	5411	MELROSE AVE	WINDLER MONTE & PATRICIA ANNE
	49	5409	MELROSE AVE	SHABAN ALI HUSSAIN
	53	2406	N HENDERSON AVE	COHEN CLARA JO
	54	2400	N HENDERSON AVE	MOORE MARGARITA O
O	55	2336	N HENDERSON AVE	CANDLER RUSSELL E JR
	56	2332	N HENDERSON AVE	BUSTAMANTE VINCENT & ANGELES
	57	2324	N HENDERSON AVE	HENDERSON SHOPS DALLAS LLC
	58	2310	N HENDERSON AVE	SPANISH BUSINESS SERVICES
	60	2031	GLENCOE ST	NEW DIRECTION IRA INC
	68	2407	MADERA ST	RUBIO SCOTT H
	69	2402	MADERA ST	HEPWORTH WESLEY W
	73	1922	MCMILLAN AVE	WRIGHT DAVID ASHLEY
	74	1912	MCMILLAN AVE	MATA RENE RAMOS
O	75	1902	MCMILLAN AVE	JDAL PROPERTIES INC
	76	1848	MCMILLAN AVE	GOOD EARTH FUNDING INC
	78	1840	MCMILLAN AVE	HERNANDEZ PAULINA
X	79	1836	MCMILLAN AVE	ADAMS VALERIE DAWN
	80	1828	MCMILLAN AVE	MATA HILARIO O & VIVIANA
	83	1816	MCMILLAN AVE	CISNEROS JUAN J &
O	86	2007	MCMILLAN AVE	NIETO PORFIRIO ORTEGA &
	89	1919	MCMILLAN AVE	LONGORIA MARY ELLEN
	93	1907	MCMILLAN AVE	SPRINGER MAJENICA
	94	1901	MCMILLAN AVE	BARBER PAULA L
	95	2034	CULLEN AVE	PATOLIA FAMILY REVOCABLE
O	98	2020	CULLEN AVE	KORPONAI SANDOR G
	99	2018	CULLEN AVE	INFANTE GUMERCIDA &
	100	2014	CULLEN AVE	BARRAZA GLORIA P
	101	2010	CULLEN AVE	REYES JUAN G ETAL

06/08/2017

Reply	*Label #*	*Address*		*Owner*
X	102	2006	CULLEN AVE	MARTINEZ JOSE L JR &
	103	2002	CULLEN AVE	HEPWORTH WESLEY W &
	104	2110	MADERA ST	GUANAJUATO PEDRO &
	106	2232	MADERA ST	CULLEN EDWARD V
	107	2035	CULLEN AVE	SKAGGS KENNETH LEE &
	108	2031	CULLEN AVE	CRUZ SAUL & GABRIELA
	109	2023	CULLEN AVE	LOPEZ LAZARO S &
	110	2019	CULLEN AVE	SANDOVAL JOSE
	111	2015	CULLEN AVE	HURLEY SOFIA &
	112	5418	MELROSE AVE	GASCA GILBERT JR &
	114	2228	MADERA ST	GAYTAN GUADALOPE
	115	2237	MADERA ST	WILLIAMS HERBERT S III
	118	2231	MADERA ST	ANTILLON MANUEL
	122	2215	MADERA ST	MCCOLLEY JEFFREY W &
	124	2207	MADERA ST	SHIELDS WILLIAM O
O	127	2115	MADERA ST	TAMEZ LORENA FIERRO
	128	2111	MADERA ST	SEGURA LUIS A & IRMA V MARTINEZ &
	129	2107	MADERA ST	WORLDALLAS PPTIES INC
	130	2103	MADERA ST	BAUGH HARBOR SERIES H LLC
X	131	1829	MCMILLAN AVE	CRUZ ESTEFANA B
	135	2003	MADERA ST	SHAMPAIN RICHARD H
	136	1911	EUCLID AVE	ALANIZ MARIE
	137	1905	EUCLID AVE	RANKIN BENJAMIN L &
	138	1903	EUCLID AVE	LEWELLON LABELLE &
	139	1855	EUCLID AVE	CROFT CARL E & LARA C
O	143	1829	EUCLID AVE	DALLAS SUNDOWN PPTY INV LLC
X	146	1819	EUCLID AVE	SINGER SUSAN E
O	147	1805	EUCLID AVE	1834 N HENDERSON LLC
	148	1856	EUCLID AVE	SMITH MARK
	149	1854	EUCLID AVE	ZAHRA EDWARD H JR
	150	1848	EUCLID AVE	HOWARD CHRISTOPHER

06/08/2017

Reply	*Label #*	*Address*		*Owner*
	152	1842	EUCLID AVE	MATA RENE R
	153	1836	EUCLID AVE	BAILEY DAVID D
	154	1824	EUCLID AVE	EUCLID ELEMENTS LLC
	155	1822	EUCLID AVE	THOMAS JAMES
	156	1820	EUCLID AVE	RANA HUMAIR
	157	1816	EUCLID AVE	ENRIQUEZ ARMANDO &
O	158	1812	EUCLID AVE	NELSON NATHAN &
	159	1814	EUCLID AVE	BROWN CASSANDRA S
	161	2322	MOSER AVE	NGUYEN NHON
	164	2302	MOSER AVE	CRAVER SADIE B ESTATE OF
	165	2226	MOSER AVE	MONETA DAREN
	166	2222	MOSER AVE	PEREZ SALVADOR &
	168	2214	MOSER AVE	COG DALLAS HOMES LLC
	169	2208	MOSER AVE	FOUR MAD OX LLC
	170	2206	MOSER AVE	CHEFCHIS AMELIA
	171	2202	MOSER AVE	NEGRETE BLANCA G
	172	2203	MOSER AVE	DALLAS SUNDOWN PPTY INVESTMENTS LLC
	173	2207	MOSER AVE	NILASENA NANCY
	175	2215	MOSER AVE	KHAN IRFAN A &
	176	2217	MOSER AVE	KHAN IRFAN A & SABOOHI I
	177	2317	MOSER AVE	BAILEY DAVID D & IDA J
	179	2226	N GARRETT AVE	MARTINEZ JOSEPHINE LIFE ESTATE
	182	1802	MOSER AVE	Dallas ISD
	183	1800	N HENDERSON AVE	HENDERSON RETAIL LANDS
O	185	1839	EUCLID ST	SUBDIVISION REALTY 2 LLC
	186	5185	GARRETT STREAM CT	LIU PATRICK
	187	5169	GARRETT STREAM CT	TILLETT BRADLEY & JAYNE
X	188	5153	GARRETT STREAM CT	VICTOROV VICTOR
	189	5186	GARRETT STREAM CT	NOWACKI SARAH A &
	190	5170	GARRETT STREAM CT	SINGAPURA KARTIK &
	191	5154	GARRETT STREAM CT	PATEL AKSHAR C

06/08/2017

Reply	*Label #*	*Address*		*Owner*
O	192	5171	GARRETT FIELD CT	GRUBER BRIAN &
	193	5155	GARRETT FIELD CT	ALLISON GEORGE THOMAS IV &
	194	5139	GARRETT FIELD CT	NOORANI IMRAN & SHEZILA ALI
	195	5188	GARRETT FIELD CT	ADAMANY MARISSA L
	196	5172	GARRETT FIELD CT	DEYOUNG WILLIAM A IV &
	197	5156	GARRETT FIELD CT	CARTER DEBRA
	198	2315	MOSER AVE	JOSSELSON BARRY H &
O	201	1811	EUCLID AVE	KIDD KYLE &
O	202	1811	EUCLID AVE	BOYER ERIC
O	203	1811	EUCLID AVE	KNIGGE ANEMONE E
O	204	1811	EUCLID AVE	STRONG BRENT M
O	205	1811	EUCLID AVE	SINHA RAVI R
O	206	1811	EUCLID AVE	MESSER AMY
	207	1828	EUCLID AVE	LUCERO MILES
	208	1828	EUCLID AVE	TRANG QUYNHCHI NGOC
	209	1828	EUCLID AVE	JOHNSON CHARLES BRENT &
	210	1828	EUCLID AVE	SLECHTEN SARA M
	211	1828	EUCLID AVE	LESHER BRIDGET MARY
	212	1828	EUCLID AVE	SHORES SUSAN V & STEVEN LEE
	213	1828	EUCLID AVE	CLARK GREGORY PHILLIP
	214	1828	EUCLID AVE	WILLIAMS ARON THOMAS
O	A1	1811	EUCLID AVE	MATHEW TIM G
O	A2	1830	MOSER AVE	BLAIR IAN
O	A3	2217	MADERA ST	ZYLKA JOE &
O	A4	2123	MADERA ST	HOLMES JOHN B
O	A5	2239	MADERA ST	HOLMES JOHN B
O	A6	2100	MOSER AVE	MPC MOSER II LLC
O	A7	2103	MOSER AVE	MPC MOSER I LLC
O	A8	2107	MOSER AVE	MPC MOSER I LLC
O	A9	5419	MELROSE AVE	HUNT ROBERT V
O	A10	5403	MELROSE AVE	RVH REAL ESTATE

06/08/2017

Reply	*Label #*	*Address*		*Owner*
O	A11	2235	MADERA ST	RVH REAL ESTATE OPPORTUNITY FUND LLC
O	A12	5415	MELROSE AVE	HUNT ROBERT V
O	A13	2121	N HENDERSON AVE	HENDERSON RETAIL LANDS DALLAS LLC
O	A14	2008	GLENCOE ST	HENDERSON RESIDENTIAL LANDS DALLAS LLC
O	A15	2222	N HENDERSON AVE	HENDERSON RESIDENTIAL LANDS
O	A16	2212	N HENDERSON AVE	HENDERSON RESIDENTIAL LANDS
O	A17	1925	N HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC
O	A18	2023	N HENDERSON AVE	PEDRO PPTIES LLC
O	A19	5216	FUQUA ST	PEDRO PROPERTIES LLC
O	A20	2326	N HENDERSON AVE	HENDERSON SHOPS DALLAS LLC
O	A21	1815	MCMILLAN AVE	HENDERSON RESIDENTIAL LANDS
O	A22	2201	N HENDERSON AVE	HENDERSON RETAIL LANDS DALLAS LLC
O	A23	2205	N HENDERSON AVE	HENDERSON RETAIL LANDS DALLAS LLC
O	A24	2213	N HENDERSON AVE	HENDERSON TRIPOLI INV PPTY LLC
O	A25	1901	N HENDERSON AVE	HENDERSON MAIN DALLAS LLC
O	A26	2211	MOSER AVE	2211 MOSER AVE LLC
O	A27	2304	N GARRETT AVE	2304 GARRETT AVE LLC
O	A28	2003	N HENDERSON AVE	MUNTZEL MARK SR LIVING TRUST
O	A29	2007	N HENDERSON AVE	NORTH HENDERSON AVENUE LLC
O	A30	5209	CAPITOL AVE	LARKSPUR CAPITOL AVENUE LP
O	A31	2015	MCMILLAN AVE	1700 TREEHOUSE LLC
O	A32	1911	MCMILLAN AVE	WALLER HALLIE
O	A33	2414	N HENDERSON AVE	NHA HOLDINGS LLC
O	A34	1926	MCMILLAN AVE	SMITH MARY E P
O	A35	5414	MELROSE AVE	CLARK EDWARD L JR
O	A36	1841	EUCLID ST	CARRILLO BENITA P
X	A37	2310	MADERA ST	CEJA JOSE NAVA & MAIJA S
O	A38	2221	MADERA ST	DAVIS RICHARD & CHERYL
O	A39	1827	EUCLID AVE	LARA RAMONA RAMIREZ

06/08/2017

Reply	*Label #*	*Address*		*Owner*
O	A40	1821	EUCLID ST	GARCIA JESUS &
O	A41	2227	MADERA ST	GRIFFIN MATTHEW KEITH
O	A42	2319	MADERA ST	GONZALEZ OLGA
O	A43	2030	CULLEN AVE	GONZALEZ JESUS E
O	A44	2026	CULLEN AVE	GONZALEZ JESUS ESTRELLO
	A45	1840	EUCLID AVE	MATA RENE R
O	A46	1909	MCMILLAN AVE	MATA RENE R
O	A47	1918	MCMILLAN AVE	MATA RENE RAMOS
O	A48	1811	EUCLID AVE	JACKSON KATIE L
O	A49	2107	N HENDERSON AVE	2107 N HENDERSON AVENUE LLC
O	A50	5410	MELROSE AVE	HUNT ROBERT V
O	A51	2314	MADERA ST	HEPWORTH WESLEY W
O	A52	2403	MADERA ST	MEYER MARK D
O	A53	1844	MCMILLAN AVE	CHUC MARY JANE &
O	A54	5219	CAPITOL AVE	LARKSPUR CAP AVE II LLC
X	A55	2303	MADERA ST	LEIGH GRANT W & KRISTI D
X	A56	1914	MOSER AVE	MCCULLOUGH DAVID W &
X	A57	2315	MADERA ST	KUBIN JOHN W
X	A58	2119	MADERA ST	KUBIN JOHN
X	A59	2311	MADERA ST	KUBIN MARY FRANCES
X	A60	1925	MCMILLAN AVE	GUTIERREZ SYLVIA ANN &
X	A61	1841	MCMILLAN AVE	LEYVA JOSE
X	A62	1837	MCMILLAN AVE	ZAVALA MARY
X	A63	2104	MADERA ST	MEDRANO RANDY I
X	A64	2304	MADERA ST	NAVA HECTOR & CLAUDIA MARIA GUERRERO
X	A65	2022	MOSER AVE	ESCARCEGA CARLOS
O	A66	2209	N HENDERSON AVE	HENDERSON RETAIL LANDS DALLAS LLC
O	A67	1833	MCMILLAN AVE	NOLAN CRYSTAL
O	A68	2314	MOSER AVE	MOSER HOMES LLC
O	A69	2318	MOSER AVE	MOSER HOMES LLC
O	A70	1808	EUCLID AVE	SMITH O DARWIN &
O	A71	1902	MOSER AVE	BOSWELL BRADLY

06/08/2017

Reply	*Label #*	*Address*		*Owner*
O	A72	2002	MOSER AVE	GOODENOW GEORGE
O	A73	2006	MOSER AVE	SUBDIVISIONS REALTY 7 LLC
O	A74	2410	N HENDERSON AVE	NHA HOLDINGS LLC
O	A75	2021	GLENCOE ST	SMITH SKYE
O	A76	2025	GLENCOE ST	BRYSON SPENCER A &
O	A77	2307	MADERA ST	DIMENSION D+B LLC
O	A78	1824	MCMILLAN AVE	TABOR MICHELLE CAROLINE
O	A79	1820	MCMILLAN AVE	BROADHURST ZACHARY C
O	A80	2011	MCMILLAN AVE	LEYVA SAMUEL
O	A81	1929	MCMILLAN AVE	PAYNE WILLIAM BRIAN
O	A82	1915	MCMILLAN AVE	MENDEL MARK A
O	A83	2201	MADERA ST	HERNANDEZ MARTIN &
O	A84	1844	EUCLID ST	ROYAL SUPREME LLC
O	A85	2310	MOSER AVE	MOSER TOWNHOMES LLC
O	A86	2218	MOSER AVE	DIMENSION D B LLC
O	A87	2306	MOSER AVE	MOSER HOMES LLC
O	A88	1925	MOSER AVE	LH MOSER LLC
O	A89	5407	MELROSE AVE	PIECE JORDAN DEVELOPMENT LLC
O	A90	1849	EUCLID AVE	PIERCE JORDAN DEVELOPMENT LLC
O	A91	1845	EUCLID AVE	CAPITAL PARTNERS LLC
O	A92	2211	MADERA ST	BARNETT SAMUEL L & RAMONA S

AGENDA ITEM # 56

Economic Vibrancy

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 35 W; 45 A

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-3 Multiple Family and tower/antenna for cellular communication uses on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay on the south corner of Welborn Street and Congress Avenue

Recommendation of Staff and CPC: Approval, subject to a development plan and conditions

Z167-190(SM)

Note: This item was considered by the City Council at a public hearing on August 23, 2017, and was held under advisement until September 27, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, SEPTEMBER 27, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-190(SM) **DATE FILED:** January 23, 2017

LOCATION: South corner of Welborn Street and Congress Avenue

COUNCIL DISTRICT: 14 **MAPSCO:** 35 W; 45 A

SIZE OF REQUEST: Approx. 1.37 acres **CENSUS TRACT:** 5.00

OWNER: Point Two Turtle Creek Condominium

APPLICANT: Toll Brothers, Inc.

REPRESENTATIVE: Dallas Cothrum, Masterplan Consultants

REQUEST: An application for a Planned Development Subdistrict for MF-3 Multiple Family and tower/antenna for cellular communication uses on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay.

SUMMARY: The applicant proposes to construct a multifamily development and requests the ability to mount cellular antennas atop the structure in the future. The purpose of the PD subdistrict is to require enhanced streetscape and architectural elements to allow relief from floor area ratio and lot coverage maximums, side yard setbacks for the portions of the building over 36 feet in height, and landscaping requirements.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a multifamily condominium development that was constructed in 1971 according to permit records.

- The applicant proposes to construct a 271 unit multifamily building with a maximum height of 270 feet.

- The item was originally noticed for the May 18, 2017 City Plan Commission hearing, however the item was postponed by a property owner to the June 22, 2017 City Plan Commission hearing.

- On June 22, 2017, the City Plan Commission held this case under advisement until July 20, 2017.

Zoning History: There have been four recent zoning requests in the vicinity in the last five years.

1. **Z134-202**: On June 25, 2014, the City Council approved SUP No. 2085 for a bank or saving and loan office on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

2. **Z167-119**: On May 24, 2017 City Council approved Specific Use Permit No. 2243 for a drive-through restaurant for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

3. **Z167-224**: On May 4, 2017, the City Plan Commission recommended approval of an application for a GR General Retail Subdistrict on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District. City Council will consider the item on June 14, 2017.

4. **Z134-156**: On October 8, 2014, City Council denied an application for the removal of the D Liquor Control Overlay on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW	Planned ROW
Welborn Street	Local	40 ft.	50 ft.
Congress Avenue	Local	40 ft.	50 ft.

Traffic:

The expected number of weekday trips generated by 304 dwelling units in the Traffic Impact Analysis is 1,401 trips per day according to the trip rate for the maximum number of multifamily dwelling units proposed. A Traffic Impact Study was submitted and reviewed by the Engineering Division of the Department of Sustainable Development and Construction who determined that it will not significantly impact the surrounding street system for the proposed development. Additionally, the rights-of-way of Welborn Street and Congress Avenue are controlled by the Mobility and Streets Services Department who also reviewed the applicant's Traffic Impact Study and determined that no traffic improvements are necessitated by the proposed development. Both rights-of-way contain no parking signs along the majority of the surrounding street curbs to facilitate traffic flow and prohibit on-street parking as the pavement widths are narrow.

STAFF ANALYSIS:

Comprehensive Plan:

The request complies with the following land use goals and policies of the Comprehensive Plan because the proposed development will add residential units to an area of Oak Lawn designated for higher density multifamily uses and will enhance the streetscape and pedestrian environment adjacent to the building.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Policy 5.1.3 Encourage complementary building height, scale, design and character.

Area Plans:

Oak Lawn. The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

(1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

The applicant's request complies with items 1, 3, 4, 5, and 7 of the above listed objectives. The applicant is requesting to vary the "wedding cake setback" that is the PDD No. 193 version of an urban form setback. The proposed PD conditions enhance the streetscape and architectural elements that will improve the urban form of the proposed development. Overall, staff finds that the applicant's request is consistent with the objectives of the Oak Lawn Plan.

Land Use Compatibility:

The request site is zoned an MF-3 Multiple Family Subdistrict within PDD No. 193, the Oak Lawn Special Purpose District, and is currently developed with a multifamily use. The applicant is proposing to construct approximately 271 multifamily dwellings on the property, but is seeking relief to the development standards of the MF-3 Multiple Family Subdistrict.

The surrounding land uses are multifamily to the northeast and southeast and single family attached to the northwest and southwest.

The request site is situated in an area of MF-3 subdistrict zoning that covers approximately 35 acres or 11 blocks. The MF-3 subdistrict zoning allows for a maximum density that exceeds 200 dwelling units per acre. The applicant is requesting a maximum

density of 271 dwelling units. The immediate neighborhood is generally developed with two and three-story structures. The applicant proposes a three-story podium where street-fronting, ground-level dwelling units must have individual entries that face the street and have an improved path connecting to the public sidewalk. This additional provision limits the immediate street facing development in order to maintain a compatible street-level presence along Welborn Street with the surrounding properties.

The applicant also proposes to add a mounted cellular antenna use with the request. In PDD No. 193, tower/antenna for cellular communication are categorized as radio, television, or microwave tower uses and require a specific use permit. Outside of PDD No. 193, the City of Dallas generally allows mounted cellular antenna by right as it provides a public utility service to surrounding properties and facilitates cellular service without having to erect a monopole cellular tower. Therefore, since the applicant proposes to maintain the permitted uses of the existing zoning and add a provision to allow a mounted cellular antenna, staff supports the request because it is compatible with surrounding properties.

Development Standards:

SUBDISTRICT	SETBACKS		MF Density	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
MF-3 Existing	10' for first 36 ft 25' for higher	10' for first 36 ft +Half total height for higher, max 50 ft	Minimum Lot Size: 100 sq ft – E 125 sq. ft – 1 BR 150 sq ft – 2 BR +25 sq ft each add BR	Any legal height	60%	Multifamily
MF-3 Staff proposed	10' for first 36 ft 43' on Welborn 30' on Congress	10' for first 36 ft +Half total height for higher, max 50 ft **Adjacent to alley**: 5' for first 36 ft 50' above 56 ft	Max 271 dwelling units	Any legal height	60% 72% when urban design standards met	Multifamily
MF-3 Applicant proposed	10' for first 36 ft 43' on Welborn 30' on Congress	10' for first 36 ft 60' for higher **Adjacent to alley**: 5' for first 36 ft 22' between 36-56 ft 46' above 56 ft	Max 271 dwelling units	Any legal height	60% 72% when urban design standards met	Multifamily

The request site has two front yards: one parallel to Welborn Street and the other parallel to Congress Avenue. The other two bounding property lines are considered side yards because they connect to a front yard. PDD No. 193 generally has front, side, and rear yard setbacks for the first 36 feet of a building, and then an additional setback for the portion of the building that is above 36 feet. In this report, the additional setback for the portion of the building above 36 feet will be referred to as a "tower setback". The tower setback creates a two-tier effect to the overall massing of the building, intended to allow light and air flow to the street and surrounding properties by allowing a street wall that has a small front yard for the lower portion of the building, or the podium, and a greater setback for the taller portion of the building, or the tower.

Front Yard: The MF-3 Subdistrict requires a front yard setback of 10 feet for the first 36 feet in height and 25 feet for all portions of a building above 36 feet in height. Flat roofed

buildings often have parapets, sky lights, mechanical equipment, and other projections above each tiered roofline. Historically, these projections were allowed by policy within the additional setback however, the conditions propose to specify these projections are allowed within the front yard setback when located atop a building to ensure clarity and consistency.

The request proposes an increased tower setback for both front yards, 43 feet on Welborn Street and 30 feet on Congress Avenue, as compared to 25 feet in the MF-3 Subdistrict. Staff supports the proposed front yard setback.

Side and Rear Yards: The MF-3 Subdistrict requires a side yard setback of 10 feet for the first 36 feet of a building and a tower setback that is equal to one-half of the total height of the building, up to 50 feet. This standard MF-3 provision creates a two-tier podium and tower massing of the building because the additional setback is based on the total height of the building, not the height each portion of the building, or a sloping setback. This setback is the same for the rear yard setback. As discussed in the front yard setback paragraph above, historically, the projections atop a building were allowed in tower setbacks by policy but are proposed in the conditions for clarity and consistency.

The applicant has proposed an increased tower setback for the side not adjacent to the alley and a decreased overall setback for the side yard adjacent to the alley because the applicant is required to dedicate five feet to the Welborn Street and Congress Avenue rights-of-way by plat. The applicant proposes to decrease the 10-foot setback to five feet along the alley rather than decreasing the footprint of the building and because the alley separation creates additional separation. Additionally, the applicant proposes a projection of parking garage and amenity deck into the tower setback along the alley. In order to accommodate the shifting of the building five feet closer to the alley and the amenity deck, the applicant proposes a 22-foot tower setback for all portions of a structure above 36 feet in height and less than 56 feet in height and 46 feet for all portions of a structure above 56 feet in height. Staff does not support the decreased tower setbacks.

The purpose of the tower setbacks above 36 feet in PD 193 are to provide for light and air between taller buildings between adjacent lots and reduce the canyon effect along streets. The setbacks are meeting or exceeding the minimum requirements on the front and southwestern side setbacks and therefore staff supports those requests. However, staff does not support the proposed modifications to the side yard setback along the alley because the parking garage and amenity deck encroach into the standard tower setback and bring structures that could create additional noise closer to the adjacent property.

The MF-3 Subdistrict also prohibits balconies from encroaching into a side or rear yard setback. The applicant also requests to allow balconies to encroach up to five feet into the required side yard. Staff does not support the requested balcony encroachment into the side yard setback.

Floor area ratio and lot coverage: The applicant also requests to increase floor area ratio (FAR) from 4.0:1 to 5.5:1 and lot coverage from 60 percent to 72 percent when the following conditions are met:

1. All required parking is located within a parking structure. Any excess surface parking is located a minimum 30 feet from Welborn Street, five feet from Congress Avenue, and five feet from abutting properties;
2. Minimum 30 percent transparency on the ground-story street-facing facades;
3. Minimum 20 percent transparency on the facades above the ground story facing Welborn Street; and
4. No more than 20 linear feet of blank wall on Welborn Street.

The above criteria are based on apartment development type standards of the City's Form Based Codes. The first criterion is not explicitly required in Form Based Codes, but a maximum setback normally applies. When a maximum setback applies, parking naturally occurs behind or inside of a structure and therefore, staff considers the first criterion as an alternative to a maximum setback. The other three criteria create minimum standards for facades that prevent blank walls. Because the above criteria elicits an urban facade and because the applicant has provided increased setbacks, with the exception of the side yard adjacent to the alley, staff supports the conditional increased floor area and lot coverage.

Parking: For a multifamily use in PDD No. 193, the parking requirement is one space per 500 square feet of floor area, with a minimum of 1.5 spaces for structures that exceed 36 feet in height. The applicant is proposing to meet this minimum requirement. Additionally, PDD No. 193 requires that parking garage facades be constructed to appear similar in appearance to the facade of the main non-parking building with a maximum of 52 percent of the total facade area contains openings. No changes to the existing parking structure facade standards of PDD No. 193 are proposed with this application.

Landscaping: Landscaping is required in accordance with PDD No. 193 with two exceptions to facilitate a five-foot street dedication on both Welborn Street and Congress Avenue. Because the aboveground parking structure is proposed with a minimum five-foot landscaping buffer rather than a ten-foot landscaping buffer, trees are proposed to be replaced with evergreen shrubs in the alley and five large trees are proposed to be added to the front yard, along Welborn Street. Staff supports the requested modification as it is seen to be in kind to the spirit and intent of the landscaping requirements of PDD No. 193.

Prior CPC Action – June 22, 2017:

Motion: In considering an application of a Planned Development Subdistrict for MF-3 Multiple Family and tower/antenna for cellular communication uses on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, with a D Liquor Control Overlay on the south corner of Welborn Street and Congress Avenue, it was moved to **hold** this case under advisement until July 20, 2017.

Maker: Jung
Second: Mack
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves*, Houston, Davis, Shidid, Anantasomboon, Mack, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 453
Replies: For: 38 Against: 41

Speakers: For: None
For (Did not speak): Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: Bernard Bortnick, 1260 Breckenridge Dr., Dallas, TX, 75230

Prior CPC Action – July 20, 2017:

***De minimus* Significate 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 proposed change in the Commission's judgment is *de minimus* in nature.

Maker: Ridley
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney*, Mack, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0

Absent: 1 - Housewright
Vacancy: 0

*out of the room, shown voting in favor

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for MF-3 Multiple Family and tower/antenna for cellular communication uses, subject to a revised development plan and revised staff's recommended conditions with the following exceptions: 1) Section 106(b), to read as follows: Tower/antenna for cellular communication is permitted by right, limited to a mounted cellular antenna; mounted on the tower portion of the building., 2) Section 108, adopt applicant's request with regard to side yard setbacks, and 3) Section 108, adopt applicant's request with regard to balconies to allow to encroach up to five feet into the required side yard, only above 36 feet in height and cannot encroach into the required side yard below 36 feet in height on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay on the south corner of Welborn Street and Congress Avenue.

Maker: Ridley
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0

Notices: Area: 500 Mailed: 453
Replies: For: 84 Against: 44

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Brenda Marks, 3926 Gilbert Ave., Dallas, TX, 75219
Jim Blagg, 3704 Brown St., Dallas, TX, 75219
Herschel Weisfeld, P.O. Box 191002, Dallas, TX, 75219
Randy Greenberg, 4210 Fairmount St., Dallas, TX, 75219
Todd Dubbelde, 2728 Welborn St., Dallas, TX, 75219
For (Did not speak): Christopher Janson, 2723 Welborn St., Dallas, TX, 75219
Against: Angela Hunt, 500 N. Akard St., Dallas, TX, 75201
Charles Womack, 3629 Brown St., Dallas, TX, 75219
Donald Sullivan, 2811 Hood St., Dallas, TX, 75219

List of Partners/Principals/Officers

Toll Bros., Inc. is a subsidiary of Toll Brothers, Inc., a publicly-traded Delaware corporation. It has a slate of hundreds of officers that are responsible for different areas of operations among 20 states.

Listed below are the principal officers and those officers that oversee operations in Dallas:

Chief Executive Officer	Douglas C. Yearley, Jr.
President and Chief Operating Officer	Richard T. Hartman
Senior Vice President & Chief Financial Officer	Martin P. Connor
Senior Vice President & Treasurer	Gregg L. Ziegler
Senior Vice President & Assistant Treasurer	Joseph R. DeSanto
Senior Vice President, General Counsel and Chief Compliance Officer	John K. McDonald
Senior Vice President and Secretary	Michael I. Snyder
Senior Vice President, Chief Accounting Officer and Assistant Secretary	Joseph R. Sicree
Senior Vice President, Controller and Assistant Secretary	Kevin J. McMaster
Senior Vice Presidents	Charles Elliott John A. McCullough
Regional President	Barry A. Depew
Group President	Thomas J. Murray
Division President	Robert G. Paul
Division Vice Presidents	Ryan M. Bashaw John D. (Jay) Saunders III

Point 2 Turtle Creek Condominiums

President – Diane Linn

Brett Ormsby

Patty Ysasaga

Mark Cullen

Lucy Somes

CPC Recommended New PDS Conditions

Division S-_____. PD Subdistrict _____.

SEC. S-_____.101. LEGISLATIVE HISTORY.

PD Subdistrict _____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. S-_____.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict _____ is established on property located at the south corner of Welborn Street and Congress Avenue. The size of PD Subdistrict _____ is 1.37 acres.

SEC. S-_____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division,

(1) BLANK WALL AREA means any portion of the exterior of a building that does not include a material change, windows or doors, or columns, pilasters, or other articulation greater than 12 inches in depth. Blank wall area is measured horizontally on each story.

(2) SUBDISTRICT means a subdistrict of PD 193.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) This subdistrict is considered to be a residential zoning district.

SEC. S- ____.104. EXHIBIT.

The following exhibit is incorporated into this division: Exhibit ___A: development plan.

SEC. S-_____.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit S-_____). If there is a conflict between the text of this division and the development plan, the text of this division controls.

SEC. S-_____.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the MF-3 Multiple Family Subdistrict, subject to the same conditions applicable in the MF-3 Multiple Family Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-3 Multiple Family Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the MF-3 Multiple Family Subdistrict is subject to DIR in this subdistrict; etc.

(b) The following additional main use is permitted by right:

-- Tower/antenna for cellular communication, limited to a mounted cellular antenna that must be mounted to the tower portion of the building identified on the development plan.

SEC. S-_____.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

(b) The following accessory uses are prohibited:

-- Amateur communication tower.
-- Open storage.
-- Private stable.

SEC. S-_____.108. 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 Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-3 Multiple Family Subdistrict apply.

(b) Multiple-family.

(1) Front yard.

(A) Welborn Street.

(i) Minimum front yard is 10 feet for the first 36 feet in structure height.

(ii) Minimum front yard is 43 feet for all portions of a structure above 36 feet in height.

(iii) Retaining walls, stoops, porches, steps, benches, landscape features, fences, and planters are permitted in the front yard when less than four feet in height.

(iv) Structures in Section 51P-193.123(a)(2) are allowed within the front yard setback when located atop portions of a building that is 36 feet or less in height.

(B) Congress Avenue.

(i) Minimum front yard is 10 feet for the first 36 feet in structure height.

(ii) Minimum front yard is 30 feet for all portions of a structure above 36 feet in height.

(iii) Retaining walls, stoops, porches, steps, benches, landscape features, fences, and planters are permitted in the front yard when less than four feet in height.

(iv) Structures in Section 51P-193.123(a)(2) are allowed within the front yard setback when located atop portions of a building that is 36 feet or less in height.

CPC and Applicant requested:

(2) Side yard.

(A) Minimum side yard is 10 feet for the first 36 feet in height.

(B) Except as provided in this subparagraph, minimum side yard is 60 feet for all portions of a structure above 36 feet in height.

(C) Where adjacent to an alley, minimum side yard is

(1) 22 feet for all portions of a structure above 36 feet in height and less than 56 feet in height.

(2) 46 feet for all portions of a structure above 56 feet in height.

(D) Balconies may encroach five feet into the side yard setback when located above 36 feet in height.

(E) Structures in Section 51P-193.123(a)(2) are allowed within the side yard setback when located atop portions of a building that are 36 feet or less in height.

Staff recommended:

Staff recommends the side yard setback for MF-3 is applied with the additional provision in subparagraph (2) below:

Minimum side yard in MF-3 is:
-- *10 feet for the first 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 setback of 50 feet, for all portions of a building above 36 feet in height.*
-- *Balconies may* not *encroach into the side yard setback.*

(2) Side yard. Structures in Section 51P-193.123(a)(2) are allowed within the side yard setback when located atop portions of a building that are 36 feet or less in height.

(3) Density. Maximum number of dwelling units is 271.

(4) Floor area ratio. Maximum floor area ratio is 4:1. An additional 1.5:1 FAR is allowed when the following criteria are met:

(A) All required parking is located within a parking structure. Any excess surface parking is located a minimum 30 feet from Welborn Street, five feet from Congress Avenue, and five feet from abutting properties;

(B) Minimum 30% transparency on the ground-story street-facing facades;

(C) Minimum 20% transparency on the facades above the ground story facing Welborn Street; and

(D) No more than 20 linear feet of blank wall allowed on Welborn Street.

(5) Lot coverage.

(A) Except as provided in this paragraph, maximum lot coverage is 60 percent.

(B) Maximum lot coverage is 72 percent when the criteria listed in subparagraphs (4)(A) through (4)(D) of this subsection are met.

(C) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(6) Lot size. No minimum lot size.

SEC. S-_____.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) For an accessory community center (private) that is accessory to a multiple-family use and is used primarily by residents, one space per 1,000 square feet of floor area is required.

(c) No parking is required for a mounted cellular antenna.

(d) Except as provided in this paragraph, consult Section 51P-193.127 for structure facade standards. Aboveground parking structures must have a solid wall or panel on each level with a minimum height of 36 inches to shield vehicular headlights.

SEC. S-_____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-_____.111. LANDSCAPING.

(a) Except as provided in this section, landscaping and screening must be provided in accordance with Part I of this article.

(b) Garage screening and landscaping. Aboveground parking structures facing the alley off Congress Avenue must have a minimum 5-foot landscaping buffer on the side facing the alley. The landscape buffer must contain large evergreen shrubs planted three feet on center. Initial plantings must be capable of obtaining a solid appearance within three years.

(c) Ten large trees must be planted within the front yard along Welborn Street.

(d) Plant materials must be maintained in a healthy, growing condition.

SEC. S-_____.112. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. S-_____.113. ADDITIONAL PROVISIONS.

(a) Multiple family.

(1) Street-fronting, ground-level dwelling units must have individual entries that face the street and have an improved path connecting to the public sidewalk. Individual sidewalks may be constructed of concrete or a permeable hardscape material such as decomposed granite.

(2) Amplified sound is prohibited in the outdoor pool area.

(b) Front yard fences. A maximum three-foot-high fence is allowed in a front yard. A maximum three-foot-high handrail may be located on retaining walls in a front yard.

(c) Pedestrian crossings. At each intersection of driveway and sidewalk, sidewalks must be constructed of a material that differs in finish and color from that of vehicular ingress and egress driveways.

(d) Maintenance. The Property must be properly maintained in a state of good repair and neat appearance.

(e) Compliance.

(1) 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.

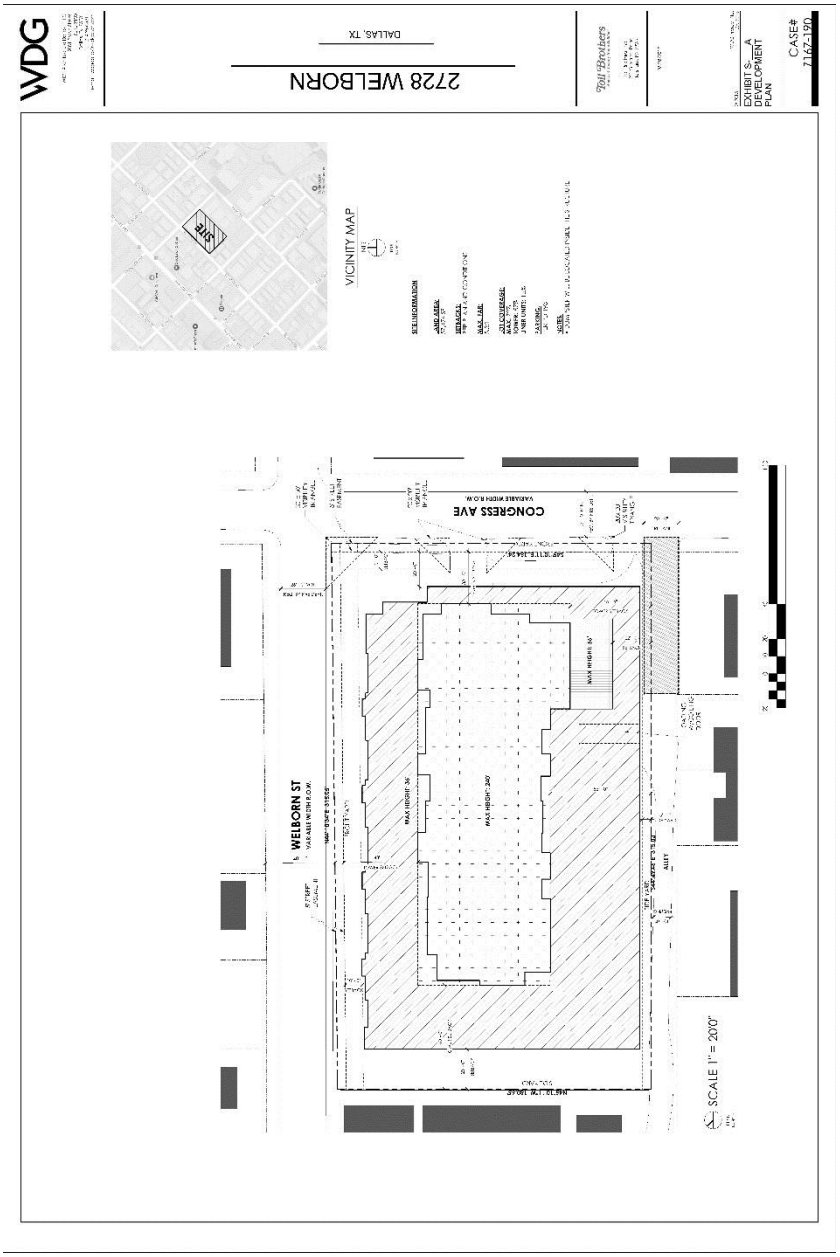
(2) Development and use of the Property must comply with Part I of this article.

SEC. S-_____.114. COMPLIANCE WITH CONDITIONS.

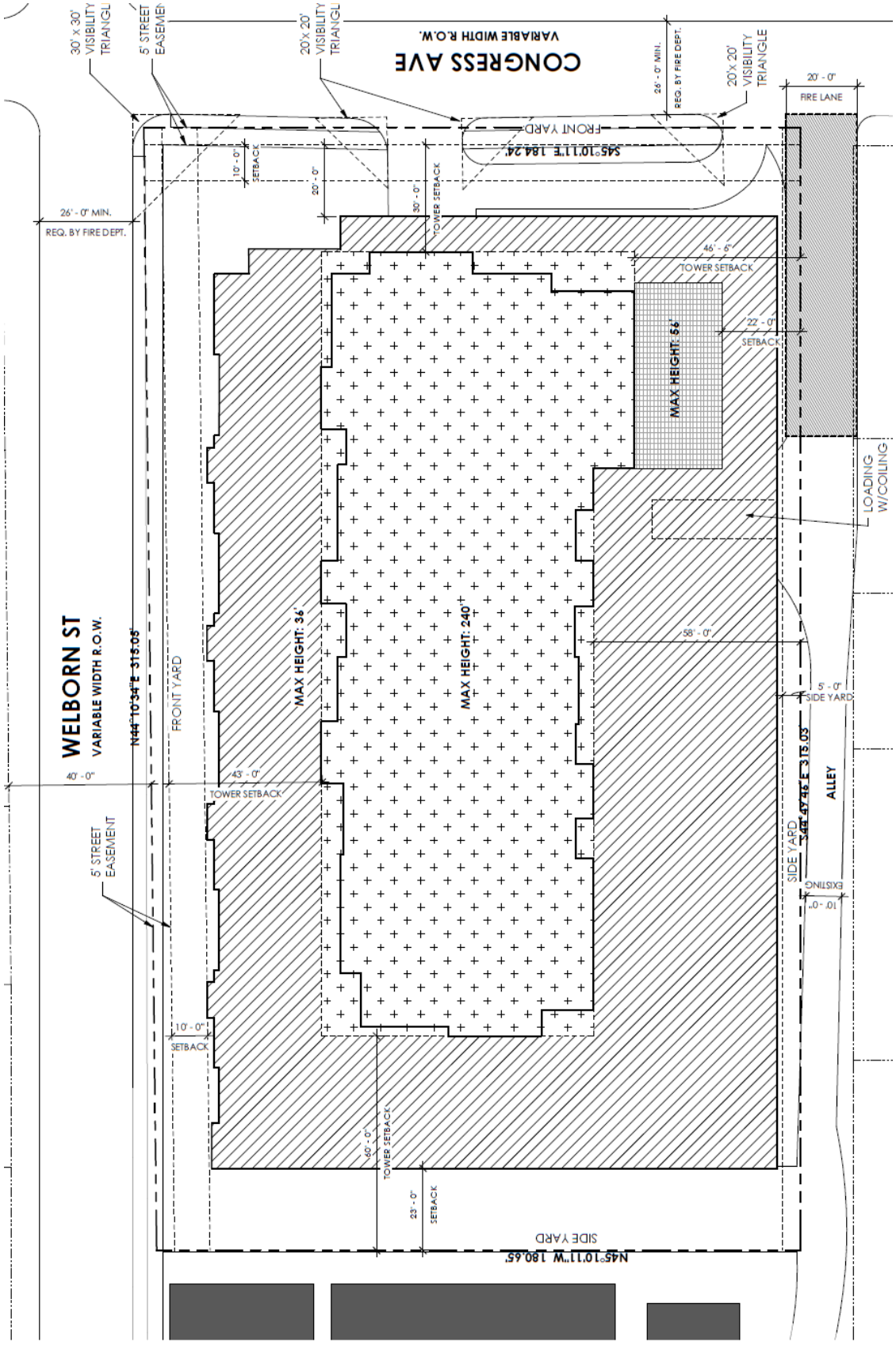
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

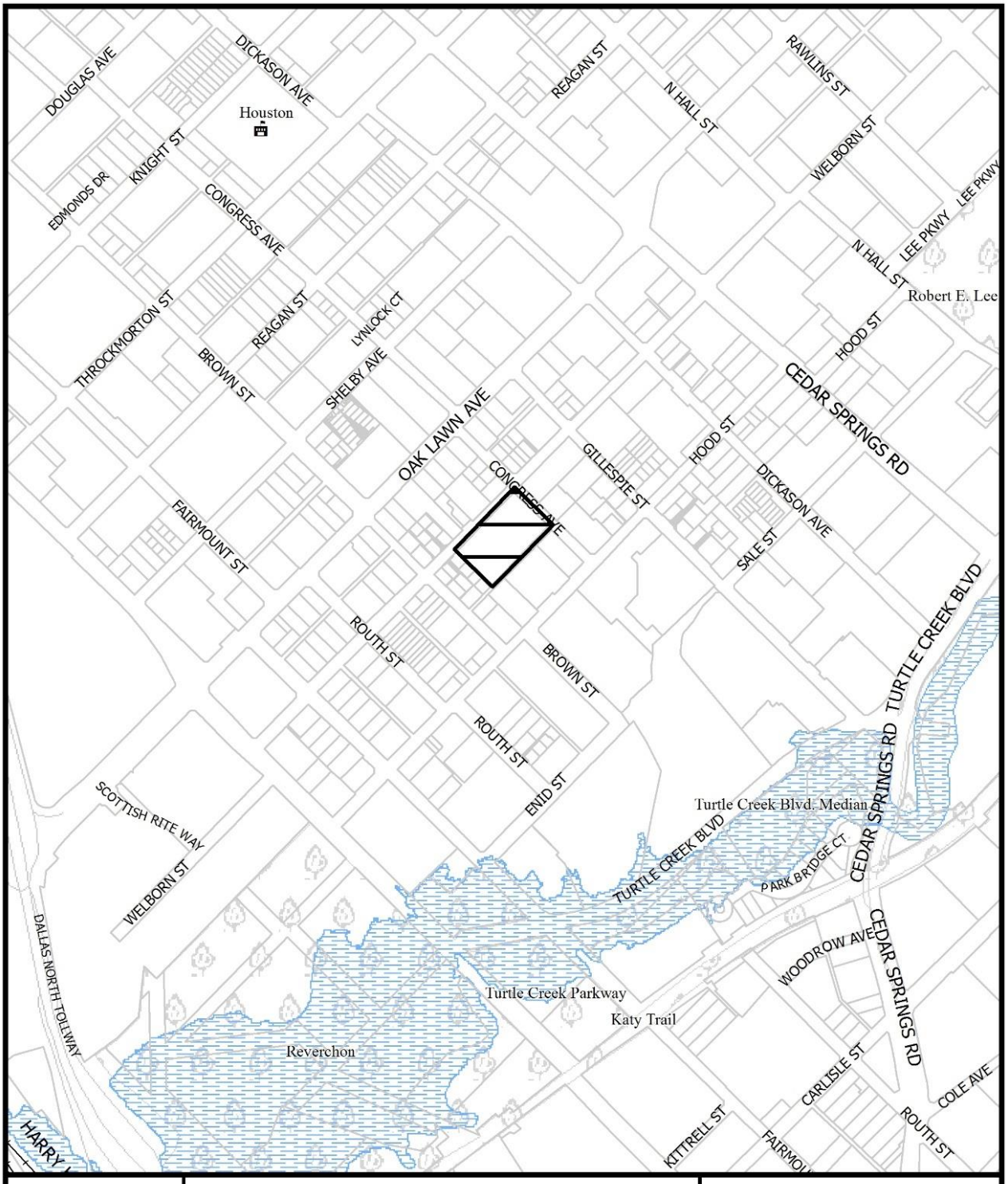
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

DEVELOPMENT PLAN



ENLARGED DEVELOPMENT PLAN



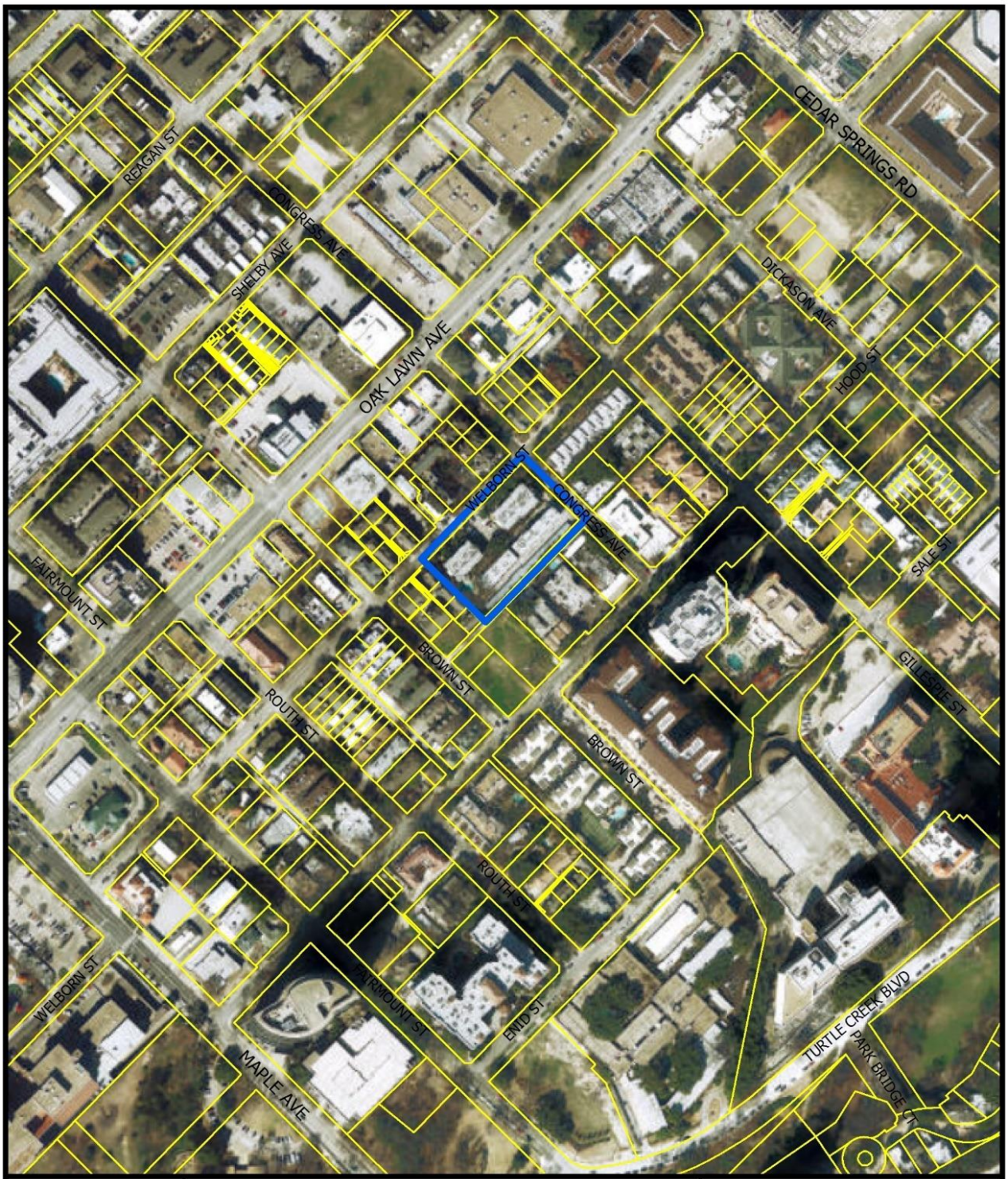


1:6,000

VICINITY MAP

Case no: Z167-190

Date: 2/15/2017

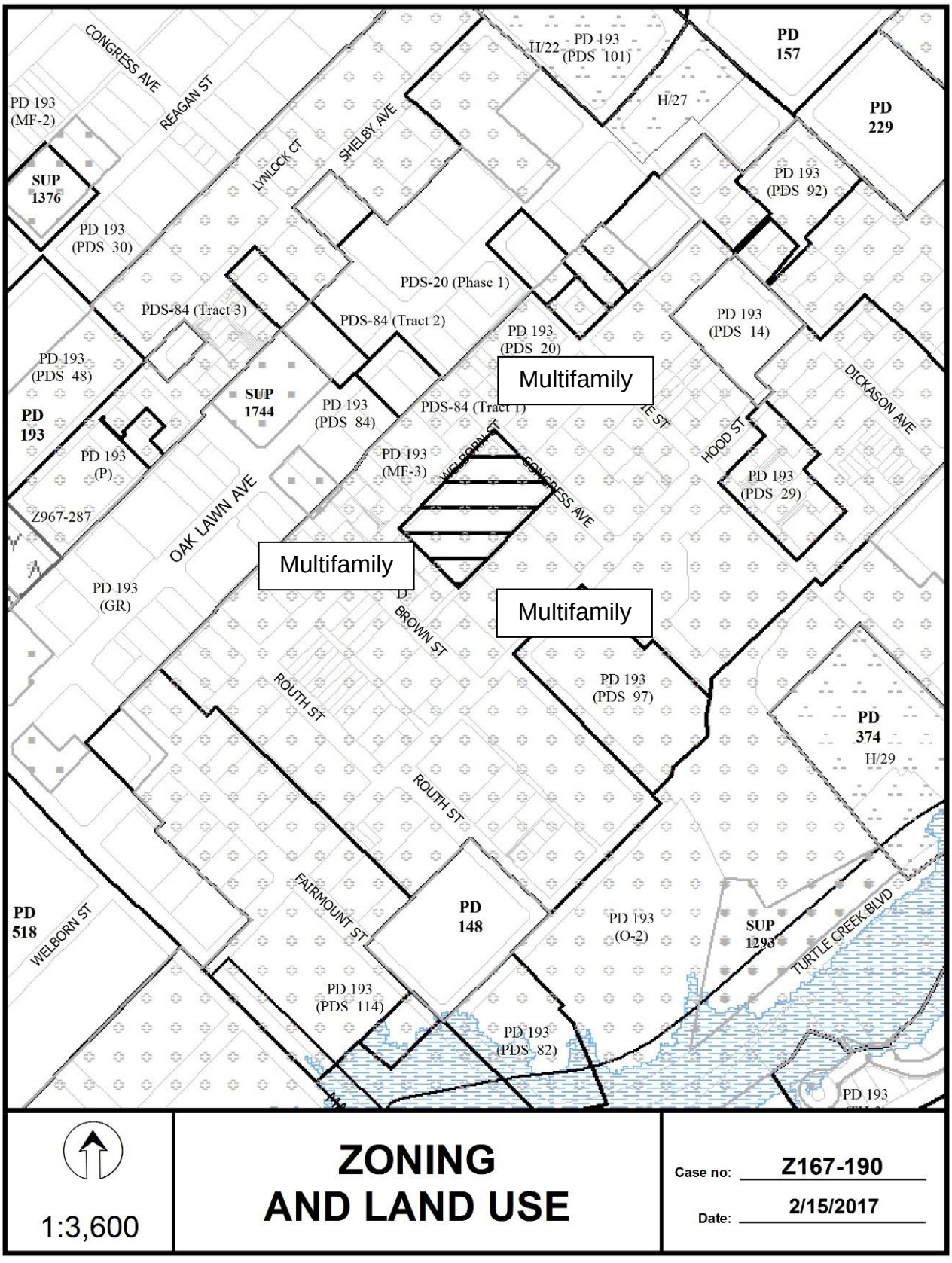


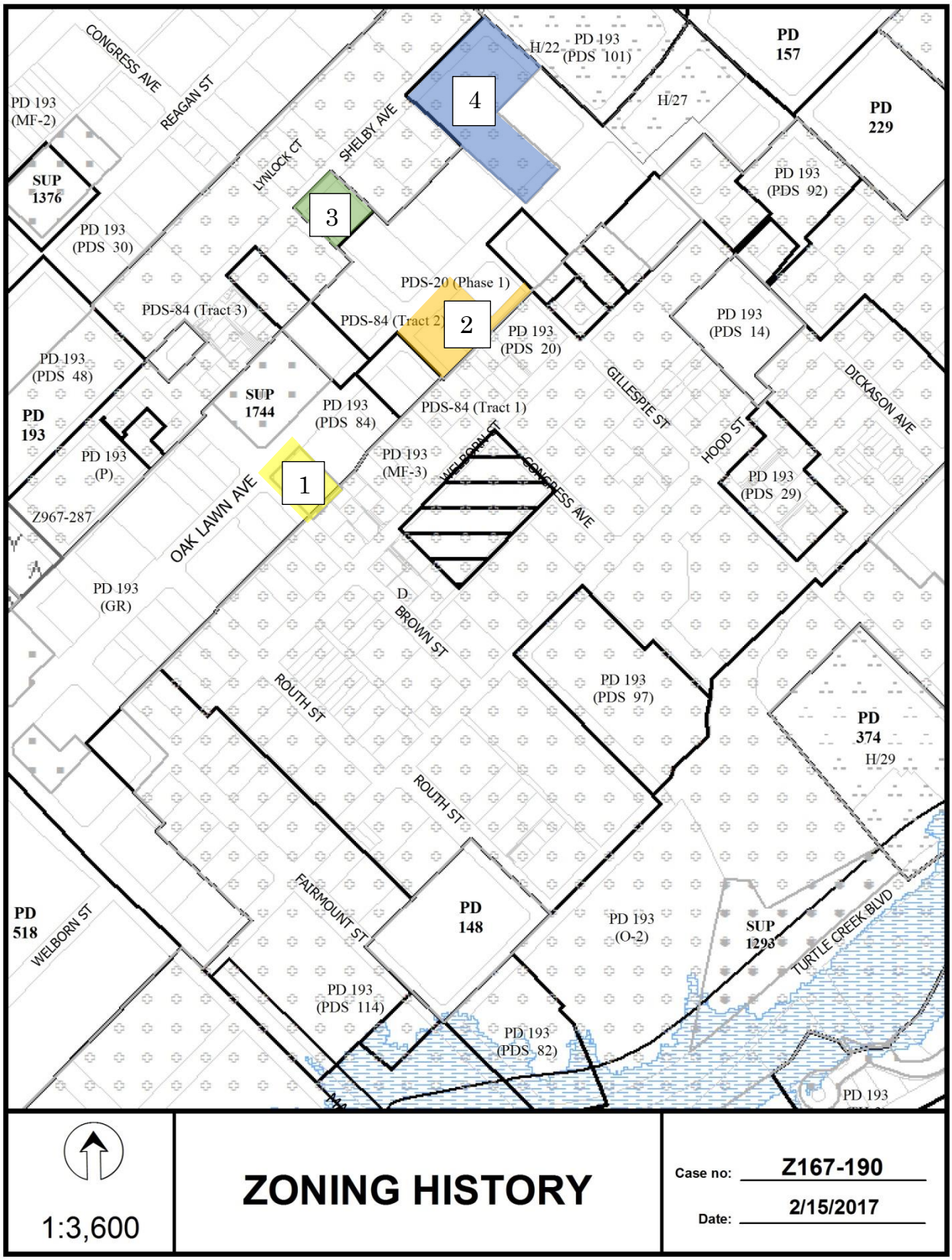
1:3,600

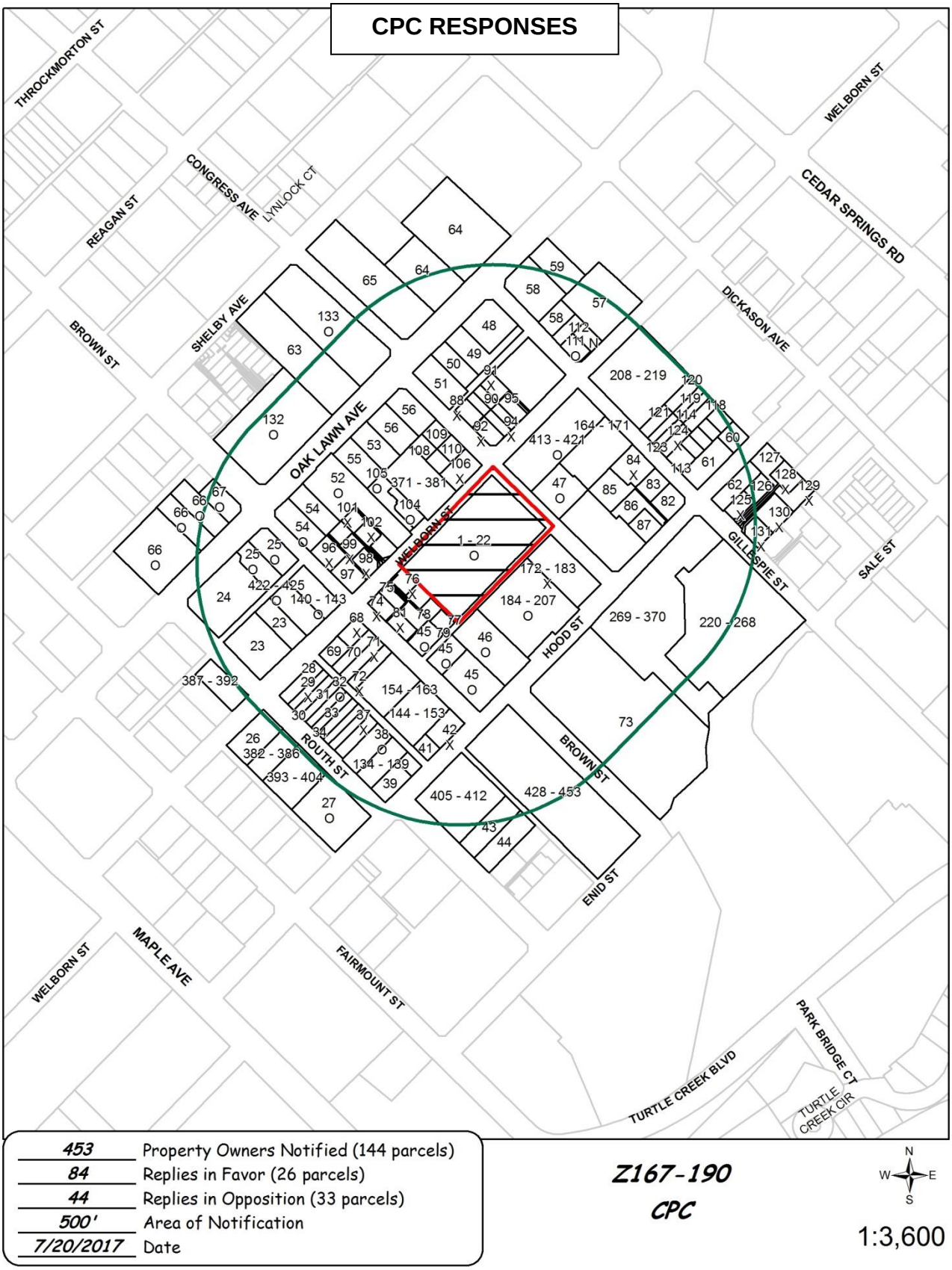
AERIAL MAP

Case no: Z167-190

Date: 2/15/2017


CONGRESS AVE
REAGAN ST
LYNLOCK CT
SHELBY AVE
H/22
PD 193 (PDS 101)
PD 157
H/27
PD 229
PD 193 (MF-2)
SUP 1376
PD 193 (PDS 92)
PD 193 (PDS 30)
PDS-20 (Phase 1)
PDS-84 (Tract 3)
PDS-84 (Tract 2)
PD 193 (PDS 14)
PD 193 (PDS 20)
PD 193 (PDS 48)
Multifamily
SUP 1744
PD 193 (PDS 84)
PDS-84 (Tract 1)
DICKASON AVE
PD 193
PD 193 (P)
PD 193 (MF-3)
HOOD ST
PD 193 (PDS 29)
Z967-287
OAK LAWN AVE
Multifamily
PD 193 (GR)
Multifamily
BROWN ST
ROUTH ST
PD 193 (PDS 97)
PD 374
H/29
ROUTH ST
FAIRMOUNT ST
PD 518
WELBORN ST
PD 148
PD 193 (O-2)
SUP 1293
TURTLE CREEK BLVD
PD 193 (PDS 114)
PD 193 (PDS 82)
PD 193
1:3,600
ZONING AND LAND USE
Case no: Z167-190
Date: 2/15/2017


CONGRESS AVE
REAGAN ST
LYNLOCK CT
SHELBY AVE
PD 193 (MF-2)
SUP 1376
PD 193 (PDS 30)
PD 193 (PDS 101)
H/22
PD 157
H/27
PD 229
PD 193 (PDS 92)
4
3
PDS-20 (Phase 1)
PDS-84 (Tract 3)
PDS-84 (Tract 2)
2
PD 193 (PDS 20)
PD 193 (PDS 14)
PD 193 (PDS 48)
SUP 1744
PD 193 (PDS 84)
PDS-84 (Tract 1)
GILLESPIE ST
DICKASON AVE
HOOD ST
PD 193
PD 193 (P)
1
PD 193 (MF-3)
WELBORN ST
CONGRESS AVE
PD 193 (PDS 29)
Z967-287
OAK LAWN AVE
PD 193 (GR)
D
BROWN ST
ROUTH ST
PD 193 (PDS 97)
PD 374
H/29
ROUTH ST
FAIRMOUNT ST
PD 148
PD 193 (O-2)
SUP 1293
TURTLE CREEK BLVD
PD 518
WELBORN ST
PD 193 (PDS 114)
PD 193 (PDS 82)
PD 193
1:3,600
ZONING HISTORY
Case no: Z167-190
Date: 2/15/2017


CPC RESPONSES
THROCKMORTON ST
REAGAN ST
CONGRESS AVE
LYNLOCK CT
SHELBY AVE
BROWN ST
OAK LAWN AVE
WELBORN ST
CEDAR SPRINGS RD
DICKASON AVE
GILLESPIE ST
SALE ST
HOOD ST
ROUTH ST
BROWN ST
ENID ST
FAIRMOUNT ST
MAPLE AVE
WELBORN ST
PARK BRIDGE CT
TURTLE CREEK BLVD
TURTLE CREEK CIR
1 - 22
172 - 183
184 - 207
269 - 370
220 - 268
208 - 219
164 - 171
413 - 421
371 - 381
422 - 425
140 - 143
387 - 392
382 - 386
393 - 404
154 - 163
144 - 153
134 - 139
405 - 412
428 - 453
453 Property Owners Notified (144 parcels)
84 Replies in Favor (26 parcels)
44 Replies in Opposition (33 parcels)
500' Area of Notification
7/20/2017 Date
Z167-190
CPC
N
W
E
S
1:3,600

07/19/2017

Reply List of Property Owners

Z167-190

453 Property Owners Notified ***84 Property Owners in Favor*** ***44 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	2728	WELBORN ST	LINN DIANE E
O	2	2700	WELBORN ST	SATYU PPTIES LLC
O	3	2728	WELBORN ST	LINN DIANE E
O	4	2700	WELBORN ST	ORMSBY BRETT
O	5	2700	WELBORN ST	BUTLER GERALD W
O	6	2700	WELBORN ST	DUBBELDE TODD
O	7	2700	WELBORN ST	WEISFELD RONALD A
O	8	2700	WELBORN ST	DEAN GHIAS UD & NAZI
O	9	2700	WELBORN ST	SOMES FAMILY TRUST
O	10	2700	WELBORN ST	MCFARLAIN RANDALL R
O	11	2700	WELBORN ST	RYAN SCOTT
O	12	2700	WELBORN ST	ZH PPTY LLC
O	13	2700	WELBORN ST	WELBORN STREET PARTNERS LLC
O	14	2700	WELBORN ST	HAVELKA JUDY
O	15	2700	WELBORN ST	ANDERSON DENISE
O	16	2700	WELBORN ST	VENEGAS ARTURO
O	17	2700	WELBORN ST	LESZINSKI SLAWOMIR
O	18	2700	WELBORN ST	MERTENS KATHLEEN & G
O	19	2728	WELBORN ST	CULLEN MARK C &
O	20	2700	WELBORN ST	ROMERO ESTELA ALEJANDRA
O	21	2700	WELBORN ST	WALKER JOHN POWELL
O	22	2700	WELBORN ST	YSASAGA PATRICIA MARGARET
	23	2601	WELBORN ST	WINHAVIR LP
	24	2604	OAK LAWN AVE	BERLIN GAIL M &
	26	2512	WELBORN ST	BURDIN KEN
O	27	3601	ROUTH ST	WEISFELD HERSCHEL A

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	28	3630	ROUTH ST	SALZER KARMA JO
X	29	3628	ROUTH ST	ONDREJ PAUL A
	30	3626	ROUTH ST	JAYARAM NITIN B
	31	3624	ROUTH ST	AVERY CHARLENE MARIE
	33	3620	ROUTH ST	FITZPATRICK MICHAEL C
	34	3618	ROUTH ST	MCKEON JAMES &
	35	3616	ROUTH ST	ALMOND CAROL
	36	3614	ROUTH ST	FAUST DANNY K
X	37	3612	ROUTH ST	ALLEN LADYE KAY
	39	3600	ROUTH ST	HOOD & ROUTH PARTNERS LLC
	40	2607	HOOD ST	SHUBERT LLOYD J JR
	41	2609	HOOD ST	MCCLAIN CAROLYN
X	42	3601	BROWN ST	SAMARA DAVID E
	43	3520	ROUTH ST	ROUTH RESIDENTIAL PARTNERS LLC
	44	3518	ROUTH ST	KOTHARI AJAY
	48	2820	OAK LAWN AVE	RANJBARAN JAMSHID &
	49	2814	OAK LAWN AVE	TEXAS LAND & CAPITAL LTD
	50	2808	OAK LAWN AVE	5612 YALE HOLDINGS LP
	51	2800	OAK LAWN AVE	TEXAS LAND & CAPITAL LTD
	53	2722	OAK LAWN AVE	CANNON YOUNG PPTIES LP
	54	2706	OAK LAWN AVE	VERITEX COMMUNITY BANK
	55	2720	OAK LAWN AVE	CANNON YOUNG PPTIES LP
	56	2732	OAK LAWN AVE	CANNON YOUNG PROPERTIERS LP
	57	2919	WELBORN ST	ANDES CAPITAL FINANCING LLC
	58	2904	OAK LAWN AVE	AHNS GROUP INC
	59	2912	OAK LAWN AVE	SACHDEV PRAVEEN
	60	2913	HOOD ST	TABATABAIE HOSSEIN G
	61	3600	GILLESPIE ST	BAKER DALE &
	62	3530	GILLESPIE ST	FEARON R SCOTT
	63	2727	OAK LAWN AVE	CANNON YOUNG PPTIES LP
	64	2825	OAK LAWN AVE	U S POSTAL SERVICE

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	65	3810	CONGRESS AVE	OAK LAWN PLAZA LP
X	68	2630	WELBORN ST	BRADFORD JAMES DOUGLAS
	69	2626	WELBORN ST	HARDMAN MELANIE ELEANOR
	70	3633	BROWN ST	HARRIS LAWRENCE F
X	71	3629	BROWN ST	WOMACK CHARLES R &
X	72	3625	BROWN ST	MOSS ROBERT KYLE
	73	2728	HOOD ST	AERC TURTLE CREEK LLC
X	74	2704	WELBORN ST	HURLEY LEAH
	75	2704	WELBORN ST	YORK CRAIG H &
X	76	2704	WELBORN ST	OZER ALI
	77	2704	WELBORN ST	GIRI BALA K
	78	2704	WELBORN ST	CODIANA JOHANNA D
	79	2704	WELBORN ST	MALDONADO ESTHER
	80	2704	WELBORN ST	EVANS WALTER P III & LAURIE A
	82	2845	HOOD ST	SMITH INVESTMENT TRUST THE
	83	2841	HOOD ST	TRAGER MICHAEL &
X	84	2837	HOOD ST	LOKEY PAUL E
	85	2833	HOOD ST	DOROTHY L MANAGEMENT TR I
	86	2825	HOOD ST	COOKE HOWARD F TR
	87	2821	HOOD ST	GANARAJ POSAVANIKE S & RATNA CO TRUSTEES
X	88	3780	CONGRESS AVE	GANDOLFO ANA MARIA M &
X	89	2801	WELBORN ST	BROOKSHIER ANDREW S
	90	2811	WELBORN ST	OTHMAN ANAS R
X	91	2813	WELBORN ST	CLARK KELSEY
X	92	2803	WELBORN ST	MAXWELL ELEANOR POWELL
X	93	2805	WELBORN ST	PESTL MARCUS G
	95	2809	WELBORN ST	MARTIN ROB
X	96	3708	BROWN ST	MOZISEK ARNOLD R JR
	97	3704	BROWN ST	BLAGG JIM C &
X	98	2701	WELBORN ST	WEINSTEIN TONI ELLEN

07/19/2017

Reply	*Label #*	*Address*		*Owner*
X	99	2703	WELBORN ST	MASTER HAROLD DAVID & FRANCINE HELEN
X	100	2705	WELBORN ST	ADAMS ANDREA LAUREN GST TRUST THE
X	101	2707	WELBORN ST	BERRONG JAMES D
X	102	2709	WELBORN ST	BRUNGER PHILIP &
X	103	2711	WELBORN ST	HICKS BILLY H & TERI R
X	106	2729	WELBORN ST	BOUSTRIDGE MICHAEL
X	107	3707	CONGRESS AVE	BEACH BRIAN A & JEAN A
	108	3711	CONGRESS AVE	GREEN DAVID A
	109	3715	CONGRESS AVE	MORELAND NANCY
	110	3703	CONGRESS AVE	FONTENOT JOEL K
O	111	3716	GILLESPIE ST	GINSBERG LAURIE BECKER & MAJOR
	112	3722	GILLESPIE ST	MEYRAT RICHARD
	113	3610	GILLESPIE ST	JONES SHANNA C & RYAN T
	114	3610	GILLESPIE ST	REMICK KARL V
	115	3610	GILLESPIE ST	ROSE BRYAN F &
	116	3610	GILLESPIE ST	HEILMAN RONALD H &
X	117	3610	GILLESPIE ST	BLANDFORD WILLIAMS & DIANE
	118	3610	GILLESPIE ST	MARTIN CHRISTINA B &
	119	3610	GILLESPIE ST	RIDER JOSHUA S & REBECCA C
	120	3610	GILLESPIE ST	DORSANEO RESOURCES LP
	121	3610	GILLESPIE ST	BURKLE FRANCISCO JAVIER
	122	3610	GILLESPIE ST	JOHNSON WILLIAM HUDSON &
	123	3610	GILLESPIE ST	STEWART JOHN R & INESSA B
X	124	3610	GILLESPIE ST	HAN EUGENE
	126	3526	GILLESPIE ST	ROBERTSON JEFFREY W & KELLEY W
	127	2908	HOOD ST	WYBAR MICHAEL J &
X	129	3522	GILLESPIE ST	STEIGERWALD ROBERT & PAMELA
	134	3606	ROUTH ST	CARTER G JACK III
	135	3606	ROUTH ST	LEE MEGAN FRANCES
	136	3606	ROUTH ST	HARGROVE ADAM

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	137	3606	ROUTH ST	FLOOD JOAN M
	138	3606	ROUTH ST	SHERENIAN EVA M
	139	3606	ROUTH ST	GOOLSBY WILLIAM GREGORY
	144	3605	BROWN ST	KNIGHT QUIN
	145	3605	BROWN ST	PNM HOLDINGS LLC
	146	3605	BROWN ST	FIGUEROA ABBY M
	147	3605	BROWN ST	WESTBROOK DONALD E
	148	3605	BROWN ST	THOMPSON WILLIAM CRAIG
	149	3605	BROWN ST	MURALIRAJ VIJAY
	150	3605	BROWN ST	ELMERS JENNIFER L
	151	3605	BROWN ST	RIVET LAUREN
	152	3605	BROWN ST	HILDRETH GREGORY K
	153	3605	BROWN ST	MONTGOMERY THOMAS E
	154	3615	BROWN ST	DEPALMA MICHAEL
	155	3615	BROWN ST	ALANIZ CESAR JR
	156	3615	BROWN ST	LI XIAOXIAO
	157	3615	BROWN ST	DELEON FERNANDO
	158	3615	BROWN ST	MILLS MELANIE
	159	3617	BROWN ST	PETERS KIM L
	160	3617	BROWN ST	DELEON CLAUDIA PATRICIA
	161	3617	BROWN ST	BURMASTER AIMEE
	162	3617	BROWN ST	VANCE CHARLES
	163	3617	BROWN ST	TANG PATRICK
	164	3615	GILLESPIE ST	WOOD WILLIAM
	165	3615	GILLESPIE ST	KAFKA TERRY
	166	3615	GILLESPIE ST	DAVIS GREGORY T
	167	3615	GILLESPIE ST	MARTINEZ JOSE A
	168	3615	GILLESPIE ST	MARGO WILLIAM W
	169	3615	GILLESPIE ST	BOHDAN ERIK
	171	3615	GILLESPIE ST	KOELSCH CHRISTOPHER S
X	172	2727	HOOD ST	KEITH ALLEN MARTIN

07/19/2017

Reply	*Label #*	*Address*		*Owner*
X	173	2727	HOOD ST	HOWE MARTHA
X	174	2727	HOOD ST	TET TRUST THE
X	175	2727	HOOD ST	SACHDEV FRAVEEN
X	176	2727	HOOD ST	KIEDAISCH SCOTT D
X	177	2727	HOOD ST	BURNETT KIRBY
X	178	2727	HOOD ST	VANCE CHARLES
X	179	2727	HOOD ST	WELLS CORY
X	180	2727	HOOD ST	GARRETT GARY L
X	181	2727	HOOD ST	BENNETT MARK L
X	182	2727	HOOD ST	CABALLERO ELIZABETH
X	183	2727	HOOD ST	EVANGELISTA MARJORIE S
O	184	2711	HOOD ST	PANKEY SCOT A
O	185	2711	HOOD ST	WILSON RALPH H JR
O	186	2711	HOOD ST	SAMPANG BRADNELL
O	187	2711	HOOD ST	LORMAND LEE E
O	188	2711	HOOD ST	NANCE MICHAEL W
O	189	2711	HOOD ST	MURRELL PHILLIP A
O	190	2711	HOOD ST	WINNUBST ALEXANDRIA &
O	191	2711	HOOD ST	WHITCHER LARRY
O	192	2711	HOOD ST	HUDSON BERNADETTE FLORES
O	193	2711	HOOD ST	VANDERSLICE GEORGE RICHARD
O	195	2725	HOOD ST	RICHARDSON JOSEPH L &
O	196	2725	HOOD ST	HOGAN WESLEE A
O	197	2725	HOOD ST	DYCK CARON VAN & CRAIG
O	198	2725	HOOD ST	GOLDSMITH JAMI L
O	199	2725	HOOD ST	WEGER WILLIAM BARCLAY &
O	200	2725	HOOD ST	CRUZ DE LOPEZ ANTONINA
O	201	2725	HOOD ST	MARTIN LORI ANN
O	202	2725	HOOD ST	ZIMMERMAN ZACHARIAS
O	203	2725	HOOD ST	WILLIAMS JASON M
O	204	2725	HOOD ST	TURBEVILLE KAREN F

07/19/2017

Reply	*Label #*	*Address*		*Owner*
O	205	2725	HOOD ST	HARTER JOHN CLAY & PATRICIA M YSASAGA
O	206	2725	HOOD ST	OSWALT MORRIS
O	207	2725	HOOD ST	BOHDAN ERIK M
	208	3618	GILLESPIE ST	MCRAE WILLIAM H
	210	3618	GILLESPIE ST	MENDELOW MICHAEL &
	211	3618	GILLESPIE ST	FINGER ANDREW & JUDITH
	212	3618	GILLESPIE ST	DREES VIKTORIJA & SCOTT
	213	3618	GILLESPIE ST	SIEGAL MICHAEL
	214	3618	GILLESPIE ST	LANE G DAVID & CYNTHIA
	215	3618	GILLESPIE ST	BURKE GENIE
	216	3618	GILLESPIE ST	BAHRAMI SHOHREH
	218	3618	GILLESPIE ST	SBEITY ALI
	219	3618	GILLESPIE ST	WHITTIER ANTONIE
	220	3535	GILLESPIE ST	KREISEL KAY
	221	3535	GILLESPIE ST	RHODES COLLIN D
	222	3535	GILLESPIE ST	HEDRICK JAMES THOMAS & GEORGIA A
	223	3535	GILLESPIE ST	MURPHY SUSAN W
	224	3535	GILLESPIE ST	AUGUR MARILYN
	225	3535	GILLESPIE ST	HAYNES MICHAEL R &
	226	3535	GILLESPIE ST	PRIDHAM WILLIAM C &
	227	3535	GILLESPIE ST	MONTANA ROBERT C II &
	228	3535	GILLESPIE ST	BONNE CHASSE LLC
	229	3535	GILLESPIE ST	WIDNER ROBERT S LIVING TRUST
	230	3535	GILLESPIE ST	YABLON ASHLEY & DONNA
	231	3535	GILLESPIE ST	GREEN G GARDINER JR &
	232	3535	GILLESPIE ST	2004 COWLEY RANK LIVING TR
	233	3535	GILLESPIE ST	FASKEN PAULA PIERSON REV TRUST
	234	3535	GILLESPIE ST	FARRAR WILLIAM D
	235	3535	GILLESPIE ST	OLD AMERICAN CAPITAL CORP
	236	3535	GILLESPIE ST	YOUNG JOHN WILLIAM &
	237	3535	GILLESPIE ST	JFA TRUST THE

Reply	*Label #*	*Address*		*Owner*
	238	3535	GILLESPIE ST	ANTIOCO JOHN F
	239	3535	GILLESPIE ST	ALVAREZ SERGIO R
	240	3535	GILLESPIE ST	ALTERMANN MARK A
	241	3535	GILLESPIE ST	FARRAR WILLIAM D & AMANDA J
	242	3535	GILLESPIE ST	NAVIAS LOUIS & ARLENE
	243	3535	GILLESPIE ST	NAVIAS LOUIS & ARLENE
	244	3535	GILLESPIE ST	ROBY FRANK M & LINDA S
	245	3535	GILLESPIE ST	ELECTRO ENTERPRISES INC
	246	3535	GILLESPIE ST	DUBIN ANA P
	247	3535	GILLESPIE ST	SAVARIEGO VELINDA
	248	3535	GILLESPIE ST	MCWILLIAMS GEORGE L & LIFE ESTATE
	249	3535	GILLESPIE ST	PUTMAN MARY DELL
	250	3535	GILLESPIE ST	MERROLE STEINWAY REVOCABLE TRUST
	251	3535	GILLESPIE ST	LAPHAM PHYLLIS
	252	3535	GILLESPIE ST	PAYNE JONATHAN III & MARGARET
	253	3535	GILLESPIE ST	SANDERS GEORGE
	254	3535	GILLESPIE ST	DO TUAN ANH &
	255	3535	GILLESPIE ST	HERLIHY LYNN
	256	3535	GILLESPIE ST	BRADLEY KATRINA D
	257	3535	GILLESPIE ST	HENDERSON DAWN
	258	3535	GILLESPIE ST	CROZIER LESLIE ANN
	259	3535	GILLESPIE ST	COULTER JAMIE B
	260	3535	GILLESPIE ST	FERNANDES GARY J & SANDRA
	261	3535	GILLESPIE ST	BOWMAN BRUCE W & BEVERLY
	262	3535	GILLESPIE ST	MICKEY DAWN
	263	3535	GILLESPIE ST	LARSON WILLIAM D
	264	3535	GILLESPIE ST	MCCLURE SHARA B & CRAIG A
	265	3535	GILLESPIE ST	KIVOWITZ STACEY & DON RESIDENCE TRUST
	266	3535	GILLESPIE ST	PETRYLIENE RENATA
	267	3535	GILLESPIE ST	CARLILE HOLDINGS INC
	268	3535	GILLESPIE ST	EC ENGERGY PARTNERS LP

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	269	2828	HOOD ST	PLAZA APARTMENTS PHASE II
	270	2828	HOOD ST	PLAZA TURTLE CREEK IV
	271	2828	HOOD ST	DEVLIN MICHAEL &
	272	2828	HOOD ST	WURST MICHAEL FRANCIS &
	273	2828	HOOD ST	WHITE NANCY S
	274	2828	HOOD ST	YAMINI SARA M
	275	2828	HOOD ST	JOHNSON MILTON VANCE & LINDA A LIFE EST
	276	2828	HOOD ST	RISINGER DENNIS R & MELBA
	277	2828	HOOD ST	LEACH JOSEPH JR
	278	2828	HOOD ST	SONNENSCHEIN INVESTMENTS LTD
	279	2828	HOOD ST	CANNING MICHAEL & MINA G
	280	2828	HOOD ST	MASSINGILL LYNN
	281	2828	HOOD ST	HARVEY R CHRIS &
	282	2828	HOOD ST	BAKER CHARLES DON
	283	2828	HOOD ST	SCHWENK RON R &
	284	2828	HOOD ST	PINK ELISABETH R
	285	2828	HOOD ST	BASILBAY PARTICIPATION
	286	2828	HOOD ST	MEXICAN & GOURMET INTL
	287	2828	HOOD ST	DEININGER JOHN H & MARY ELIZABETH DEININGER
	288	2828	HOOD ST	WASKOM ENTERPRISES LLC
	289	2828	HOOD ST	PE GLORIA ST
	290	2828	HOOD ST	CONWAY JAMES F & TARA M
	291	2828	HOOD ST	KERRANE EDWARD B &
	292	2828	HOOD ST	GARZA ARACELI
	293	2828	HOOD ST	HAIRGROVE GERRY MEANS
	294	2828	HOOD ST	ADAMO KENNETH R
	295	2828	HOOD ST	SAFIR ANN GENE
	296	2828	HOOD ST	BOBBY MURCER 2003 TRUST B THE
	297	2828	HOOD ST	DW OPERATING LLC
	298	2828	HOOD ST	HURST PAT R
	299	2828	HOOD ST	STONER MARY &

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	300	2828	HOOD ST	TELLO RHONDA
	301	2828	HOOD ST	COX BARTON R & JACQUELINE R
	302	2828	HOOD ST	MINITAS COMPANY S A
	303	2828	HOOD ST	GINERIS MARC A & JEAN M
	304	2828	HOOD ST	MEINHARDT MICHAEL E
	305	2828	HOOD ST	WARD DAVID PAUL & JOYCE KAY
	306	2828	HOOD ST	PORTER JARVIS H & PAMELA
	307	2828	HOOD ST	AUFFENBERG DANIEL P REVOCABLE TRUST
	308	2828	HOOD ST	SILCOCK JAMES
	309	2828	HOOD ST	OSUAGWU CHUKWUMA J
	310	2828	HOOD ST	BRADFORD INVESTMENTS LLC
	311	2828	HOOD ST	ATKISS ANTHONY & PENELOPE
	312	2828	HOOD ST	MOBLEY DONNA K TRUST
	313	2828	HOOD ST	HOPKINS RANDOLPH JOHN
	314	2828	HOOD ST	LOPEZ LEONARD MR
	315	2828	HOOD ST	BAUGH MARK T LIVING TRUST THE
	316	2828	HOOD ST	DAVIS CARY & CATHERINE
	317	2828	HOOD ST	SAHLIYEH HANNA F
	318	2828	HOOD ST	SELL STEPHEN G
	319	2828	HOOD ST	SILVERMAN MICHAEL RICHARD & MARY M
	320	2828	HOOD ST	HAYNES NORINE C
	321	2828	HOOD ST	LAM THUY &
	322	2828	HOOD ST	YATES DENISE
	323	2828	HOOD ST	GOURLEY JOHN D
	324	2828	HOOD ST	MOORER REVOCABLE TRUST
	325	2828	HOOD ST	KETTMAN JOHN R & DIANA M
	326	2828	HOOD ST	MCGARRY MICHAEL J
	327	2828	HOOD ST	MOORE CRAIG &
	328	2828	HOOD ST	GARRETT DONNA N
	329	2828	HOOD ST	REVERCHON PARTNERS II LTD
	330	2828	HOOD ST	ELLIOTT MARISA

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	331	2828	HOOD ST	JACOBSON G & M FAMILY TR
	332	2828	HOOD ST	DW OPERATING LLC
	333	2828	HOOD ST	ZELAZNY CHARLES L
	334	2828	HOOD ST	DIBBLE KIMBERLY &
	335	2828	HOOD ST	WISMER ANN
	336	2828	HOOD ST	CHOOLJIAN ANDREW M &
	337	2828	HOOD ST	JACOBSON G & M FAMILY TR
	338	2828	HOOD ST	REICHSTADT EMIL & SHIRLEY
	339	2828	HOOD ST	ST PE ROZALYN
	340	2828	HOOD ST	FORD JOE T &
	341	2828	HOOD ST	FAULKNER STEPHEN W &
	342	2828	HOOD ST	GILLEAN JOHN A III & MYRA M
	343	2828	HOOD ST	RVO TEXAS HOLDINGS LLC
	344	2828	HOOD ST	BACKA LOUISE PAPARELLA
	345	2828	HOOD ST	WOLIN BARTON AND JUDITH
	346	2828	HOOD ST	SIEMER MARY RITA
	347	2828	HOOD ST	BARTON THOMAS P & ANNIE A
	348	2828	HOOD ST	LEACH JAMES E ESTATE OF
	349	2828	HOOD ST	HIGHFIELD EQUITIES INC
	350	2828	HOOD ST	MINITAS CO SA
	351	2828	HOOD ST	HOWARD CASSIE
	352	2828	HOOD ST	STREETER THOMAS C
	353	2828	HOOD ST	MARSHALL DAVE B & MERRILL JEAN
	354	2828	HOOD ST	WHITE ROBERT WAYNE & ANNELLE BURTON
	355	2828	HOOD ST	MCBRIDE NANCY YATES
	356	2828	HOOD ST	BEAUCHAMP ALAN & JACKIE
	357	2828	HOOD ST	ROBINSON DAVID B & REBECCA M
	358	2828	HOOD ST	HUDDLESTON CAROL LYNN
	359	2828	HOOD ST	SPENCER WILLIAM B & SHERRY D
	360	2828	HOOD ST	HARI CHINTA
	361	2828	HOOD ST	KAUFMAN CHESTER & DELPHINE 1992 TRUST

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	362	2828	HOOD ST	HULSEY ROBERT A & SHARON D
	363	2828	HOOD ST	HALL CRAIG & KATHRYN HALL
	364	2828	HOOD ST	DALE RICHARD P JR
	365	2828	HOOD ST	HOLLINGSHEAD TERRY R
	366	2828	HOOD ST	DHARMAGUNARANTNE TISSA C
	367	2828	HOOD ST	MINITAS COMPANY S A
	368	2828	HOOD ST	ESPINOSA ALCIRA HERNANDEZ DE
	369	2828	HOOD ST	MINITAS COMPANY SA
	370	2828	HOOD ST	LARUE JOHN
	371	2727	WELBORN ST	HUMPHRIES JOHN F JR
	372	2727	WELBORN ST	VDT HOLDINGS LLC
	373	2727	WELBORN ST	WELBORN STREET PARTNERS
	374	2727	WELBORN ST	TRUONG DUY D
	375	2727	WELBORN ST	WALGAMA RUWANI M
	376	2727	WELBORN ST	MEQUET DAVID
	377	2727	WELBORN ST	GILBERT JR RICHARD A
	379	2727	WELBORN ST	NORRELL STEVE
	380	2727	WELBORN ST	TRUONG DUY D &
	381	2727	WELBORN ST	NORRELL STEVE
	383	3623	ROUTH UNIT B ST	SALON ESTATE LLC
	384	3623	ROUTH UNIT C ST	BRUNSDALE TANNER J & WESLEY ALLEN TAFOYA
	385	3623	ROUTH UNIT D ST	ZAMBRANO GERARDO
	386	3623	ROUTH ST	THIRTY SIX TWENTY THREE
	387	3701	ROUTH ST	HADDAD KEVIN J
	388	3703	ROUTH ST	BERTHIAUME SCOTT & TONIA
	389	3705	ROUTH ST	COSTLOW JERRY L
	390	3707	ROUTH ST	OBRIEN STEPHEN T
	391	3709	ROUTH ST	MCWHORTER KATHERINE L
	392	3711	ROUTH ST	MCCORMICK DAVID M &
	393	3617	ROUTH ST	ELFENBEIN JESSICA
	394	3617	ROUTH ST	LONG COTY
	395	3617	ROUTH ST	GATES ANDREA A

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	396	3617	ROUTH ST	KINKAID NICOLE
	397	3617	ROUTH ST	BORTNICK BERNARD & RACHEL
	398	3617	ROUTH ST	QUICKSALL BETTY A
	399	3617	ROUTH ST	MCQUAY MICHAEL
	400	3617	ROUTH ST	PRATHER HEIDI BELLE
	401	3617	ROUTH ST	ELFENBEIN JESSICA & ETAL
	402	3617	ROUTH ST	OCONNOR MONICA L
	403	3617	ROUTH ST	WRZESNIEWSKI PIOTR &
	404	3617	ROUTH ST	CAMPISI AMBER
	405	2614	HOOD ST	AHMED RUBANA & MUSTAQUE
	406	2612	HOOD ST	SADACCA STEPHEN
	407	2610	HOOD ST	CALHOUN REBEL
	408	3534	ROUTH ST	AINSWORTH GEORGE M
	409	3532	ROUTH ST	MOORE JAMES K
	410	3530	ROUTH ST	KRAMER PAMELA A
	412	3526	ROUTH ST	REVISED JOINT LVG TR OF PRICILLA ELLEN PERRY &
O	413	2802	WELBORN ST	SHUGHRUE CYNTHIA L
O	414	2804	WELBORN ST	BOUNDS JAMES T III
O	415	2806	WELBORN ST	FUNK JUDITH EHMAN
O	416	2808	WELBORN ST	BORLENGHI ELLEN S
O	417	2810	WELBORN ST	SCOTT LLOYD & ALVIN C TISDALE
O	418	2812	WELBORN ST	JEWELL ROBERT TODD
O	420	2816	WELBORN ST	SEWELL REVOCABLE TRUST THE
O	421	2818	WELBORN ST	GUZZETTI WILLIAM L
O	422	2615	WELBORN ST	VU KIM
O	423	2615	WELBORN ST	OMEARA RAYMOND J
O	424	2615	WELBORN ST	PORCELLI JOSEPH
O	425	2615	WELBORN ST	RAMMING JULIANNE
	426	2815	WELBORN ST	WAIATARUA INC
	427	2815	WELBORN ST	WAIATARUA INC
	428	3515	BROWN ST	NOSS MICHAEL R
	429	3515	BROWN ST	CORTS VICTORIA BENNISON

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	430	3515	BROWN ST	SULLIVAN MARC ADAM &
	431	3515	BROWN ST	SHUMAKE VICKI B
	432	3515	BROWN ST	ZAMBRANO GERARDO
	433	3515	BROWN ST	HAILEY PEGGY
	434	3515	BROWN ST	KELSO ALIC & CHRISTINA
	435	3515	BROWN ST	BLACKSTONE WARREN L
	436	3515	BROWN ST	NYLUND JON
	437	3515	BROWN ST	JONES DEREK &
	438	3515	BROWN ST	BOWERS MICHAEL R
	439	3515	BROWN ST	MCGUIRE LISA E
	440	3515	BROWN ST	KREITZINGER MICHAEL & MARLO
	442	3515	BROWN ST	ALLISON FILIO BIANCA
	443	3515	BROWN ST	ALLEN A KATHLEEN
	444	3515	BROWN ST	GLOVER MARK N & CONNIE M
	445	3515	BROWN ST	HIGDON CHARLES A
	446	3515	BROWN ST	WAYLOCK GREGORY
	447	3515	BROWN ST	RINKERMAN MARK
	448	3515	BROWN ST	GYLFASON HALLDOR I
	449	3515	BROWN ST	WASHINGTON HOLDINGS LLC
	450	3515	BROWN ST	MCNULTY JOSHUA
	451	3515	BROWN ST	MUSIC JOSH & JODI STOKOL
	452	3515	BROWN ST	SNAPP CHARLES W
	453	3515	BROWN ST	LOEHR NANCY R & ALLEN C
X	A1	2704	WELBORN ST	ALEXANDERHALL LLC
X	A2	2807	WELBORN ST	NEWMAN JULIE
O	A3	3610	ROUTH ST	CONDON JOHN K
	A4	3515	BROWN ST	BASS CADE PARKER
O	A5	3707	BROWN ST	NORRELL RONALD STEVE
	A6	2727	WELBORN ST	NORRELL STEVE
	A7	3615	GILLESPIE ST	MITCHELL KELLY D
O	A8	2814	WELBORN ST	BOLIN DENNIS L

07/19/2017

Reply	*Label #*	*Address*		*Owner*
X	A9	3524	GILLESPIE ST	HAMM WILLIAM FEDERICK & MADELINE C
X	A10	3528	GILLESPIE ST	MEYER JOHN A JR & VICTORIA L
X	A11	3518	GILLESPIE ST	BRINDELL CHARLES ROBERT JR
X	A12	3520	GILLESPIE ST	BOHANNON ROBERT H & JANET L
O	A13	2710	OAK LAWN AVE	GOODSON ACURA OF DALLAS LLC
O	A14	2701	HOOD ST	TITAN URBAN DEVELOPMENT LLC
O	A15	2709	HOOD ST	TITAN URBAN DEVELOPEMENT LLC
O	A16	3612	BROWN ST	TITAN URBAN DEVELOPMENT LLC
O	A17	3614	BROWN ST	TITAN URBAN DEVELOPMENT LLC
O	A18	3709	BROWN ST	ALCOCER FERNANDO
O	A19	3705	BROWN ST	ALCOCER FERNANDO G
O	A20	3703	BROWN ST	MIRACLE ERIC
O	A21	2615	OAK LAWN AVE	OAK LAWN PARTNERS LP
O	A22	2629	OAK LAWN AVE	OAK LAWN RESTAURANTS LLC
O	A23	2621	OAK LAWN AVE	OAK LAWN PARTNERS LP
O	A24	2625	OAK LAWN AVE	OAK LAWN PARTNERS LP
O	A25	2612	OAK LAWN AVE	OAK LAWN RESTAURANTS LLC
O	A26	2618	OAK LAWN AVE	OAK LAWN RESTAURANTS LLC
O	A27	2733	OAK LAWN AVE	OAK LAWN OUTDOOR LLC
	A28	3618	GILLESPIE ST	BUTLER CHAD MARTIN
	A29	3623	ROUTH UNIT A ST	WEST MARK V ESTATE OF
O	A30	2703	OAK LAWN AVE	AMERICAN NATIONAL BANK OF TEXAS
O	A31	2706	OAK LAWN AVE	VERITEX COMMUNITY BANK
	A32	3528	ROUTH ST	MOORE JAMES K
O	A33	3622	ROUTH ST	ARNOLD SCOTT
O	A34	3610	CONGRESS AVE	RUSSELL JOHN R
O	A35	2725	HOOD ST	POWELL JIMMY J JR
	A36	3618	GILLESPIE ST	LANDRUM MARY E
O	A37	2719	WELBORN ST	MCFARLAIN RANDALL BRANT &
O	A38	2723	WELBORN ST	JANSON CHRISTOPHER & MEAGHAN KROENER

AGENDA ITEM # 57

Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: September 27, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45 K; P

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within the West End Special Provision Sign District to allow an attached sign/supergraphic on an historic structure at the southeast corner of North Austin Street and Pacific Avenue (804 Pacific Avenue)
Recommendation of Staff and CPC: Approval, subject to conditions
SPSD 167-001

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, SEPTEMBER 27, 2017

ACM: Majed Al-Ghafry

FILE NUMBER: SPSD 167-001 **DATE INITIATED:** March 28, 2017

LOCATION: Southeast corner of North Austin Street and Pacific Avenue (804 Pacific Avenue)

COUNCIL DISTRICT: 14 **MAPSCO:** 45 K; P

SIZE OF REQUEST: Approx. 26 acres **CENSUS TRACT:** 31.01

APPLICANT: Mark Brand

OWNER: Antioch Church

REPRESENTATIVE: Robert Fiedler

REQUEST: An application for a new subdistrict within the West End Special Provision Sign District to allow an attached sign/supergraphic on an historic structure.

SUMMARY: The purpose of this request is to allow a maximum 6,000 square foot sign (supergraphic) on the Antioch Church building. The proposal is for a sign that is compatible with the West End Historic District that will be erected upon the east side of the building, facing Lamar Street.

STAFF RECOMMENDATION: **Approval**, subject to conditions.

CPC RECOMMENDATION: **Approval**, subject to conditions.

BACKGROUND INFORMATION:

- The West End SPSD does not allow supergraphics.

- Currently, the West End SPSD allows up to a 30 square foot effective area if the building is not more than six stories tall and be at least 36 feet above grade.

- On June 22, 2016, City Council approved an application for a new subdistrict within the West End Special Provision Sign District (SPSD) to allow an attached sign/supergraphic on an historic structure at the northeast corner of Elm Street and Record Street (Purse Building).

- The proposed amendment is for a new subdistrict within the West End Special Provision Sign District (SPSD) to allow an attached sign/supergraphic on an historic structure at the southeast corner of Pacific Avenue and N. Austin Street (Antioch Church).

- The Special Sign District Advisory Committee (SSDAC) met on May 12, 2017 to review the application. The SSDAC recommended denial.

- At their public hearing on August 17, 2017, the City Plan Commission recommended approval, subject to the following revised conditions 1) define supergraphic sign to include painted or vinyl adhesive signage and 2) require change of advertising copy at least every 6 months.

STAFF ANALYSIS:

The request site is developed with a 100 plus year old building which is home to Antioch Church. The lot is on the perimeter of the West End SPSD and is bounded by surface parking to the east, south, and west, with the West End Station rail line immediately adjoining the site to the north.

The applicant's proposal is for a 60-foot by 82-foot (4,920 square feet) sign attached to the building. The proposed supergraphic will be erected on the east elevation of the building, facing Lamar Street, and will cover more than half of the existing 7,600 square foot blank wall facade.

Antioch Church has been partially restored and the applicant has indicated that the revenue that is generated from the supergraphic will "be used to pay for the remaining restoration of this historic West End building".

Staff is proposing conditions that are consistent with the supergraphic sign regulations that were recently adopted for the Purse Building Subdistrict (SPSD156-002).

List of Officers

ANTIOCH CHURCH DALLAS

Officers:

Mark Brand, President
Darrell Fletcher, Vice President
John Salas, Secretary/Treasurer

CPC Action:
August 17, 2017

Motion: It was moved to recommend **approval** of a new subdistrict, subject to conditions to include the following changes: 1) define supergraphic sign to include painted or vinyl adhesive signage and 2) require change of advertising copy at least every 6 months within the West End Special Provision Sign District (SPSD) to allow an attached sign/supergraphic on an historic structure at the southeast corner of North Austin Street and Pacific Avenue (804 Pacific Avenue).

Maker: Ridley
Second: Murphy
Result: Carried: 9 to 4

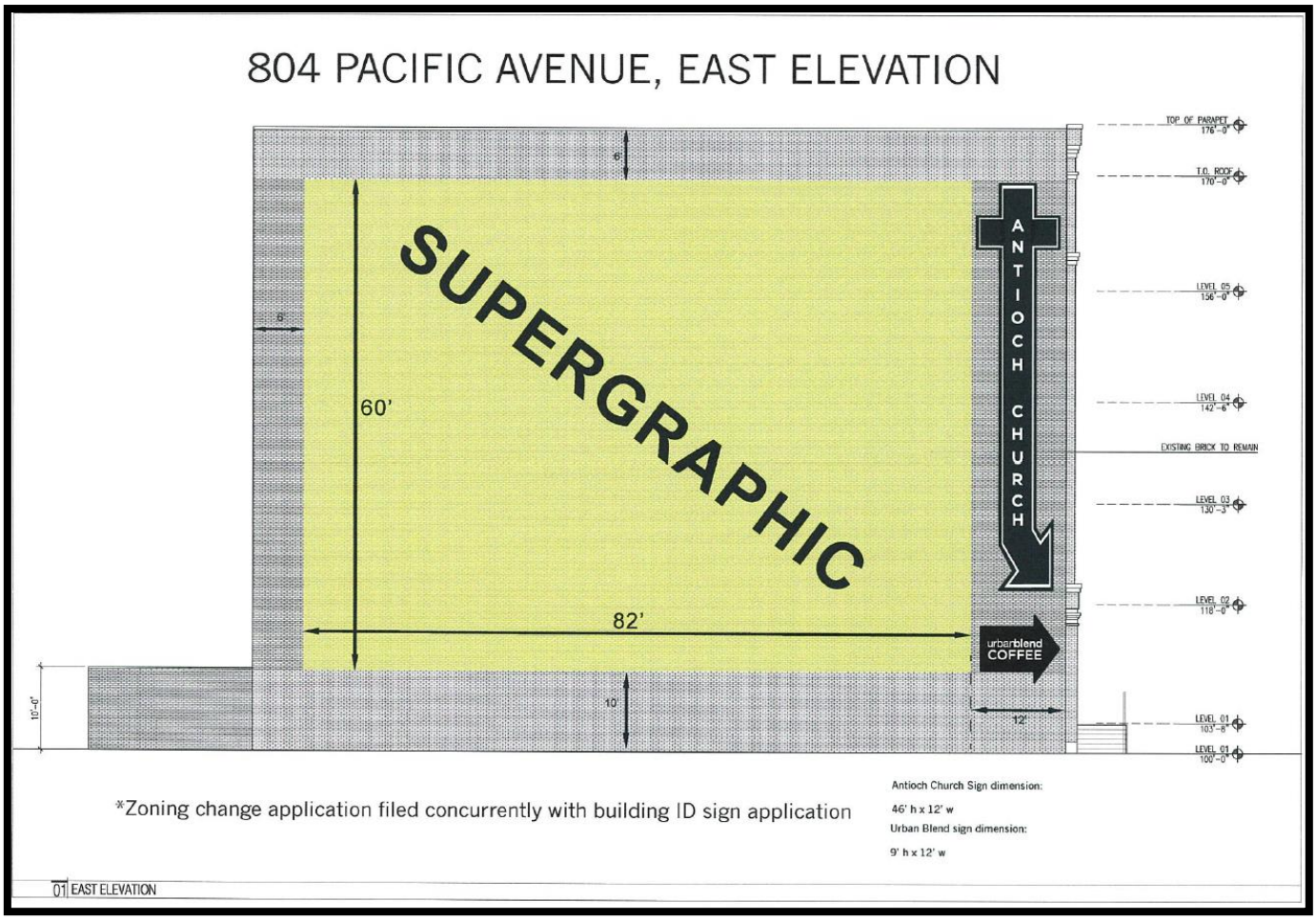
For: 9 - Rieves, Houston, Shidid, Mack, Haney, Housewright, Murphy, Ridley, Tarpley

Against: 4 - Anglin, Davis Schultz, Peadon
Absent: 1 - Anantasomboon
Vacancy: 0
Conflict: 1 - Jung

Notices: Area: 200 Mailed: 18
Replies: For: 0 Against: 0

Speakers: For: Robert Felder, 9002 Middlebie Dr., Austin, TX, 78750
Against: None
Staff: Mark Doty, Historic Preservation Officer
Neva Dean, Assistant Director, Current Planning

Proposed Sign



East Facade

CPC RECOMMENDED CONDITIONS

Division 51A-7.1000 West End Historic Sign District

New Section (numbering to be determined later) for the Antioch Church Subdistrict

Except as otherwise provided in this section, the requirements of the West End Historic Sign District apply in this subdistrict.

(a) A supergraphic sign means a large attached premise or non-premise sign on a mesh or fabric surface, or a projection of a light image onto a wall face without the use of lasers, or a painted or vinyl adhesive signage.

(b) A wall face means an uninterrupted blank plane of a wall, from vertical edge to vertical edge, from its highest edge to its lowest edge. Edges can be established by a distinct change in materials or off-set which runs across (transects) the entire wall in a straight line.

(c) A maximum of one supergraphic sign is permitted.

(d) The supergraphic sign must have one large visual display with a minimum of 80 percent non-textual graphic content (no more than 20 percent text).

(e) Multiple displays giving an appearance of multiple signs are prohibited.

(f) The effective area of text is the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines, each of which fully contains a word.

(g) The supergraphic sign is intended to be creative and artful and not strictly a representation of an advertised product. It is the intent of this provision to:

- Encourage the use of illustrative images or other non-repetitive design elements.
- Encourage visually interesting, vibrant, and colorful designs.
- Discourage use of solid colors or repetitive design elements.
- Discourage an image of a single product or logo without other graphic elements.

(h) The supergraphic sign may be internally or externally illuminated. If internally illuminated, a supergraphic sign may consist of translucent materials, but not transparent materials.

(i) The supergraphic sign may not extend beyond the edge of the face of the building to which it is attached.

(j) The minimum permitted effective area is 2,500 square feet and the maximum permitted effective area is 6,500 square feet.

(k) The supergraphic sign may not be lower than 10 feet above grade level.

(l) The supergraphic sign may only be located on the east façade of the building.

(m) The supergraphic sign may not display the same message for more than six consecutive months in any 12-month period.

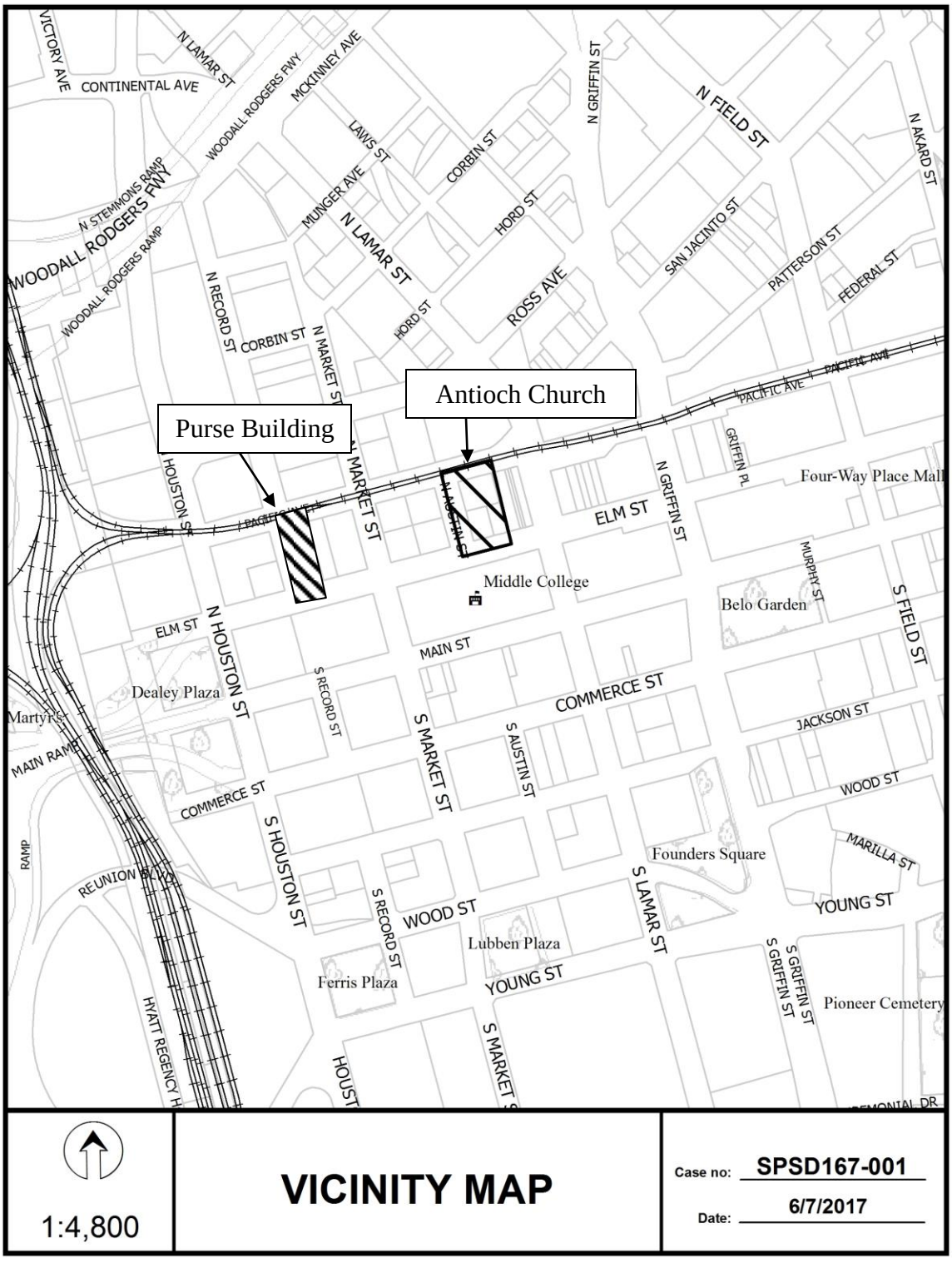
(n) The supergraphic sign is intended to be compatible with the West End Historic District as determined by the Landmark Commission.

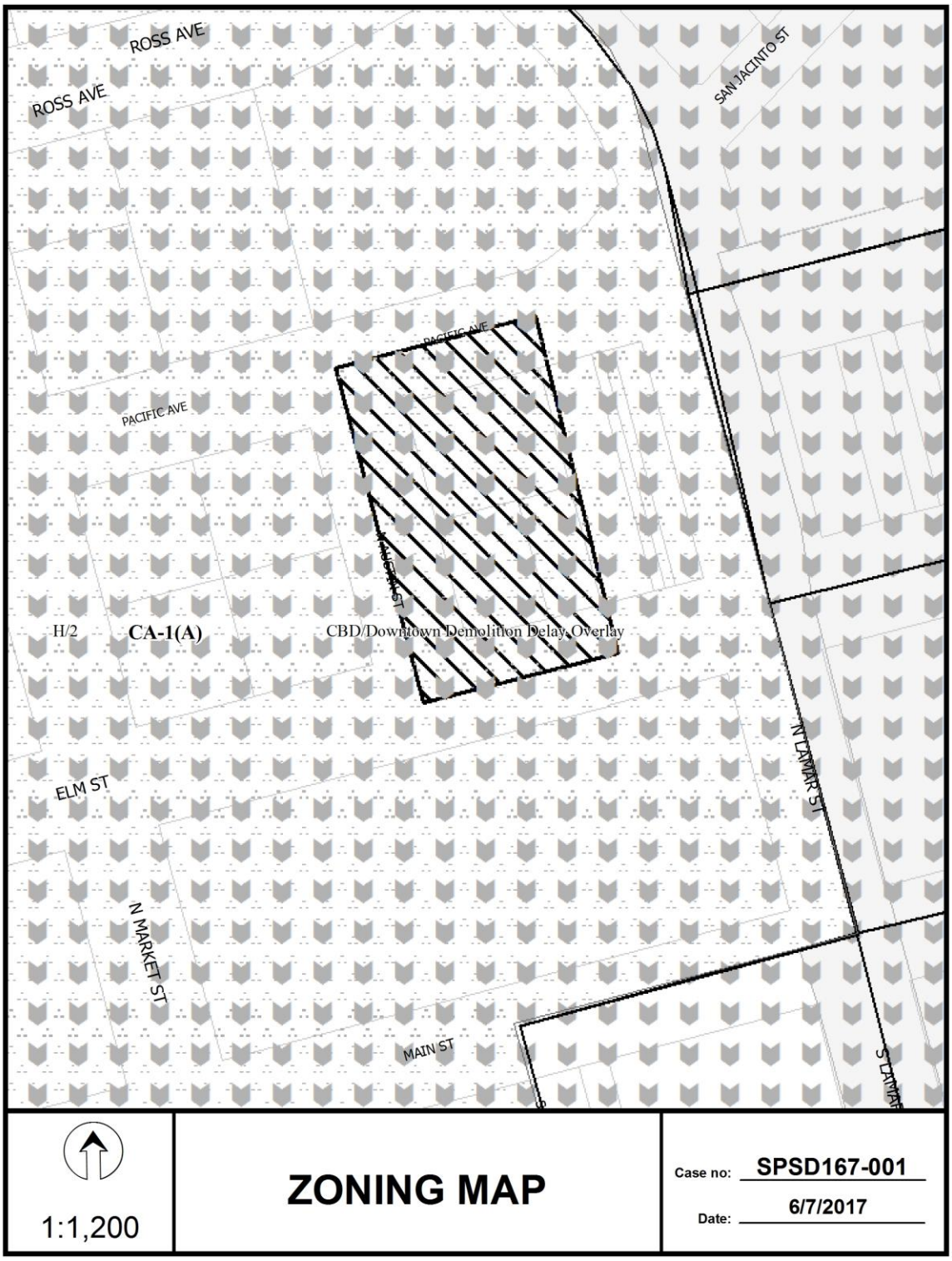
(o) All hardware fasteners for the supergraphic sign must comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas.

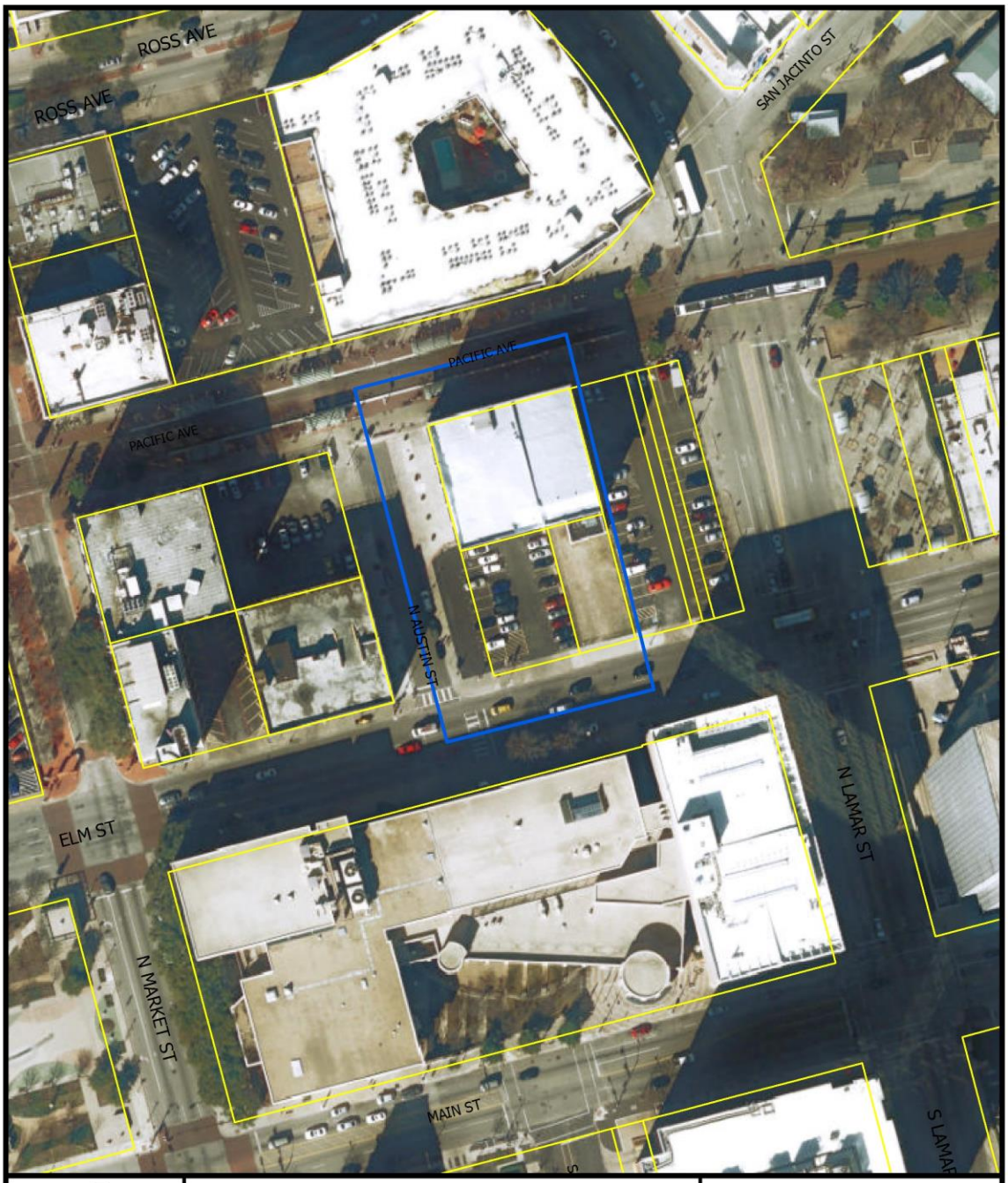
(p) The supergraphic sign may not be a Highway Beautification Act (HBA) sign as defined in Section 51A-7.102.

(q) The supergraphic sign must be removed on or before (ten years from passage of ordinance). This section does not confer a nonconforming or vested right to maintain a supergraphic sign after (ten years from passage of ordinance) and all permits authorizing supergraphic sign shall automatically expire on that date.

(r) This section expires on (ten years from passage of ordinance) unless re-enacted with amendment before that date. The city plan commission and city council shall review this section before its expiration date.


Purse Building
Antioch Church
VICTORY AVE
CONTINENTAL AVE
N LAMAR ST
WOODALL RODGERS FWY
MCKINNEY AVE
LAWS ST
CORBIN ST
N GRIFFIN ST
N FIELD ST
N AKARD ST
N STEMMONS RAMP
WOODALL RODGERS FWY
WOODALL RODGERS RAMP
MUNGER AVE
N LAMAR ST
HORD ST
SAN JACINTO ST
PATTERSON ST
FEDERAL ST
N RECORD ST
CORBIN ST
N MARKET ST
HORD ST
ROSS AVE
PACIFIC AVE
HOUSTON ST
MARKET ST
GRIFFIN PL
Four-Way Place Mall
ELM ST
N GRIFFIN ST
Middle College
Belo Garden
MURPHY ST
S FIELD ST
ELM ST
N HOUSTON ST
MAIN ST
Dealey Plaza
S RECORD ST
COMMERCE ST
JACKSON ST
Martyrs
MAIN RAMP
S MARKET ST
S AUSTIN ST
WOOD ST
COMMERCE ST
S HOUSTON ST
Founders Square
MARILLA ST
RAMP
REUNION BLVD
S RECORD ST
WOOD ST
S LAMAR ST
YOUNG ST
Lubben Plaza
Ferris Plaza
YOUNG ST
S GRIFFIN ST
Pioneer Cemetery
HYATT REGENCY
S MARKET ST
1:4,800
VICINITY MAP
Case no: SPSD167-001
Date: 6/7/2017


ROSS AVE
ROSS AVE
SAN JACINTO ST
PACIFIC AVE
PACIFIC AVE
H/2
CA-1(A)
CBD/Downtown Demolition Delay Overlay
ELM ST
N LAMAR ST
N MARKET ST
MAIN ST
1:1,200
ZONING MAP
Case no: SPSD167-001
Date: 6/7/2017

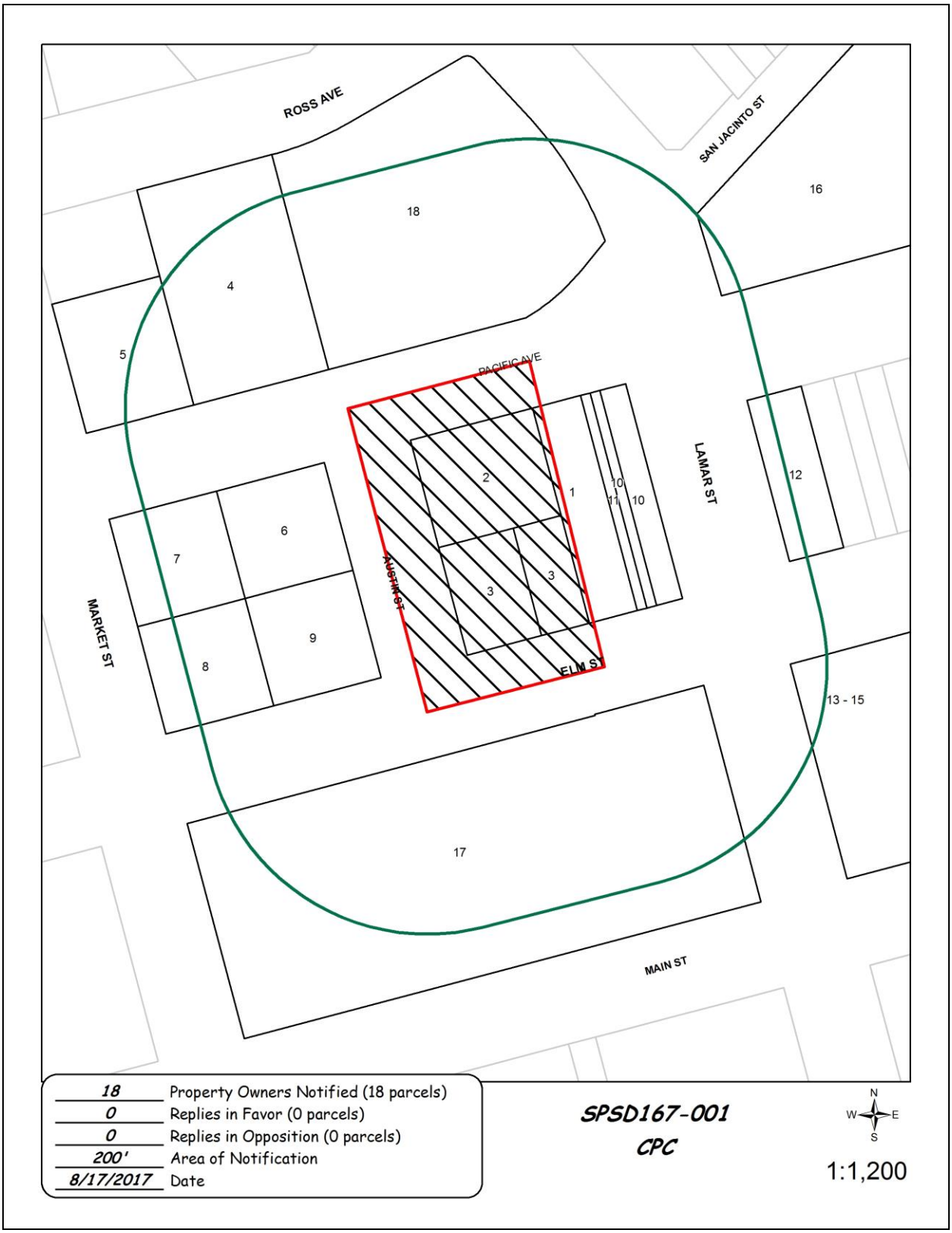


1:1,200

AERIAL MAP

Case no: SPSD167-001

Date: 6/7/2017


ROSS AVE
SAN JACINTO ST
PACIFIC AVE
LAMAR ST
MARKET ST
AUSTIN ST
ELM ST
MAIN ST
18
16
4
5
2
1
10
11
10
12
6
7
3
3
9
8
13 - 15
17
18 Property Owners Notified (18 parcels)
0 Replies in Favor (0 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
8/17/2017 Date
SPSD167-001
CPC
N
W
E
S
1:1,200

08/17/2017

Notification List of Property Owners

SPSD 167-001

18 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*	*Owner*
	1	811 ELM ST	ANTIOCH CHURCH
	2	804 PACIFIC AVE	ANTIOCH CHURCH
	3	801 ELM ST	ANTIOCH CHURCH
	4	710 ROSS AVE	ROSS OWNER LP
	5	302 N MARKET ST	PRESTON CENTER LLC
	6	211 N AUSTIN ST	AUSTIN OWNER LP
	7	208 N MARKET ST	208 N MARKET OWNER LP
	8	701 ELM ST	DALLAS COUNTY COMMUNITY
	9	711 ELM ST	E711 HOLDINGS LLC
	10	815 ELM ST	ANTIOCH CHURCH
	11	813 ELM ST	ANTIOCH CHURCH
	12	901 ELM ST	DART
	13	901 MAIN ST	DALLAS MAIN LP
	14	100 N LAMAR ST	INTERFIRST BANK DALLAS
	15	901 MAIN ST	INTERFIRST BANK DALLAS
	16	202 N LAMAR ST	DALLAS AREA RAPID TRANSIT
	17	705 MAIN ST	DALLAS COUNTY COMMUNITY
	18	800 ROSS AVE	CWS WEND CREEKSIDE LLC &