AUGUST 9, 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 August 9, 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

7/23/17
Date

M. Elizabeth Reich
Elizabeth Reich
Chief Financial Officer

July 28, 2017
Date

RECEIVED
2017 JUL 28 PM 5:04
CITY SECRETARY
DALLAS, TEXAS

COUNCIL AGENDA

August 9, 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, AUGUST 9, 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 - 42
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 43 - 51
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 52 - 80

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

AGENDA

CITY COUNCIL MEETING

AUGUST 9, 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 June 19, 2017 Special and Inauguration Meetings and June 28, 2017 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

2. Authorize a one-year professional engineering services contract for construction code engineering analysis services - AECOM Technical Services, Inc., most qualified respondent of two - Not to exceed $120,570 - Financing: Building Inspection Current Funds (subject to appropriations)

3. Authorize a three-year service contract for on-site service and repair of hydraulic hoses for City vehicles and equipment - JBL Hose Service, LLC dba Pirtek Love Field, most advantageous proposer of two - Not to exceed $811,967 - Financing: Current Funds ($478,534), Water Utilities Current Funds ($186,113), and Sanitation Current Funds ($147,320) (subject to annual appropriations)

4. Authorize a five-year service contract for food establishment inspections - A+ Food Industry Inspections, Inc., most advantageous proposer of two - Not to exceed $768,000 - Financing: Current Funds (subject to annual appropriations)

CONSENT AGENDA (continued)

Business Development & Procurement Services (continued)

5. Authorize a two-year master agreement for cast iron fittings - HD Supply Waterworks, LTD, lowest responsible bidder of three - Not to exceed $370,000 - Financing: Water Utilities Current Funds

6. Authorize a three-year master agreement for bulk Portland Cement Type 1 - LafargeHolcim US, lowest responsible bidder of two - Not to exceed $655,000 - Financing: Current Funds

City Attorney's Office

7. Authorize settlement of the lawsuit styled Farmers Texas County Mutual Insurance Company et al. v. The City of Dallas, Cause No. CC-15-03917-B - Not to exceed $110,000 - Financing: Current Funds

Equipment & Building Services

8. Authorize an increase to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the final reconciliation and closeout for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed $267,689, from $13,690,013 to $13,957,702 - Financing: Public/Private Partnership Funds

Fire

9. Authorize a two-year Interlocal contract with El Centro College of the Dallas County Community College District for reimbursement of City of Dallas Fire-Rescue Department training costs for the period September 1, 2017 through August 31, 2019 - Revenue: $375,188

Housing & Neighborhood Revitalization

10. Authorize an amendment to Resolution No. 16-1095, previously approved on June 22, 2016, for the conditional grant agreement with Jubilee Park & Community Center Corporation to extend the completion date from June 30, 2017 to December 31, 2018 for the acquisition, demolition, relocation, predevelopment and construction of the Jubilee Neighborhood Project - Financing: No cost consideration to the City

11. Authorize Supplemental Agreement No. 2 to the grant agreement between the City of Dallas and Association of Persons Affected by Addiction to decrease the contract amount from $250,000 to $150,000 to provide services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders under the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017 - Not to exceed ($100,000), from $250,000 to $150,000 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

CONSENT AGENDA (continued)

Housing & Neighborhood Revitalization (continued)

12. Authorize Supplemental Agreement No. 2 to the grant agreement with CitySquare to decrease the contract amount from $857,725 to $757,725 to provide coordination/assessment, supportive services, expanded housing services for temporary shelters through outreach and housing units, residential treatment and detox treatment to homeless individuals through the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017 - Not to exceed ($100,000), from $857,725 to $757,725 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

13. Authorize Supplemental Agreement No. 2 to the grant agreement between the City of Dallas and Shelter Street Ministries of Dallas dba Austin Street Center to increase funding in the amount of $200,000 to provide services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders under the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017 - Not to exceed $200,000, from $654,383 to $854,383 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

Mobility and Street Services

14. Authorize an agreement with Union Pacific Railroad Company for the construction, maintenance, and use of a new grade-separated overpass structure within the Union Pacific Railroad right-of-way for Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard - Financing: No cost consideration to the City

15. Authorize a contract with Vescorp Construction, LLC dba Chavez Concrete Cutting, lowest responsible bidder of four, for the construction of street paving, streetscape and traffic signal improvements for the Greenville Avenue and Ross Avenue intersection, and street lighting for the first block of Bell Avenue west of Greenville Avenue - Not to exceed $617,989 - Financing: 2012 Bond Funds

16. Authorize **(1)** the rejection of all bids for the reconstruction of street paving, storm drainage, landscaping, irrigation, traffic control and signals, water and wastewater main improvements for the Lamar Street Project to include the Omni Hotel and Convention Center Dallas Area Rapid Transit Station from Young Street to Ross Avenue, Phase I Project; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

17. Authorize **(1)** the First Amendment to the Project Specific Agreement with Dallas County for the Spring Valley Road from Coit Road to Goldmark Drive Project for the City's share of additional construction costs for water main improvements and to clarify the maintenance and funding responsibilities between agencies; and **(2)** payment to Dallas County for the City's share of additional construction costs for water main improvements - Not to exceed $700,000 - Financing: Water Utilities Capital Construction Funds

CONSENT AGENDA (continued)

Mobility and Street Services (continued)

18. Authorize Supplemental Agreement No. 4 to the professional services contract for **(1)** assignment of the contract from URS Corporation to AECOM Technical Services, Inc.; and **(2)** additional engineering services to complete the design of three new street crossings under the Union Pacific Railroad tracks at Bataan, Herbert and Amonette Streets for the West Dallas Gateway Project, Phase II - Not to exceed $3,417,963, from $623,823 to $4,041,786 - Financing: 2012 Bond Funds ($925,692), General Obligation Commercial Paper Funds ($2,286,266), Water Utilities Capital Improvement Funds ($123,600) and Water Utilities Capital Construction Funds ($82,405)

Office of Financial Services

19. An ordinance denying rates as requested by Oncor Electric Delivery Company LLC in its application to change rates filed with the City on March 17, 2017 - Financing: No cost consideration to the City

20. Authorize 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 - Financing: No cost consideration to the City

21. Authorize a public hearing to be held on August 23, 2017 to receive comments on the FY 2017-18 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

Park & Recreation

22. Authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Magnolia Station, LLC for the development, operation, and maintenance of a plaza, pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 1607 Lyte Street - Financing: No cost consideration to the City

23. Authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Travis Cole Apartments 2012, LP for the development, operation and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 4719 Cole Avenue - Financing: No cost consideration to the City

CONSENT AGENDA (continued)

Police

24. Authorize **(1)** an application for and acceptance of the State of Texas Internet Crimes Against Children Grant in the amount of $254,293 from the Office of the Governor, Criminal Justice Division to provide for one-year funding for the salaries and fringe benefits of two detectives and one police research specialist, to fund training, direct operating expenses and use of overtime to address the growing problem of technology-facilitated child abuse and exploitation for the period October 1, 2016 through September 30, 2017; **(2)** the receipt and deposit of grant funds in an amount not to exceed $254,293 in the State Internet Crimes Against Children Grant Fund; **(3)** the establishment of appropriations in an amount not to exceed $254,293 in the State Internet Crimes Against Children Grant Fund; and **(4)** execution of the grant agreement - Not to exceed $254,293 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

25. Authorize the **(1)** acceptance of a grant award from the W.W. Caruth Jr. Foundation at Communities Foundation of Texas in the amount of $250,000 for the development of a staffing efficiency study for the Dallas Police Department for the period September 1, 2017 through December 31, 2018; **(2)** required cash match contributions up to $250,000 as applicable, from Confiscated Monies-Federal Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed $250,000 in the W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Fund; **(4)** establishment of appropriations in an amount not to exceed $250,000 in the W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Fund; and **(5)** execution of the grant agreement - Not to exceed $500,000 - Financing: W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Funds ($250,000) and Confiscated Monies Funds ($250,000)

26. Authorize Supplemental Agreement No. 1 to the Interlocal Agreement with the Richardson Independent School District (RISD) for the provision of police services by the City of Dallas (City) in the RISD's Lake Highlands High School and junior high schools within the limits of both the City and RISD - Financing: No cost consideration to the City

Sanitation Services

27. Authorize **(1)** Supplemental Agreement No. 5 to the professional engineering contract with Biggs & Mathews Environmental, Inc. to exercise the third of three, 12-month renewal options for environmental, hydrogeology and groundwater monitoring services and additional landfill engineering tasks for engineering, design, procurement consulting services, and construction management for landfill infrastructure improvements, including construction of waste cells 6B2 & Area 2; **(2)** to extend the third optional year contract term by an additional 12-months, from June 30, 2018 to June 30, 2019 to complete additional engineering and construction tasks; and **(3)** an increase in appropriations in the amount of $444,900 in the Sanitation Capital Improvement Funds - Not to exceed $636,473, from $1,148,969 to $1,785,442 - Financing: Sanitation Capital Improvement Funds ($444,900) and Sanitation Current Funds ($191,573) (subject to appropriations)

CONSENT AGENDA (continued)

Sustainable Development and Construction

28. Authorize moving expense and rental assistance payments for Betty Taylor as a result of an official written offer of just compensation to purchase real property at 5420 Barber Avenue for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed $24,432 - Financing: General Obligation Commercial Paper Funds

29. A resolution authorizing the conveyance of a storm sewer easement containing approximately 2,281 square feet to the City of Garland for the construction, maintenance and use of drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Zion Road and President George Bush Turnpike - Revenue: $5,360

30. A resolution authorizing the conveyance of a temporary construction easement for two tracts containing a total of approximately 155,182 square feet to the Trinity River Authority of Texas for the rehabilitation of the existing sewer interceptor across City-owned park land at Elm Fork Shooting Sports and Luna Vista Golf Course located near the intersection of Northwest Highway and Royal Lane - Revenue: $7,366

31. An ordinance granting a private license to RBP Adolphus LLC for the use of approximately 1,074 square feet of aerial space to install, maintain and utilize a canopy with premise sign over a portion of Commerce Street right-of-way near its intersection with Field Street - Revenue: $1,000 annually, plus the $20 ordinance publication fee

32. An ordinance granting a revocable license to Southwest Airlines Co. for the use of approximately 1,500 square feet of aerial space to occupy, maintain, and utilize a pedestrian bridge above and over a portion of Denton Drive right-of-way, located near its intersection with Wyman Street - Revenue: $1,000 annually, plus the $20 ordinance publication fee

33. An ordinance abandoning a portion of Bedford Street to Singleton Trinity Groves, LP, the abutting owner, containing approximately 5,665 square feet of land located near the intersection of Singleton Boulevard and Borger Street; and authorizing the quitclaim - Revenue: $67,980, plus the $20 ordinance publication fee

34. An ordinance abandoning a portion of Griffin Street to Jahan Sebastian Enterprises, LLC, the abutting owner, containing approximately 2,995 square feet of land, located near the intersection of Griffin and Peters Streets; and authorizing the quitclaim - Revenue: $59,900, plus the $20 ordinance publication fee

35. An ordinance abandoning portions of two alleys to Congregation Shaare Tefilla and Dallas International School, the abutting owners, containing a total of approximately 5,620 square feet of land, located near the intersection of Whitley Lane and Churchill Way; authorizing the quitclaim; and providing for the dedication of approximately 5,437 square feet of land needed for a wastewater easement - Revenue: $115,834, plus the $20 ordinance publication fee

CONSENT AGENDA (continued)

Sustainable Development and Construction (continued)

36. An ordinance abandoning a floodway easement to Dagmawi Asseged Yemenu and Addisalem W. Kassa, the abutting owners, containing approximately 1,540 square feet of land located near the intersection of Goforth Circle and Goforth Road - Revenue: $5,400, plus the $20 ordinance publication fee

37. An ordinance abandoning a water easement to JBGL Chateau, LLC, the abutting owner, containing approximately 300 square feet of land, located near the intersection of Haskell and Swiss Avenues - Revenue: $5,400, plus the $20 ordinance publication fee

38. An ordinance amending Ordinance No. 23183, previously approved on June 11, 1997, which abandoned a portion of Taylor Street, located near its intersection with Marilla Street, to eliminate reverter provisions - Revenue: $5,400, plus the $20 ordinance publication fee

Trinity Watershed Management

39. Authorize settlement in lieu of proceeding with condemnation of a total of six subsurface easements located under a total of approximately 87,360 square feet of land and one drainage easement containing approximately 4,818 square feet of land from Dallas Area Rapid Transit for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed $189,150 ($178,650, plus closing costs and title expenses not to exceed $10,500); an increase of $20,000 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

Water Utilities

40. Authorize **(1)** a Standard Utility Agreement with the State of Texas, acting through the Texas Department of Transportation, for water and wastewater main relocations and appurtenance adjustments in Interstate Highway 35E (Stemmons Freeway) from Interstate Highway 30 (R.L. Thornton Freeway) to Oak Lawn Avenue; and **(2)** the receipt and deposit of funds from the Texas Department of Transportation for reimbursement of project management and construction inspection costs for the project - Revenue: $100,688

41. Authorize an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for construction of water main relocations and appurtenance adjustments in Parkdale Drive at White Rock Creek Tributary - Not to exceed $101,000 - Financing: Water Utilities Capital Construction Funds ($3,000) and Water Utilities Capital Improvement Funds ($98,000)

42. Authorize a contract for the construction of major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant - Archer Western Construction, LLC, lowest responsible bidder of three - Not to exceed $15,154,000 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

43. 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)

44. A resolution authorizing the reinstatement of the Texas State Library and Archives Commission (TSL) required retention period for specific records series maintained by the City Secretary's Office - Financing: No cost consideration to the City

45. An ordinance ordering a bond election to be held in the city of Dallas on November 7, 2017, for the purpose of authorizing general obligation bonds by the qualified voters of the city of Dallas - Financing: No cost consideration to the City

46. An ordinance amending Chapter 8, "Boards and Commissions," of the Dallas City Code amending Sections 8-1, 8-1.1, 8-1.2, 8-1.4, 8-1.5, 8-2, 8-4, 8-6, 8-8, 8-9, 8-20.1, and 8-21; **(1)** clarifying and adding definitions; **(2)** providing that each board approve and provide its annual report to the city manager; **(3)** clarifying and adding items to be included in a board's annual report; **(4)** providing clarification on residency requirements; **(5)** providing term limits for elected trustees of the employees' retirement fund; **(6)** requiring department directors to inform the city secretary's office of the board's regular meeting schedule; **(7)** providing that a board may call a special meeting if a quorum does not exist 30 minutes after the meeting was called; **(8)** providing that absence from a special meeting does not affect a board member's attendance in regards to the attendance policy; **(9)** providing that the minutes of meetings to be submitted to the city secretary must be signed by the presiding officer; **(10)** providing that the mayor shall appoint the chair for each board subject to confirmation by a majority of the city council; **(11)** providing that the term of appointment of chair or vice-chair will run concurrently with the term of appointment to the board; **(12)** providing that the chair or vice-chair may be removed from the position of chair or vice-chair for any cause with a public hearing before city council on charges publicly made; **(13)** providing for an exception to the special attendance requirements; **(14)** providing that a member will be counted absent from a meeting if that member is absent for more than 50 percent of that meeting; **(15)** making certain other structural, grammatical, and clarifying changes; **(16)** providing a saving clause; **(17)** providing a severability clause; and **(18)** providing an effective date - Financing: No cost consideration to the City

Business Development & Procurement Services

47. Execute the casting of lots to identify the recommended vendor resulting from tie bids on groups 1, 2, 4, 5, 6, 10, 11, 15, 17, 18, and 19 for bid BK1713 for a three-year service contract for heating, ventilation, and air conditioning system parts, supplies, and repair services - The Brandt Companies, LLC and Trane U.S., Inc. - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION (continued)

Mayor and City Council

48. Authorize a resolution honoring the achievements of Marvin E. Crenshaw, Roy H. Williams, Michael Daniel and Betsy Julian for their roles in the creation of the 14-1 system for electing members of the Dallas City Council; and directing the City Manager to erect a plaque on the first floor of Dallas City Hall acknowledging the accomplishments of these individuals to the City of Dallas - Financing: No cost consideration to the City (via Council Members Griggs, Medrano, Felder, Atkins, Greyson)

49. Authorize a resolution rejecting the Trinity Parkway Alternative 3C as the City's locally preferred alternative for the Trinity Parkway - Financing: No cost consideration to the City (via Council Members Griggs, Medrano, Felder, Greyson, Kingston)

Mobility and Street Services

50. A resolution amending Resolution No. 17-1123, previously approved on June 28, 2017, supporting a November 2017 Capital Bond Program, including allocations for various categories, in the approximate amount of $1,025,000,000 - Financing: This action has no cost consideration to the City

ITEMS FOR FURTHER CONSIDERATION

Housing & Neighborhood Revitalization

51. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Confia Homes, L.L.C. for the construction of houses; **(2)** the sale of two vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Confia Homes, L.L.C.; and **(3)** execution of a release of lien for any non-tax liens on the two properties that may have been filed by the City - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

52. A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a TH-2(A) Townhouse District on property zoned Planned Development District No. 624 and an R-7.5(A) Single Family District; **(2)** an ordinance granting an MF-2(A) Multifamily District on property zoned Planned Development District No. 624; **(3)** an ordinance granting a CR Community Retail District on property zoned Planned Development District No. 624 and an R-7.5(A) Single Family District; **(4)** an ordinance granting an MF-3(A) Multifamily District on property zoned Planned Development District No. 624, an R-7.5(A) Single Family District, and a CR Community Retail District; **(5)** an ordinance granting a CR Community Retail District on property zoned an NS(A) Neighborhood Service District; **(6)** an ordinance granting an MF-3(A) Multifamily District on property zoned an R-7.5(A) Single Family District; **(7)** an ordinance granting an MF-2(A) Multifamily District on property zoned an R-7.5(A) Single Family District and a TH-2(A) Townhouse District; **(8)** an ordinance granting an MU-2 Mixed Use District on property zoned an R-7.5(A) Single Family District; **(9)** an ordinance granting a UC-2 Urban Corridor District on property zoned an R-7.5(A) Single Family District, an MF-2(A) Multifamily District, and an LO-1 Limited Office District; **(10)** an ordinance granting a CR Community Retail District on property zoned an LO-1 Limited Office District; **(11)** an ordinance granting a CR Community Retail District on property zoned an R-7.5(A) Single Family District, a TH-2(A) Townhouse District, and an MF-2(A) Multifamily District; **(12)** an ordinance granting a CR Community Retail District on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District; **(13)** an ordinance granting an MU-2 Mixed Use District on property zoned an MF-2(A) Multifamily District and an LO-1 Limited Office District; **(14)** an ordinance granting an MU-2 Mixed Use District on property zoned an R-7.5(A) Single Family District; **(15)** an ordinance granting a CR Community Retail District on property zoned an NS(A) Neighborhood Service District; **(16)** an ordinance granting a revised conceptual plan for the remainder of Planned Development District No. 624; and **(17)** a resolution granting the termination of deed restrictions on property west of South Lancaster Road, north of Interstate I-20, and on both sides of East Wheatland Road
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan for the remainder of Planned Development District No. 624
Z156-344(OTH)

53. A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District on the southeast corner of Trinity Mills Road and Westgrove Drive
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z167-113(WE)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - CONSENT (continued)

54. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned Planned Development District No. 612 for residential and institutional uses, north of Grady Niblo Road, east of Spur 408
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation, and conditions
Z167-195(KK)

55. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development for TH-1(A) Townhouse District, single family, and private street or alley uses on property zoned an R-1ac(A) Single Family District, on the southeast line of Keller Springs Road, west of Preston Road
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z167-258(SM)

56. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1484 for a commercial amusement (inside) limited to a Class A dance hall on property within Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the west corner of South Riverfront Boulevard and Dearborn Street
Recommendation of Staff and CPC: Approval for a five-year period, subject to conditions
Z167-261(OTH)

57. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistrict 4 in Planned Development District No. 357, the Farmers Market Special Purpose District and the Harwood Historic District No. 48 on a portion, on the northeast corner of South Harwood Street and Jackson Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z167-262(SM)

58. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2004 for the sale of alcoholic beverages in conjunction with a liquor store on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest side of Peavy Road, northwest of Garland Road
Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Z167-264(PD)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - CONSENT (continued)

59. A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-1/2(A) Single Family District on the east side of South St. Augustine Road, south of Haymarket Road
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z167-265(OTH)

60. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2118 for vehicle display, sales and services on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District, on the southwest side of C.F. Hawn Freeway, east of Murdock Road
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z167-268(WE)

61. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2087 for a recycling buy-back center for the collection of household metals, industrial metals, and recyclable materials on property zoned an IM Industrial Manufacturing District, on the northwest side of Hickory Street, northeast of Malcolm X Boulevard
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions
Z167-272(OTH)

62. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2144 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A, Planned Development No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Main Street, west of North Crowdus Street
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions
Z167-274(PD)

63. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2050 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south line of Elm Street, west of North Crowdus Street
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z167-275(WE)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - CONSENT (continued)

64. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment use limited to a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Elm Street, west of North Crowdus Street
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z167-277(JM)

65. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subarea 2 and Subarea 3 in Planned Development District No. 787, on the south line of West Northwest Highway, west of Midway Road
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan and conditions
Z167-278(WE)

66. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 790 to increase the allowable square footage within Area C on the west corner of Royal Lane and Greenville Avenue
Recommendation of Staff and CPC: Approval, subject to a revised development plan and conditions
Z167-282(JM)

67. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the east side of Hall Street fronting on Elm Street and Main Street
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z167-283(PD)

68. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-10(A) Single Family District and public school other than an open-enrollment charter school uses on property zoned an R-10(A) Single Family District on property bounded by Park Lane, Dale Crest Drive, Kinkaid Drive and Harwich Drive
Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan, and conditions
Z167-285(PD)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - INDIVIDUAL

69. A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 366, with consideration given to appropriate zoning for the area including use, development standards, and other appropriate regulations in Planned Development District No. 366, generally along both sides of Buckner Boulevard from Heinen Drive and Hoyle Avenue on the north to the T. & N.O. Railroad on the south, and along Lake June Road between Carbona Drive on the west and Pleasant Drive on the east and an ordinance granting the amendments to Planned Development District No. 366
Recommendation of Staff and CPC: Approval
Z156-183(JEM)

70. A public hearing to receive comments regarding an application for **(1)** and an ordinance granting a CR Community Retail District; and **(2)** and an ordinance granting a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road, on property zoned an LO-1 D Light Office District with a D Liquor Control Overlay, on the northwest side of Garland Road, southwest of Buckner Boulevard
Recommendation of Staff: Approval of a CR Community Retail District; and denial of a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road
Recommendation of CPC: Approval of a CR Community Retail District; and approval of a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road
Z156-281(OTH)

71. A public hearing to receive comments regarding an application for and an ordinance granting an expansion of, and an amendment to, Planned Development District No. 838 for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District and Planned Development District No. 838, on the northwest corner of South Marsalis Avenue and Garza Avenue
Recommendation of Staff and CPC: Approval, subject to a revised development/landscape plan, revised traffic management plan, and conditions
Z167-236(WE)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - INDIVIDUAL (continued)

72. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1863 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north side of Scyene Road, west of North Jim Miller Road
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and staff's recommended conditions
Recommendation of CPC: Approval for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a revised site plan and conditions
Z167-247(OTH)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

73. A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District on property zoned an MF-1(A) Multifamily District on the southwest corner of East Lovers Lane and Matilda Street
Recommendation of Staff and CPC: Approval
Z167-121(SM)
Note: This item was considered by the City Council at a public hearing on June 14, 2017, and was held under advisement until August 9, 2017, with the public hearing open

74. An ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an RR Regional Retail District on the north line of West Kiest Boulevard, east of South Walton Walker Boulevard
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z167-171(WE)
Note: This item was considered by City Council at a public hearing on June 14, 2017, and was denied, with the public hearing closed. This item was reconsidered on June 28, 2017, to be heard on August 9, 2017, with the public hearing closed

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL (continued)

75. A public hearing to receive comments regarding an application for and **(1)** an ordinance repealing a portion of Specific Use Permit No. 98 for a quarry; **(2)** an ordinance granting a CR Community Retail District on the southeastern quadrant of the area of request; and **(3)** an ordinance granting a Planned Development District for CR Community Retail District uses on the remainder of the area of request on property zoned an NO(A) Neighborhood Office District and an IR Industrial Research District on the east side of North Westmoreland Drive, south of Interstate Highway 30
Recommendation of Staff and CPC: Approval to repeal a portion of Specific Use Permit No. 98, approval of a CR Community Retail District; and approval of a Planned Development District, subject to a development plan, landscape plan, and conditions
Z167-173(SM)
Note: This item was considered by the City Council at public hearings on May 24, 2017 and June 28, 2017, and was deferred until August 9, 2017, with the public hearing open

76. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District and an NS(A)-D Neighborhood Service District with a D Liquor Control Overlay on the southeast side of South Westmoreland Road, south of Irwindell Boulevard
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation, and conditions
Z167-184(KK)
Note: This item was considered by the City Council at a public hearing on June 14, 2017, and was deferred until August 9, 2017, with the public hearing open

77. A public hearing to receive comments regarding an application for a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned Subarea 1 within Planned Development District No. 298, the Bryan Area Special Purpose District, on the northeast corner of Ross Avenue and McCoy Street
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Denial without prejudice
Z167-210(JM)
Note: This item was considered by the City Council at a public hearing on June 14, 2017, and was held under advisement until August 9, 2017, with the public hearing open

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

MISCELLANEOUS HEARINGS

Housing & Neighborhood Revitalization

78. A public hearing to receive comments on the Substantial Amendment No. 2 to the FY 2016-17 Action Plan to **(1)** add a new HOME Investment Partnerships Program (HOME) Tenant Based Rental Assistance (TBRA) Program activity and the proposed use of HOME funds for the TBRA Program; **(2)** adopt the Substantial Amendment No. 2 to the FY 2016-17 Action Plan for HOME and to allocate $1,038,500 of HOME funds, resulting from unanticipated program income, to the new activity; and **(3)** approve the TBRA Program Statement to provide supplemental financial assistance to displaced tenants as a result of the High Impact Landlord Initiative - Financing: No cost consideration to the City

Park & Recreation

79. A public hearing to receive comments on the proposed use of a portion of Elm Fork Shooting Sports and the Luna Vista Golf Course in the Elm Fork Greenbelt, totaling approximately 155,182 square feet of land, by the Trinity River Authority of Texas for the sewer interceptor rehabilitation project; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Financing: No cost consideration to the City

MISCELLANEOUS HEARINGS - PUBLIC SUBSIDY MATTERS

Economic Development

80. A public hearing to receive comments concerning the creation of the North Lake Highlands Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code ("the Act"), for the specified area of the North Lake Highlands Public Improvement District area, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing authorize **(1)** approval of a resolution creating the North Lake Highlands Public Improvement District for a period of seven years; **(2)** approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with the Lake Highlands Improvement District Corporation (LHIDC), a non-profit corporation as the management entity for the North Lake Highlands Public Improvement District - Financing: No cost consideration to the City

Land Bank (DHADC) Sale of Lots to
Confia Homes, L.L.C.
Agenda Item # 51

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 1956 McBroom	44J	6	$ 9,309.57
2. 1915 Duluth	44N	6	$11,229.18

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 August 9, 2017

ITEM		IND							
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of the June 19, 2017 Special and Inauguration Meetings and June 28, 2017 City Council Meeting
2			All	C	PBD, DEV	$120,570.00	100.00%	0.00%	Authorize a one-year professional engineering services contract for construction code engineering analysis services - AECOM Technical Services, Inc., most qualified respondent of two - Not to exceed $120,570 - Financing: Building Inspection Current Funds (subject to appropriations)
3			All	C	PBD, EBS, SAN, WTR	$811,966.30	100.00%	0.00%	Authorize a three-year service contract for on-site service and repair of hydraulic hoses for City vehicles and equipment - JBL Hose Service, LLC dba Pirtek Love Field, most advantageous proposer of two - Not to exceed $811,967 - Financing: Current Funds ($478,534), Water Utilities Current Funds ($186,113), and Sanitation Current Funds ($147,320) (subject to annual appropriations)
4			All	C	PBD, CCS	$768,000.00	0.00%	100.00%	Authorize a five-year service contract for food establishment inspections - A+ Food Industry Inspections, Inc., most advantageous proposer of two - Not to exceed $768,000 - Financing: Current Funds (subject to annual appropriations)
5			All	C	PBD, WTR	$370,000.00	100.00%	0.00%	Authorize a two-year master agreement for cast iron fittings - HD Supply Waterworks, LTD, lowest responsible bidder of three - Not to exceed $370,000 - Financing: Water Utilities Current Funds
6			All	C	PBD, STS	$655,000.00	100.00%	0.00%	Authorize a three-year master agreement for bulk Portland Cement Type 1 - LafargeHolcim US, lowest responsible bidder of two - Not to exceed $655,000 - Financing: Current Funds
7			N/A	C	ATT, POL	$110,000.00	NA	NA	Authorize settlement of the lawsuit styled Farmers Texas County Mutual Insurance Company et al. v. The City of Dallas, Cause No. CC-15-03917-B - Not to exceed $110,000 - Financing: Current Funds
8			14	C	EBS	$267,688.27	94.64%	25.01%	Authorize an increase to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the final reconciliation and closeout for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed $267,689, from $13,690,013 to $13,957,702 - Financing: Public/Private Partnership Funds
9			N/A	C	FIR	REV $375,188	NA	NA	Authorize a two-year Interlocal contract with El Centro College of the Dallas County Community College District for reimbursement of City of Dallas Fire-Rescue Department training costs for the period September 1, 2017 through August 31, 2019 - Revenue: $375,188
10			2	C	HOU	NC	NA	NA	Authorize an amendment to Resolution No. 16-1095, previously approved on June 22, 2016, for the conditional grant agreement with Jubilee Park & Community Center Corporation to extend the completion date from June 30, 2017 to December 31, 2018 for the acquisition, demolition, relocation, predevelopment and construction of the Jubilee Neighborhood Project - Financing: No cost consideration to the City
11			All	C	HOU	GT	NA	NA	Authorize Supplemental Agreement No. 2 to the grant agreement between the City of Dallas and Association of Persons Affected by Addiction to decrease the contract amount from $250,000 to $150,000 to provide services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders under the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017 - Not to exceed ($100,000), from $250,000 to $150,000 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds
12			All	C	HOU	GT	NA	NA	Authorize Supplemental Agreement No. 2 to the grant agreement with CitySquare to decrease the contract amount from $857,725 to $757,725 to provide coordination/assessment, supportive services, expanded housing services for temporary shelters through outreach and housing units, residential treatment and detox treatment to homeless individuals through the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017 - Not to exceed ($100,000), from $857,725 to $757,725 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds
13			All	C	HOU	GT	NA	NA	Authorize Supplemental Agreement No. 2 to the grant agreement between the City of Dallas and Shelter Street Ministries of Dallas dba Austin Street Center to increase funding in the amount of $200,000 to provide services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders under the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017 - Not to exceed $200,000, from $654,383 to $854,383 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds
14			6	C	STS	NC	NA	NA	Authorize an agreement with Union Pacific Railroad Company for the construction, maintenance, and use of a new grade-separated overpass structure within the Union Pacific Railroad right-of-way for Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard - Financing: No cost consideration to the City

AGENDA DATE August 9, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
15			14	C	STS	$617,988.97	91.42%	74.86%	Authorize a contract with Vescorp Construction, LLC dba Chavez Concrete Cutting, lowest responsible bidder of four, for the construction of street paving, streetscape and traffic signal improvements for the Greenville Avenue and Ross Avenue intersection, and street lighting for the first block of Bell Avenue west of Greenville Avenue - Not to exceed $617,989 - Financing: 2012 Bond Funds
16			2, 14	C	STS, WTR	NC	NA	NA	Authorize (1) the rejection of all bids for the reconstruction of street paving, storm drainage, landscaping, irrigation, traffic control and signals, water and wastewater main improvements for the Lamar Street Project to include the Omni Hotel and Convention Center Dallas Area Rapid Transit Station from Young Street to Ross Avenue, Phase I Project; and (2) the re-advertisement for new bids - Financing: No cost consideration to the City
17			11	C	STS, WTR	$700,000.00	NA	NA	Authorize (1) the First Amendment to the Project Specific Agreement with Dallas County for the Spring Valley Road from Coit Road to Goldmark Drive Project for the City's share of additional construction costs for water main improvements and to clarify the maintenance and funding responsibilities between agencies; and (2) payment to Dallas County for the City's share of additional construction costs for water main improvements - Not to exceed $700,000 - Financing: Water Utilities Capital Construction Funds
18			6	C	STS, WTR	$3,417,962.64	100.00%	28.28%	Authorize Supplemental Agreement No. 4 to the professional services contract for (1) assignment of the contract from URS Corporation to AECOM Technical Services, Inc.; and (2) additional engineering services to complete the design of three new street crossings under the Union Pacific Railroad tracks at Bataan, Herbert and Amonette Streets for the West Dallas Gateway Project, Phase II - Not to exceed $3,417,963, from $623,823 to $4,041,786 - Financing: 2012 Bond Funds ($925,692), General Obligation Commercial Paper Funds ($2,286,266), Water Utilities Capital Improvement Funds ($123,600) and Water Utilities Capital Construction Funds ($82,405)
19			N/A	C	OFS	NC	NA	NA	An ordinance denying rates as requested by Oncor Electric Delivery Company LLC in its application to change rates filed with the City on March 17, 2017 - Financing: No cost consideration to the City
20			N/A	C	OFS	NC	NA	NA	Authorize 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 - Financing: No cost consideration to the City
21			N/A	C	OFS	NC	NA	NA	Authorize a public hearing to be held on August 23, 2017 to receive comments on the FY 2017-18 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City
22			2	C	PKR	NC	NA	NA	Authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Magnolia Station, LLC for the development, operation, and maintenance of a plaza, pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 1607 Lyte Street - Financing: No cost consideration to the City
23			14	C	PKR	NC	NA	NA	Authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Travis Cole Apartments 2012, LP for the development, operation and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 4719 Cole Avenue - Financing: No cost consideration to the City
24			All	C	POL	GT	NA	NA	Authorize (1) an application for and acceptance of the State of Texas Internet Crimes Against Children Grant in the amount of $254,293 from the Office of the Governor, Criminal Justice Division to provide for one-year funding for the salaries and fringe benefits of two detectives and one police research specialist, to fund training, direct operating expenses and use of overtime to address the growing problem of technology-facilitated child abuse and exploitation for the period October 1, 2016 through September 30, 2017; (2) the receipt and deposit of grant funds in an amount not to exceed $254,293 in the State Internet Crimes Against Children Grant Fund; (3) the establishment of appropriations in an amount not to exceed $254,293 in the State Internet Crimes Against Children Grant Fund; and (4) execution of the grant agreement - Not to exceed $254,293 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

AGENDA DATE August 9, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
25			All	C	POL	GT	NA	NA	Authorize the (1) acceptance of a grant award from the W.W. Caruth Jr. Foundation at Communities Foundation of Texas in the amount of $250,000 for the development of a staffing efficiency study for the Dallas Police Department for the period September 1, 2017 through December 31, 2018; (2) required cash match contributions up to $250,000 as applicable, from Confiscated Monies-Federal Fund; (3) receipt and deposit of grant funds in an amount not to exceed $250,000 in the W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Fund; (4) establishment of appropriations in an amount not to exceed $250,000 in the W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Fund; and (5) execution of the grant agreement - Not to exceed $500,000 - Financing: W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Funds ($250,000) and Confiscated Monies Funds ($250,000)
26			All	C	POL	NC	NA	NA	Authorize Supplemental Agreement No. 1 to the Interlocal Agreement with the Richardson Independent School District (RISD) for the provision of police services by the City of Dallas (City) in the RISD's Lake Highlands High School and junior high schools within the limits of both the City and RISD - Financing: No cost consideration to the City
27			3, 6, 8, 13	C	SAN	$636,473.00	93.24%	23.65%	Authorize (1) Supplemental Agreement No. 5 to the professional engineering contract with Biggs & Mathews Environmental, Inc. to exercise the third of three, 12-month renewal options for environmental, hydrogeology and groundwater monitoring services and additional landfill engineering tasks for engineering, design, procurement consulting services, and construction management for landfill infrastructure improvements, including construction of waste cells 6B2 & Area 2; (2) to extend the third optional year contract term by an additional 12-months, from June 30, 2018 to June 30, 2019 to complete additional engineering and construction tasks; and (3) an increase in appropriations in the amount of $444,900 in the Sanitation Capital Improvement Funds - Not to exceed $636,473, from $1,148,969 to $1,785,442 - Financing: Sanitation Capital Improvement Funds ($444,900) and Sanitation Current Funds ($191,573) (subject to appropriations)
28			7	C	DEV, TWM	$24,431.62	NA	NA	Authorize moving expense and rental assistance payments for Betty Taylor as a result of an official written offer of just compensation to purchase real property at 5420 Barber Avenue for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed $24,432 - Financing: General Obligation Commercial Paper Funds
29			Outside	C	DEV, WTR	REV $5,360	NA	NA	A resolution authorizing the conveyance of a storm sewer easement containing approximately 2,281 square feet to the City of Garland for the construction, maintenance and use of drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Zion Road and President George Bush Turnpike - Revenue: $5,360
30			6	C	DEV, PKR	REV $7,366	NA	NA	A resolution authorizing the conveyance of a temporary construction easement for two tracts containing a total of approximately 155,182 square feet to the Trinity River Authority of Texas for the rehabilitation of the existing sewer interceptor across City-owned park land at Elm Fork Shooting Sports and Luna Vista Golf Course located near the intersection of Northwest Highway and Royal Lane - Revenue: $7,366
31			14	C	DEV	REV $1,000	NA	NA	An ordinance granting a private license to RBP Adolphus LLC for the use of approximately 1,074 square feet of aerial space to install, maintain and utilize a canopy with premise sign over a portion of Commerce Street right-of-way near its intersection with Field Street - Revenue: $1,000 annually, plus the $20 ordinance publication fee
32			2	C	DEV	REV $1,000	NA	NA	An ordinance granting a revocable license to Southwest Airlines Co. for the use of approximately 1,500 square feet of aerial space to occupy, maintain, and utilize a pedestrian bridge above and over a portion of Denton Drive right-of-way, located near its intersection with Wyman Street - Revenue: $1,000 annually, plus the $20 ordinance publication fee
33			6	C	DEV	REV $67,980	NA	NA	An ordinance abandoning a portion of Bedford Street to Singleton Trinity Groves, LP, the abutting owner, containing approximately 5,665 square feet of land located near the intersection of Singleton Boulevard and Borger Street; and authorizing the quitclaim - Revenue: $67,980, plus the $20 ordinance publication fee
34			2	C	DEV	REV $59,900	NA	NA	An ordinance abandoning a portion of Griffin Street to Jahan Sebastian Enterprises, LLC, the abutting owner, containing approximately 2,995 square feet of land, located near the intersection of Griffin and Peters Streets; and authorizing the quitclaim - Revenue: $59,900, plus the $20 ordinance publication fee

AGENDA DATE August 9, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
35			11	C	DEV	REV $115,834	NA	NA	An ordinance abandoning portions of two alleys to Congregation Shaare Tefilla and Dallas International School, the abutting owners, containing a total of approximately 5,620 square feet of land, located near the intersection of Whitley Lane and Churchill Way; authorizing the quitclaim; and providing for the dedication of approximately 5,437 square feet of land needed for a wastewater easement - Revenue: $115,834, plus the $20 ordinance publication fee
36			10	C	DEV	REV $5,400	NA	NA	An ordinance abandoning a floodway easement to Dagmawi Asseged Yemenu and Addisalem W. Kassa, the abutting owners, containing approximately 1,540 square feet of land located near the intersection of Goforth Circle and Goforth Road - Revenue: $5,400, plus the $20 ordinance publication fee
37			2	C	DEV	REV $5,400	NA	NA	An ordinance abandoning a water easement to JBGL Chateau, LLC, the abutting owner, containing approximately 300 square feet of land, located near the intersection of Haskell and Swiss Avenues - Revenue: $5,400, plus the $20 ordinance publication fee
38			2	C	DEV	REV $5,400	NA	NA	An ordinance amending Ordinance No. 23183, previously approved on June 11, 1997, which abandoned a portion of Taylor Street, located near its intersection with Marilla Street, to eliminate reverter provisions - Revenue: $5,400, plus the $20 ordinance publication fee
39			2, 7	C	TWM	$20,000.00	NA	NA	Authorize settlement in lieu of proceeding with condemnation of a total of six subsurface easements located under a total of approximately 87,360 square feet of land and one drainage easement containing approximately 4,818 square feet of land from Dallas Area Rapid Transit for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed $189,150 ($178,650, plus closing costs and title expenses not to exceed $10,500); an increase of $20,000 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds
40			2, 6	C	WTR	REV $100,687.05	NA	NA	Authorize (1) a Standard Utility Agreement with the State of Texas, acting through the Texas Department of Transportation, for water and wastewater main relocations and appurtenance adjustments in Interstate Highway 35E (Stemmons Freeway) from Interstate Highway 30 (R.L. Thornton Freeway) to Oak Lawn Avenue; and (2) the receipt and deposit of funds from the Texas Department of Transportation for reimbursement of project management and construction inspection costs for the project - Revenue: $100,688
41			7	C	WTR	$101,000.00	NA	NA	Authorize an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for construction of water main relocations and appurtenance adjustments in Parkdale Drive at White Rock Creek Tributary - Not to exceed $101,000 - Financing: Water Utilities Capital Construction Funds ($3,000) and Water Utilities Capital Improvement Funds ($98,000)
42			8	C	WTR	$15,154,000.00	43.50%	25.47%	Authorize a contract for the construction of major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant - Archer Western Construction, LLC, lowest responsible bidder of three - Not to exceed $15,154,000 - Financing: Water Utilities Capital Improvement Funds
43			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)
44			N/A	I	SEC	NC	NA	NA	A resolution authorizing the reinstatement of the Texas State Library and Archives Commission (TSL) required retention period for specific records series maintained by the City Secretary's Office - Financing: No cost consideration to the City
45			N/A	I	SEC, ATT	NC	NA	NA	An ordinance ordering a bond election to be held in the city of Dallas on November 7, 2017, for the purpose of authorizing general obligation bonds by the qualified voters of the city of Dallas - Financing: No cost consideration to the City

AGENDA DATE August 9, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
46			All	I	SEC	NC	NA	NA	An ordinance amending Chapter 8, "Boards and Commissions," of the Dallas City Code amending Sections 8-1, 8-1.1, 8-1.2, 8-1.4, 8-1.5, 8-2, 8-4, 8-6, 8-8, 8-9, 8-20.1, and 8-21; (1) clarifying and adding definitions; (2) providing that each board approve and provide its annual report to the city manager; (3) clarifying and adding items to be included in a board's annual report; (4) providing clarification on residency requirements; (5) providing term limits for elected trustees of the employees' retirement fund; (6) requiring department directors to inform the city secretary's office of the board's regular meeting schedule; (7) providing that a board may call a special meeting if a quorum does not exist 30 minutes after the meeting was called; (8) providing that absence from a special meeting does not affect a board member's attendance in regards to the attendance policy; (9) providing that the minutes of meetings to be submitted to the city secretary must be signed by the presiding officer; (10) providing that the mayor shall appoint the chair for each board subject to confirmation by a majority of the city council; (11) providing that the term of appointment of chair or vice-chair will run concurrently with the term of appointment to the board; (12) providing that the chair or vice-chair may be removed from the position of chair or vice-chair for any cause with a public hearing before city council on charges publicly made; (13) providing for an exception to the special attendance requirements; (14) providing that a member will be counted absent from a meeting if that member is absent for more than 50 percent of that meeting; (15) making certain other structural, grammatical, and clarifying changes; (16) providing a saving clause; (17) providing a severability clause; and (18) providing an effective date - Financing: No cost consideration to the City
47			All	I	PBD	NC	NA	NA	Execute the casting of lots to identify the recommended vendor resulting from tie bids on groups 1, 2, 4, 5, 6, 10, 11, 15, 17, 18, and 19 for bid BK1713 for a three-year service contract for heating, ventilation, and air conditioning system parts, supplies, and repair services - The Brandt Companies, LLC and Trane U.S., Inc. - Financing: No cost consideration to the City
48			All	I	MCC	NC	NA	NA	Authorize a resolution honoring the achievements of Marvin E. Crenshaw, Roy H. Williams, Michael Daniel and Betsy Julian for their roles in the creation of the 14-1 system for electing members of the Dallas City Council; and directing the City Manager to erect a plaque on the first floor of Dallas City Hall acknowledging the accomplishments of these individuals to the City of Dallas - Financing: No cost consideration to the City (via Council Members Griggs, Medrano, Felder, Atkins, Greyson)
49			All	I	MCC	NC	NA	NA	Authorize a resolution rejecting the Trinity Parkway Alternative 3C as the City's locally preferred alternative for the Trinity Parkway - Financing: No cost consideration to the City (via Council Members Griggs, Medrano, Felder, Greyson, Kingston)
50			All	I	STS	NC	NA	NA	A resolution amending Resolution No. 17-1123, previously approved on June 28, 2017, supporting a November 2017 Capital Bond Program, including allocations for various categories, in the approximate amount of $1,025,000,000 - Financing: This action has no cost consideration to the City
51			6	I	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Confia Homes, L.L.C. for the construction of houses; (2) the sale of two vacant lots from Dallas Housing Acquisition and Development Corporation to Confia Homes, L.L.C.; and (3) execution of a release of lien for any non-tax liens on the two properties that may have been filed by the City - Financing: No cost consideration to the City

AGENDA DATE August 9, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
52			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and (1) an ordinance granting a TH-2(A) Townhouse District on property zoned Planned Development District No. 624 and an R-7.5(A) Single Family District; (2) an ordinance granting an MF-2(A) Multifamily District on property zoned Planned Development District No. 624; (3) an ordinance granting a CR Community Retail District on property zoned Planned Development District No. 624 and an R-7.5(A) Single Family District; (4) an ordinance granting an MF-3(A) Multifamily District on property zoned Planned Development District No. 624, an R-7.5(A) Single Family District, and a CR Community Retail District; (5) an ordinance granting a CR Community Retail District on property zoned an NS(A) Neighborhood Service District; (6) an ordinance granting an MF-3(A) Multifamily District on property zoned an R-7.5(A) Single Family District; (7) an ordinance granting an MF-2(A) Multifamily District on property zoned an R-7.5(A) Single Family District and a TH-2(A) Townhouse District; (8) an ordinance granting an MU-2 Mixed Use District on property zoned an R-7.5(A) Single Family District; (9) an ordinance granting a UC-2 Urban Corridor District on property zoned an R-7.5(A) Single Family District, an MF-2(A) Multifamily District, and an LO-1 Limited Office District; (10) an ordinance granting a CR Community Retail District on property zoned an LO-1 Limited Office District; (11) an ordinance granting a CR Community Retail District on property zoned an R-7.5(A) Single Family District, a TH-2(A) Townhouse District, and an MF-2(A) Multifamily District; (12) an ordinance granting a CR Community Retail District on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District; (13) an ordinance granting an MU-2 Mixed Use District on property zoned an MF-2(A) Multifamily District and an LO-1 Limited Office District; (14) an ordinance granting an MU-2 Mixed Use District on property zoned an R-7.5(A) Single Family District; (15) an ordinance granting a CR Community Retail District on property zoned an NS(A) Neighborhood Service District; (16) an ordinance granting a revised conceptual plan for the remainder of Planned Development District No. 624; and (17) a resolution granting the termination of deed restrictions on property west of South Lancaster Road, north of Interstate I-20, and on both sides of East Wheatland Road
53			12	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District on the southeast corner of Trinity Mills Road and Westgrove Drive
54			3	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 tower/antenna for cellular communication on property zoned Planned Development District No. 612 for residential and institutional uses, north of Grady Niblo Road, east of Spur 408
55			11	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development for TH-1(A) Townhouse District, single family, and private street or alley uses on property zoned an R-1ac(A) Single Family District, on the southeast line of Keller Springs Road, west of Preston Road
56			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. 1484 for a commercial amusement (inside) limited to a Class A dance hall on property within Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the west corner of South Riverfront Boulevard and Dearborn Street
57			14	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 Subdistrict 4 in Planned Development District No. 357, the Farmers Market Special Purpose District and the Harwood Historic District No. 48 on a portion, on the northeast corner of South Harwood Street and Jackson Street
58			9	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. 2004 for the sale of alcoholic beverages in conjunction with a liquor store on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest side of Peavy Road, northwest of Garland Road
59			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-1/2(A) Single Family District on the east side of South St. Augustine Road, south of Haymarket Road
60			8	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. 2118 for vehicle display, sales and services on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District, on the southwest side of C.F. Hawn Freeway, east of Murdock Road

AGENDA DATE August 9, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
61			7	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. 2087 for a recycling buy-back center for the collection of household metals, industrial metals, and recyclable materials on property zoned an IM Industrial Manufacturing District, on the northwest side of Hickory Street, northeast of Malcolm X Boulevard
62			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. 2144 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A, Planned Development No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Main Street, west of North Crowdus Street
63			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. 2050 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south line of Elm Street, west of North Crowdus Street
64			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment use limited to a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Elm Street, west of North Crowdus Street
65			13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subarea 2 and Subarea 3 in Planned Development District No. 787, on the south line of West Northwest Highway, west of Midway Road
66			10, 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. 790 to increase the allowable square footage within Area C on the west corner of Royal Lane and Greenville Avenue
67			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the east side of Hall Street fronting on Elm Street and Main Street
68			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-10(A) Single Family District and public school other than an open-enrollment charter school uses on property zoned an R-10(A) Single Family District on property bounded by Park Lane, Dale Crest Drive, Kinkaid Drive and Harwich Drive
69			5, 7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 366, with consideration given to appropriate zoning for the area including use, development standards, and other appropriate regulations in Planned Development District No. 366, generally along both sides of Buckner Boulevard from Heinen Drive and Hoyle Avenue on the north to the T. & N.O. Railroad on the south, and along Lake June Road between Carbona Drive on the west and Pleasant Drive on the east and an ordinance granting the amendments to Planned Development District No. 366
70			9	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for (1) and an ordinance granting a CR Community Retail District; and (2) and an ordinance granting a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road, on property zoned an LO-1 D Light Office District with a D Liquor Control Overlay, on the northwest side of Garland Road, southwest of Buckner Boulevard
71			4	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an expansion of, and an amendment to, Planned Development District No. 838 for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District and Planned Development District No. 838, on the northwest corner of South Marsalis Avenue and Garza Avenue
72			5	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. 1863 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north side of Scyene Road, west of North Jim Miller Road

AGENDA DATE August 9, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
73			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District on property zoned an MF-1(A) Multifamily District on the southwest corner of East Lovers Lane and Matilda Street
74			3	PH	DEV	NC	NA	NA	An ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an RR Regional Retail District on the north line of West Kiest Boulevard, east of South Walton Walker Boulevard
75			1	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and (1) an ordinance repealing a portion of Specific Use Permit No. 98 for a quarry; (2) an ordinance granting a CR Community Retail District on the southeastern quadrant of the area of request; and (3) an ordinance granting a Planned Development District for CR Community Retail District uses on the remainder of the area of request on property zoned an NO(A) Neighborhood Office District and an IR Industrial Research District on the east side of North Westmoreland Drive, south of Interstate Highway 30
76			1	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 tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District and an NS(A)-D Neighborhood Service District with a D Liquor Control Overlay on the southeast side of South Westmoreland Road, south of Irwindell Boulevard
77			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned Subarea 1 within Planned Development District No. 298, the Bryan Area Special Purpose District, on the northeast corner of Ross Avenue and McCoy Street
78			All	PH	HOU	NC	NA	NA	A public hearing to receive comments on the Substantial Amendment No. 2 to the FY 2016-17 Action Plan to (1) add a new HOME Investment Partnerships Program (HOME) Tenant Based Rental Assistance (TBRA) Program activity and the proposed use of HOME funds for the TBRA Program; (2) adopt the Substantial Amendment No. 2 to the FY 2016-17 Action Plan for HOME and to allocate $1,038,500 of HOME funds, resulting from unanticipated program income, to the new activity; and (3) approve the TBRA Program Statement to provide supplemental financial assistance to displaced tenants as a result of the High Impact Landlord Initiative - Financing: No cost consideration to the City
79			6	PH	PKR	NC	NA	NA	A public hearing to receive comments on the proposed use of a portion of Elm Fork Shooting Sports and the Luna Vista Golf Course in the Elm Fork Greenbelt, totaling approximately 155,182 square feet of land, by the Trinity River Authority of Texas for the sewer interceptor rehabilitation project; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Financing: No cost consideration to the City
80			10	PH	ECO	NC	NA	NA	A public hearing to receive comments concerning the creation of the North Lake Highlands Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code ("the Act"), for the specified area of the North Lake Highlands Public Improvement District area, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing authorize (1) approval of a resolution creating the North Lake Highlands Public Improvement District for a period of seven years; (2) approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) a management contract with the Lake Highlands Improvement District Corporation (LHIDC), a non-profit corporation as the management entity for the North Lake Highlands Public Improvement District - Financing: No cost consideration to the City

TOTAL $23,775,080.80

AGENDA ITEM # 2

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Sustainable Development and Construction

CMO: Elizabeth Reich, 670-7804
Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

Authorize a one-year professional engineering services contract for construction code engineering analysis services – AECOM Technical Services, Inc., most qualified respondent of two - Not to exceed $120,570 – Financing: Building Inspection Current Funds (subject to appropriations)

BACKGROUND

This one year professional engineering services contract will provide for construction code engineering analysis services for Sustainable Development and Construction Department (SDC). SDC requested a qualified, experienced, and licensed engineering firm to analyze the City's adopted construction code to ensure proper ingress and egress is not affected in a seismic event. Based on this analysis, the awarded firm will recommend amendments, if needed, to the structural integrity requirements of the existing code. The intent of the analysis is to determine if the existing codes are adequate or if revisions are recommended to account for increased seismic activity in the North Texas region. The United States Geologic Survey scientists have identified 17 areas within 8 states with increased rates of seismicity which included part of the City.

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

- Sustainable Development and Construction (3)
- Mobility & Street Services (1)
- Equipment & Building Services (1)

BACKGROUND (continued)

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

- Experience and qualifications 40 points
- Approach and methodology 40 points
- References 15 points
- Timeline 5 points

In compliance with state law concerning professional services evaluation, cost was neither considered in the evaluation nor reflected in the scoring.

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 1,204 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, BDPS' ResourceLINK Team (RLT) sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will be briefed by memorandum regarding this matter on July 31, 2017.

FISCAL INFORMATION

Building Inspection Current Funds - $120,570 (subject to appropriations)

M/WBE INFORMATION

286 - Vendors contacted
286 - No response
0 - Response (Bid)
0 - No 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.

ETHNIC COMPOSITION

AECOM Technical Services, Inc.

White Male	90	White Female	78
Black Male	11	Black Female	9
Hispanic Male	18	Hispanic Female	16
Other Male	34	Other Female	8

RESPONDENT INFORMATION

BDPS received the following responses from solicitation number BNZ1627. We opened them on August 19, 2016. We recommend the City Council award this professional engineering services contract in its entirety to the most qualified respondent.

*Denotes successful respondent

Respondents	Address	Score
*AECOM Technical Services, Inc.	1950 N. Stemmons Freeway #6000 Dallas, TX 75207	96.60%
Walter P. Moore & Associates, Inc.	1845 Woodall Rodgers Freeway #1650 Dallas, TX 75201	84.00%

OWNER

AECOM Technical Services, Inc.

Timothy H. Keener, President
Robert Grim, Vice President
Scott Hillman, Secretary
Anshooman Aga, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a one-year professional engineering services contract for construction code engineering analysis services – AECOM Technical Services, Inc., most qualified respondent of two - Not to exceed $120,570 – Financing: Building Inspection Current Funds (subject to appropriations)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$120,570.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$120,570.00	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%

August 9, 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 professional engineering services contract with AECOM Technical Services, Inc. (VC0000011194), approved as to form by the City Attorney, for construction code engineering analysis services for a term of one year, in an amount not to exceed $120,570. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to AECOM Technical Services, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by AECOM Technical Services, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $120,570 (subject to appropriations) to AECOM Technical Services, Inc. from Service Contract No. POM-2017-00002187.

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

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Equipment & Building Services
Sanitation Services
Water Utilities

CMO: Elizabeth Reich, 670-7804
Jody Puckett, 670-3390
Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for on-site service and repair of hydraulic hoses for City vehicles and equipment – JBL Hose Service, LLC dba Pirtek Love Field, most advantageous proposer of two – Not to exceed $811,967 - Financing: Current Funds ($478,534), Water Utilities Current Funds ($186,113), and Sanitation Current Funds ($147,320) (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 on-site hydraulic hose repair or replacement on approximately 6,000 City vehicles and equipment for Dallas Water Utilities, Equipment & Building Services, Park & Recreation, Dallas Fire-Rescue, Mobility & Street Services, Trinity Watershed Management, and Sanitation Services. This service is performed by the vendor at jobsites, plant facilities, or any City location where equipment has failed due to damaged hoses.

The benefits of this service are, but not limited to, the following:

- Prevents the departments from having to place vehicles out of service for an extended period of time
- Eliminates the need for towing equipment to a repair facility
- Provides clean-up for any spill that occurs from the damaged hose

BACKGROUND (continued)

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

- Dallas Water Utilities (2)
- Equipment and Building Services (1)
- Business Development & Procurement Services (BDPS) (2)

*BDPS 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 70%
- Functional 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 447 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, BDPS' ResourceLINK Team (RLT) 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 January 25, 2012, City Council authorized a three-year service contract for on-site service and repair of hydraulic hoses for city vehicles and equipment by Resolution No. 12-0266.

The Government Performance & Financial Management Committee will be briefed by memorandum regarding this matter on July 31, 2017.

FISCAL INFORMATION

Current Funds - $478,533.40 (subject to annual appropriations)
Water Utilities Current Funds - $186,113.00 (subject to annual appropriations)
Sanitation Current Funds - $147,319.90 (subject to annual appropriations)

M/WBE INFORMATION

51 - Vendors contacted
51 - 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.

ETHNIC COMPOSITION

JBL Hose Service, LLC dba Pirtek Love Field

White Male	7	White Female	1
Black Male	1	Black Female	2
Hispanic Male	8	Hispanic Female	0
Other Male	0	Other Female	0

PROPOSAL INFORMATION

BDPS received the following proposals from solicitation number BNZ1609. We opened them on October 28, 2016. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*JBL Hose Service, LLC dba Pirtek Love Field	3131 Irving Blvd., Ste. #600 Dallas, TX 75247	86.00%	$ 811,966.30
Edwin Paul, Inc. dba Pirtek Plano South	811 E. Plano Pkwy., Ste. #121 Plano, TX 75074	51.67%	$1,004,607.17

OWNER

JBL Hose Service, LLC dba Pirtek Love Field

James Lager, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for on-site service and repair of hydraulic hoses for City vehicles and equipment – JBL Hose Service, LLC dba Pirtek Love Field, most advantageous proposer of two – Not to exceed $811,967 - Financing: Current Funds ($478,534), Water Utilities Current Funds ($186,113), and Sanitation Current Funds ($147,320) (subject to annual appropriations)

JBL Hose Service, LLC dba Pirtek Love Field is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$811,966.30	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$811,966.30	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%

August 9, 2017

WHEREAS, on January 25, 2012, City Council authorized a three-year service contract for on-site service and repair of hydraulic hoses for city vehicles and equipment by Resolution No. 12-0266.

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 service contract with JBL Hose Service, LLC dba Pirtek Love Field (VS0000067430), approved as to form by the City Attorney, for on-site service and repair of hydraulic hoses for City vehicles and equipment for a term of three years, in an amount not to exceed $811,966.30. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to JBL Hose Service, LLC dba Pirtek Love Field shall be based only on the amount of the services directed to be performed by the City and properly performed by JBL Hose Service, LLC dba Pirtek Love Field under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $811,966.30 (subject to annual appropriations) to JBL Hose Service, LLC dba Pirtek Love Field from Service Contract No. POM-2017-00001854.

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

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Code Compliance

CMO: Elizabeth Reich, 670-7804
Raquel Favela, 670-3309

MAPSCO: N/A

SUBJECT

Authorize a five-year service contract for food establishment inspections – A+ Food Industry Inspections, Inc., most advantageous proposer of two – Not to exceed $768,000 - 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 contract will provide contracted food establishment inspections services for food facility locations throughout the City. This contract provides coverage for required inspections when the sanitarian position assigned to that district becomes vacant or a new hire is completing training. Over the last four years, contract services were needed for an average of 1,220 inspections per year and staff anticipates a similar level of service being needed in the future.

Code Compliance conducts approximately 13,500 food establishment inspections annually as required by the Texas Food Establishment Rules and the City of Dallas Code of Ordinances - Chapter 17.

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

- Code Compliance (2)
- Equipment & Building Services (1)
- Human Resources (2)
- Business Development & Procurement Services (BDPS) (2)*

*BDPS only evaluated cost and the Business Inclusion and Development Plan.

BACKGROUND (continued)

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

- Cost 55%
- Capability and expertise 30%
- 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 1,448 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, BDPS' ResourceLINK (RLT) 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 three-year service contract for food establishment inspections by Resolution No. 15-1857.

The Government Performance & Financial Management Committee will be briefed by memorandum regarding this matter on July 31, 2017.

FISCAL INFORMATION

Current Funds - $768,000 (subject to annual appropriations)

M/WBE INFORMATION

294 - Vendors contacted
292 - No response
2 - Response (Bid)
0 - Response (No Bid)
1 - 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.

ETHNIC COMPOSITION

A+ Food Industry Inspections, Inc.

White Male	2	White Female	1
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	3
Other Male	0	Other Female	0

PROPOSAL INFORMATION

BDPS received the following proposals from solicitation number BWZ1704. We opened them on April 28, 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
*A+ Food Industry Inspections, Inc.	8316 Pinnacle Drive Frisco, TX 75033	91.60%	$768,000
Bureau Veritas North America, Inc.	1000 Jupiter Road Suite 800 Plano, TX 75074	84.00%	$960,000

OWNER

A+ Food Industry Inspections, Inc.

Carmen Escobedo, President
Adrian Escobedo, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a five-year service contract for food establishment inspections – A+ Food Industry Inspections, Inc., most advantageous proposer of two – Not to exceed $768,000 - Financing: Current Funds (subject to annual appropriations)

A+ Food Industry Inspections, Inc. is a non-local, 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	$768,000.00	100.00%
TOTAL CONTRACT	$768,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
A+ Food Industry Inspections, Inc	HFDB95548Y0917	$768,000.00	100.00%
Total Minority - Non-local		$768,000.00	100.00%

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%	$768,000.00	100.00%
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%	$768,000.00	100.00%

WHEREAS, on October 14, 2015, the City Council authorized a three-year service contract for food establishment inspections by Resolution No. 15-1857.

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 service contract with A+ Food Industry Inspections, Inc. (VS0000081929), approved as to form by the City Attorney, for food establishment inspections for a term of five years, in an amount not to exceed $768,000. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to A+ Food Industry Inspections, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by A+ Food Industry Inspections, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $768,000 (subject to annual appropriations) to A+ Food Industry Inspections, Inc. from Service Contract No. CCS-2017-00002599.

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 # 5

KEY FOCUS AREA:	E-Gov
AGENDA DATE:	August 9, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Water Utilities
CMO:	Elizabeth Reich, 670-7804 Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize a two-year master agreement for cast iron fittings - HD Supply Waterworks, LTD, lowest responsible bidder of three - Not to exceed $370,000 - Financing: Water Utilities 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 cast iron fittings of various types and sizes. The fittings utilized in this agreement will allow Dallas Water Utilities (DWU) field crew personnel to repair, replace, and make required adjustments to water pipe lines within distribution systems. The cast iron fittings are connected to the system's potable water pipelines which service City residents and customer cities. DWU will be able to repair residential and commercial piping, water meters, bypass valves, and other apparatuses as needed at existing locations and new installations. DWU maintains 5,024 miles of water mains throughout the water distribution system.

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 227 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.

BACKGROUND (continued)

Additionally, in an effort to secure more bids, BDPS' ResourceLINK Team (RLT) sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 12, 2015, City Council authorized a three-year master agreement for cast iron fittings by Resolution No. 15-1343.

The Government Performance & Financial Management Committee will be briefed by memorandum regarding this matter on July 31, 2017.

FISCAL INFORMATION

Water Utilities Current Funds - $370,000

M/WBE INFORMATION

45 - Vendors contacted
45 - 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.

ETHNIC COMPOSITION

HD Supply Waterworks, LTD

White Male	16	White Female	3
Black Male	1	Black Female	0
Hispanic Male	3	Hispanic Female	1
Other Male	0	Other Female	0

BID INFORMATION

BDPS received the following bids from solicitation number BM1708. We opened them on March 24, 2017. We recommend the City Council award this master agreement to the lowest responsive and responsible bidder by line. Information related to this solicitation is available upon request.

BID INFORMATION (continued)

*Denotes successful bidder

Bidders	**Address**	**Amount**
*HD Supply Waterworks, LTD	4333 Irving Blvd. Irving, TX 75247	Multiple Lines
ACT Pipe & Supply, Inc.	1888 W. Northwest Hwy. Dallas, TX 75220	Multiple Lines
Fortiline, Inc.	11200 Seagoville Rd. Balch Springs, TX 75180	Multiple Lines

OWNER

HD Supply Waterworks, LTD

Steve LeClair, President
Chuck Zappola, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a two-year master agreement for cast iron fittings - HD Supply Waterworks, LTD, lowest responsible bidder of three - Not to exceed $370,000 - Financing: Water Utilities Current Funds

HD Supply Waterworks, LTD is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$370,000.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$370,000.00	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%

August 9, 2017

WHEREAS, on August 12, 2015, City Council authorized a three-year master agreement for cast iron fittings by Resolution No. 15-1343.

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 with HD Supply Waterworks, LTD (VS0000038746), approved as to form by the City Attorney, for the purchase of cast iron fittings for a term of two years, in an amount not to exceed $370,000.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for cast iron fittings. If a written contract is required or requested for any or all purchases of cast iron fittings 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 $370,000 to HD Supply Waterworks, LTD from Master Agreement Contract No. DWU-2017-00002211.

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 # 6

KEY FOCUS AREA:	E-Gov
AGENDA DATE:	August 9, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Mobility and Street Services
CMO:	Elizabeth Reich, 670-7804 Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize a three-year master agreement for bulk Portland Cement Type 1 - LafargeHolcim US, lowest responsible bidder of two - Not to exceed $655,000 - 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 allow for the purchase of bulk Portland Cement Type 1 to be utilized by Mobility and Street Services (MSS) for the repair of roadways throughout the City. Portland Cement Type 1 is a raw material needed to make concrete. The concrete will be used as needed to make small repairs to streets, alleyways, and curbs throughout the City. Purchasing this product through a master agreement is an efficient method of acquisition because it allows MSS to schedule periodic bulk deliveries to its four silos located at strategic locations within the City. The silos allow MSS expeditious access to the product to address immediate smaller scale repairs. This agreement also makes available onsite delivery which is vital when larger scale repairs are required. When preparing to use the cement, the product will be dispensed from the silos into City mobile mixers and mixed with water and other aggregates to produce concrete.

In this solicitation, Business Development & Procurement Services (BDPS) required bidders to submit a response using unit pricing. This bid resulted in a 23.9 percent increase over comparable prices from the previous bid in 2012.

BACKGROUND (continued)

As part of the solicitation process and in an effort to increase competition, BDPS used its procurement system to send out 745 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, BDPS' ResourceLINK Team (RLT) sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 11, 2012, City Council authorized a three-year master agreement for bulk Portland type 1 cement to be utilized by Street Services by Resolution No. 12-1025.

The Government Performance & Financial Management Committee will be briefed by memorandum regarding this matter on July 31, 2017.

FISCAL INFORMATION

Current Funds - $655,000

M/WBE INFORMATION

231 - Vendors contacted
231 - 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.

ETHNIC COMPOSITION

LafargeHolcim US

White Male	4,416	White Female	565
Black Male	564	Black Female	54
Hispanic Male	442	Hispanic Female	30
Other Male	127	Other Female	23

BID INFORMATION

BDPS received the following bids from solicitation number BY1704. We opened them on May 19, 2017. We recommend the City Council award this master agreement in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount
*LafargeHolcim US	15900 Dooley Rd., Ste. 200 Addison, TX 75001	$655,000
Martin Marietta Materials, Inc.	1503 LBJ Freeway, Ste. 400 Dallas, TX 75234	$700,000

OWNER

LafargeHolcim US

John Still, President
Ian Johnston, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for bulk Portland Cement Type 1 - LafargeHolcim US, lowest responsible bidder of two - Not to exceed $655,000 - Financing: Current Funds

LafargeHolcim US is a local, non-minority firm, has 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	$655,000.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$655,000.00	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%

August 9, 2017

WHEREAS, on April 11, 2012, City Council authorized a three-year master agreement for bulk Portland type 1 cement to be utilized by Street Services by Resolution No. 12-1025.

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 with LafargeHolcim US (VC16121), approved as to form by the City Attorney, for the purchase of bulk Portland Cement Type 1 for a term of three years, in an amount not to exceed $655,000.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for bulk Portland Cement Type 1. If a written contract is required or requested for any or all purchases of bulk Portland Cement Type 1 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 $655,000 to LafargeHolcim US from Master Agreement Contract No. STS-2017-00002636.

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 # 7

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Police

CMO: Larry Casto, 670-3491
Jon Fortune, 670-1204

MAPSCO: N/A

SUBJECT

Authorize settlement of the lawsuit styled Farmers Texas County Mutual Insurance Company et al. v. The City of Dallas, Cause No. CC-15-03917-B - Not to exceed $110,000 - Financing: Current Funds

BACKGROUND

Plaintiff Jose A. Ortega filed a lawsuit against the City of Dallas seeking compensation for bodily injuries and other damages sustained in an automobile collision on February 13, 2014, involving a Dallas Police Department vehicle. The City and Mr. Ortega have reached a proposed settlement subject to City Council approval. Plaintiff is represented by Rick L. Powell, P.C.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed in Executive Session on August 2, 2017.

FISCAL INFORMATION

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

Current Funds - $110,000

August 9, 2017

WHEREAS, a lawsuit styled Farmers Texas County Mutual Insurance Company et al. v. The City of Dallas, Cause No. CC-15-03917-B, was filed by the plaintiff, Jose A. Ortega, seeking compensation from the City of Dallas for bodily injuries and other damages sustained in an automobile collision on February 13, 2014, involving a Dallas Police Department vehicle; and

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay Jose A. Ortega, Rick L. Powell, P.C., Central States, Southeast and Southwest Areas Health and Welfare Fund, and all other persons having an interest in the settlement proceeds, the total amount of $110,000; 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 Farmers Texas County Mutual Insurance Company et al. v. The City of Dallas, Cause No. CC-15-03917-B, in an amount not to exceed $110,000 is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Jose A. Ortega and Rick L. Powell, P.C., the amount of $87,862.70, from Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor CTORM001.

SECTION 3. That the Chief Financial Officer is hereby authorized to pay Central States, Southeast and Southwest Areas Health and Welfare Fund, the amount of $22,137.30, 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 # 8

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Equipment & Building Services

CMO: Jody Puckett, 670-3390

MAPSCO: 45L

SUBJECT

Authorize an increase to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the final reconciliation and closeout for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed $267,689, from $13,690,013 to $13,957,702 - Financing: Public/Private Partnership Funds

BACKGROUND

The Municipal Building, the City of Dallas' fourth City Hall, was constructed in 1914. The 1998 Bond Program, Proposition 8 provided $14,000,000 for the design and renovation of the Municipal Building and Economic Development Public/Private Partnership Funds provided $2,000,000. In 2006, the City of Dallas partnered with the University of North Texas to establish a law school in downtown Dallas. The Municipal Building was selected as the location for the University of North Texas Law School due to its impressive Beaux Arts architectural style and proximity to the Dallas County Community College District's Universities Center at Dallas.

This action will authorize Change Order No. 5 to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the final reconciliation and closeout for the renovation of the Old Municipal Building at 106 South Harwood Street, in an amount not to exceed $267,688.27, increasing the contract amount from $13,690,013.16 to $13,957,701.43.

This change order will reconcile all construction issues with the contractor that involved scope and costs, and closeout the contract for the construction project. This final reconciliation is as follows:

BACKGROUND (continued)

Deductions in the amount of $118,148.04

- Deleting metal grates
- Deleting two metal gates
- Unused bird control allowance
- Concrete calculation
- Deleting second water tap

Additions in the amount of $385,836.31

- Raise planter gutter and interior drains
- Water-proof coating in the water vault
- Planter modifications
- Bollard modifications
- Dormer flashing modifications
- Additional concrete repairs
- Handrail modifications
- Changes to the potable water supply line required by Dallas Water Utilities (DWU)
- Changes to the sanitary sewer line required by DWU

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2008
Completed Design	June 2014
Began Construction	January 2015
Complete Construction	August 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2008, City Council authorized a professional services contract with Conley Group, Inc. for the exterior renovation of the Old Municipal Building located at 106 South Harwood Street by Resolution No. 08-1890.

On October 23, 2013, City Council authorized Supplemental Agreement No. 5 to the professional services contract with Conley Design Group, Inc. to provide the necessary asbestos abatement specifications, air monitoring, abatement project management and final report related to the interior demolition of the 106 South Harwood Street Building by Resolution No. 13-1845.

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

On January 14, 2015, City Council authorized a construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the exterior renovation of the Old Municipal Building located at 106 South Harwood Street by Resolution No. 15-0118.

On June 17, 2015, City Council authorized Change Order No. 1 to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for additional work including asbestos abatement, sandblasting exposed structural steel, construction of cast-in-place concrete walls to replace existing deteriorated brick walls at entries and construction of additional restrooms for the renovation of the Old Municipal Building located at 106 South Harwood Street by Resolution No. 15-1166.

On November 10, 2015, City Council authorized Change Order No. 2 to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for additional work including reconfiguring basement entrances, reconstruction of planter boxes, replace drain lines and existing sump pumps to discharge stormwater, install new electrical panel, abate asbestos containing waterproofing at the exterior planters and exit ramp from the basement, additional repairs and or restoration of window sills and increase the height of window sills in the tile roof and installation of metal flashing to prevent water infiltration for the renovation of the Old Municipal Building located at 106 South Harwood Street by Resolution No. 15-2086.

On April 27, 2016, City Council authorized Change Order No. 3 to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the additional worked required for the renovation of the Old Municipal Building located at 106 South Harwood Street by Resolution No. 16-0645.

On April 27, 2016, City Council authorized Supplemental Agreement No. 8 to the professional services contract with Conley Group, Inc. for additional design and construction oversight for exterior renovation of 106 South Harwood Street by Resolution No. 16-0647.

On December 14, 2016, City Council authorized Change Order No. 4 to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for additional work including the exterior renovation and the interior demolition required for the University of North Texas Law School to begin their interior construction scheduled for January 2017 for the Old Municipal Building located at 106 South Harwood Street by Resolution No. 16-1986.

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

Public/Private Partnership Fund - $267,688.27

Construction	
Original Construction Contract	$11,166,285.20
Change Order No. 1	$ 152,732.93
Change Order No. 2	$ 784,283.11
Change Order No. 3	$ 1,062,968.05
Change Order No. 4	$ 523,743.87
Change Order No. 5 (this action)	$ 267,688.27
Total Project Construction Cost	$13,957,701.43

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Phoenix 1 Restoration and Construction, Ltd.

Hispanic Female	0	Hispanic Male	37
African American Female	0	African American Male	0
Other Female	0	Other Male	0
White Female	5	White Male	24

OWNER

Phoenix 1 Restoration and Construction, Ltd.

Dale Sellers, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the final reconciliation and closeout for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed $267,689, from $13,690,013 to $13,957,702 - Financing: Public/Private Partnership Funds

Phoenix 1 Restoration and Construction, Ltd. is 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 - THIS ACTION ONLY

	Amount	Percent
Local contracts	$253,353.47	94.64%
Non-local contracts	$14,334.80	5.36%
	$267,688.27	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Axis Contracting	WFDB96976Y0717	$31,955.00	12.61%
Slaughter Services	WFWB30789N0618	$17,278.00	6.82%
Texas Roof Management	WFWB72589N0818	$17,160.00	6.77%
Total Minority - Local		$66,393.00	26.21%

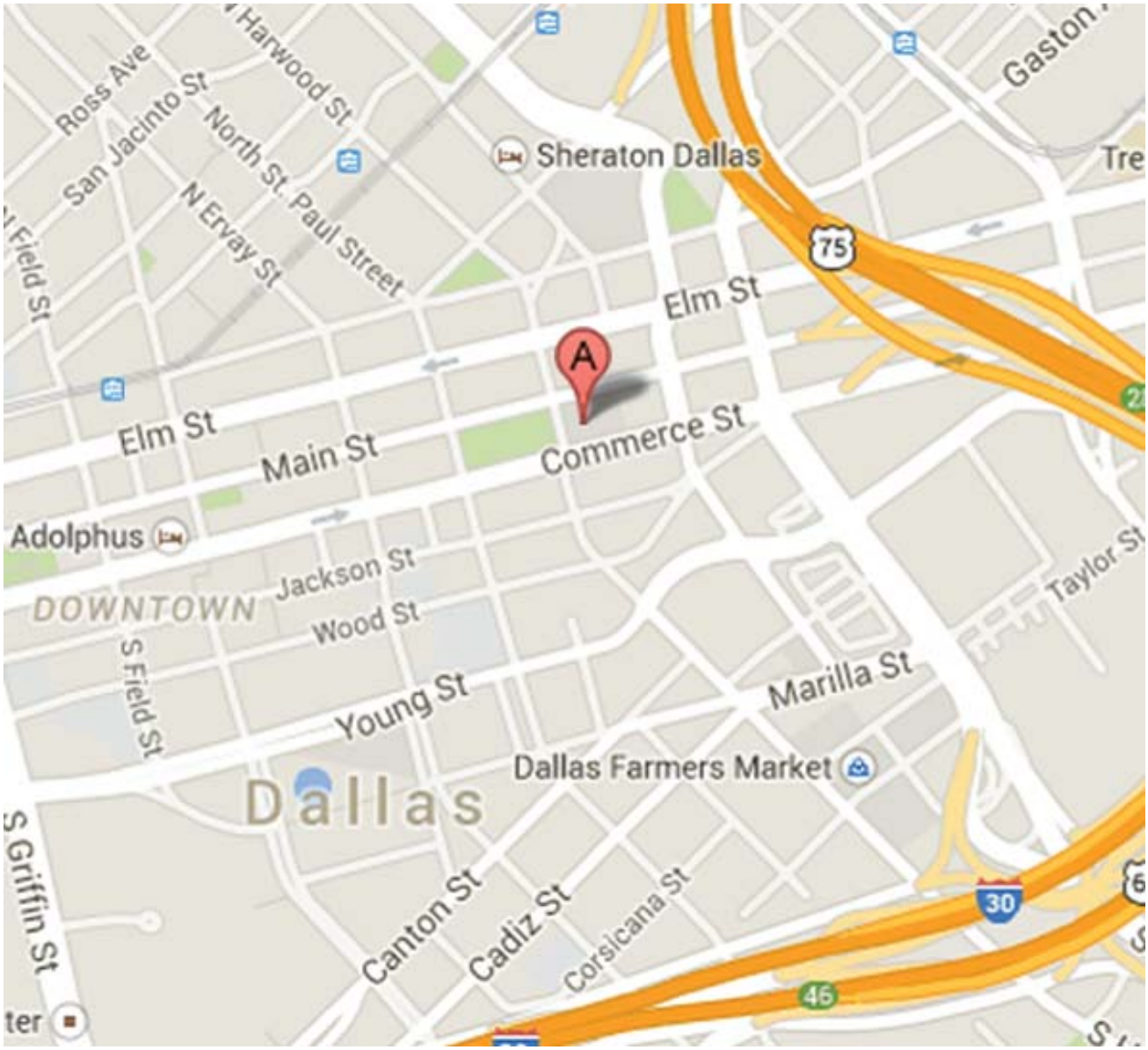
Non-Local Contractors / Sub-Contractors

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	$66,393.00	24.80%	$3,491,181.19	25.01%
Total	$66,393.00	24.80%	$3,491,181.19	25.01%

106 S Harwood St Building



Mapsco 45L

WHEREAS, on June 25, 2008, City Council authorized a professional services contract with Conley Group, Inc. for the exterior renovation of the Old Municipal Building located at 106 South Harwood Street, in an amount not to exceed $1,026,800.00, by Resolution No. 08-1890; and

WHEREAS, on November 5, 2008, Administrative Action No. 08-3463 authorized Supplemental Agreement No. 1 to the professional services contract with Conley Design Group, Inc. to develop plans and specifications as well as construction administration for the exterior cleaning, in an amount not to exceed $16,500.00, from $1,026,800.00 to $1,043,300.00; and

WHEREAS, on January 23, 2012, Administrative Action No. 12-0249 authorized Supplemental Agreement No. 2 to the professional services contract with Conley Design Group, Inc. for design services for the exterior renovation of the 106 South Harwood Building for additional services including the design of the waterproofing required for the exterior basement wall along Main Street, in an amount not to exceed $24,850.00, from $1,043,300.00 to $1,068,150.00; and

WHEREAS, on April 6, 2012, Administrative Action No. 12-0838 authorized Supplemental Agreement No. 3 to the professional services contract with Conley Design Group, Inc. for design services for the exterior renovation of the 106 South Harwood Building for additional services to design the replacement of the low-slope on the building, in an amount not to exceed $24,100.00, from $1,068,150.00 to $1,092,250.00; and

WHEREAS, on November 13, 2012, Administrative Action No. 12-2918 authorized Supplemental Agreement No. 4 to the professional services contract with Conley Design Group, Inc. for design services for the exterior renovation of the 106 South Harwood Building for additional services to investigate the extent of structural damages to the concrete basement ceiling located under Main Street and Commerce Street due to water infiltration, in an amount not to exceed $21,400.00, from $1,092,250.00 to $1,113,650.00; and

WHEREAS, on October 23, 2013, City Council authorized Supplemental Agreement No. 5 to the professional services contract with Conley Group, Inc. to provide the necessary asbestos abatement specifications, air monitoring, abatement project management and final report related to the interior demolition of the 106 South Harwood Street Building, in an amount not to exceed $82,170.00, from $1,113,650.00 to $1,195,820.00, by Resolution No. 13-1845; and

WHEREAS, on January 14, 2015, City Council authorized a construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the exterior renovation of the Old Municipal Building located at 106 South Harwood Street, in an amount not to exceed $11,166,285.20, by Resolution No. 15-0118; and

WHEREAS, on June 10, 2015, Administrative Action No. 15-6214 authorized Supplemental Agreement No. 6 to the professional services contract with the Conley Group, Inc. for the exterior renovation of the 106 South Harwood Street Building, in an amount not to exceed $17,000.00, from $1,195,820.00 to $1,212,820.00; and

WHEREAS, on June 17, 2015, City Council authorized Change Order No. 1 to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for additional work including asbestos abatement, sandblasting exposed structural steel, construction of cast-in-place concrete walls to replace existing deteriorated brick walls at entries and construction of additional restrooms for the renovation of the Old Municipal Building located at 106 South Harwood Street, in an amount not to exceed $152,732.93, from $11,166,285.20 to $11,319,018.13, by Resolution No. 15-1166; and

WHEREAS, on July 20, 2015, Administrative Action No. 15-1306 authorized Supplemental Agreement No. 7 to the professional services contract with the Conley Group, Inc. for the exterior renovation of the 106 South Harwood Street Building, in an amount not to exceed $25,950.00, from $1,212,820.00 to $1,238,770.00; and

WHEREAS, on November 10, 2015, City Council authorized Change Order No. 2 to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for additional work including reconfiguring basement entrances, reconstruction of planter boxes, replace drain lines and existing sump pumps to discharge stormwater, install new electrical panel, abate asbestos containing waterproofing at the exterior planters and exit ramp from the basement, additional repairs and or restoration of window sills and increase the height of window sills in the tile roof and installation of metal flashing to prevent water infiltration for the renovation of the Old Municipal Building located at 106 South Harwood Street, in an amount not to exceed $784,283.11, from $11,319,018.13 to $12,103,301.24, by Resolution No. 15-2086; and

WHEREAS, on April 27, 2016, City Council authorized Change Order No. 3 to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the additional worked required for the renovation of the Old Municipal Building located at 106 South Harwood Street, in an amount not to exceed $1,062,968.05, from $12,103,301.24 to $13,166,269.29, by Resolution No. 16-0645; and

WHEREAS, on April 27, 2016, City Council authorized Supplemental Agreement No. 8 to the professional services contract with Conley Group, Inc. for additional design and construction oversight for exterior renovation of 106 South Harwood Street, in an amount not to exceed $191,972.50, from $1,238,770.00 to $1,430,742.50, by Resolution No. 16-0647; and

WHEREAS, on December 14, 2016, City Council authorized Change Order No. 4 to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for additional work including the exterior renovation and the interior demolition required for University of North Texas Law School to begin their interior construction scheduled for January 2017 for the Old Municipal Building located at 106 South Harwood Street, in an amount not to exceed $523,743.87, from $13,166,269.29 to $13,690,013.16, by Resolution No. 16-1986; and

WHEREAS, it is now necessary to authorize Change Order No. 5 to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the final reconciliation and closeout for the renovation of the Old Municipal Building located at 106 South Harwood Street, in an amount not to exceed $267,688.27, increasing the contract amount from $13,690,013.16 to $13,957,701.43.

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 Phoenix 1 Restoration and Construction, Ltd. (Change Order No. 5) is authorized for the final reconciliation and closeout for the renovation of the Old Municipal Building located at 106 South Harwood Street, in an amount not to exceed $267,688.27, increasing the contract amount from $13,690,013.16 to $13,957,701.43.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract in an amount not to exceed $267.688.27 to Phoenix 1 Restoration and Construction, Ltd. from Public/Private Partnership Fund, Fund 0352, Unit P311, Department ECO, Activity PPPF, Object 4310, Program PB98N924, Encumbrance CT-PBW98N924D1, Vendor VC0000003594.

SECTION 3. That this contract is designated as Contract No. EBS-2017-00001802.

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 # 9

KEY FOCUS AREA: Public Safety

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Fire

CMO: Jon Fortune, 670-1204

MAPSCO: N/A

SUBJECT

Authorize a two-year Interlocal contract with El Centro College of the Dallas County Community College District for reimbursement of City of Dallas Fire-Rescue Department training costs for the period September 1, 2017 through August 31, 2019 - Revenue: $375,188

BACKGROUND

The City of Dallas owns and operates a fire academy approved by the Texas Higher Education Coordinating Board and the Commission on Fire Protection Personnel Standards and Education. El Centro College of the Dallas County Community College District has agreed to place all authorized Fire Department training in the Community Service Program and to reimburse the City of Dallas for instructional salaries, equipment aids, printing, instructor travel, and office supplies with regard to the provision of basic training for the Dallas Fire-Rescue (DFR) recruits and in-service training for DFR veteran personnel. The reimbursement is paid to the City based on certifiable instructional hours from the Texas Higher Education Coordinating Board.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 22, 2013, City Council authorized a two-year Interlocal contract with El Centro College of the Dallas County Community College District for reimbursement of City of Dallas Fire-Rescue Department training costs for the period September 1, 2013 through August 31, 2015, by Resolution No. 13-0816.

On August 12, 2015, City Council authorized a two-year Interlocal contract with El Centro College of the Dallas County Community College District for reimbursement of City of Dallas Fire-Rescue Department training costs for the period September 1, 2015 through August 31, 2017, by Resolution No. 15-1354.

The Public Safety and Criminal Justice Committee was briefed by memorandum regarding this matter on July 21, 2017.

FISCAL INFORMATION

Revenue - $375,188

WHEREAS, the City of Dallas owns and operates a fire academy approved by the Texas Higher Education Coordinating Board and the Commission on Fire Protection Personnel Standards and Education; and

WHEREAS, El Centro College of the Dallas County Community College District (hereinafter referred to as "the College") has agreed to place all authorized Fire Department training in the Community Service Program and to reimburse the City of Dallas for instructional salaries, equipment aids, printing, instructor travel, and office supplies with regard to the provision of basic training for City Fire-Rescue Department recruits and in-service training for City Fire Department personnel.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign an Interlocal contract with El Centro College of the Dallas County Community College District, approved as to form by the City Attorney. That the executed contract to provide, among other things:

a. A reimbursement be paid to the City based on certifiable instructional hours from the Texas Higher Education Coordinating Board, and that the College and City shall commence these services and duties as of September 1, 2017, and complete such services as of August 31, 2019.

b. That the City expends all dollars reimbursed to the City for this program directly on instructional salaries, equipment aids, printing, instructor travel, and office supplies in support of the program.

SECTION 2. That the Chief Financial Officer is hereby authorized to deposit funds from the Dallas County Community College District in an amount not to exceed $375,188 in the DCCD El Centro Fund, Fund 0S93, Department DFD, Unit 1373, Revenue Code 6526.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $375,188 in the DCCD El Centro Fund, Fund 0S93, Department DFD, Unit 1373, Object 3361.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $375,188 from the DCCD El Centro Fund, Fund 0S93, Department DFD, Unit 1373, Object 3361 to various undetermined vendors.

SECTION 5. That this contract is designated as Contract No. DFD-2017-00002818.

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 # 10

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Raquel Favela, 670-3309

MAPSCO: 46K L

SUBJECT

Authorize an amendment to Resolution No. 16-1095, previously approved on June 22, 2016, for the conditional grant agreement with Jubilee Park & Community Center Corporation to extend the completion date from June 30, 2017 to December 31, 2018 for the acquisition, demolition, relocation, predevelopment and construction of the Jubilee Neighborhood Project - Financing: No cost consideration to the City

BACKGROUND

In July 2015, Jubilee Park & Community Center Corporation (JPCCC) completed construction and sales for 9 of the 18 owner occupied units to be built under the contract. In the first quarter of 2016, they acquired several lots from Dallas Independent School District and a private property owner with a reputation for owning blighted properties. Today they own more than 9 lots to continue construction of the remaining units. The estimated leverage is $1,575,000.

In May 2016, JPCCC requested an increase of funds in the amount of $25,000 and an extension of the completion date from June 30, 2016 to June 30, 2017 to the conditional grant for the development of owner occupied housing to include acquisition, demolition, relocation, predevelopment and construction costs, not to exceed $75,000 in predevelopment reimbursement and $25,000 in construction subsidy per housing unit.

On May 4, 2017, JPCCC requested to extend the completion date from June 30, 2017 to December 31, 2018 for the conditional grant agreement due to the delays for building materials, extreme weather conditions with excessive amounts of rain in the summer of 2016 and delays associated with plat changes to obtain building permits.

BACKGROUND (continued)

This action will authorize an amendment to extend the completion date for the conditional grant agreement from June 30, 2017 to December 31, 2018 with JPCCC.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2013, City Council authorized a conditional grant agreement with JPCCC in the amount of $500,000 for the development to include acquisition, demolition, relocation, predevelopment and construction costs of the Jubilee Neighborhood Project by Resolution No. 13-1106.

On January 8, 2014, City Council authorized an amendment to the conditional grant agreement with JPCCC by Resolution No. 14-0107.

On June 17, 2015, City Council approved an amendment to the conditional grant agreement with JPCCC by Resolution No. 15-1150.

On June 22, 2016, City Council authorized an amendment to the conditional grant agreement with JPCCC by Resolution No. 16-1095.

Information about this item will be provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

No cost consideration to the City.

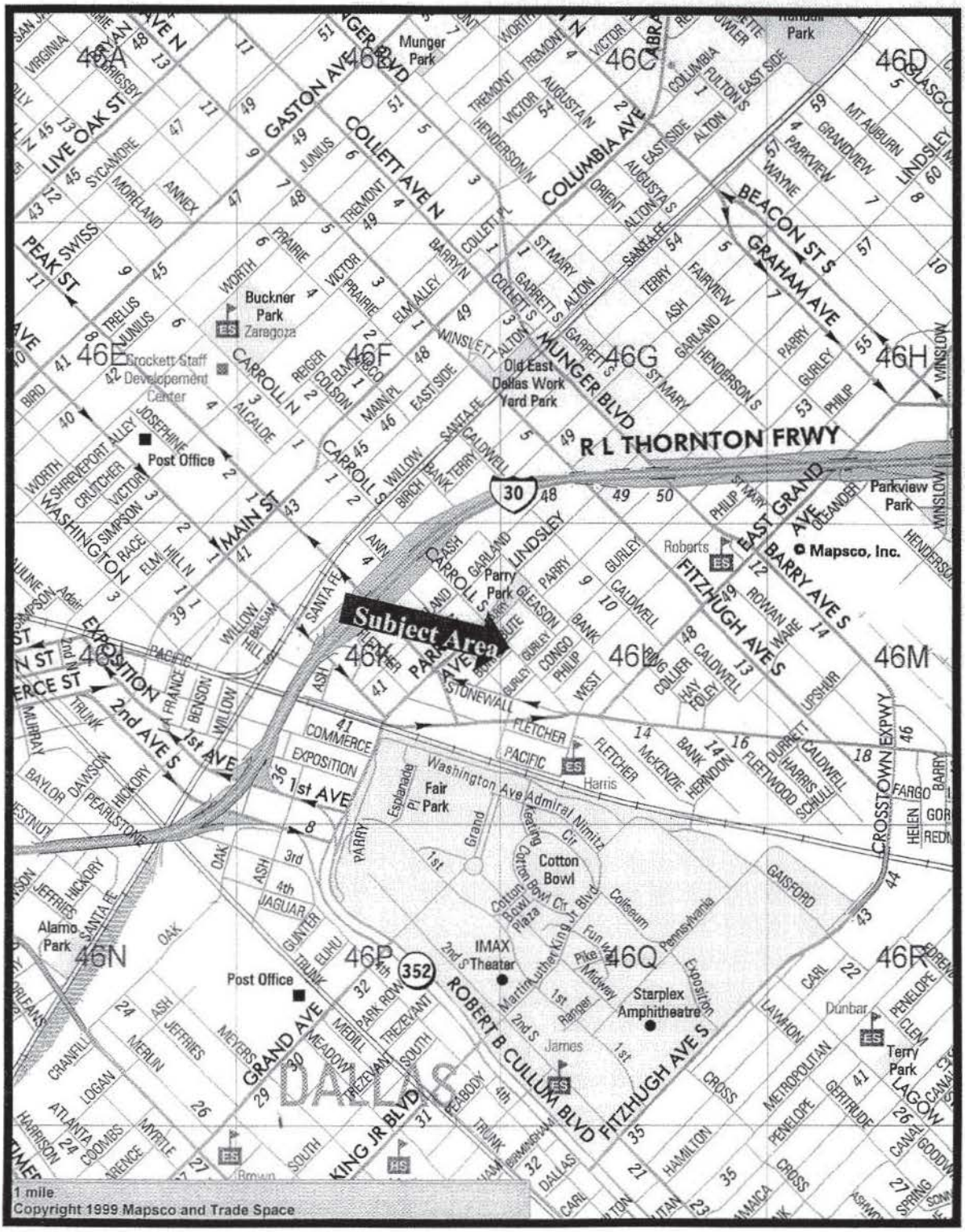
OWNER/DEVELOPER

Jubilee Park & Community Center Corporation

Jeff Rice, Chairperson of Board
Ben Leal, Chief Executive Officer

MAP

Attached



MAPSCO 46K & 46L

WHEREAS, the development of owner occupied housing units for households with varied income levels is a high priority of the City of Dallas to create more housing choices and economic growth; and

WHEREAS, Jubilee Park & Community Center Corporation (JPCCC) wishes to partner with the City of Dallas to provide forty single family homes in the Jubilee Neighborhood; and

WHEREAS, on June 26, 2013, City Council authorized a conditional grant agreement with JPCCC for the development to include acquisition, demolition, relocation, predevelopment and construction costs of the Jubilee Neighborhood Project, in an amount not to exceed $500,000, by Resolution No. 13-1106; and

WHEREAS, on January 8, 2014, City Council authorized an amendment to the conditional grant agreement with JPCCC by Resolution No. 14-0107; and

WHEREAS, on June 17, 2015, City Council authorized an amendment to the conditional grant agreement with JPCCC by Resolution No. 15-1150; and

WHEREAS, on June 22, 2016, City Council authorized an amendment to the conditional grant agreement with JPCCC by Resolution No. 16-1095; and

WHEREAS, the City requests a modification to the conditional grant agreement as part of the City's ongoing efforts to promote housing as a part of greater economic development plans in 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 amend the conditional grant agreement with Jubilee Park & Community Center Corporation (JPCCC), approved as to form by the City Attorney, to extend the completion date from June 30, 2017 to December 31, 2018 for the acquisition, demolition, relocation, predevelopment and construction of 18 single family homes in the Jubilee Neighborhood Project.

SECTION 2. That the grant agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

a. JPCCC shall complete construction by December 31, 2018.
b. JPCCC will execute an amended performance Deed of Trust on the property.
c. The City will subordinate its lien position to the Lender for interim construction.
d. The debt will be forgiven and the lien released on a partial basis as each unit is built and the homebuyer is approved by the City.

SECTION 3. That the City Manager is hereby authorized to execute the amendment, execute releases of liens and terminate the deed restrictions on the property upon compliance with the conditional grant terms, approved as to form by the City Attorney.

SECTION 4. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the grant funds, until such time as all amendments and related documents are duly approved by all parties and executed.

SECTION 5. That with the exception of the changes herein, all other requirements of the prior Resolution Nos. 13-1106, 14-0107,15-1150, and 16-1095, will remain in full force and effect.

SECTION 6. That this contract is designated as Contract No. HOU-2017-00002912.

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 # 11

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Nadia Chandler Hardy, 670-1611

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 2 to the grant agreement between the City of Dallas and Association of Persons Affected by Addiction to decrease the contract amount from $250,000 to $150,000 to provide services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders under the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017 - Not to exceed ($100,000), from $250,000 to $150,000 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

BACKGROUND

Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness. The Texas Department of State Health Services (DSHS) awarded funds to five Texas municipalities in counties with populations of more than one million, including Bexar, Dallas, Harris, Tarrant, and Travis.

Acceptable uses of the grant money require one for one matching funds to include the establishment or expansion of a community collaborative of service providers focused on meeting the needs of the mentally ill homeless population, the establishment, operation and/or maintenance of minimum services (assistance accessing benefits, detoxification units, integrated medical services, housing services and education, job training and/or supported employment).

On July 7, 2016, the Housing/Community Services Department posted a Request For Competitive Sealed Proposals (RFCSP) for agencies that serve the homeless.

BACKGROUND (continued)

Association of Persons Affected by Addiction (APAA), which is located at 3116 Martin Luther King Boulevard, submitted an application for assistance in response to the July 7, 2016 RFCSP and was found to be responsive. APAA is a Texas non-profit corporation with whom the City is in partnership to assist in serving homeless persons in the city limits of Dallas.

APAA is a nationally renowned, award-winning, grass-roots peer driven and peer-led recovery community organization that assists people with substance use disorders and with co-occurring mental health disorders stay abstinent from drugs/alcohol, find and retain permanent housing, and live healthy fulfilling lives.

APAA is currently under contract with the City to provide peer-driven system support services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring disorders.

Members of the existing collaborative were invited to submit requests for additional funding as a result of other funding becoming available so as not to lose funding for the community. APAA is requesting to decrease their budget by $100,000 in order to make funds available to other members of the collaborative who could expend the funds by August 31, 2017.

Recommendations were made based on the original proposal score and the first quarter accomplishments.

The match requirements and eligible activities have not changed. All current contractual requirements will remain the same

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 28, 2016, City Council authorized a grant agreement by Resolution No. 16-1566.

On February 22, 2017, City Council authorized Supplemental Agreement No. 1 to the contract to revise the budget amount and increase the contract by Resolution No. 17-0381.

Information about this item will be provided to the Human and Social Needs Committee on August 7, 2017.

FISCAL INFORMATION

Texas Health and Human Services-Health and Human Services Commission Grant Funds (FY17) - ($100,000)

Grant Agreement	$100,000
Supplemental Agreement No. 1	$150,000
Supplemental Agreement No. 2 (this action)	($100,000)
Total	$150,000

ETHNIC COMPOSITION

Association of Persons Affected by Addiction

Black Female	1	Black Male	2
White Female	1	White Male	4
Hispanic Female	0	Hispanic Male	0
Other Female	0	Other Male	0

August 9, 2017

WHEREAS, Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness; and

WHEREAS, the five eligible municipalities and counties include: Bexar, Dallas, Harris, Tarrant, and Travis; and

WHEREAS, on September 28, 2016, City Council authorized a grant agreement with Association of Persons Affected by Addiction to provide peer-driven system support services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders through the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017, in an amount not to exceed $100,000, by Resolution No. 16-1566; and

WHEREAS, on February 22, 2017, City Council authorized Supplemental Agreement No. 1 to the contract with Association of Persons Affected by Addiction to revise the budget amount and increase the contract amount to provide services to the homeless individuals who suffer from mental illness, substance abuse disorder or psychological co-occurrences, in an amount not to exceed $150,000, from $100,000, to $250,000, by Resolution No. 17-0381; and

WHEREAS, after financial status review by APAA and City staff, it was determined that APAA could only spend $150,000 by August 31, 2017, thus funds were made available to other members of the collaborative who could expend the funds by August 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 Supplemental Agreement No. 2 to the grant agreement with Association of Persons Affected by Addiction, approved as to form by the City Attorney, to decrease the contract amount from $250,000 to $150,000 to provide services to the homeless through the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017, in an amount not to exceed ($100,000), from $250,000 to $150,000 and requiring Association of Persons Affected by Addiction to comply with all conditions of the grant.

SECTION 2. That the Chief Financial Officer is hereby authorized to reduce encumbrance in an amount not to exceed ($100,000) to Association of Persons Affected by Addiction from Texas Health and Human Services-Health and Human Services Commission Grant Fund, Fund S290, Department HOU, Unit 2068, Object 3070, Contract No./Encumbrance MASCHCCASSCOCPAA17, Vendor 517572.

SECTION 3. That this contract is designated as Contract No. HOU-2016-00001241.

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 # 12

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Nadia Chandler Hardy, 670-1611

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 2 to the grant agreement with CitySquare to decrease the contract amount from $857,725 to $757,725 to provide coordination/assessment, supportive services, expanded housing services for temporary shelters through outreach and housing units, residential treatment and detox treatment to homeless individuals through the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017 - Not to exceed ($100,000), from $857,725 to $757,725 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

BACKGROUND

Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness. The Texas Department of State Health Services (DSHS) awarded funds to five Texas municipalities in counties with populations of more than one million, including Bexar, Dallas, Harris, Tarrant, and Travis.

Acceptable uses of the grant money require one for one matching funds to include the establishment or expansion of a community collaborative of service providers focused on meeting the needs of the mentally ill homeless population, the establishment, operation and/or maintenance of minimum services (assistance accessing benefits, detoxification units, integrated medical services, housing services and education, job training and/or supported employment).

BACKGROUND (continued)

On July 7, 2016, the Housing/Community Services Department posted a Request For Competitive Sealed Proposals (RFCSP) for agencies that serve the homeless. CitySquare, which is located at 511 North Akard Street, Suite #302, submitted an application for assistance in response to the RFCSP and was determined to be responsive. CitySquare is a Texas non-profit corporation with whom the City is in partnership to assist in serving homeless persons in the city limits of Dallas.

Founded in 1988, CitySquare provides 450 supportive housing units to assist homeless persons to transitions from homelessness. These funds will assist them in serving homeless clients with supportive services, expanded housing services for temporary shelters through outreach and housing units, residential treatment and detox treatment for 12 months.

Members of the existing collaborative were invited to submit requests for additional funding as a result of other funding becoming available so as not to lose funding for the community. CitySquare is requesting to decrease its funding by $100,000 in order to make funds available for other members of the collaborative who could expend the funds by August 31, 2017.

Recommendations were made based on the original proposal score and the third quarter accomplishments.

The match requirements and eligible activities have not changed. All current contractual requirements will remain the same.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 10, 2016, City Council authorized a grant agreement for the period of January 1, 2016 through August 31, 2016, by Resolution No. 16-0280.

On September 28, 2016, City Council authorized a grant agreement for the period of August 1, 2016 through August 31, 2017, by Resolution No. 16-1568.

On February 22, 2017, City Council authorized Supplemental Agreement No. 1 to the contract by Resolution No. 17-0383.

Information about this item will be provided to the Human and Social Needs Committee on August 7, 2017.

FISCAL INFORMATION

Texas Health and Human Services-Health and Human Services Commission Grant Funds (FY17) - (-$100,000)

Grant Agreement	$1,508,192
Supplemental Agreement No. 1	($ 650,467)
Supplemental Agreement No. 2 (this action)	($ 100,000)
Total	$ 757,725

ETHNIC COMPOSITION

CitySquare

Board of Directors

Black Female	1	Black Male	3
White Female	3	White Male	16
Hispanic Female	0	Hispanic Male	0
Other Female	0	Other Male	1

WHEREAS, Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to the quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness; and

WHEREAS, the five eligible municipalities and counties include: Bexar, Dallas, Harris, Tarrant, and Travis; and

WHEREAS, on February 10, 2016, City Council authorized a grant agreement with CitySquare to provide services to homeless individuals through the Texas Department of State Health Services for the period of January 1, 2016 through August 31, 2016, in an amount not to exceed $770,362, by Resolution No. 16-0280; and

WHEREAS, on September 28, 2016, City Council authorized a grant agreement with CitySquare to provide coordination/assessment, supportive services, expanded housing services for temporary shelters through outreach and housing units, residential treatment and detox treatment to homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative Program for the period of August 1, 2016 through August 31, 2017 in an amount not to exceed $1,508,192; and require CitySquare to comply with all conditions of the Texas Health and Human Services Commission by Resolution No. 16-1568; and

WHEREAS, on February 22, 2017, City Council authorized Supplemental Agreement No. 1 to the contract with CitySquare to revise the budget amount and decrease the contract amount to provide services to the homeless individuals who suffer from mental illness, substance abuse disorder or psychological co-occurrences, in an amount not to exceed ($650,467), from $1,508,192 to $857,725, by Resolution No. 17-0383; and

WHEREAS, after financial status review by CitySquare and City staff, it was determined that CitySquare could only spend $757,725 by August 31, 2017, thus funds were made available to other members of the collaborative who could expend the funds by August 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 Supplemental Agreement No. 2 to the grant agreement with CitySquare, approved as to form by the City Attorney, to decrease the contract amount from $857,725 to $757,725 to provide services to the homeless through the Texas Health and Human Services Commission Healthy Community Collaborative for the period August 1, 2016 through August 31, 2017, in an amount not to exceed ($100,000), from $857,725 to $757,725 and require CitySquare to comply with all conditions of the grant.

SECTION 2. That the Chief Financial Officer is hereby authorized to reduce encumbrance to CitySquare in an amount not to exceed ($100,000), from Fund S290, Department HOU, Unit 2067, Object Code 3070, Contract No./Encumbrance MASCHCCILTYSQ17.

SECTION 3. That this contract is designated as Contract No. HOU-2016-00001239.

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 # 13

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Nadia Chandler Hardy, 670-1611

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 2 to the grant agreement between the City of Dallas and Shelter Street Ministries of Dallas dba Austin Street Center to increase funding in the amount of $200,000 to provide services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders under the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017 - Not to exceed $200,000, from $654,383 to $854,383 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

BACKGROUND

Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness. The Texas Department of State Health Services (DSHS) awarded funds to five Texas municipalities in counties with populations of more than one million, including Bexar, Dallas, Harris, Tarrant, and Travis.

Acceptable uses of the grant money require one for one matching funds to include the establishment or expansion of a community collaborative of service providers focused on meeting the needs of the mentally ill homeless population, the establishment, operation and/or maintenance of minimum services (assistance accessing benefits, detoxification units, integrated medical services, housing services and education, job training and/or supported employment).

BACKGROUND (continued)

On July 7, 2016, the Housing/Community Services Department posted a Request For Competitive Sealed Proposals (RFCSP) for agencies that serve the homeless. Shelter Ministries of Dallas dba Austin Street Center, which is located at 2929 Hickory Street, submitted an application for assistance in response to the RFCSP posted on July 7, 2016 and was found to be responsive. Shelter Ministries of Dallas dba Austin Street Center is a Texas non-profit corporation with whom the City is in partnership to assist in serving homeless persons in the city limits of Dallas.

Opened in 1983, Shelter Ministries dba Austin Street Center provides overnight shelter, food, clothes, showers, job training and case management for its internal programs and with co-located agencies to assist homeless persons to transition from homelessness. They serve more than 300 persons experiencing homelessness per year. Shelter Ministries of Dallas dba Austin Street Center is currently under contract with the City to provide expanded services with an intense, longer term transitional shelter program for homeless men and women with the addition of a Women's Day Resource Program, Housing Readiness Program and After Care Services.

Members of the existing collaborative were invited to submit requests for additional funding as a result of other funding becoming available. Shelter Ministries of Dallas dba Austin Street Center submitted a proposal for an additional funding of $200,000 provide services to the homeless under the Healthy Community Collaborative Grant to be expended by August 31, 2017.

Recommendations were made based on the original proposal score and the third quarter accomplishments.

The match requirements and eligible activities have not changed. All current contractual requirements will remain the same.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 28, 2016, City Council authorized a grant agreement for the period August 1, 2016 through August 31, 2017, by Resolution No. 16-1569.

On February 22, 2017, City Council authorized Supplemental Agreement No. 1 to the contract to revise the budget amount and increase the contract by Resolution No. 17-0384.

Information about this item will be provided to the Human and Social Needs Committee on August 7, 2017.

FISCAL INFORMATION

Texas Health and Human Services-Health and Human Services Commission Grant Funds (FY17) - $200,000

Grant Agreement	$500,000
Supplemental Agreement No. 1	$154,383
Supplemental Agreement No. 2 (this action)	$200,000
Total	$854,383

ETHNIC COMPOSITION

Shelter Ministries of Dallas dba Austin Street Center

Board of Directors

Black Female	0	Black Male	0
White Female	7	White Male	4
Hispanic Female	0	Hispanic Male	1
Other Female	0	Other Male	0

WHEREAS, Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness; and

WHEREAS, the five eligible municipalities and counties include: Bexar, Dallas, Harris, Tarrant, and Travis; and

WHEREAS, on September 28, 2016, City Council authorized a grant agreement to provide expanded services with an intense, longer term transitional shelter program to homeless men and women with the addition of a Women's Day Resource Program, Housing Readiness Program and After Care Services through the Texas Department of State Health Services Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017, in an amount not to exceed $500,000, by Resolution No. 16-1569; and

WHEREAS, on February 22, 2017, City Council authorized Supplemental Agreement No. 1 to the contract with Shelter Ministries of Dallas dba Austin Street Center to revise the budget amount and increase the contract amount to provide services to the homeless individuals who suffer from mental illness, substance abuse disorder or psychological co-occurrences, in an amount not to exceed $154,383, from $500,000 to $654,383, by Resolution No. 17-0384; and

WHEREAS, the City desires to contract with Shelter Ministries of Dallas dba Austin Street Center to serve mentally ill and substance abuse homeless individuals.

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 the grant agreement with Shelter Ministries of Dallas dba Austin Street Center, approved as to form by the City Attorney, to increase funding to provide services to the homeless through the Texas Health and Human Services Commission Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017, in an amount not to exceed $200,000, increasing the contract amount from $654,383 to $854,383 and require Shelter Ministries of Dallas dba Austin Street Center to comply with all conditions of the Texas Health and Human Services Commission grant.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse additional funds in an amount not to exceed $200,000 to Shelter Ministries of Dallas dba Austin Street Center from Fund S290, Department HOU, Unit 2066, Object 3070, Contract No./Encumbrance MASCHCCMDALLAS17, Vendor VC0000011655.

SECTION 3. That this contract is designated as Contract No. HOU-2016-00001238.

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 # 14

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Mobility and Street Services

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 42 R V

SUBJECT

Authorize an agreement with Union Pacific Railroad Company for the construction, maintenance, and use of a new grade-separated overpass structure within the Union Pacific Railroad right-of-way for Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard - Financing: No cost consideration to the City

BACKGROUND

Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard is a partnership project between the City of Dallas and Dallas County. The project includes a new grade-separated overpass over the Union Pacific Railroad (UPRR) tracks. This action will authorize an agreement with UPRR for the construction, maintenance and use of the new grade-separated overpass structure within the UPRR right-of-way for the Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard project.

The Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard project entails extending the existing Cockrell Hill roadway north across the Union Pacific Railroad tracks with a new bridge and widening 1,500 linear feet of Vinson Road north of the bridge. The bridge section will be four lanes divided and the roadway section will consist of five lanes with a two-way left turn lane. This bridge will provide motorists with a grade-separated railroad crossing which will allow an uninterrupted flow of traffic while also eliminating the safety threat posed by trains. This project will also provide a new traffic signal at the intersection of Cockrell Hill Road/Weisenberger Drive and Singleton Boulevard, sidewalks, drainage improvements, and water and wastewater upgrades.

Dallas County is the lead agency responsible for administering the design and construction. The design for this project is complete and Dallas County is working on the right-of-way acquisition and utility relocations. Construction is estimated to begin in the Spring of 2018. The current estimated project cost including design, right-of-way acquisition, and construction is $12,105,000.

BACKGROUND (continued)

The City of Dallas is responsible for $6,305,000 of which $505,000 is for Dallas Water Utilities' water and wastewater improvements. Dallas County is responsible for the remaining project costs of $5,800,000.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2010
Completed Design	January 2017
Complete Property Acquisition	August 2017
Begin Utility Relocation	August 2017
Begin Construction	March 2018
Complete Construction	April 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future transportation major capital improvement projects to be jointly funded and developed by Dallas County and the City of Dallas known as the Major Capital Improvement Program (MCIP) by Resolution No. 01-0104.

On August 27, 2003, City Council authorized the submission, acceptance, and implementation of the City of Dallas candidate projects for the Dallas County's MCIP Third Call for Projects by Resolution No. 03-2345.

On April 13, 2011, City Council authorized a new ten-year master agreement with Dallas County governing future transportation major capital improvement projects to be jointly funded and developed by Dallas County and the City of Dallas known as the MCIP by Resolution No. 11-0927.

The Transportation and Trinity River Project Committee was briefed on January 9, 2017.

On January 11, 2017, City Council authorized a Project Specific Agreement to the Master Agreement with Dallas County for participation in the design, right-of-way acquisition, and construction of paving and drainage improvements for Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard by Resolution No. 17-0079.

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

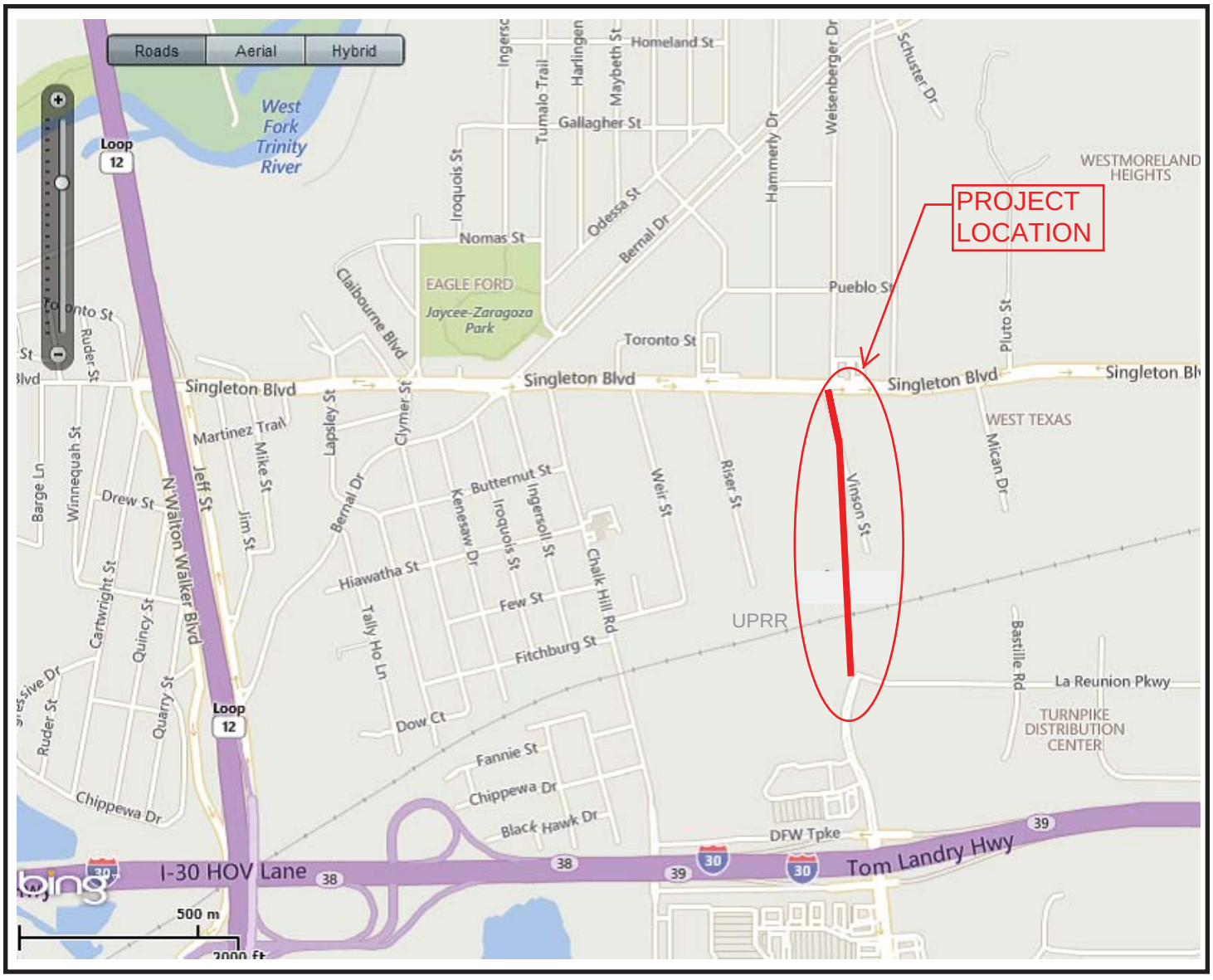
FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

COCKRELL HILL ROAD PROJECT
FROM LA REUNION PARKWAY TO SINGLETON BOULEVARD



MAPSCO 42R & 42V

August 9, 2017

WHEREAS, on January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future transportation major capital improvement projects to be jointly funded and developed by Dallas County and the City of Dallas known as the Major Capital Improvement Program (MCIP) by Resolution No. 01-0104; and

WHEREAS, on August 27, 2003, City Council authorized the submission, acceptance, and implementation of the City of Dallas candidate projects for the Dallas County's MCIP Third Call for Projects by Resolution No. 03-2345; and

WHEREAS, Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard project was selected for participation and funding by the Dallas County's MCIP Third Call for Projects in 2004; and

WHEREAS, on April 13, 2011, City Council authorized a new ten-year Master Agreement with Dallas County governing major transportation capital improvement projects to be jointly funded and development by Dallas County and the City of Dallas known as (MCIP) by Resolution No. 11-0927; and

WHEREAS, Dallas County is the lead agency for administering the design and construction of the Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard Project; and

WHEREAS, on January 11, 2017, City Council authorized a Project Specific Agreement to the master agreement with Dallas County for participation in the design, right-of-way acquisition, and construction of paving and drainage improvements for Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard Project, in an amount not to exceed $6,305,000, by Resolution No. 17-0079; and

WHEREAS, it is now necessary to authorize an agreement with Union Pacific Railroad Company (UPRR) for the construction, maintenance, and use of a new grade-separated overpass structure within the UPRR right-of-way for Cockrell Hill Road from La Reunion Parkway to Singleton.

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 agreement with Union Pacific Railroad Company, approved as to form by the City Attorney, for the construction, maintenance, and use of a new grade-separated overpass structure within the Union Pacific Railroad right-of-way for Cockrell Hill Road from La Reunion Parkway to Singleton Boulevard.

SECTION 2. That this contract is designated as Contract No. STS-2017-00002473.

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Mobility and Street Services

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 36X

SUBJECT

Authorize a contract with Vescorp Construction, LLC dba Chavez Concrete Cutting, lowest responsible bidder of four, for the construction of street paving, streetscape and traffic signal improvements for the Greenville Avenue and Ross Avenue intersection, and street lighting for the first block of Bell Avenue west of Greenville Avenue - Not to exceed $617,989 - Financing: 2012 Bond Funds

BACKGROUND

On November 12, 2014, City Council authorized a professional services contract with Urban Engineers Group, Inc. for the engineering design of streetscape improvements for Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue, in an amount not to exceed $402,849.60.

On December 14, 2015, Administrative Action No. 15-7448 authorized Supplemental Agreement No. 1 to the professional services contract with Urban Engineers Group, Inc. to provide additional streetscape improvements for Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue, in an amount not to exceed $49,369.60, from $402,849.60 to $452,219.20.

On May 11, 2016, City Council authorized Supplemental Agreement No. 2 to the professional services contract for additional engineering design for intersection improvements at Greenville Avenue and Ross Avenue, in an amount not to exceed $54,300.00, from $452,219.20 to $506,519.20.

This action will authorize a construction contract with Vescorp Construction, LLC dba Chavez Concrete Cutting, for the construction of street paving, streetscape and traffic signal improvements for the Greenville Avenue and Ross Avenue intersection, and street lighting for the first block of Bell Avenue west of Greenville Avenue, in an amount not to exceed $617,988.97.

BACKGROUND (continued)

The scope of the Greenville Avenue and Ross Avenue intersection entails street paving, streetscape, sidewalk, driveway approaches, pedestrian crosswalks, barrier-free ramps, and replacing the existing traffic signal light and installing street lights on all four corners of the intersection. In addition, sidewalk replacement and four street acorn light fixtures will be installed on the south side of Bell Avenue immediately west of Greenville Avenue.

Vescorp Construction, LLC dba Chavez Concrete Cutting has no completed contractual activities with the City of Dallas within the past three years.

ESTIMATED SCHEDULE OF PROJECT

Began Design	May 2016
Completed Design	May 2017
Begin Construction	October 2017
Complete Construction	February 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 12, 2014, City Council authorized a professional services contract with Urban Engineers Group, Inc. by Resolution No. 14-1917.

On May 11, 2016, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Urban Engineers Group, Inc. by Resolution No. 16-0740.

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

2012 Bond Funds - $617,988.97

Design	$ 402,849.60
Supplemental Agreement No. 1	$ 49,369.60
Supplemental Agreement No. 2	$ 54,300.00
Construction (this action)	
Paving & Drainage - STS	$ 617,988.97
Total	$1,124,508.17

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Vescorp Construction, LLC dba Chavez Concrete Cutting

Hispanic Female	5	Hispanic Male	48
African-American Female	0	African-American Male	0
Other Female	0	Other Male	0
White Female	0	White Male	0

BID INFORMATION

The following four bids with quotes were received and opened on June 9, 2017:

*Denotes successful bidder

Bidders	Bid Amount
*Vescorp Construction, LLC dba Chavez Concrete Cutting 4422 S Peachtree Road Balch Springs, Texas 75180	$617,988.97
Gibson Associates, Inc.	$688,844.85
MACVAL Associates, LLC	$697,274.40
Jeske Construction Company	$777,430.00

OWNER

Vescorp Construction, LLC dba Chavez Concrete Cutting

Hugo Chavez, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Vescorp Construction, LLC dba Chavez Concrete Cutting, lowest responsible bidder of four, for the construction of street paving, streetscape and traffic signal improvements for the Greenville Avenue and Ross Avenue intersection, and street lighting for the first block of Bell Avenue west of Greenville Avenue - Not to exceed $617,989 - Financing: 2012 Bond Funds

Vescorp Construction, LLC dba Chavez Concrete Cutting 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	$564,988.97	91.42%
Total non-local contracts	$53,000.00	8.58%
TOTAL CONTRACT	$617,988.97	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Vescorp Construction, LLC	HMDB37282Y0518	$300,921.47	53.26%
T&R Excavation, Inc.	HMDB98060Y0218	$63,852.50	11.30%
FG Remodeling and Painting	HMMB28676N0118	$33,400.00	5.91%
Flow Line Utilities, Inc.	HMMB31596N0419	$11,475.00	2.03%
Total Minority - Local		$409,648.97	72.51%

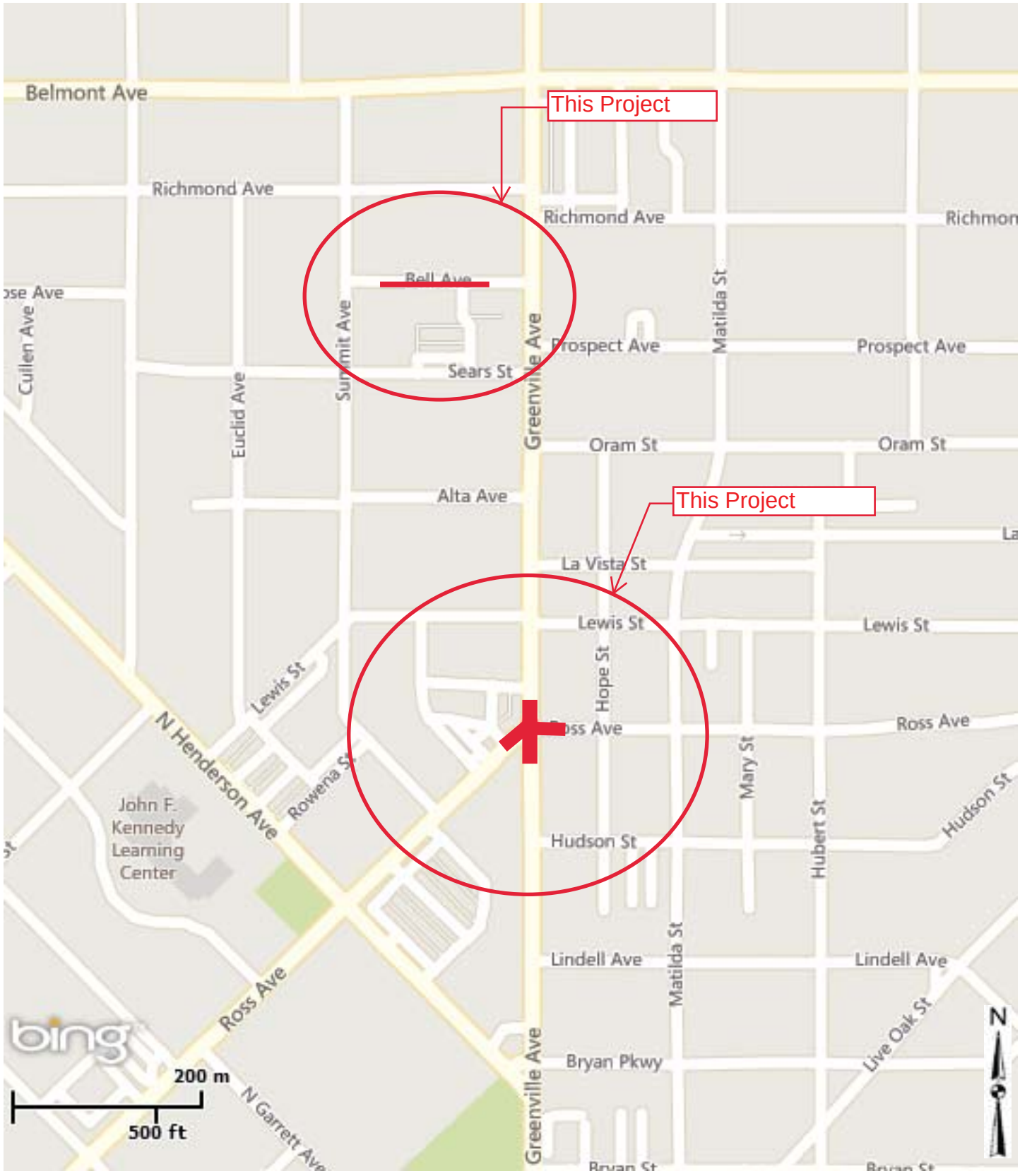
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Cow Town RediMix, Inc.	WFWB91377Y0917	$53,000.00	100.00%
Total Minority - Non-local		$53,000.00	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$409,648.97	72.51%	$409,648.97	66.29%
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%	$53,000.00	8.58%
Total	$409,648.97	72.51%	$462,648.97	74.86%

Streetscape Improvements
Greenville Avenue and Ross Avenue Intersection
and Bell Avenue West of Greenville



Mapsco 36X

August 9, 2017

WHEREAS, on November 12, 2014, City Council authorized a professional services contract with Urban Engineers, Inc., in an amount not to exceed $402,849.60, for the engineering design of streetscape improvements for Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue by Resolution No. 14-1917; and

WHEREAS, on December 14, 2015, Administrative Action No. 15-7448 authorized Supplemental Agreement No. 1 to the professional services contract with Urban Engineers Group, Inc., to provide additional streetscape improvements for Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue, in an amount not to exceed $49,369.60, from $402,849.60 to $452,219.20; and

WHEREAS, on May 11, 2016, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Urban Engineers Group, Inc., for additional engineering design for intersection improvements at Greenville Avenue and Ross Avenue, in an amount not to exceed $54,300.00, from $452,219.20 to $506,519.20, by Resolution No. 16-0740; and

WHEREAS, on June 9, 2017, four bids were received for the construction of street paving, streetscape and traffic signal improvements for the Greenville Avenue and Ross Avenue intersection, and street lighting for the first block of Bell Avenue west of Greenville Avenue, as follows:

Bidders	**Bid Amount**
Vescorp Construction, LLC dba Chavez Concrete Cutting	$617,988.97
Gibson Associates, Inc.	$688,844.85
MACVAL Associates, LLC	$697,274.40
Jeske Construction Company	$777,430.00

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a contract with Vescorp Construction, LLC dba Chavez Concrete Cutting, approved as to form by the City Attorney, for the construction of street paving, streetscape and traffic signal improvements for the Greenville Avenue and Ross Avenue intersection, and street lighting for the first block of Bell Avenue west of Greenville Avenue, in an amount not to exceed $617,988.97, this being the lowest responsive bid received as indicated by the tabulation of bids.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $617,988.97 to Vescorp Construction, LLC dba Chavez Concrete Cutting from Street and Transportation Improvements Fund, Fund 3U22, Department STS, Unit S393, Object 4510, Activity CPST, Program PB12S393, Contract No./Encumbrance CX-STS-2017-00002228, Vendor VS89922.

SECTION 3. That this contract is designated as Contract No. STS-2017-00002228.

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

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	August 9, 2017
COUNCIL DISTRICT(S):	2, 14
DEPARTMENT:	Mobility and Street Services Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	45K P

SUBJECT

Authorize **(1)** the rejection of all bids for the reconstruction of street paving, storm drainage, landscaping, irrigation, traffic control and signals, water and wastewater main improvements for the Lamar Street Project to include the Omni Hotel and Convention Center Dallas Area Rapid Transit Station from Young Street to Ross Avenue, Phase I Project; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

BACKGROUND

On April 14, 2010, City Council authorized a professional services contract with Criado & Associates, Inc. for the engineering design services for the reconstruction of three streetscape projects to include street paving, storm drainage, landscaping, irrigation, traffic control and signals, water and wastewater main improvements, in an amount not to exceed $466,221, by Resolution No. 10-0875.

The Lamar Street Project, to include the Omni Hotel and Convention Center Dallas Area Rapid Transit (DART) Station from Young Street to Ross Avenue, Phase I Project, has two phases. Phase I includes the streetscape improvements along Lamar Street from Young Street to Ross Avenue, and Phase II includes the improvements along Lamar Street at the Convention Center from Ceremonial Street to approximately 1,000 feet south. Phase II improvements were completed in February 2015. Phase I improvements were originally planned to start construction in late 2014/early 2015, and as such, the project was advertised for construction and bids were opened on July 25, 2014. Subsequently, staff determined to delay the Lamar Street, Phase I construction so as to not have Lamar Street and Griffin Street under construction at the same time. The ongoing Griffin Street Streetscape Construction Project is anticipated to be complete by late summer 2017. However, due to the amount of time that has elapsed since the Lamar Street, Phase I bids were opened, staff recommends rejecting the original bids and re-advertising for new bids that will more accurately reflect current construction market conditions.

BACKGROUND (continued)

This action will authorize the rejection of all bids received for the reconstruction of street paving, storm drainage, landscaping, irrigation, traffic control and signals, water and wastewater main improvements for the Lamar Street Project to include the Omni Hotel and Convention Center DART Station from Young Street to Ross Avenue, Phase I Project, and the re-advertisement for new bids. The project is scheduled to rebid by late summer 2017, which coincides with the completion of the ongoing Griffin Street Streetscape Construction Project.

The improvements for the Lamar Street Project will include the construction of sidewalks, barrier free ramps, traffic signals, street and pedestrian lighting, landscaping, irrigation, benches, trash receptacles, bicycle racks, adjustments to storm drainage inlets, and water and wastewater improvements.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2010
Completed Design	November 2013
Begin Construction	December 2017
Complete Construction	April 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 14, 2010, City Council authorized a professional services contract for engineering services by Resolution No. 10-0875.

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

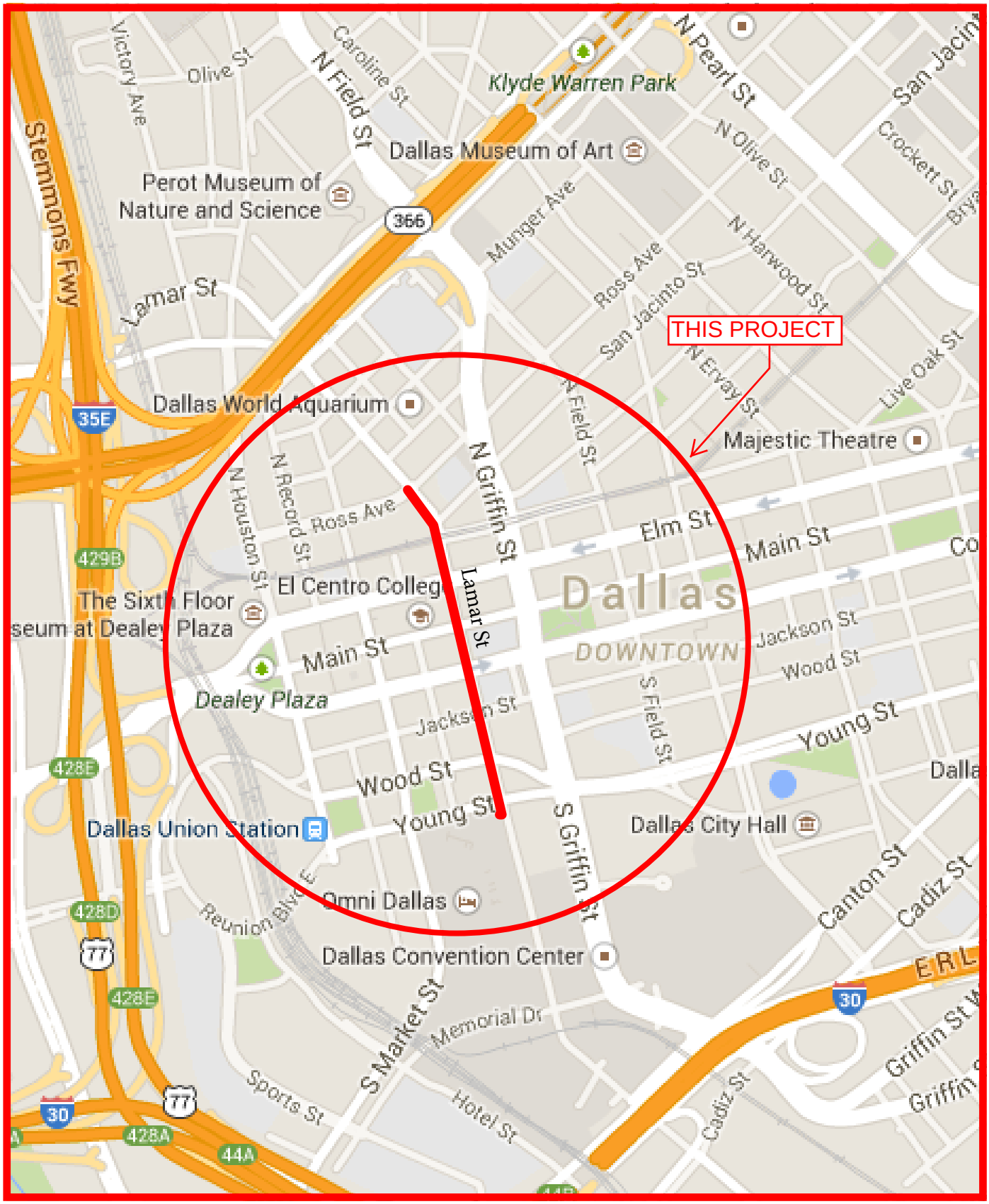
FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

LAMAR STREET PROJECT TO INCLUDE THE
OMNI HOTEL CONVENTION CENTER DALLAS AREA RAPID TRANSIT STATION
FROM YOUNG STREET TO ROSS AVENUE, PHASE I PROJECT



MAPSCO 45K & P

August 9, 2017

WHEREAS, on April 14, 2010, City Council authorized a professional services contract with Criado & Associates, Inc. for the engineering services for Streetscape Group 06-3011, in an amount not to exceed $466,221, by Resolution No. 10-0875; and

WHEREAS, on July 25, 2014, construction bids were received for the reconstruction of the Lamar Street Project to include the Omni Hotel and Convention Center Dallas Area Rapid Transit (DART) Station from Young Street to Ross Avenue, Phase I Project; and

WHEREAS, it has been determined that it is in the best interest of the City of Dallas to reject all bids received and re-advertise for new bids.

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)** reject all bids received for the reconstruction of street paving, storm drainage, landscaping, irrigation, traffic control and signals, water and wastewater main improvements for the Lamar Street Project to include the Omni Hotel and Convention Center DART Station from Young Street to Ross Avenue, Phase I Project; and **(2)** to re-advertise for new bids.

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 # 17

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 11

DEPARTMENT: Mobility and Street Services
Water Utilities

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 16 K L M

SUBJECT

Authorize **(1)** the First Amendment to the Project Specific Agreement with Dallas County for the Spring Valley Road from Coit Road to Goldmark Drive Project for the City's share of additional construction costs for water main improvements and to clarify the maintenance and funding responsibilities between agencies; and **(2)** payment to Dallas County for the City's share of additional construction costs for water main improvements - Not to exceed $700,000 - Financing: Water Utilities Capital Construction Funds

BACKGROUND

The Spring Valley Road from Coit Road to Goldmark Drive Project is a partnership project between the City of Dallas, Dallas County, the City of Richardson, and the Texas Department of Transportation (TxDOT). Dallas County is the lead agency and responsible for administering design and construction of this project. The design for this project is complete and Dallas County recently received construction bids with the low bid coming in approximately $700,000.00 higher than the original estimate for the water main improvements.

The scope of this project includes replacing portions of the deteriorated concrete street pavement, providing a sidewalk along the south side of Spring Valley Road, a 110-foot span bridge over Cottonwood Creek, an 80-foot span bridge over Hunt Branch, and drainage improvements; the existing roadway at the two creeks will be raised along with the two new bridges to mitigate flooding in the area. It also includes water main and wastewater main improvements entailing 4,570 linear feet of 8-inch water main and 2,550 linear feet of 12-inch wastewater main.

BACKGROUND (continued)

This action will authorize the First Amendment to the Project Specific Agreement with Dallas County for the Spring Valley Road from Coit Road to Goldmark Drive Project improvements for the City's share of additional construction costs for water main improvements, clarification of the maintenance and funding responsibilities between agencies, and payment to Dallas County for the additional costs for water main improvements.

The total project cost is $15,477,843.81. The funding breakdown by agency is as follows: City of Dallas (2006 and 2012 Bond Funds) - $229,314.00; Dallas Water Utilities (DWU) - $2,311,337.97; Dallas County - $4,773,741.42; City of Richardson - $3,933,441.42; and TxDOT - $4,230,009.00. The City of Dallas' non-DWU funding participation will fund the planned sidewalk improvements along the south side of Spring Valley Road and the south leg of the planned Spring Valley Road at Goldmark Drive intersection improvements.

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2007
Began Right-of-Way Acquisition	June 2014
Completed Right-of-Way Acquisition	December 2015
Completed Design	March 2016
Began Construction	May 2017
Complete Construction	November 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future transportation major capital improvement projects to be jointly funded and developed by Dallas County and the City of Dallas by Resolution No. 01-0104.

On April 13, 2011, City Council authorized a ten-year Master Agreement with Dallas County governing transportation major capital improvement projects replacing the previously expired one by Resolution No. 11-0927.

On April 8, 2015, City Council authorized a Project Specific Agreement with Dallas County for the Spring Valley Road from Coit Road to Goldmark Drive Project by Resolution No. 15-0668.

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - $700,000.00

Estimated Project Cost

Design	$ 1,080,351.59
Right-of-Way	$ 291,118.00
Construction	$10,641,866.25
DWU (Construction)	$ 2,311,337.97
County Administrative Cost	$ 753,170.00
Contingencies	$ 400,000.00
Estimated Total Project Cost	$15,477,843.81

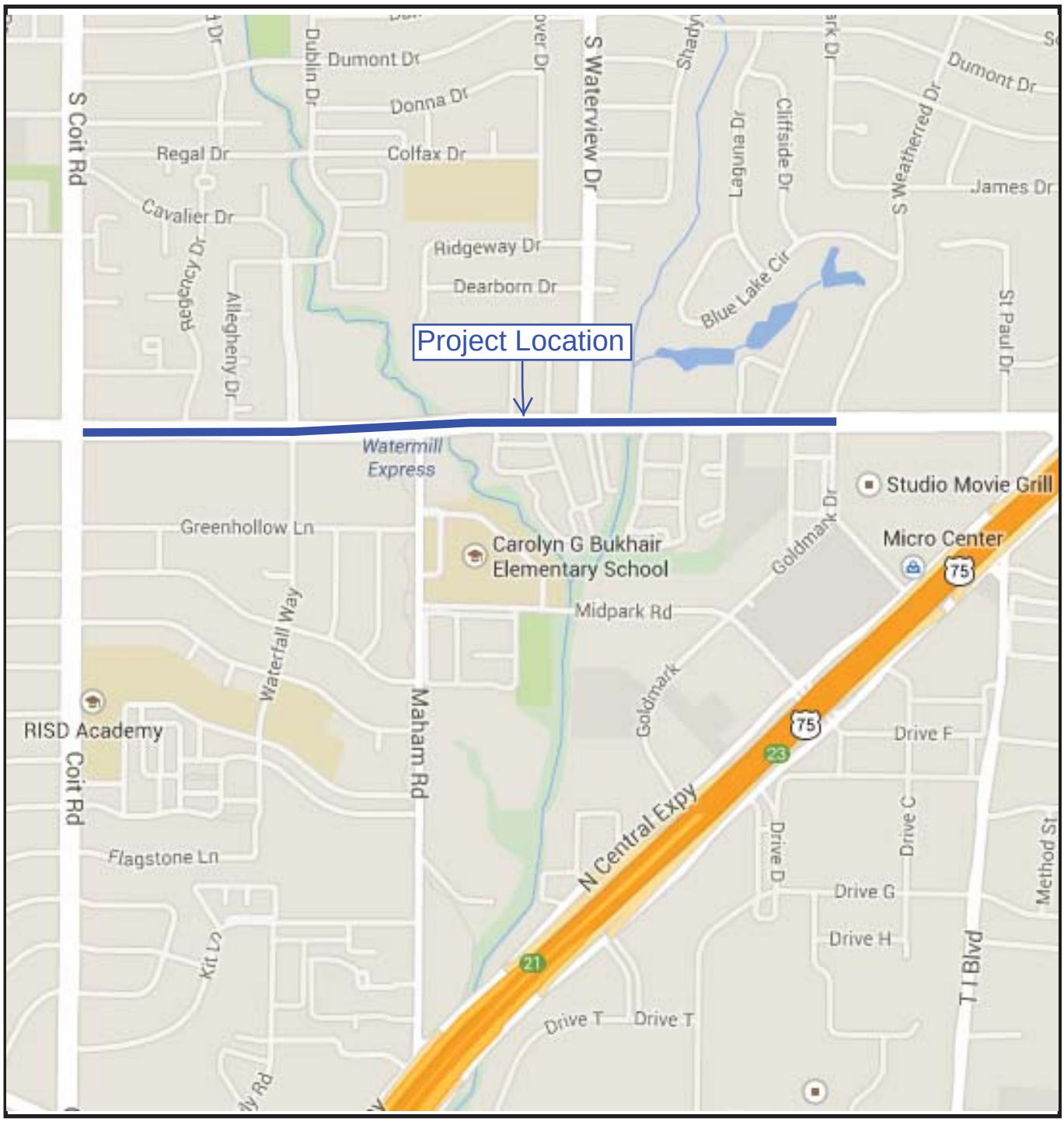
Funding Sources:

TxDOT's (Regional Toll Revenue) share	$ 4,230,009.00
Dallas County's share	$ 4,773,741.42
City of Richardson's share	$ 3,933,441.42
City of Dallas' (Streets) share	$ 229,314.00
City of Dallas' (DWU) share	$ 2,311,337.97
Subtotal	$15,477,843.81

MAP

Attached

Spring Valley Road
Coit Road to Goldmark Drive



Mapsco 16 K L M

August 9, 2017

WHEREAS, on January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future transportation major capital improvement projects to be jointly funded and developed by the City of Dallas and Dallas County by Resolution No. 01-0104; and

WHEREAS, on April 13, 2011, City Council authorized a new ten-year Master Agreement governing future transportation major capital improvement projects with Dallas County replacing the previously expired one by Resolution No. 11-0927; and

WHEREAS, on April 8, 2015, City Council authorized a Project Specific Agreement with Dallas County for the Spring Valley Road from Coit Road to Goldmark Drive Project, in an amount not to exceed $1,840,651.97, by Resolution No. 15-0668; and

WHEREAS, Dallas County is the lead agency for the project and is responsible for administering the design, construction, right-of-way acquisition, and utility relocation of the Spring Valley Road from Coit Road to Goldmark Drive Project; and

WHEREAS, on November 17, 2016, Dallas County received construction bids for the Spring Valley Road from Coit Road to Goldmark Drive Project, the lowest bid was $12,792,473.25; and

WHEREAS, on November 17, 2016, the lowest construction bid received by Dallas County for the Spring Valley Road from Coit Road to Goldmark Drive Project was $4,117,501.87 higher than the engineer's estimate and will require an additional $700,000.00 from Dallas Water Utilities for the water main improvements; and

WHEREAS, it is now necessary to authorize the First Amendment to the Project Specific Agreement with Dallas County for the Spring Valley Road from Coit Road to Goldmark Drive Project and payment to Dallas County for the City's share of additional construction costs for the water main improvements and to clarify the maintenance and funding responsibilities between agencies, in an amount not to exceed $700,000.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the First Amendment to the Project Specific Agreement with Dallas County for the Spring Valley Road from Coit Road to Goldmark Drive Project, approved as to form by the City Attorney, for the City's share of additional construction costs for water main improvements and to clarify the maintenance and funding responsibilities between agencies, in an amount not to exceed $700,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $700,000.00 to Dallas County in accordance with the terms and conditions of the agreement from Water Construction Fund, Fund 0102, Department DWU, Unit CW42, Object 4550, Program 715029, Contract No./Encumbrance CT PBW715029CP, Vendor 014003.

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit any unused Street and Transportation Improvement Funds advanced to Dallas County pertaining to this project in Fund 2U22, Department STS, Unit S404, Revenue Code 6511.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit any unused Water Construction Fund advanced to Dallas County pertaining to this project in Fund 0102, Department DWU, Unit CW42, Revenue Code 8488.

SECTION 5. That the Chief Financial Officer is hereby authorized to deposit any unused Wastewater Construction Fund advanced to Dallas County pertaining to this project in Fund 0103, Department DWU, Unit CS42, Revenue Code 8488.

SECTION 6. That this contract is designated as Contract No. STS-2017-00002481.

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 # 18

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Mobility and Street Services
Water Utilities

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 44Q

SUBJECT

Authorize Supplemental Agreement No. 4 to the professional services contract for **(1)** assignment of the contract from URS Corporation to AECOM Technical Services, Inc.; and **(2)** additional engineering services to complete the design of three new street crossings under the Union Pacific Railroad tracks at Bataan, Herbert and Amonette Streets for the West Dallas Gateway Project, Phase II - Not to exceed $3,417,963, from $623,823 to $4,041,786 - Financing: 2012 Bond Funds ($925,692), General Obligation Commercial Paper Funds ($2,286,266), Water Utilities Capital Improvement Funds ($123,600) and Water Utilities Capital Construction Funds ($82,405)

BACKGROUND

The West Dallas Gateway Project was included in the 2012 Bond Program. The project entails the construction of new street crossings under the Union Pacific Railroad (UPRR) tracks in West Dallas that will allow for planned street connections on Bataan, Herbert, and Amonette Streets between Singleton Boulevard and Commerce Street. On June 19, 2013, City Council authorized an amendment to the City of Dallas Thoroughfare Plan to add these three street segments, by Resolution No. 13-1041.

On January 8, 2014, City Council authorized a professional services contract with URS Corporation for the engineering design of three new street crossings under the UPRR tracks at Bataan Street, Herbert Street and Amonette Street for the West Dallas Gateway Project, Phase I, in an amount not to exceed $546,645.00, by Resolution No. 14-0117. The design of the West Dallas Gateway Project is being administered in two phases. The Phase I design scope focuses primarily on the development of street alignments for the three new thoroughfares. Other tasks in the Phase I design includes a topographic survey, drainage analysis, construction cost estimates preparation, identifying utility conflicts and the development of street cross-sections and preconcept bridge designs for the new streets and conceptual layouts for the bridge underpasses at the UPRR tracks.

BACKGROUND (continued)

The Phase II design scope includes the design of construction plans for the planned bridge underpasses at the UPRR tracks for the three crossings and the design of Bataan, Herbert and Amonette Streets roadway connections between Singleton Boulevard and Commerce Street. The Phase II design scope also includes drainage design for a detention pond with a submerged pump, landscaping, street lighting, water and wastewater improvements, a roundabout planned for the intersection of Bataan Street, Commerce Street and Fort Worth Avenue, and the design of combination sidewalk and bicycle paths on both sides of Beckley Avenue under the UPRR bridge.

This action will authorize Supplemental Agreement No. 4 to the professional services contract for assignment of the contract from URS Corporation to AECOM Technical Services, Inc. and additional engineering services to complete the design of three new street crossings under the UPRR tracks at Bataan, Herbert and Amonette Streets for the West Dallas Gateway Project that will provide for planned street connections between Singleton Boulevard and Commerce Street, in an amount not to exceed $3,417,962.64, increasing the contract amount from $623,823.00 to $4,041,785.64.

ESTIMATE SCHEDULE OF PROJECT

Phase II

Begin Design	September 2017
Complete Design	October 2018
Begin Construction	December 2018
Complete Construction	December 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 19, 2013, City Council authorized an amendment to the City of Dallas Thoroughfare Plan to add Amonette Street, Herbert Street and Bataan Street between Singleton Boulevard and Commerce Street by Resolution No. 13-1041.

On January 8, 2014, City Council authorized a professional services contract with URS Corporation for engineering services by Resolution No. 14-0117.

On August 12, 2015, City Council authorized approval of the recommended plan for the proposed alignment of Amonette Street from Singleton Boulevard to Akron Street, from its current alignment by Resolution No. 15-1386.

On August 12, 2015, City Council authorized approval of the recommended plan for the proposed alignment of Herbert Street from Singleton Boulevard to Akron Street, from its current alignment by Resolution No. 15-1387.

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

On January 25, 2017, City Council authorized approval of the recommended plan for the proposed alignment of Amonette Street from Akron Street to Commerce Street, new construction by Resolution No. 17-0194.

On January 25, 2017, City Council authorized approval of the recommended plan for the proposed alignment that will accommodate a two-lane undivided roadway with on-street parking within 54' of Bataan Street from Singleton Boulevard to the Union Pacific Railroad (UPRR) right-of-way, from its current alignment to the proposed alignment of Bataan Street, and Bataan Street from the UPRR right-of-way to Commerce Street, new construction by Resolution No. 17-0195.

On January 25, 2017, City Council authorized approval of a recommended plan for the proposed alignment that will accommodate a two-lane undivided roadway with on-street parking within 56' of Herbert Street from Akron Street to Commerce Street, new construction by Resolution No. 17-0196.

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - $547,174.00
2012 Bond Funds - $925,692.09
2012 Bond Program (General Obligation Commercial Paper Funds) - $1,739,091.55
Water Utilities Capital Improvement Funds - $123,600.00
Water Utilities Capital Construction Funds - $82,405.00

Design - STS	$ 546,645.00
Supplemental Agreement No. 1	$ 33,058.00
Supplemental Agreement No. 2	$ 16,931.00
Supplemental Agreement No. 3	$ 27,189.00
Supplemental Agreement No. 4 (this action)	$ 3,417,962.64
Construction	
Paving & Drainage - STS	$51,350,000.00 (est.)
Water & Wastewater - DWU	$ 3,200,000.00 (est.)
Total	$58,591,785.64 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

AECOM Technical Services, Inc.

Hispanic Female	15	Hispanic Male	22
African-American Female	9	African-American Male	11
Other Female	10	Other Male	32
White Female	48	White Male	90

OWNER

AECOM Technical Services, Inc.

Laura Weis, P.E., Associate Vice President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 4 to the professional services contract for **(1)** assignment of the contract from URS Corporation to AECOM Technical Services, Inc.; and **(2)** additional engineering services to complete the design of three new street crossings under the Union Pacific Railroad tracks at Bataan, Herbert and Amonette Streets for the West Dallas Gateway Project, Phase II - Not to exceed $3,417,963, from $623,823 to $4,041,786 - Financing: 2012 Bond Funds ($925,692), General Obligation Commercial Paper Funds ($2,286,266), Water Utilities Capital Improvement Funds ($123,600) and Water Utilities Capital Construction Funds ($82,405)

AECOM Technical Services, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$3,417,962.64	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$3,417,962.64	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Alliance Geotechnical Group	BMDB15110Y0118	$56,650.00	1.66%
JQ Infrastructure, LLC	IMDB36707Y0717	$180,400.00	5.28%
Lim & Associates, Inc.	PMDB90825Y0617	$438,125.00	12.82%
Gupta & Associates	PMMB72494Y0818	$71,308.00	2.09%
Craig Design Group	WFDB55548Y1017	$176,640.00	5.17%
Total Minority - Local		$923,123.00	27.01%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

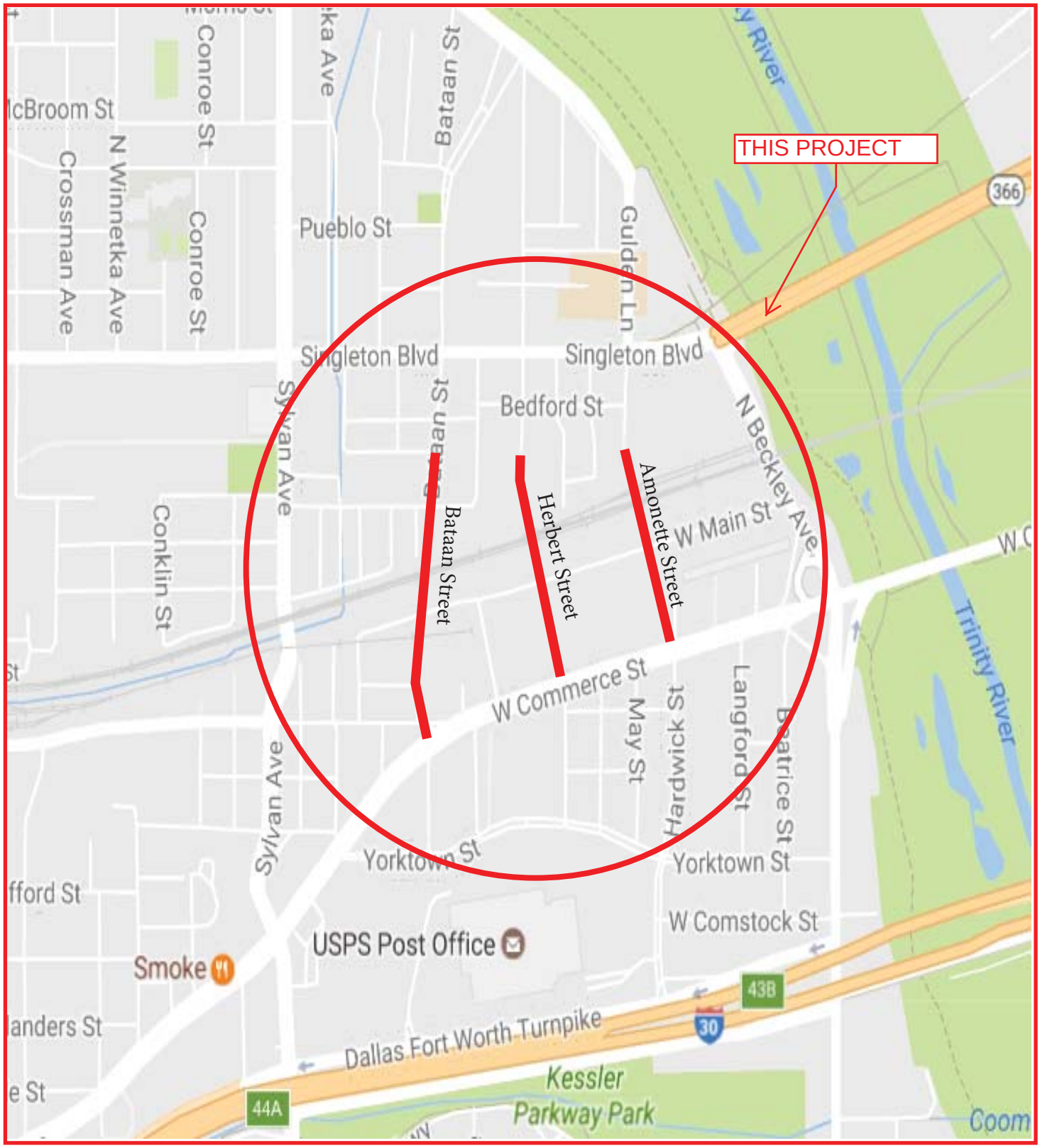
	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$56,650.00	1.66%	$56,650.00	1.40%
Hispanic American	$0.00	0.00%	$55,135.00	1.36%
Asian American	$689,833.00	20.18%	$791,178.00	19.57%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$176,640.00	5.17%	$240,236.70	5.94%
Total	$923,123.00	27.01%	$1,143,199.70	28.28%

WEST DALLAS GATEWAY

BATAAN STREET FROM AKRON STREET TO COMMERCE STREET

HERBERT STREET FROM AKRON STREET TO COMMERCE STREET

AMONETTE STREET FROM AKRON STREET TO COMMERCE STREET



MAPSCO 44Q

WHEREAS, on June 19, 2013, City Council authorized an amendment to the City of Dallas Thoroughfare Plan to add Amonette Street, Herbert Street and Bataan Street between Singleton Boulevard and Commerce Street by Resolution No. 13-1041; and

WHEREAS, on January 8, 2014, City Council authorized a professional services contract with URS Corporation, for the engineering design of three new street crossings under the Union Pacific Railroad (UPRR) at Bataan Street, Herbert Street and Amonette Street for the West Dallas Gateway Project, Phase I, in an amount not to exceed $546,645.00, by Resolution No. 14-0117; and

WHEREAS, on June 26, 2014, Administrative Action No. 14-6387 authorized Supplemental Agreement No. 1 to the professional services contract with URS Corporation, for traffic engineering and cultural resources investigation for the West Dallas Gateway Project, Phase I, in an amount not to exceed $33,058.00, from $546,645.00 to $579,703.00; and

WHEREAS, on August 12, 2015, City Council authorized approval of the recommended plan for the proposed alignment of right-of-way for Amonette Street from Singleton Boulevard to Akron Street, from its current alignment by Resolution No. 15-1386; and

WHEREAS, on August 12, 2015, City Council authorized approval of the recommended plan for the proposed alignment of Herbert Street from Singleton Boulevard to Akron Street, from its current alignment by Resolution No. 15-1387; and

WHEREAS, on October 20, 2015, Administrative Action No. 15-7072 authorized Supplemental Agreement No. 2 to the professional services contract with URS Corporation, to address changes to the rail structure concept, additional drainage analysis and data collection for the traffic study needed for the West Dallas Gateway Project, Phase I, in an amount not to exceed $16,931.00, from $579,703.00 to $596,634.00; and

WHEREAS, on November 7, 2016, Administrative Action No. 16-6977 authorized Supplemental Agreement No. 3 to the professional services contract with URS Corporation, to provide additional survey services for the West Dallas Gateway Project, Phase I, in an amount not to exceed $27,189.00, from $596,634.00 to $623,823.00; and

WHEREAS, on January 25, 2017, City Council authorized approval of the recommended plan for the proposed alignment of Amonette Street from Akron Street to Commerce Street, new construction from its current alignment, by Resolution No. 17-0194; and

WHEREAS, on January 25, 2017, City Council authorized approval of the recommended plan for the proposed alignment of Bataan Street from Singleton Boulevard to the Union Pacific Railroad (UPRR) right-of-way, from its current alignment to the proposed alignment of Bataan Street, and Bataan Street from the UPRR right-of-way to Commerce Street, new construction Resolution No. 17-0195; and

WHEREAS, on January 25, 2017, City Council authorized approval of the recommended plan for the proposed alignment of Herbert Street from Akron Street to Commerce Street, new construction, Resolution No. 17-0196; and

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 4 to the professional services contract with AECOM Technical Services, Inc. for assignment of the contract from URS Corporation to AECOM Technical Services, Inc. and for additional engineering services to complete the design of three new street crossings under the Union Pacific Railroad (UPRR) tracks at Bataan, Herbert and Amonette Streets for the West Dallas Gateway Project, Phase II, in an amount not to exceed $3,417,962.64, increasing the contract amount from $623,823.00 to $4,041,785.64.

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. 4 to the professional services contract with AECOM Technical Services, Inc., approved as to form by the City Attorney, for assignment of the contract from URS Corporation to AECOM Technical Services, Inc. and for additional engineering services to complete the design of three new street crossings under the Union Pacific Railroad (UPRR) tracks at Bataan, Herbert and Amonette Streets for the West Dallas Gateway Project, Phase II, in an amount not to exceed $3,417,962.64, increasing the contract amount from $623,823.00 to $4,041,785.64.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,417,962.64 to AECOM Technical Services, Inc. (formerly dba URS Corporation), as follows:

Street and Transportation Improvements Fund	
Fund 4U22, Department STS, Unit S399, Activity GTWY	
Object 4111, Program PB12S399, Encumbrance CT PBW12S399D2	
Vendor VC0000011194	$1,739,091.55

SECTION 2. (continued)

Street and Transportation Improvements Fund Fund 3U22, Department STS, Unit S399, Activity GTWY Object 4111, Program PB12S399, Encumbrance CT PBW12S399D2 Vendor VC0000011194	$ 925,692.09
Street and Transportation Improvements Fund Fund 4T22, Department STS, Unit S399, Activity GTWY Object 4111, Program PB12S399, Encumbrance CT PBW12S399D2 Vendor VC0000011194	$ 547,174.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Object 4111, Program 717439, Encumbrance CT PBW717439CP Vendor VC0000011194	$ 82,405.00
Wastewater Capital Improvement Fund Fund 3116, Department DWU, Unit PS42 Object 4111, Program 717440, Encumbrance CT PBW717440CP Vendor VC0000011194	$ 123,600.00
Total amount not to exceed	$3,417,962.64

SECTION 3. That this contract is designated as Contract No. STS-2016-00001372.

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

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Elizabeth Reich, 670-7804

MAPSCO: N/A

SUBJECT

An ordinance denying rates as requested by Oncor Electric Delivery Company LLC in its application to change rates filed with the City on March 17, 2017 - Financing: No cost consideration to the City

BACKGROUND

Oncor Electric Delivery Company LLC ("Oncor" or "the Company") filed an application on or about March 17, 2017 with the City of Dallas seeking to increase rates within the City. On April 12, 2017, the City suspended the effective date of the rate request for an additional 90 days to allow the City to evaluate the filing and determine whether the filing complies with law, and if lawful, to determine if the requested rates are appropriate.

The law provides that a rate request made by an electric utility cannot become effective until at least 35 days following the filing of the application to change rates and Oncor extended the effective date beyond the initial 35 days. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. If the City fails to take some action regarding the filing before August 19, 2017, Oncor's rate request is deemed administratively approved.

The City is a member of the Steering Committee of Cities Served by Oncor (“Steering Committee”), a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor’s service area. The Steering Committee has coordinated the review of Oncor’s current application and has worked with the designated attorneys and consultants to determine if the rates requested are fair and reasonable. After thorough review of the application and supporting documentation, the Steering Committee’s consultants have determined that the proposed rates in Oncor’s filing are excessive and not warranted by the evidence presented. The Steering Committee therefore recommends that member cities deny the rate request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 12, 2017, City Council authorized a resolution suspending the effective date of the rate filing made by Oncor Electric Delivery Company LLC on March 17, 2017 for an additional 90 days by Resolution No. 17-0597.

The Government Performance & Financial Management Committee will be briefed regarding this item on August 7, 2017.

FISCAL INFORMATION

No cost consideration to the City.

August 9, 2017

ORDINACE NO. _____

A ORDINANCE FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR "COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Dallas, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"), a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

WHEREAS, on or about March 17, 2017, Oncor filed with the City an application to increase system-wide transmission and distribution rates by $317 million or approximately 7.5% over present revenues. The Company asks the City to approve an 11.8% increase in residential rates and a 0.5% increase in street lighting rates; and

WHEREAS, the Steering Committee is coordinating its review of Oncor's application and working with the designated attorneys and consultants to resolve issues in the Company's filing; and

WHEREAS, through review of the application, the Steering Committee's consultants determined that Oncor's proposed rates are excessive; and

WHEREAS, the Steering Committee's members and attorneys recommend that members deny the Application; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF Dallas, TEXAS:

Section 1. That the rates proposed by Oncor to be recovered through its electric rates charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 2. That the Company shall continue to charge its existing rates to customers within the City.

Section 3. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of this Resolution.

Section 4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 5. That a copy of this Resolution shall be sent to Oncor, Care of Howard Fisher, Oncor Electric Delivery Company, LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

APPROVED AS TO FORM:
Larry E. Casto, City Attorney

By Don Knight
Assistant City Attorney

Passed _____

AGENDA ITEM # 20

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Elizabeth Reich, 670-7804

MAPSCO: N/A

SUBJECT

Authorize 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 – Financing: No cost consideration to the City

BACKGROUND

To meet the statutory requirement to submit the annual Action Plan timely, we developed this budget using estimated grant amounts. HUD announced the actual allocations on June 14, 2017. On July 12, 2017, the City received notice that HUD had awarded an additional one-time allocation of Emergency Solutions Grant (ESG) funds to Dallas for FY 2017-18. We have made changes to the proposed budget to balance to actual award amounts.

The Community Development Commission (CDC) and City staff conducted a total of eight public meetings, including one citizen input meeting, four neighborhood meetings, and three community meetings with stakeholders that provided the public opportunities to participate in identifying needs and to comment on the potential uses of HUD Grant Funds:

January 5, 2017 - Dallas City Hall
January 10, 2017 - Martin Luther King, Jr. Community Center
January 10, 2017 - Jaycee Zaragoza Recreation Center

BACKGROUND (continued)

January 11, 2017 - Dallas County Health & Human Services
(Ryan White Planning Council)
January 11, 2017 - Timberglen Recreation Center
January 12, 2017 - Tommie Allen Recreation Center
January 19, 2017 - Paul Quinn College
January 24, 2017 - United Way (Continuum of Care Meeting)

A public hearing to receive comments is required by Federal regulations and the City's Citizen Participation Plan. This budget was made available for public review and comment from May 25, 2017 through June 27, 2017. The City advertised in the Dallas Morning News on May 31, 2017 and held a public hearing on June 14, 2017. HUD published grant final award amounts on June 14, 2017. HUD also notified the City of additional one-time ESG funding on July 12, 2017. The City published a revised budget in the Dallas Morning News on July 19, 2017 and July 23, 2017 and citizens had opportunity to provide comments to the City Council through August 9, 2017. In addition, the City advertised in Al Dia on July 29, 2017, Elite News on July, 28, 2017, The Dallas Examiner on July 27, 2017, and The Chinese Times on July 29, 2017. The City also posted information on the City of Dallas Television Channel, Home Owners Association list serve, Facebook, and Twitter.

This action authorizes final adoption of the FY 2017-18 HUD Consolidated Plan Budget.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

From August 2016 through November 2016, the Community Development Commission (CDC) held several committee meetings to perform a detailed review of existing Consolidated Plan concepts, City partners, and HUD compliance requirements. During the same period, the CDC's regular monthly meetings included reports and training from departments on specific programs and initiatives. The information was used as a foundation for review of this budget.

On April 6, 2017, the CDC was briefed on the City Manager's Proposed FY 2017-18 HUD Consolidated Plan Budget and the CDC held committee meetings in April 2017 to review the proposed budget.

On May 4, 2017, the CDC concurred with the City Manager's proposed budget and there were no amendments.

On May 17, 2017, City Council was briefed on the City Manager's Proposed FY 2017-18 HUD Consolidated Plan Budget and the CDC's recommendation.

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

On May 24, 2017, City Council approved preliminary adoption of the Proposed FY 2017-18 HUD Consolidated Plan Budget and authorized a public hearing by Resolution No. 17-0848.

On June 7, 2017, the Proposed FY 2017-18 HUD Consolidated Plan Budget was included on the City Council briefing agenda to discuss any Council amendments and conduct straw votes. City Council discussed the budget; no amendments were received.

On June 14, 2017, City Council held a public hearing to receive comments on the Proposed FY 2017-18 HUD Consolidated Plan Budget.

On June 28, 2017, final adoption of the FY 2017-18 HUD Consolidated Plan Budget was deleted from the City Council Agenda on the addendum.

City Council will be briefed regarding this item on August 2, 2017.

FISCAL INFORMATION

Proposed FY 2017-18 HUD Consolidated Plan Budget

CDBG:	$13,373,031	2017-18 Entitlement
	$ 500,000	Program Income (estimate)
	$ 165,000	Program Income (estimate) Retained by Sub-Recipient
	$14,038,031	
HOME:	$ 4,123,371	2017-18 Entitlement
	$ 1,500,000	Program Income (estimate)
	$ 5,623,371	
ESG:	$ 3,117,540	2017-18 Entitlement
HOPWA:	$ 6,470,345	2017-18 Entitlement
Total:	$29,249,287	FY 2017-18 HUD Consolidated Plan Budget

WHEREAS, to meet the statutory submission deadline for the annual Action Plan, the City developed the FY 2017-18 HUD Consolidated Plan Budget using estimated grant amounts; and

WHEREAS, the Community Development Commission (CDC) held committee meetings from August through November 2016 to perform a detailed review of Consolidated Plan concepts, programs, and initiatives to use as a foundation for review of this budget; and

WHEREAS, the CDC and City staff conducted eight meetings during January 2017 that provided the public opportunities to participate in identifying needs and to comment on the potential uses of U.S. Department of Housing and Urban Development (HUD) Grant Funds; and

WHEREAS, on April 6, 2017, the CDC was briefed on the City Manager's Proposed FY 2017-18 HUD Consolidated Plan Budget; CDC Committees held meetings in April 2017 to review the proposed budget; and

WHEREAS, on May 4, 2017, the CDC concurred with the City Manager's proposed budget and there were no amendments; and

WHEREAS, on May 17, 2017, City Council was briefed on the City Manager’s Proposed FY 2017-18 HUD Consolidated Plan Budget and the Community Development Commission's recommendations; and

WHEREAS, on May 24, 2017, City Council approved preliminary adoption of the Proposed FY 2017-18 HUD Consolidated Plan Budget and authorized a public hearing by Resolution No. 17-0848; and

WHEREAS, on June 7, 2017, the Proposed FY 2017-18 HUD Consolidated Plan Budget was included in the City Council briefing agenda; and

WHEREAS, the grant funds include: Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA); and

WHEREAS, a summary of the Proposed FY 2017-18 HUD Consolidated Plan Budget was published in the Dallas Morning News on May 31**,** 2017 to provide citizens an opportunity to submit written comments through June 27, 2017; and

WHEREAS, Federal regulations require that a public hearing be held on the City's Proposed FY 2017-18 HUD Consolidated Plan Budget; and

August 9, 2017

WHEREAS, on June 14, 2017, City Council held a public hearing to receive comments on the Proposed FY 2017-18 HUD Consolidated Plan Budget; and

WHEREAS, on June 14, 2017**,** final Consolidated Plan allocation amounts were announced by HUD and adjustments were required to balance the budget to actual grant amounts; and

WHEREAS, on June 28, 2017, final adoption of the FY 2017-18 HUD Consolidated Plan Budget was deleted from the City Council Agenda on the addendum; and

WHEREAS, on July 12, 2017, the City received notice that an additional one-time allocation of ESG funds had been awarded for FY 2017-18; and

WHEREAS, on August 2, 2017, City Council was briefed on changes to the Proposed FY 2017-18 HUD Consolidated Plan Budget; and

WHEREAS, a summary of the amended Proposed FY 2017-18 HUD Consolidated Plan Budget was published in the Dallas Morning News on July 19**,** 2017 and July 23, 2017 to give citizens an opportunity to provide comments through August 9, 2017.

Now, Therefore,

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

SECTION 1. That the final adoption of the FY 2017-18 HUD Consolidated Plan Budget be adopted per Schedule A.

SECTION 2. That the City Manager is hereby authorized to apply for, accept, and take actions to implement HUD grant numbers B-17-MC-48-0009 (CDBG - $14,038,031, which includes $665,000 in program income), M-17-MC-48-0203 (HOME - $5,623,371, which includes $1,500,000 program income), E-17-MC-48-0009 (ESG - $3,117,540), and TXH17-F001 (HOPWA - $6,470,345) in the amount of $29,249,287, and is authorized to execute the contracts and grant agreements with HUD and all documents related to the execution of the grants, approved as to form by the City Attorney.

SECTION 3. That the City Manager is hereby authorized to establish FY 2017-18 appropriations as follows:

- Community Development Block Grant Program in Fund CD17 up to the amount of $13,873,031 consisting of the entitlement grant of $13,373,031, and estimated program income of $500,000 to be returned to the City as set forth in the attached Schedule B, effective October 1, 2017.

SECTION 3. (continued)

- HOME Investment Partnerships Program in Fund HM17 up to the amount of $5,623,371 consisting of the entitlement grant of $4,123,371 and estimated program income of $1,500,000 to be returned to the City as set forth in the attached Schedule B, effective October 1, 2017.

- Emergency Solutions Grant in Fund ES17 up to the amount of $3,117,540 as set forth in the attached Schedule B, effective October 1, 2017.

- Housing Opportunities for Persons with AIDS in Fund HW17 up to the amount of $6,470,345 as set forth in the attached Schedule B, effective October 1, 2017.

SECTION 4. That the revolving loan program income generated by the business loan program, estimated to be $165,000 for FY 2017-18, as set forth in Schedule B, be retained by sub-recipient to carry out eligible activities in accordance with HUD requirements and upon written approval by the responsible City of Dallas department.

SECTION 5. That the Chief Financial Officer is hereby authorized to receive funds up to the amounts set forth in the attached Schedule C.

SECTION 6. That the Chief Financial Officer is hereby authorized to disburse funds up to the amounts set forth in the attached Schedule B.

SECTION 7. That following preliminary adoption of the Proposed FY 2017-18 HUD Consolidated Plan Budget on May 24, 2017, this budget was amended to adjust to the actual amount of each grant as announced by HUD.

SECTION 8. That the City Manager is hereby authorized to reimburse to HUD any expenditures identified as ineligible.

SECTION 9. That the City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 10. That the City Manager shall keep the appropriate City Council Committee informed of all final HUD audit reports not later than 30 days after the receipt of the reports.

SECTION 11. That the City Manager is authorized to provide additional information and make adjustments to take other actions relating to these budgets as may be necessary to satisfy HUD requirements.

SECTION 12. That the Community Development Block Grant from the U.S. Department of Housing and Urban Development (Grant No. B-17-MC-48-0009 and CFDA No. 14.218) is designated as Contract No. BMS-2017-00002194.

SECTION 13. That the HOME Investment Partnerships Program Grant from the U.S. Department of Housing and Urban Development (Grant No. M-17-MC-48-0203 and CFDA No. 14.239) is designated as Contract No. BMS-2017-00002195.

SECTION 14. That the Emergency Solutions Grant from the U.S. Department of Housing and Urban Development (Grant No. E-17-MC-48-0009 and CFDA No. 14.231) is designated as Contract No. BMS-2017-00002196.

SECTION 15. That the Housing Opportunities for Persons with AIDS Grant from the U.S. Department of Housing and Urban Development (Grant No. TXH17-F001 and CFDA No. 14.241) is designated as Contract No. BMS-2017-00002197.

SECTION 16. 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
FY 2017-18 HUD CONSOLIDATED PLAN BUDGET
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT FUNDS

	Project Name	FY 2017-18 Adopted Budget
	COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)	
	CDBG - Public Services	
1	After-School/Summer Program	$ 563,515
2	Child Care Services Program	488,826
	Youth Programs Sub-Total	**1,052,341**
3	Senior Services Program	230,143
	Senior Services Sub-Total	**230,143**
4	Community Court Program	765,425
	Other Public Services Sub-Total	**765,425**
	Total CDBG - Public Services	**2,047,909**
	CDBG - Housing Activities	
5	Dallas Homebuyer Assistance Program	859,663
	Homeownership Opportunities Sub-Total	**859,663**
6	Healthy Homes Repair Program	4,427,741
7	Support for Healthy Homes Repair Program	1,771,344
	Homeowner Repair Sub-Total	**6,199,085**
	Total CDBG - Housing Activities	**7,058,748**
	CDBG - Economic Development	
8	Business Loan Program (Program Income)	165,000
	Total CDBG - Economic Development	**165,000**
	CDBG - Public Improvements	
9	Public Facilities and Improvements	2,114,710
	Total CDBG - Public Improvement	**2,114,710**

SCHEDULE A
FY 2017-18 HUD CONSOLIDATED PLAN BUDGET
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT FUNDS

	Project Name	FY 2017-18 Adopted Budget
	CDBG - Fair Housing and Planning & Program Oversight	
10	Fair Housing Enforcement	721,345
11	Citizen Participation/CDC Support/HUD Oversight	751,819
12	Community Care Management Support	186,237
13	Housing Management Support	992,263
	Total CDBG - Fair Housing and Planning & Program Oversight	**2,651,664**
	TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT	**14,038,031**
	HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)	
14	CHDO Development Loan Program	700,000
15	CHDO Operating Assistance	125,000
16	HOME Program Administration	550,672
17	Dallas Homebuyer Assistance Program	642,129
18	Housing Development Loan Program	3,605,570
	Homeownership Opportunities Sub-Total	**5,623,371**
	TOTAL HOME INVESTMENT PARTNERSHIP PROGRAM	**5,623,371**
	EMERGENCY SOLUTIONS GRANT (ESG)	
19	Emergency Shelter	1,587,807
20	Street Outreach	69,072
	Essential Services/Operations Sub-Total	**1,656,879**
21	Homelessness Prevention	170,000
	Homeless Prevention Sub-Total	**170,000**
22	Rapid Re-Housing	1,065,784
	Rapid Re-Housing Sub-Total	**1,065,784**
23	HMIS Data Collection	69,000
	HMIS Data Collection Sub-Total	**69,000**
24	ESG Administration	155,877
	Program Administration Sub-Total	**155,877**
	TOTAL EMERGENCY SOLUTIONS GRANT	**3,117,540**

SCHEDULE A
FY 2017-18 HUD CONSOLIDATED PLAN BUDGET
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT FUNDS

	Project Name	FY 2017-18 Adopted Budget
HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)		
25	Emergency/Tenant Based Rental Assistance/Financial Assistance	2,600,000
26	Emergency/Tenant Based Rental Assistance/Housing Services	577,000
27	Housing Facilities Operation	753,615
28	Supportive Services	1,238,313
29	Housing Facilities Rehab/Repair/Acquisition	704,345
30	Housing Information/Resource Identification	151,212
	Other Public Services Sub-Total	**6,024,485**
31	Program Administration/City of Dallas	172,980
32	Program Administration/Project Sponsors	272,880
	Program Administration Sub-Total	**445,860**
	TOTAL HOUSING OPPORTUNITIES FOR PERSONS W/ AIDS	**6,470,345**
	GRAND TOTAL HUD CONSOLIDATED PLAN BUDGET	**$ 29,249,287**

SCHEDULE B
FY 2017-18 HUD CONSOLIDATED PLAN BUDGET
APPROPRIATIONS AND ORGANIZATIONAL HIERARCHY

FUND	DEPT.		FY 2017-18 ADOPTED BUDGET	UNIT 1	UNIT 2
CD17		**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**	**$ 14,038,031**	CDBG	
		City Attorney's Office			
		Community Court Program	**765,425**	CDAT	
1	ATT	South Dallas/Fair Park Community Court	318,738		211B
2	ATT	South Oak Cliff Community Court	228,370		212B
3	ATT	West Dallas Community Court	218,317		213B
		Economic Development	**165,000**	N/A	
4	ECO	Business Loan Program (Program Income)	165,000		N/A
		Housing & Neighborhood Revitalization	**10,165,721**	CDHO	
5	HOU	Dallas Homebuyer Assistance Program	859,663		221B
6	HOU	Healthy Homes Repair Program	4,427,741		222B
7	HOU	Support for Healthy Homes Repair Program	1,771,344		223B
8	HOU	Housing Management Support	992,263		201B
9	HOU	Public Facilities and Improvements	2,114,710		224B
		Management Services/Fair Housing	**721,345**	CDMG	
10	MGT	Fair Housing Enforcement	721,345		202B
		Management Services/Office of Community Care Services	**905,206**	CDMG	
11	MGT	Child Care Services Program	488,826		214B
12	MGT	Senior Services Program	230,143		215B
13	MGT	Community Care Management Support	186,237		203B
		Office of Financial Services	**751,819**	CDBM	
14	BMS	Citizen Participation/CDC Support/HUD Oversight	751,819		204B
		Park and Recreation	**563,515**	CDPK	
15	PKR	After-School/Summer Outreach Program - School Sites	469,263		218B
16	PKR	After-School/Summer Outreach Program - Community Centers	94,252		219B
HM17		**HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)**	**5,623,371**	HMHO	
		Housing & Neighborhood Revitalization			
17	HOU	CHDO Development Loan Program	700,000		271B
18	HOU	CHDO Operating Assistance	125,000		272B
19	HOU	HOME Program Administration	550,672		273B
20	HOU	Dallas Homebuyer Assistance Program	642,129		274B
21	HOU	Housing Development Loan Program	3,605,570		275B

SCHEDULE B
FY 2017-18 HUD CONSOLIDATED PLAN BUDGET
APPROPRIATIONS AND ORGANIZATIONAL HIERARCHY

FUND	DEPT.		FY 2017-18 ADOPTED BUDGET	UNIT 1	UNIT 2
ES17		**EMERGENCY SOLUTIONS GRANT (ESG)**	**3,117,540**	ESMG	
		Management Services/Office of Homeless Solutions			
22	MGT	Emergency Shelter	1,587,807		281B
23	MGT	Street Outreach	69,072		282B
24	MGT	Homelessness Prevention	50,000		283B
25	MGT	Rapid Re-Housing	1,065,784		284B
26	MGT	HMIS Data Collection	69,000		285B
27	MGT	ESG Administration	155,877	`	286B
		Management Services/Office of Community Care Services			
28	MGT	Homelessness Prevention	120,000		287B
HW17		**HOUSING OPPORTUNITIES FOR PERSONS W/AIDS (HOPWA)**	**6,470,345**	HWMG	
		Management Services/Office of Homeless Solutions			
29	MGT	Emergency/Tenant Based Rental Assistance/Financial Assistance	2,130,000		291B
30	MGT	Emergency/Tenant Based Rental Assistance/Housing Services	577,000		292B
31	MGT	Housing Facilities Operation	753,615		293B
32	MGT	Supportive Services	1,238,313		294B
33	MGT	Housing Facilities Rehab/Repair/Acquisition	704,345		295B
34	MGT	Housing Information/Resource Identification	151,212		296B
35	MGT	Program Administration/City of Dallas	172,980		297B
36	MGT	Program Administration/Project Sponsors	272,880		298B
		Management Services/Office of Community Care Services			
37	MGT	Emergency/Tenant Based Rental Assistance/Financial Assistance	470,000		299B
		CONSOLIDATED PLAN TOTAL	**$ 29,249,287**		

SCHEDULE C
FY 2017-18 HUD CONSOLIDATED PLAN BUDGET
SOURCE OF FUNDS

SOURCE OF FUNDS		FY 2017-18 Adopted Budget
Community Development Block Grant (CDBG)	$	13,373,031
Program Income - Housing Activities (estimated)		500,000
Program Income - Sub-recipient Retained (estimated)		165,000
Home Investment Partnerships Program (HOME)		4,123,371
Program Income (estimated)		1,500,000
Emergency Solutions Grant (ESG)		3,117,540
Housing Opportunities for Persons With AIDS (HOPWA)		6,470,345
GRAND TOTAL HUD GRANT FUNDS	**$**	**29,249,287**

AGENDA ITEM # 21

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Elizabeth Reich, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a public hearing to be held on August 23, 2017 to receive comments on the FY 2017-18 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

BACKGROUND

Each year the City of Dallas holds a series of public hearings to provide the citizens of Dallas the opportunity to speak on next year's budget.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

August 9, 2017

WHEREAS, the City Council is committed to providing the citizens of Dallas with the opportunity to speak on the City's FY 2017-18 Operating, Capital, and Grant & Trust Budgets.

Now, Therefore,

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

SECTION 1. That a public hearing on the City's FY 2017-18 Operating, Capital, and Grant & Trust Budgets will be held on August 23, 2017 in the City Council Chambers.

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 # 22

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 45E

SUBJECT

Authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Magnolia Station, LLC for the development, operation, and maintenance of a plaza, pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 1607 Lyte Street - Financing: No cost consideration to the City

BACKGROUND

This action will authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Magnolia Station, LLC (Magnolia) for the development, operation, and maintenance of a plaza, pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 1607 Lyte Street.

The agreement will be subject to the following terms:

1. The term is for 20 years with one consecutive five-year renewal option.

2. Magnolia, at their own cost, is responsible for the development of the design, plans and specifications for the improvements to be made to the park. Magnolia will submit the design to the Park and Recreation Department for review and approval prior to commencement of construction.

3. Magnolia, at their own cost, is responsible for the maintenance and repair of the improvements during the term of the agreement.

4. Magnolia will manage the design and construction through its own consultants and contractors and will be responsible for all permits and other approvals. All consultants and contractors are required to provide insurance that is consistent with what is required by City consultants and contractors.

BACKGROUND (continued)

5. The City of Dallas will retain the right to require Magnolia Station, LLC to modify the improvements if and when necessary to maintain public safety of the Katy Trail.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 18, 2017, the Park and Recreation Board authorized the development, operation, and maintenance agreement.

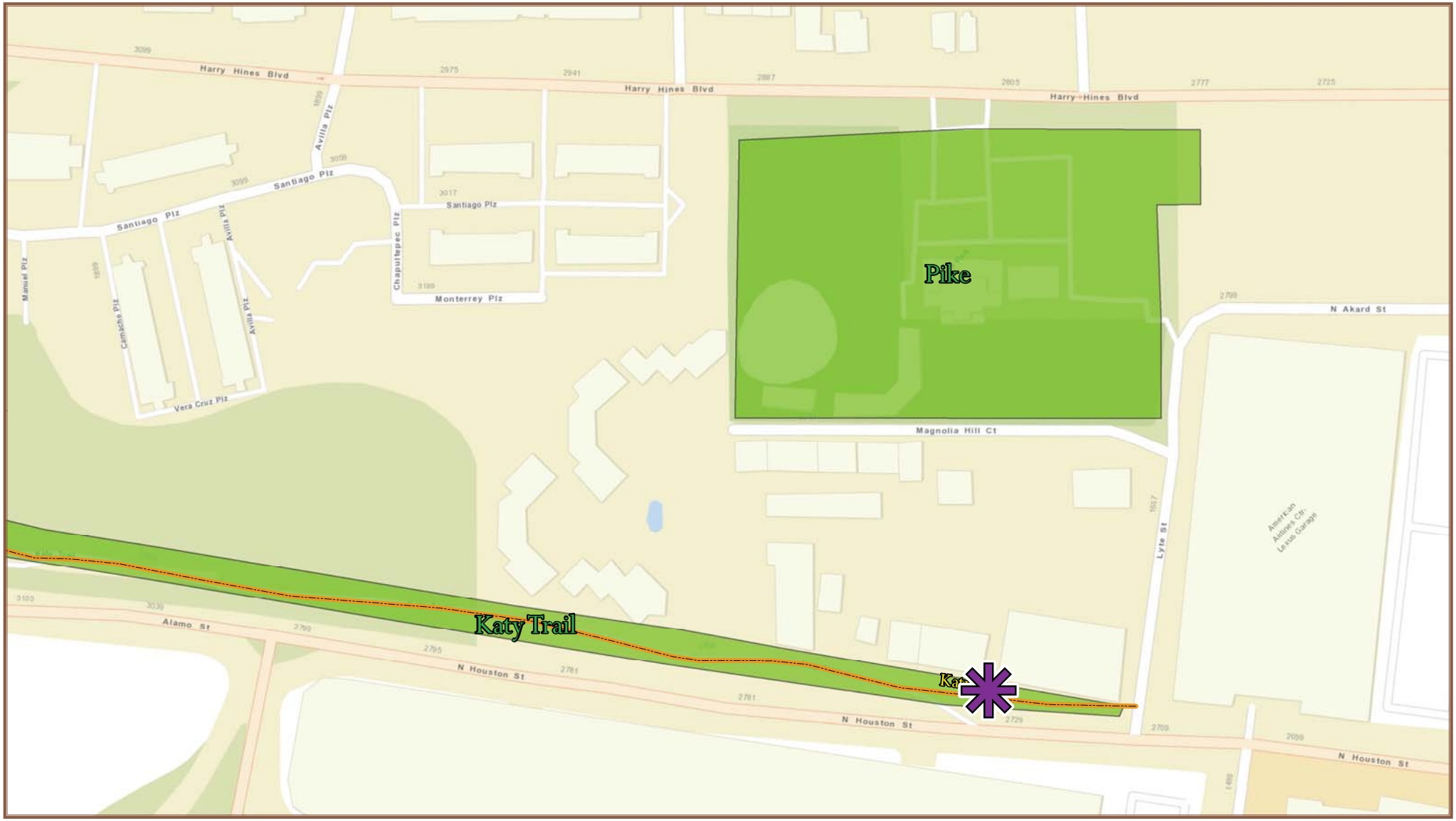
The Quality of Life, Arts and Culture Committee will be briefed by memorandum regarding this matter on July 28, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



0 50 100 200 300 Feet

May 18, 2017

Katy Trail Agreement—Magnolia Station (1607 Lyte St)

Mapsco 45 E

District 2

August 9, 2017

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, the City of Dallas Park and Recreation Department (City) and Magnolia Station, LLC (MS), a Texas limited liability company, desire to enter into a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, for the development, operation, and maintenance of a plaza, pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 1607 Lyte Street as described in Exhibit B; and

WHEREAS, the City desires to have MS develop, operate, and maintain parkland during the Term of the Agreement for use and enjoyment of all City of Dallas citizens.

Now, Therefore,

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

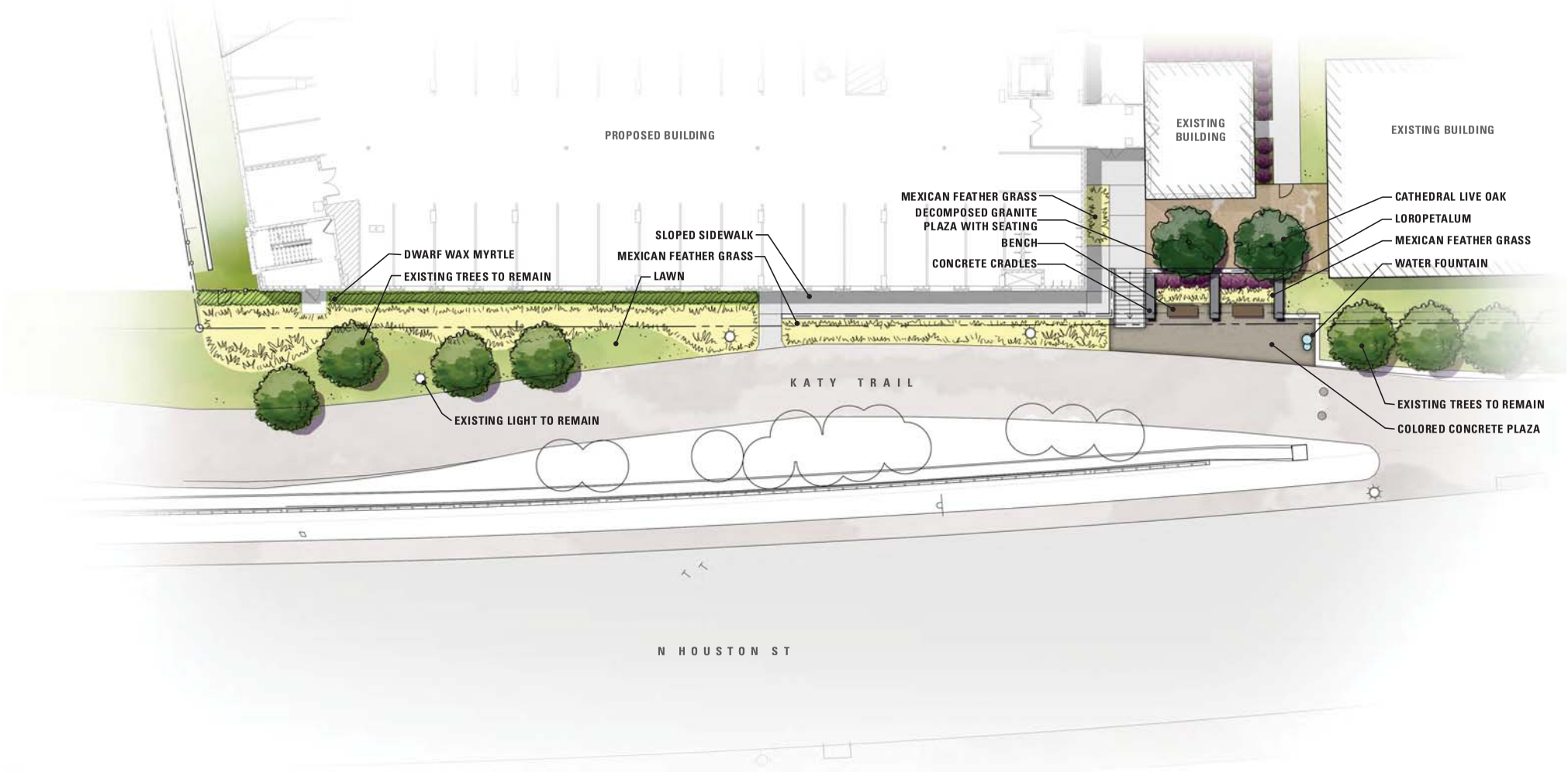
SECTION 1. That the City Manager is hereby authorized to sign a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Magnolia Station, LLC, approved as to form by the City Attorney, for the development, operation, and maintenance of a plaza, pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 1607 Lyte Street.

SECTION 2. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Magnolia Station, LLC, approved as to form by the City Attorney.

SECTION 3. That the duration of the agreement will be for a term of 20 years with one five-year renewal option.

SECTION 4. That this contract is designated as Contract No. PKR-2017-00002806.

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.



ONE MAGNOLIA / **KATY TRAIL CONNECTION - PLAN**

Exhibit B

TBG

Dallas, Texas Leon Capital 3 August 2016

AGENDA ITEM # 23

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 35R

SUBJECT

Authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Travis Cole Apartments 2012, LP for the development, operation and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 4719 Cole Avenue - Financing: No cost consideration to the City

BACKGROUND

This action will authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Travis Cole Apartments 2012, LP (TCA) for the development, operation, and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing development to the Katy Trail, adjacent to 4719 Cole Avenue.

The agreement will be subject to the following terms:

1. The term is for 20 years with one consecutive five-year renewal option.

2. TCA, at their own cost, is responsible for the development of the design, plans, and specifications for the improvements to be made to the park. TCA will submit the design to the Park and Recreation Department for review and approval prior to commencement of construction.

3. TCA, at their own cost, is responsible for the maintenance and repair of the improvements during the term of the agreement.

4. TCA will manage the design and construction through its own consultants and contractors and will be responsible for all permits and other approvals. All consultants and contractors are required to provide insurance that is consistent with what is required by City consultants and contractors.

BACKGROUND (continued)

5. The City of Dallas will retain the right to require TCA to modify the improvements if and when necessary to maintain public safety of the Katy Trail.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 18, 2017, the Park and Recreation Board authorized a development, operation, and maintenance agreement.

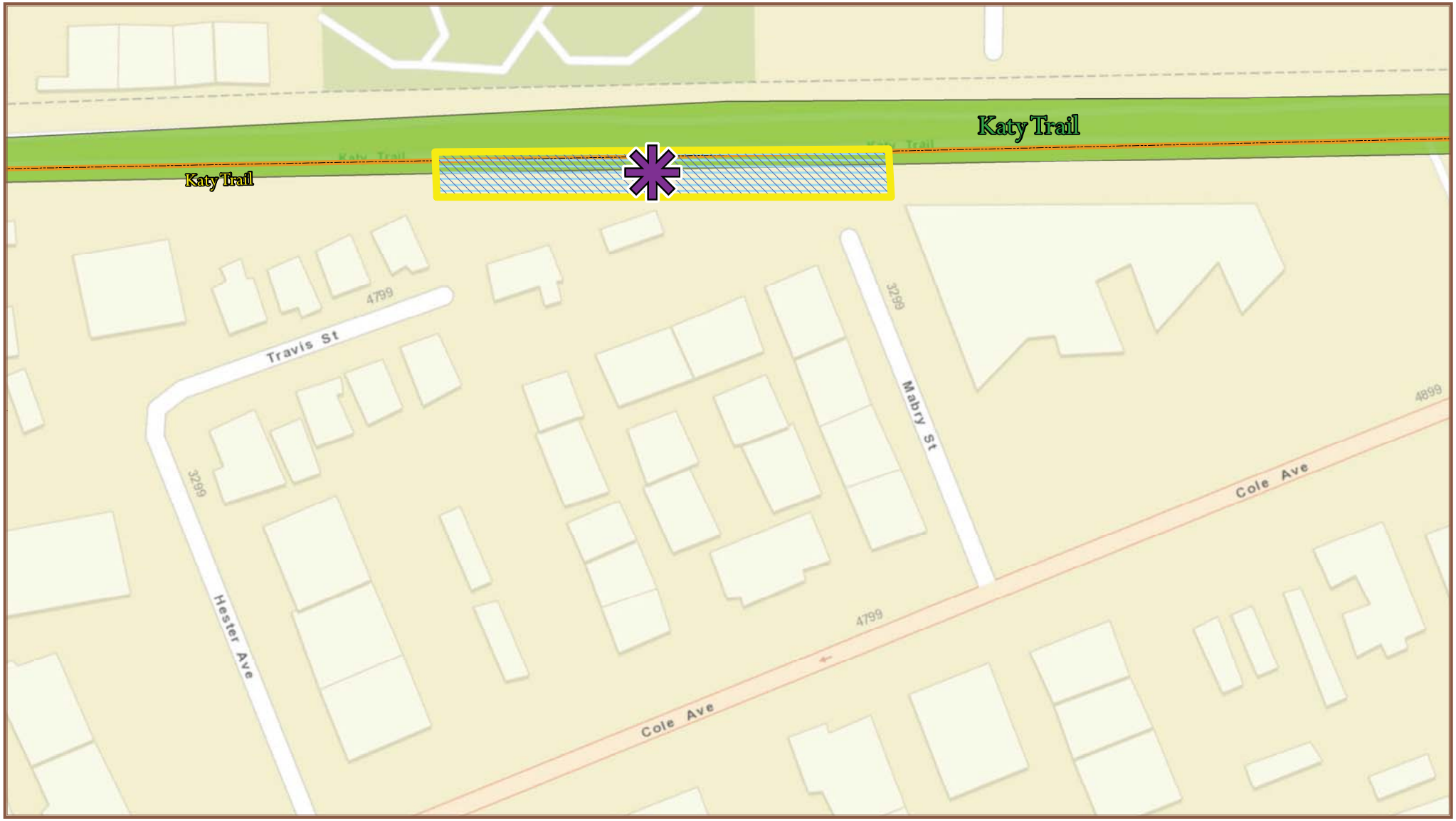
The Quality of Life, Arts and Culture Committee will be briefed by memorandum regarding this matter on July 28, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



0 30 60 120 180 Feet

May 5, 2017

Katy Trail Agreement—Saltillo
(4719 Cole Ave)

Mapsco
35 R

District
14

August 9, 2017

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, the City of Dallas Park and Recreation Department (City) and Travis Cole Apartments 2012, LP (TCA) desire to enter into a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, for the development, operation, and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 4719 Cole Avenue as described in Exhibit A; and

WHEREAS, the City desires to have Travis Cole Apartments 2012, LP develop, operate, and maintain parkland during the Term of the Agreement for use and enjoyment of all City of Dallas citizens.

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 twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Travis Cole Apartments 2012, LP, approved as to form by the City Attorney, for the development, operation, and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 4719 Cole Avenue.

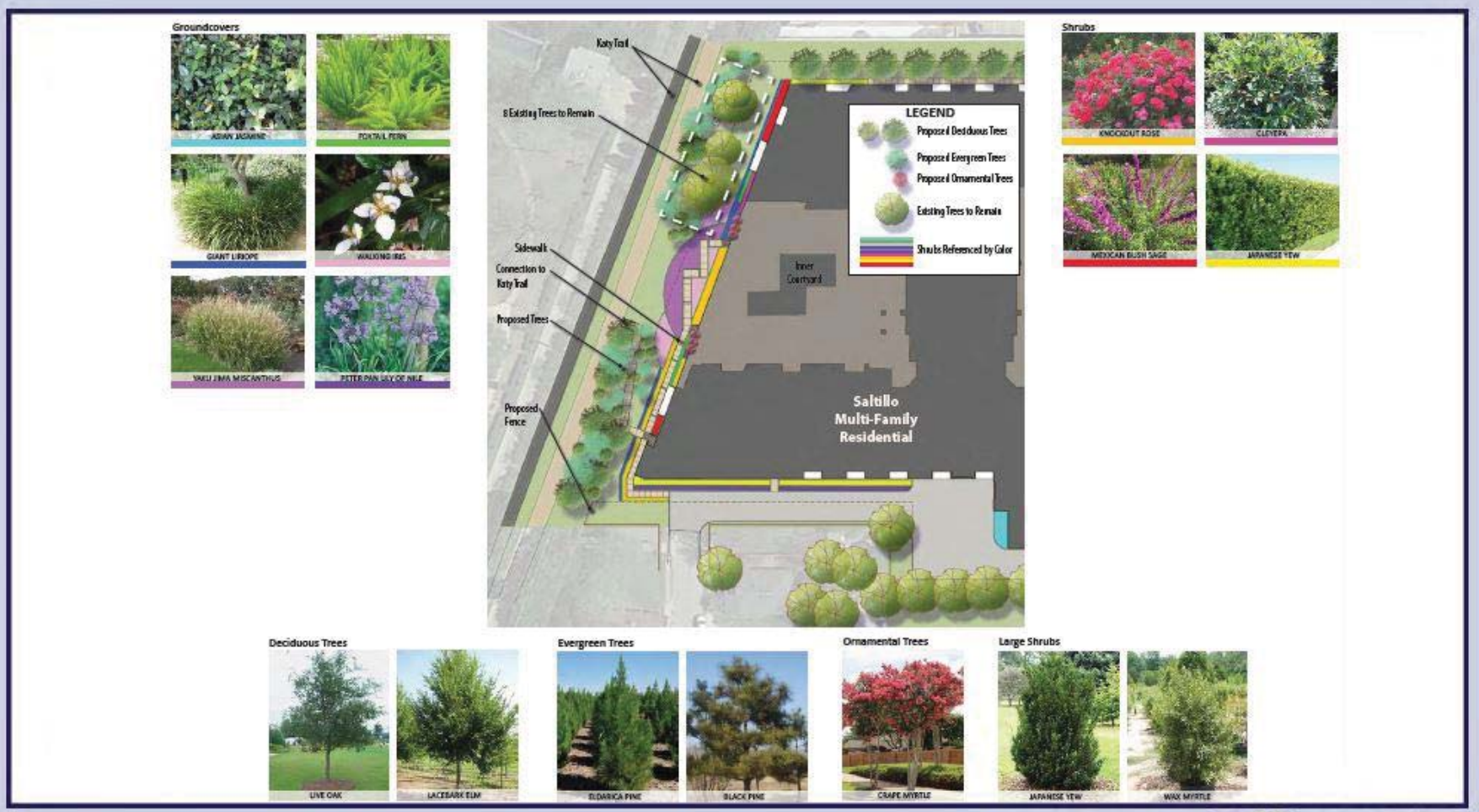
SECTION 2. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Travis Cole Apartments 2012, LP, approved as to form by the City Attorney.

SECTION 3. That the duration of the agreement will be for a term of 20 years with one five-year renewal option.

SECTION 4. That this contract is designated as Contract No. PKR-2017-00002807.

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.

Exhibit A



SALTILLO

Provident Realty Advisors | ZCA

Landscape Architects
7155 Old Katy Road
Suite 270
Houston, Texas 77024
713-869-6987

Exhibit A



Conditions in 5 Years

SALTILLO

Provident Realty Advisors | ZCA

KUDELA & WEINHEIMER
Landscape Architects
7155 Old Katy Road
Suite 270
Houston, Texas 77024
713-869-6987

AGENDA ITEM # 24

KEY FOCUS AREA: Public Safety

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Jon Fortune, 670-1204

MAPSCO: N/A

SUBJECT

Authorize **(1)** an application for and acceptance of the State of Texas Internet Crimes Against Children Grant in the amount of $254,293 from the Office of the Governor, Criminal Justice Division to provide for one-year funding for the salaries and fringe benefits of two detectives and one police research specialist, to fund training, direct operating expenses and use of overtime to address the growing problem of technology-facilitated child abuse and exploitation for the period October 1, 2016 through September 30, 2017; **(2)** the receipt and deposit of grant funds in an amount not to exceed $254,293 in the State Internet Crimes Against Children Grant Fund; **(3)** the establishment of appropriations in an amount not to exceed $254,293 in the State Internet Crimes Against Children Grant Fund; and **(4)** execution of the grant agreement - Not to exceed $254,293 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

BACKGROUND

The 2016-17 State of Texas Internet Crimes Against Children Grant will provide $254,292.28 to enhance the response of the Dallas Crimes Against Children Task Force in the area of prevention, investigation, and prosecution of computer-facilitated systems and other technology. The grant will provide one-year funding for the salaries and fringe benefits of two detectives and one police research specialist. Funds will also be utilized for training, direct operating expenses, purchase of equipment, and use of overtime to address the growing problem of technology-facilitated child abuse and exploitation. There is no cash match or in-kind cost to the City of Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 22, 2014, City Council authorized acceptance of a grant from the Office of the Governor, Criminal Justice Division, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology by Resolution No. 14-0185.

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

On October 28, 2015, City Council authorized acceptance of a grant from the Office of the Governor, Criminal Justice Division, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology by Resolution No. 15-1958.

The Public Safety and Criminal Justice Committee was briefed by memorandum regarding this matter on July 21, 2017.

FISCAL INFORMATION

Office of the Governor, Criminal Justice Division State Grant Funds - $254,292.28

WHEREAS, the State of Texas, Office of the Governor, Criminal Justice Division (CJD) has made funds available to aid missing and exploited children during Fiscal Year 2016-2017; and

WHEREAS, the increased program and funding source would benefit the City of Dallas in its endeavor to reduce crime and improve public safety; and

WHEREAS, the City of Dallas agrees that in the event of loss or misuse of the CJD funds, the City of Dallas assures that the funds will be returned to the CJD in full; and

WHEREAS, the City of Dallas designates the City Manager or an Assistant City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; 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 the State of Texas Internet Crimes Against Children Grant No. 2745103, from the Office of the Governor, Criminal Justice Division in the amount of $254,292.28 to provide for one-year funding for the salaries and fringe benefits of two detectives and one police research specialist, to fund training**,** direct operating expenses and use of overtime to address the growing problem of technology-facilitated child abuse and exploitation for the period October 1, 2016 through September 30, 2017; and to sign the grant agreement with the Office of the Governor, Criminal Justice Division.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $254,292.28 into the State Internet Crimes Against Children Grant Fund, Fund S316, Department DPD, Unit 3278, Revenue Code 6516.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $254,292.28, in the State Internet Crimes Against Children Grant Fund, Fund S316, Department DPD, Unit 3278,various Object codes, in accordance with the attached Schedule A.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $254,292.28 from the State Internet Crimes Against Children Grant Fund, Fund S316, Department DPD, Unit 3278, Various Object codes, in accordance with the attached Schedule A.

SECTION 5. That in the event of loss or misuse of funds, the City of Dallas will return all grant funds to the Office of the Governor, Criminal Justice Division, in full.

SECTION 6. That the City Manager is hereby authorized to reimburse the Office of the Governor, Criminal Justice Division in the event of loss, or misuse of funds, in full. The City Manager shall notify the appropriate City Council Committee of any return of grants funds not later than 30 days after the reimbursement.

SECTION 7. That the City Manager shall keep the appropriate City Council Committee informed of all CJD final monitoring reports not later than 30 days after the receipt of the report.

SECTION 8. That this contract is designated as Contract No. DPD-2017-00002701.

SECTION 9. 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

State of Texas Internet Crimes Against Children Grant
Fund S316, Department DPD, Unit 3278
FY 2016-2017

Object Code	Description	OOG Funds
1101	Civilian Salaries	50,459.00
1102	Sworn Salaries	113,613.72
1202	Overtime - Uniform	20,000.00
1301	Pension - Civilian	7,215.60
1302	Pension - Uniform	31,084.82
1303	Life Insurance	48.00
1304	Health Insurance	12,334.00
1306	FICA	1,681.14
1309	Wellness	50.00
2181	Fleet Fuel and Lube	2,000.00
3361	Professional Development	13,376.00
3410	Equipment and Automotive Rental	2,430.00
	Program Total	254,292.28

AGENDA ITEM # 25

KEY FOCUS AREA: Public Safety

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Jon Fortune, 670-1204

MAPSCO: N/A

SUBJECT

Authorize the **(1)** acceptance of a grant award from the W.W. Caruth Jr. Foundation at Communities Foundation of Texas in the amount of $250,000 for the development of a staffing efficiency study for the Dallas Police Department for the period September 1, 2017 through December 31, 2018; **(2)** required cash match contributions up to $250,000 as applicable, from Confiscated Monies-Federal Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed $250,000 in the W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Fund; **(4)** establishment of appropriations in an amount not to exceed $250,000 in the W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Fund; and **(5)** execution of the grant agreement - Not to exceed $500,000 - Financing: W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Funds ($250,000) and Confiscated Monies Funds ($250,000)

BACKGROUND

During FY 2016-17, the Dallas Police Department (DPD) has experienced both higher than anticipated attrition and a significant drop in expected hiring of uniformed personnel. Attrition is projected to meet or exceed 428 police officers, offset by the hiring of 184 new recruits.

Recent challenges with the actuarial soundness of the Police and Fire Pension Fund along with a nationwide reduction in the pool of applicants for Police Officer positions has created a shortage of uniformed personnel at DPD.

To address these issues, a combined financial effort to augment uniform compensation with “Meet and Confer” along with the new funding strategy for the Police and Fire Pension Fund has fostered an environment that will increase the ability to retain incumbent police officers and hire new recruits. However, the timeline to return DPD to its authorized strength will take several years.

BACKGROUND (continued)

As a result, it is paramount for DPD to maximize the use of existing personnel resources and their associated allocation to meet public safety performance expectations.

DPD is embarking on a procurement for consulting and professional services for a staffing study to provide guidance on manpower allocation of reduced resources and how best to use existing personnel and achieve operational efficiencies.

The W.W. Caruth Jr. Foundation has offered a matching grant to help fund the study through the Communities Foundation of Texas in the amount of $250,000.

The procurement is expected to take six months and the corresponding study will take approximately 12 months.

The results of the staffing study will be presented to City Council and the Communities Foundation of Texas upon completion.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Public Safety and Criminal Justice Committee was briefed by memorandum regarding this matter on July 21, 2017.

FISCAL INFORMATION

W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Funds - $250,000
Confiscated Monies Funds - $250,000

August 9, 2017

WHEREAS, W.W. Caruth Jr. Foundation at Communities Foundation of Texas has awarded the City a grant which is designated for the comprehensive evaluation of staffing resources and deployment within the Dallas Police Department; and

WHEREAS, it is advantageous for the City to accept the grant to develop a staffing efficiency study for the Dallas Police Department.

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 award (Grant No. 17- X-73636) from the W.W. Caruth Jr. Foundation at Communities Foundation of Texas in the amount of $250,000 for the development of a staffing efficiency study for the Dallas Police Department for the period September 1, 2017 through December 31, 2018; provide required cash match contributions up to $250,000 as applicable, from the Confiscated Monies-Federal Fund; and sign the grant agreement with W.W. Caruth Jr. Foundation at Communities Foundation of Texas.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $250,000 in the W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Fund, Fund P123, Department DPD, Unit 3279, Revenue Code 8411.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $250,000 in W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Fund, Fund P123, Department DPD, Unit 3279, Object 3099.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $250,000 from the W.W. Caruth Jr. Foundation at Communities Foundation of Texas Grant Fund, Fund P123, Department DPD, Unit 3279, Object 3099.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse a local cash match in an approximate amount not to exceed $250,000 from the Confiscated Monies-Federal Fund, Fund 0412, Department DPD, Unit 6368, Object 3099.

SECTION 6. That the City Manager is hereby authorized to reimburse to the granting agency expenditures 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 7. 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 8. That this contract is designated as Contract No. DPD-2017-00002813.

SECTION 9. 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

KEY FOCUS AREA: Public Safety

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Jon Fortune, 670-1204

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 1 to the Interlocal Agreement with the Richardson Independent School District (RISD) for the provision of police services by the City of Dallas (City) in the RISD's Lake Highlands High School and junior high schools within the limits of both the City and RISD - Financing: No cost consideration to the City

BACKGROUND

This Supplemental Agreement will change the provisions in the Interlocal Agreement (ILA) that address financial and operational obligations of both the City and RISD. Originally, four dedicated police officers would be provided under the ILA by the City. RISD would pay the City directly for the services of two dedicated police officers and the City would provide and fund two dedicated police officers.

Under Supplemental Agreement No. 1, RISD will pay for two off-duty officers directly as opposed to reimbursing the City for two dedicated police officers. The City will continue to fund and provide two dedicated police officers as authorized by Council Amendment in the FY 2016-17 Adopted Budget. The Council Amendment authorized the hiring of two additional police officers to specifically act as School Resource Officers (SRO) within the RISD.

These officers, who are funded by the City of Dallas, will be responsible for responding to calls for service, crime prevention, law enforcement, enforcement of truancy and community engagement at the schools and surrounding community. Also, their duties shall include counseling students and parents in helping find solutions to attendance and behavioral problems. The two dedicated police officers funded by the City will begin service with the FY 2017-18 school year.

BACKGROUND (continued)

Currently, various off-duty officers provide police services to the RISD and are compensated directly by the school district. In an effort to foster greater consistency and recurring individual interaction, a proposal was set forth to have specific police officers assigned to RISD to include a partnership with the City.

Under this Interlocal Agreement, RISD will be responsible for reimbursement of overtime performed by the two SROs funded by the City of Dallas. RISD will also provide a private office and administrative equipment necessary to perform their duties. RISD shall not decrease the number of off-duty SROs it funds in the City of Dallas because of the City's funding.

Either party may terminate this agreement anytime upon written notice to the other party at least 90 days prior to the date of termination or upon non-appropriation of funds by its governing body.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 22, 2017, City Council authorized an Interlocal Agreement with Richardson Independent School District by Resolution No. 17-0440.

Information about this item was provided to the Public Safety Committee on February 13, 2017.

The Public Safety and Criminal Justice Committee was briefed by memorandum regarding this matter on July 21, 2017.

FISCAL INFORMATION

No cost consideration to the City.

August 9, 2017

WHEREAS, pursuant to the Interlocal Cooperation Act, Chapter 791, Texas Government Code, the City of Dallas, a Texas home-rule municipality (the "CITY"), and the Richardson Independent School District, ("RISD"), an independent school district located in Dallas County, Texas, may jointly exercise the power to provide governmental services for the health, safety and general welfare of the public; and

WHEREAS, the parties desire to enter into this Interlocal Agreement for the provision of police services by the CITY in the RISD's Lake Highlands High School and junior high schools within the limits of both the CITY and RISD; and

WHEREAS, all obligations of the parties will be funded from their respective current revenues; and

WHEREAS, it is in the best interest of the CITY to authorize Supplemental Agreement No. 1 to the Interlocal Agreement with RISD.

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 the Interlocal Agreement with the Richardson Independent School District (RISD), approved as to form by the City Attorney, for the provision of police services by the City of Dallas (City) in the RISD's Lake Highlands High School and junior high schools within the limits of both the City and RISD, approved as to form by the City Attorney.

SECTION 2. That this contract is designated as Contract No. DPD-2017-00002742.

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

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 3, 6, 8, 13

DEPARTMENT: Sanitation Services

CMO: Jody Puckett, 670-3390

MAPSCO: 26R 33F 63E 67K

SUBJECT

Authorize **(1)** Supplemental Agreement No. 5 to the professional engineering contract with Biggs & Mathews Environmental, Inc. to exercise the third of three, 12-month renewal options for environmental, hydrogeology and groundwater monitoring services and additional landfill engineering tasks for engineering, design, procurement consulting services, and construction management for landfill infrastructure improvements, including construction of waste cells 6B2 & Area 2; **(2)** to extend the third optional year contract term by an additional 12-months, from June 30, 2018 to June 30, 2019 to complete additional engineering and construction tasks; and **(3)** an increase in appropriations in the amount of $444,900 in the Sanitation Capital Improvement Funds - Not to exceed $636,473, from $1,148,969 to $1,785,442 - Financing: Sanitation Capital Improvement Funds ($444,900) and Sanitation Current Funds ($191,573) (subject to appropriations)

BACKGROUND

The operations at the City's solid waste disposal facilities, which include the McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station is governed by state issued operational permits. Each permit requires environmental protection, sampling and reporting for air, water and waste, as regulated by the Texas Commission on Environmental Quality (TCEQ).

This two-year contract, with three one-year renewal options (five years total), with Biggs & Mathews Environmental, Inc. (BME), provides Sanitation Services with environmental technical services, hydrogeology and groundwater monitoring/reporting services, state permit consulting services, engineering and design for landfill waste cell and infrastructure improvements, construction document preparation, and construction management/quality control services.

BACKGROUND (continued)

Monitoring services under this contract require specialized equipment and technical expertise that is best performed by a professional engineering services contractor who has trained environmental sampling staff, equipment, an analytical chemistry laboratory and statistical analysis software for interpreting monitoring results that are needed to complete the regulatory requirements. BME's monitoring group provides field support related to landfill gas, groundwater sampling, data management, statistical analysis, surface water sampling and analysis, leachate system design/construction and sampling for McCommas Bluff Landfill. Similarly, they maintain and coordinate the effort required to design and manage improvements to the physical infrastructure of the operational section of the landfill.

In June 2013, when the original contract was executed, there was only one waste cell construction planned during the five-year contract term. Due to increased fill volumes over the past four years, the waste cell planned for year four of the contract was advanced to year three. Now, with continued increased disposal volumes, waste cells 6B2 & Area 2 need to be advanced forward to year five of this contract, which was not anticipated in June of 2013. Advancing this construction requires an increase in the current contract scope, funding and contract completion date with BME to design, assist with procurement and manage the final construction and state permitting of the project.

The third optional year (year five) of this contract, if approved, would end June 30, 2018. Based on the design and procurement schedule for waste cells 6B2 and Area 2, design would be complete in Fall 2017, followed by construction procurement and projected construction award in late Spring 2018. To maintain continuity of the project engineering and design team from design to construction completion, including the construction management, quality control and state final permitting phase, we are requesting approval to extend the third optional year contract term by 12- months, from June 30, 2018 to June 30, 2019.

ESTIMATED SCHEDULE OF THE PROJECT

Begin Contract Extension Option	August 2017
Complete Contract Extension Option	June 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2013, City Council authorized a 24-month professional engineering contract to Biggs & Mathews Environmental Inc., with three 12-month renewal options for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station and waste cell design and construction oversight at McCommas Bluff Landfill as by Resolution No. 13-1082.

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

On June 10, 2015, City Council authorized Supplemental Agreement No. 2 to Biggs and Mathews, Environmental Inc., to exercise the first of three, 12-month renewal options for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station and waste cell design and construction oversight at McCommas Bluff Landfill by Resolution No. 15-1059.

On May 25, 2016, City Council authorized Supplemental Agreement No. 3 to Biggs and Mathews Environmental Inc., to exercise the second of three, 12-month renewal options to the professional engineering contract for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station by Resolution No. 16-0814.

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

Sanitation Current Funds - $191,573 (subject to appropriations)
Sanitation Capital Improvement Funds - $444,900

Professional Contract	$ 396,040
Supplemental Agreement No. 1	$ 21,600
Supplemental Agreement No. 2	$ 577,790
Supplemental Agreement No. 3	$ 153,539
Supplemental Agreement No. 4	$ 0
Supplemental Agreement No. 5 (this action)	$ 636,473
Total	$1,785,442

Council District	Amount
3	$ 1,000
6	$ 1,000
8	$633,473
13	$ 1,000
Total	$636,473

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Biggs & Mathews Environmental, Inc.

White Male	14	White Female	8
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	1	Other Female	0

OWNER

Biggs & Mathews Environmental, Inc.

Kerry D. Maroney, President
Michael Snyder, Vice President
Kenneth J. Welch, Secretary
Gregg Adams, P.E., Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** Supplemental Agreement No. 5 to the professional engineering contract with Biggs & Mathews Environmental, Inc. to exercise the third of three, 12-month renewal options for environmental, hydrogeology and groundwater monitoring services and additional landfill engineering tasks for engineering, design, procurement consulting services, and construction management for landfill infrastructure improvements, including construction of waste cells 6B2 & Area 2; **(2)** to extend the third optional year contract term by an additional 12-months, from June 30, 2018 to June 30, 2019 to complete additional engineering and construction tasks; and **(3)** an increase in appropriations in the amount of $444,900 in the Sanitation Capital Improvement Funds - Not to exceed $636,473, from $1,148,969 to $1,785,442 - Financing: Sanitation Capital Improvement Funds ($444,900) and Sanitation Current Funds ($191,573) (subject to appropriations)

Biggs & Mathews Environmental, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$593,473.00	93.24%
Non-local contracts	$43,000.00	6.76%
TOTAL THIS ACTION	$636,473.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
T. Smith Inspection & Testing Services	BMDB46396Y0718	$118,000.00	19.88%
Total Minority - Local		$118,000.00	19.88%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Davis Groundwater Services	WFWB90062N1018	$43,000.00	100.00%
Total Minority - Non-local		$43,000.00	100.00%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$118,000.00	18.54%	$200,572.75	11.23%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$33,908.48	1.90%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$43,000.00	6.76%	$187,713.00	10.51%
Total	$161,000.00	25.30%	$422,194.23	23.65%

August 9, 2017

WHEREAS, on June 26, 2013, City Council authorized a 24-month professional engineering contract to Biggs & Mathews Environmental Inc., with three 12-month renewal options for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station and waste cell design and construction oversight at McCommas Bluff Landfill as required, in an amount not to exceed $396,040, by Resolution No. 13-1082; and

WHEREAS, on August 27, 2013, Administrative Action No. 13-6172 authorized Supplemental Agreement No. 1 to the professional engineering contract with Biggs and Mathews Environmental Inc. for the installation and testing of Geo-probes at McCommas Bluff Landfill, in an amount not to exceed $21,600, from $396,040 to $417,640; and

WHEREAS, on June 10, 2015, City Council authorized Supplemental Agreement No. 2 to the professional engineering contract with Biggs and Mathews Environmental Inc., to exercise the first of three, 12-month renewal options to the professional engineering contract for hydrogeology and groundwater monitoring at McCommas Bluff Landfill and amendment to the estimated annual scope of services to revise the schedule, in an amount not to exceed $577,790, from $417,640 to $995,430, by Resolution No. 15-1059; and

WHEREAS, on May 25, 2016, City Council authorized Supplemental Agreement No. 3 to the professional engineering contract with Biggs and Mathews Environmental Inc., to exercise the second of three, 12-month renewal options to the professional engineering contract for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station, in an amount not to exceed $153,539, from $995,430 to $1,148,969, by Resolution No. 16-0814; and

WHEREAS, on June 29, 2017, Administrative Action No. 17-6258, authorized Supplemental Agreement No. 4 to the professional engineering contract with Biggs and Mathews Environmental Inc., to extend the time of the contract from June 30, 2017 to December 31, 2017 for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station, with zero cost, having no effect on the contract amount.

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. 5 to the professional engineering contract with Biggs & Mathews Environmental, Inc. (501084), approved as to form by the City Attorney, to exercise the third of three, 12-month renewal options for hydrogeology and groundwater monitoring services, authorize additional landfill engineering tasks for engineering, design, procurement consulting services, and construction management for landfill infrastructure improvements, including construction of waste cells 6B2 & Area 2, and to extend the third optional year contract term by 12-months, from June 30, 2018 to June 30, 2019 to complete additional engineering and construction tasks, in an amount not to exceed $636,473, increasing the professional engineering contract from $1,148,969 to $1,785,442.

SECTION 2. That the City Manager is hereby authorized to increase appropriations in the Sanitation Capital Improvement Fund, Fund 0593, Department SAN, Unit P964, Object 3070, in an amount not to exceed $444,900.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $636,473 (subject to appropriations) to Biggs & Mathews Environmental, Inc. (501084) from Service Contract No. SAN-2016-00000735, as follows:

Fund	Department	Unit	Object	Amount	Encumbrance
0440	SAN	3591	3070	$191,573.00	Biggs&MathewsFY2017
0593	SAN	P964	3070	$444,900.00	B&MCellConstructionFY2017

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction
Trinity Watershed Management

CMO: Majed Al-Ghafry, 670-3302
Jody Puckett, 670-3390

MAPSCO: 47X

SUBJECT

Authorize moving expense and rental assistance payments for Betty Taylor as a result of an official written offer of just compensation to purchase real property at 5420 Barber Avenue for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed $24,432 - Financing: General Obligation Commercial Paper Funds

BACKGROUND

Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas provides moving expense and rental assistance payments for individuals displaced by the City of Dallas in conjunction with its real property acquisition activities.

On October 26, 2016, City Council authorized the acquisition of real property known as 5420 Barber Avenue for Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project by Resolution No. 16-1756.

Betty Taylor will be displaced as a direct result of this property acquisition. She qualifies for a moving expense payment of up to $1,600.00 and a last resort calculated rental assistance payment of up to $22,831.62 pursuant to the Dallas City Code and will use the rental assistance payment to rent a replacement dwelling.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 26, 2016, City Council authorized the acquisition by Resolution No. 16-1756.

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - $24,431.62

TENANT

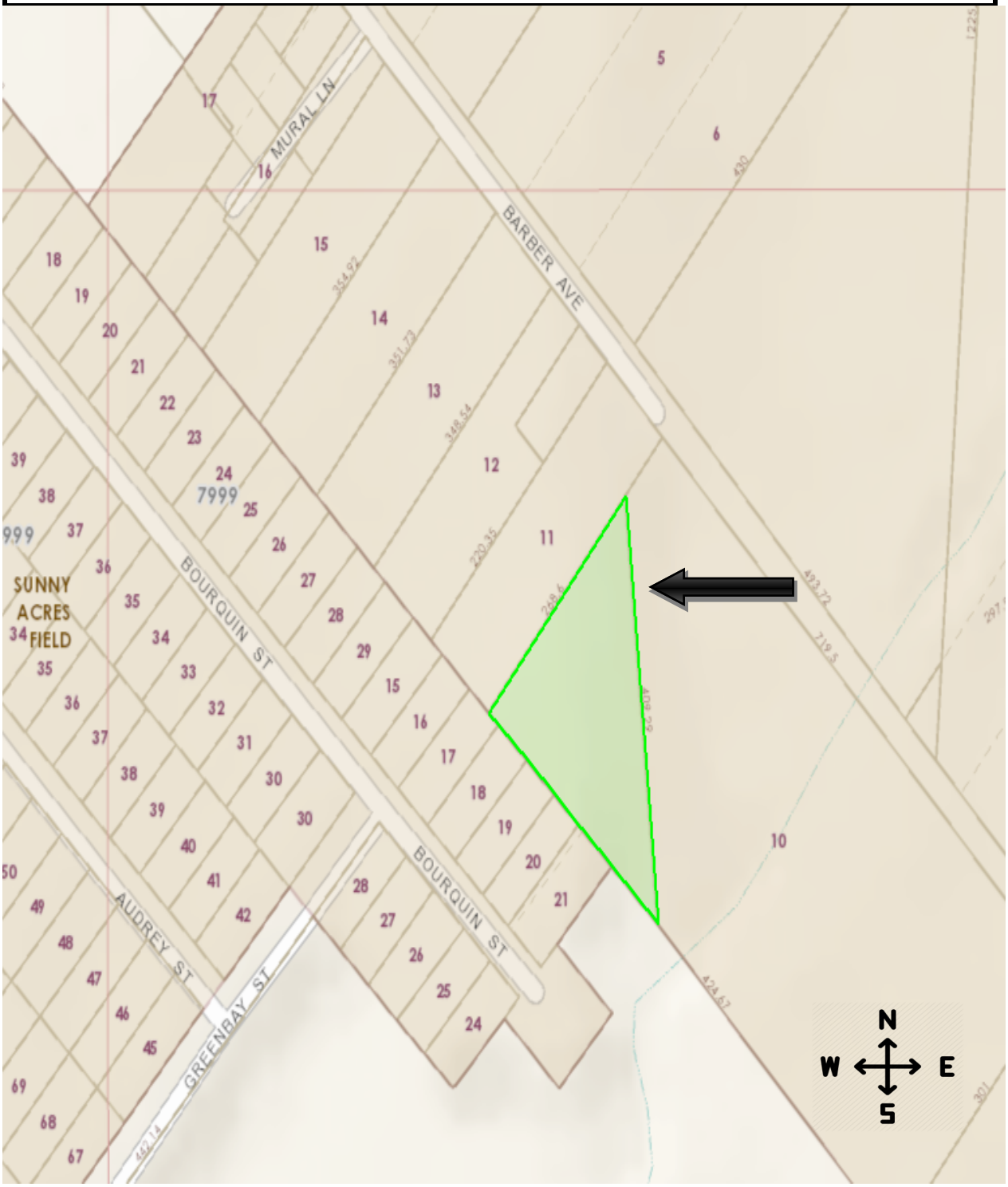
Betty Taylor

MAP

Attached

Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project

RELOCATION ASSISTANCE



BLK 7/6122 PT LT 10 BLK 0.51 —5420 Barber Avenue

August 9, 2017

WHEREAS, on October 26, 2016, City Council authorized the acquisition of 5420 Barber Avenue to be used in conjunction with the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project by Resolution No. 16-1756; and

WHEREAS, Betty Taylor will be displaced as a direct result of this property acquisition and will vacate the property; and

WHEREAS, Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas provides moving expense and rental assistance payments for individuals displaced by City of Dallas property acquisition activities.

Now, Therefore,

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

SECTION 1. That Betty Taylor will be displaced in conjunction with the construction of Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project and is entitled to moving expense and rental assistance payments pursuant to Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas.

SECTION 2. That Betty Taylor is eligible to receive a moving expense payment in an amount up to $1,600.00 and a rental assistance payment in an amount up to $22,831.62.

SECTION 3. That the Chief Financial Officer is hereby authorized to draw warrants in favor of Betty Taylor, in an amount not to exceed $24,431.62 for moving expense and rental assistance payments.

These warrants are to be paid as follows:

Land Acquisition in Flood Protection and Storm Drainage Facilities Improvement Fund Fund 1T23, Department TWM, Unit T525 Object 4240, Activity SDRS, Program PB06T525 Encumbrance/Contract No. CX-TWM-2017-00002824 Vendor VC16779	$22,831.62
Land Acquisition in Flood Protection and Storm Drainage Facilities Improvement Fund Fund 1T23, Department TWM, Unit T525 Object 4240, Activity SDRS, Program PB06T525 Encumbrance/Contract No. CX-TWM-2017-00002825 Vendor VC16779	$ 1,600.00
Total amount not to exceed	$ 24,431.62

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 # 29

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Sustainable Development and Construction
Water Utilities

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 30A-T

SUBJECT

A resolution authorizing the conveyance of a storm sewer easement containing approximately 2,281 square feet to the City of Garland for the construction, maintenance and use of drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Zion Road and President George Bush Turnpike - Revenue: $5,360

BACKGROUND

This item authorizes the conveyance of a storm sewer easement containing approximately 2,281 square feet to the City of Garland for the construction, maintenance and use of drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Zion Road and President George Bush Turnpike. This property will be used for the Via Bayou Inc. Project. The purchase price is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

Revenue - $5,360

MAP

Attached



SURPLUS PROPERTY: LAKE RAY HUBBARD

Easement

N

August 9, 2017

WHEREAS, the City of Dallas owns a tract of land which is used for Lake Ray Hubbard; and

WHEREAS, the City of Garland has requested a storm sewer easement on said land for the construction, maintenance and use of drainage facilities containing approximately 2,281 square feet across City-owned land at Lake Ray Hubbard located near the intersection of Zion Road and President George Bush Turnpike, City of Garland, Dallas County, Texas; and being more fully described in Exhibit "A" attached hereto and made a part of hereof for all purposes; and

WHEREAS, the Interlocal Agreement and Lease between the City of Dallas and City of Garland dated July 20, 1999, contemplates the granting of easement rights.

Now, Therefore,

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

SECTION 1. That upon receipt of **FIVE THOUSAND THREE HUNDRED SIXTY DOLLARS AND NO/100 ($5,360.00)** from the City of Garland, the City Manager or designee is hereby authorized to execute a storm sewer easement, to be attested by the City Secretary, approved as to form by the City Attorney.

SECTION 2. That the sale proceeds shall be deposited into the Water and Sewer Revenue Fund, Fund 0100, Department DWU, Unit 7005, Revenue Code 8428 and Department of Sustainable Development and Construction, Real Estate Division shall be reimbursed for the costs of obtaining legal description, appraisal and other administrative costs incurred. The reimbursement processed shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011.

SECTION 3. That this contract is designated as Contract No. DEV-2017-00002322.

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

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

EXHIBIT A

FIELD NOTES DESCRIBING A 2,281 SQ. FT. [0.052 ACRE] OFFSITE 20' PRIVATE STORM SEWER EASEMENT TO BE ACQUIRED BY VIA BAYOU INC. WITHIN THE LIMITS OF LAKE RAY HUBBARD FROM THE CITY OF DALLAS REBECCA BATEMAN SURVEY, ABSTRACT NO. 89 CITY OF GARLAND, DALLAS COUNTY, TEXAS

BEING that certain 2,281 square foot [0.052 acre] tract of land situated in the Rebecca Bateman Survey, Abstract No. 89, City of Garland, Dallas County, Texas, being a portion of the property conveyed by Confirmation Warranty Deed to City of Dallas as recorded under Volume 67047, Page 654, Deed Records, Dallas County, Texas, and further shown in a survey done by Forrest and Cotten and recorded in Volume 67072, Page 203, said Deed Records, and being more particularly described as follows:

COMMENCING at concrete monument with brass disk stamped "City of Dallas Monument K4–1A" found for a southerly corner of said City of Dallas tract, same being in the northwesterly right–of–way line of Zion Road (a called 60 foot right–of–way to County of Dallas, by deed recorded in Volume 2041, Page 444, said Deed Records)(variable width right–of–way per found monumentation), from which another concrete monument with brass disk stamped "City of Dallas Monument K4–1" found bears North 85 deg. 22 min. 48 sec. West, 41.07 feet;

THENCE North 57 deg. 20 min. 12 sec. East, along the southeasterly line of said City of Dallas tract, and the northwesterly right–of–way line of said Zion Road, a distance of 235.22 feet to a 1/2 inch iron rod set with green plastic cap stamped "EASEMENT RPLS 6122" (hereinafter referred to as 1/2 inch iron rod set) for the southwest corner of the herein described tract, same being the **POINT OF BEGINNING;**

THENCE through the interior of said City of Dallas tract as follows:

North 32 deg. 09 min. 14 sec. West, a distance of 115.21 feet to a 1/2 inch iron rod set for the northwest corner of the herein described tract;

North 64 deg. 02 min. 22 sec. East, a distance of 20.12 feet to a 1/2 inch iron rod set for the northeast corner of the herein described tract;

South 32 deg. 09 min. 14 sec. East, a distance of 112.87 feet to a 1/2 inch iron rod set for the southeast corner of the herein described tract, same being in the southeasterly line of said City of Dallas tract, same being in the northwesterly right–of–way line of aforesaid Zion Road, from which a concrete monument with brass disk stamped "City of Dallas Monument K2–1" found bears North 57 deg. 20 min. 12 sec. East, 252.52 feet;

THENCE South 57 deg. 20 min. 12 sec. West, along the southeasterly line of said City of Dallas tract, and the northwesterly right–of–way line of said Zion Road, a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 2,281 square feet or 0.052 acre of computed land, more or less.

NOTES

1. Bearings for this description cited are based on Grid NAD83 tied to the Texas Coordinate System of 1983, North Central Zone using City of Garland Geodetic Control (2002 datum) Monuments:
   –GPS 069: 2" brass disk stamped "69", located on located on the BC approx. 45' N or the intersection of Locust Grove & Peninsula Way, elevation = 477.16'
   –GPS 064: 2" brass disk stamped "64", located on located in the SW @ the SE end of the bridge on Zion Road over I–30, approx. 26' E. of the CI of Zion, and approx. 10' N. of the SE end of the bridge, elevation = 516.19'
2. Maintenance of easement shall not be the responsibility of The City of Dallas, Texas. Utility Line and Easement will be maintained by Via Bayou Inc., and or its successors and assigns.
3. See City of Dallas Maps 610R–1 and 612D–1, Sheet 191.

FIELD NOTES APPROVED:
5/16/17

The undersigned, Registered Professional Land Surveyor, hereby certifies that this legal description accurately sets out the plat of the easement tract described.

01/26/2017

TIMOTHY R. MANKIN
6122
PROFESSIONAL LAND SURVEYOR

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO.:	15–1117DE
DATE:	12/12/2016
REVISION	01/26/2017
NOT TO SCALE	
DRAWN:	T.R.M.

PEISER & MANKIN SURVEYING, LLC

www.peisersurveying.com
FIRM NO. 100999–00
623 E. DALLAS ROAD
GRAPEVINE, TEXAS 76051
817–481–1806 (O)
817–481–1809 (F)
FIRM NO. 100999–00

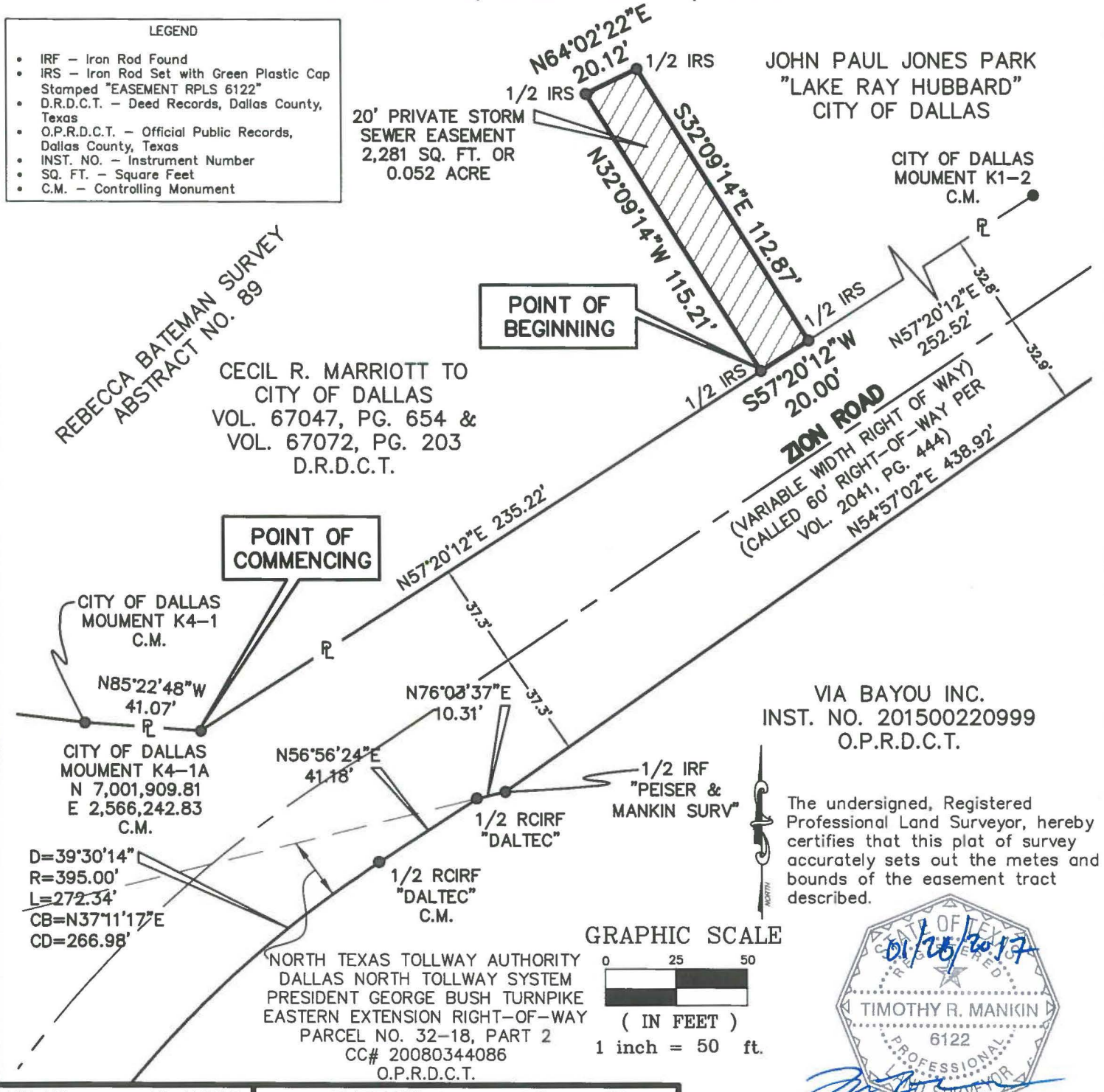
Texas Society of Professional Surveyors
Member Since 1977

PMS LLC
COMMERCIAL • RESIDENTIAL
BOUNDARIES • TOPOGRAPHY
MORTGAGE

EXHIBIT A
20'/0.052 ACRE OFFSITE PRIVATE STORM SEWER EASEMENT TO BE ACQUIRED BY VIA BAYOU INC. WITHIN THE LIMITS OF LAKE RAY HUBBARD FROM THE CITY OF DALLAS REBECCA BATEMAN SURVEY, ABSTRACT NO. 89 CITY OF GARLAND, DALLAS COUNTY, TEXAS

LEGEND

- IRF – Iron Rod Found
- IRS – Iron Rod Set with Green Plastic Cap Stamped "EASEMENT RPLS 6122"
- D.R.D.C.T. – Deed Records, Dallas County, Texas
- O.P.R.D.C.T. – Official Public Records, Dallas County, Texas
- INST. NO. – Instrument Number
- SQ. FT. – Square Feet
- C.M. – Controlling Monument



GRAPHIC SCALE

0 25 50

(IN FEET)

1 inch = 50 ft.

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
01/26/2017
TIMOTHY R. MANKIN
6122
PROFESSIONAL
LAND SURVEYOR

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO.:	15–1117DE
DATE:	12/12/2016
REVISION	01/26/2017
SCALE:	1" = 50'
DRAWN:	T.R.M.

PEISER & MANKIN SURVEYING, LLC

www.peisersurveying.com
FIRM NO. 100999–00

623 E. DALLAS ROAD
GRAPEVINE, TEXAS 76051
817–481–1806 (O)
817–481–1809 (F)
FIRM NO. 100999–00

Texas Society of Professional Surveyors
Member Since 1977

PMS LLC
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BOUNDARIES • TOPOGRAPHY
MORTGAGE

AGENDA ITEM # 30

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction
Park & Recreation

CMO: Majed Al-Ghafry, 670-3302
Willis Winters, 670-4071

MAPSCO: 22N

SUBJECT

A resolution authorizing the conveyance of a temporary construction easement for two tracts containing a total of approximately 155,182 square feet to the Trinity River Authority of Texas for the rehabilitation of the existing sewer interceptor across City-owned park land at Elm Fork Shooting Sports and Luna Vista Golf Course located near the intersection of Northwest Highway and Royal Lane - Revenue: $7,366

BACKGROUND

This item authorizes the conveyance of a temporary construction easement for two tracts containing a total of approximately 155,182 square feet to the Trinity River Authority of Texas for the rehabilitation of the existing sewer interceptor across City-owned park land at Elm Fork Shooting Sports and Luna Vista Golf Course located near the intersection of Northwest Highway and Royal Lane. This property will be used for the Elm Fork Relief Project. This easement is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 4, 2017, the Park and Recreation Board authorized the conveyance of a temporary construction easement.

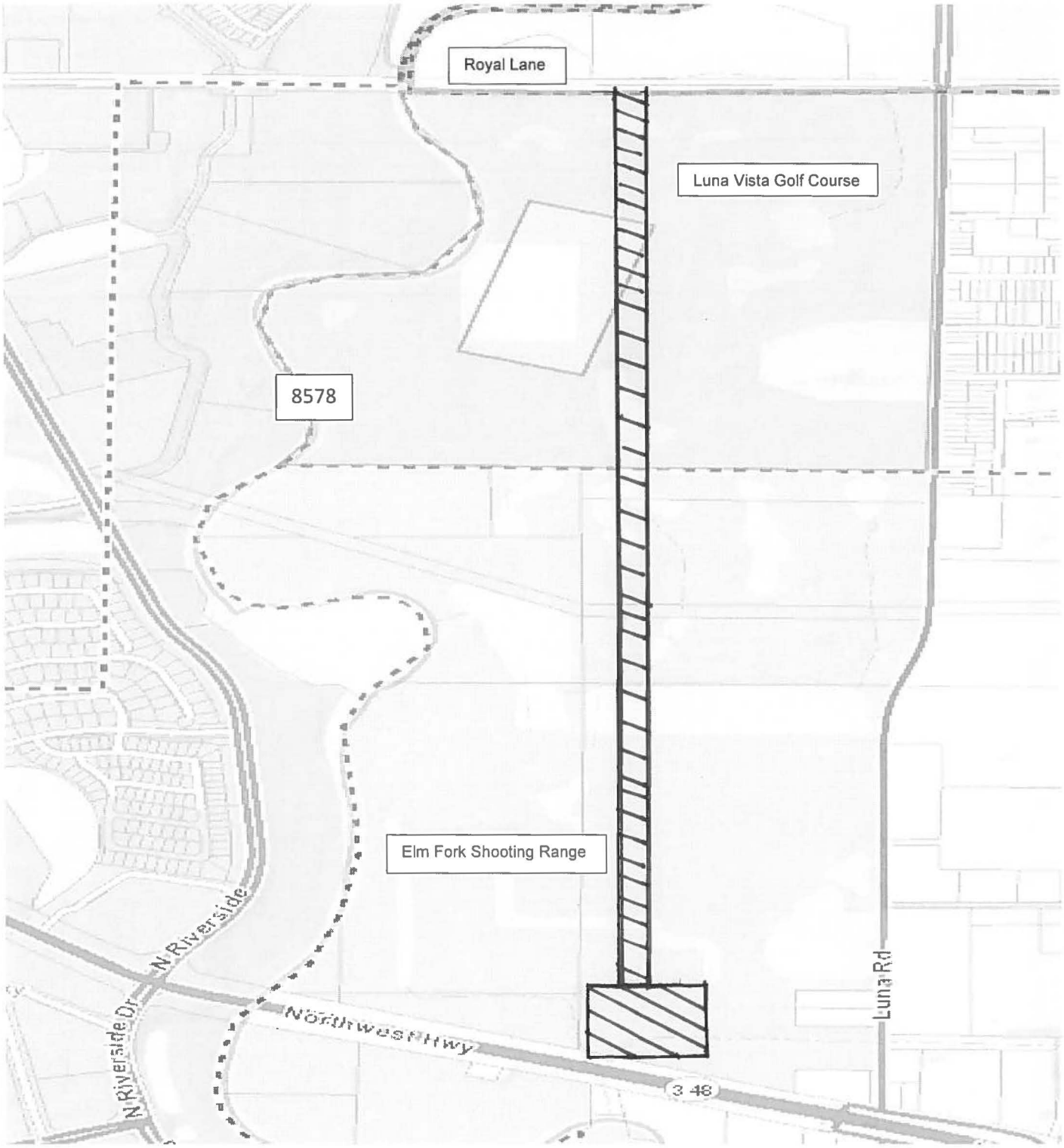
The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

Revenue - $7,366

MAP

Attached



Luna Vista Golf Course and Elm Fork Shooting Range

N

August 9, 2017

WHEREAS, the City of Dallas owns a tract of land which is used for Elm Fork Shooting Sports and Luna Vista Golf Course; and

WHEREAS, the Trinity River Authority of Texas has requested a temporary construction easement on said land for the construction, maintenance and use of facilities containing a total of approximately 155,182 square feet, for the rehabilitation of the existing sewer interceptor across City-owned park land located near the intersection of Northwest Highway and Royal Lane, being in Abstract No. 155, Dallas County, Texas, the boundary of which property being more particularly described in Exhibit "A" attached hereto and made part hereof all purposes.

Now, Therefore,

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

SECTION 1. That upon receipt of **SEVEN THOUSAND THREE HUNDRED SIXTY SIX AND NO/100 ($7,366.00) DOLLARS** from the Trinity River Authority of Texas, the City Manager or designee is hereby authorized to execute a temporary construction easement to be attested by the City Secretary, approved as to form by the City Attorney.

SECTION 2. That proceeds shall be deposited into the Capital Gifts, Donation and Development Fund, Fund 0530, Department PKR, Unit 919A, Revenue Code 8428 and Department of Sustainable Development and Construction Services-Real Estate Division shall be reimbursed for the costs of obtaining legal description, appraisal and other administrative cost incurred. The reimbursement processed shall be deposited in General 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, Organization 8888, Revenue Code 8118.

SECTION 3. That this contract is designated as Contract No. DEV-2017-00002305.

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

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

EXHIBIT A-TRACT 1

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 2-TCE

Being a 25,430 square foot tract of land situated in the William Babbett Survey, Abstract No. 155, Dallas Block No. 8572, City of Dallas, Dallas County, Texas, said 25,430 square foot tract of land being a portion of a 1,441,290 square foot tract of land (by deed) deeded to the City of Dallas by Warranty Deed dated July 27, 1965 as recorded in Volume 619, Page 844 of the Deed Records of Dallas County, Texas, said 25,430 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a Texas Department of Transportation (TXDOT) monument found (Controlling Monument) (CM) in the northerly right-of-way line of Spur 348 (Northwest Highway) (a variable width right-of-way) as recorded in Volume 5750, Page 66 of said Deed Records of Dallas County, Texas, said TXDOT monument being the southwest corner of a 20 acre tract of land (by deed) described as Tract No. 8 deeded to the City of Dallas as recorded in Volume 120, Page 1470 of said Deed Records of Dallas County, Texas, said TXDOT monument also being the southeast corner of a tract of land deeded to the City of Dallas as recorded in Volume 452, Page 962 of said Deed Records of Dallas County, Texas, from which a TXDOT monument found (CM) for an angle point in the northerly right-of-way line of said Spur 348 bears South 75 degrees 21 minutes 03 seconds East, a distance of 439.21 feet; THENCE North 00 degrees 40 minutes 23 seconds West, with the west line of said Tract No. 8 and with the east line of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, a distance of 570.22 feet to a point for the northwest corner of said Tract No. 8, said point being the southwest corner of a tract of land described as Tract No. 7 deeded to the City of Dallas as recorded in said Volume 120, Page 1470; THENCE North 00 degrees 40 minutes 15 seconds West, with the west line of said Tract No. 7 and with the east line of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, passing at a distance of 18.00 feet, a point for the northeast corner of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, and being the southeast corner of an 80 acre tract of land (by deed) described as Tract No. 9 deeded to the City of Dallas as recorded in said Volume 120, Page 1470, in all, a distance of 660.00 feet to a point for the northwest corner of said Tract No. 7, said point being southwest corner of a 25 acre tract of land (by deed) described as Tract No. 6 deeded to the City of Dallas as recorded in said Volume 120, Page 1470, said point also being in the east line of said Tract No. 9; THENCE North 00 degrees 40 minutes 20 seconds West, with the west line of said Tract No. 6 and with the east line of said Tract No. 9, a distance of 660.00 feet to a point for the southwest corner of said 1,441,290 square foot tract of land, said point being the northwest corner of said Tract No. 6, said point also being in the east line of said Tract No. 9; THENCE North 00 degrees 40 minutes 23 seconds West, with the west line of said 1,441,290 square foot tract of land and with the east line of said Tract No. 9, a distance of 390.59 feet to the **POINT OF BEGINNING**, said point having a grid coordinate of N=7,006,298.77 and E=2,451,978.35;

FIELD NOTES APPROVED:
7/27/16

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 817-496-1424 FAX 817-496-1768

EXHIBIT A-TRACT 1

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 2-TCE

THENCE North 00 degrees 40 minutes 23 seconds West, with the west line of said 1,441,290 square foot tract of land and the east line of said Tract No. 9, a distance of 205.44 feet to a point for corner;

THENCE South 14 degrees 45 minutes 32 seconds East, a distance of 614.51 feet to a point for corner in the south line of said 1,441,290 square foot tract of land, said point being in the north line of said Tract No. 6;

THENCE South 89 degrees 19 minutes 40 seconds West, with south line of said 1,441,290 square foot tract of land and with the north line of said Tract No. 6, a distance of 51.55 feet to a point for corner;

THENCE North 14 degrees 45 minutes 32 seconds West, a distance of 402.70 feet to the **POINT OF BEGINNING,** and containing 25,430 square feet or 0.584 acres of land, more or less.

Notes:

(1) A plat of same date herewith accompanies this legal description.

(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

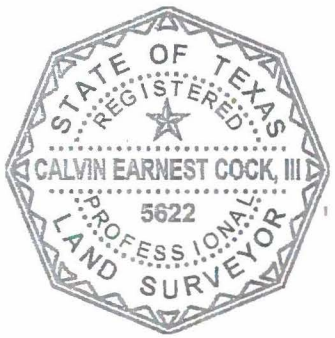
* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
Gorrondona & Associates, Inc.

12/14/15

Calvin E. Cock III
Registered Professional Land Surveyor
Texas No. 5622
Texas Firm No. 10106903



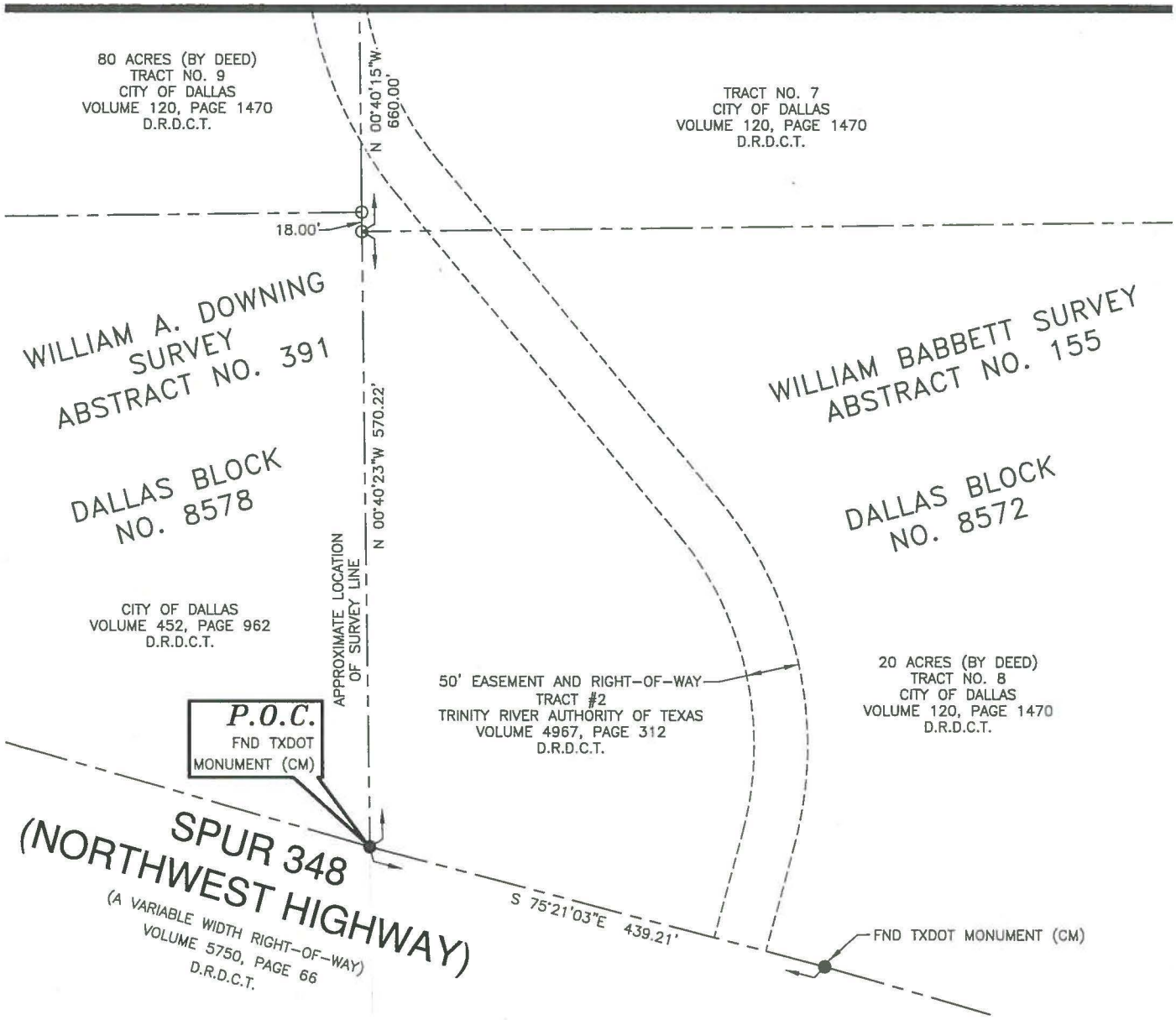
GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 817-496-1424 FAX 817-496-1768

EXHIBIT A-TRACT 1

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 2-TCE

MATCHLINE "A"



150 75 0 150

SCALE IN FEET

N

NOTE: 1. A LEGAL DESCRIPTION OF THE SAME DATE HEREWITH ACCOMPANIES THIS PLAT

2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE, BASED ON CITY OF IRVING G.P.S. CONTROL MONUMENTS A10 AND A11, WITH A COMBINED SCALE FACTOR FOR THIS SITE OF 0.999856145. ALL DISTANCES AND AREAS SHOWN ARE SURFACE, WITH CONTROLING MONUMENTS BEING SHOWN HEREON.

STATE OF TEXAS
REGISTERED
CALVIN EARNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_2-TCE_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 3 OF 5	SCALE: 1" = 150'

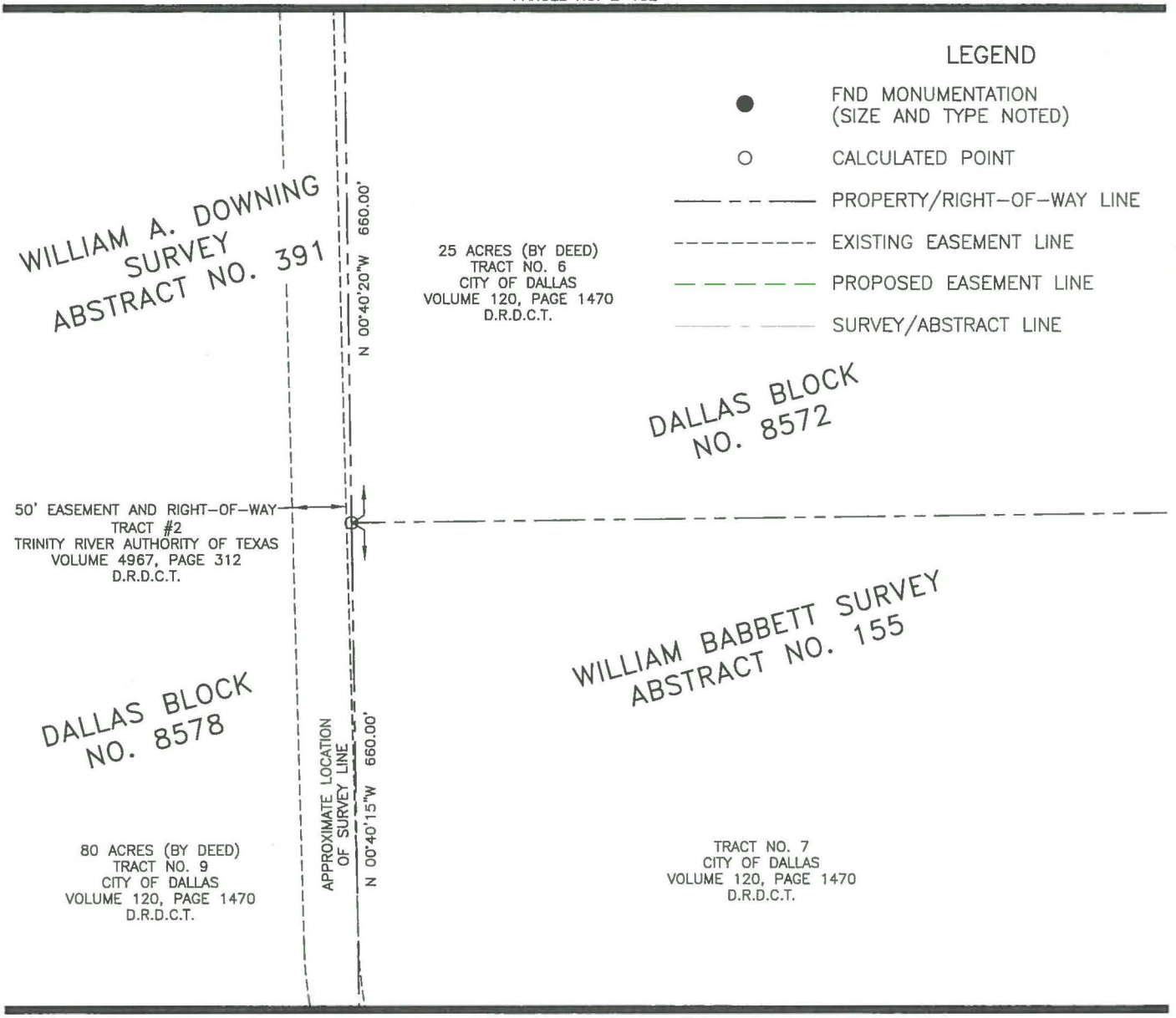
GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 1

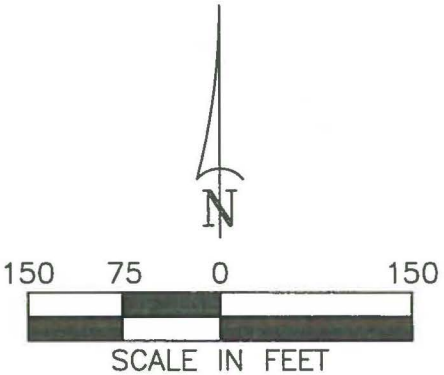
TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 2-TCE

MATCHLINE "B"



MATCHLINE "A"





12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

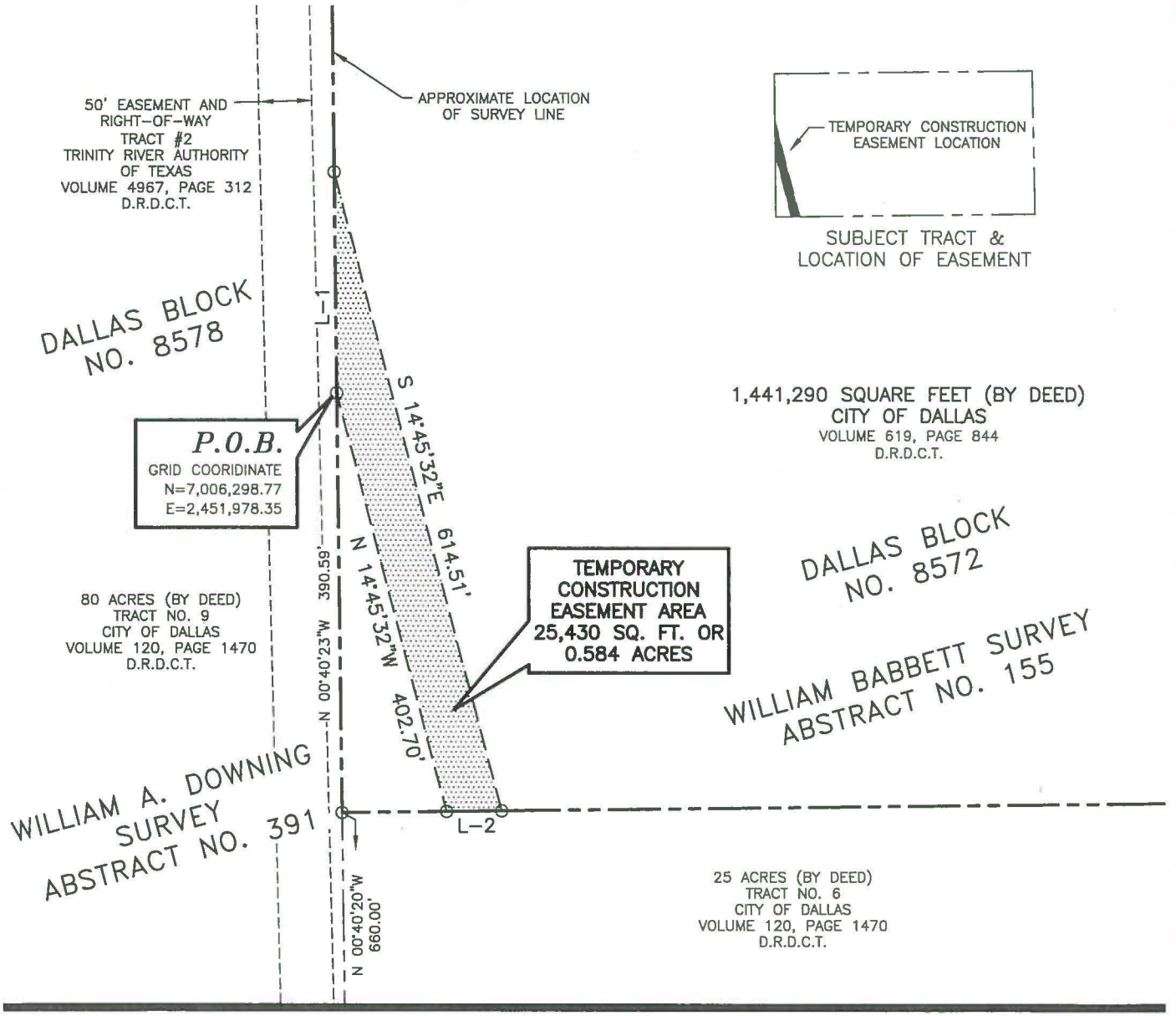
JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_2-TCE_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 4 OF 5	SCALE: 1" = 150'

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

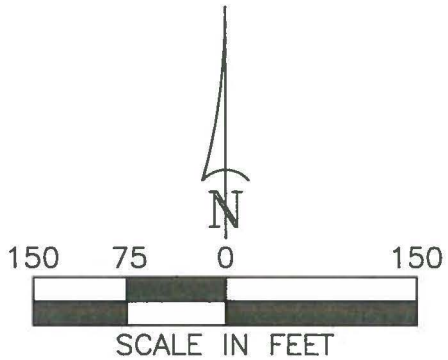
EXHIBIT A-TRACT 1

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 2-TCE



MATCHLINE "B"



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 00°40'23"W	205.44'
L-2	S 89°19'40"W	51.55'

STATE OF TEXAS REGISTERED CALVIN EARNEST COCK, III 5622 PROFESSIONAL LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_2-TCE_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 5 OF 5	SCALE: 1" = 150'

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EXHIBIT A-TRACT 2

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 1

Being a 15,001 square foot tract of land situated in the William Babbett Survey, Abstract No. 155, Dallas Block No. 8572, City of Dallas, Dallas County, Texas, said 15,001 square foot tract of land being a portion of a 20 acre tract of land (by deed) described as Tract No. 8 deeded to the City of Dallas by Warranty Deed dated August 2, 1963 as recorded in Volume 120, Page 1470 of the Deed Records of Dallas County, Texas, said 15,001 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a Texas Department of Transportation (TXDOT) monument found (Controlling Monument) (CM) for the southwest corner of said Tract No. 8, said TXDOT monument being the southeast corner of a tract of land deeded to the City of Dallas as recorded in Volume 452, Page 962 of said Deed Records of Dallas County, Texas, said TXDOT monument also being in the northerly right-of-way line of Spur 348 (Northwest Highway) (a variable width right-of-way) as recorded in Volume 5750, Page 66 of said Deed Records of Dallas County, Texas; THENCE South 75 degrees 21 minutes 03 seconds East, with the southerly line of said Tract No. 8 and with the northerly right-of-way line of said Spur 348, a distance of 382.42 feet to the **POINT OF BEGINNING**, said point being the intersection of the northerly right-of-way line of said Spur 348 with the easterly line of an existing 50' Easement and Right-of-Way described as Tract #2 granted to Trinity River Authority of Texas as recorded in Volume 4967, Page 312 of said Deed Records of Dallas County, Texas, said point being in the southerly line of said Tract No. 8, said point also having a grid coordinate of N=7,003,921.81 and E=2,452,374.88;

THENCE North 15 degrees 25 minutes 29 seconds East, with the easterly line of said existing 50' Easement and Right-of-Way, a distance of 100.01 feet to a point for corner;

THENCE South 75 degrees 21 minutes 03 seconds East, a distance of 56.54 feet to a point for corner;

THENCE South 74 degrees 05 minutes 20 seconds East, a distance of 93.47 feet to a point for corner;

THENCE South 15 degrees 25 minutes 29 seconds West, a distance of 100.00 feet to a point for corner in the southerly line of said Tract No. 8, said point being in the northerly right-of-way line of said Spur 348;

FIELD NOTES APPROVED; 7/27/16

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 2

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 1

THENCE North 74 degrees 05 minutes 20 seconds West, with the southerly line of said Tract No. 8 and with the northerly right-of-way line of said Spur 348, a distance of 93.22 feet to a TXDOT monument found (CM) for an angle point in the southerly line of said Tract No. 8, said TXDOT monument being in the northerly right-of-way line of said Spur 348;

THENCE North 75 degrees 21 minutes 03 seconds West, with the southerly line of said Tract No. 8 and with the northerly right-of-way line of said Spur 348, a distance of 56.79 feet to the **POINT OF BEGINNING,** and containing 15,001 square feet or 0.344 acres of land, more or less.

Notes:

(1) A plat of same date herewith accompanies this legal description.

(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
Gorrondona & Associates, Inc.

By: _____ 12/14/15
Calvin E. Cock III
Registered Professional Land Surveyor,
Texas No. 5622
Texas Firm No. 10106903

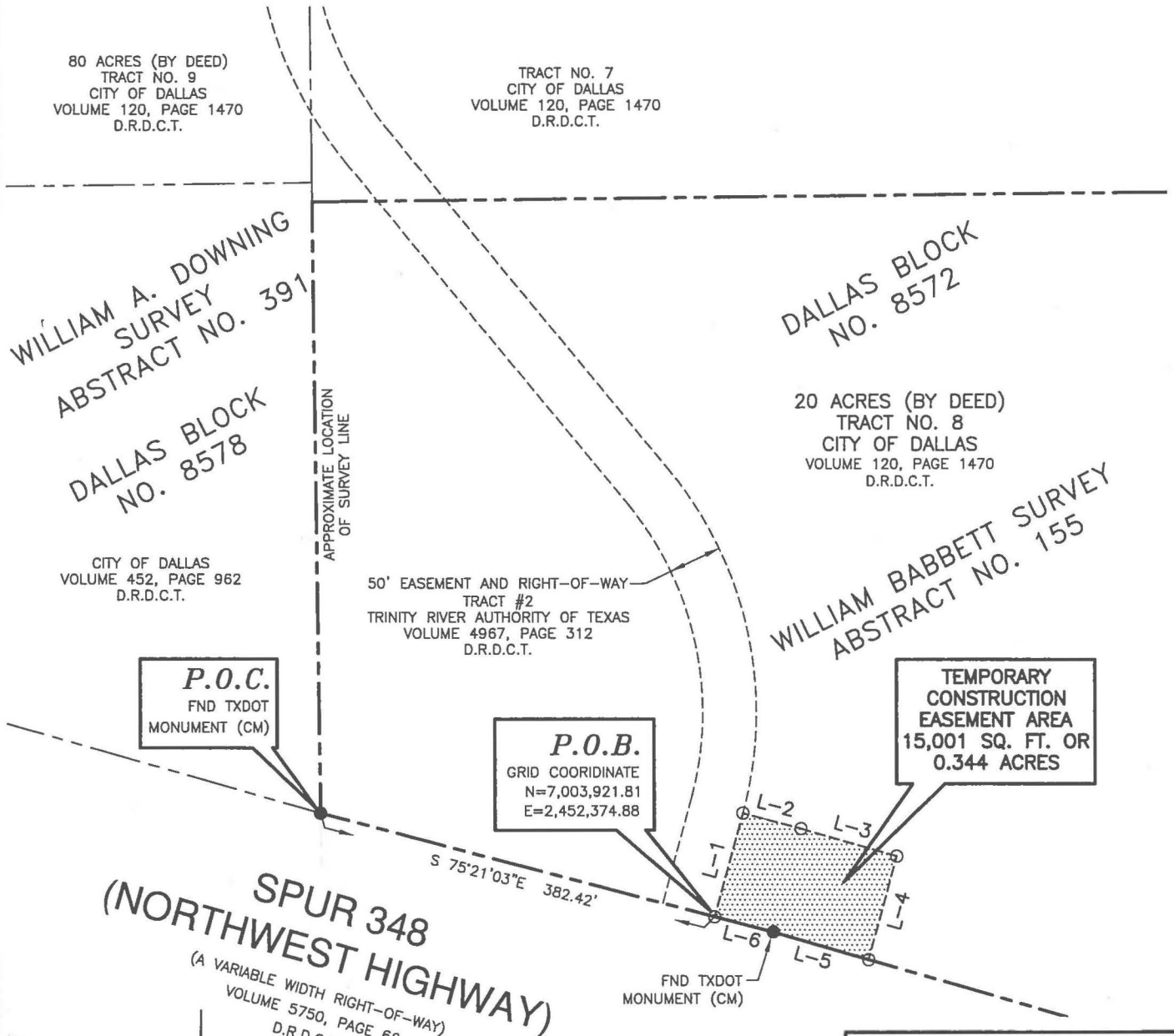


GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 2

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 1



STATE OF TEXAS
REGISTERED
CALVIN EARNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P1_R1.DWG
DATE: DECEMBER 14, 2015	PAGE 3 OF 4	SCALE: 1" = 150'

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 2

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 1

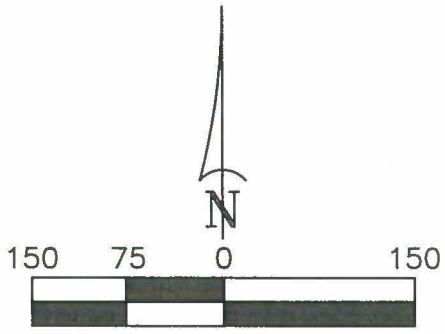
LEGEND

- ● FND MONUMENTATION (SIZE AND TYPE NOTED)
- ○ CALCULATED POINT
- —— - - —— PROPERTY/RIGHT-OF-WAY LINE
- ---------- EXISTING EASEMENT LINE
- ---------- PROPOSED EASEMENT LINE
- —— - - —— SURVEY/ABSTRACT LINE

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 15°25'29"E	100.01'
L-2	S 75°21'03"E	56.54'
L-3	S 74°05'20"E	93.47'
L-4	S 15°25'29"W	100.00'
L-5	N 74°05'20"W	93.22'
L-6	N 75°21'03"W	56.79'

NOTE: 1. A LEGAL DESCRIPTION OF THE SAME DATE HEREWITH ACCOMPANIES THIS PLAT

2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE, BASED ON CITY OF IRVING G.P.S. CONTROL MONUMENTS A10 AND A11, WITH A COMBINED SCALE FACTOR FOR THIS SITE OF 0.999856145. ALL DISTANCES AND AREAS SHOWN ARE SURFACE, WITH CONTROLING MONUMENTS BEING SHOWN HEREON.





12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P1_R1.DWG
DATE: DECEMBER 14, 2015	PAGE 4 OF 4	SCALE: 1" = 150'

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 3

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 2

Being a 14,172 square foot tract of land situated in the William Babbett Survey, Abstract No. 155, Dallas Block No. 8572, City of Dallas, Dallas County, Texas, said 14,172 square foot tract of land being a portion of a 20 acre tract of land (by deed) described as Tract No. 8 deeded to the City of Dallas by Warranty Deed dated August 2, 1963 as recorded in Volume 120, Page 1470 of the Deed Records of Dallas County, Texas, said 14,172 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a Texas Department of Transportation (TXDOT) monument found (Controlling Monument) (CM) for the southwest corner of said Tract No. 8, said TXDOT monument being the southeast corner of a tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962 of said Deed Records of Dallas County, Texas, said TXDOT monument also being in the northerly right-of-way line of Spur 348 (Northwest Highway) (a variable width right-of-way) as recorded in Volume 5750, Page 66 of said Deed Records of Dallas County, Texas; THENCE South 75 degrees 21 minutes 03 seconds East, with the southerly line of said Tract No. 8 and with the northerly right-of-way line of said Spur 348, a distance of 382.42 feet to a point for the intersection of the northerly right-of-way line of said Spur 348 with the easterly line of an existing 50' Easement and Right-of-Way described as Tract #2 granted to Trinity River Authority of Texas as recorded in Volume 4967, Page 312 of said Deed Records of Dallas County, Texas, from which a TXDOT monument found (CM) for an angle point in the northerly right-of-way line of said Spur 348 bears South 75 degrees 21 minutes 03 seconds East, a distance of 56.79 feet; THENCE North 15 degrees 25 minutes 29 seconds East, with the easterly line of said existing 50' Easement and Right-of-Way, a distance of 100.01 feet to the **POINT OF BEGINNING**, said point having a grid coordinate of N=7,004,018.20 and E=2,452,401.47;

THENCE North 14 degrees 37 minutes 00 seconds East, a distance of 86.82 feet to a point for the beginning of a curve to the right having a radius of 150.00 feet, a central angle of 34 degrees 56 minutes 34 seconds and whose chord bears North 32 degrees 05 minutes 17 seconds East, a chord distance of 90.07 feet;

THENCE Northeasterly, with said curve to the right, an arc length of 91.48 feet to a point for corner;

FIELD NOTES APPROVED:
7/27/16

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 2

THENCE North 49 degrees 33 minutes 34 seconds East, a distance of 266.32 feet to a point for the beginning of a curve to the left having a radius of 150.00 feet, a central angle of 49 degrees 33 minutes 34 seconds and whose chord bears North 24 degrees 46 minutes 47 seconds East, a chord distance of 125.74 feet;

THENCE Northeasterly, with said curve to the left, an arc length of 129.75 feet to a point for corner;

THENCE North 00 degrees 00 minutes 00 seconds West, a distance of 131.55 feet to a point for corner in the north line of said Tract No. 8, said point being in the south line of a tract of land described as Tract No. 7 deeded to the City of Dallas as recorded in said Volume 120, Page 1470;

THENCE North 89 degrees 20 minutes 32 seconds East, with the north line of said Tract No. 8 and with the south line of said Tract No. 7, a distance of 20.00 feet to a point for corner;

THENCE South 00 degrees 00 minutes 00 seconds East, a distance of 131.78 feet to a point for the beginning of a curve to the right having a radius of 170.00 feet, a central angle of 49 degrees 33 minutes 34 seconds and whose chord bears South 24 degrees 46 minutes 47 seconds West, a chord distance of 142.50 feet;

THENCE Southwesterly, with said curve to the right, an arc length of 147.05 feet to a point for corner;

THENCE South 49 degrees 33 minutes 34 seconds West, a distance of 266.32 feet to a point for the beginning of a curve to the left having a radius of 130.00 feet, a central angle of 34 degrees 56 minutes 34 seconds and whose chord bears South 32 degrees 05 minutes 17 seconds West, a chord distance of 78.06 feet;

THENCE Southwesterly, with said curve to the left, an arc length of 79.28 feet to a point for corner;

THENCE South 14 degrees 37 minutes 00 seconds West, a distance of 86.82 feet to a point for corner;

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 3

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 2

THENCE North 75 degrees 23 minutes 00 seconds West, a distance of 20.00 feet to the **POINT OF BEGINNING,** and containing 14,172 square feet or 0.325 acres of land, more or less.

Notes:

(1) A plat of same date herewith accompanies this legal description.

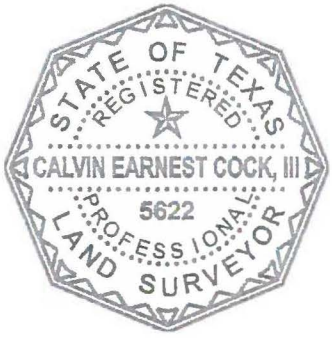
(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
Gorrondona & Associates, Inc.

By: _____ 12/14/15
Calvin E. Cock III
Registered Professional Land Surveyor,
Texas No. 5622
Texas Firm No. 10106903

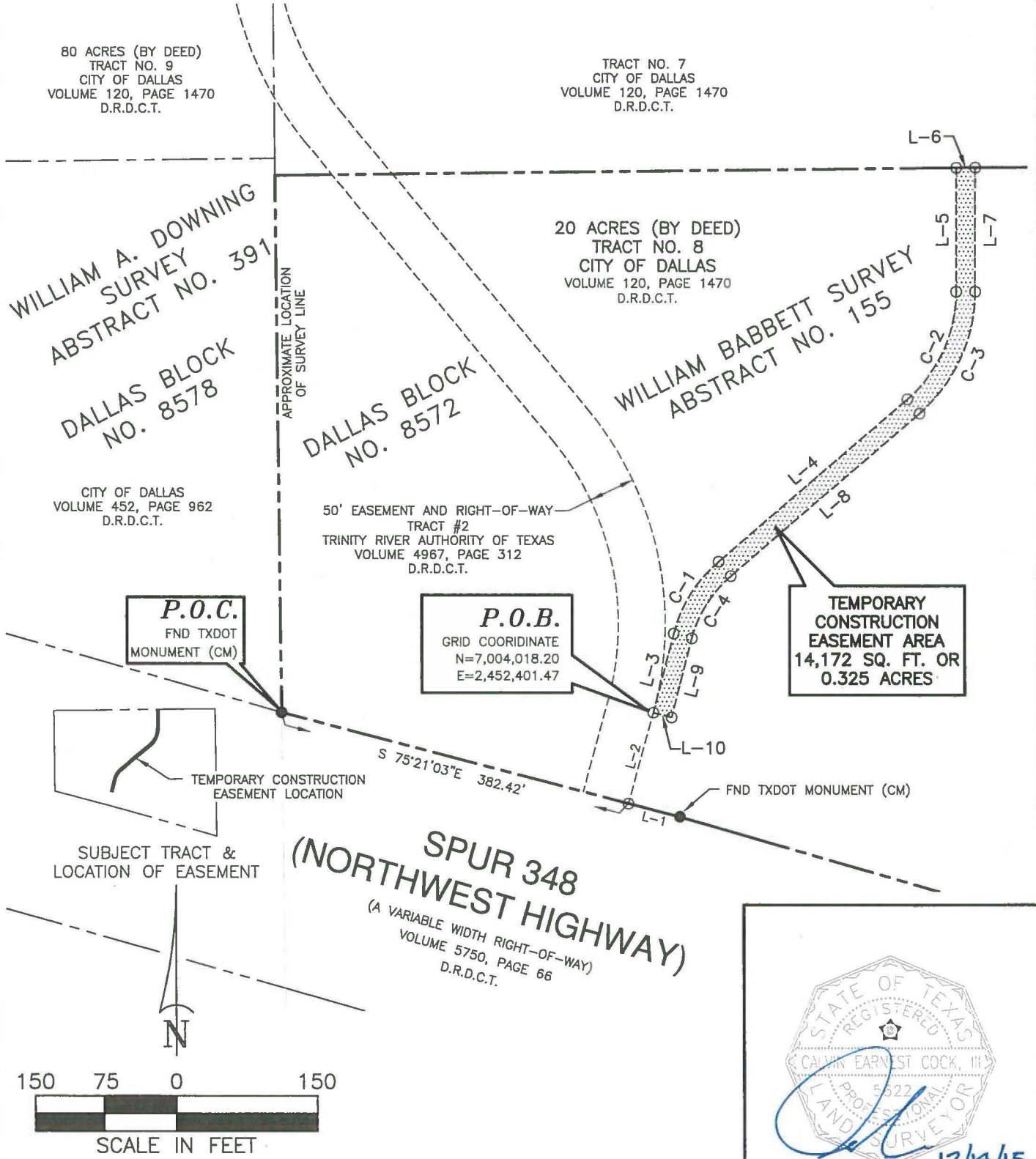


GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 3

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 2



STATE OF TEXAS
REGISTERED
CALVIN EARNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P2_R1.DWG
DATE: DECEMBER 14, 2015	PAGE 4 OF 5	SCALE: 1" = 150'

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 3

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 2

LEGEND

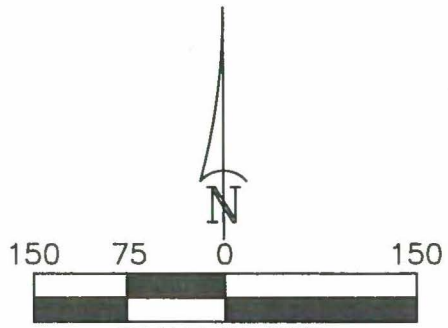
- ● FND MONUMENTATION (SIZE AND TYPE NOTED)
- ○ CALCULATED POINT
- —— – – —— PROPERTY/RIGHT-OF-WAY LINE
- ---------- EXISTING EASEMENT LINE
- ---------- PROPOSED EASEMENT LINE
- ——— – ——— SURVEY/ABSTRACT LINE

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	S 75°21'03"E	56.79'
L-2	N 15°25'29"E	100.01'
L-3	N 14°37'00"E	86.82'
L-4	N 49°33'34"E	266.32'
L-5	N 00°00'00"W	131.55'
L-6	N 89°20'32"E	20.00'
L-7	S 00°00'00"E	131.78'
L-8	S 49°33'34"W	266.32'
L-9	S 14°37'00"W	86.82'
L-10	N 75°23'00"W	20.00'

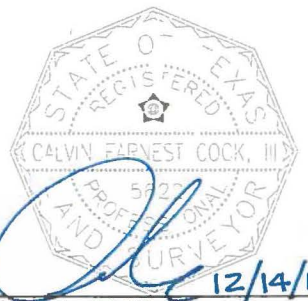
CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C-1	150.00'	34°56'34"	N 32°05'17"E	90.07'	91.48'
C-2	150.00'	49°33'34"	N 24°46'47"E	125.74'	129.75'
C-3	170.00'	49°33'34"	S 24°46'47"W	142.50'	147.05'
C-4	130.00'	34°56'34"	S 32°05'17"W	78.06'	79.28'

NOTE: 1. A LEGAL DESCRIPTION OF THE SAME DATE HEREWITH ACCOMPANIES THIS PLAT

2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE, BASED ON CITY OF IRVING G.P.S. CONTROL MONUMENTS A10 AND A11, WITH A COMBINED SCALE FACTOR FOR THIS SITE OF 0.999856145. ALL DISTANCES AND AREAS SHOWN ARE SURFACE, WITH CONTROLING MONUMENTS BEING SHOWN HEREON.



SCALE IN FEET



12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P2_R1.DWG
DATE: DECEMBER 14, 2015	PAGE 5 OF 5	SCALE: 1" = 150'

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 4

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 3

Being a 19,949 square foot tract of land situated in the William Babbett Survey, Abstract No. 155, Dallas Block No. 8572, City of Dallas, Dallas County, Texas, said 19,949 square foot tract of land being a portion of a tract of land described as Tract No. 7 deeded to the City of Dallas by Warranty Deed dated August 2, 1963 as recorded in Volume 120, Page 1470 of the Deed Records of Dallas County, Texas, said 19,949 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a Texas Department of Transportation (TXDOT) monument found (Controlling Monument) (CM) in the northerly right-of-way line of Spur 348 (Northwest Highway) (a variable width right-of-way) as recorded in Volume 5750, Page 66 of said Deed Records of Dallas County, Texas, said TXDOT monument being the southwest corner of a 20 acre tract of land (by deed) described as Tract No. 8 deeded to the City of Dallas as recorded in said Volume 120, Page 1470, said TXDOT monument also being the southeast corner of a tract of land deeded to the City of Dallas as recorded in Volume 452, Page 962 of said Deed Records of Dallas County, Texas, from which a TXDOT monument found (CM) for an angle point in the northerly right-of-way line of said Spur 348 bears South 75 degrees 21 minutes 03 seconds East, a distance of 439.21 feet; THENCE North 00 degrees 40 minutes 23 seconds West, with the west line of said Tract No. 8 and with the east line of said tract of land deeded to the City of Dallas as recorded in Volume 452, Page 962, a distance of 570.22 feet to a point for the northwest corner of said Tract No. 8, said point being the southwest corner of said Tract No. 7; THENCE North 89 degrees 20 minutes 32 seconds East, with the south line of said Tract No. 7 and with the north line of said Tract No. 8, a distance of 728.29 feet to the **POINT OF BEGINNING**, said point having a grid coordinate of N=7,004,596.91 and E=2,452,726.58;

FIELD NOTES APPROVED: 7/27/16

THENCE North 00 degrees 00 minutes 00 seconds West, a distance of 62.88 feet to a point for corner;

THENCE North 01 degrees 19 minutes 22 seconds West, a distance of 164.65 feet to a point for the beginning of a curve to the left having a radius of 250.00 feet, a central angle of 70 degrees 26 minutes 34 seconds and whose chord bears North 36 degrees 32 minutes 39 seconds West, a chord distance of 288.37 feet;

THENCE Northwesterly, with said curve to the left, an arc length of 307.36 feet to a point for corner;

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 3

THENCE North 70 degrees 39 minutes 18 seconds West, a distance of 121.42 feet to a point for the beginning of a curve to the right having a radius of 100.00 feet, a central angle of 11 degrees 21 minutes 41 seconds, and whose chord bears North 64 degrees 58 minutes 27 seconds West, a chord distance of 19.80 feet;

THENCE Northwesterly, with said curve to the right, an arc length of 19.83 feet to a point for corner;

THENCE North 59 degrees 17 minutes 37 seconds West, a distance of 173.28 feet to a point for corner;

THENCE North 14 degrees 45 minutes 32 seconds West, a distance of 60.43 feet to a point for corner in the north line of said Tract No. 7, said point being in the south line of a 25 acre tract of land (by deed) described as Tract No. 6 deeded to the City of Dallas as recorded in said Volume 120, Page 1470;

THENCE North 89 degrees 19 minutes 45 seconds East, with the north line of said Tract No. 7 and with south line of said Tract No. 6, a distance of 51.55 feet to a point for corner;

THENCE South 14 degrees 45 minutes 32 seconds East, a distance of 70.19 feet to a point for corner;

THENCE South 59 degrees 17 minutes 37 seconds East, a distance of 122.32 feet to a point for the beginning of a curve to the left having a radius of 80.00 feet, a central angle of 11 degrees 21 minutes 41 seconds, and whose chord bears South 64 degrees 58 minutes 27 seconds East, chord distance of 15.84 feet;

THENCE Southeasterly, with said curve to the left, having an arc length of 15.86 feet to a point for corner;

THENCE South 70 degrees 39 minutes 18 seconds East, a distance of 121.23 feet to a point for the beginning of a curve to the right having a radius of 270.00 feet, a central angle of 70 degrees 24 minutes 03 seconds, and whose chord bears South 36 degrees 31 minutes 24 seconds East, a chord distance of 311.28 feet;

THENCE Southeasterly, with said curve to the right, an arc length of 331.76 feet to a point for corner;

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 3

THENCE South 01 degrees 19 minutes 22 seconds East, a distance of 164.88 feet to a point for corner;

THENCE South 00 degrees 00 minutes 00 seconds East, a distance of 62.88 feet to a point for corner in the south line of said Tract No. 7, said point being in the north line of said Tract No. 8;

THENCE South 89 degrees 20 minutes 32 seconds West, with the south line of said Tract No. 7 and with the north line of said Tract No. 8, a distance of 20.00 feet to the **POINT OF BEGINNING,** and containing 19,949 square feet or 0.458 acres of land, more or less.

Notes:

(1) A plat of same date herewith accompanies this legal description.

(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
Gorrondona & Associates, Inc.

By: _____ 12/14/15
Calvin E. Cock III
Registered Professional Land Surveyor,
Texas No. 5622
Texas Firm No. 10106903

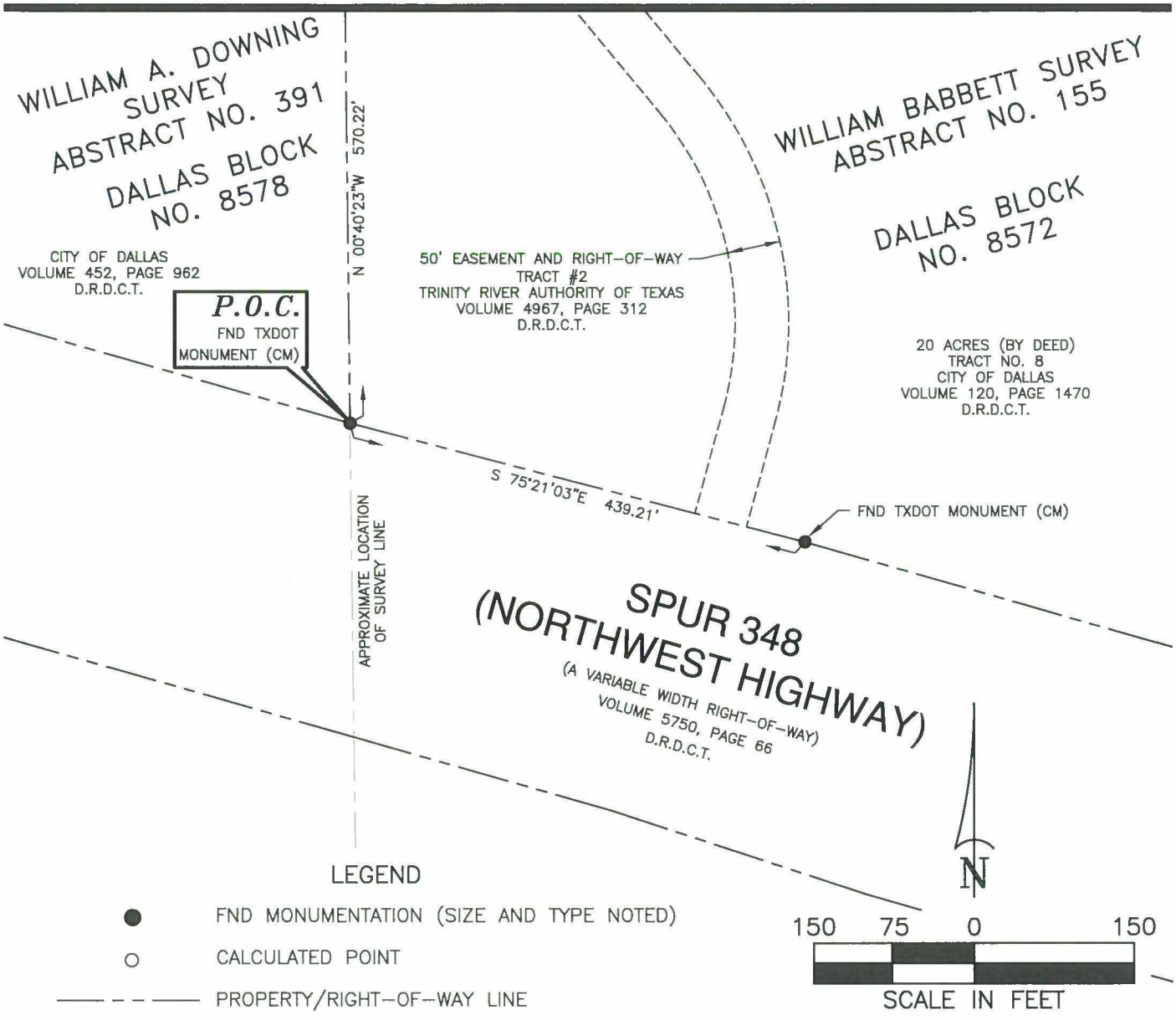


GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 4

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 3



LEGEND

- ● FND MONUMENTATION (SIZE AND TYPE NOTED)
- ○ CALCULATED POINT
- —— - - —— PROPERTY/RIGHT-OF-WAY LINE
- ---------- EXISTING EASEMENT LINE
- ---------- PROPOSED EASEMENT LINE
- —— - —— SURVEY/ABSTRACT LINE

NOTE: 1. A LEGAL DESCRIPTION OF THE SAME DATE HEREWITH ACCOMPANIES THIS PLAT

2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE, BASED ON CITY OF IRVING G.P.S. CONTROL MONUMENTS A10 AND A11, WITH A COMBINED SCALE FACTOR FOR THIS SITE OF 0.999856145. ALL DISTANCES AND AREAS SHOWN ARE SURFACE, WITH CONTROLING MONUMENTS BEING SHOWN HEREON.

STATE OF TEXAS
REGISTERED
CALVIN EARNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

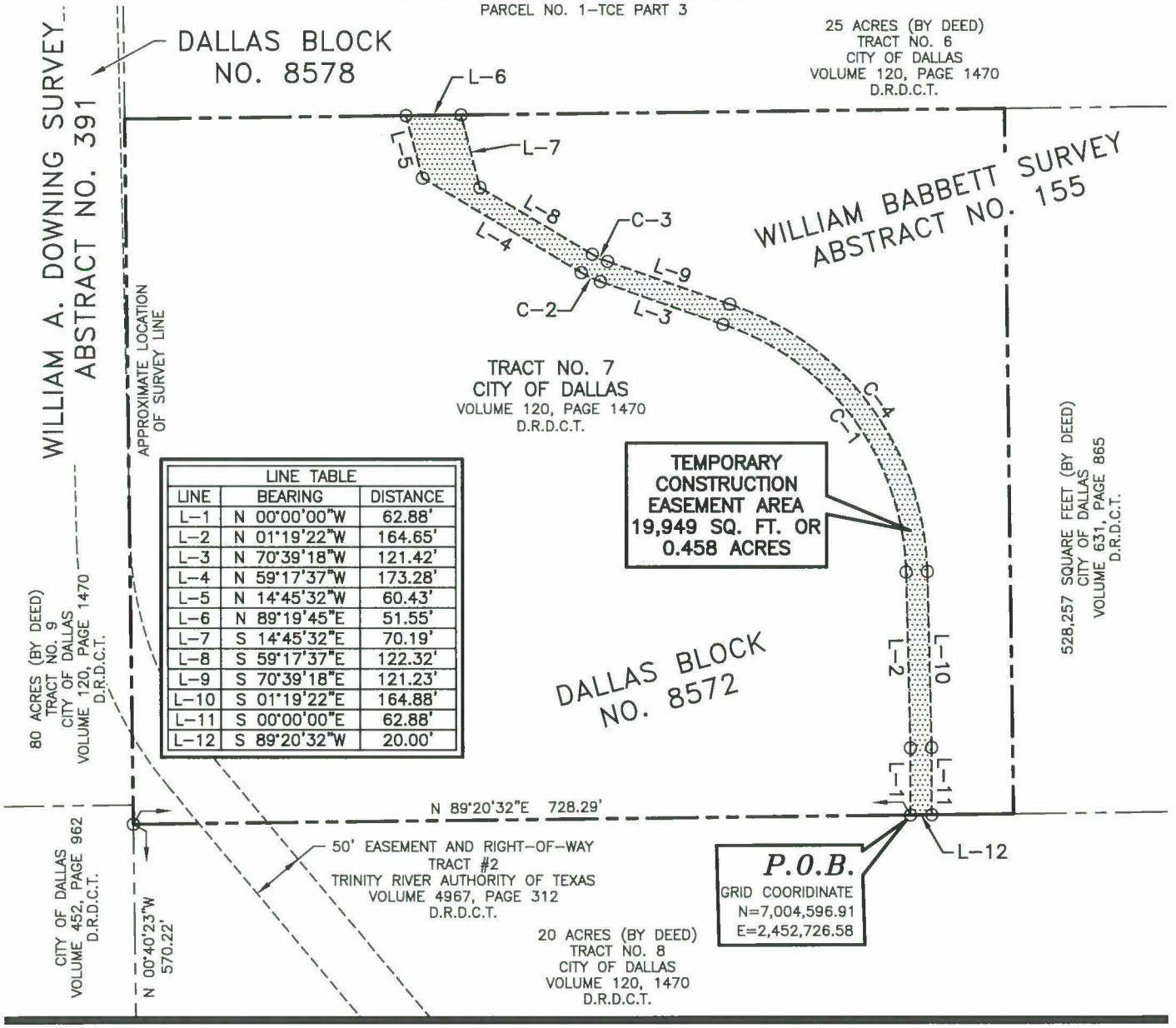
JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P3_R1.DWG
DATE: DECEMBER 14, 2015	PAGE 4 OF 5	SCALE: 1" = 150'

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 4

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 3



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 00°00'00"W	62.88'
L-2	N 01°19'22"W	164.65'
L-3	N 70°39'18"W	121.42'
L-4	N 59°17'37"W	173.28'
L-5	N 14°45'32"W	60.43'
L-6	N 89°19'45"E	51.55'
L-7	S 14°45'32"E	70.19'
L-8	S 59°17'37"E	122.32'
L-9	S 70°39'18"E	121.23'
L-10	S 01°19'22"E	164.88'
L-11	S 00°00'00"E	62.88'
L-12	S 89°20'32"W	20.00'

MATCHLINE

150 75 0 150

SCALE IN FEET

N

CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD	ARC
C-1	250.00'	70°26'34"	N 36°32'39"W	288.37'	307.36'
C-2	100.00'	11°21'41"	N 64°58'27"W	19.80'	19.83'
C-3	80.00'	11°21'41"	S 64°58'27"E	15.84'	15.86'
C-4	270.00'	70°24'03"	S 36°31'24"E	311.28'	331.76'

STATE OF TEXAS REGISTERED CALVIN EARNEST COCK, III 5622 PROFESSIONAL LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P3_R1.DWG
DATE: DECEMBER 14, 2015	PAGE 5 OF 5	SCALE: 1" = 150'

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 5

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 4

Being a 34,023 square foot tract of land situated in the William Babbett Survey, Abstract No. 155, Dallas Block No. 8572, City of Dallas, Dallas County, Texas, said 34,023 square foot tract of land being a portion of a 25 acre tract of land (by deed) described as Tract No. 6 deeded to the City of Dallas by Warranty Deed dated August 2, 1963 as recorded in Volume 120, Page 1470 of the Deed Records of Dallas County, Texas, said 34,023 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a Texas Department of Transportation (TXDOT) monument found (Controlling Monument) (CM) in the northerly right-of-way line of Spur 348 (Northwest Highway)(a variable width right-of-way) as recorded in Volume 5750, Page 66 of said Deed Records of Dallas County, Texas, said TXDOT monument being the southwest corner of a 20 acre tract of land (by deed) described as Tract No. 8 deeded to the City of Dallas as recorded in said Volume 120, Page 1470, said TXDOT monument also being the southeast corner of a tract of land deeded to the City of Dallas as recorded in Volume 452, Page 962 of said Deed Records of Dallas County, Texas, from which a TXDOT monument found (CM) for an angle point in the northerly right-of-way line of said Spur 348 bears South 75 degrees 21 minutes 03 seconds East, a distance of 439.21 feet; THENCE North 00 degrees 40 minutes 23 seconds West, with the west line of said Tract No. 8 and with the east line of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, a distance of 570.22 feet to a point for the northwest corner of said Tract No. 8, said point also being the southwest corner of a tract of land described as Tract No. 7 deeded to the City of Dallas as recorded in said Volume 120, Page 1470; THENCE North 00 degrees 40 minutes 15 seconds West, with the west line of said Tract No. 7 and with the east line of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, passing at a distance of 18.00 feet, a point for the northeast corner of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962 and being the southeast corner of an 80 acre tract of land (by deed) described as Tract No. 9 deeded to the City of Dallas as recorded in said Volume 120, Page 1470, in all, a distance of 660.00 feet to a point for the southwest corner of said Tract No. 6 and being the northwest corner of said Tract No. 7, said point also being in the east line of said Tract No. 9; THENCE North 89 degrees 19 minutes 45 seconds East, with the south line of said Tract No. 6 and with the north line of said Tract No. 7, a distance of 263.63 feet to the **POINT OF BEGINNING**, said point having a grid coordinate of N=7,005,251.50 and E=2,452,254.25;

FIELD NOTES APPROVED: 7/27/16

THENCE North 14 degrees 45 minutes 32 seconds West, a distance of 680.47 feet to a point for corner in the north line of said Tract No. 6, said point being in the

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 5

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 4

south line of a 1,441,290 square foot tract of land (by deed) deeded to the City of Dallas as recorded in Volume 619 Page 844 of said Deed Records of Dallas County, Texas;

THENCE North 89 degrees 19 minutes 40 seconds East, with the north line of said Tract No. 6 and with the south line of said 1,441,290 square foot tract of land, a distance of 51.55 feet to a point for corner;

THENCE South 14 degrees 45 minutes 32 seconds East, a distance of 680.47 feet to a point for corner in the south line of said Tract No. 6, said point being the north line of said Tract No. 7;

THENCE South 89 degrees 19 minutes 45 seconds West, with the south line of said Tract No. 6 and with the north line of said Tract No. 7, a distance of 51.55 feet to the **POINT OF BEGINNING,** and containing 34,023 square feet or 0.781 acres of land, more or less.

Notes:

(1) A plat of same date herewith accompanies this legal description.

(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

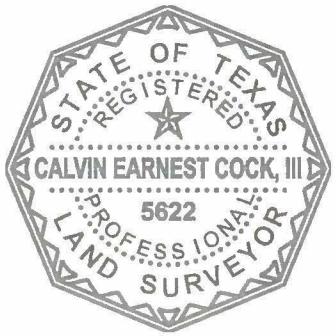
* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
Gorrondona & Associates, Inc.

12/14/15

Calvin E. Cock III
Registered Professional Land Surveyor
Texas No. 5622
Texas Firm No. 10106903



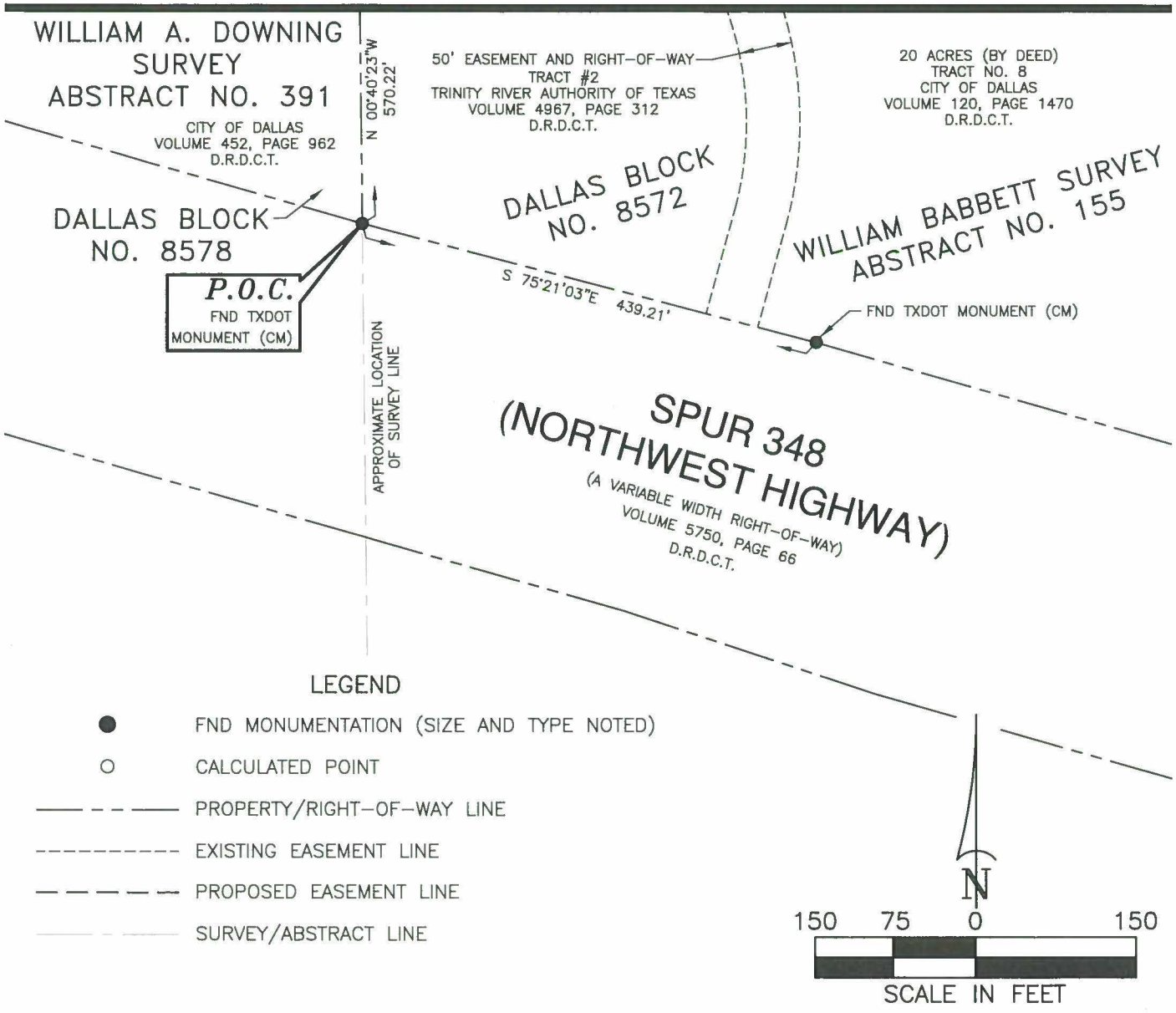
GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 5

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 4

MATCHLINE "A"



LEGEND

- ● FND MONUMENTATION (SIZE AND TYPE NOTED)
- ○ CALCULATED POINT
- —— - - —— PROPERTY/RIGHT-OF-WAY LINE
- ---------- EXISTING EASEMENT LINE
- — — — — — PROPOSED EASEMENT LINE
- —— - - —— SURVEY/ABSTRACT LINE

N

150 75 0 150

SCALE IN FEET

NOTE: 1. A LEGAL DESCRIPTION OF THE SAME DATE HEREWITH ACCOMPANIES THIS PLAT

2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE, BASED ON CITY OF IRVING G.P.S. CONTROL MONUMENTS A10 AND A11, WITH A COMBINED SCALE FACTOR FOR THIS SITE OF 0.999856145. ALL DISTANCES AND AREAS SHOWN ARE SURFACE, WITH CONTROLING MONUMENTS BEING SHOWN HEREON.

STATE OF TEXAS
REGISTERED
CALVIN EARNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P4_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 3 OF 5	SCALE: 1" = 150'

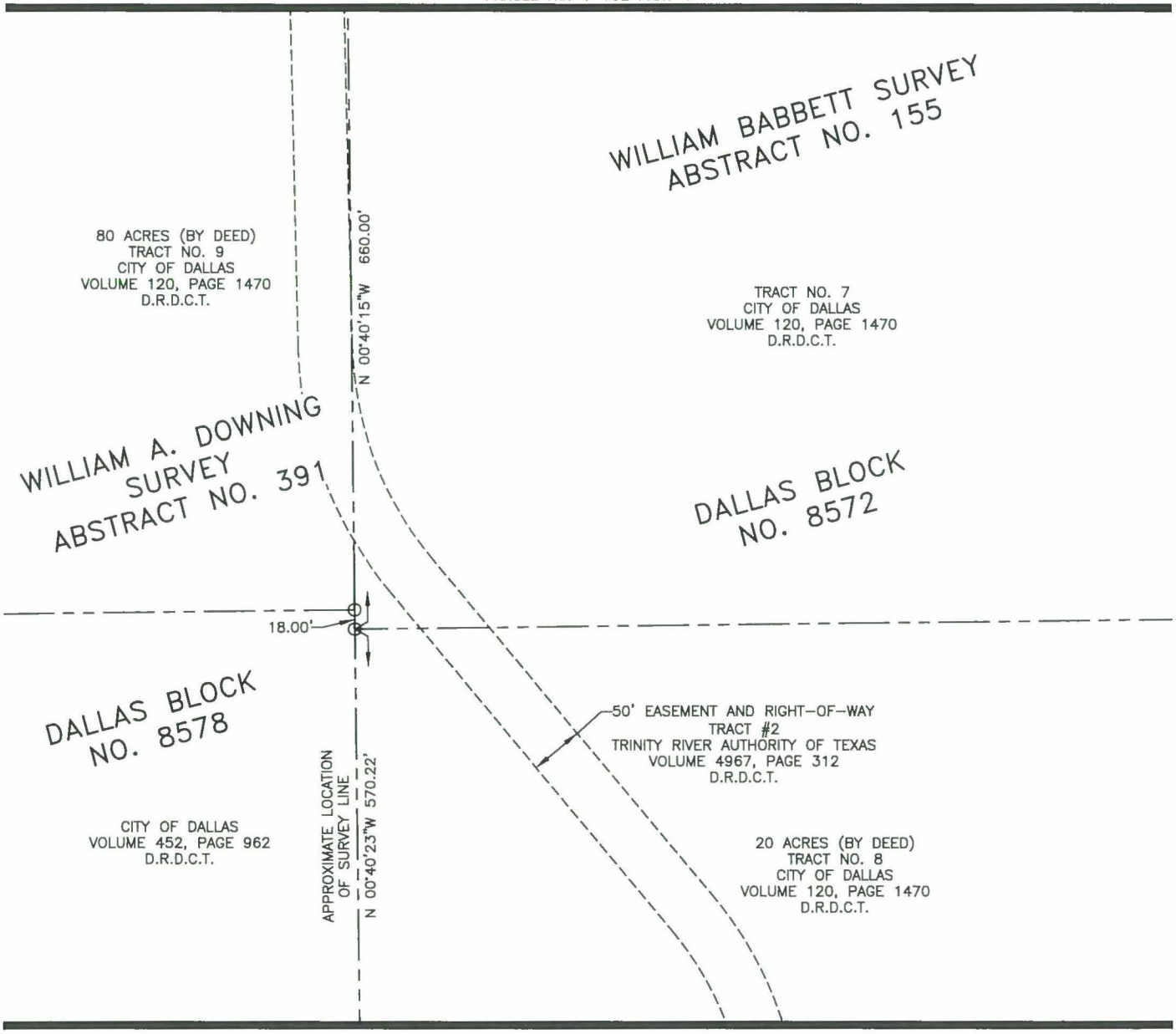
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EXHIBIT A-TRACT 5

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 4

MATCHLINE "B"



MATCHLINE "A"

N

150 75 0 150

SCALE IN FEET

STATE OF TEXAS
REGISTERED
CALVIN EARNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

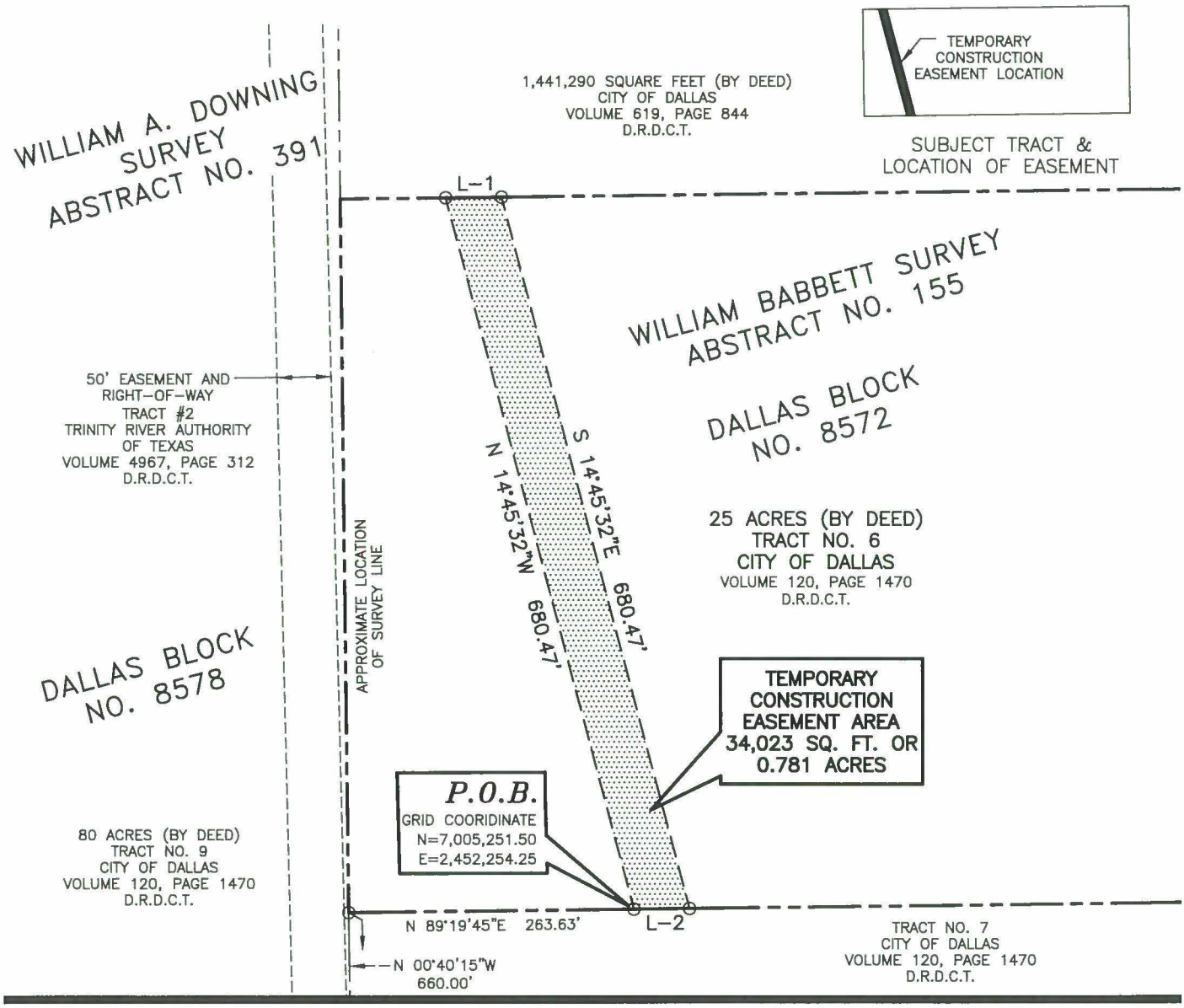
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DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 4 OF 5	SCALE: 1" = 150'

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

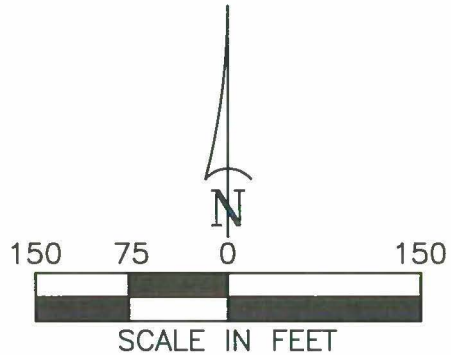
EXHIBIT A-TRACT 5

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

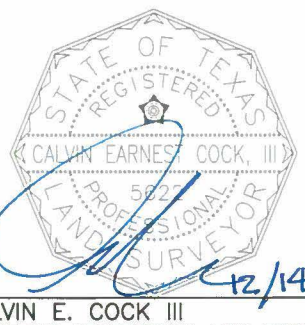
CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 4



MATCHLINE "B"



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 89°19'40"E	51.55'
L-2	S 89°19'45"W	51.55'



12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P4_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 5 OF 5	SCALE: 1" = 150'

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 6

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM A. DOWNING SURVEY, ABSTRACT NO. 391
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 5

Being a 3,943 square foot tract of land situated in the William A. Downing Survey, Abstract No. 391, Dallas Block No. 8578, City of Dallas, Dallas County, Texas, said 3,943 square foot tract of land being a portion of an 80 acre tract of land (by deed) described as Tract No. 9 deeded to the City of Dallas by Warranty Deed dated August 2, 1963 as recorded in Volume 120, Page 1470 of the Deed Records of Dallas County, Texas, said 3,943 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a Texas Department of Transportation (TXDOT) monument found (Controlling Monument) (CM) in the northerly right-of-way line of Spur 348 (Northwest Highway) (a variable width right-of-way) as recorded in Volume 5750, Page 66 of said Deed Records of Dallas County, Texas, said TXDOT monument being the southwest corner of a 20 acre tract of land (by deed) described as Tract No. 8 deeded to the City of Dallas as recorded in Volume 120, Page 1470 of said Deed Records of Dallas County, Texas, said TXDOT monument also being the southeast corner of a tract of land deeded to the City of Dallas as recorded in Volume 452, Page 962 of said Deed Records of Dallas County, Texas, from which a TXDOT monument found (CM) for an angle point in the northerly right-of-way line of said Spur 348 bears South 75 degrees 21 minutes 03 seconds East, a distance of 439.21 feet; THENCE North 00 degrees 40 minutes 23 seconds West, with the west line of said Tract No. 8 and with the east line of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, a distance of 570.22 feet to a point for the northwest corner of said Tract No. 8, said point being the southwest corner of a tract of land described as Tract No. 7 deeded to the City of Dallas as recorded in said Volume 120, Page 1470; THENCE North 00 degrees 40 minutes 15 seconds West, with the west line of said Tract No. 7, and with the east line of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, passing at a distance of 18.00 feet, a point for the northeast corner of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962 and being the southeast corner of said Tract No. 9, in all, a distance of 660.00 feet to a point for the northwest corner of said Tract No. 7, said point being southwest corner of a 25 acre tract of land (by deed) described as Tract No. 6 deeded to the City of Dallas as recorded in said Volume 120, Page 1470, said point also being in the east line of said Tract No. 9; THENCE North 00 degrees 40 minutes 20 seconds West, with the east line of said Tract No. 9 and with the west line of said Tract No. 6, a distance of 660.00 feet to a point for the northwest corner of said Tract No. 6, said point being the southwest corner of a 1,441,290 square foot tract of land (by deed) deeded to the City of Dallas as recorded in Volume 619, Page 844 of said Deed Records of Dallas County, Texas, said point also being in the east line of said Tract No. 9; THENCE North 00 degrees 40 minutes 23 seconds West, with the with the east line of said Tract No. 9 and

FIELD NOTES APPROVED: 7/27/16

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM A. DOWNING SURVEY, ABSTRACT NO. 391
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 5

with the west line of said 1,441,290 square foot tract of land, a distance of 390.59 feet to the **POINT OF BEGINNING**, said point having a grid coordinate of N=7,006,298.77 and E=2,451,978.35;

THENCE North 14 degrees 45 minutes 32 seconds West, a distance of 73.49 feet to a point for corner in the east line of an existing 50' Easement and Right-of-Way described as Tract #2 granted to Trinity River Authority of Texas as recorded in Volume 4967, Page 312 of said Deed Records of Dallas County, Texas;

THENCE North 01 degrees 22 minutes 01 seconds West, with the east line of said existing 50' Easement and Right-of-Way, a distance of 215.88 feet to a point for corner;

THENCE South 14 degrees 45 minutes 32 seconds East, a distance of 84.23 feet to a point for corner in the east line of said Tract No. 9, said point being in the west line of said 1,441,290 square foot tract of land;

THENCE South 00 degrees 40 minutes 23 seconds East, with the east line of said Tract No. 9 and with the west line of said 1,441,290 square tract foot of land, a distance of 205.44 feet to the **POINT OF BEGINNING,** and containing 3,943 square feet or 0.091 acres of land, more or less.

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM A. DOWNING SURVEY, ABSTRACT NO. 391
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 5

Notes:

(1) A plat of same date herewith accompanies this legal description.

(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
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12/14/15

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Texas Firm No. 10106903



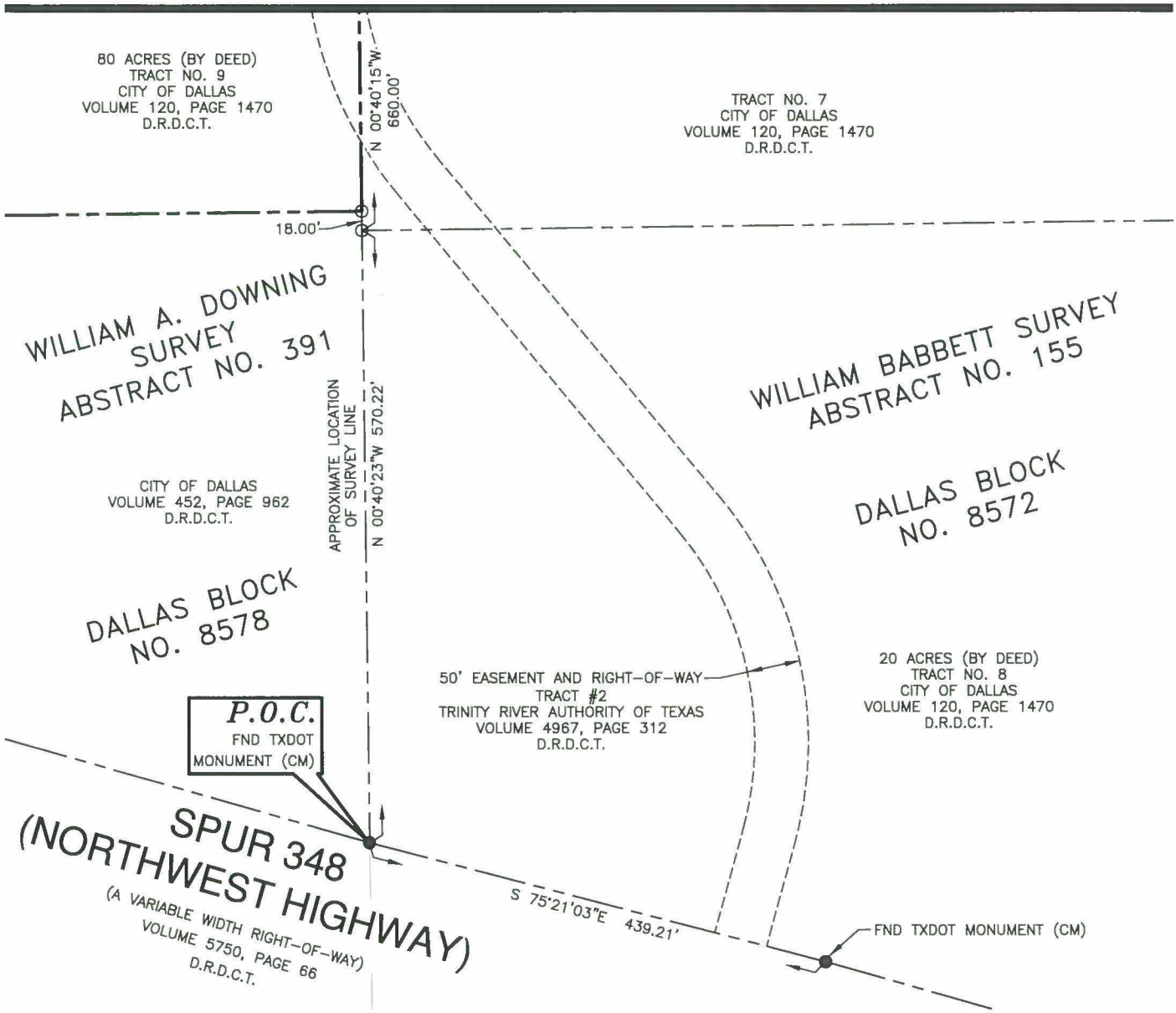
GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 6

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM A. DOWNING SURVEY, ABSTRACT NO. 391
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF–R3 SEGMENT 1C
PARCEL NO. 1–TCE PART 5

MATCHLINE "A"



150 75 0 150

SCALE IN FEET

N

NOTE: 1. A LEGAL DESCRIPTION OF THE SAME DATE HEREWITH ACCOMPANIES THIS PLAT

2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD–83, THE NORTH CENTRAL ZONE, BASED ON CITY OF IRVING G.P.S. CONTROL MONUMENTS A10 AND A11, WITH A COMBINED SCALE FACTOR FOR THIS SITE OF 0.999856145. ALL DISTANCES AND AREAS SHOWN ARE SURFACE, WITH CONTROLING MONUMENTS BEING SHOWN HEREON.

STATE OF TEXAS
REGISTERED
CALVIN EARNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF–R3 EASEMENTS_1–TCE P5_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 4 OF 6	SCALE: 1" = 150'

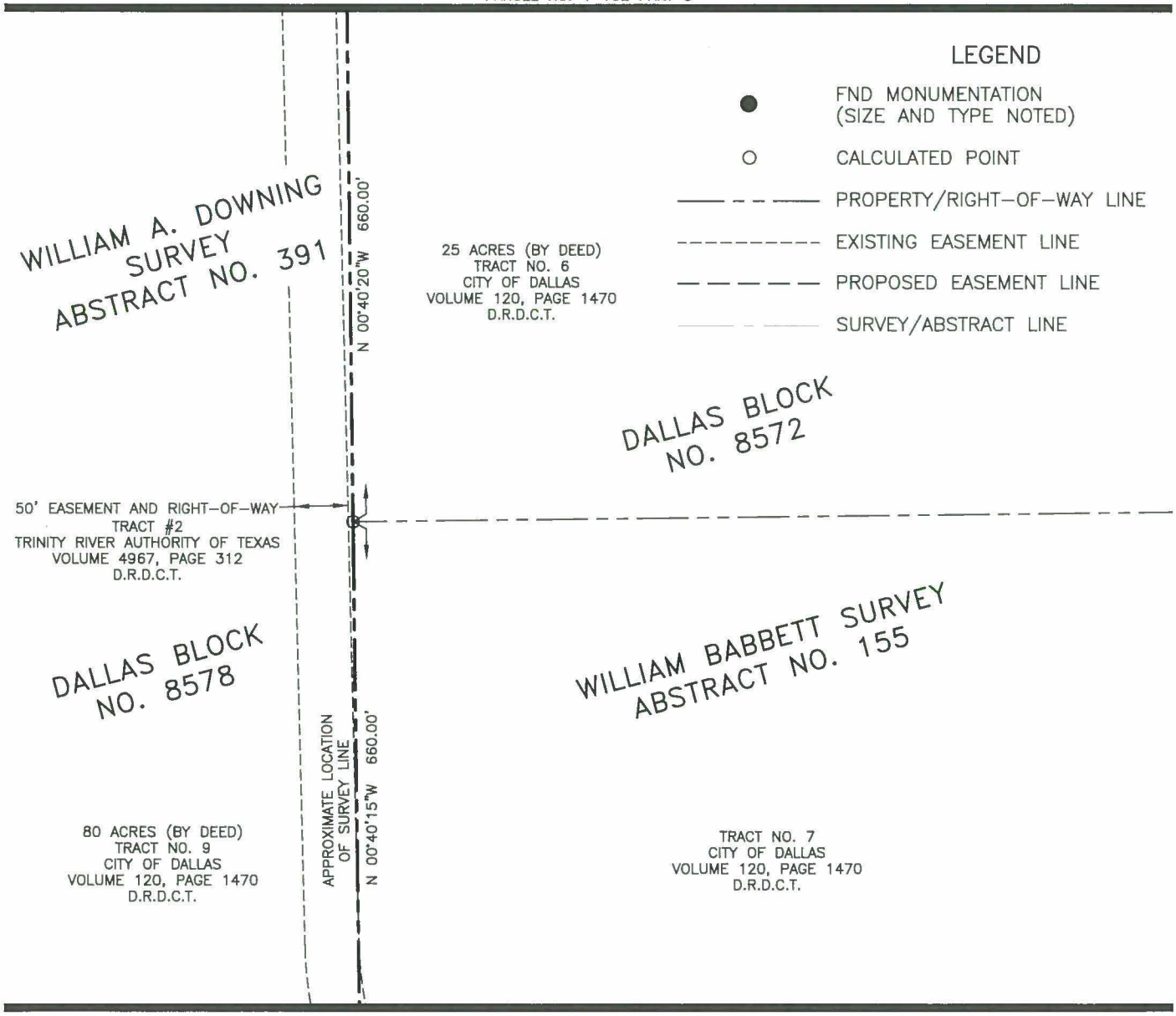
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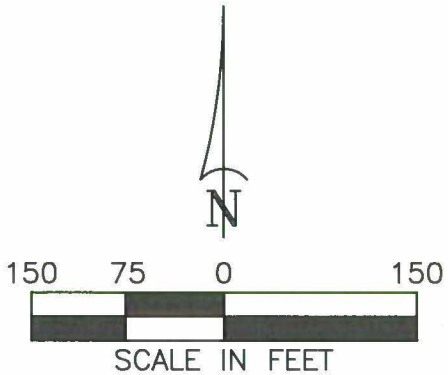
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DALLAS COUNTY, TEXAS

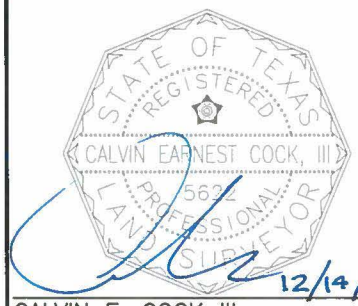
CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 5

MATCHLINE "B"



MATCHLINE "A"





12/14/15

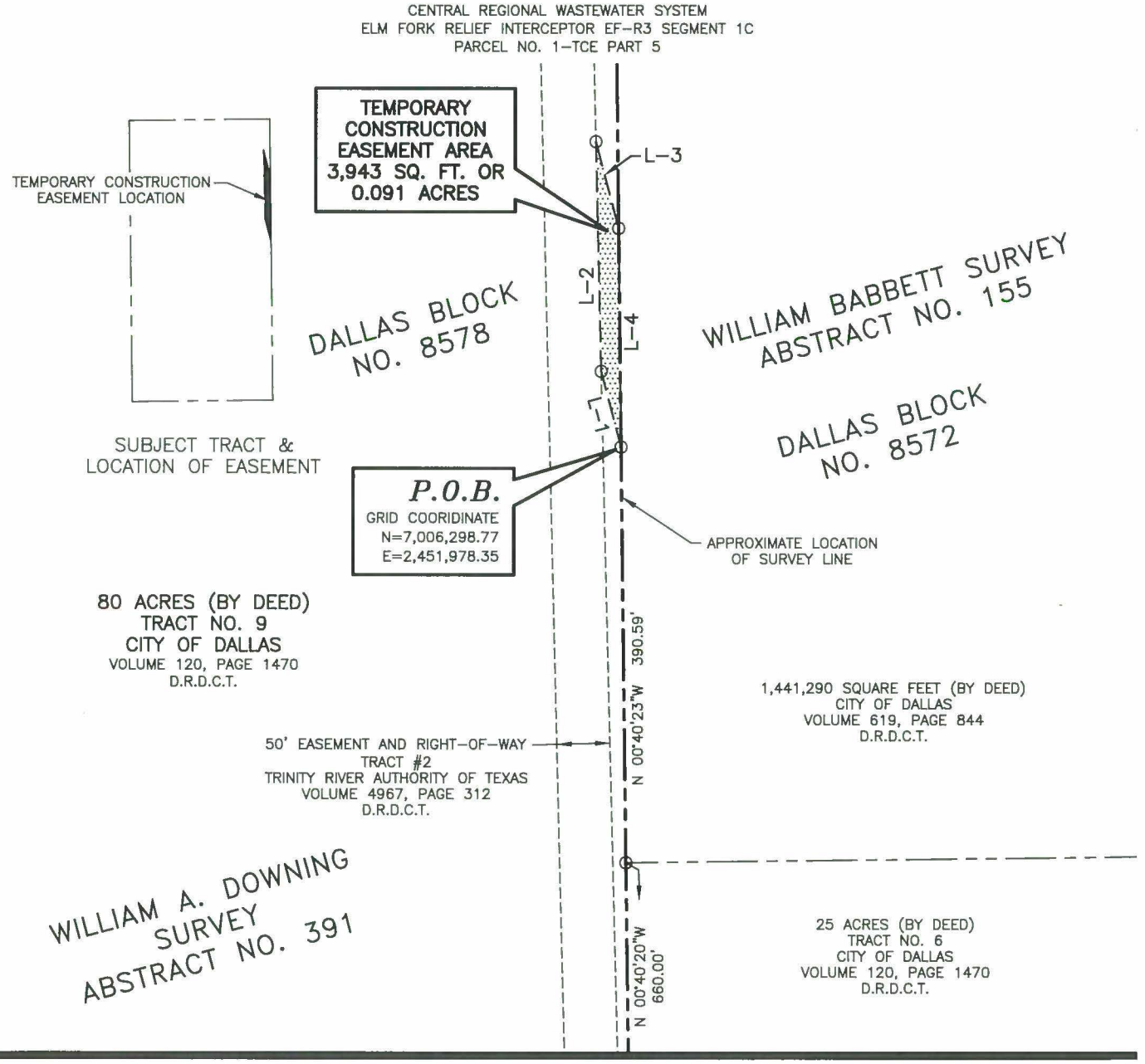
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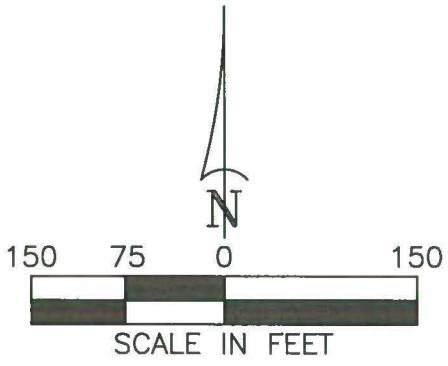
GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

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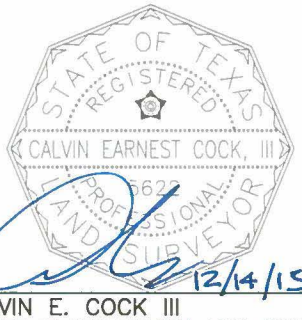
TEMPORARY CONSTRUCTION EASEMENT
WILLIAM A. DOWNING SURVEY, ABSTRACT NO. 391
CITY OF DALLAS
DALLAS COUNTY, TEXAS



MATCHLINE "B"



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 14°45'32"W	73.49'
L-2	N 01°22'01"W	215.88'
L-3	S 14°45'32"E	84.23'
L-4	S 00°40'23"E	205.44'



12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

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GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 7

TEMPORARY CONSTRUCTION EASEMENT
ARCHER FYKE SURVEY, ABSTRACT NO. 481
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 6

Being a 42,664 square foot tract of land situated in the Archer Fyke Survey, Abstract No. 481, Dallas Block No. 8574, City of Dallas, Dallas County, Texas, said 42,664 square foot tract of land being a portion of the remainder of a 44.71 acre tract of land (by deed) described as Tract No. 3 deeded to the City of Dallas by Warranty Deed dated August 2, 1963 as recorded in Volume 120, Page 1470 of the Deed Records of Dallas County, Texas, said 42,664 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found (Controlling Monument) (CM) for the southeast corner of said Tract No. 3, said 5/8 inch iron rod being the northeast corner of a 51.89 acre tract of land (by deed) described as Tract Eight deeded to the City of Dallas as recorded in Volume 244, Page 323 of said Deed Records of Dallas County, Texas, said 5/8 inch iron rod also being in the west line of an 83.02 acre tract of land (by deed) described as Tract Three deeded to the City of Dallas as recorded in said Volume 244, Page 323; THENCE South 89 degrees 19 minutes 37 seconds West, with the south line of said Tract No. 3 and with the north line of said Tract Eight, a distance of 110.53 feet to a point for the intersection of the south line of said Tract No. 3 and the north line of said Tract Eight with the west line of an existing 50' Easement and Right-of-Way described as Tract #2 granted to Trinity River Authority of Texas as recorded in Volume 4967, Page 312 of said Deed Records of Dallas County, Texas; THENCE North 00 degrees 20 minutes 29 seconds East, with the west line of said existing 50' Easement and Right-of-Way, a distance of 1169.50 feet to the **POINT OF BEGINNING**, said point having a grid coordinate of N=7,011,515.59 and E=2,451,827.25;

THENCE North 74 degrees 27 minutes 02 seconds West, a distance of 494.63 feet to a point for corner;

THENCE North 30 degrees 00 minutes 00 seconds West, a distance of 258.36 feet to a point for corner;

THENCE North 00 degrees 51 minutes 03 seconds East, a distance of 312.46 feet to a point for corner;

THENCE North 46 degrees 05 minutes 13 seconds West, a distance of 100.30 feet to a point for corner;

THENCE North 89 degrees 08 minutes 57 seconds West, a distance of 260.92 feet to a point for corner;

FIELD NOTES APPROVED: 7/27/16

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

TEMPORARY CONSTRUCTION EASEMENT
ARCHER FYKE SURVEY, ABSTRACT NO. 481
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 6

THENCE North 00 degrees 51 minutes 03 seconds East, a distance of 71.93 feet to a point for corner in the south right-of-way line of Royal Lane (a 100' right-of-way) as recorded in Volume 77070, Page 2653 of the Deed Records of Dallas County, Texas;

THENCE South 88 degrees 45 minutes 46 seconds East, with the south right-of-way line of said Royal Lane, a distance of 30.00 feet to a point for corner, from which an "X" cut in concrete found (CM) for the southwest corner of a 5.02 acre tract of land (by deed) described as Site 54 deeded to BAM Riverside Park, LP as recorded in Instrument Number 201300371649 of the Official Public Records of Dallas County, Texas bears North 71 degrees 44 minutes 58 seconds East (radial bearing), a distance of 299.75 feet, said "X" cut in concrete being an angle point in the easterly line of a 10.5018 acre tract of land (by deed) described as Tract 2 deeded to Dallas County Utility and Reclamation District as recorded in Volume 91171, Page 1249 of said Deed Records of Dallas County, Texas, said "X" cut in concrete also being in the north right-of-way line of said Royal Lane;

THENCE South 00 degrees 51 minutes 03 seconds West, a distance of 41.73 feet to a point for corner;

THENCE South 89 degrees 08 minutes 57 seconds East, a distance of 242.76 feet to a point for corner;

THENCE South 46 degrees 05 minutes 13 seconds East, a distance of 125.16 feet to a point for corner;

THENCE South 00 degrees 51 minutes 03 seconds West, a distance of 317.20 feet to a point for corner;

THENCE South 30 degrees 00 minutes 00 seconds East, a distance of 242.04 feet to a point for corner;

THENCE South 74 degrees 27 minutes 02 seconds East, a distance of 472.01 feet to a point for corner in the west line of said existing 50' Easement and Right-of-Way;

THENCE South 00 degrees 20 minutes 29 seconds West, with the west line of said existing 50' Easement and Right-of-Way, a distance of 28.03 feet to the

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 7

TEMPORARY CONSTRUCTION EASEMENT
ARCHER FYKE SURVEY, ABSTRACT NO. 481
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 6

POINT OF BEGINNING, and containing 42,664 square feet or 0.979 acres of land, more or less.

Notes:

(1) A plat of same date herewith accompanies this legal description.

(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
Gorrondona & Associates, Inc.

12/14/15

Calvin E. Cock III
Registered Professional Land Surveyor
Texas No. 5622
Texas Firm No. 10106903

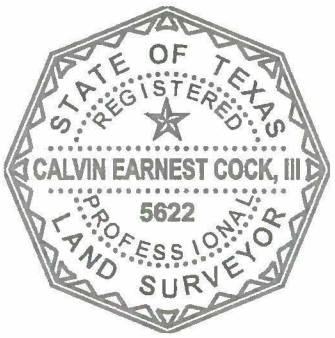
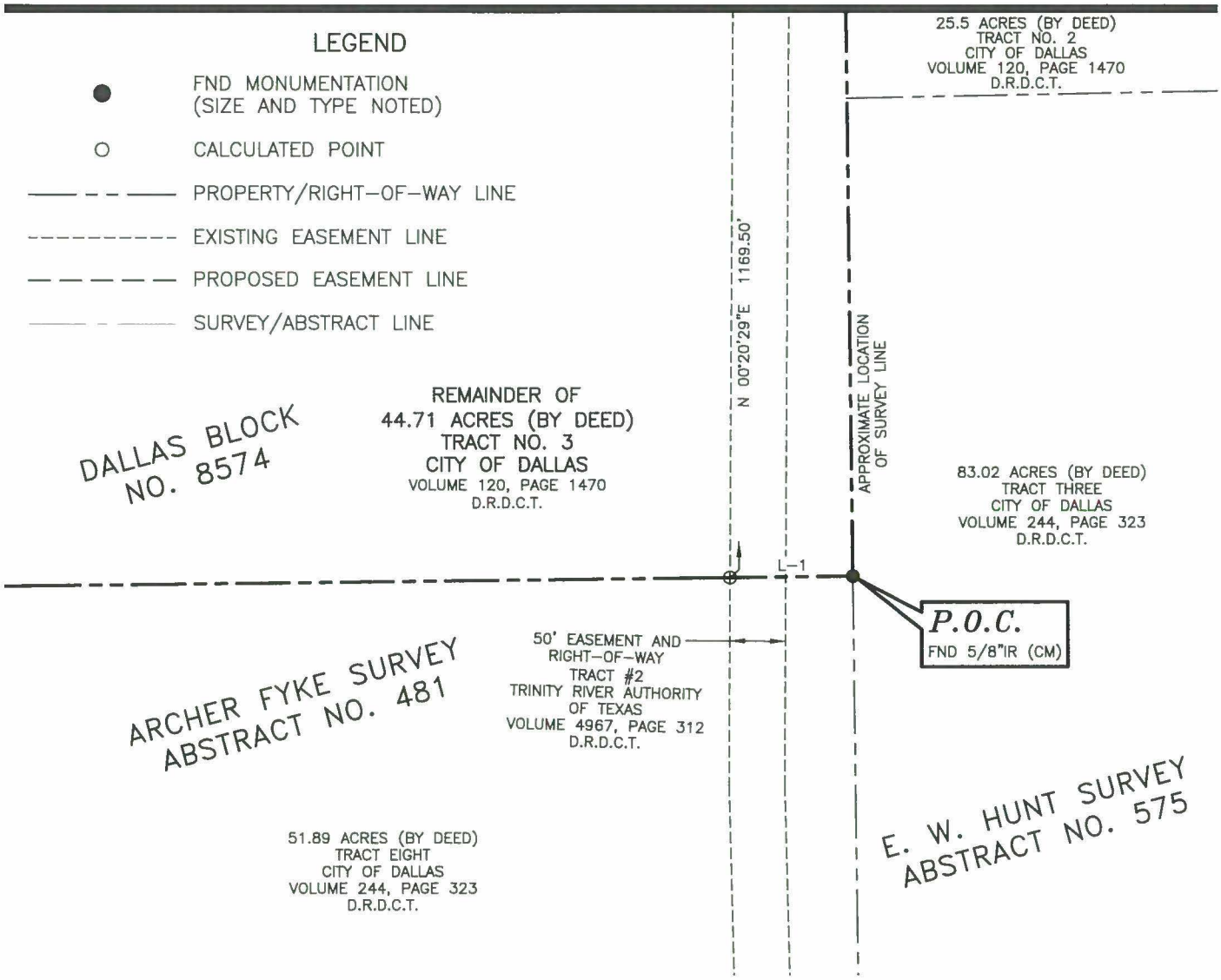


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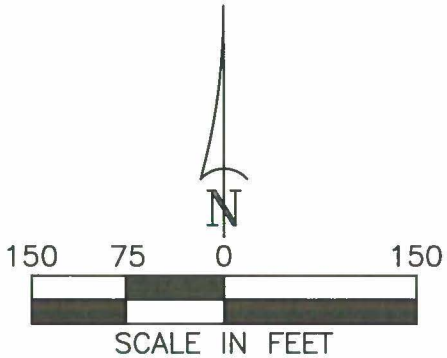
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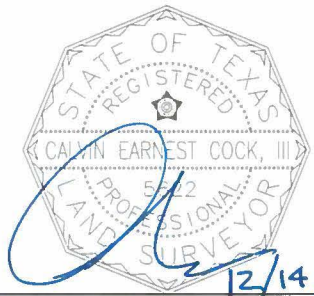
CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 6

MATCHLINE "A"



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	S 89°19'37"W	110.53'
L-2	N 30°00'00"W	258.36'
L-3	N 46°05'13"W	100.30'
L-4	N 00°51'03"E	71.93'
L-5	S 88°45'46"E	30.00'
L-6	S 00°51'03"W	41.73'
L-7	S 46°05'13"E	125.16'
L-8	S 30°00'00"E	242.04'
L-9	S 00°20'29"W	28.03'





12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P6_R1.DWG
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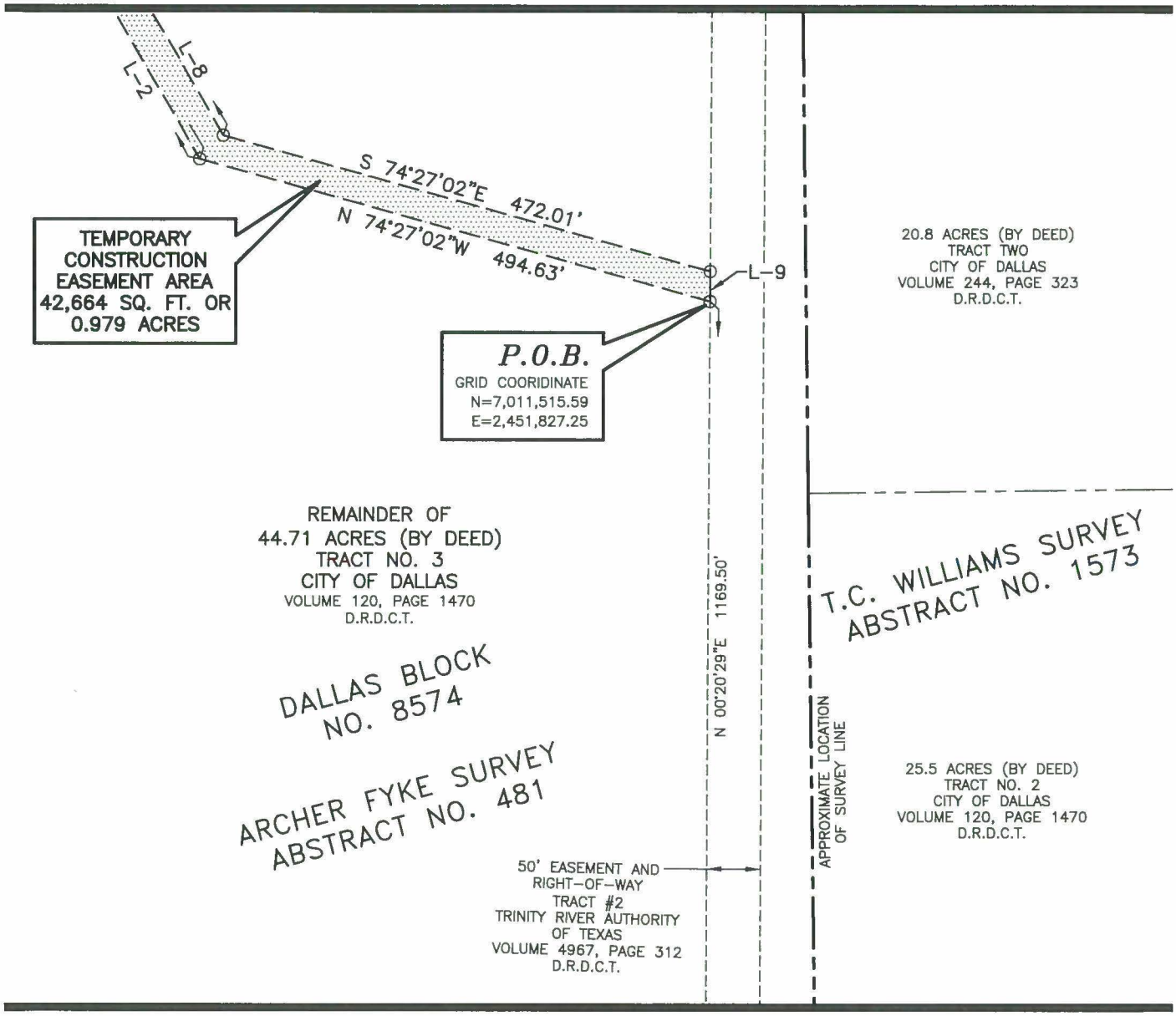
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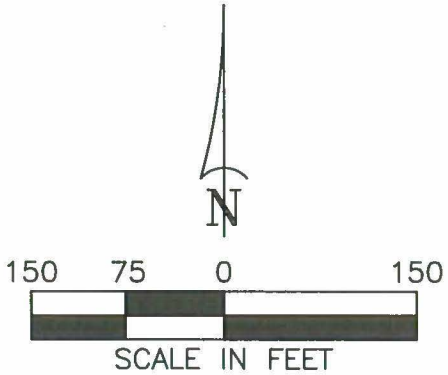
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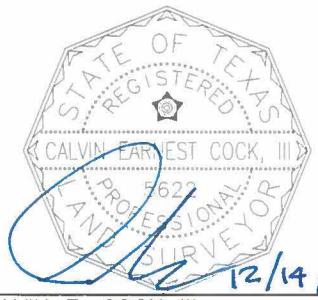
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MATCHLINE "B"



MATCHLINE "A"





12/14/15

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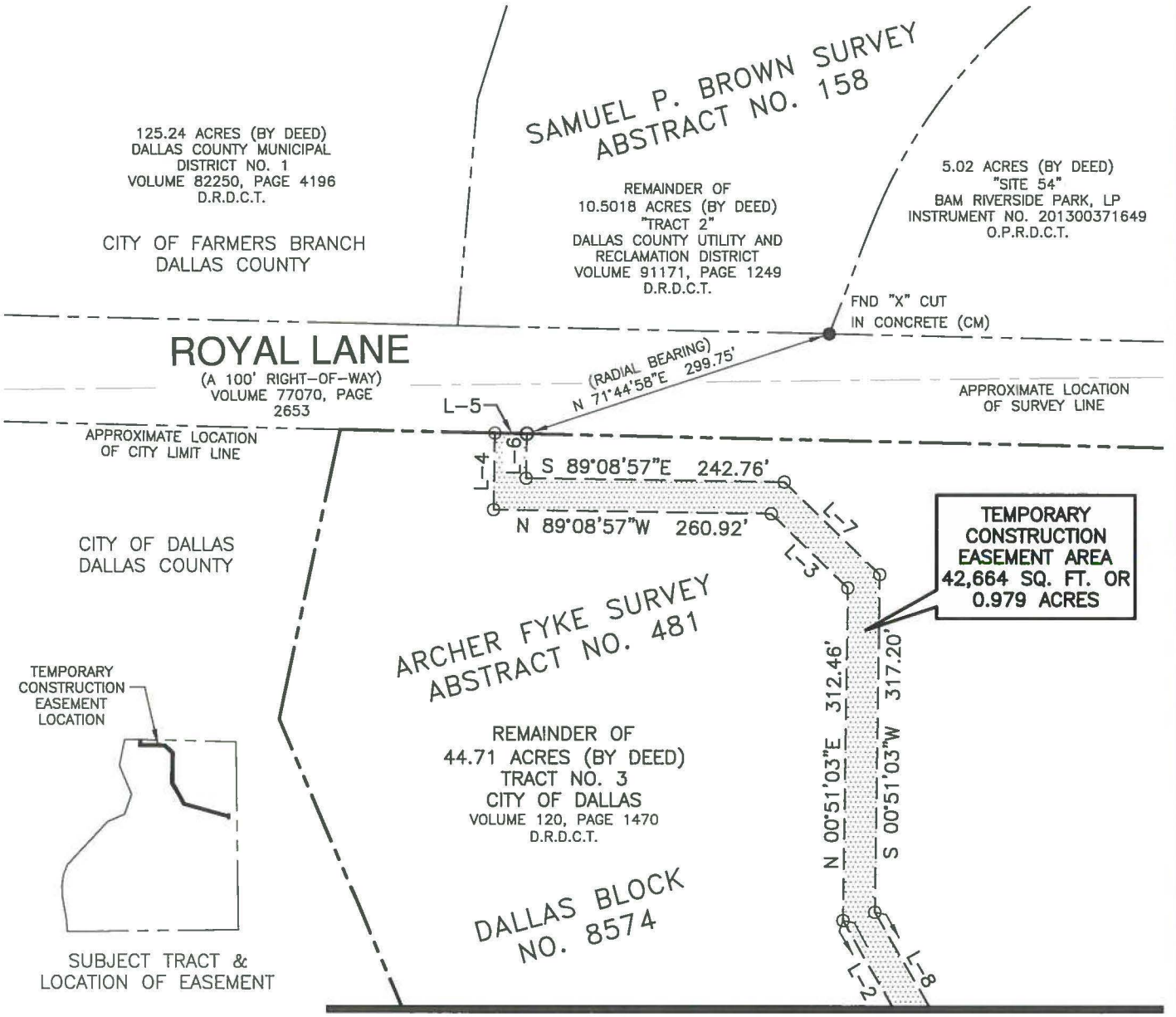
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MATCHLINE "B"

150 75 0 150

SCALE IN FEET

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LAND SURVEYOR

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AGENDA ITEM # 31

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 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 1,074 square feet of aerial space to install, maintain and utilize a canopy with premise sign over a portion of Commerce Street right-of-way near its intersection with Field Street – Revenue: $1,000 annually, plus the $20 ordinance publication fee

BACKGROUND

This item grants a private license to RBP Adolphus LLC for the use of approximately 1,074 square feet of aerial space to install, maintain and utilize a canopy with premise sign over 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)

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

Revenue - $1,000 annually, plus the $20 ordinance publication fee

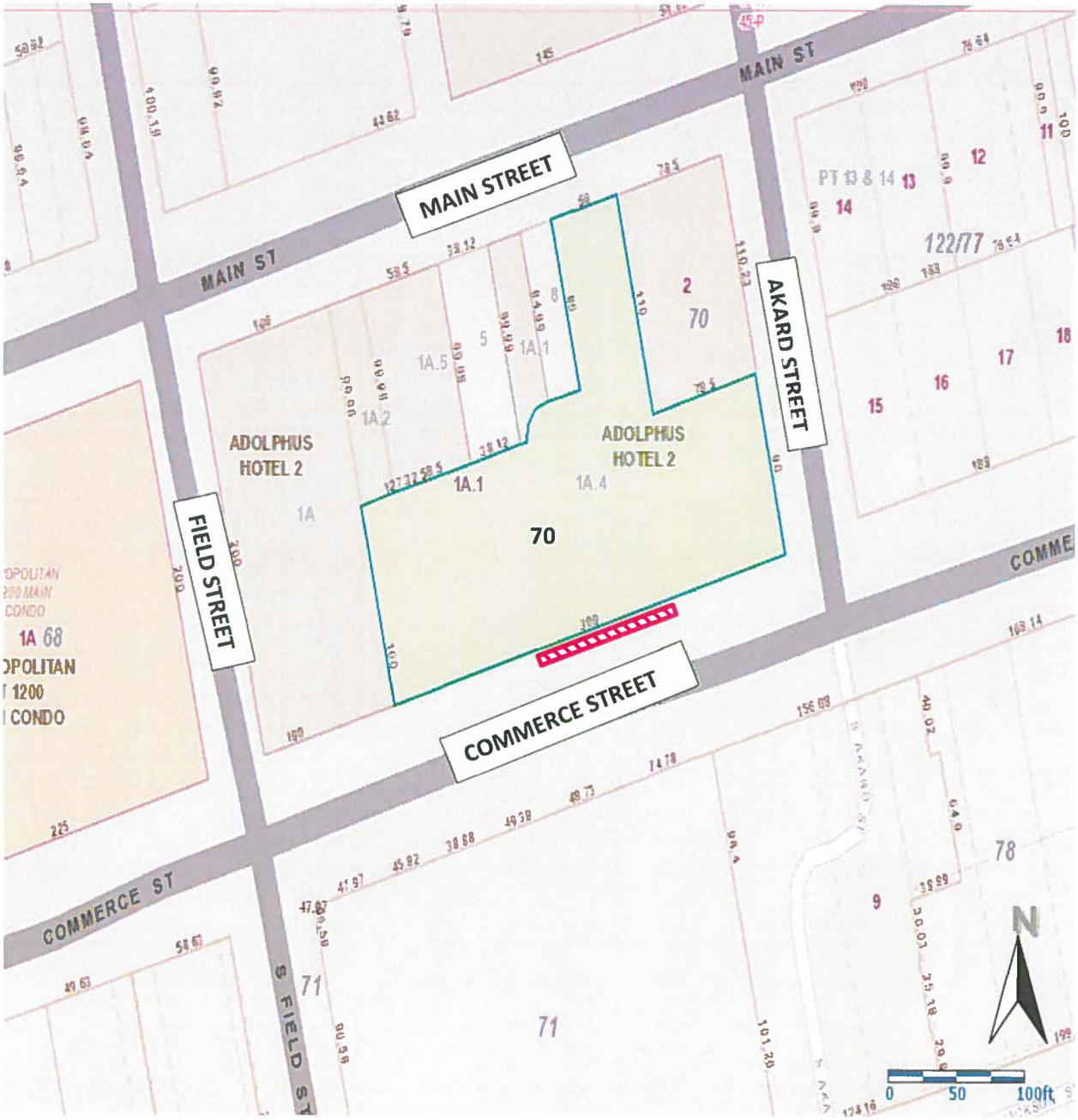
OWNER

RBP Adolphus LLC

Kenneth J. Krebs, Manager

MAP

Attached



LICENSE AREA

ORDINANCE NO. _____

An ordinance granting a private license to RBP Adolphus LLC to occupy, maintain and utilize aerial space over a portion of Commerce Street right-of-way located near its intersection with Field Street adjacent to City Block 70 within the limits hereinafter more fully described, for the purpose of installing, maintaining and utilizing one canopy with premise sign; providing for the terms and conditions of this license; 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

WHEREAS, RBP Adolphus LLC is the owner of that certain structure located near the intersection of Commerce Street and Field Street, said structure being more commonly known as the RBP Adolphus LLC; and

WHEREAS, said structure lies within the Adolphus Historic District, and it is the desire of the City Council of the City of Dallas to promote the restoration and rehabilitation of buildings therein; and

WHEREAS, it is the opinion of the City Council of the City of Dallas that said structure is a “historically significant structure" for the limited purpose mentioned in Chapter 43, Article VI, Section 43-115 (a) (2) of the City Code of the City of Dallas; and

WHEREAS, RBP Adolphus LLC has requested that they be granted a license for the purpose of allowing the use and maintenance of a canopy with premise sign which is an integral part of said historic structure.

Now, Therefore,

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

SECTION 1. (continued)

aerial space 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 **ONE THOUSAND NO/100 ($1,000.00) 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 **ONE THOUSAND NO/100 ($1,000.00) 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 the 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 install, maintain and utilize one canopy with 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 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** shall adhere to final configuration of accessible path along license area and must meet Americans with Disabilities Act and Texas Accessibility Standard requirements.

b) **GRANTEE** shall obtain the required Building Permits and shall secure a Right-of-Way Permit prior to any work within the right-of-way.

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

SECTION 8. (continued)

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-2017-00001831.

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

BEING a 1,074 square feet (0.025 acre) of aerial space situated in the John. Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, and being a portion of Commerce Street as created in City of Dallas Ordinance No. 1-A, Page 133, adjacent to Lot 1A, Block A/70 of The Adolphus Hotel Addition No. 2, an addition to the City of Dallas, Texas, according to the plat, recorded in Volume 95207, Page 3903 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at point which lies inside the exterior wall of an existing building for the southwest corner of aforesaid Lot 1A, and the intersection of the northerly right of way line of Commerce Street, a called 78.7' wide right of way, as created in said Ordinance No. 1-A, Page 133 and the easterly right of way line of Field Street, a 50' wide right of way as created in the final plat of Smith, Murphy & Martin Addition, an addition to the City of Dallas, Texas, as recorded in Volume H, Page 83 of the Map Records of Dallas County, Texas, from which, a found 3/8-inch iron rod bears South 76°00'00" West, 0.50 feet, and a found MAG nail bears South 30°42'W, 7.04 feet;

THENCE North 76°00'00" East, along the southerly line of said Lot 1A, Block A/70 and the northerly right of way line of said Commerce Street, a distance of 140.28 feet to the **POINT OF BEGINNING** of the herein described aerial space;

THENCE North 76°00'00" East, continuing along the southerly line of said Lot 1A, Block A/70 and the northerly right of way line of said Commerce Street, a distance of 71.58 feet to a corner, from which, an "X" cut set in a concrete sidewalk for the southeast corner of said Lot 1A, Block A/70 bears North 76°00'00" East, 188.14 feet;

THENCE South 14°00'00" East, departing the southerly line of said Lot 1A, the northerly right of way line of said Commerce Street and crossing said Commerce Street, a distance of 15.00 feet to a corner;

THENCE South 76°00'00" West, continuing across said Commerce Street, a distance of 71.58 feet to a corner;

THENCE North 14°00'00" West, continuing across said Commerce Street, a distance of 15.00 feet to the **POINT OF BEGINNING** and containing 0.025 of an acre (1,074 square feet) of aerial space, more or less.

Bearing system is based on the easterly line of Lot 1A, Block A/70 of The Adolphus Addition No. 2 as recorded in Volume 95207, Page 3903 of the Deed Records, Dallas County, Texas, said bearing being South 14°00'00" E

STATE OF TEXAS
REGISTERED
MICHAEL B. MARX
5181
PROFESSIONAL
LAND SURVEYOR

5/15/17

MICHAEL MARX
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5181
5750 GENESIS COURT, SUITE 200
FRISCO, TEXAS 75034
PH. 972-335-3580
michael.marx@kimley-horn.com

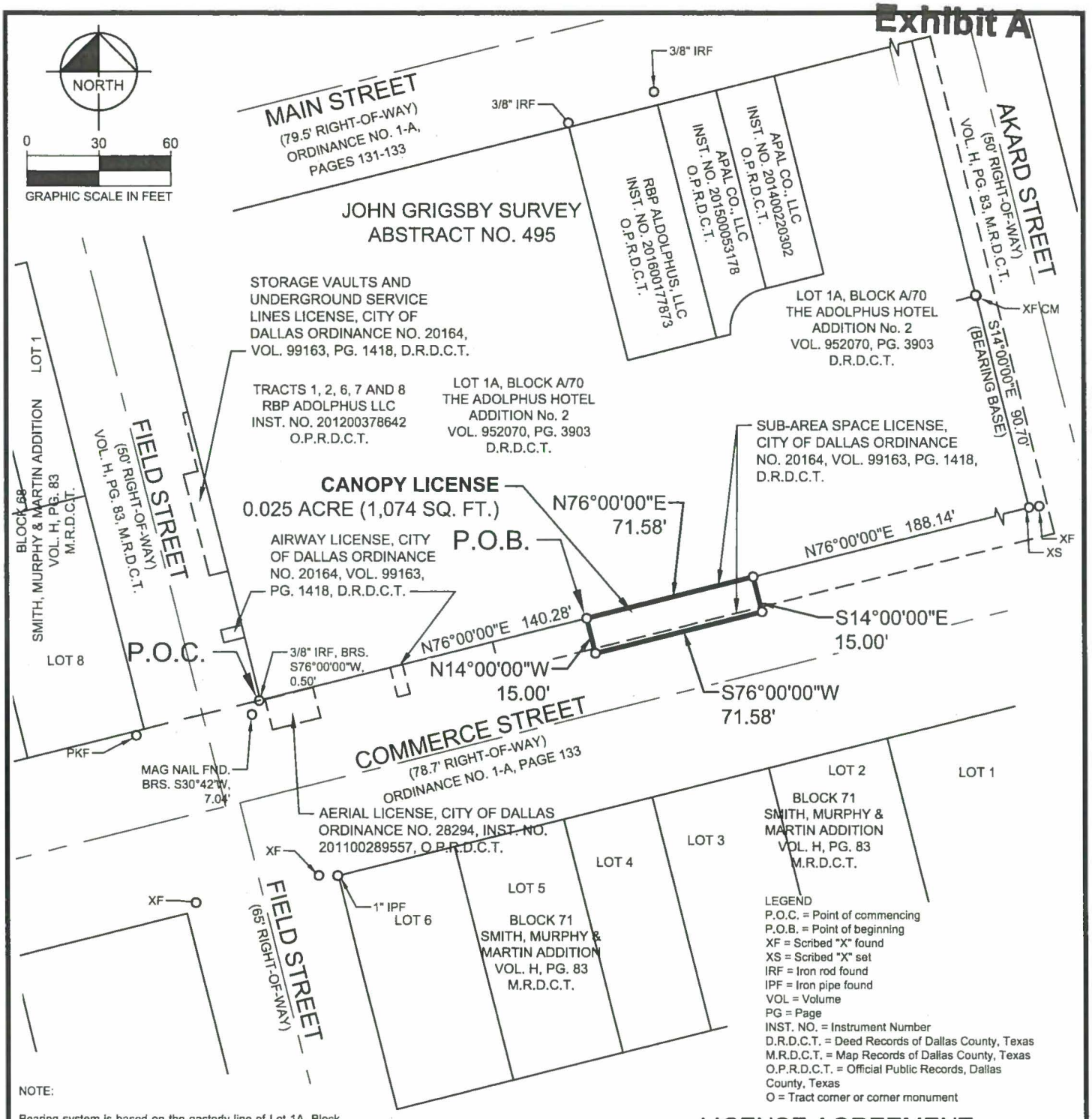
LICENSE AGREEMENT
PART OF COMMERCE STREET
THE ADOLPHUS HOTEL ADDITION NO. 2
ADJACENT TO LOT 1A, BLOCK A/70
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 5/15/17
SPRG NO: 4002

Kimley»Horn
5750 Genesis Court, Suite 200
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MBM	KHA	05/15/2017	063227300	1 OF 2

Exhibit A



LEGEND
P.O.C. = Point of commencing
P.O.B. = Point of beginning
XF = Scribed "X" found
XS = Scribed "X" set
IRF = Iron rod found
IPF = Iron pipe found
VOL = Volume
PG = Page
INST. NO. = Instrument Number
D.R.D.C.T. = Deed Records of Dallas County, Texas
M.R.D.C.T. = Map Records of Dallas County, Texas
O.P.R.D.C.T. = Official Public Records, Dallas County, Texas
O = Tract corner or corner monument

NOTE:

Bearing system is based on the easterly line of Lot 1A, Block A/70 of The Adolphus Addition No. 2 as recorded in Volume 95207, Page 3903 of the Deed Records, Dallas County, Texas, said bearing being South 14°00'00" E.

LICENSE AGREEMENT
PART OF COMMERCE STREET
THE ADOLPHUS HOTEL ADDITION NO. 2
ADJACENT TO LOT 1A, BLOCK A/70
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

MICHAEL MARX
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LAND SURVEYOR NO. 5181
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michael.marx@kimley-horn.com

STATE OF TEXAS
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MICHAEL B. MARX
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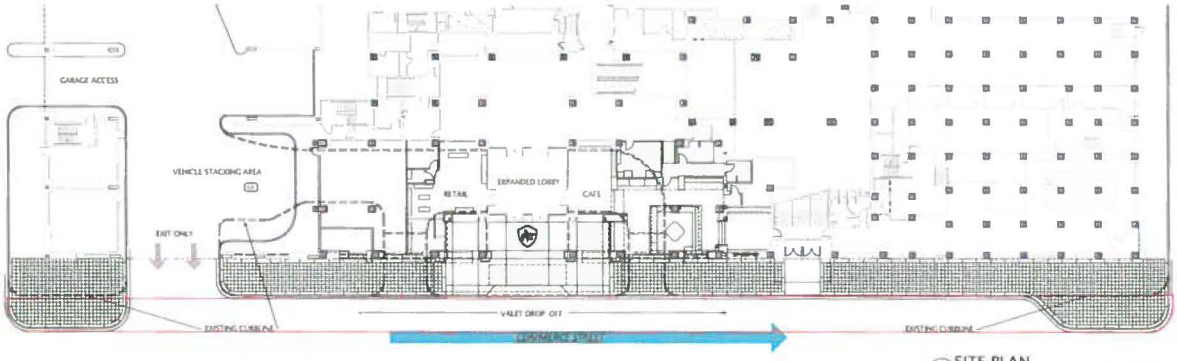
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	MBM	KHA	05/15/2017	063227300	2 OF 2

MARX, MICHAEL 5/15/2017 7:12 AM K:\FRI_SURVEY\063227300-ADOLPHUS HOTEL\DWG\063227300_CANOPY LICENSE.DWG

Exhibit A



COMMERCE STREET COLOR ELEVATION
SCALE: NTS



SITE PLAN
SCALE: 1/16" = 1'-0"

NORTH

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 # 32

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 33G

SUBJECT

An ordinance granting a revocable license to Southwest Airlines Co. for the use of approximately 1,500 square feet of aerial space to occupy, maintain, and utilize a pedestrian bridge above and over a portion of Denton Drive right-of-way, located near its intersection with Wyman Street - Revenue: $1,000 annually, plus the $20 ordinance publication fee

BACKGROUND

This item grants a revocable license to Southwest Airlines Co. for the use of approximately 1,500 square feet of aerial space to occupy, maintain, and utilize a pedestrian bridge above and over a portion of Denton Drive right-of-way, near its intersection with Wyman 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)

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

Revenue - $1,000 annually, plus the $20 ordinance publication fee

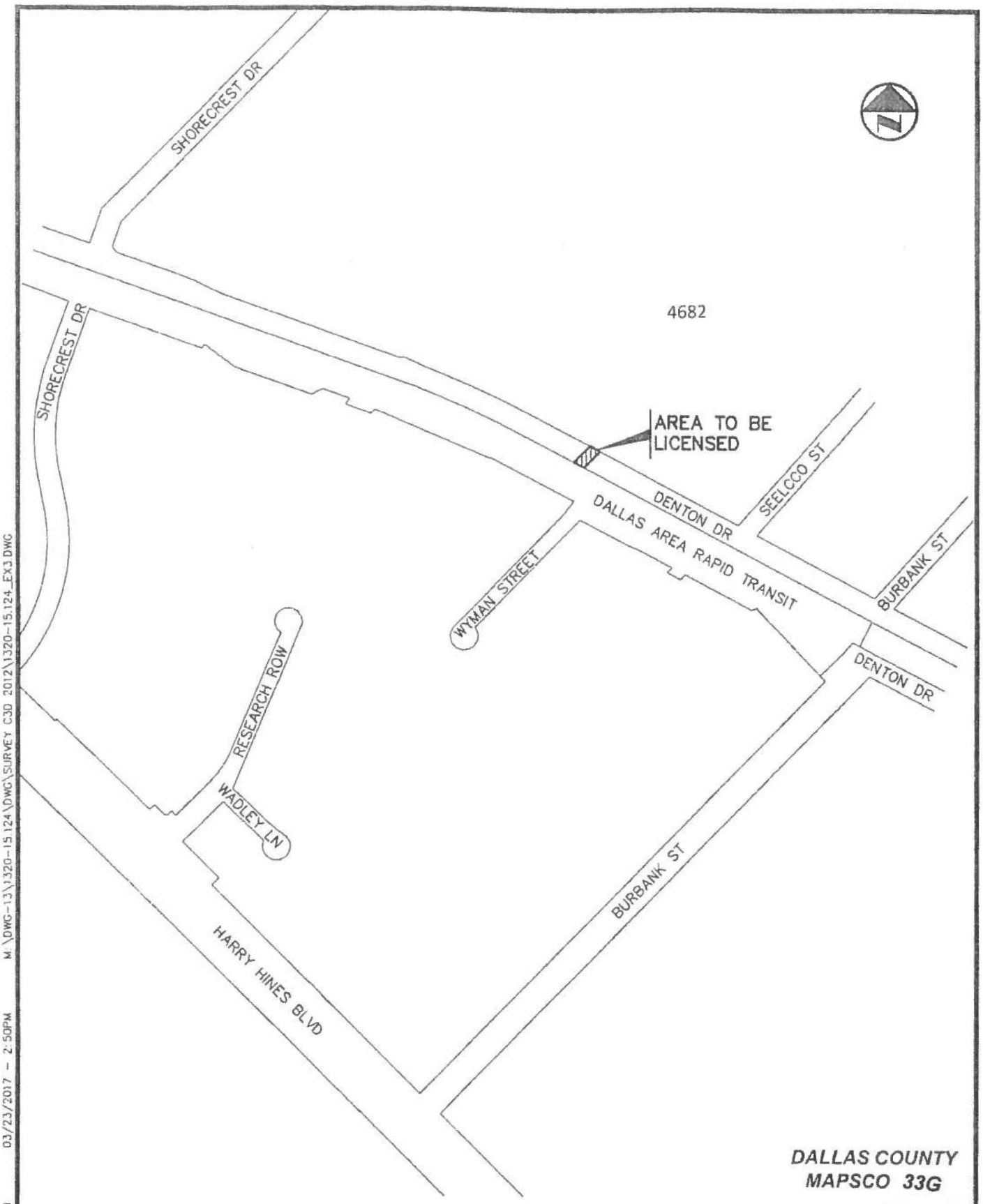
OWNER

Southwest Airlines Co.

Gary C. Kelly, Chief Executive Officer

MAP

Attached



VICINITY MAP
(NOT TO SCALE)

JNICHOLSON 03/23/2017 - 2:50PM M:\DWG-13\1320-15.124\DWG\SURVEY C3D 2012\1320-15.124_EX3.DWG

DWG FILE: 1320-15.124_EX3.DWG

ORDINANCE NO. _____

An ordinance granting a revocable license to Southwest Airlines Co. to occupy, maintain and utilize aerial space above and over a portion of Denton Drive right-of-way located near its intersection Wyman Street, adjacent to City Block 4682 within the limits hereinafter more fully described, for the purpose of installing, and maintaining a pedestrian bridge; providing for the terms and conditions of this license; 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 revocable license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to Southwest Airlines Co., a Texas corporation, its successors and assigns, hereinafter referred to as **"GRANTEE"**, to occupy, maintain and utilize for the purpose set out hereinafter aerial space above and over the tract of land beginning at an elevation of 495.00 feet above mean sea level and extending to an elevation of 511.00 feet above mean sea level 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 twenty-nine (29) 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 **ONE THOUSAND AND NO/100 ($1,000.00) 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 **ONE THOUSAND AND NO/100 ($1,000.00) 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

SECTION 3. (continued)

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 the General Fund, Fund 0001, Department Development, 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 install, utilize and maintain a pedestrian bridge.

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 to terminate and cancel this license, at will, by resolution passed by said Governing Body. 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).

SECTION 6. (continued)

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 the design and construction of the bridge does not negatively impact visibility and safety for those pedestrians who will continue to cross the street at the intersection of Denton Drive and Wyman Street.

b) **GRANTEE** shall ensure that the right-of-way is maintained in order to facilitate emergency response. A height clearance of a minimum of twelve feet is required for emergency equipment and shall be maintained at all times. **GRANTEEs** shall ensure that at no time during or after the installation and operation of the pedestrian bridge will emergency traffic be delayed and there will be no interruption to water.

c) **GRANTEE** acknowledges Oncor has existing overhead electrical facilities in the area. **GRANTEE** shall be responsible for coordinating and facilitating the relocation/burial of Oncor facilities at **GRANTEE's** expense to facilitate the construction of the pedestrian bridge.

d) **GRANTEE** acknowledges Atmos has active facilities within the rights-of-way of Denton Drive and Wyman Street. If any conflicts exist requiring relocation of Atmos facilities, **GRANTEE** will be responsible for costs to relocate Atmos facilities.

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

SECTION 8. (continued)

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 ten (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-2017-00001874.

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 _____.

AERIAL SPACE LICENSE
Part of Denton Drive by Wyman Street
Adjacent to Block 4682
Dickerson Parker Survey, Abstract No. 1113
City of Dallas, Dallas County, Texas

Exhibit A

DESCRIPTION, of a 1,500 square foot (0.034 acre) tract of land situated in the Dickerson Parker Survey, Abstract No. 1113, City of Dallas, Dallas County, Texas and being adjacent to Block 4682, Official Block Numbers of the City of Dallas, Dallas County, Texas and being a part of Denton Drive (a variable width right-of-way); said 1,500 square foot tract being more particularly described as follows (Bearing system is based on the City of Dallas Love Field Airport Control Network and the State Plane Coordinate System – NAD 83, Texas North Central Zone 4202, State Plane Surface Bearings and based on observation of monument DAL-5 made on July 25, 2015. All distances shown have been scaled using the TxDOT combined surface scale factor for Dallas County of 1.000136506.):

COMMENCING, at a found 2" aluminum disk stamped "JACOBS DAL-5", as shown on the City of Dallas, Texas, Dallas Love Field Airport (DAL) Survey Control Network, produced by Jacobs on March 17, 2011; (N: 6,992,940.36, E: 2,472,731.24, Grid)

THENCE, North 62 degrees, 27 minutes, 41 seconds West, a distance of 1,823.91 feet to the southwest right-of-way line of said Denton Drive and the northeast right-of-way line of Dallas Area Rapid Transit (a variable width right-of-way) recorded in Volume 90177, Page 4219 of the Deed Records of Dallas County, Texas for the **POINT OF BEGINNING**; (N: 6,993,783.52, E: 2,471,114.20, Grid)

THENCE, North 62 degrees, 22 minutes, 56 seconds West, along the said southwest line of Denton Drive and the said northeast line of Dallas Area Rapid Transit, a distance of 20.92 feet; (N: 6,993,793.22, E: 2,471,095.66, Grid)

THENCE, North 44 degrees, 42 minutes, 56 seconds East, departing the said southwest line of Denton Drive and the said northeast line of Dallas Area Rapid Transit, over and across part of said Denton Drive, a distance of 74.97 feet to the northeast right-of-way line of said Denton Drive and the southwest line of Lot 1B, Block 4682, Dallas Love Field Industrial Addition, an addition to the City of Dallas, Texas created by the plat recorded in Instrument Number 201500293681 of the Official Public Records of Dallas County, Texas; (N: 6,993,846.49, E: 2,471,148.40, Grid)

THENCE, South 62 degrees, 24 minutes, 07 seconds East, along the said northeast line of Denton Drive and the said southwest line of Lot 1B, a distance of 20.93 feet to a point for corner; (N: 6,993,836.80, E: 2,471,166.95, Grid)

THENCE, South 44 degrees, 42 minutes, 56 seconds West, departing the said northeast line of Denton Drive and the said southwest line of Lot 1B, over and across a part of said Denton Drive, a distance of 74.98 feet to the **POINT OF BEGINNING**;

CONTAINING: 1,500 square feet or 0.034 acres of land, more or less.

(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 license tract described.

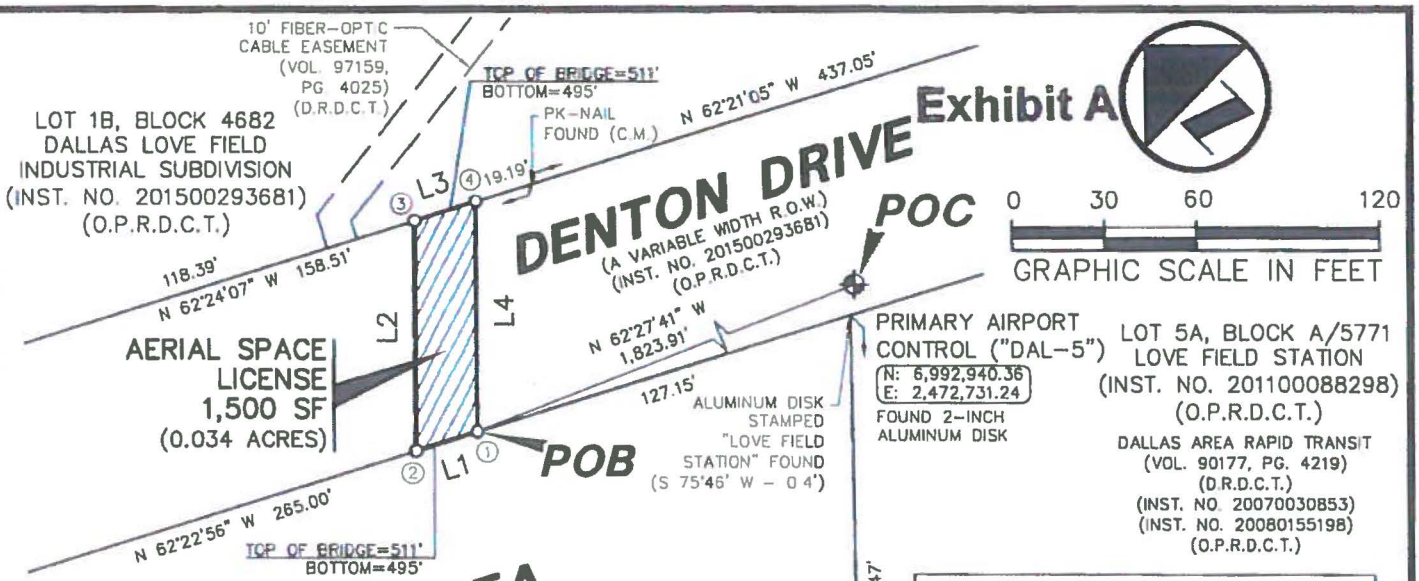
3/24/17

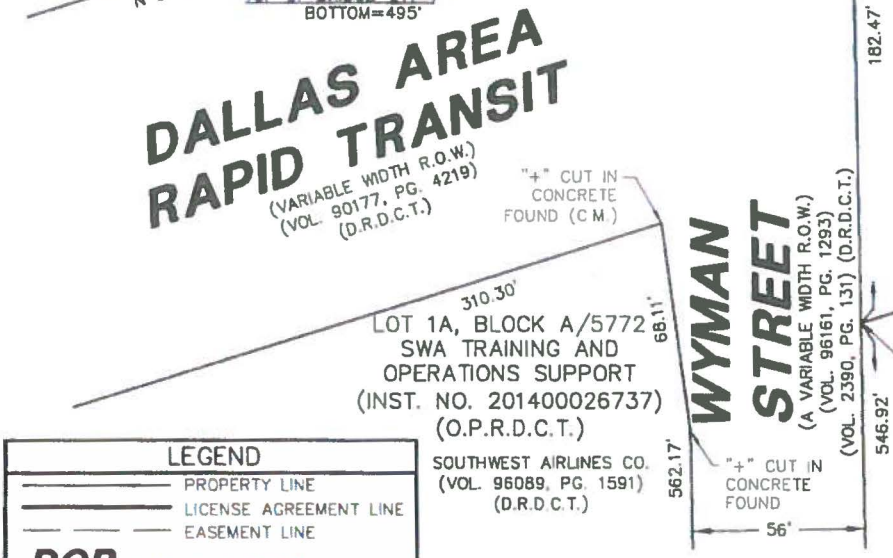
Kyle Coleman Harris Date
Registered Professional Land Surveyor No. 6266
Pacheco Koch Consulting Engineers, Inc.
7557 Rambler Road, #1400, Dallas TX 75231
(972) 235-3031
TX Reg. Surveying Firm LS-10008000
1320-15.124_EX3.doc, 1320-15.124_EX3.dwg jrm



FIELD NOTES APPROVED:
JER 3/31/17

Exhibit A





LINE TABLE		
LINE	BEARING	LENGTH
L1	N 62°22'56" W	20.92'
L2	N 44°42'56" E	74.97'
L3	S 62°24'07" E	20.93'
L4	S 44°42'56" W	74.98'

COORDINATE TABLE		
NO.	NORTHING	EASTING
1	6,993,783.52	2,471,114.20
2	6,993,793.22	2,471,095.66
3	6,993,846.49	2,471,148.40
4	6,993,836.80	2,471,166.95

LEGEND

	PROPERTY LINE
	LICENSE AGREEMENT LINE
— — —	EASEMENT LINE
POB	POINT OF BEGINNING
POC	POINT OF COMMENCING
①	NUMBER CORRESPONDING TO COORDINATE TABLE
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
R.O.W.	RIGHT-OF-WAY
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
C.M.	CONTROLLING MONUMENT

DICKERSON PARKER SURVEY
ABSTRACT NO. 1113

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the City of Dallas Love Field Airport Control Network and the State Plane Coordinate System – NAD 83, Texas North Central Zone 4202, State Plane Surface Bearings and based on observation of monument DAL-5 made on July 25, 2015. All distances shown have been scaled using the TxDOT combined surface scale factor for Dallas County of 1.000136506
3. All coordinates shown are State Plane, Texas North Central Zone 4202, North American Datum of 1983, no scale, no projection.

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

STATE OF TEXAS
REGISTERED
KYLE COLEMAN HARRIS
6266
PROFESSIONAL
LAND SURVEYOR

3/24/17

Kyle Coleman Harris
Registered Professional
Land Surveyor No. 6266

Date

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
JRM	KCH	1"=60'	MARCH 2017	1320-15.124

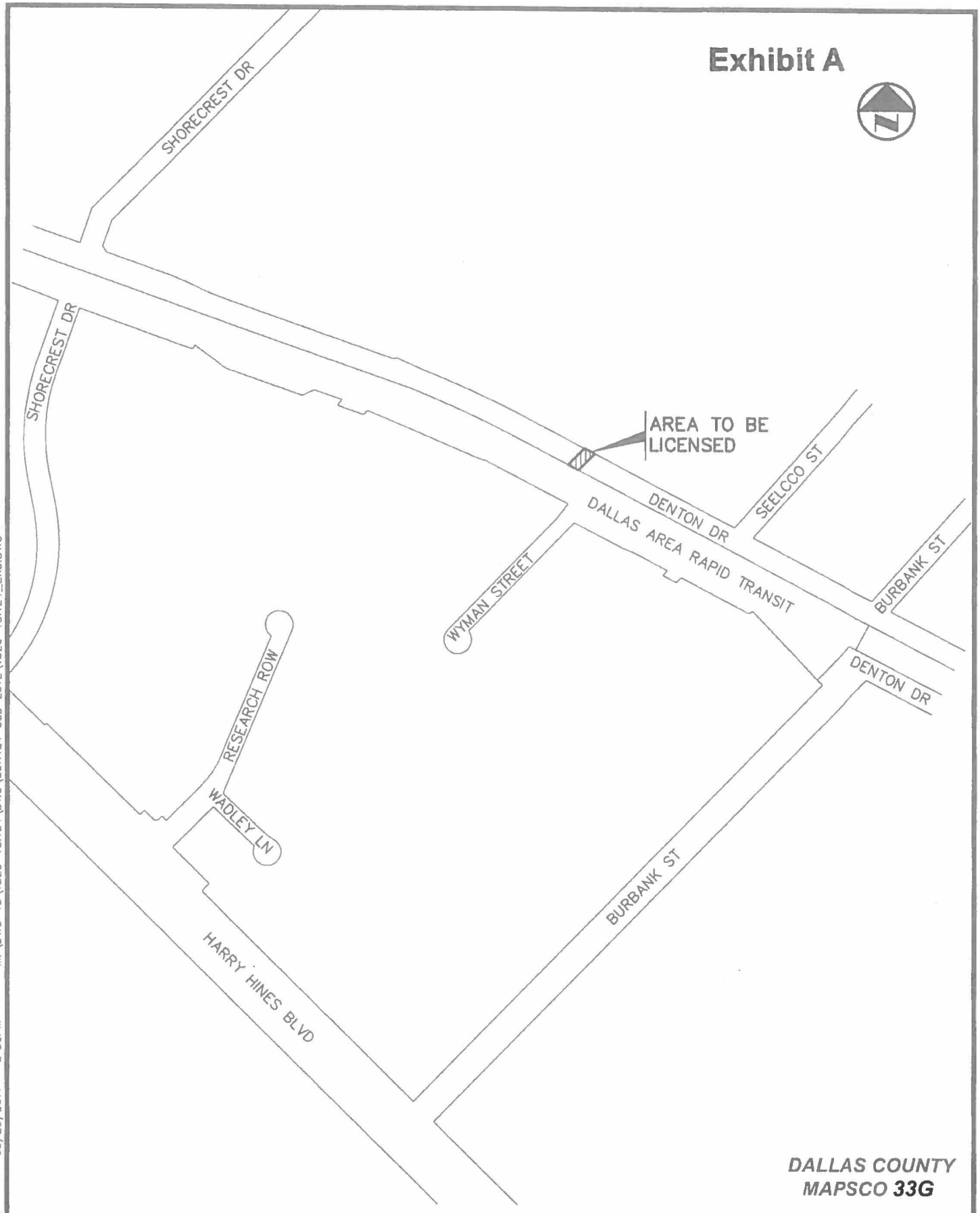
AERIAL SPACE LICENSE

PART OF DENTON DRIVE BY WYMAN STREET
ADJACENT TO BLOCK 4682
DICKERSON PARKER SURVEY, ABSTRACT NO. 1113
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 2 OF 2

DWG FILE: 1320-15.124_EX3.DWG

M:\DWG-13\1320-15.124\DWG\SURVEY C3D 2012\1320-15.124_EX3.DWG
03/23/2017 - 2:47PM
JNICHOLSON

Exhibit A



DALLAS COUNTY
MAPSCO 33G

VICINITY MAP
(NOT TO SCALE)

JNICHOLSON 03/23/2017 - 2:50PM M:\DWG-13\1320-15.124\DWG\SURVEY C3D 2012\1320-15.124_EX3.DWG

DWG FILE: 1320-15.124_EX3.DWG

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 # 33

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 44P

SUBJECT

An ordinance abandoning a portion of Bedford Street to Singleton Trinity Groves, LP, the abutting owner, containing approximately 5,665 square feet of land located near the intersection of Singleton Boulevard and Borger Street; and authorizing the quitclaim - Revenue: $67,980, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of Bedford Street to Singleton Trinity Groves, LP, the abutting owner. The area will be included with the property of the abutting owner for a multi-family development. The abandonment fee is based on an independent appraisal.

Notices were sent to 37 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)

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

Revenue - $67,980, plus the $20 ordinance publication fee

OWNER

Singleton Trinity Groves, LP

SOP Manager III, LLC

John A. Kiltz, Member

MAP

Attached



Abandonment Areas:

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of Bedford Street located adjacent to City Block 7257 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Singleton Trinity Groves, LP; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Singleton Trinity Groves, LP, a Texas limited partnership, 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 Bedford 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 the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **SIXTY-SEVEN THOUSAND NINE HUNDRED EIGHTY AND NO/100 DOLLARS ($67,980.00)** paid by **GRANTEE**, and the further consideration described in Sections 8 and 9, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all 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 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in 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 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) **GRANTEE's** inability to secure consensus support for the abandonment of the area described in Exhibit A from the absentee owner of Lot 5, Block 3/7256 of the Buena Vista Subdivision, also known as 2818 Chicago Street, Dallas, Texas, 75212; (ii) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (iii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iv) 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 (v) 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"

SECTION 8. (continued)

under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this ordinance, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 10. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, 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 11. That this contract is designated as Contract No. DEV-2017-00001801.

SECTION 12. 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 _____.

STREET ABANDONMENT

CEMENT CITY ADDITION, ADJACENT TO DALLAS
CITY BLOCK 7257, BEDFORD STREET
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF DALLAS §

BEING a 5,665 square foot or 0.130 acre tract of land situated in the WILLIAM COOMBS Survey, Abstract No. 290, City of Dallas, Dallas, County, Texas and being all of the right-of-way (30' right-of-way) of Bedford Street as recorded by plat of Cement City Addition, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 1, Page 156, Map Records, Dallas County, Texas (M.R.D.C.T.), and being adjacent to Block 7257, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with red plastic cap stamped "WAI" found for corner at the intersection of the south right-of-way line of said Bedford Street and the west right-of-way line of said Borger Street, a 40' right-of-way as recorded by plat of Cement City Addition, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 1, Page 156, Map Records, Dallas County, Texas (M.R.D.C.T.);

THENCE South 89 degrees 06 minutes 59 seconds West, departing said west right-of-way line and along said south right-of-way line, a distance of 188.78 feet to a 1/2 inch iron rod with red plastic cap stamped "WAI" found for corner and situated in the east line of Lot 4, Block 3/7256, Buena Vista Addition, recorded in Volume 3, Page 1, M.R.D.C.T.;

THENCE North 00 degrees 34 minutes 33 seconds West, departing the south right-of-way line of said Bedford Street and along the east line of said Lot 4, a distance of 30.00 feet to a 1/2 inch iron rod found for corner and situated in the east line of Lot 5, of said Buena Vista Addition, and the north right-of-way line of said Bedford Street;

THENCE North 89 degrees 06 minutes 59 seconds East, departing the east line of said Lot 5 and along the north right-of-way line of said Bedford Street, same being the south line of Lot 52A, Block 7257, Janson II Addition, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Instrument No. 200600141096, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), a distance of 188.87 feet to a 1/2 inch iron rod with red plastic cap stamped "WAI" found for corner and situated in the west right-of-way line of said Borger Street, said iron rod also being the southeast corner of said Lot 52A, Block 7257;

THENCE South 00 degrees 24 minutes 39 seconds East, departing the north right-of-way line of said Bedford Street and the south line of said Lot 52A, Block 7257 and over and across the right-of-way of said Bedford Street, a distance of 30.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 0.130 acres or 5,665 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 10th day of August, 2016, utilizing the global positioning system (State Plane Coordinate System, Texas North Central Zone [4202], North American Datum of 1983 [1986])

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 12/31/2017

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Scale :	N/A
Date :	03.27.17
Dwg. File :	58209.0C-BEDFORD-ABAND
Project No. :	58209.00

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR
4/7/17

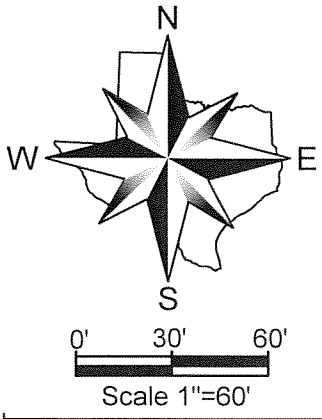
(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 4/19/17
SPRG No. 4048

SHEET 1 OF 2

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STREET ABANDONMENT

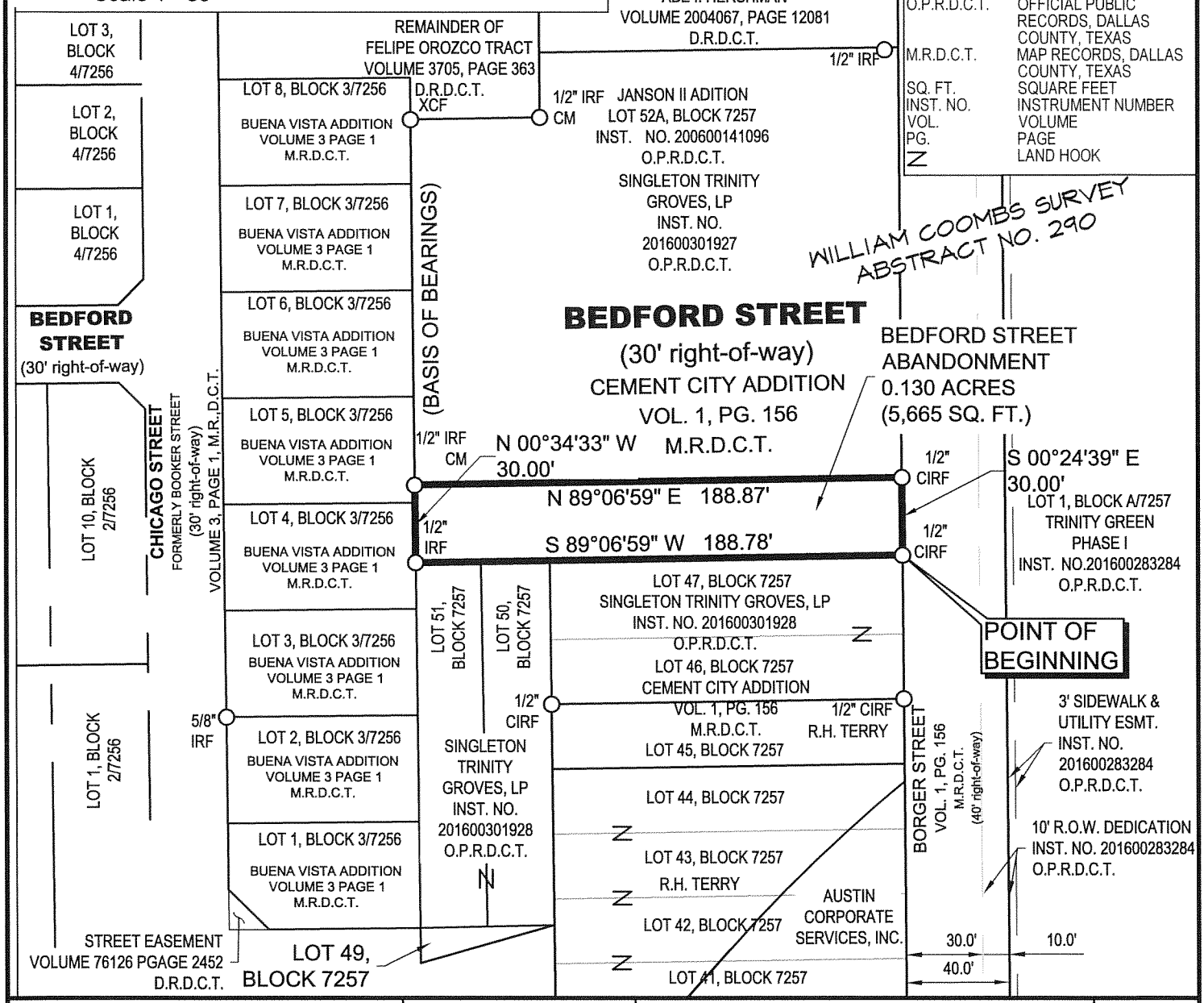
CEMENT CITY ADDITION, ADJACENT TO DALLAS
CITY BLOCK 7257, BEDFORD STREET
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS



Basis of bearings is the global positioning system (Texas State Plane Coordinate System, Texas North Central Zone [4202], North American Datum of 1983 [1986])

LEGEND

IRF	IRON ROD FOUND
1/2" CIRF	1/2" IRON ROD FOUND W/ RED PLASTIC CAP STAMPED "W.A.I." FOUND FOR CORNER
XCF	"X" CUT IN CONCRETE FOUND FOR CORNER
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
INST. NO.	INSTRUMENT NUMBER
VOL.	VOLUME
PG.	PAGE
N	LAND HOOK



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 12/31/2017

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Scale :	1" = 60'
Date :	03.28.17
Dwg. File :	58209.0C-BEDFORD-ABAND
Project No. :	58209.00

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR
4/19/17

(For SPRG use only)
Reviewed by: A.Rodriguez
Date: 4/19/17
SPRG No. 4048

SHEET 2 OF 2

G:\582\09\0C\Survey\Exhibit\58209.0C-BEDFORD-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.

AGENDA ITEM # 34

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45U

SUBJECT

An ordinance abandoning a portion of Griffin Street to Jahan Sebastian Enterprises, LLC, the abutting owner, containing approximately 2,995 square feet of land, located near the intersection of Griffin and Peters Streets; and authorizing the quitclaim - Revenue: $59,900, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of Griffin Street to Jahan Sebastian Enterprises, LLC, the abutting owner. The area will be included with the property of the abutting owner to allow the expansion of a warehouse. The abandonment fee is based on an independent appraisal.

Notices were sent to 63 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)

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

Revenue - $59,900, plus the $20 ordinance publication fee

OWNER

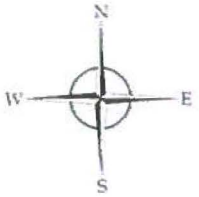
Jahan Sebastian Enterprises, LLC

Nilsa J. Luna-Torres, Managing Member

MAP

Attached







STREET ABANDONMENT AREA

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of Griffin Street located adjacent to City Block B/443 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Jahan Sebastian Enterprise, LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Jahan Sebastian Enterprise, LLC, a Texas limited liability company, 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 Griffin 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 the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIFTY-NINE THOUSAND NINE HUNDRED AND NO/100 DOLLARS ($59,900.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10 and 11, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all 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 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is 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 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 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**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and

SECTION 8. (continued)

(f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall 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 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

a) not alter the abandonment area in such a manner that would:
   i) prevent the public from using the public parking on streets (Griffin, Peters, Wall)
   ii) reduce the number of on-street parking spaces in an excessive, deliberate, or unnecessary manner without the approval of the Dallas Police Department.
   iii) prevent or impede the City of Dallas from placing parking meters or signs for installation, use and maintenance next to curb.

b) not install special pavers, bricks, or concrete in an area next to curb without prior approval of the Dallas Police Department. **GRANTEE** acknowledges area must remain in suitable condition that allows the City install of the appropriate base needed for parking meters or government signage. **GRANTEE's** use of pavers, bricks or concrete placed next to the curb that creates a condition whereby the City must remove, and do a replacement install, will be at the expense of **GRANTEE.**

c) construct sidewalks on the site in accordance with current zoning regulations.

d) verify all utility lines in the area prior to completion of abandonment.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE,** its successors and assigns, to the satisfaction of the Director of Sustainable Development and Construction.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2 , plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, 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 13. That this contract is designated as Contract No. DEV-2017-00001906.

SECTION 14. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

STREET ABANDONMENT

WALNUT GROVE ADDITION
Part of Lot 3, Block B/443,
J. Grigsby Survey Abstract No. 495 &
J. Bryan Survey Abstract No. 145
City of Dallas, Dallas county, Texas

DATE: MARCH/2016
JOB NO.16-02-031
SHEET 1 OF 2

Exhibit A

DESCRIPTION, of a 2,995 square foot (0.069 acre) tract of land situated in the J. Grigsby Survey, Abstract No. 495 and the J. Bryan Survey, Abstract No. 145, Dallas County, Texas, and being a part of Lot 3, Block B/443, Walnut Grove Addition, an addition to the City of Dallas, according to the plat recorded in Volume 106, Page 186, Deed Records of Dallas County, Texas; said tract being part of a tract of land described in Warranty Deed to the City of Dallas and recorded in Volume 581, Page 849 of said Deed records, and part of a tract of land described in Warranty Deed to the City of Dallas and recorded in Volume 567, Page 1266 of said Deed Records, and being more particularly described by metes and bounds as follows (bearing basis for this survey is based on the southeast line of Lot 1 and Lot 2 of said Walnut Grove Addition, North 51°00'00" E):

COMMENCING, at a 5/8-inch iron rod found for corner on the southwest right-of-way line of Peters Street (a 40-foot right-of-way); said point being the east corner of said Lot 1, the north corner of said Lot 3, and the north corner of said first-referenced City of Dallas tract;

THENCE, South 51°00'00" West, departing the said southwest right-of-way line of Peters Street and along the southeast line of said Lot 1 and the northwest line of said Lot 3 and said first-referenced City of Dallas tract, a distance of 5.00 feet to the POINT OF BEGINNING;

THENCE, South 41°10'49" East, a distance of 42.70 feet to a point for corner;

THENCE, South 16°52'34" West, a distance of 11.19 feet to a point for corner;

THENCE, South 75°04'20" West, a distance of 94.29 feet to a point for corner;

THENCE, South 75°27'23" West, a distance of 2.23 feet to a point for corner;

THENCE, North 70°35'05" West, a distance of 8.29 feet to a point for corner;

THENCE, North 36°35'44" West, a distance of 2.50 feet to a point for corner in the southeast line of said Lot 2 and the northwest line of said Lot 3 and second-referenced City of Dallas tract;

THENCE, North 51°00'00" East, along the southeast line of said Lots 1 and 2, and the northwest line of said Lot 3 and said second-referenced City of Dallas tract, a distance of 100.00 feet to the POINT OF BEGINNING and containing 2,995 square feet or 0.069 acres of land.

The basis of bearing for this survey (N 15°00'00" E) is the southeast line of lot 1 & lot 2, Walnut Grove Addition, recorded in Volume 106, page 186, Deed Records, Dallas County, Texas.

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

REVIEWED BY: JL
DATE: 4-21-17
SPRG NO. 3745

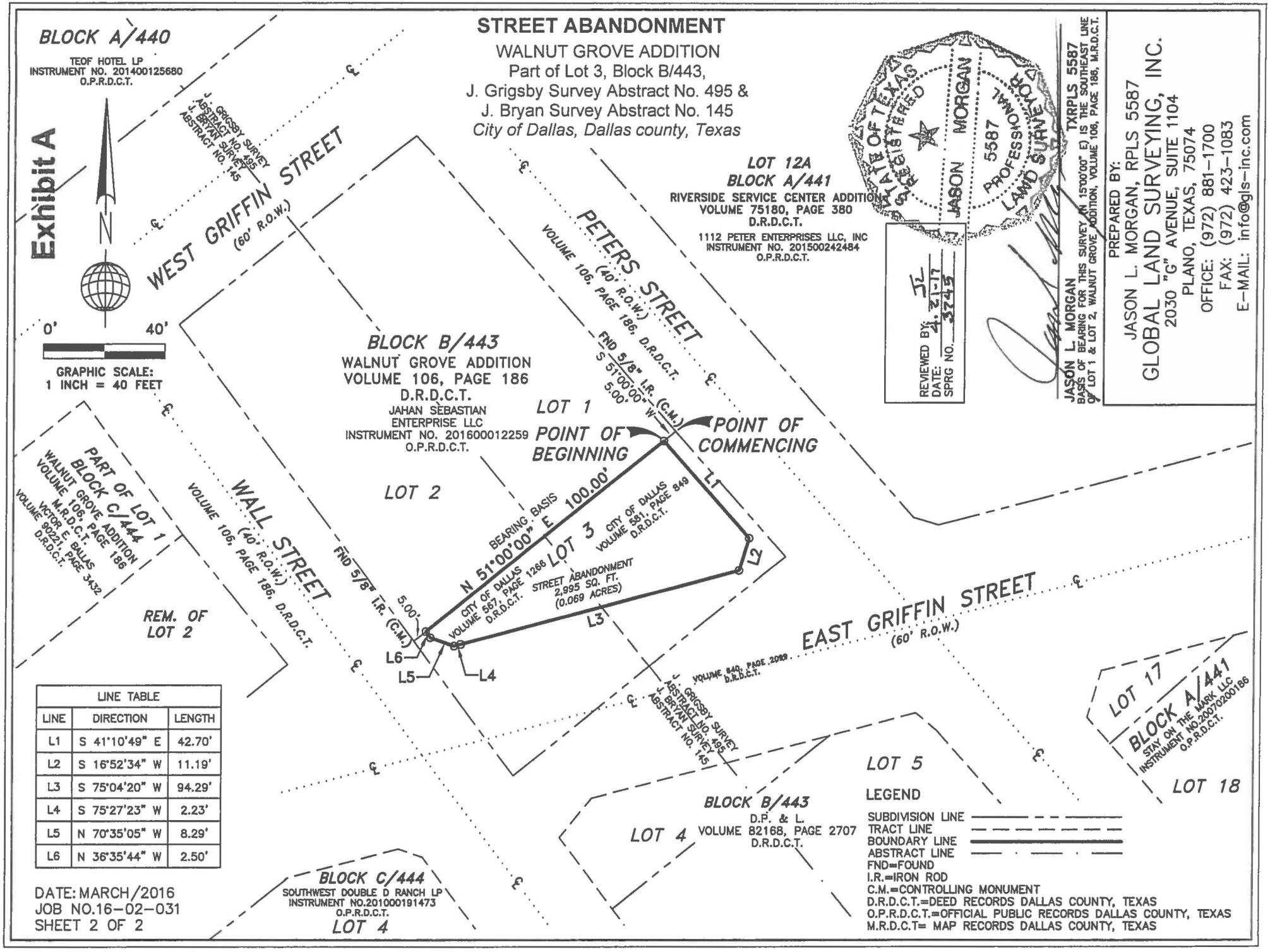
STATE OF TEXAS
REGISTERED
JASON L. MORGAN
5587
PROFESSIONAL
LAND SURVEYOR

JASON L. MORGAN TXRPLS 5587

PREPARED BY:
JASON L. MORGAN, RPLS 5587
GLOBAL LAND SURVEYING, INC.
2030 "G" AVENUE, SUITE 1104
PLANO, TEXAS, 75074
OFFICE: (972) 881-1700
FAX: (972) 423-1083
E-MAIL: info@gls-inc.com

STREET ABANDONMENT

WALNUT GROVE ADDITION
Part of Lot 3, Block B/443,
J. Grigsby Survey Abstract No. 495 &
J. Bryan Survey Abstract No. 145
City of Dallas, Dallas county, Texas



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S 41°10'49" E	42.70'
L2	S 16°52'34" W	11.19'
L3	S 75°04'20" W	94.29'
L4	S 75°27'23" W	2.23'
L5	N 70°35'05" W	8.29'
L6	N 36°35'44" W	2.50'

LEGEND

SUBDIVISION LINE
TRACT LINE
BOUNDARY LINE
ABSTRACT LINE
FND=FOUND
I.R.=IRON ROD
C.M.=CONTROLLING MONUMENT
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

DATE: MARCH/2016
JOB NO.16-02-031
SHEET 2 OF 2

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

AGENDA ITEM # 35

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 11

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 15T

SUBJECT

An ordinance abandoning portions of two alleys to Congregation Shaare Tefilla and Dallas International School, the abutting owners, containing a total of approximately 5,620 square feet of land, located near the intersection of Whitley Lane and Churchill Way; authorizing the quitclaim; and providing for the dedication of approximately 5,437 square feet of land needed for a wastewater easement - Revenue: $115,834, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of portions of two alleys to Congregation Shaare Tefilla and Dallas International School, the abutting owners. The areas will be included with the property of the abutting owners to allow the renovation and expansion of its current church building. The owners will dedicate approximately 5,437 square feet of land needed for a wastewater easement. The abandonment fee is based on an independent appraisal.

Notices were sent to 13 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)

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

Revenue - $115,834, plus the $20 ordinance publication fee

OWNERS

Congregation Shaare Tefilla

Michael Zucker, President

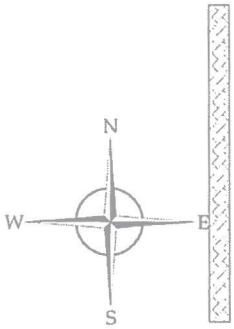
Dallas International School

Jean-Christophe Deberre, President

MAP

Attached





ABANDONMENT AREA

ALLEY

ORDINANCE NO. _____

An ordinance providing for the abandonment of portions of two alleys located adjacent to City Blocks A/7451 and 7452 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Congregation Shaare Tefilla and Dallas International School; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of a needed easement 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 ordinance; 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 Congregation Shaare Tefilla, a Texas non-profit corporation and Dallas International School, a Texas non-profit corporation, hereinafter referred to collectively 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 two alleys 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 are 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 **ONE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED THIRTY FOUR AND NO/100 DOLLARS ($115,834.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, 11 and 12, 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 as follows: unto Congregation Shaare Tefilla, all of its right, title and interest in Tract 1 and Tract 3 of Exhibit A; and unto Dallas International School, all of its right, title and interest in Tract 2 of 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 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 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**, their 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**, their successors and assigns, agree to indemnify, defend, release and hold whole and harmless the City of Dallas, from and against 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**, their 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**, their 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**, their 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

SECTION 8. (continued)

"hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of the adjoining properties within one year of the effective date of this ordinance showing the dedication by easement of not less than 5,437 square feet for needed wastewater easement in City Blocks A/7451 and 7452. 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 part a of the consideration for the quitclaim made herein, **GRANTEE** shall:

a) obtain a Private Development Contract (P-Contract) with the City of Dallas and City shall retain easements until the existing main is relocated.
b) contact the Texas Excavation Safety System (Texas811) to have facilities marked and located within affected easements before any excavations are started.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this 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**, their successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and the filing of the final replat set forth in Section 9, 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 13. That this contract is designated as Contract Nos. DEV-2017-00001930 and DEV-2017-00001931.

SECTION 14. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
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

20' ALLEY EASEMENT ABANDONMENT
CONGREGATION SHAARE TEFILLA ADDITION
LOT 1B, BLOCK 7452
THOMAS DYKES SURVEY, ABSTRACT NO. 405
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING A 4,306 SQUARE FEET TRACT OR PARCEL OF LAND SITUATED IN THE THOMAS DYKES SURVEY, ABSTRACT NO. 405, DALLAS COUNTY, TEXAS, BEING ALL OF A 20' ALLEY EASEMENT RECORDED IN VOLUME 87006, PAGE 3404 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, BEING A PORTION OF LOT 1B, BLOCK 7452, OF CONGREGATION SHAARE TEFILLA ADDITION, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 87006, PAGE 3404 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS AND BEING A PORTION OF THE TRACT OF LAND CONVEYED TO SHARRE TEFILA CONGREGATION, BY A WARRANTY DEED RECORDED IN VOLUME 87250, PAGE 3741 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 1B, BLOCK 7452, OF CONGREGATION SHAARE TEFILLA ADDITION, SAME BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK A/7451, OF LYNCH ADDITION NO. 1, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 44, PAGE 55 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS AND BEING IN THE NORTH RIGHT-OF-WAY LINE OF CHURCHILL WAY (55 FOOT RIGHT-OF-WAY AT THIS POINT);

THENCE NORTH 00° 13' 36" WEST, DEPARTING THE SAID NORTH RIGHT-OF-WAY LINE OF CHURCHILL WAY (55 FOOT RIGHT-OF-WAY AT THIS POINT) AND ALONG THE COMMON LINE OF SAID LOT 1B, BLOCK 7452, CONGREGATION SHAARE TEFILLA ADDITION AND LOT 1, BLOCK A/7451, OF LYNCH ADDITION NO. 1, PASSING AT A DISTANCE OF 200.37 FEET, A 5/8 INCH IRON ROD FOUND FOR CORNER BEING THE NORTHEAST CORNER OF SAID LOT 1, BLOCK A/7451, OF LYNCH ADDITION NO. 1 AND BEING THE SOUTHEAST CORNER OF A 15' ALLEY RIGHT-OF-WAY AS DEDICATED BY SAID LYNCH ADDITION NO. 1 AND CONINUING FOR A TOTAL DISTANCE OF 215.37 FEET, TO A 5/8 INCH IRON ROD FOUND WITH 3" ALUMINUM DISC STAMPED "DIS-CMS" AND BEING THE NORTHEAST CORNER OF A 15' ALLEY RIGHT-OF-WAY AS DEDICATED BY SAID LYNCH ADDITION NO. 1, BEING THE EASTERN MOST SOUTHEAST CORNER OF LOT 2A, BLOCK A/7451, OF THE DALLAS INTERNATIONAL SCHOOL ADDITION REVISED, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 2001117, PAGE 30 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS;

(FOR SPRG USE ONLY)
REVIEWED BY: JL
DATE: 8-10-16
SPRG NO. 3746

EXHIBIT A-TRACT 1

20' ALLEY EASEMENT ABANDONMENT
CONGREGATION SHAARE TEFILLA ADDITION
LOT 1B, BLOCK 7452
THOMAS DYKES SURVEY, ABSTRACT NO. 405
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE NORTH 89° 06' 12" EAST, DEPARTING THE WEST LINE OF SAID LOT 1B, BLOCK 7452, OF CONGREGATION SHAARE TEFILLA ADDITION, FOR A DISTANCE OF 20.00 FEET, TO A POINT FOR CORNER;

THENCE SOUTH 00° 13' 36" EAST, FOR A DISTANCE OF 215.21 FEET, TO A POINT FOR CORNER, BEING IN THE SOUTH LINE OF SAID LOT 1B, BLOCK 7452, OF CONGREGATION SHAARE TEFILLA ADDITION AND BEING IN THE SAID NORTH RIGHT-OF-WAY LINE OF CHURCHILL WAY (55 FOOT RIGHT-OF-WAY AT THIS POINT);

THENCE SOUTH 88° 38' 05" WEST, ALONG THE SAID SOUTH LINE OF LOT 1B, BLOCK 7452, CONGREGATION SHAARE TEFILLA ADDITION AND THE SAID NORTH RIGHT-OF-WAY LINE OF CHURCHILL WAY (55 FOOT RIGHT-OF-WAY AT THIS POINT), FOR A DISTANCE OF 20.00 FEET, TO THE POINT OF BEGINNING AND CONTAINING WITHIN THESE METES AND BOUNDS, 4,306 SQUARE FEET OR 0.0989 ACRES OF LAND, MORE OR LESS.

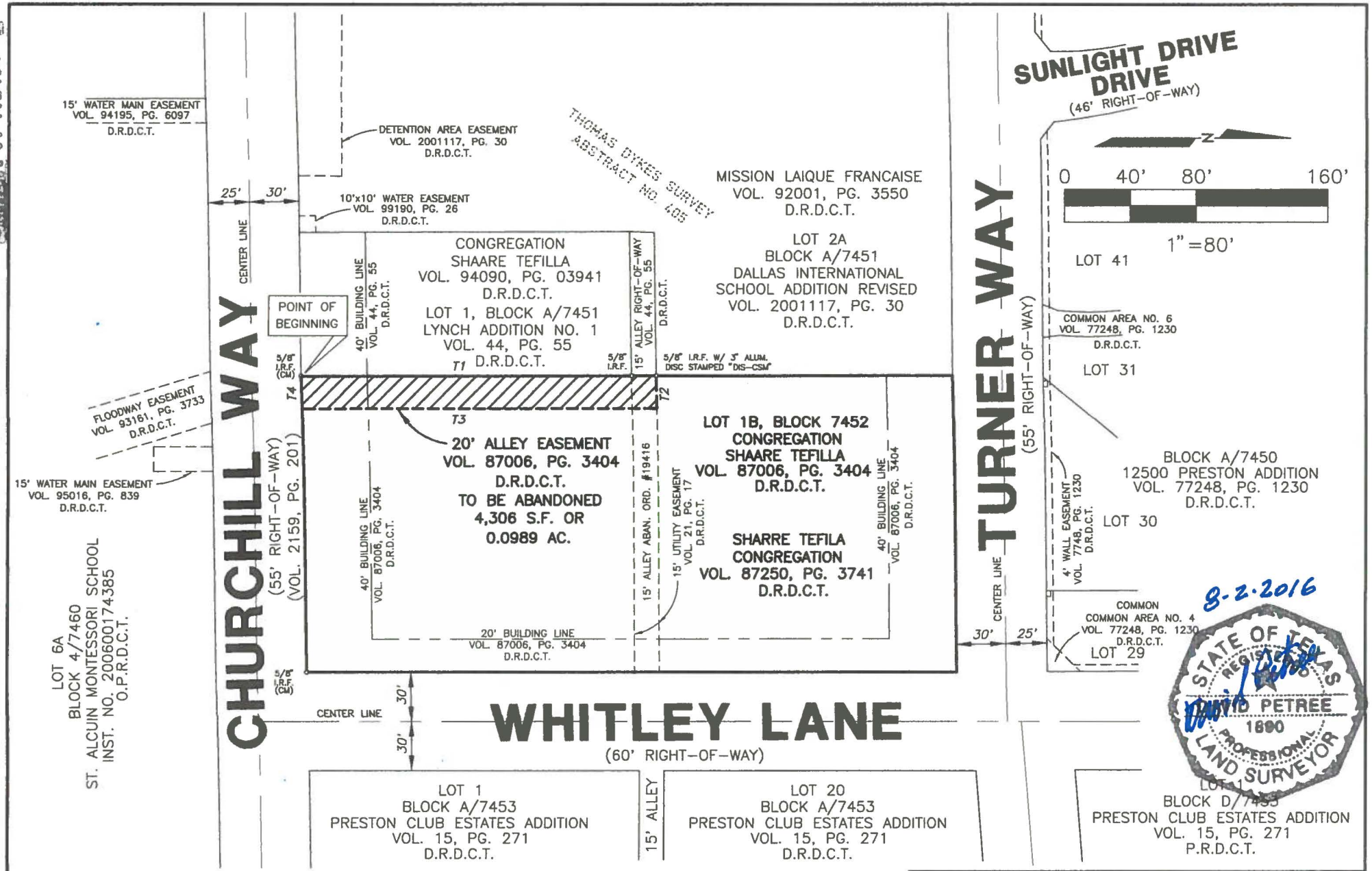
BEARINGS BASED UPON THE SOUTH LINE (NORTH 00° 13' 36" WEST) OF THE FINAL PLAT OF LOT 2A, BLOCK A/7451, OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 2001117, PAGE 30 OF THE PLAT RECORDS OF DALLAS COUNTY, TEXAS.



8-2-2016

(FOR SPRG USE ONLY)
REVIEWED BY: JL
DATE: 8-10-16
SPRG NO. 3746

EXHIBIT A-TRACT 1



8-2-2016

STATE OF TEXAS
REGISTERED
DAVID PETREE
1890
PROFESSIONAL
LAND SURVEYOR

(FOR SPRG USE ONLY)
REVIEWED BY: JL
DATE: 8-10-16
SPRG NO. 3746

20' ALLEY EASEMENT ABANDONMENT
CONGREGATION SHAARE TEFILLA
LOT 1B, BLOCK 7452
THOMAS DYKES SURVEY, ABSTRACT NO. 405
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SHEET 3 OF 4

SURVEYOR
BLUE SKY SURVEYING & MAPPING CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
(214) 358-4500
CONTACT: DAVID R. PETREE, R.P.L.S.

EXHIBIT A-TRACT 1

LEGEND

I.R.F.	IRON ROD FOUND (SIZE AS NOTED)
CM	CONTROLLING MONUMENT
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER

~ TANGENT TABLE ~

NO.	BEARING	DISTANCE
T1	N 00°13'36" W	215.37'
T2	N 89°06'12" E	20.00'
T3	S 00°13'36" E	215.21'
T4	S 88°38'05" W	20.00'

STATE OF TEXAS
REGISTERED
DAVID PETREE
1890
PROFESSIONAL
LAND SURVEYOR

8-2-2016

NOTE:

BEARINGS BASED UPON THE SOUTH LINE (N 00°13'36" W) OF THE FINAL PLAT OF LOT 2A, BLOCK A/7451, OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 2001117, PAGE 30 OF THE PLAT RECORDS OF DALLAS COUNTY, TEXAS.

(FOR SPRG USE ONLY)
REVIEWED BY: JL
DATE: 8-10-16
SPRG NO. 374b

20' ALLEY EASEMENT ABANDONMENT
CONGREGATION SHAARE TEFILLA
LOT 1B, BLOCK 7452
THOMAS DYKES SURVEY, ABSTRACT NO. 405
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SHEET 4 OF 4

SURVEYOR
BLUE SKY SURVEYING & MAPPING CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
(214) 358-4500
CONTACT: DAVID R. PETREE, R.P.L.S.

EXHIBIT A-TRACT 2

7.5' ALLEY RIGHT-OF-WAY ABANDONMENT
LYNCH ADDITION NO. 1
ADJACENT TO LOT 2A, BLOCK A/7451
THOMAS DYKES SURVEY, ABSTRACT NO. 405
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING A 656 SQUARE FEET (0.0151 ACRES) TRACT OR PARCEL OF LAND SITUATED IN THE THOMAS DYKES SURVEY, ABSTRACT NO. 405, CITY OF DALLAS, DALLAS COUNTY, TEXAS, BEING A PORTION OF A 15' ALLEY RIGHT-OF-WAY DEDICATED BY LYNCH ADDITION NO. 1 AS RECORDED IN VOLUME 44, PAGE 55 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS ADJACENT TO LOT 2A, BLOCK A/7451 OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED AS RECORDED IN VOLUME 2001117, PAGE 30 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, SAME BEING A TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO MISSION LAIQUE FRANCAISE AS RECORDED IN VOLUME 92001, PAGE 3550 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF LOT 1B, BLOCK 7452, OF CONGREGATION SHAARE TEFILLA ADDITION, AN ADDITION TO THE CITY OF DALLAS, TEXAS AS RECORDED IN VOLUME 87006, PAGE 3404 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, SAME BEING A TRACT OF LAND CONVEYED IN A WARRANTY DEED TO SHARRE TEFILA CONGREGATION AS RECORDED IN VOLUME 87250, PAGE 3741 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS SAME BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK A/7451, OF SAID LYNCH ADDITION NO. 1, SAME BEING A TRACT OF LAND CONVEYED IN A WARRANTY DEED TO CONGREGATION SHAARE TEFILLA AS RECORDED IN VOLUME 94090, PAGE 3941 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS AND BEING IN THE NORTH RIGHT-OF-WAY LINE OF CHURCHILL WAY (55 FOOT RIGHT-OF-WAY AT THIS POINT AND RECORDED IN VOLUME 2159, PAGE 201 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS);

THENCE NORTH 00° 13' 36" WEST, DEPARTING THE SAID NORTH RIGHT-OF-WAY LINE OF CHURCHILL WAY AND ALONG THE COMMON LINE OF SAID LOT 1B, BLOCK 7452, CONGREGATION SHAARE TEFILLA ADDITION AND LOT 1, BLOCK A/7451, OF LYNCH ADDITION NO. 1, PASSING AT A DISTANCE OF 200.37 FEET, A 5/8 INCH IRON ROD FOUND FOR CORNER BEING THE NORTHEAST CORNER OF SAID LOT 1, BLOCK A/7451, OF LYNCH ADDITION NO. 1 AND BEING THE SOUTHEAST CORNER OF A 15' ALLEY RIGHT-OF-WAY AS DEDICATED BY SAID LYNCH ADDITION NO. 1 AND CONINUING FOR A TOTAL DISTANCE OF 207.87 FEET, TO THE POINT OF BEGINNING;

THENCE SOUTH 88° 33' 02" WEST, DEPARTING THE COMMON WEST LINE OF SAID LOT 1B, BLOCK 7452, OF CONGREGATION SHAARE TEFILLA ADDITION AND THE EAST LINE OF SAID 15' ALLEY RIGHT-OF-WAY AND ALONG THE

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REVIEWED BY: A. Rodriguez
DATE: 11/04/16
SPRG NO. 3911

7.5' ALLEY RIGHT-OF-WAY ABANDONMENT
LYNCH ADDITION NO. 1
ADJACENT TO LOT 2A, BLOCK A/7451
THOMAS DYKES SURVEY, ABSTRACT NO. 405
CITY OF DALLAS, DALLAS COUNTY, TEXAS

CENTERLINE OF SAID 15' ALLEY RIGHT-OF-WAY, FOR A DISTANCE OF 87.59 FEET, TO A POINT FOR CORNER, BEING IN THE WEST LINE OF SAID 15' ALLEY RIGHT-OF-WAY SAME BEING IN AN EAST LINE OF LOT 2A, BLOCK A/7451, OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 2001117, PAGE 30 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS;

THENCE NORTH 01° 45' 40" EAST, ALONG THE COMMON WEST LINE OF SAID 15' ALLEY RIGHT-OF-WAY AND A SAID EAST LINE OF LOT 2A, BLOCK A/7451, OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED, FOR A DISTANCE OF 7.51 FEET, TO A 5/8 INCH IRON ROD FOUND WITH 3" ALUMINUM DISC STAMPED "DIS-CSM", FOR THE NORTHWEST CORNER OF SAID 15' ALLEY RIGHT-OF-WAY SAME BEING A CORNER OF SAID LOT 2A, BLOCK A/7451, OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED;

THENCE NORTH 88° 33' 02" EAST, ALONG THE COMMON NORTH LINE OF SAID 15' ALLEY RIGHT-OF-WAY AND SAID LOT 2A, BLOCK A/7451, OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED, FOR A DISTANCE OF 87.33 FEET, TO A 5/8 INCH IRON ROD FOUND WITH 3" ALUMINUM DISC STAMPED "DIS-CSM", BEING IN THE NORTHEAST CORNER OF SAID 15' ALLEY RIGHT-OF-WAY SAME BEING THE EASTERN MOST SOUTHEAST CORNER OF SAID LOT 2A, BLOCK A/7451, OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED AND BEING IN THE WEST LINE OF SAID LOT 1B, BLOCK 7452, CONGREGATION SHAARE TEFILLA ADDITION;

THENCE SOUTH 00° 13' 36" EAST, ALONG THE COMMON EAST LINE OF SAID 15' ALLEY RIGHT-OF-WAY AND THE WEST LINE OF SAID LOT 1B, BLOCK 7452, CONGREGATION SHAARE TEFILLA ADDITION, FOR A DISTANCE OF 7.50 FEET, TO THE POINT OF BEGINNING AND CONTAINING WITHIN THESE METES AND BOUNDS, 656 SQUARE FEET OR 0.0151 ACRES OF LAND, MORE OR LESS.

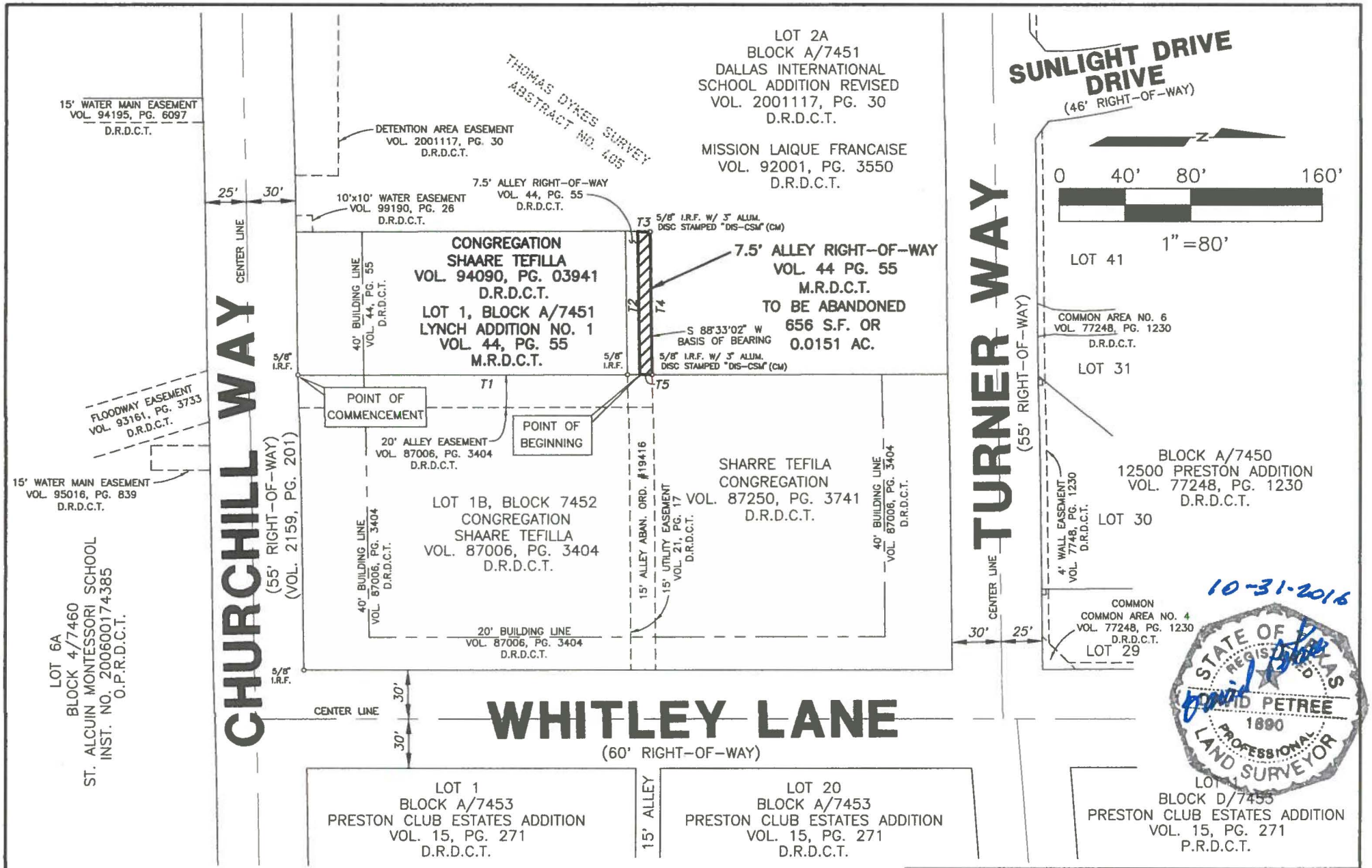
BEARINGS BASED UPON THE SOUTH LINE (NORTH 00° 13' 36" WEST) OF THE FINAL PLAT OF LOT 2A, BLOCK A/7451, OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 2001117, PAGE 30 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS.



10-31-2016

(FOR SPRG USE ONLY)
REVIEWED BY: A. Rodriguez
DATE: 11/04/16
SPRG NO. 3911

EXHIBIT A-1 RACI



(FOR SPRG USE ONLY)
REVIEWED BY: A. Rodriguez
DATE: 11/04/16
SPRG NO. 3911

7.5' ALLEY RIGHT-OF-WAY ABANDONMENT
LYNCH ADDITION NO. 1
ADJACENT TO LOT 2A, BLOCK A/7451
THOMAS DYKES SURVEY, ABSTRACT NO. 405
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SHEET 3 OF 4

SURVEYOR
BLUE SKY SURVEYING & MAPPING CORPORATION
TBPLS NO. 10105700
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
(214) 358-4500
CONTACT: DAVID R. PETREE, R.P.L.S.

EXHIBIT A-TRACT 2

~ TANGENT TABLE ~

NO.	BEARING	DISTANCE
T1	N 00°13'36" W	207.87'
T2	S 88°33'02" W	87.59'
T3	N 01°45'40" E	7.51'
T4	N 88°33'02" E	87.33'
T5	S 00°13'36" E	7.50'

LEGEND

I.R.F.	IRON ROD FOUND (SIZE AS NOTED)
CM	CONTROLLING MONUMENT
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS



10-31-2016

NOTE:

BEARINGS BASED UPON A SOUTH LINE (S 88°33'02" W) OF THE FINAL PLAT OF LOT 2A, BLOCK A/7451, OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 2001117, PAGE 30 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS.

(FOR SPRG USE ONLY)
REVIEWED BY: A. Rodriguez
DATE: 11/04/16
SPRG NO. 3911

7.5' ALLEY RIGHT-OF-WAY ABANDONMENT
LYNCH ADDITION NO. 1
ADJACENT TO LOT 2A, BLOCK A/7451
THOMAS DYKES SURVEY, ABSTRACT NO. 405
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SURVEYOR
BLUE SKY SURVEYING & MAPPING CORPORATION
TBPLS NO. 10105700
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
(214) 358-4500
CONTACT: DAVID R. PETREE, R.P.L.S.

EXHIBIT A-TRACT 3

7.5' ALLEY RIGHT-OF-WAY ABANDONMENT
LYNCH ADDITION NO. 1
ADJACENT TO LOT 1, BLOCK A/7451
THOMAS DYKES SURVEY, ABSTRACT NO. 405
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING A 658 SQUARE FEET (0.0151 ACRES) TRACT OR PARCEL OF LAND SITUATED IN THE THOMAS DYKES SURVEY, ABSTRACT NO. 405, CITY OF DALLAS, DALLAS COUNTY, TEXAS, BEING A PORTION OF A 15' ALLEY RIGHT-OF-WAY DEDICATED BY LYNCH ADDITION NO. 1 AS RECORDED IN VOLUME 44, PAGE 55 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, ADJACENT TO LOT 1, BLOCK A/7451 OF SAID LYNCH ADDITION NO. 1, SAME BEING A TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO CONGREGATION SHAARE TEFILLA RECORDED IN VOLUME 94090, PAGE 03941 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF LOT 1B, BLOCK 7452, OF CONGREGATION SHAARE TEFILLA ADDITION, AN ADDITION TO THE CITY OF DALLAS, TEXAS AS RECORDED IN VOLUME 87006, PAGE 3404 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, SAME BEING A TRACT OF LAND CONVEYED IN A WARRANTY DEED TO SHARRE TEFILA CONGREGATION AS RECORDED IN VOLUME 87250, PAGE 3741 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, SAME BEING THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK A/7451, OF SAID LYNCH ADDITION NO. 1 SAME BEING SAID SHAARE TEFILLA TRACT AND BEING IN THE NORTH RIGHT-OF-WAY LINE OF CHURCHILL WAY (55 FOOT RIGHT-OF-WAY AT THIS POINT AND RECORDED IN VOLUME 2159, PAGE 201 OF THE DEED RECORDS OF DALLS COUNTY, TEXAS);

THENCE NORTH 00° 13' 36" WEST, DEPARTING THE SAID NORTH RIGHT-OF-WAY LINE OF CHURCHILL WAY AND ALONG THE COMMON LINE OF SAID LOT 1B, BLOCK 7452, CONGREGATION SHAARE TEFILLA ADDITION AND LOT 1, BLOCK A/7451, OF LYNCH ADDITION NO. 1, A DISTANCE OF 200.37 FEET, TO A 5/8 INCH IRON ROD FOUND, BEING THE NORTHEAST CORNER OF SAID LOT 1, BLOCK A/7451, OF LYNCH ADDITION NO. 1 SAME BEING THE SOUTHEAST CORNER OF A 15' ALLEY RIGHT-OF-WAY AS DEDICATED BY SAID LYNCH ADDITION NO. 1 AND BEING THE POINT OF BEGINNING;

THENCE SOUTH 88° 33' 02" WEST, DEPARTING THE WEST LINE OF SAID LOT 1B, BLOCK 7452, OF CONGREGATION SHAARE TEFILLA ADDITION, AND ALONG THE COMMON NORTH LINE OF SAID LOT 1, BLOCK A/7451, OF LYNCH ADDITION NO. 1 AND THE SOUTH LINE OF SAID 15' ALLEY RIGHT-OF-WAY, FOR A DISTANCE OF 87.85 FEET, TO A 5/8 INCH IRON ROD FOUND FOR CORNER, BEING THE NORTHWEST CORNER OF SAID LOT 1, BLOCK A/7451, OF LYNCH ADDITION NO. 1 SAME BEING THE SOUTHWEST CORNER OF SAID 15' ALLEY RIGHT-OF-WAY AND BEING IN AN EAST LINE OF LOT

(FOR SPRG USE ONLY)
REVIEWED BY: A. Rodriguez
DATE: 11/04/16
SPRG NO. 3910

EXHIBIT A-TRACT 3

7.5' ALLEY RIGHT-OF-WAY ABANDONMENT
LYNCH ADDITION NO. 1
ADJACENT TO LOT 1, BLOCK A/7451
THOMAS DYKES SURVEY, ABSTRACT NO. 405
CITY OF DALLAS, DALLAS COUNTY, TEXAS

2A, BLOCK A/7451, OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 2001117, PAGE 30 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS;

THENCE NORTH 01° 45' 40" EAST, ALONG THE COMMON WEST LINE OF SAID 15' ALLEY RIGHT-OF-WAY AND A SAID EAST LINE OF LOT 2A, BLOCK A/7451, OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED, FOR A DISTANCE OF 7.51 FEET, TO A POINT FOR CORNER;

THENCE NORTH 88° 33' 02" EAST, ALONG THE CENTERLINE OF SAID 15' ALLEY RIGHT-OF-WAY, FOR A DISTANCE OF 87.59 FEET, TO A POINT FOR CORNER BEING IN THE EAST LINE OF SAID 15' ALLEY RIGHT-OF-WAY SAME BEING THE WEST LINE OF SAID LOT 1B, BLOCK 7452, CONGREGATION SHAARE TEFILLA ADDITION;

THENCE SOUTH 00° 13' 36" EAST, ALONG THE COMMON EAST LINE OF SAID 15' ALLEY RIGHT-OF-WAY AND THE WEST LINE OF SAID LOT 1B, BLOCK 7452, CONGREGATION SHAARE TEFILLA ADDITION, FOR A DISTANCE OF 7.50 FEET, TO THE POINT OF BEGINNING AND CONTAINING WITHIN THESE METES AND BOUNDS, 658 SQUARE FEET OR 0.0151 ACRES OF LAND, MORE OR LESS.

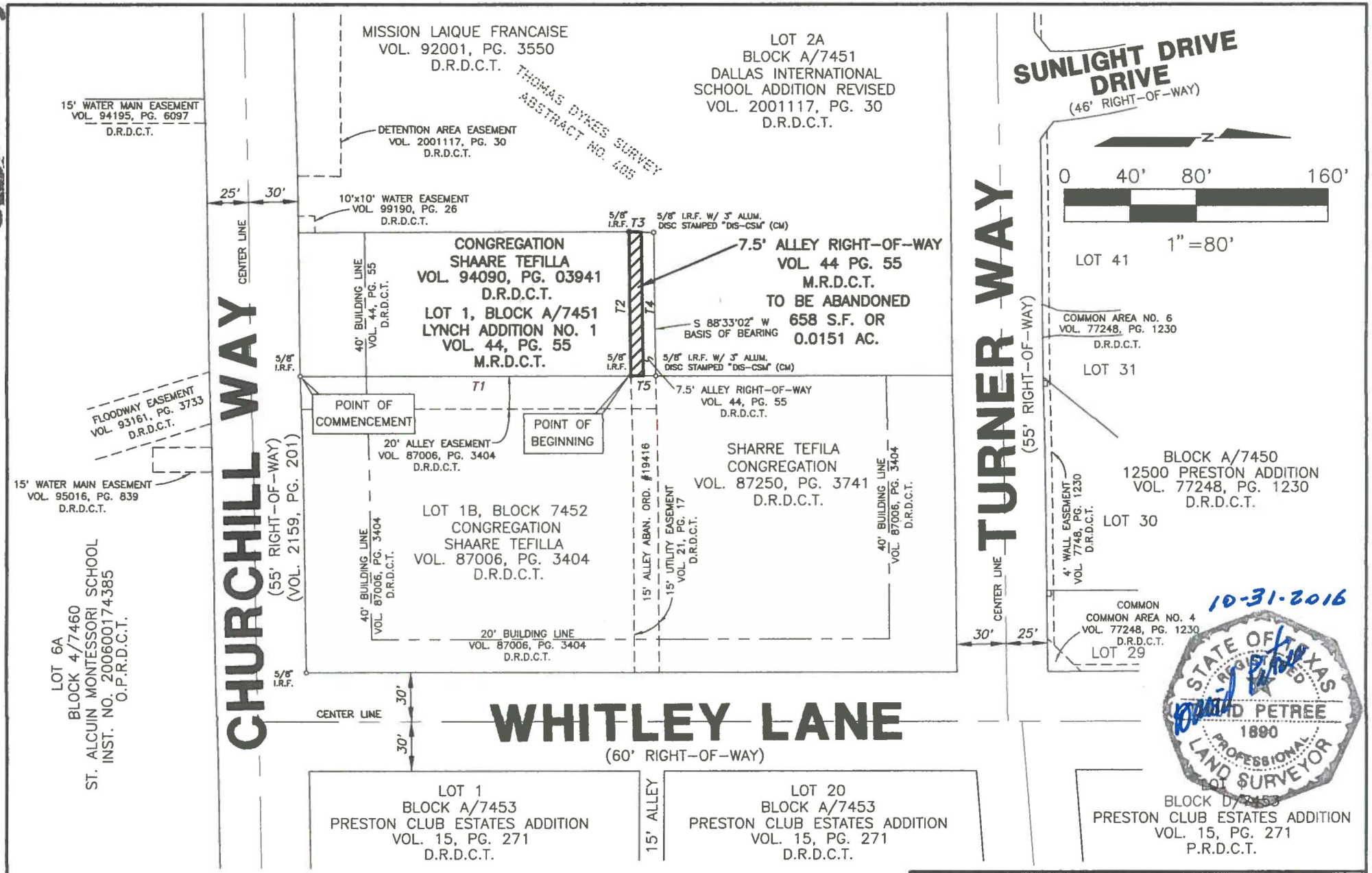
BEARINGS BASED UPON A SOUTH LINE (SOUTH 88° 33' 02" WEST) OF THE FINAL PLAT OF LOT 2A, BLOCK A/7451, OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 2001117, PAGE 30 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS.



10·31·2016

(FOR SPRG USE ONLY)
REVIEWED BY: A. Rodriguez
DATE: 11/04/16
SPRG NO. 3910

EXHIBIT A-TRACT 3



(FOR SPRG USE ONLY)
REVIEWED BY: A. Rodriguez
DATE: 11/04/16
SPRG NO. 3910

7.5' ALLEY RIGHT-OF-WAY ABANDONMENT
LYNCH ADDITION NO. 1
ADJACENT TO LOT 1, BLOCK A/7451
THOMAS DYKES SURVEY, ABSTRACT NO. 405
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SHEET 3 OF 4

SURVEYOR
BLUE SKY SURVEYING & MAPPING CORPORATION
TBPLS NO. 10105700
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
(214) 358-4500
CONTACT: DAVID R. PETREE, R.P.L.S.

EXHIBIT A-TRACT 3

~ TANGENT TABLE ~

NO.	BEARING	DISTANCE
T1	N 00°13'36" W	200.37'
T2	S 88°33'02" W	87.85'
T3	N 01°45'40" E	7.51'
T4	N 88°33'02" E	87.59'
T5	S 00°13'36" E	7.50'

LEGEND

I.R.F.	IRON ROD FOUND (SIZE AS NOTED)
CM	CONTROLLING MONUMENT
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
DAVID PETREE
1890
PROFESSIONAL
LAND SURVEYOR

10-31-2016

NOTE:

BEARINGS BASED UPON A SOUTH LINE (S 88°33'02" W) OF THE FINAL PLAT OF LOT 2A, BLOCK A/7451, OF DALLAS INTERNATIONAL SCHOOL ADDITION REVISED, AN ADDITION TO THE CITY OF DALLAS, TEXAS, RECORDED IN VOLUME 2001117, PAGE 30 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS.

(FOR SPRG USE ONLY)
REVIEWED BY: A. Rodriguez
DATE: 11/04/16
SPRG NO. 3910

7.5' ALLEY RIGHT-OF-WAY ABANDONMENT
LYNCH ADDITION NO. 1
ADJACENT TO LOT 1, BLOCK A/7451
THOMAS DYKES SURVEY, ABSTRACT NO. 405
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SURVEYOR
BLUE SKY SURVEYING & MAPPING CORPORATION
TBPLS NO. 10105700
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
(214) 358-4500
CONTACT: DAVID R. PETREE, R.P.L.S.

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

AGENDA ITEM # 36

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 10

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 27T

SUBJECT

An ordinance abandoning a floodway easement to Dagmawi Asseged Yemenu and Addisalem W. Kassa, the abutting owners, containing approximately 1,540 square feet of land located near the intersection of Goforth Circle and Goforth Road - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a floodway easement to Dagmawi Asseged Yemenu and Addisalem W. Kassa, the abutting owners. The area will be included with the property of the abutting owners to allow landscape improvements. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

Revenue - $5,400, plus the $20 ordinance publication fee

OWNERS

Dagmawi Asseged Yemenu

Addisalem W. Kassa

MAP

Attached



Log: 44893

Applicant: Dagmawi Asseged Yemenu and Addisalem W. Kassa

Mapsco: 27T

Abandonment:

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a floodway easement, located in City Block B/5446 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Dagmawi Asseged Yemenu and Addisalem W. Kassa; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Dagmawi Asseged Yemenu, an individual and Addisalem W. Kassa, an individual; hereinafter referred to collectively as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Section 8, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tract or parcel of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, their heirs and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, their heirs 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**, their heirs 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**, their heirs 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**, their heirs and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 10. That this contract is designated as Contract No. DEV-2017-00002662.

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

Floodway Easement Abandonment
Addisalem Addition
Lot 17A, Block B/5446
D.A. Murdock Survey, Abstract No. 997
City of Dallas, Dallas County, Texas

Exhibit A

BEING a 1,540 square foot (0.0353 acres) tract of land situated in the D.A. Murdock Survey, Abstract No. 997, in the City of Dallas, Dallas County, Texas, in City Block B/5446 and being part of a tract of land described in General Warranty Deed with Vendor's Lien to Dagmawi Asseged Yemenu and Addisalem W. Kassa, husband and wife, as recorded in Instrument No. 201500052283, of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), being Lot 17A, Block B/5446 of White Rock Addisalem Addition, as recorded in Instrument No. 201600136767, O.P.R.D.C.T., and being more particularly described as follows:

COMMENCING at an aluminum disc stamped "WHITE ROCK/ADDISALEM, BLOCK B/5446, RPLS 5310" found at the northwest corner of said Lot 17A, being in the southeast line of Goforth Road (55 width right-of-way – by use and occupation);

THENCE South 44 degrees 00 minutes 29 seconds West, with the northwest line of said Lot 17A and the southeast line of said Goforth Road, a distance of 90.00 feet to the northernmost corner of an existing Floodway Easement, as shown on said White Rock Addisalem Addition;

THENCE South 46 degrees 14 minutes 45 seconds East, departing the northwest line of said Lot 17A and the southeast line of said Goforth Road, and with the northeast line of said Floodway Easement, a distance of 28.45 feet to the **POINT OF BEGINNING**;

THENCE South 43 degrees 54 minutes 03 seconds West, departing the northeast line of said Floodway Easement, a distance of 32.94 feet to a 1/2 inch iron rod set;

THENCE South 46 degrees 21 minutes 46 seconds East, a distance of 50.98 feet to a 1/2 inch iron rod set;

THENCE North 43 degrees 57 minutes 54 seconds East, a distance of 27.08 feet to the northeast line of said Floodway Easement;

THENCE North 81 degrees 42 minutes 51 seconds West, with the northeast line of said Floodway Easement, a distance of 1.12 feet to a Floodway Monument found;

THENCE North 37 degrees 24 minutes 42 seconds West, continuing with the northeast line of said Floodway Easement, a distance of 41.69 feet to a Floodway Monument found;

THENCE North 46 degrees 14 minutes 45 seconds West, continuing with the northeast line of said Floodway Easement, a distance of 8.88 feet to the **POINT OF BEGINNING** and containing 1,540 square feet (0.0353 acres) of land.

(For SPRG use only)	
Reviewed by:	G.S.
Date:	6-20-17
SPRG No.	4167

Exhibit A

Floodway Easement Abandonment
Addisalem Addition
Lot 17A, Block B/5446
D.A. Murdock Survey, Abstract No. 997
City of Dallas, Dallas County, Texas

A plat accompanies this legal description.

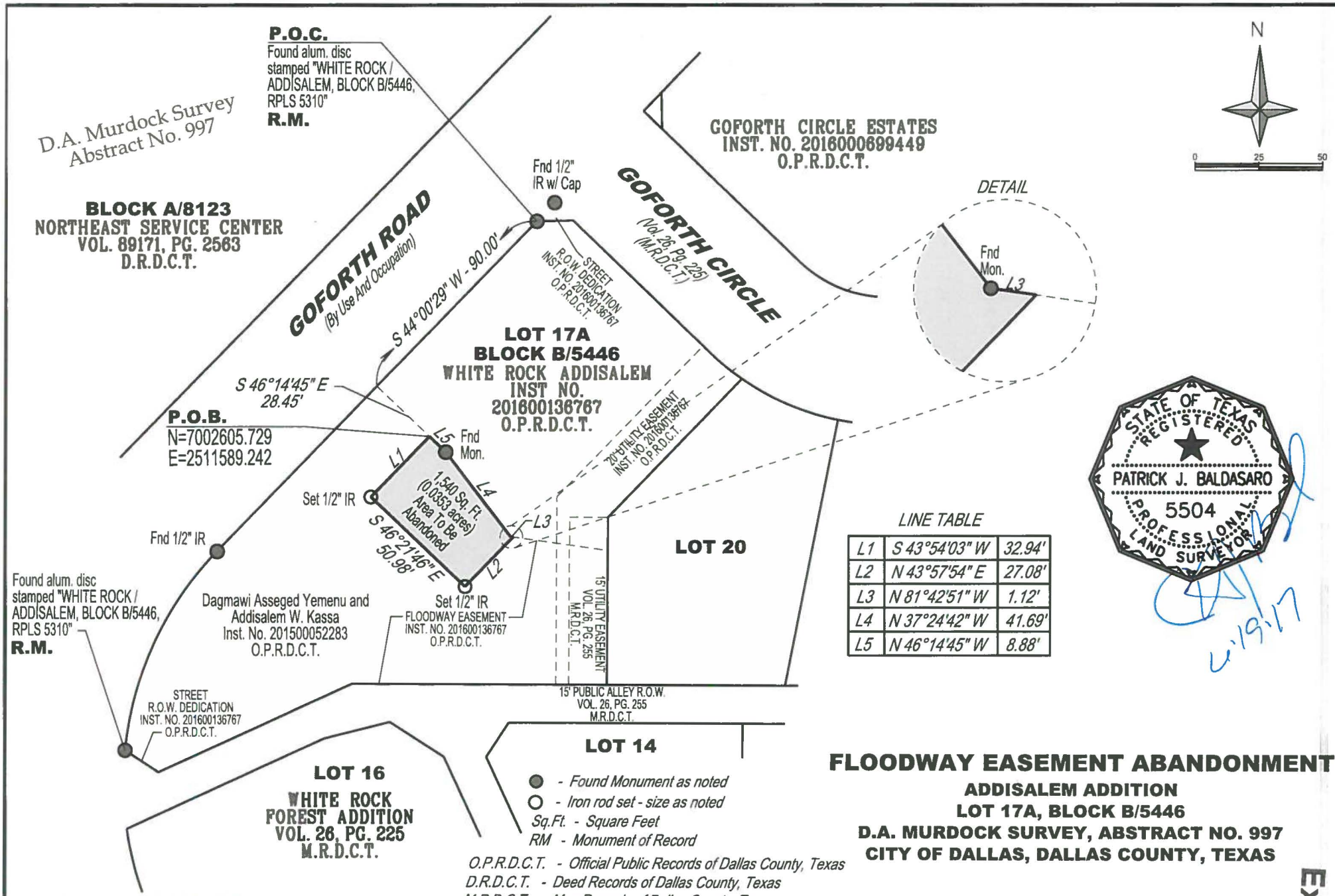
Bearings and coordinates used hereon are derived from the State Plane Coordinate System, Texas, North Central Zone 4202, American Datum 1983 (NAD83), adjustment realization 2011.



By: _____ Date: 6.19.17

Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504
PJB Surveying, LLC
TBPLS Firm No. 10194303

(For SPRG use only)
Reviewed by: G.S.
Date: 6-20-17
SPRG No. 4167



LINE TABLE

L1	S 43°54'03" W	32.94'
L2	N 43°57'54" E	27.08'
L3	N 81°42'51" W	1.12'
L4	N 37°24'42" W	41.69'
L5	N 46°14'45" W	8.88'

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

6-19-17

- Found Monument as noted
- Iron rod set - size as noted

Sq.Ft. - Square Feet
RM - Monument of Record
O.P.R.D.C.T. - Official Public Records of Dallas County, Texas
D.R.D.C.T. - Deed Records of Dallas County, Texas
M.R.D.C.T. - Map Records of Dallas County, Texas
Inst. No. - Instrument Number
Vol./Pg. - Volume/Page

BASIS OF BEARINGS: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum (NAD) 1983, adjustment realization 2011

FLOODWAY EASEMENT ABANDONMENT

ADDISALEM ADDITION
LOT 17A, BLOCK B/5446
D.A. MURDOCK SURVEY, ABSTRACT NO. 997
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A

(For SPRG use only)
Reviewed by: G.S.
Date: 6-28-17
SPRG No. 4167

PREPARED BY:
PJB Surveying
200 W. BELMONT DR., SUITE D
ALLEN, TX. 75013
TBPLS 10194303

AGENDA ITEM # 37

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 46E

SUBJECT

An ordinance abandoning a water easement to JBGL Chateau, LLC, the abutting owner, containing approximately 300 square feet of land, located near the intersection of Haskell and Swiss Avenues - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a water easement to JBGL Chateau, LLC, the abutting owner. The area will be included with the property to construct townhome units. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

Revenue - $5,400, plus the $20 ordinance publication fee

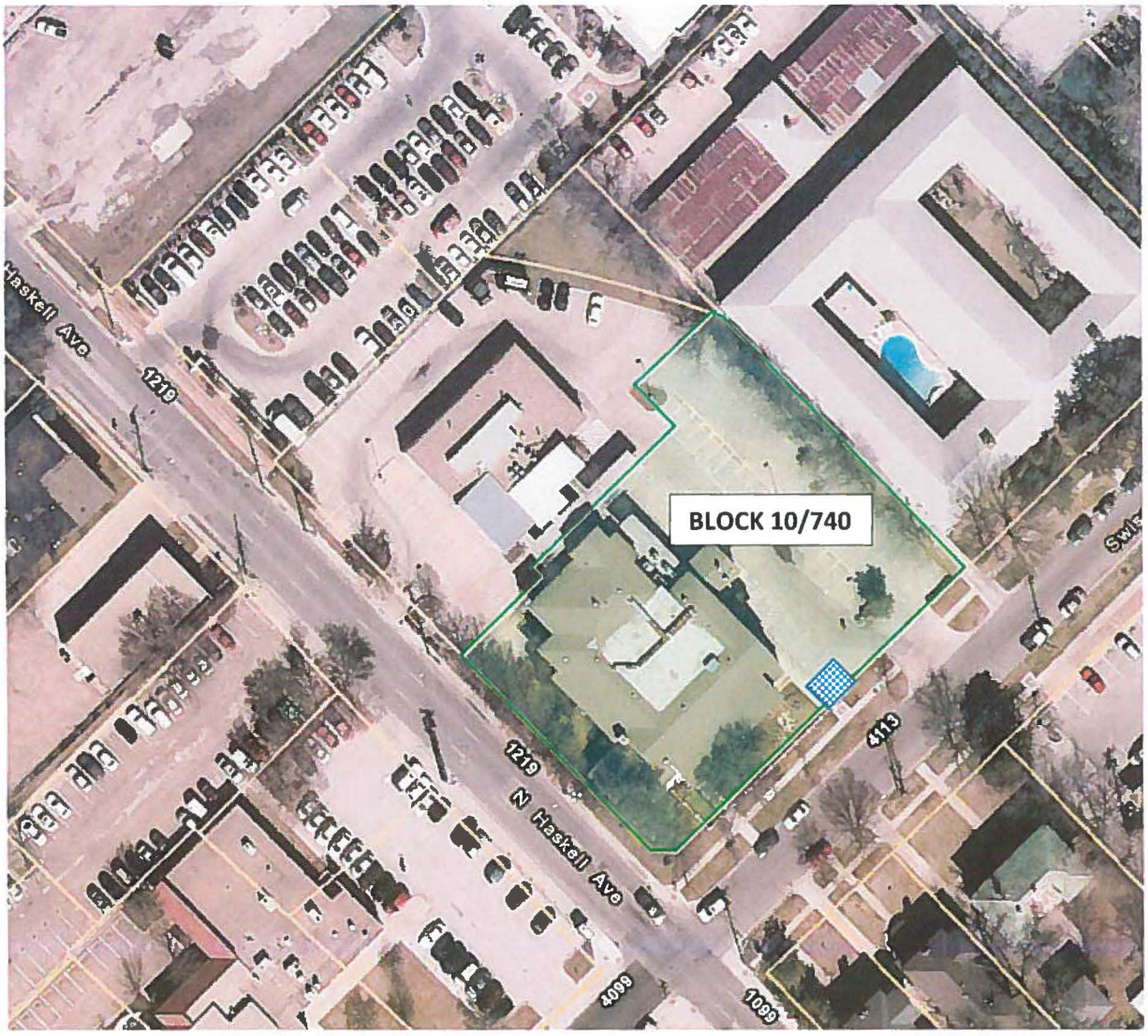
OWNER

JBGL Chateau, LLC

James R. Brickman, Manager

MAP

Attached



N
W E
S

ABANDONMENT AREA
WATER EASEMENT

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a water easement, located in City Block 10/740 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to JBGL Chateau, LLC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing a future effective date for the abandonment, relinquishment and quitclaim made herein; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of JBGL Chateau, LLC, a Texas limited liability company; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said water easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions 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 ($5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Sections 8 and 9, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the 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 area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE,** its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment, relinquishment and quitclaim made herein, **GRANTEE** shall:

a) execute and complete the terms of a Private Development Contract (P-Contract) with the City of Dallas "City". City shall retain easement until water services are abandoned;

b) follow Dallas Water Utilities design standards for any new water services.

SECTION 10. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 11. That this contract is designated as Contract No. DEV-2017-0001606.

SECTION 12. 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 _____.

WATER EASEMENT ABANDONMENT

SWISS AVENUE SURGICENTER
LOT 2, BLOCK 10/740
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A

BEING A 300 SQUARE FOOT (0.007 ACRES) TRACT OF LAND SITUATED IN THE JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF LOT 2, BLOCK 10/740 OF SWISS AVENUE SURGICENTER, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2003064, PAGE 135, DEED RECORDS OF DALLAS COUNTY, TEXAS (D.R.D.C.T.), AND BEING A PORTION OF THAT 0.875 ACRE TRACT OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED TO JBGL CHATEAU, LLC, RECORDED IN INSTRUMENT NUMBER 201600101284, OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS (O.P.R.D.C.T), SAID 300 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/8-INCH IRON ROD FOUND FOR THE EAST CORNER OF SAID LOT 2, BLOCK 10/740 ALSO BEING THE SOUTH CORNER OF THAT CALLED 1.36 ACRE TRACT OF LAND DESCRIBED TO 4125 SWISS LLC IN THE SPECIAL WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN INSTRUMENT NUMBER 201500124008, SAME BEING IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SWISS AVENUE (80-FOOT PUBLIC RIGHT-OF-WAY) RECORDED IN VOLUME 45, PAGE 56, MAP RECORDS OF DALLAS COUNTY, TEXAS (M.R.D.C.T.);

THENCE SOUTH 44°34'58" WEST ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID SWISS AVENUE, A DISTANCE OF 114.70 FEET TO THE **POINT OF BEGINNING;**

THENCE SOUTH 44°34'58" WEST, CONTINUING ALONG THE NORTHWESTERLY RIGHT-OF-WAY OF SAID SWISS AVENUE, A DISTANCE OF 20.00 FEET TO A POINT FOR CORNER, FROM WHICH A 3-1/4-INCH ALUMINUM DISK STAMPED "SWISS RPLS 4838" FOUND FOR THE EAST END OF A CORNER CLIP DEDICATED TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS ACCORDING TO THE AFOREMENTIONED PLAT OF SWISS AVENUE SURGICENTER, SAME BEING THE INTERSECTION WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HASKELL AVENUE (50 FOOT PUBLIC RIGHT-OF-WAY) (FORMERLY KNOWN AS ANN STREET) PARTIALLY RECORDED IN VOLUME 45, PAGE. 56, M.R.D.C.T BEARS SOUTH 44°34'58" WEST A DISTANCE OF 82.50 FEET;

THENCE, DEPARTING THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SWISS AVENUE, OVER AND ACROSS SAID LOT 2, BLOCK 10/740 THE FOLLOWING:

NORTH 45°25'02" WEST, A DISTANCE OF 15.00 FEET TO A POINT FOR CORNER,

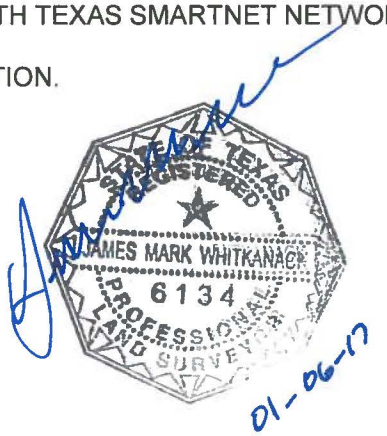
NORTH 44°34'58" EAST, A DISTANCE OF 20.00 FEET TO A POINT FOR CORNER,

SOUTH 45°25'02" EAST, A DISTANCE OF 15.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A COMPUTED AREA OF 300 SQUARE FEET OR (0.007 ACRES) OR OF LAND.

NOTES:
THE BEARINGS CALLED FOR HEREIN ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM (TEXAS NORTH CENTRAL ZONE 4202, NAD 83) BASED ON LEICA GEOSYSTEMS NORTH TEXAS SMARTNET NETWORK.

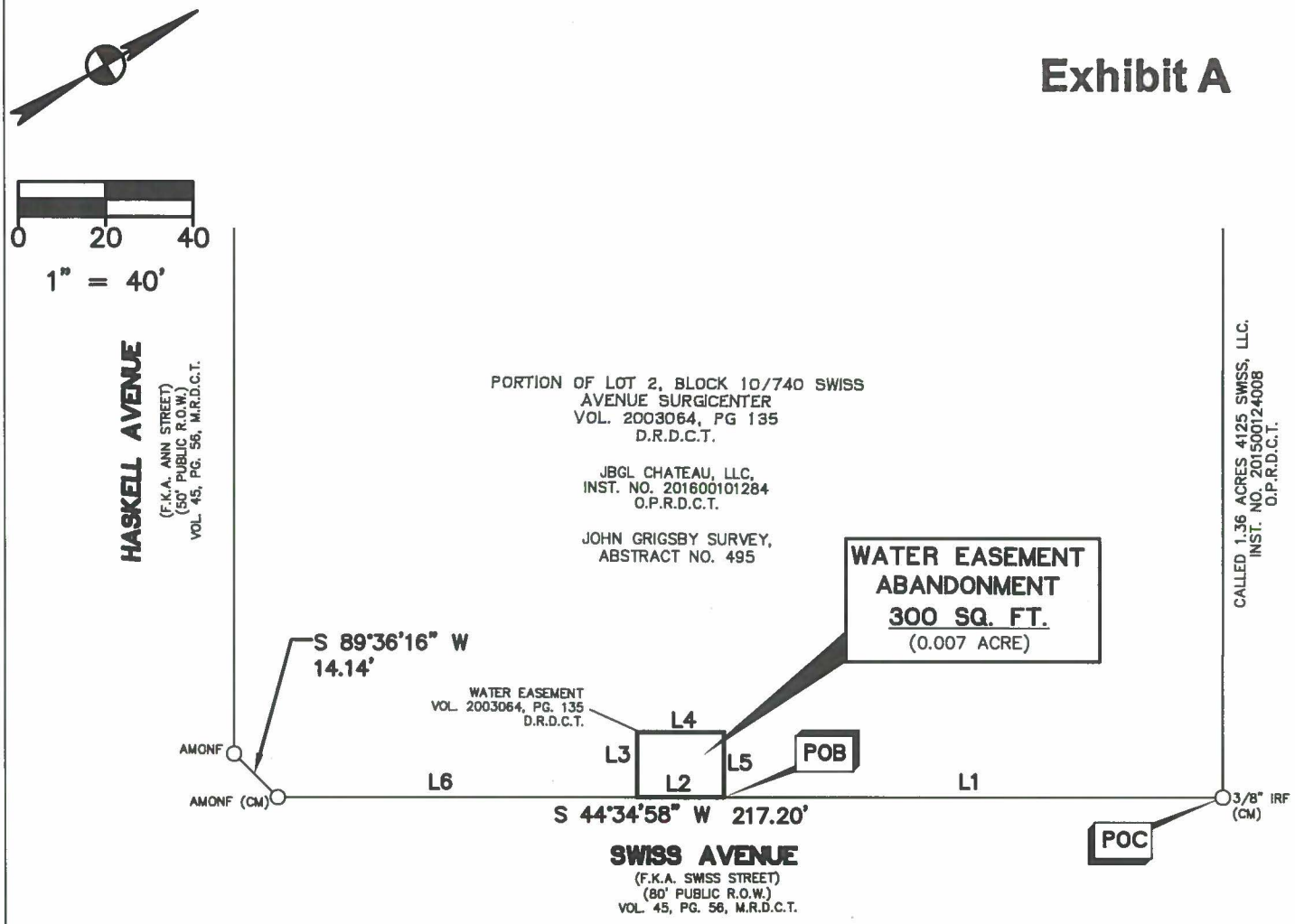
A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 1/10/17
SPRG NO: 3953



01-06-17

Exhibit A



LEGEND

AMONF	3 1/4-INCH ALUMINUM DISK STAMPED "SWISS RPLS 4838" FOUND
IRF	IRON ROD FOUND
CIRF	IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED "BURY" (UNLESS OTHERWISE NOTED)
(CM)	CONTROLLING MONUMENT
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
VOL./PG.	VOLUME, PAGE
INST. NO.	INSTRUMENT NUMBER
POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S44°34'58"W	114.70'
L2	S44°34'58"W	20.00'
L3	N45°25'02"W	15.00'
L4	N44°34'58"E	20.00'
L5	S45°25'02"E	15.00'
L6	S44°34'58"W	82.50'

(FOR SPRG USE ONLY)
REVIEWED BY: A. Rodriguez
DATE: 1/10/17
SPRG NO. 3953

NOTES:

A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.

BEARINGS SHOWN HEREON ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM (TEXAS NORTH CENTRAL ZONE 4202, NAD 83) BASED ON LEICA GEOSYSTEMS NORTH TEXAS SMARTNET NETWORK.



JAMES M. WHITKANACK
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6134

Stantec
12222 Merit Drive, Suite 400
Dallas, Texas 75251
Tel. (972) 991-0011
TBPE # 6324 TBPLS # 10194229

WATER EASEMENT ABANDONMENT
SWISS AVENUE SURGICENTER
LOT 2, BLOCK 10/740
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DATE: 1/2/2017	SCALE: 1" = 40'	DRAWN BY: GA	PROJECT NO.: 222210366	SHEET 2 OF 2

V:\2222\active\222210366\survey\Exhibits\WATER EASEMENT\222210366_Water Easement Abandonment FINAL 10-13-16.dwg Jan 2, 17 8:37 AM by: rgordon

AGENDA ITEM # 38

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45Q R

SUBJECT

An ordinance amending Ordinance No. 23183, previously approved on June 11, 1997, which abandoned a portion of Taylor Street, located near its intersection with Marilla Street, to eliminate reverter provisions - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the amendment of Ordinance No. 23183, previously approved on June 11, 1997, which abandoned a portion of Taylor Street. The abandonment will eliminate reverter provisions to Taylor Street 2111, LP, the abutting owner. This area will be included with the property of the abutting owner for a mixed-use development.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 11, 1997, City Council authorized Ordinance No. 23183.

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

Revenue - $5,400, plus the $20 ordinance publication fee

OWNER

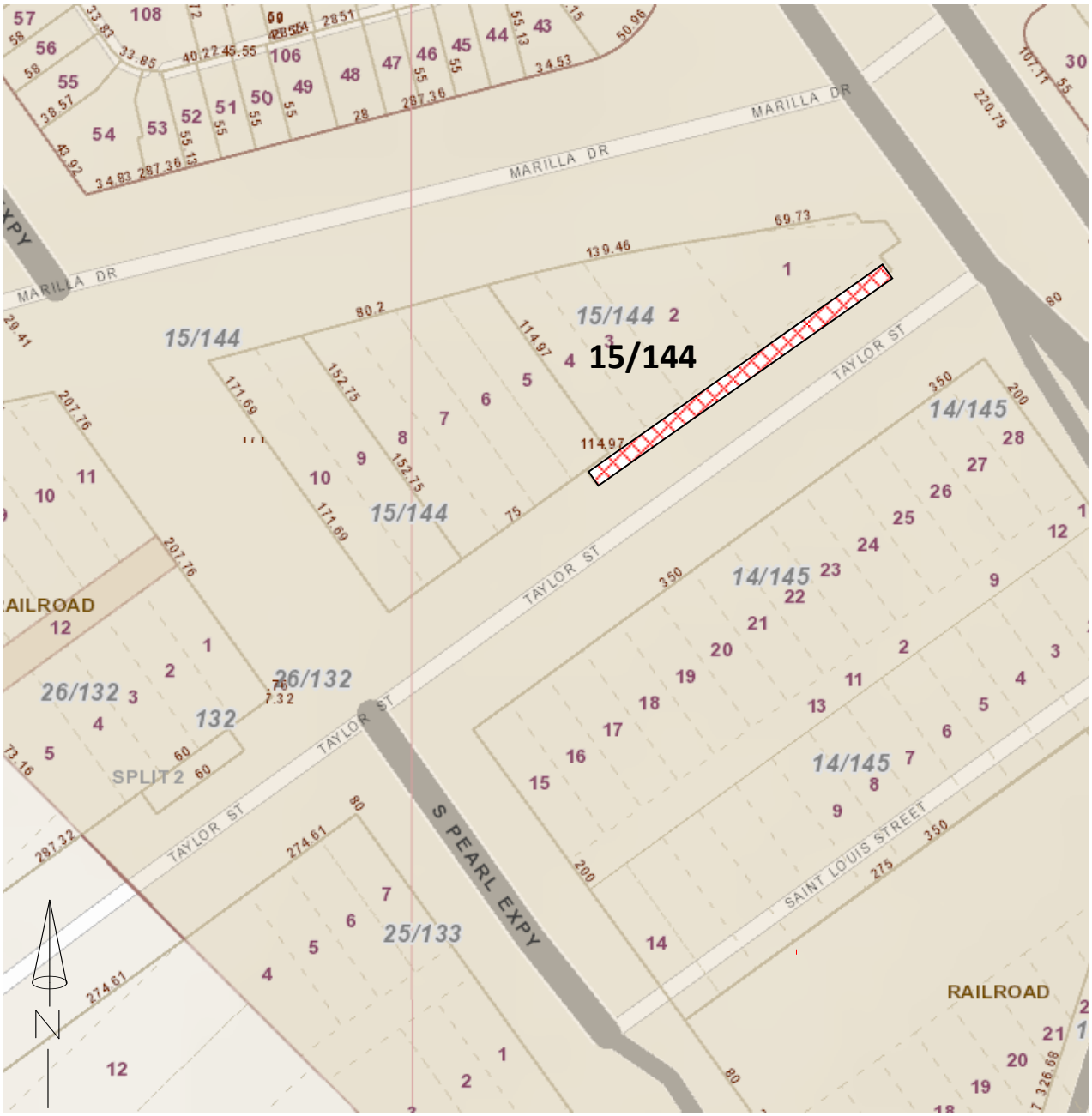
Taylor Street 2111, LP

Taylor Street 2111 GP, LLC

Brian Bergersen, President

MAP

Attached



Abandonment Areas:

ORDINANCE NO. _____

An ordinance amending Ordinance No. 23183, by altering the preamble, and Sections 1, 2, and 10 thereof; providing for consideration to be paid to the City of Dallas; providing for payment of the publication fee; providing a savings clause; and providing an effective date.

oooOooo

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

SECTION 1. That Ordinance No. 23183 adopted by the City Council of the City of Dallas on June 11, 1997, be and the same is hereby amended by altering the preamble and Sections 1, 2, and 10 to read as follows:

"An ordinance providing for the abandonment of a portion of Taylor Street right-of-way located adjacent to City Block 15/144 in the City of Dallas and County of Dallas, Texas, ~~subject to a reverter,~~ providing for the quitclaim thereof to East End Market Place Limited; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date."

"**WHEREAS,** the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of East End Market Place Limited, a Texas limited liability company, hereinafter referred to as **GRANTEE** deems it advisable to abandon and quitclaim, ~~subject to a reverter interest,~~ the hereinafter described tract of land, and is of the opinion that said street right-of-way is not currently needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**~~, subject to reverter as hereinafter provided, for so long as the existing~~

SECTION 1. (continued)

~~loading docks encroachment remains within said Taylor Street right-of-way area~~; 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**, ~~subject to a reverter,~~ for the consideration hereinafter more fully set forth;"

"**SECTION 1.** That the tract of land described in Exhibit A, which is attached hereto and made a part hereof, be and the same is abandoned, vacated and closed insofar as the right, title and easement of the public are concerned; subject, however, to the ~~reverter and the~~ conditions hereinafter more fully set out."

"**SECTION 2.** That for and in monetary consideration of the sum of Thirteen Thousand Nine Hundred Forty and NO/100 ($13,940.00) DOLLARS paid by **GRANTEE**, and the further consideration described in Sections 8 and 9, the City of Dallas does by these presents QUITCLAIM unto the said **GRANTEE**, subject to the conditions, reservations and exceptions hereinafter made ~~and with the reverter interest herein stated~~, all its right, title and interest in and to that certain tract or parcel of land hereinabove described in Exhibit A~~, provided however, that if the existing loading docks and/or building, whichever occurs first, situated on and adjacent to the area to be abandoned are ever: (i) partially demolished, removed or damaged and are not promptly thereafter repaired or rebuilt within 90 days; (ii) substantially or totally demolished, removed or damaged and not promptly thereafter repaired or rebuilt within 90 days; or (iii) abandoned in whole or in part by **GRANTEE**, its successors and assigns, then this ordinance and quitclaim shall be rendered null and void and the right, title and easement of the public shall absolutely revert without any necessity for suit or re-entry by the City;~~

SECTION 1. (continued)

~~and no act or omission on the part of the City, its successors and assigns, shall be a waiver of the operation or enforcement of this ordinance.~~ **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE.**"

"**SECTION 10.** 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 Property Management Director, or her designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Property Management Director, or her designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to prepare and deliver a QUITCLAIM DEED with regard to the area abandoned herein, ~~subject to a reverter interest,~~ should such be requested by **GRANTEE** hereunder, same to 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 Property Management Director, or her designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage."

SECTION 2. That, as consideration for amending Ordinance No. 23183, Taylor Street 2111, LP, agrees to pay monetary consideration in the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** to the City of Dallas, and, by its tender thereof, accepts the terms and conditions of this ordinance.

SECTION 3. 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

SECTION 3. (continued)

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 4. That the terms and conditions of Ordinance No. 23183 shall remain in full force and effect except as amended hereby.

SECTION 5. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee 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 (1) year after its passage.

SECTION 6. That this contract is designated as Contract No. DEV-2017-00002096.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

AGENDA ITEM # 39

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 2, 7

DEPARTMENT: Trinity Watershed Management

CMO: Jody Puckett, 670-3390

MAPSCO: 46F K L 47T

SUBJECT

Authorize settlement in lieu of proceeding with condemnation of a total of six subsurface easements located under a total of approximately 87,360 square feet of land and one drainage easement containing approximately 4,818 square feet of land from Dallas Area Rapid Transit for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed $189,150 ($178,650, plus closing costs and title expenses not to exceed $10,500); an increase of $20,000 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes a settlement for the acquisition of six subsurface easements located under a total of approximately 87,360 square feet of land and one drainage easement containing approximately 4,818 square feet of land from Dallas Area Rapid Transit for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project. This settlement will allow acquisition of the property without proceeding with condemnation proceedings.

The original authorizing resolution authorized an offer amount of $158,650. That amount is being increased to $178,650, plus closing costs and title expenses not to exceed $10,500.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 25, 2015, City Council authorized acquisition, including the exercise of the right of eminent domain by Resolution No. 15-0398.

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

2006 Bond Funds - $189,150 ($178,650, plus closing costs and title expenses not to exceed $10,500)

Council District	Amount
2	$177,288
7	$ 1,362
Total	$178,650

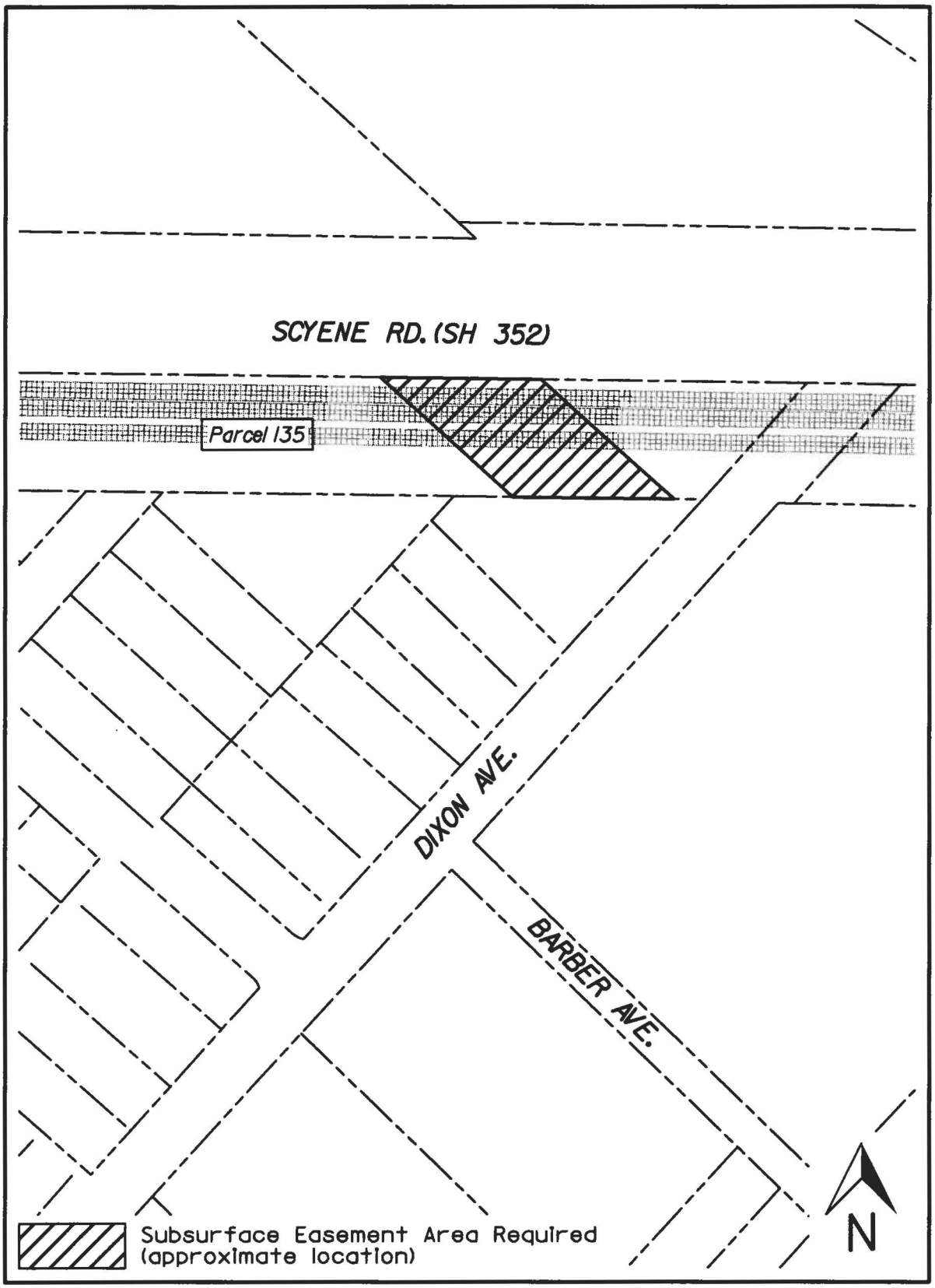
OWNER

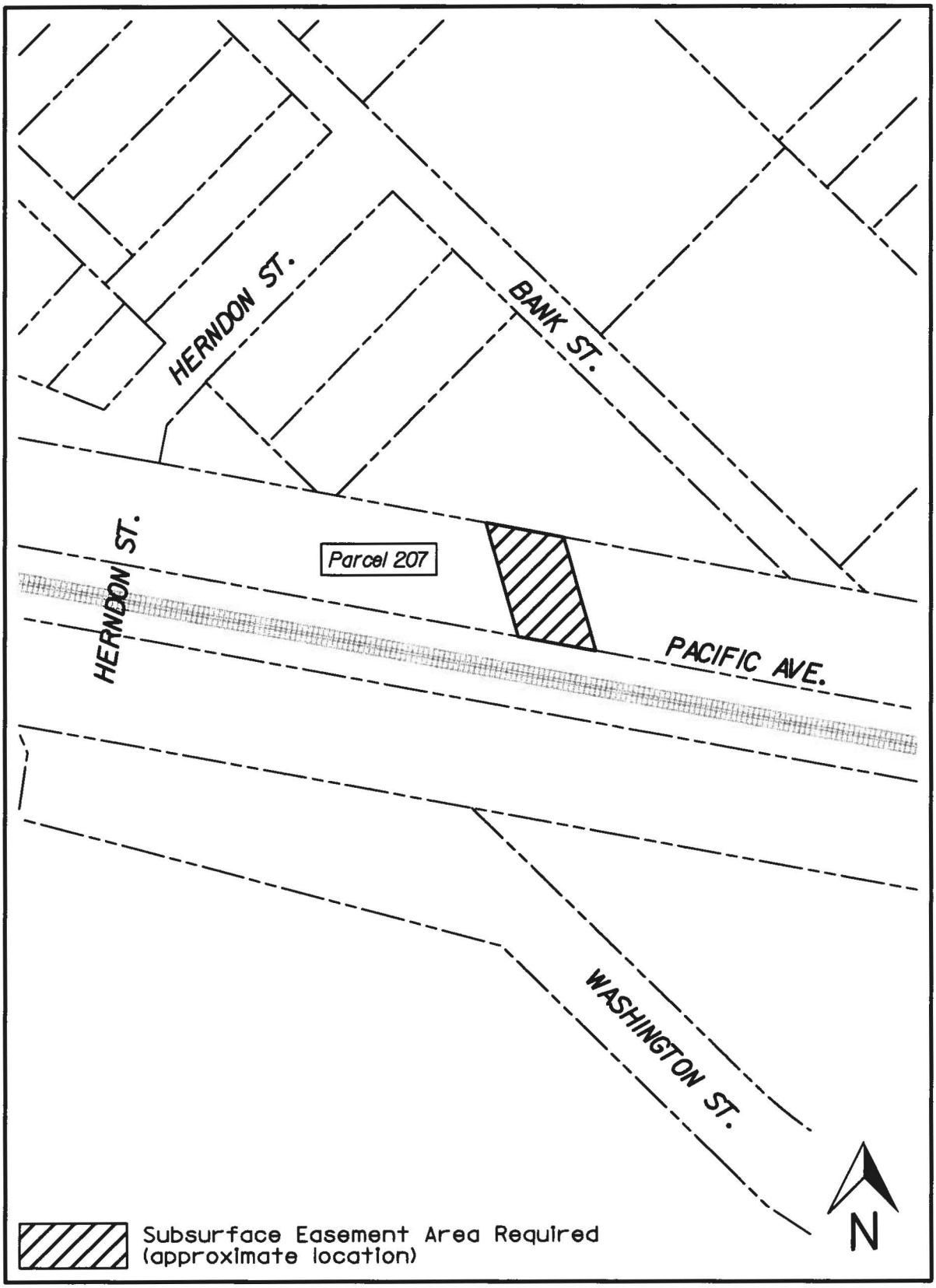
Dallas Area Rapid Transit

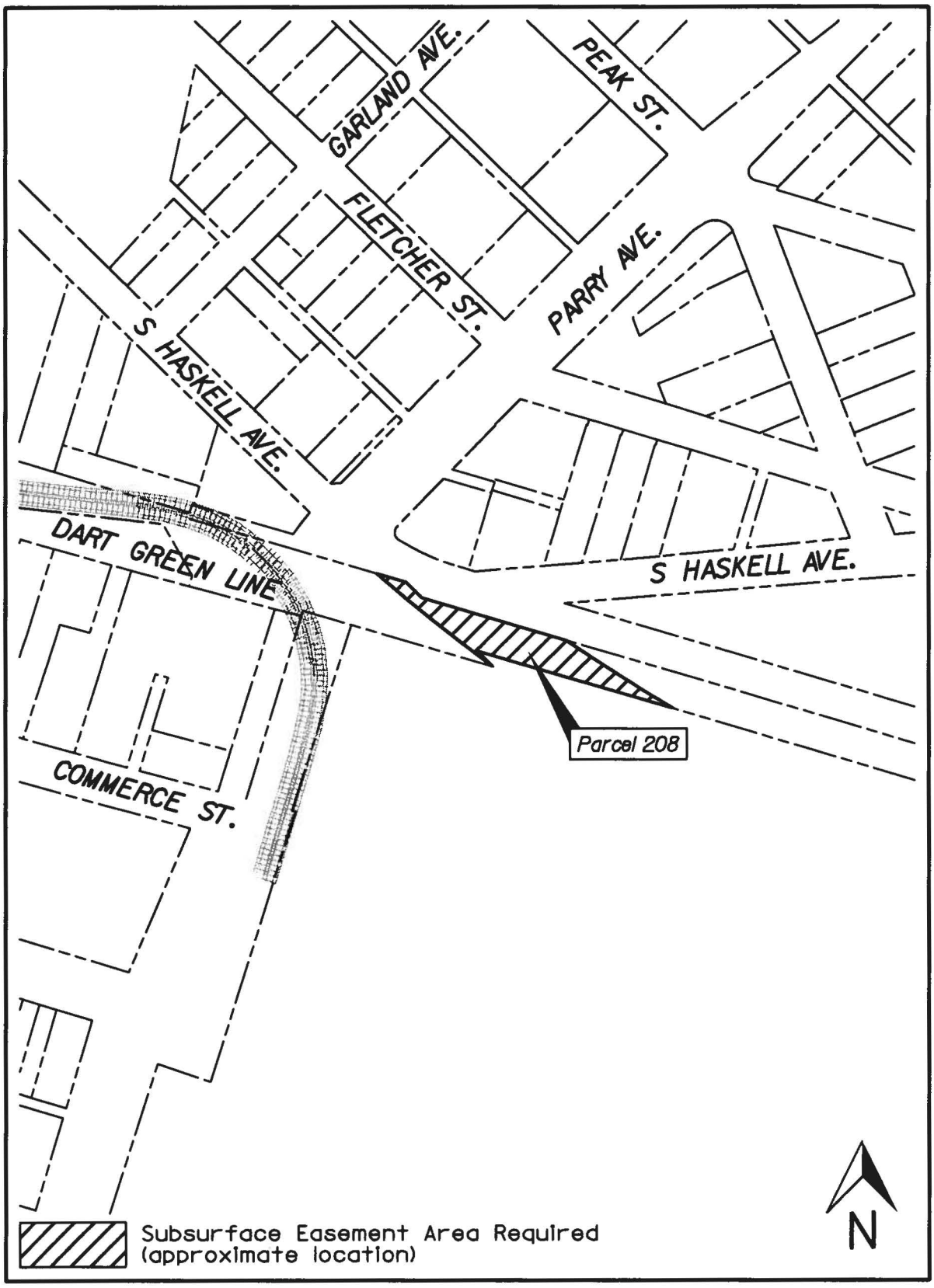
Gary C. Thomas, President/Executive Director

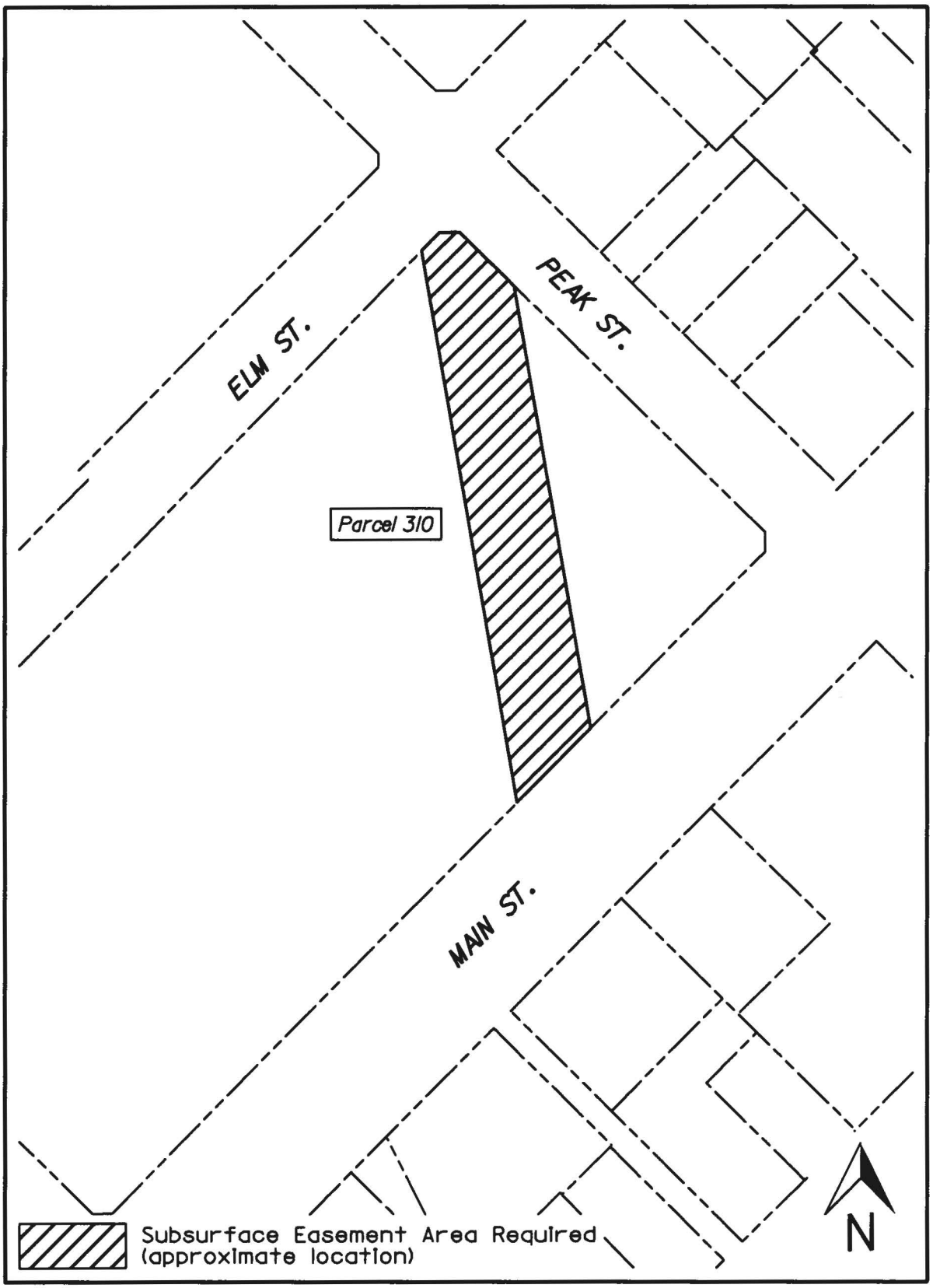
MAPS

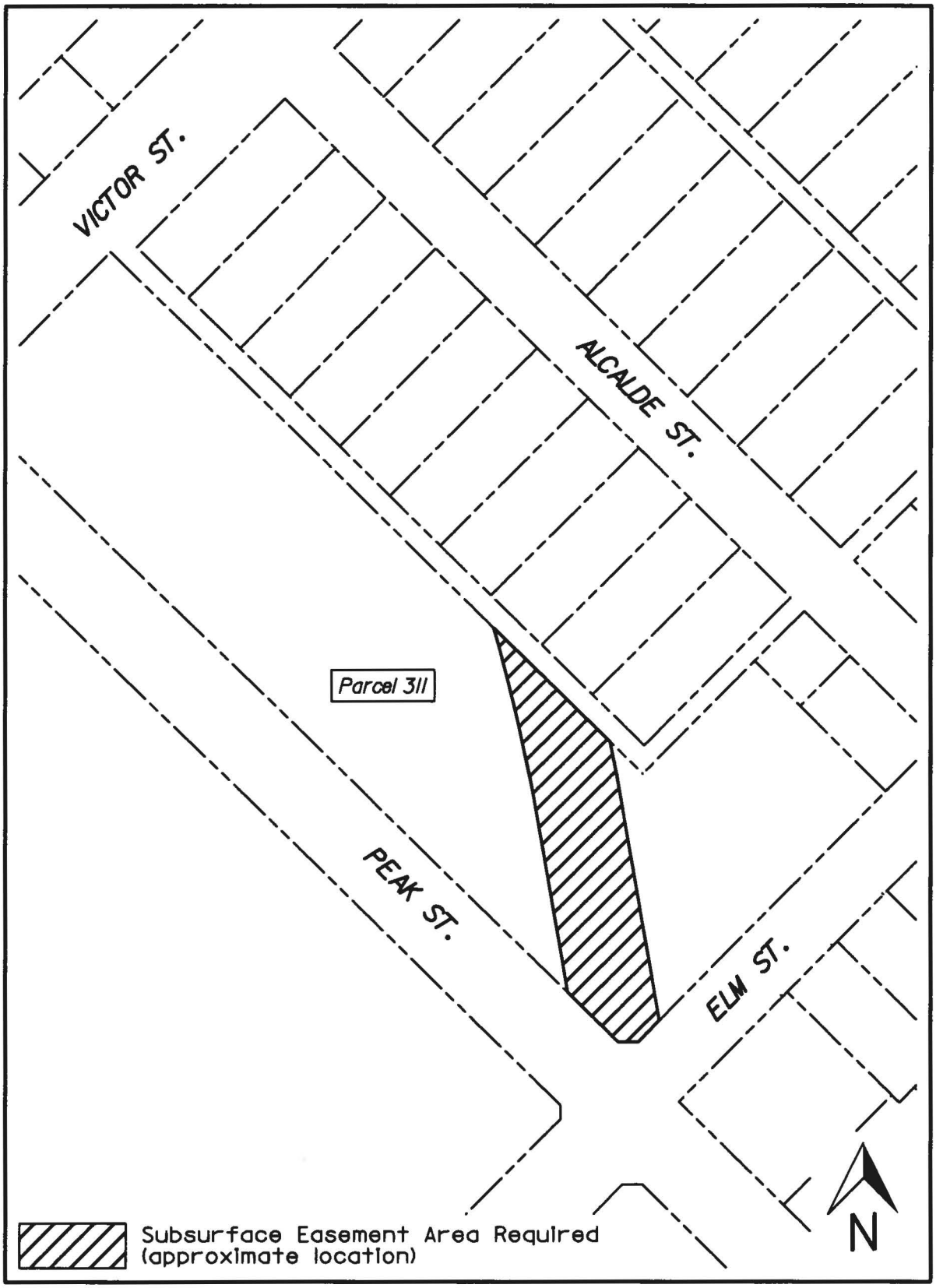
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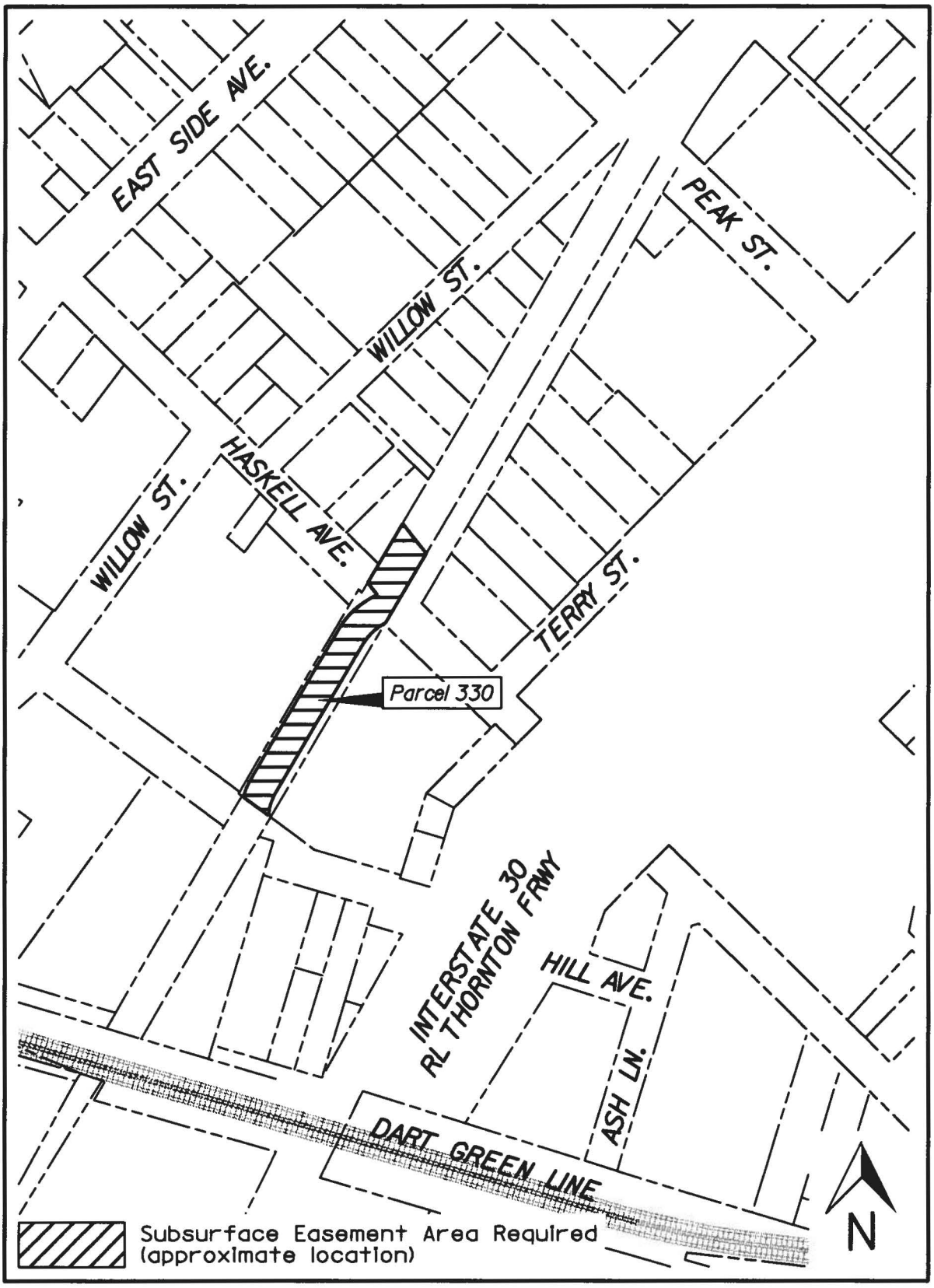

SCYENE RD. (SH 352)
Parcel 135
DIXON AVE.
BARBER AVE.
N
Subsurface Easement Area Required
(approximate location)

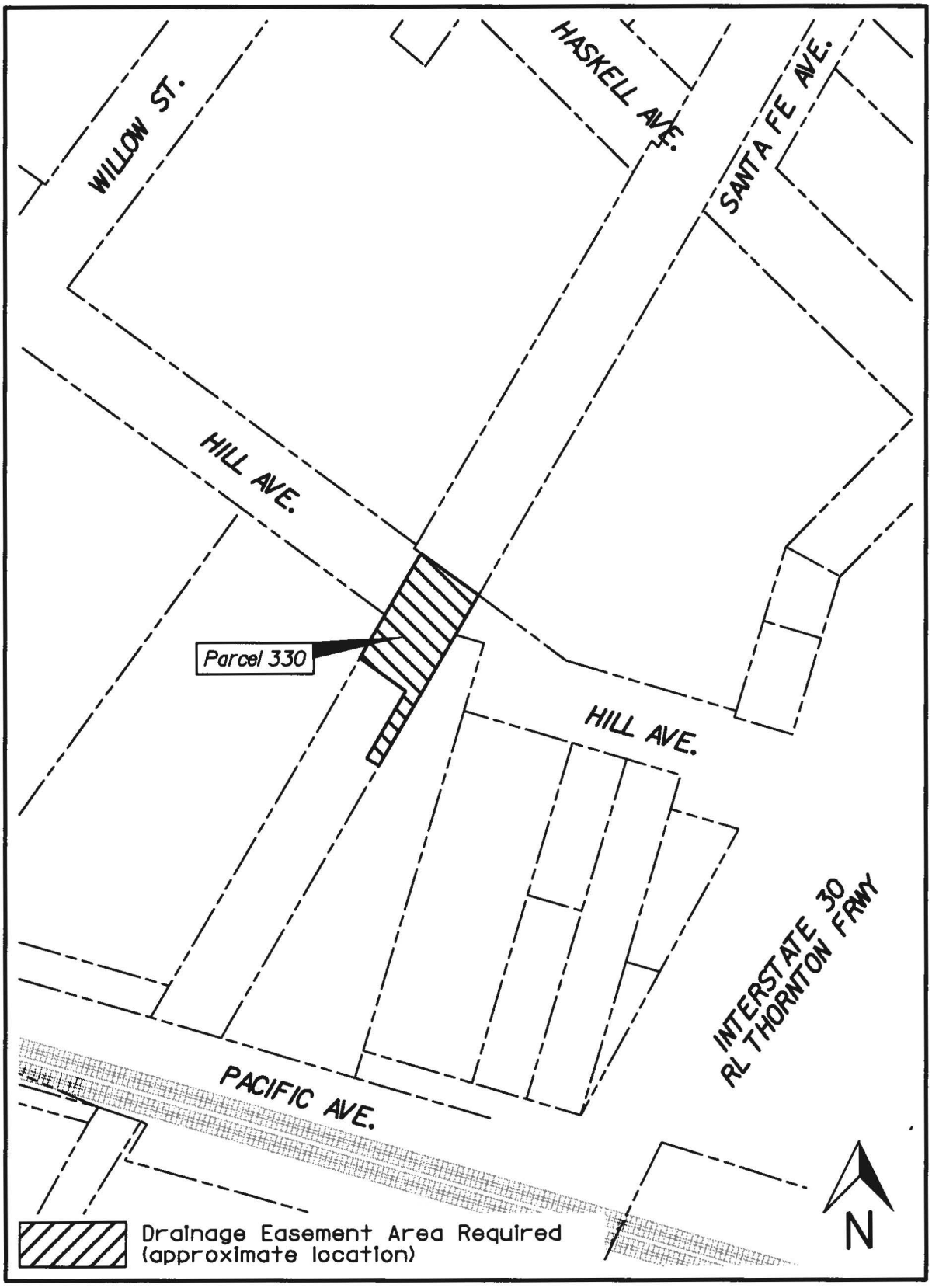

HERNDON ST.
BANK ST.
HERNDON ST.
Parcel 207
PACIFIC AVE.
WASHINGTON ST.
N
Subsurface Easement Area Required
(approximate location)


GARLAND AVE.
PEAK ST.
FLETCHER ST.
PARRY AVE.
S HASKELL AVE.
DART GREEN LINE
S HASKELL AVE.
Parcel 208
COMMERCE ST.
Subsurface Easement Area Required
(approximate location)
N


ELM ST.
PEAK ST.
Parcel 310
MAIN ST.
Subsurface Easement Area Required
(approximate location)
N


VICTOR ST.
ALCALDE ST.
Parcel 311
PEAK ST.
ELM ST.
N
Subsurface Easement Area Required
(approximate location)


EAST SIDE AVE.
WILLOW ST.
PEAK ST.
WILLOW ST.
HASKELL AVE.
TERRY ST.
Parcel 330
INTERSTATE 30
RL THORNTON FRWY
HILL AVE.
ASH LN.
DART GREEN LINE
N
Subsurface Easement Area Required
(approximate location)


WILLOW ST.
HASKELL AVE.
SANTA FE AVE.
HILL AVE.
Parcel 330
HILL AVE.
INTERSTATE 30
RL THORNTON FRWY
PACIFIC AVE.
N
Drainage Easement Area Required
(approximate location)

August 9, 2017

A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR AN AMOUNT HIGHER THAN THE FIRST RESOLUTION OFFER AMOUNT.

WHEREAS, the Dallas City Council by the FIRST RESOLUTION authorized acquisition, by purchase and/or eminent domain, of the PROPERTY INTEREST in the PROPERTY held by OWNER for the PROJECT (all said capitalized terms being defined below); and

WHEREAS, OWNER refused the FIRST RESOLUTION OFFER AMOUNT, but has agreed to the SETTLEMENT AMOUNT stated herein; and

WHEREAS, the City Council desires to authorize the City Manager to acquire the PROPERTY INTEREST in the PROPERTY for the SETTLEMENT AMOUNT stated herein.

Now, Therefore,

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

SECTION 1. That the following definitions shall apply to this resolution:

"CITY": The City of Dallas

"FIRST RESOLUTION": Resolution No. 15-0398 approved by the Dallas City Council on February 25, 2015.

"PROJECT": Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project.

"USE": The subsurface easements will be for the below ground construction, installation, use, and maintenance of a deep tunnel for the storage and transmission of stormwater drainage. The drainage easement will be for the construction, installation, use, and maintenance of a stormwater drainage structure and connecting lines for the storage and transmission of stormwater drainage, together with such appurtenant facilities as may be necessary.

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

"PROPERTY INTEREST": Subsurface Flood Control Tunnel Easement and Drainage Easement.

SECTION 1. (continued)

"PROPERTY": Six (6) subsurface easements located under a total of approximately 87,360 square feet of land lying between the subsurface elevations more particularly detailed in "Exhibit A", attached hereto and made a part hereof for all purposes, one (1) drainage easement containing approximately 4,818 square feet of land, all located in Dallas County, Texas, the boundary of which properties being more particularly described in "Exhibit B", attached hereto and made a part hereof for all purposes.

"FIRST RESOLUTION OFFER AMOUNT": $158,650

"SETTLEMENT AMOUNT": $178,650

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $10,500

"REVISED AUTHORIZED AMOUNT": $189,150

SECTION 2. 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 the CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyance instruments 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 the transaction.

SECTION 3. That the Chief Financial Officer is hereby authorized to draw checks for the SETTLEMENT AMOUNT, payable out of 2006 Bond Funds: Fund 1T23, Department TWM, Unit T525, Activity SDRS, Object 4210, Program PB06T525, Encumbrance CT-PBW06T525E17, and CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund 1T23, Department TWM, Unit T525, Activity SDRS, Object 4230, Program PB06T525, Encumbrance CT-PBW06T525E18.

SECTION 4. That the payment referenced in Section 3 shall be delivered to a title insurance company after evidence of satisfactory title has been provided to and approved by the City Attorney.

SECTION 5. The SETTLEMENT AMOUNT - $178,650 and the CLOSING COSTS AND TITLE EXPENSES - $10,500 together shall not exceed the REVISED AUTHORIZED AMOUNT - $189,150.

SECTION 6. That the CITY is to have possession and/or use, as applicable, of the PROPERTY at closing.

SECTION 7. That the 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 contract is designated as Contract No. TWM-2017-00002415.

SECTION 9. 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
Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project
Subsurface Drainage Tunnel Easement Elevations

Parcel No.	**Subsurface Easement**	
	Upper Limit (NAVD 88)	Lower Limit (NAVD 88)
135	365	186
207	339	178
208	361	187
310	375	199
311	377	202
330	367	193

Notes:

1. Elevations are U.S. Survey Feet, North American Vertical Datum of 1988 (NAVD 88).
2. The subsurface easement elevations are 40 feet above the tunnel (upper limit) and 100 feet below the tunnel (lower limit).

SUB-SURFACE DRAINAGE TUNNEL EASEMENT
City of Dallas Drawing No. 423R-54 (Parcel 135)
13,616 Sq. Ft. or 0.3125 Acres
Between City of Dallas Blocks 5800 and 2/6124
Thomas Lagow Survey, Abstract No.759
City of Dallas, Dallas County, Texas
From Dallas Area Rapid Transit

Being a 13,616 square feet or 0.3125 acre tract of land situated in the Thomas Lagow Survey, Abstract No. 759, in the City of Dallas, Dallas County, Texas, said tract being adjacent to City of Dallas Block Numbers 5800 and the City of Dallas Block 2 (Official City of Dallas Numbers 2/6124) of the Joe DeMaggio Addition, recorded in Volume 5, Page 177, of the Map Records of Dallas County, Texas, and being a part of a tract of land conveyed to Dallas Area Rapid Transit by Deed recorded by Volume 88083, Page 4905 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

NOTE: Subsurface easement corners are not monumented.

COMMENCING at a found "x" cut in concrete (Controlling Monument), being in the common southwest line of Lot 11, of said Block 2/6124 of said Joe Demaggio Addition, and the northeast line of Lot 12, of said Block 2/6124 of said Joe Demaggio Addition, being in the current northwest Right-of-Way line of Dixon Avenue (Variable Width Right-of-way), and being the northwest corner of an 10' easement for street purposes to the City of Dallas, recorded in volume 74078, Page 600 of the Deed Records of Dallas County, Texas, and being the southwest corner of an easement for street purposes to the City of Dallas recorded in Volume 74078, Page 588 of the Deed Records of Dallas County, Texas;

THENCE North 42°04'02" East, over and across Lots 6-11, Block 2/6124 and with the current northwest Right-of-Way line of Dixon Avenue, a distance of 354.34 feet to a point, being in the south line of said Dallas Area Rapid Transit tract, being in the northeast line of said Dixon Avenue, being the northwest corner of an easement for Street Purposes to the City of Dallas recorded in Volume 109, Page 1184, Deed Records of Dallas County, Texas, and being the southwest corner of an easement for street purposes to the City of Dallas recorded in Volume 75106, Page 1190 of the Deed Records of Dallas County, Texas, and being in the north line of Block 2/6124 of said Joe Demaggio Addition;

THENCE North 89°10'58" West, departing the said Northwest Right-of-Way of Dixon Avenue and with the common south line of said Dallas Area Rapid Transit tract and the north line of said Block 2/6124, a distance of 24.04 feet to the **POINT OF BEGINNING** having coordinates of N=6966165.1444, E=2511457.1463, being in the north line of said Block 2/6124 and the south line of said Dallas Area Rapid Transit tract;

THENCE North 89°10'58" West, continuing along said common north line of Block 2/6124, and said south line of Dallas Area Rapid Transit tract, a distance of 136.07 feet, to a point having coordinates of N= 6966167.0850, E= 2511321.1065, in the north line of said Block 2/6124, and the south Right-of-Way line of said Dallas Area Rapid Transit tract;

THENCE North 47°46'30" West, departing said common line and over and across said Dallas Area Rapid Transit tract, a distance of 151.29 feet, to a point having coordinates of N= 6966268.7452, E= 2511205.0892, in the north line of said Dallas Area Rapid Transit tract and the south Right-of-Way line of Scyene Road State Highway No. 352 (a Variable width Right-of-Way, recorded in TxDOT Right-of-Way Map No. RW-430-1-16);

FIELD NOTES APPROVED:
BER 4-14-14

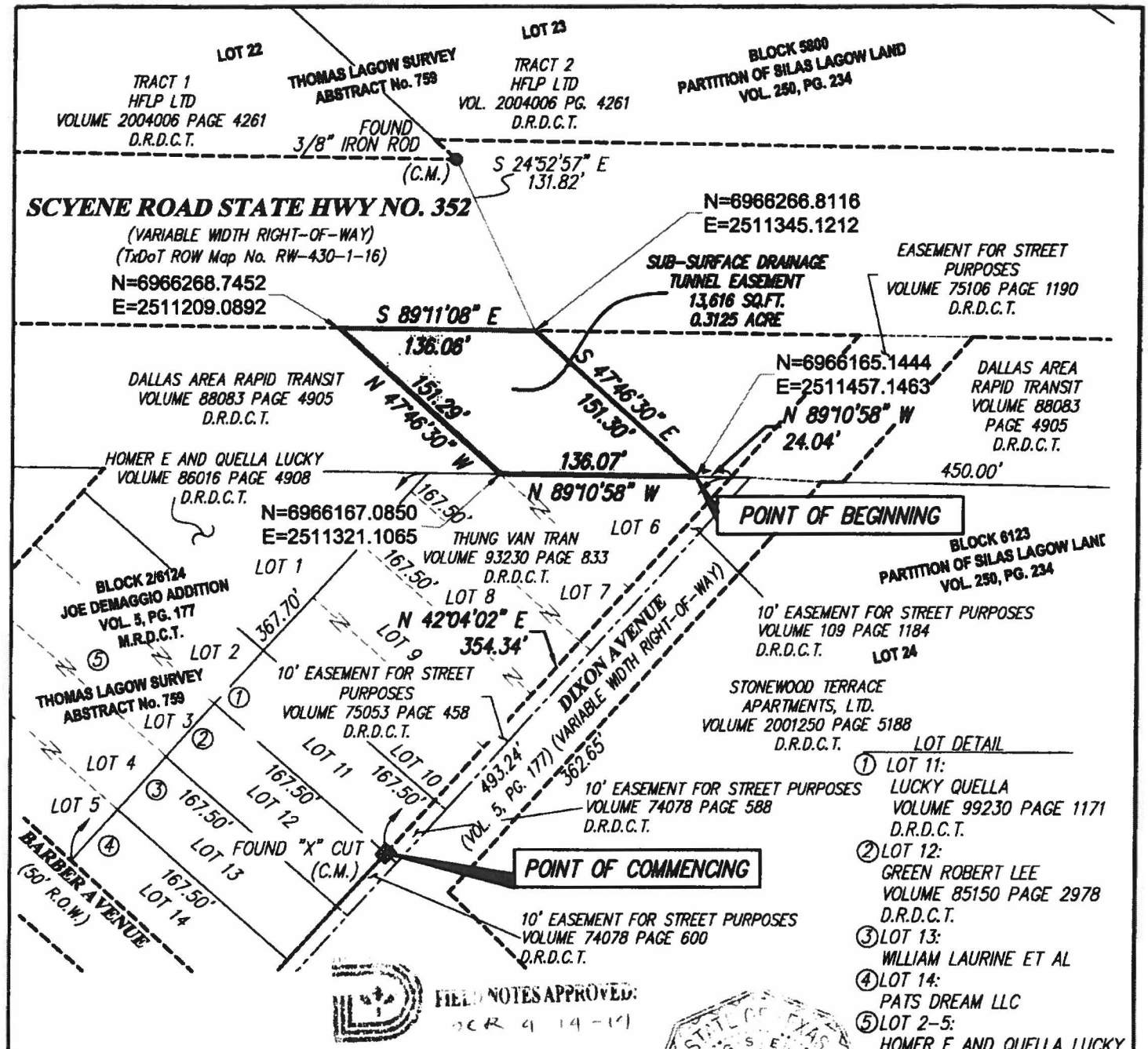
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
City of Dallas Drawing No. 423R-54 (Parcel 135)
13,616 Sq. Ft. or 0.3125 Acres
Between City of Dallas Blocks 5800 and 2/6124
Thomas Lagow Survey, Abstract No.759
City of Dallas, Dallas County, Texas
From Dallas Area Rapid Transit

THENCE South 89°11'08" East, along the said common south Right-of-Way line of Scyene Road and the north line of said Dallas Area Rapid Transit tract, a distance of 136.06 feet, to a point having coordinates of N= 6966266.8116, E= 2511345.1212, in the common south line of said Scyene Road and the north line of said Dallas Area Rapid Transit tract;

THENCE South 47°46'30" East, departing said common line and over and across the said Dallas Area Rapid Transit tract, a distance of 151.30 feet, to the **POINT OF BEGINNING**, and containing 13,616 square feet or 0.3125 acres of land, more or less.

BASIS OF BEARING: State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All Coordinates are State Plane on Grid Values. All Distances are Surface Distances. Surface Adjustment Scale Factor: 1.0001365060.

FIELD NOTES APPROVED:
DER 4-14-14



FIELD NOTES APPROVED:
DEC 4 14-14

LOT DETAIL

① LOT 11:
LUCKY QUELLA
VOLUME 99230 PAGE 1171
D.R.D.C.T.

② LOT 12:
GREEN ROBERT LEE
VOLUME 85150 PAGE 2978
D.R.D.C.T.

③ LOT 13:
WILLIAM LAURINE ET AL

④ LOT 14:
PATS DREAM LLC

⑤ LOT 2-5:
HOMER E AND QUELLA LUCKY
VOL. 87091, PG. 823
D.R.D.C.T.

LINE TYPE LEGEND

RIGHT-OF-WAY BOUNDARY	
LOT LINE	
EASEMENT BOUNDARY	
BLOCK LINE	
COMMON OWNER LOT LINE	
EASEMENT	

LEGEND

CM	CONTROLLING MONUMENT
"X" CUT	FOUND "X" CUT IN CONCRETE
IRF	IRON ROD FOUND (SIZE AS NOTED)
VOL. XX, PG. XX	VOLUME XX, PAGE XX
FPK	FOUND PK NAIL
1/2" IRF	1/2" IRON ROD SET WITH YELLOW CAP STAMPED "SGI RPLS 3664" (UNLESS OTHERWISE NOTED)
INT#	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

GENERAL NOTES

1. BASIS OF BEARING STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983. ALL COORDINATES ARE STATE PLANE ON GRID VALUES. ALL DISTANCES ARE SURFACE DISTANCES. SURFACE ADJUSTMENT SCALE FACTOR : 1.0001365060.

2. SUBSURFACE EASEMENT CORNERS ARE NOT MONUMENTED.

STATE OF TEXAS
REGISTERED
LOUIS M. SALCEDO
3664
PROFESSIONAL
LAND SURVEYOR

N

0 100

SCALE IN FEET
1" = 100'

Sheet 3 of 3

SUB-SURFACE DRAINAGE TUNNEL EASEMENT

CITY OF DALLAS DRAWING NO. 423R-54 (Parcel 135)
13,616 Sq. Ft. or 0.3125 Acres
Between City of Dallas Blocks 5800 and 2/6124
Thomas Lagow Survey, Abstract No. 759
City of Dallas, Dallas County, Texas
From Stonewood Terrace Apartments LTD.

SGI Salcedo Group, Inc.
Civil Engineers - Surveyors
TBPLS FIRM No. 10070800
TBPE FIRM No. 5482
PHONE: (214) 941-8610

SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 207)
BEING A 4,177 SQ. FT. (0.0959 AC.) PART OF THE
DALLAS AREA RAPID TRANSIT TRACT,
AND BEING PART OF THE FORMER TEXAS & PACIFIC
RAILWAY COMPANY RIGHT-OF-WAY,
IN THE THOMAS LAGOW SURVEY, ABSTRACT NO. 759,
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 4,177 square foot (0.0959 acre) tract of land situated in the Thomas Lagow Survey, Abstract Number 759, in the City of Dallas, Dallas County, Texas, and being part of that tract of land described in Deed without Warranty to Dallas Area Rapid Transit (DART) as recorded in Volume 2002171, Page 15334, of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said DART tract being a part of the former Texas and Pacific Railway Company right-of-way, and being more particularly described as follows (NOTE: Subsurface easement corners are not monumented; coordinates shown herein are state plane grid coordinate values in U.S. Survey Feet; all distances are surface values):

BEGINNING on the north line of said DART tract and the south line of Block 8 (8/1440 Official City of Dallas Block Number), Mercantile National Bank Subdivision to the City of Dallas as shown on map or plat thereof recorded in Volume 250, Page 272, D.R.D.C.T., having coordinates of N=6,971,645.5193 feet, E=2,505,099.4484 feet, from which a found 1/2 inch iron rod (controlling monument) bears South 79 degrees 29 minutes 37 seconds East, a distance of 1,755.31 feet and North 06 degrees 23 minutes 45 seconds East, a distance of 9.94 feet, said iron rod being a common corner of said DART tract and Lot 2A, Official City of Dallas Block Number B/1415 of General Packaging Addition to the City of Dallas as shown on plat thereof recorded in Volume 96067, Page 1723, D.R.D.C.T., said iron rod also being on the east right-of-way line of Fitzhugh Avenue (a variable width right-of-way);

THENCE South 15 degrees 37 minutes 31 seconds East, departing said north line and said south line, over and across said DART tract, a distance of 83.54 feet to the south line of said DART tract and the north line of that tract of land described in Deed without Warranty to State Fair of Texas, Inc., as recorded in Volume 96229, Page 3530, D.R.D.C.T., and having coordinates of N=6,971,565.0786 feet, E=2,505,121.9462 feet;

THENCE North 79 degrees 29 minutes 37 seconds West, with said south line of DART tract and said north line of State Fair of Texas tract, a distance of 55.69 feet to coordinates N=6,971,575.2325 feet, E=2,505,067.1947 feet;

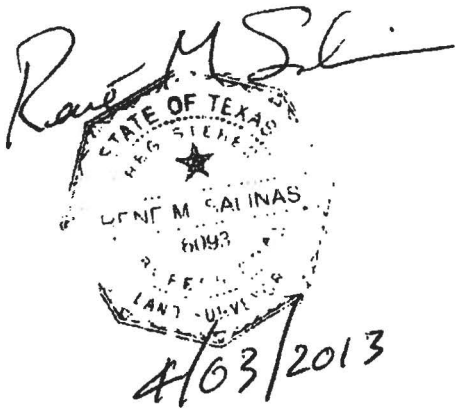
THENCE North 15 degrees 37 minutes 31 seconds West, departing said south line of DART tract and said north line of State Fair of Texas tract, a distance of 83.54 feet to said north line of DART tract and said south line of Block 8/1440, Mercantile National Bank Subdivision, having coordinates of N=6,971,655.6733 feet, E=2,505,044.6969 feet;

FIELD NOTES APPROVED:
DER 12/19/13

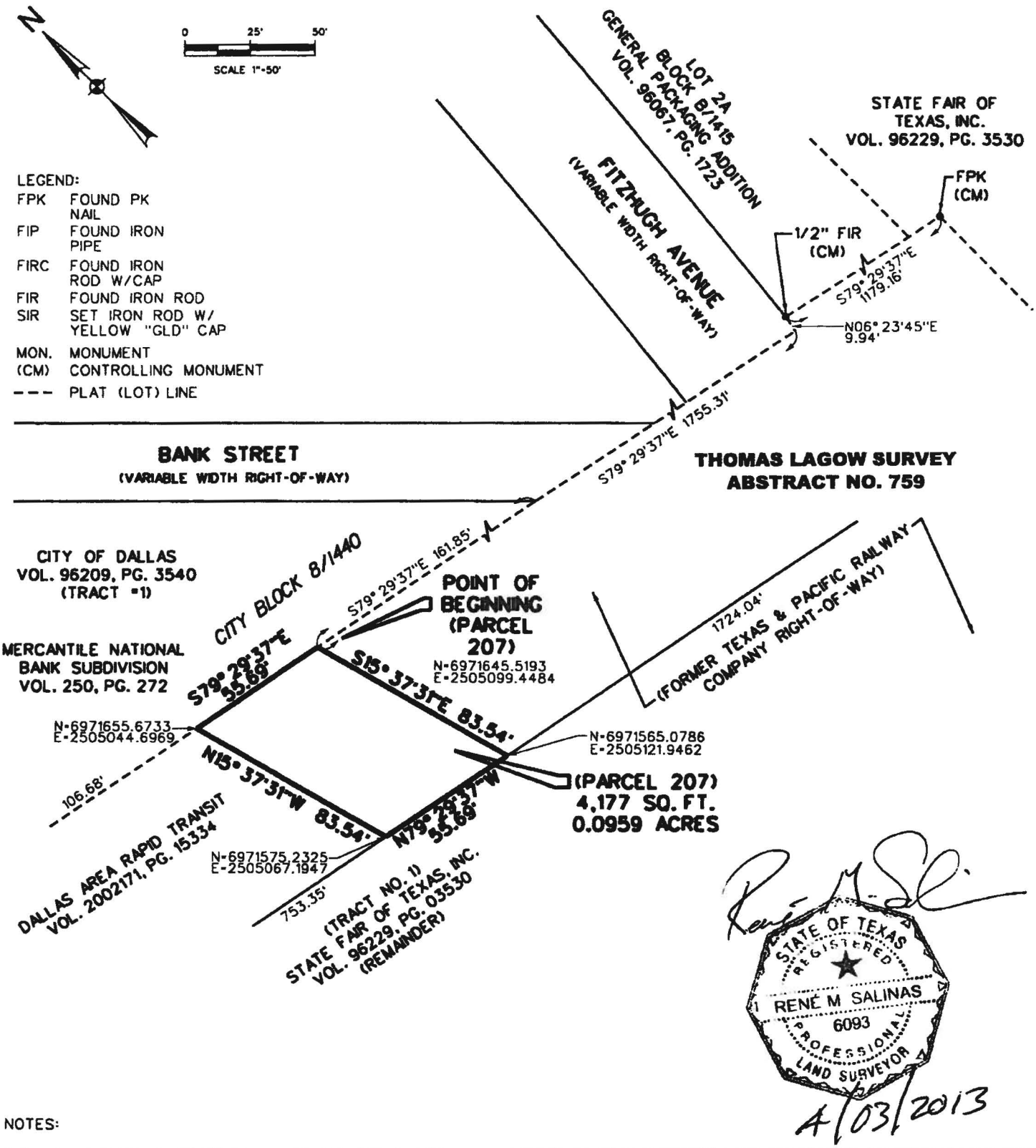
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 207)
BEING A 4,177 SQ. FT. (0.0959 AC.) PART OF THE
DALLAS AREA RAPID TRANSIT TRACT,
AND BEING PART OF THE FORMER TEXAS & PACIFIC
RAILWAY COMPANY RIGHT-OF-WAY,
IN THE THOMAS LAGOW SURVEY, ABSTRACT NO. 759,
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE South 79 degrees 29 minutes 37 seconds East, with said north line and said south line, a distance of 55.69 feet to the POINT OF BEGINNING AND CONTAINING 4,177 square feet or 0.0959 acres of land, more or less.

BASIS OF BEARING: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, U.S. Survey Feet; Surface Adjustment Scale Factor (SF) = 1.0001365060 (TxDOT Dallas Co. SF).



FIELD NOTES APPROVED:
12/19/13



STATE OF TEXAS
REGISTERED
RENE M SALINAS
6093
PROFESSIONAL
LAND SURVEYOR

4/03/2013

NOTES:

1. BASIS OF BEARING: STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FEET: SURFACE ADJUSTMENT SCALE FACTOR (SF) = 1.0001365060 (TXDOT DALLAS CO. SF).
2. COORDINATES SHOWN HEREON ARE STATE PLANE GRID COORDINATE VALUES IN U.S. SURVEY FEET
3. ALL DISTANCES ARE SURFACE VALUES.
4. SUBSURFACE EASEMENT CORNERS ARE NOT MONUMENTED.
5. THIS SURVEY PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.

SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 207)
BEING A 4,177 SQ. FT. (0.0959 AC.) PART OF THE DALLAS AREA RAPID TRANSIT TRACT,
AND BEING PART OF THE FORMER TEXAS & PACIFIC RAILWAY COMPANY RIGHT-OF-WAY,
IN THE THOMAS LAGOW SURVEY, ABSTRACT NO. 759,
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Garcia Land Data, Inc.
T 214-987-0149 6210 Campbell Rd., Ste. 110
F 214-987-4026 Dallas, TX 75248-1388

DATE: 12/18/13
PROJ: 5436

SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 208)
BEING A 14,270 SQ. FT. (0.3276 AC.) PART OF THE DALLAS AREA RAPID TRANSIT TRACT, AND BEING PART OF THE FORMER TEXAS & PACIFIC RAILWAY COMPANY RIGHT-OF-WAY, IN THE JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 14,270 square foot (0.3276 acre) tract of land situated in the John Grigsby Survey, Abstract Number 495, in the City of Dallas, Dallas County, Texas, and being part of that tract of land described in Deed to Dallas Area Rapid Transit (DART) as recorded in Volume 90177, Page 4230, of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said DART tract being a part of the former Texas and Pacific Railway Company right-of-way, and being more particularly described as follows (NOTE: Subsurface easement corners are not monumented; coordinates shown herein are state plane grid coordinate values in U.S. Survey Feet; all distances are surface values):

BEGINNING on the common southerly line of said DART tract and the northerly line of Lot 1A, Official City of Dallas Block Number C/812 of Texas State Fairgrounds Addition to the City of Dallas as shown on plat thereof recorded in Volume 88084, Page 613, D.R.D.C.T., and having coordinates of N=6,972,367.2549 feet, E=2,501,781.3567 feet, and also being the point of curvature of a non-tangent circular curve to the right having a radius of 2,545.00 feet, whose chord bears North 51 degrees 12 minutes 45 seconds West, a distance of 210.33 feet, and from which a found 1/2 inch iron rod (controlling monument) for an ell corner on said common line bears South 45 degrees 32 minutes 27 seconds East, a distance of 0.85 feet;

THENCE Northwesterly, departing said common line, over and across said DART tract and along said curve, through a central angle of 04 degrees 44 minutes 12 seconds, an arc distance of 210.39 feet to the end of said curve on the north line of said DART tract and the south right-of-way line of Pacific Avenue (a variable width right-of-way) as described in deed to Texas & Pacific Railway Company, recorded in Volume 33, Page 635, D.R.D.C.T., having coordinates of N=6,972,498.9969 feet, E=2,501,617.4293 feet;

THENCE South 73 degrees 26 minutes 57 seconds East, with said north line and said south right-of-way line, a distance of 42.96 feet to an angle point on said north line and having coordinates of N=6,972,486.7621 feet, E=2,501,658.5995 feet;

THENCE South 45 degrees 49 minutes 09 seconds East, continuing with said north line and said south right-of-way line, a distance of 32.34 feet to an angle point on said north line and having coordinates of N=6,972,464.2267 feet, E=2,501,681.7888 feet;

THENCE South 73 degrees 26 minutes 57 seconds East, continuing with said north line and said south right-of-way line, a distance of 211.37 feet to the point of curvature of a non-tangent circular curve to the left having a radius of 2,455.00 feet, whose chord bears South 57 degrees 04 minutes 36 seconds East, a distance of 177.37 feet, said point of curvature having coordinates of N=6,972,404.0227 feet, E=2,501,884.3748 feet;

FIELD NOTES APPROVED:
DER 12/16/13

SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 208)
BEING A 14,270 SQ. FT. (0.3276 AC.) PART OF THE
DALLAS AREA RAPID TRANSIT TRACT,
AND BEING PART OF THE FORMER TEXAS & PACIFIC
RAILWAY COMPANY RIGHT-OF-WAY,
IN THE JOHN GRIGSBY SURVEY, ABSTRACT NO. 495,
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE Southeasterly, departing said north line and said south right-of-way line, over and across said DART tract and along said curve, through a central angle of 04 degrees 08 minutes 26 seconds, an arc distance of 177.41 feet to the aforementioned common line of said DART tract and said Lot 1A, Block C/812 of Texas State Fairgrounds Addition, and having coordinates of N=6,972,307.6316 feet, E=2,502,033.2399 feet;

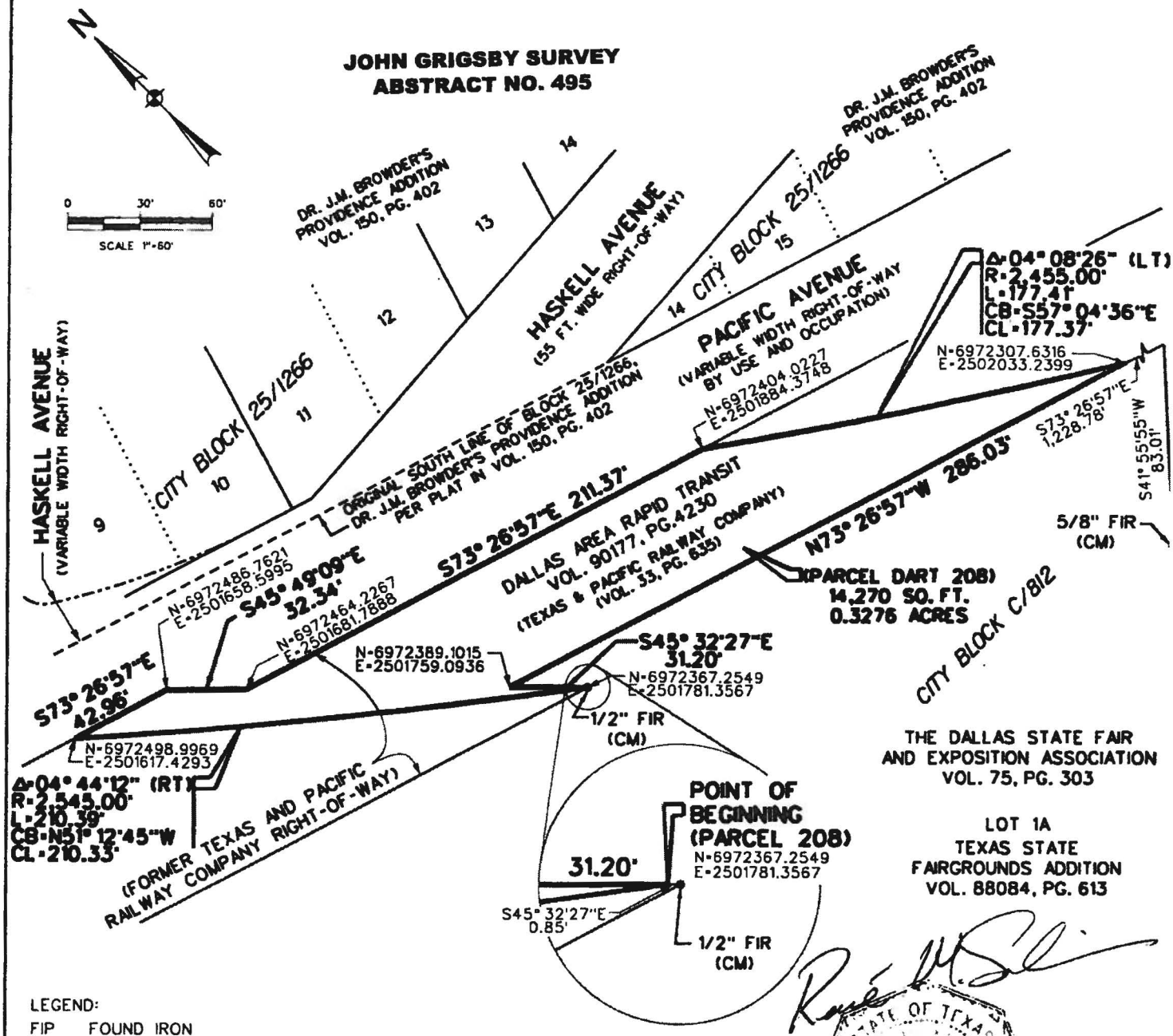
THENCE North 73 degrees 26 minutes 57 seconds West, with said common line, a distance of 286.03 feet to an ell corner of said DART tract and said Lot 1A, Block C/812 of Texas State Fairgrounds Addition, having coordinates of N=6,972,389.1015 feet, E=2,501,759.0936 feet;

THENCE South 45 degrees 32 minutes 27 seconds East, continuing with said common line, a distance of 31.20 feet to the POINT OF BEGINNING AND CONTAINING 14,270 square feet or 0.3276 acres of land, more or less.

BASIS OF BEARING: State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, U.S. Survey Feet; Surface Adjustment Scale Factor (SF) = 1.0001365060 (TxDOT Dallas Co. SF).



FIELD NOTES APPROVED:
DER 12/16/13



LEGEND:

FIP	FOUND IRON PIPE
FIRC	FOUND IRON ROD W/CAP
FIR	FOUND IRON ROD
SIR	SET IRON ROD W/ YELLOW "GLD" CAP
MON.	MONUMENT
(CM)	CONTROLLING MONUMENT

NOTES:

1. BASIS OF BEARING: STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FEET; SURFACE ADJUSTMENT SCALE FACTOR (SF) = 1.0001365060 (TXDOT DALLAS CO. SF).
2. COORDINATES SHOWN HEREON ARE STATE PLANE GRID COORDINATE VALUES IN U.S. SURVEY FEET
3. ALL DISTANCES ARE SURFACE VALUES.
4. SUBSURFACE EASEMENT CORNERS ARE NOT MONUMENTED.
5. THIS SURVEY PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.

STATE OF TEXAS
RENE M. GARCIA
4/03/2013

SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 208)
BEING A 14,270 SQ. FT. (0.3276 AC.) PART OF THE DALLAS AREA RAPID TRANSIT TRACT, AND BEING PART OF THE FORMER TEXAS & PACIFIC RAILWAY COMPANY RIGHT-OF-WAY, IN THE JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, CITY OF DALLAS, DALLAS COUNTY, TEXAS

Garcia Land Data, Inc.
T 214-987-0149
F 214-987-4026
6210 Campbell Rd., Ste. 110
Dallas, TX 75248-1388

DATE: 12/05/13
PROJ: 5436

**FIELD NOTES DESCRIBING A 0.5100-ACRE (22,218-SQUARE-FOOT)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 310)
PART OF LOT 1, CITY BLOCK A/803, TRACT 1 OF DART * EAST DALLAS FACILITY
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM DALLAS AREA RAPID TRANSIT**

BEING a 0.5100-acre (22,218-square-foot) tract of land situated in the City of Dallas and the John Grigsby Survey, Abstract Number 495, and being part of Lot 1, City of Dallas Block Number A/803, Tract 1 of DART * East Dallas Facility, an addition to the City of Dallas recorded in Volume 88084, Page 1079 of the Deed Records of Dallas County, Texas, and being part of that certain tract of land described as "Tract No. 3" conveyed to Dallas Area Rapid Transit as evidenced by deed recorded in Volume 88047, Page 1942 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

(NOTE: Subsurface easement corners are not monumented.)

COMMENCING at a 1/2-inch iron rod found (controlling monument) at a 10-foot by 10-foot right-of-way reservation (easement for street purposes) as shown on said plat (Volume 88084, Page 1079) at the intersection of the northwest line of Main Street, a 100-foot right-of-way, the southwest line of Peak Street, a 60-foot right-of-way, and the southeast line of Lot 1, City Block A/803;

THENCE South 44 degrees 38 minutes 08 seconds West along the northwest line of Main Street and the southeast line of Lot 1, City Block A/803 of said addition a distance of 174.80 feet to the **POINT OF BEGINNING**, having coordinates of N=6974607.0205, E=2500212.8713 (not monumented),

THENCE South 44 degrees 38 minutes 08 seconds West continuing along the northwest line of Main Street and the southeast line of said Lot 1, the southeast line of City Block A/803, and southeast line of said addition a distance of 73.80 feet, having coordinates of N=6974554.5087, E=2500161.0234 (not monumented);

THENCE North 09 degrees 45 minutes 00 seconds West departing the northwest line of Main Street and the southeast line of said Lot 1, southeast line of City Block A/803, and southeast line of said addition, over and across said Lot 1 and City Block A/803, a distance of 395.86 feet to the southeast line of Elm Street, a 60-foot right-of-way, the northwest line of Lot 1, and the northwest line of City Block A/803, having coordinates of N=6974944.5988, E=2500093.9937 (not monumented);

THENCE North 44 degrees 03 minutes 24 seconds East along the common southeast line of Elm Street, northwest line of said Lot 1 and northwest line City Block A/803 a distance of 17.59 feet to the beginning of a 10-foot by 10-foot right-of-way reservation (easement for street purposes) as shown on said plat (Volume 88084, Page 1079) at the intersection of the southeast line of Elm Street and southwest line of Peak Street, having coordinates of N=6974957.2369, E=2500106.2194 (not monumented);

THENCE North 89 degrees 18 minutes 05 seconds East departing the southeast line of Elm Street, the northwest line of Lot 1, and the northwest line of City Block A/803, over and across said Lot 1, a distance of 14.08 feet to the end of said 10-foot by 10-foot right-of-way reservation in the southwest line of Peak Street, the northeast line of Lot 1, and the northeast line of City Block A/903, having coordinates of N=6974957.4093, E=2500120.2973 (not monumented);



FIELD NOTES APPROVED:
JER 1-8-14

FIELD NOTES DESCRIBING A 0.5100-ACRE (22,218-SQUARE-FOOT)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 310)
PART OF LOT 1, CITY BLOCK A/803, TRACT 1 OF DART * EAST DALLAS FACILITY
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM DALLAS AREA RAPID TRANSIT

THENCE South 45 degrees 27 minutes 14 seconds East along the common southwest line of Peak Street, northeast line of Lot 1, northeast line of City Block A/803, a distance of 54.66 feet, having coordinates of N=6974919.0669, E=2500159.2519 (not monumented);

THENCE South 09 degrees 45 minutes 00 seconds East departing the common southwest line of Peak Street, northeast line of Lot 1, and northeast line of City Block A/803, over and across said Lot 1, a distance of 316.66 feet to the **POINT OF BEGINNING;**

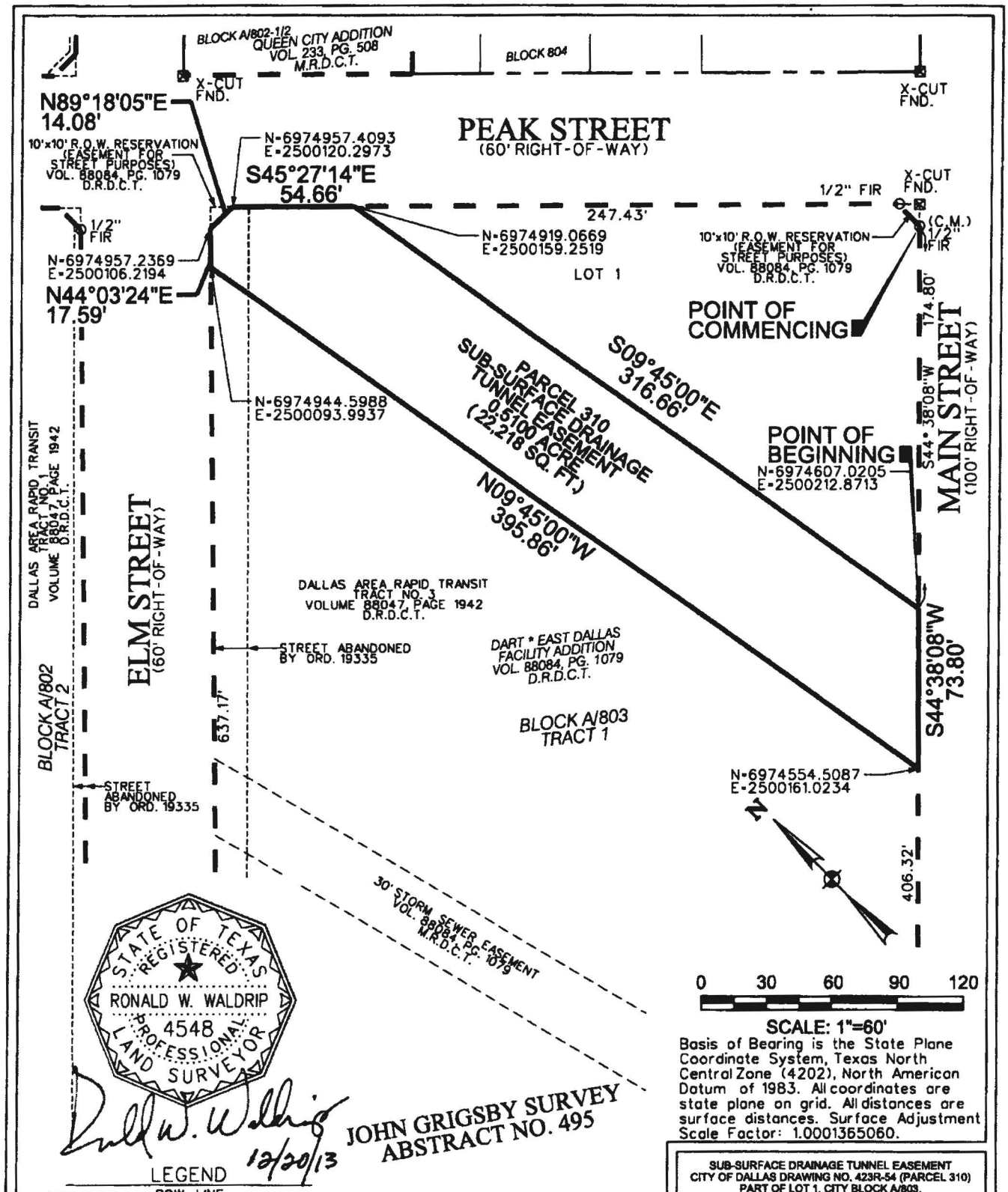
CONTAINING within the metes recited 0.5100 acre (22,218 square feet) of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.



Ronald W. Walden 12/20/13

FIELD NOTES APPROVED:
DER 1-8-14



STATE OF TEXAS
REGISTERED
RONALD W. WALDRIP
4548
PROFESSIONAL
LAND SURVEYOR

12/20/13

JOHN GRIGSBY SURVEY
ABSTRACT NO. 495

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

LEGEND

ROW LINE			
PROPERTY LINE	(C.M.)	CONTROLLING MONUMENT	
LOT LINE	FIR	FOUND IRON ROD	
SUBDIVISION LINE	FIP	FOUND IRON PIPE	
PROP. EASEMENT LINE	D.R.D.C.T.	DEED RECORDS DALLAS COUNTY TEXAS	
IRON ROD			
X-CUT	O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS	
MONUMENT			

NOTE: SUBSURFACE EASEMENT CORNERS ARE NOT MONUMENTED

SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 310)
PART OF LOT 1, CITY BLOCK A/803,
DART * EAST DALLAS FACILITY
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

ARS Engineers, Inc.
Surv. Firm No. 10131900
12801 N. Central Expressway, Suite 1250
Dallas, Texas 75243
(214) 739-3152 Fax (214) 739-3199

**FIELD NOTES DESCRIBING A 0.3366-ACRE (14,663-SQUARE-FOOT)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 311)
PART OF LOT 1A, CITY BLOCK D/802, TRACT 3 OF DART * EAST DALLAS FACILITY
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM DALLAS AREA RAPID TRANSIT**

BEING a 0.3366-acre (14,663-square-foot) tract of land situated in the City of Dallas and the John Grigsby Survey, Abstract Number 495, and being part of Lot 1A, City of Dallas Block Number D/802, Tract 3 of DART * East Dallas Facility, an addition to the City of Dallas recorded in Volume 88084, Page 1079 of the Deed Records of Dallas County, Texas, and being part of that certain tract of land described as "Tract No. 2" conveyed to Dallas Area Rapid Transit as evidenced by deed recorded in Volume 88047, Page 1942 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

(NOTE: Subsurface easement corners are not monumented.)

BEGINNING in the northeast line of Peak Street, a 60-foot right-of-way, the southwest line of said Lot 1A, and southwest line of City Block D/802 of said addition at the west end of a 10-foot by 10- foot right-of-way reservation (easement for street purposes) as shown on said plat (Volume 88084, Page 1079) at the intersection of the northeast line of Peak Street and the northwest line of Elm Street, a variable width right-of-way, having coordinates of N=6975057.9540, E=2500103.6685 (not monumented). From which an "X" cut found marking the intersection of the northeast right-of-way line of Peak Street and the southeast right-of-way line of Elm Street bears South 45 degrees 06 minutes 40 seconds East, 60.02 feet;

THENCE North 45 degrees 27 minutes 14 seconds West along the northeast line of Peak Street, the southwest line of said Lot 1A, and the southwest line of City Block D/802 of said addition a distance of 49.24 feet, having coordinates of N=6975092.4897, E=2500068.5814 (not monumented);

THENCE North 09 degrees 45 minutes 00 seconds West departing the northeast line of Peak Street, the southwest line of said Lot 1A, and the southwest line of City Block D/802 of said addition, over and across said Lot 1A and City Block D/802, a distance of 120.67 feet to a point of curvature of a curve to the left, having coordinates of N=6975211.3960, E=2500048.1495 (not monumented);

THENCE continuing over and across said Lot 1A and City Block D/802 along said curve to the left, having a central angle of 05 degrees 55 minutes 41 seconds, a radius of 1370.00 feet, an arc length of 141.75 feet, and a chord bearing North 12 degrees 42 minutes 50 seconds West a distance of 141.68 feet to the southwest line of a 15-foot wide alley, the northeast line of said Lot 1A, and the northeast line of City Block D/802 of said addition, having coordinates of N=6975349.5857, E=2500016.9716 (not monumented);

THENCE South 45 degrees 17 minutes 33 seconds East along the common southwest line of said alley, northeast line of said Lot 1A, and northeast line City Block D/802 a distance of 114.41 feet to the beginning of a non-tangent curve to the right, having coordinates of N=6975269.1110, E=2500098.2721 (not monumented);

THENCE departing the common southwest line of said alley, the northeast line of said Lot 1A, and northeast line of City Block D/802 of said addition, over and across said Lot 1A and City Block D/802, along said curve to the right, having a central angle of 01 degrees 56 minutes 23 seconds, a radius of



FIELD NOTES APPROVED:
DER 1-28-15

**FIELD NOTES DESCRIBING A 0.3366-ACRE (14,663-SQUARE-FOOT)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 311)
PART OF LOT 1A, CITY BLOCK D/802, TRACT 3 OF DART * EAST DALLAS FACILITY
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM DALLAS AREA RAPID TRANSIT**

1430.00 feet, an arc length of 48.41 feet, and a chord bearing South 10 degrees 43 minutes 11 seconds East a distance of 48.41 feet to a point of tangency, having coordinates of N=6975221.5556, E=2500107.2748 (not monumented);

THENCE South 09 degrees 45 minutes 00 seconds East, continuing over and across said Lot 1A and City Block D/802, a distance of 150.61 feet to the northwest line of Elm Street, the southeast line of said Lot 1A, and the southeast line of City Block D/802, having coordinates of N=6975073.1400, E=2500132.7773 (not monumented);

THENCE South 44 degrees 43 minutes 07 seconds West along the common northwest line of Elm Street, southeast line of said Lot 1A, and southeast line of City Block D/802, a distance of 21.25 feet to the east end of said 10-foot by 10-foot right-of-way reservation, having coordinates of N=6975058.0448, E=2500117.8297 (not monumented);

THENCE South 89 degrees 37 minutes 57 seconds West departing the northwest line of Elm Street, the southeast line of Lot 1A, and the southeast line of City Block D/802, over and across Lot 1A, a distance of 14.16 feet to the **POINT OF BEGINNING**;

CONTAINING within the metes recited 0.3366 acre (14,663 square feet) of land, more or less.

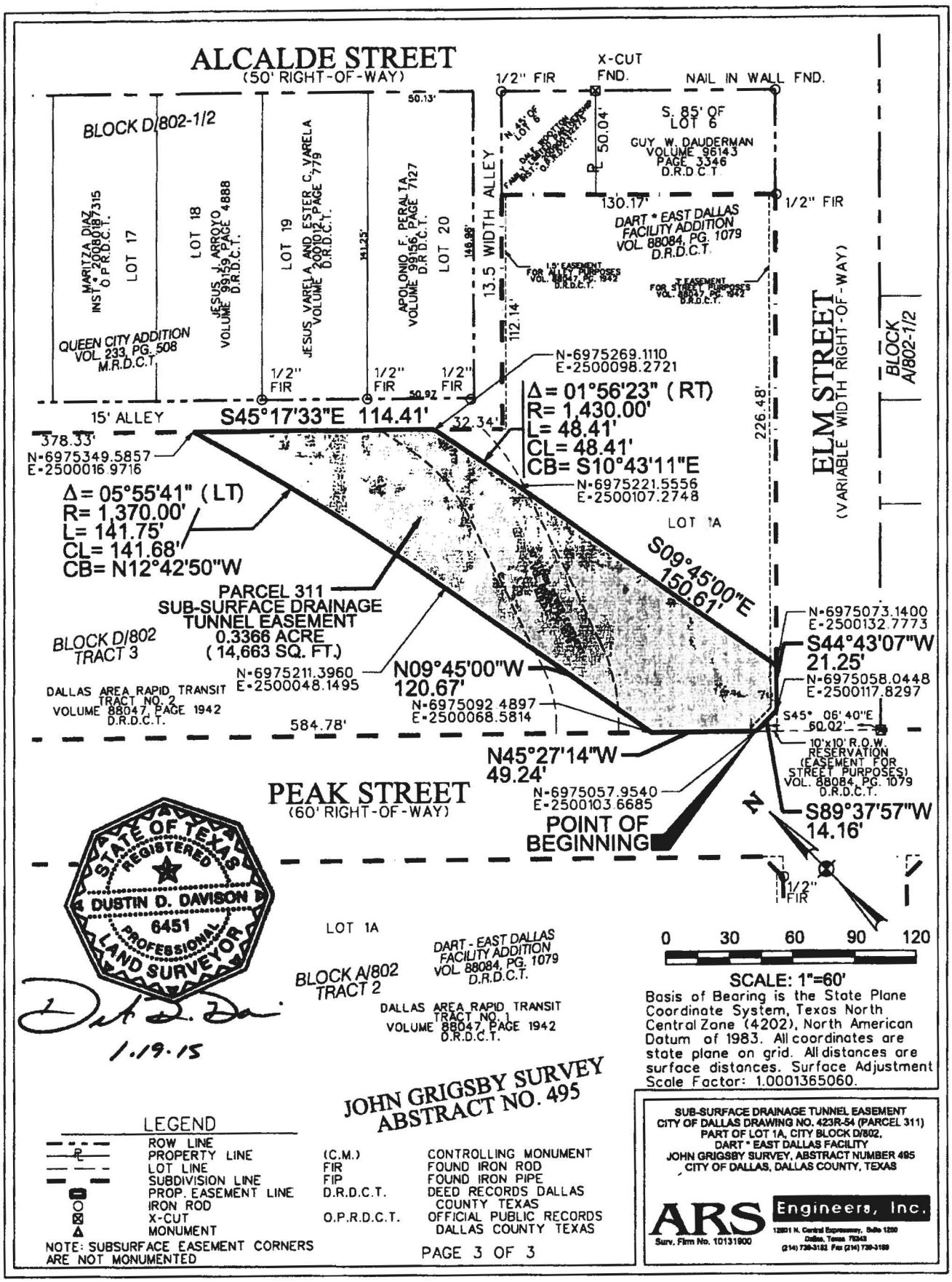
Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

Dustin D. Davison 1.19.15

Dustin D. Davison, R.P.L.S. 6451

STATE OF TEXAS
REGISTERED
DUSTIN D. DAVISON
6451
PROFESSIONAL
LAND SURVEYOR

FIELD NOTES APPROVED:
DER 1-28-15



Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 311)
PART OF LOT 1A, CITY BLOCK D/802,
DART * EAST DALLAS FACILITY
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

ARS Engineers, Inc.
Surv. Firm No. 10131900
12801 N. Central Expressway, Suite 1230
Dallas, Texas 75243
(214) 739-3182 Fax (214) 739-3189

**FIELD NOTES DESCRIBING A 0.4228-ACRE (18,416-SQUARE-FOOT)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 330[SSE])
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM DALLAS AREA RAPID TRANSIT**

BEING a 0.4228-acre (18,416-square-foot) tract of land situated in the John Grigsby Survey, Abstract Number 495, City of Dallas, Dallas County, Texas, and being part of that certain tract of land conveyed to Dallas Area Rapid Transit as evidenced by Deed Without Warranty recorded in Volume 95201, Page 3378 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

(NOTE: Subsurface easement corners are not monumented.)

COMMENCING at a 5/8-iron rod found (controlling monument) with cap stamped "Davis RPLS 5111" at the intersection of the north line of Hill Avenue, a variable width right-of-way, and the east line of said DART tract, a variable width right-of-way, for the southwest corner of Lot 8A, City Block 1/808, Assured Group Addition No. 2 as evidenced by plat recorded in Instrument Number 20080012006 of the Official Public Records of Dallas County, Texas, and the north corner of a variable width right-of-way dedication as shown on said plat of Assured Group Addition No. 2, having coordinates of N=6973218.0206, E=2500432.0682;

THENCE North 53 degrees 49 minutes 54 seconds West over and across a portion of said DART right-of-way a distance of 3.91 feet to the **POINT OF BEGINNING** having coordinates of N=6973220.3231, E=2500428.9186 (not monumented);

THENCE continuing over and across a portion of said DART tract as follows:

North 53 degrees 49 minutes 54 seconds West a distance of 44.00 feet to the beginning of a non-tangent curve to the right, having coordinates of N=6973246.2875, E=2500393.4015 (not monumented), from which a 5/8-inch iron rod found bears North 53 degrees 49 minutes 54 seconds West a distance of 8.40 feet;

Along said curve to the right, having a central angle of 13 degrees 45 minutes 05 seconds, a radius of 119.83 feet, an arc length of 28.76 feet, a chord bearing North 23 degrees 14 minutes 06 seconds East a distance of 28.69 feet to a point of tangency, having coordinates of N=6973272.6470, E=2500404.7182 (not monumented);

North 30 degrees 06 minutes 02 seconds East a distance of 242.84 feet to a point of curvature of a curve to the right, having coordinates of N=6973150.1377, E=2500380.9152 (not monumented);

Along said curve to the right, having a central angle of 35 degrees 31 minutes 03 seconds, a radius of 120.00 feet, an arc length of 74.39 feet, a chord bearing North 47 degrees 51 minutes 34 seconds East a distance of 73.20 feet to the beginning of a non-tangent curve to the right, having coordinates of N=6973531.8221, E=2500580.7645 (not monumented);

Along said curve to the right, having a central angle of 00 degrees 36 minutes 49 seconds, a radius of 2045.00 feet, an arc length of 21.90 feet, a chord bearing North 38 degrees 23 minutes 32 seconds West a distance of 21.90 feet to the west line of said DART right-of-way in Haskell

FIELD NOTES APPROVED:
2/19/14

Avenue, a variable width right-of-way, having coordinates of N=6973548.9841, E=2500567.1658 (not monumented);

THENCE North 30 degrees 14 minutes 39 seconds East along the west line of said DART right-of-way, passing at a distance of 30.85 feet the northeast line of Haskell Avenue, the south corner of Lot 12, Block 4 (Official City of Dallas Block No. 4/806) of Dr. J. M. Browder's Providence Addition, an addition to the City of Dallas, according to the plat thereof recorded in Volume 150, Page 402 of the Map Records of Dallas County, Texas and the south corner of that certain tract of land conveyed to Domingo Garcia, Jr. as evidenced by deed Recorded in Volume 2000095, Page 1829 of the Deed Records of Dallas County, Texas, continuing along the common DART right-of-way line and southeast line of said Garcia tract a total distance of 97.20 feet to the beginning of a non-tangent curve to the left, having coordinates of N=6973632.9417, E=2500616.1171 (not monumented);

THENCE along said curve to the left, having a central angle of 01 degrees 34 minutes 47 seconds, a radius of 1955.00 feet, an arc length of 53.90 feet, a chord bearing South 37 degrees 49 minutes 24 seconds East a distance of 53.90 feet to the southeast line of said DART right-of-way and the northwest line of Santa Fe Avenue, a 30-foot right-of-way, having coordinates of N=6973590.3707, E=2500649.1663 (not monumented);

THENCE South 30 degrees 14 minutes 39 seconds West along the common southeast line of said DART right-of-way, and northwest line of said Santa Fe Avenue a distance of 112.76 feet to the beginning of a non-tangent curve to the left, having coordinates of N=6973492.9693, E=2500592.3766 (not monumented);

THENCE departing the southeast line of said DART right-of-way, over and across a portion of said DART right-of-way as follows:

Along said curve to the left, having a central angle of 31 degrees 36 minutes 06 seconds, a radius of 80.00 feet, an arc length of 44.12 feet, a chord bearing South 45 degrees 54 minutes 05 seconds West a distance of 43.57 feet to a point of tangency, having coordinates of N=6973462.6554, E=2500561.0934 (not monumented);

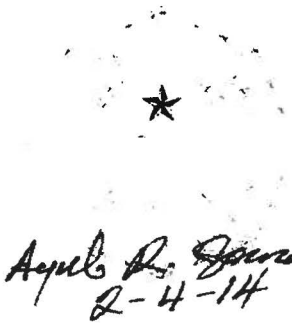
South 30 degrees 06 minutes 02 seconds West a distance of 242.84 feet to a point of curvature of a curve to the left, having coordinates of N=6973252.5889, E=2500439.3193 (not monumented);

Along said curve to the left, having a central angle of 24 degrees 25 minutes 06 seconds, a radius of 80.16 feet, an arc length of 34.16 feet, a chord bearing South 17 degrees 51 minutes 59 seconds West a distance of 33.91 feet to the **POINT OF BEGINNING**;

FIELD NOTES DESCRIBING A 0.4228-ACRE (18,416-SQUARE-FOOT)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 330[SSE])
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM DALLAS AREA RAPID TRANSIT

CONTAINING within the metes recited 0.4228 acre (18,416 square feet) of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.



2-4-14

FIELD NOTES APPROVED:
DFR 2/19/14

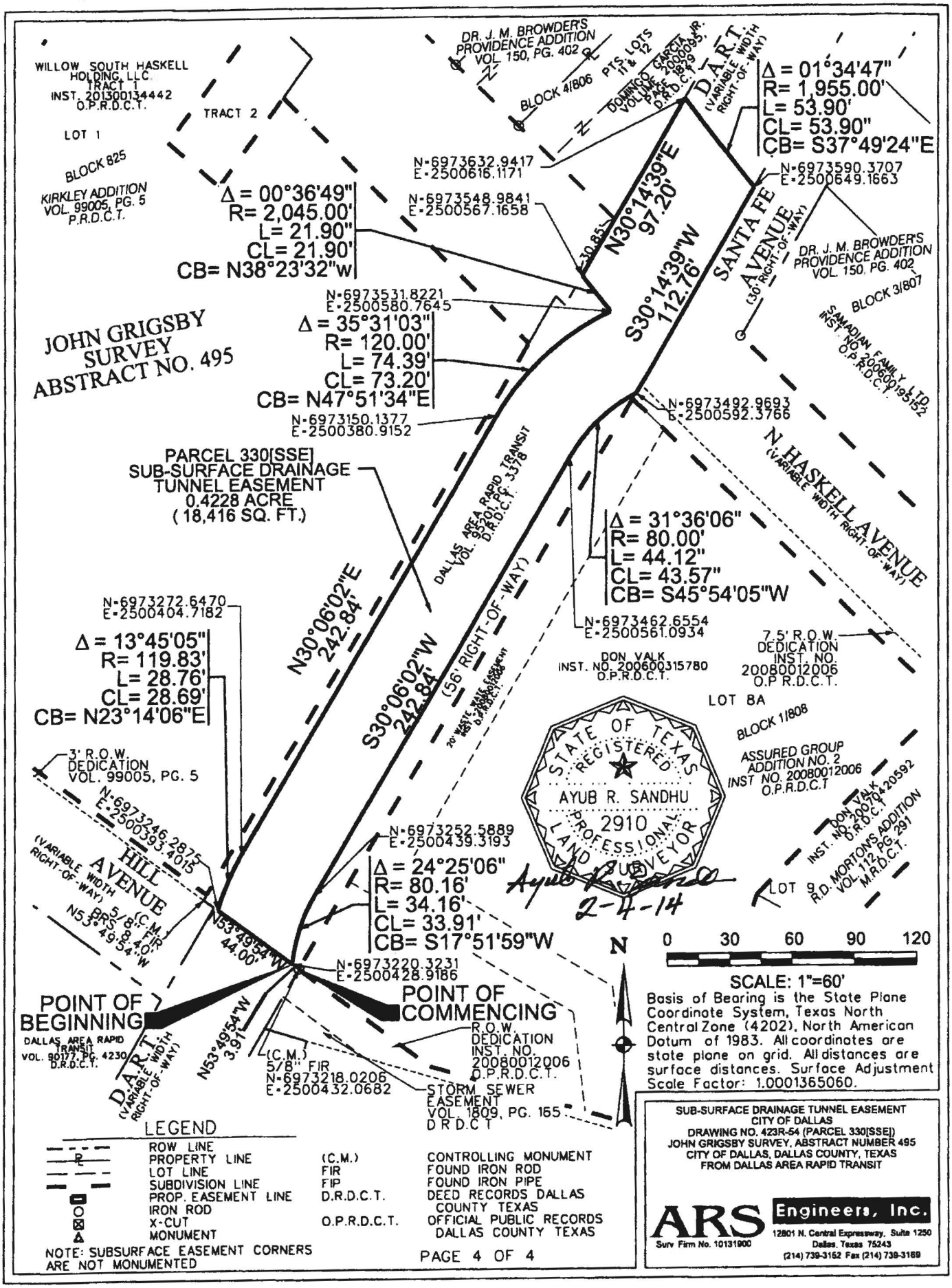

WILLOW SOUTH HASKELL HOLDING, LLC TRACT 1 INST. 201300134442 O.P.R.D.C.T.
TRACT 2
LOT 1
BLOCK 825
KIRKLEY ADDITION VOL. 99005, PG. 5 P.R.D.C.T.
DR. J. M. BROWDER'S PROVIDENCE ADDITION VOL. 150, PG. 402
BLOCK 4/806
PTS. LOTS 11 & 12
DOMINGO GARCIA VOLUME 2000095, PAGE 1979 D.R.D.C.T.
D.A.R.T. (VARIABLE WIDTH RIGHT-OF-WAY)
Δ = 01°34'47"
R= 1,955.00'
L= 53.90'
CL= 53.90"
CB= S37°49'24"E
N-6973590.3707
E-2500649.1663
SANTA FE AVENUE (50' RIGHT-OF-WAY)
DR. J. M. BROWDER'S PROVIDENCE ADDITION VOL. 150, PG. 402
BLOCK 3/807
SAMADIAN FAMILY LTD INST. NO. 20060019152 O.P.R.D.C.T.
N-6973632.9417
E-2500616.1171
N30°14'39"E 97.20'
30.85'
S30°14'39"W 112.76'
N-6973548.9841
E-2500567.1658
Δ = 00°36'49"
R= 2,045.00'
L= 21.90"
CL= 21.90'
CB= N38°23'32"w
JOHN GRIGSBY SURVEY ABSTRACT NO. 495
N-6973531.8221
E-2500580.7645
Δ = 35°31'03"
R= 120.00'
L= 74.39'
CL= 73.20'
CB= N47°51'34"E
N-6973150.1377
E-2500380.9152
N-6973492.9693
E-2500592.3766
PARCEL 330[SSE] SUB-SURFACE DRAINAGE TUNNEL EASEMENT 0.4228 ACRE (18,416 SQ. FT.)
DALLAS AREA RAPID TRANSIT VOL. 85201, PG. 3378 D.R.D.C.T.
N. HASKELL AVENUE (VARIABLE WIDTH RIGHT-OF-WAY)
Δ = 31°36'06"
R= 80.00'
L= 44.12"
CL= 43.57"
CB= S45°54'05"W
N-6973462.6554
E-2500561.0934
DON VALK INST. NO. 200600315780 O.P.R.D.C.T.
7.5' R.O.W. DEDICATION INST. NO. 20080012006 O.P.R.D.C.T.
LOT 8A
BLOCK 1/808
ASSURED GROUP ADDITION NO. 2 INST NO. 20080012006 O.P.R.D.C.T
N30°06'02"E 242.84'
S30°06'02"W 242.84'
(56' RIGHT-OF-WAY)
20' WATER MAIN EASEMENT D.R.D.C.T.
N-6973272.6470
E-2500404.7182
Δ = 13°45'05"
R= 119.83'
L= 28.76'
CL= 28.69'
CB= N23°14'06"E
3' R.O.W. DEDICATION VOL. 99005, PG. 5
N-6973246.2875
E-2500393.4015
HILL AVENUE (VARIABLE WIDTH RIGHT-OF-WAY)
STATE OF TEXAS REGISTERED AYUB R. SANDHU 2910 PROFESSIONAL LAND SURVEYOR
2-4-14
N-6973252.5889
E-2500439.3193
Δ = 24°25'06"
R= 80.16'
L= 34.16'
CL= 33.91'
CB= S17°51'59"W
DON VALK INST. NO. 200700420592 O.R.D.C.T.
R.D. MORTON'S ADDITION VOL. 112, PG. 291 M.R.D.C.T.
LOT 9
N53°49'54"W 5/8" FIR (C.M.)
N53°49'54"W 44.00'
N-6973220.3231
E-2500428.9186
POINT OF BEGINNING
DALLAS AREA RAPID TRANSIT VOL. 90177, PG. 4230 D.R.D.C.T.
D.A.R.T. (VARIABLE WIDTH RIGHT-OF-WAY)
N53°49'54"W 3.91'
(C.M.) 5/8" FIR
N-6973218.0206
E-2500432.0682
POINT OF COMMENCING
R.O.W. DEDICATION INST. NO. 20080012006 O.P.R.D.C.T.
STORM SEWER EASEMENT VOL. 1809, PG. 165 D.R.D.C.T.
N
0 30 60 90 120
SCALE: 1"=60'
Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.
LEGEND
ROW LINE
PROPERTY LINE
LOT LINE
SUBDIVISION LINE
PROP. EASEMENT LINE
IRON ROD
X-CUT
MONUMENT
(C.M.) CONTROLLING MONUMENT
FIR FOUND IRON ROD
FIP FOUND IRON PIPE
D.R.D.C.T. DEED RECORDS DALLAS COUNTY TEXAS
O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS
NOTE: SUBSURFACE EASEMENT CORNERS ARE NOT MONUMENTED
PAGE 4 OF 4
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS
DRAWING NO. 423R-54 (PARCEL 330[SSE])
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM DALLAS AREA RAPID TRANSIT
ARS Engineers, Inc.
Surv Firm No. 10131900
12801 N. Central Expressway, Suite 1250
Dallas, Texas 75243
(214) 739-3162 Fax (214) 739-3169

EXHIBIT B

FIELD NOTES DESCRIBING A
0.1106-ACRE (4,818-SQUARE-FOOT) DRAINAGE EASEMENT
PART OF THE MILL CREEK SUB-SURFACE DRAINAGE TUNNEL PROJECT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 330[DE])
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM DALLAS AREA RAPID TRANSIT

BEING a 0.1106-acre (4,818-square-foot) tract of land situated in the John Grigsby Survey, Abstract Number 495, City of Dallas, Dallas County, Texas, and being part of that certain tract of unplatted land conveyed to Dallas Area Rapid Transit (DART) as evidenced by Deed Without Warranty recorded in Volume 95201, Page 3378 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-iron rod (controlling monument) found with cap stamped "Davis RPLS 5111" at the intersection of the north line of Hill Avenue, a variable width right-of-way, and the east line of said DART tract, a variable width right-of-way, for the southwest corner of Lot 8A, Block 1/808 of Assured Group Addition No. 2 as evidenced by plat recorded in Instrument Number 20080012006 of the Official Public Records of Dallas County, Texas, and the north corner of a variable width right-of-way dedication as shown on the plat Assured Group Addition No. 2, having coordinates of N=6973218.0206, E=2500432.0682;

THENCE South 30 degrees 14 minutes 39 seconds West along the east line of said DART tract and the west line of said right-of-way dedication, at a distance of 32.44 feet pass the northwest corner of that certain tract of land conveyed to Frank Brown Hinckley III, Joe Cory Hinckley, and Jere Bob Hinckley as evidenced by deed recorded in Volume 90248, Page 1497 of the Deed Records of Dallas County, Texas, and continuing along the east line of said DART tract and the west line of said Hinckley tract, in all a distance of 139.42 feet to a 5/8-iron rod with cap stamped "ARS" set for corner, having coordinates of N=6973097.5942, E=2500361.8538, from which a 1/2-inch iron rod (controlling monument) found for the southwest corner of said Hinckley tract and the southwest corner of said Block 2/808 bears South 30 degrees 14 minutes 39 seconds West a distance of 222.40 feet;

THENCE departing the east line of said DART tract and west line of said Hinckley tract, over and across a portion of said DART tract as follows:

North 59 degrees 45 minutes 21 seconds West a distance of 10.00 feet to a 5/8-inch iron rod with cap stamped "ARS" set for corner, having coordinates of N=6973102.6304, E=2500353.2161;

North 30 degrees 14 minutes 39 seconds East a distance of 55.00 feet to a 5/8-inch iron rod with cap stamped "ARS" set for corner, having coordinates of N=6973150.1377, E=2500380.9152;

North 53 degrees 52 minutes 44 seconds West a distance of 40.21 feet to a 5/8-inch iron rod with cap stamped "ARS" set for corner in the west line of said DART tract and the east line of that certain tract of land conveyed to Dallas Area Rapid Transit (DART) as evidenced by deed recorded in Volume 90177, Page 4230 of the Deed Records of Dallas County, Texas, having coordinates of N=6973173.8388, E=2500348.4380;

THENCE North 30 degrees 14 minutes 39 seconds East along the common line of said DART tracts, at a distance of 35.14 feet pass the south line of said Hill Avenue, continuing along the west line of said DART right-of-way in all a distance of 85.49 feet to the intersection of the west line of said DART right-

FIELD NOTES APPROVED:
BER 2/10/11

FIELD NOTES DESCRIBING A
0.1106-ACRE (4,818-SQUARE-FOOT) DRAINAGE EASEMENT
PART OF THE MILL CREEK SUB-SURFACE DRAINAGE TUNNEL PROJECT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 330[DE])
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM DALLAS AREA RAPID TRANSIT

of-way and the north line of Hill Avenue (not monumented), from which a 5/8-inch iron rod (controlling monument) found bears North 53 degrees 49 minutes 54 seconds West a distance of 6.03 feet, having coordinates of N=6973247.6470, E=2500391.4717;

THENCE South 53 degrees 49 minutes 54 seconds East over and across a portion of said DART right-of-way a distance of 50.27 feet to the **POINT OF BEGINNING**;

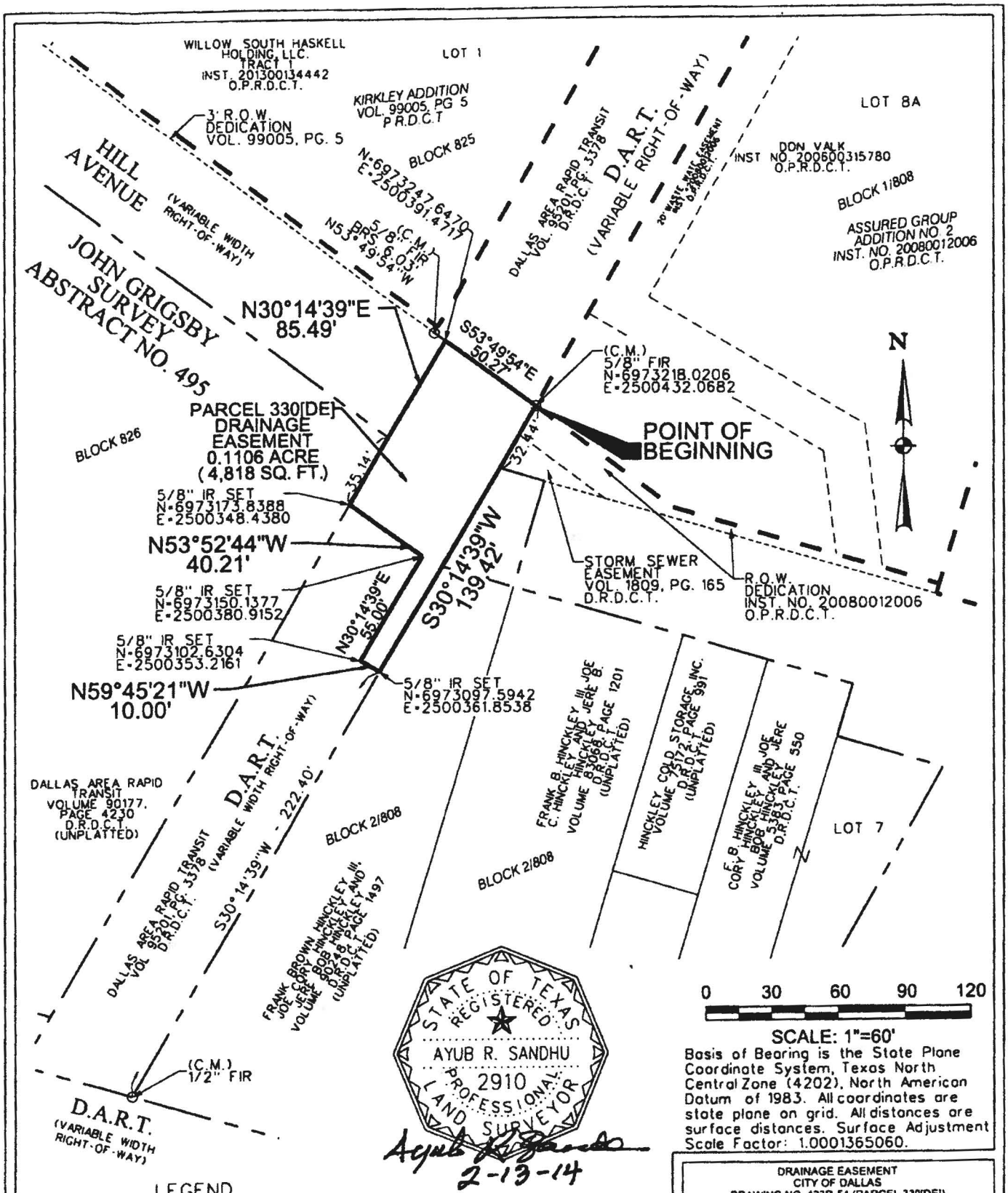
CONTAINING within the metes recited 0.1106 acre (4,818 square feet) of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

STATE OF TEXAS
REGISTERED
A. B. R. SANDHU
5910
PROFESSIONAL
LAND SURVEYOR

2-4-14

FIELD NOTES APPROVED:
DER 2/19/14



Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

LEGEND

ROW LINE		(C.M.)	CONTROLLING MONUMENT
PROPERTY LINE		FIR	FOUND IRON ROD
LOT LINE		FIP	FOUND IRON PIPE
SUBDIVISION LINE		D.R.D.C.T.	DEED RECORDS DALLAS COUNTY TEXAS
PROP. EASEMENT LINE		O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS
IRON ROD			
X-CUT			
MONUMENT			

DRAINAGE EASEMENT
CITY OF DALLAS
DRAWING NO. 423R-54 (PARCEL 330[DE])
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM DALLAS AREA RAPID TRANSIT

ARS Engineers, Inc.
Surv Firm No. 10131900
12801 N. Central Expressway Suite 1250
Dallas, Texas 75243
(214) 739-3152 Fax (214) 739-3168

AGENDA ITEM # 40

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 2, 6

DEPARTMENT: Water Utilities

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 44 D H 45 A E J N

SUBJECT

Authorize **(1)** a Standard Utility Agreement with the State of Texas, acting through the Texas Department of Transportation, for water and wastewater main relocations and appurtenance adjustments in Interstate Highway 35E (Stemmons Freeway) from Interstate Highway 30 (R.L. Thornton Freeway) to Oak Lawn Avenue; and **(2)** the receipt and deposit of funds from the Texas Department of Transportation for reimbursement of project management and construction inspection costs for the project - Revenue: $100,688

BACKGROUND

This project consists of the construction of approximately 24 feet of 54-inch wastewater main, 3,346 feet of 48-inch wastewater main, 3,267 feet of 66-inch steel encasement pipe, and water and wastewater appurtenance adjustments in conjunction with paving and drainage improvements by the Texas Department of Transportation (TxDOT) in Interstate Highway 35E from Interstate Highway 30 to Oak Lawn Avenue. TxDOT has designed the paving, storm drainage facilities, and the water and wastewater main relocations and appurtenance adjustments. TxDOT has agreed to incorporate Dallas Water Utilities (DWU) water and wastewater main relocations and appurtenance adjustments into their construction contract and administer the project during construction.

Under the Standard Utility Agreement with the State of Texas, acting through TxDOT, TxDOT will reimburse DWU for the cost of staff salaries for project management and construction inspection required for this project. TxDOT will be responsible for administering the construction of the water and wastewater main relocations and the appurtenance adjustments. TxDOT awarded the construction project in June 2017.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction September 2017
Complete Construction April 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

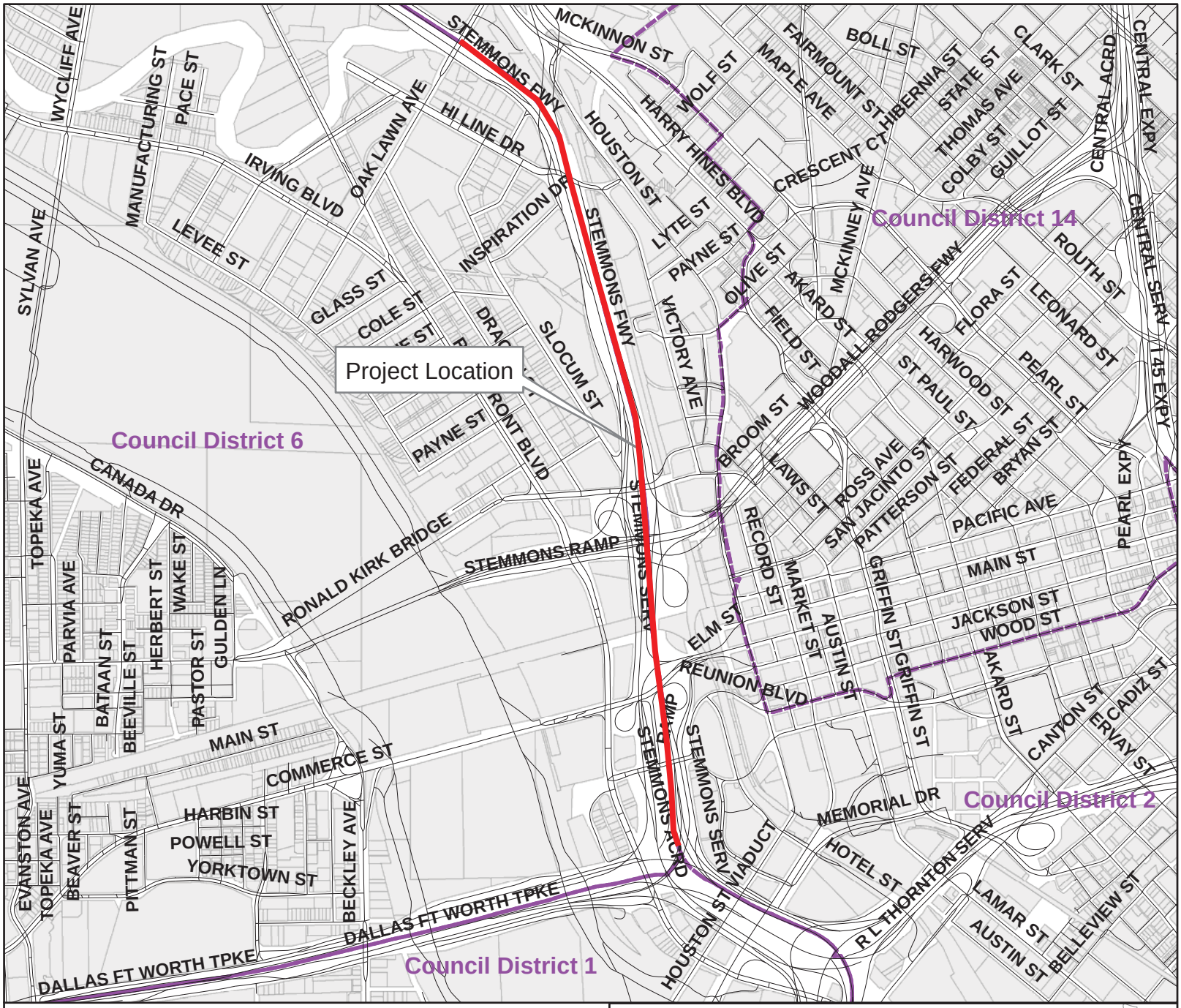
The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

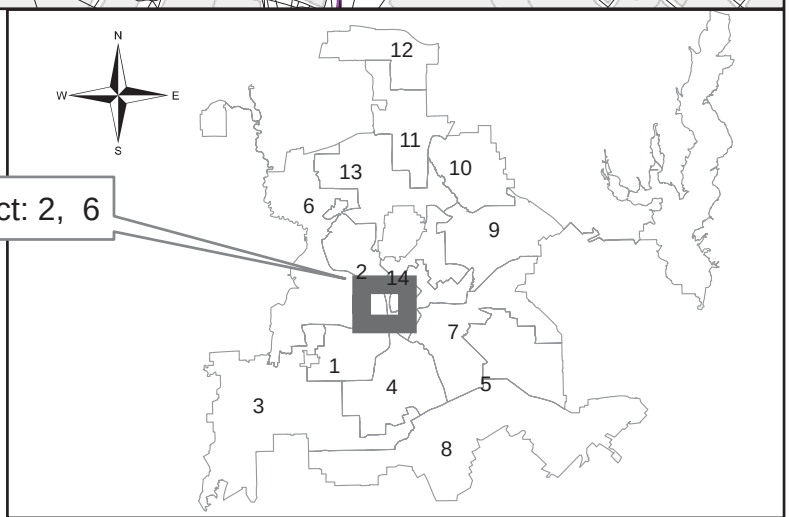
Revenue - $100,687.05

MAP

Attached



Mapsco: 44 D, H 45 A, E, J, N



Dallas Water Utilities
Contract No. 17-267/268F
Water and Wastewater Main Relocations and Adjustments
in Interstate Highway 35E from Interstate Highway 30 to Oak Lawn Avenue

August 9, 2017

WHEREAS, the Texas Department of Transportation (TxDOT) has plans to construct paving and drainage improvements in Interstate Highway 35E (Stemmons Freeway) from Interstate Highway 30 (R.L. Thornton Freeway) to Oak Lawn Avenue; and

WHEREAS, Dallas Water Utilities (DWU) has existing water and wastewater mains in Interstate Highway 35E from Interstate Highway 30 to Oak Lawn Avenue that will require relocation and appurtenance adjustments to facilitate this project; and

WHEREAS, TxDOT has agreed to incorporate the relocations and appurtenance adjustments of DWU facilities into their construction contract in order to avoid delaying the State's construction schedule; and

WHEREAS, TxDOT has submitted an acceptable Standard Utility Agreement that incorporates DWU's relocations and appurtenance adjustments in advance of paving into the State's construction plans; and

WHEREAS, under the Standard Utility Agreement with TxDOT, DWU will provide construction inspection services and approval of any design changes for the water and wastewater main relocations and appurtenance adjustments; and

WHEREAS, TxDOT has agreed to provide funding for the relocation of all water and wastewater facilities pertaining to this project; and

WHEREAS, TxDOT is responsible for reimbursing DWU for engineering costs and the cost of staff salaries for project management and construction inspection services; and

WHEREAS, the Standard Utility Agreement will allow TxDOT to proceed with the advertisement, award of the construction contract, and provide contract administration.

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 Standard Utility Agreement with the State of Texas, acting through the Texas Department of Transportation, approved as to form by the City Attorney, for water and wastewater main relocations and appurtenance adjustments in Interstate Highway 35E (Stemmons Freeway) from Interstate Highway 30 (R.L. Thornton Freeway) to Oak Lawn Avenue.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit all reimbursements from the Texas Department of Transportation in an amount not to exceed $100,687.05 in Fund 0100, Department DWU, Unit 7005, Revenue Code 9906.

SECTION 3. That this contract is designated as Contract No. DWU-2017-00002349.

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 # 41

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Water Utilities

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 47 Q

SUBJECT

Authorize an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for construction of water main relocations and appurtenance adjustments in Parkdale Drive at White Rock Creek Tributary - Not to exceed $101,000 - Financing: Water Utilities Capital Construction Funds ($3,000) and Water Utilities Capital Improvement Funds ($98,000)

BACKGROUND

This project consists of the construction of approximately 232 feet of 8-inch water main, and water appurtenance adjustments in conjunction with the replacement of the Parkdale Bridge on Parkdale Drive at White Rock Creek Tributary, by the Texas Department of Transportation (TxDOT). TxDOT has designed the bridge and Dallas Water Utilities (DWU) has designed the water utility relocations. TxDOT will administer the project during construction and has agreed to incorporate DWU's water main relocations and appurtenance adjustments into their contract.

Under the Advance Funding Agreement with the State of Texas, acting through TxDOT, DWU will provide the funding and construction inspection services for the water main relocations and appurtenance adjustments. TxDOT will be responsible for administering the construction of the water main relocations and the appurtenance adjustments. TxDOT is scheduled to advertise the construction project in August 2017.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	November 2017
Complete Construction	February 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

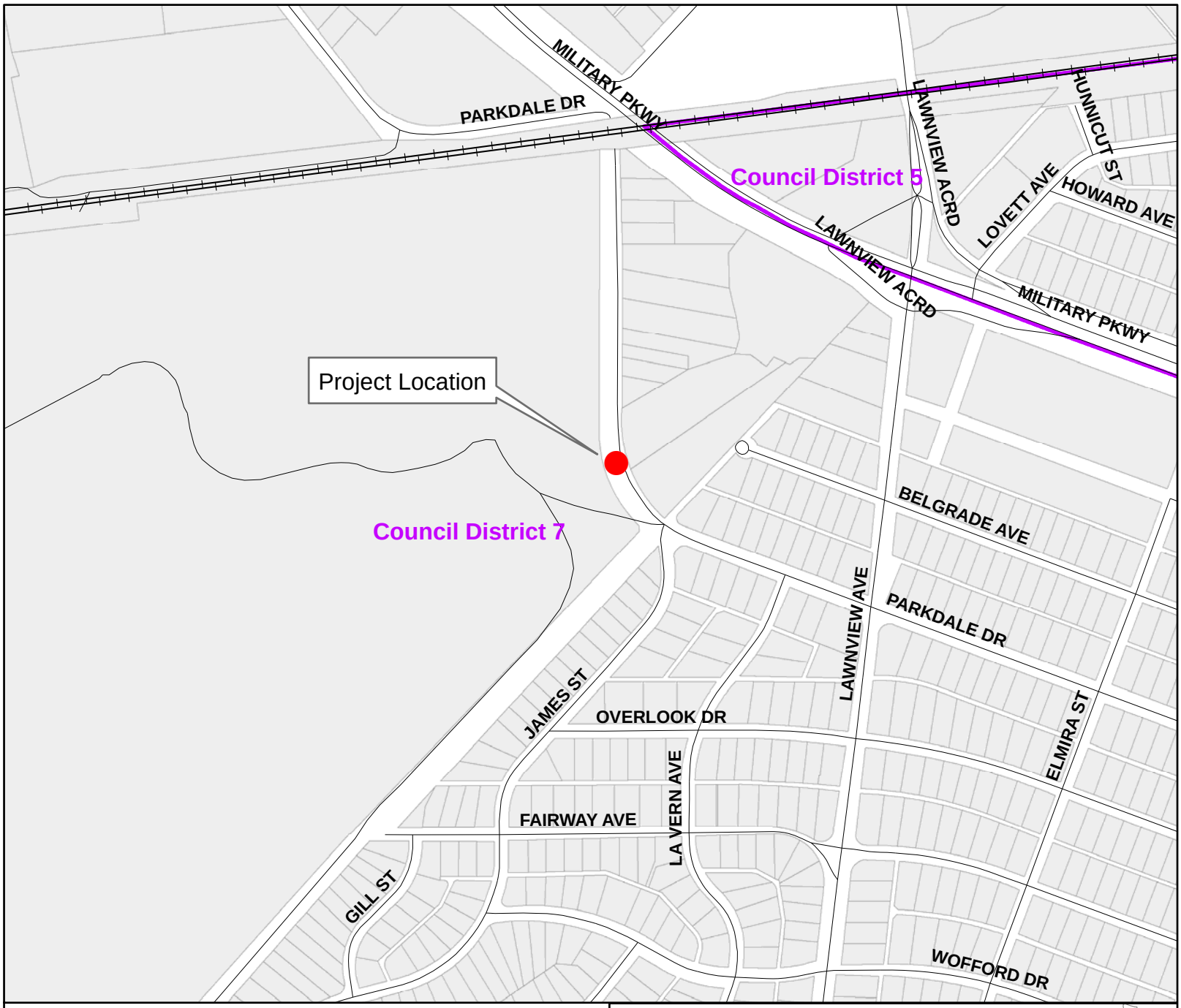
The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this matter on August 4, 2017.

FISCAL INFORMATION

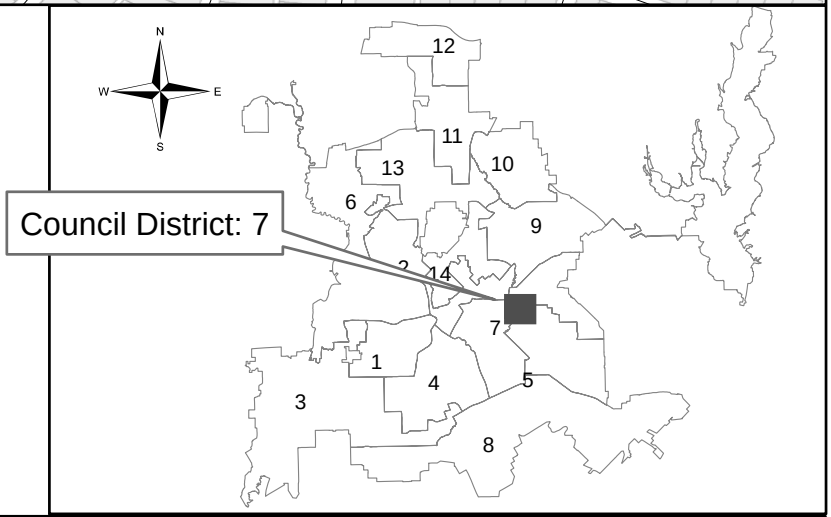
Water Utilities Capital Construction Funds - $3,000
Water Utilities Capital Improvement Funds - $98,000

MAP

Attached



Mapsco: 47 Q



Dallas Water Utilities
Contract No. 17-381F
Water Main Relocations and Adjustments
in Parkdale Drive at White Rock Creek Tributary

August 9, 2017

WHEREAS, the Texas Department of Transportation (TxDOT) has plans to replace the Parkdale Bridge on Parkdale Drive at White Rock Creek Tributary; and

WHEREAS, TxDOT has agreed to incorporate Dallas Water Utilities' (DWU) water and main relocations and appurtenance adjustments in Parkdale Drive at White Rock Creek Tributary into their contract; and

WHEREAS, TxDOT has submitted an acceptable Advance Funding Agreement that incorporates DWU's relocations and adjustments in advance of bridge replacement into the State's construction plans; and

WHEREAS, under the Advance Funding Agreement with the State of Texas, acting through TxDOT, DWU will provide funding, construction inspection services, and approval of any design changes for the water main relocations and adjustments; and

WHEREAS, the Advance Funding Agreement will allow the State to proceed with the advertisement, award of the construction contract, and provide contract administration.

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 Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, approved as to form by the City Attorney, for construction of water main relocations and appurtenance adjustments in Parkdale Drive at White Rock Creek Tributary, in an amount not to exceed $101,000.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $101,000 to the Texas Department of Transportation, as follows:

Contract No.17-381F
Water Capital Improvement Fund
Fund 3115, Department DWU, Unit PW42
Object 4550, Program 717381, Vendor 020318
Contract No./Encumbrance CX DWU-2017-00002286

$ 98,000

SECTION 2. (continued)

Contract No. 17-381F
Water Construction Fund
Fund 0102, Department DWU, Unit CW42
Object 3221, Program 717381X, Vendor 020318
Contract No./Encumbrance CX DWU-2017-00002286

$ 3,000

Total amount not to exceed $101,000

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 # 42

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Water Utilities

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 79 C D

SUBJECT

Authorize a contract for the construction of major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant - Archer Western Construction, LLC, lowest responsible bidder of three - Not to exceed $15,154,000 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This action will authorize major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant. The project includes the replacement of various mechanical infrastructure throughout the plant, such as piping, valves, pumps, motors and drives that have reached the end of their useful life. The work also includes electrical improvements at Effluent Pump Station A and Influent Pump Station C which will improve efficiency and reduce operation and maintenance costs. Also included are improvements to the chlorine and sulfur dioxide emergency scrubber systems to improve reliability and safety.

This project was recommended in the 2010 Wastewater Treatment Facilities Strategic Plan.

The following chart illustrates Archer Western, LLC's contractual activities with the City of Dallas for the past three years:

	MSS	DWU	PKR
Projects Completed	0	4	0
Change Orders	0	8	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Study	May 2015
Completed Study	February 2016
Began Design	July 2016
Completed Design	April 2017
Begin Construction	October 2017
Complete Construction	October 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 13, 2015, City Council authorized an engineering contract to provide engineering services for an evaluation/study and preliminary design related to major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant by Resolution No. 15-0852.

On May 11, 2016, City Council authorized Supplemental Agreement No. 1 to the engineering services contract for additional engineering services for design and construction administration associated with major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant by Resolution No.16-0754.

The Mobility Solutions, Infrastructure and Sustainability Committee will be briefed by memorandum regarding this item on August 4, 2017.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - $15,154,000

Design	$ 1,498,958
Supplemental Agreement No. 1	$ 1,770,000
Construction (this action)	$15,154,000
Total Project Cost	$18,422,958

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Archer Western Construction, LLC

Hispanic Female	38	Hispanic Male	1,258
Black Female	26	Black Male	219
White Female	38	White Male	575
Other Female	9	Other Male	87

BID INFORMATION

The following three bids with quotes were opened on May 26, 2017:

*Denotes successful bidder

Bidders	Bid Amount
*Archer Western Construction, LLC 1411 Greenway Drive Irving, Texas 75038	$15,154,000
Crescent Constructors, Inc.	$16,767,000
Winston Electric, Inc. dba Acme Electric	$18,482,000

OWNER

Archer Western Construction, LLC

Daniel P. Walsh, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the construction of major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant - Archer Western Construction, LLC, lowest responsible bidder of three - Not to exceed $15,154,000 - Financing: Water Utilities Capital Improvement Funds

Archer Western Construction, LLC, is 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	$6,592,019.06	43.50%
Total non-local contracts	$8,561,980.94	56.50%
TOTAL CONTRACT	$15,154,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Texas Star Transport LP	HFDB73806Y0218	$4,850.00	0.07%
James C. Paris	NMDB1097340717	$1,202,339.35	18.24%
Total Minority - Local		$1,207,189.35	18.31%

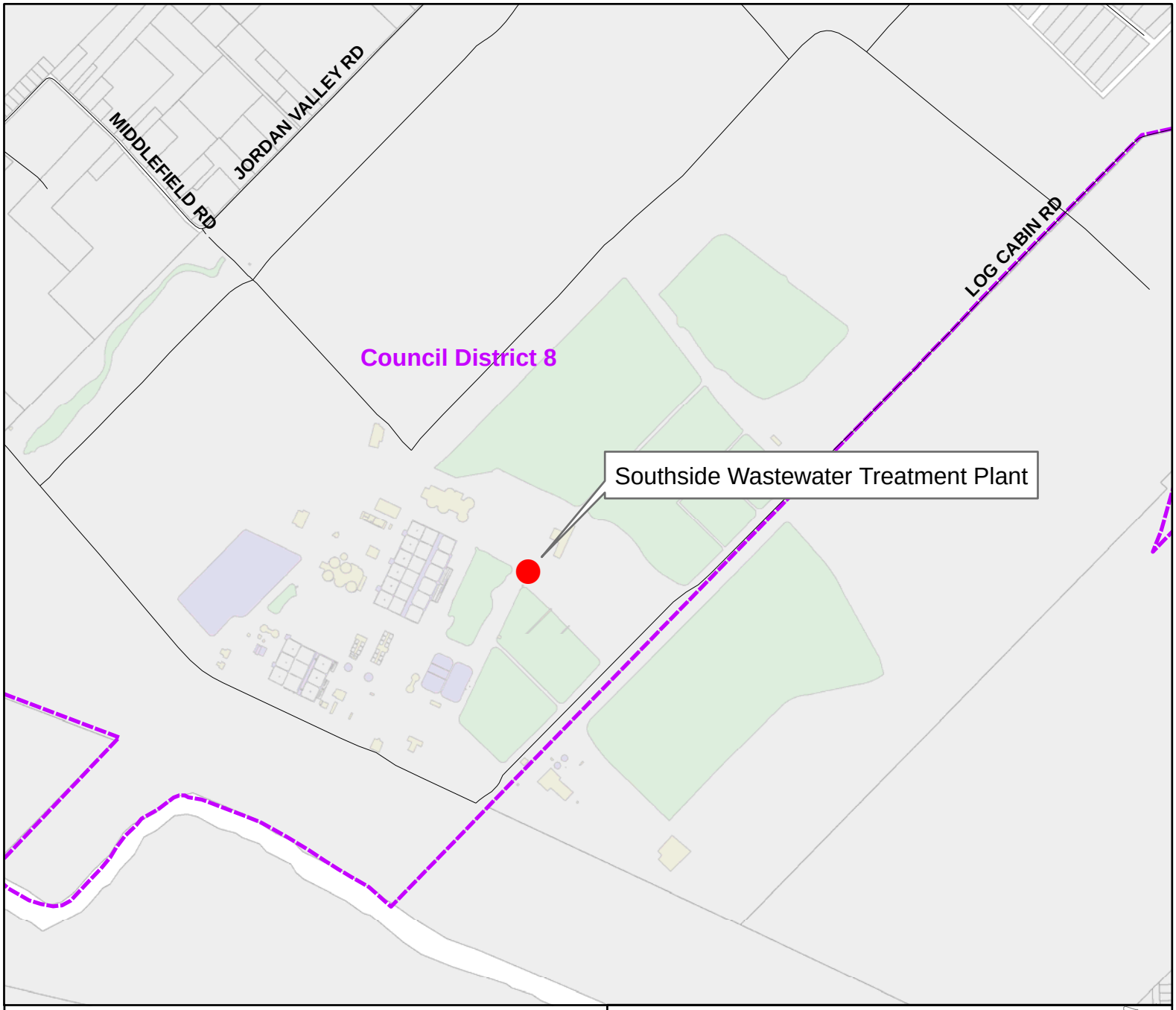
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Partnering for Success	HFMB42467Y0618	$7,500.00	0.09%
JML Distributing, Inc.	WFDB13078Y0518	$2,620,717.00	30.61%
Ricochet Distributor, Inc.	WFWB69066Y0219	$25,000.00	0.29%
Total Minority - Non-local		$2,653,217.00	30.99%

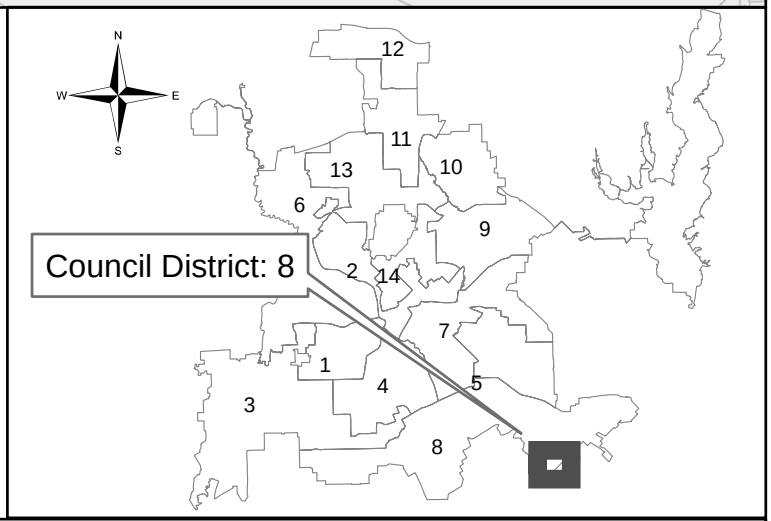
BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$4,850.00	0.07%	$12,350.00	0.08%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$1,202,339.35	18.24%	$1,202,339.35	7.93%
WBE	$0.00	0.00%	$2,645,717.00	17.46%
Total	$1,207,189.35	18.31%	$3,860,406.35	25.47%



Mapsco: 79 C D



Dallas Water Utilities
Contract No. 16-176
Southside Wastewater Treatment Plant
Major Maintenance and Rehabilitation Improvements

August 9, 2017

WHEREAS, on May 26, 2017, the three bids listed below were received in response to Contract No. 16-176 for the construction of major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant, Contract No. 16-176, listed as follows:

Bidders	**Bid Amount**
Archer Western Construction, LLC	$15,154,000
Crescent Constructors, Inc.	$16,767,000
Winston Electric Inc. dba Acme Electric	$18,482,000

WHEREAS, the bid submitted by Archer Western Construction, LLC, 1411 Greenway Drive, Irving, Texas 75038, in the amount of $15,154,000, is the lowest and offers the best value to the City 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 Archer Western Construction, LLC, in the amount of $15,154,000, for doing the work covered by the plans, specifications, and contract documents, Contract No. 16-176, be accepted.

SECTION 2. That the City Manager is hereby authorized to sign a construction contract with Archer Western Construction, LLC, approved as to form by the City Attorney, for construction of major maintenance and rehabilitation improvements at the Southside Wastewater Treatment Plant, in an amount not to exceed $15,154,000.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $15,154,000 to Archer Western Construction, LLC (Contract No. 16-176) from Wastewater Capital Improvement Fund, Fund 3116, Department DWU, Unit PS31, Object 4330, Program 716176, Contract No./Encumbrance CX DWU-2017-00002277, Vendor VS0000064407.

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: August 9, 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 # 44

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Secretary

CMO: Rosa A. Rios, 670-3738

MAPSCO: N/A

SUBJECT

A resolution authorizing the reinstatement of the Texas State Library and Archives Commission (TSL) required retention period for specific records series maintained by the City Secretary's Office - Financing: No cost consideration to the City

BACKGROUND

On November 14, 1990, City Council adopted a records management program, subsequently codified in Chapter 39C of the Dallas City Code by Ordinance No. 20787.

On April 11, 2007, City Council adopted longer retention periods for specific record series maintained by the City Secretary's Office: (1) Application for a Place on the Ballot, (2) Campaign Treasurer, (3) Election Campaign Contributions, (4) Conflict of Interest Questionnaire, and (5) Conflict of Interest Disclosure Statement by Resolution No. 07-1168.

On August 31, 2016, in accordance with the Dallas City Code Chapter 39C, Section 8(d)(3), the Records Management Policy (RMPC) Committee, comprised of the city attorney, city auditor, city manager, and city secretary, met to discuss restoring the retention periods to match that of the TSL for the noted record series. The RMPC supported restoration of the TSL retention periods and recommended City Council approval.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 28, 1998, City Council, authorized approval and submission with Texas State Library and Archives Commission (TSL) of a *Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act* form (SLR Form 508) by Resolution No. 98-3152.

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

On April 11, 2007, City Council adopted a longer retention period for specific record series maintained by the City Secretary's Office: (1) Application for a Place on the Ballot, (2) Campaign Treasurer, (3) Election Campaign Contributions, (4) Conflict of Interest Questionnaire, and (5) Conflict of Interest Disclosure Statement by Resolution No. 07-1168.

On May 24, 2017, the Administrative Ad Hoc Committee reviewed and unanimously approved restoration of the retention periods to that of the Texas State Library and Archives Commission (TSL) and recommended City Council approval.

FISCAL INFORMATION

No cost consideration to the City.

August 9, 2017

WHEREAS, on November 14, 1990, City Council adopted requirements of the Local Government Records Act which were subsequently codified in Chapter 39C of the Dallas City Code by Ordinance No. 20787; and

WHEREAS, on September 24, 1997, City Council amended Ordinance No. 20787 that provided for the approval and implementation of records retention and disposition schedules by Ordinance No. 23267; and

WHEREAS, on October 28, 1998, City Council authorized approval and submission of a *Declaration of Compliance with the Records Scheduling Requirements of the Local Government Records Act* form (SLR Form 508) by Resolution No. 98-3152; and

WHEREAS, on April 11, 2007, City Council adopted a longer retention period for specific record series maintained by the City Secretary's Office: (1) Application for a Place on the Ballot, (2) Campaign Treasurer, (3) Election Campaign Contributions, (4) Conflict of Interest Questionnaire, and (5) Conflict of Interest Disclosure Statement by Resolution No. 07-1168; and

WHEREAS, Dallas City Code, Section 39C-14(c), requires the approval of the department director, the records management officer, and the Records Management Policy Committee (comprised of the city manager, city attorney, city auditor and city secretary) before a records retention and disposition schedule or amended schedule for a department can be presented for adoption by the City Council; and

WHEREAS, on August 31, 2016, in accordance with Dallas City Code, Section 39C-8(d)(3), the Records Management Policy Committee met to review and recommended approval of the requested changes to the retention periods for the noted record series; and

WHEREAS, on May 24, 2017, the Administrative Ad Hoc Committee met and reviewed, discussed and approved the requested changes to the retention periods for the noted record series.

Now Therefore,

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

SECTION 1. That the longer retention periods for specific record series, previously approved on April 11, 2007, by Resolution 07-1168, be reinstated to the minimum legal retention periods as set forth in the retention schedules developed by the Texas State Library and Archives Commission: (1) Application for a Place on the Ballot, (2) Campaign Treasurer, (3) Election Campaign Contributions, (4) Conflict of Interest Questionnaire, and (5) Conflict of Interest Disclosure Statement, further noted in Exhibit A to this resolution.

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

EXHIBIT A

Records Series Title	**Types of Records & *Comments***	**Council Approved Retention Period (07-1168)**	**TSL Retention Number & Required Retention**
Election Campaign Contributions	Title 15 Reports *(state form) Includes candidates and special or general purpose PACs*	5 years	EL 3125-01A Date of filing + 2 years
Campaign Treasurer	Designation of Campaign Treasurer (*state form). Includes candidates and special or general purpose PACs*	Termination + 5 years	EL 3125-01B 2 years after appointment is terminated
Application for Place on Ballot	Application of Place on Ballot *(state form)* Petition *(state form)*	5 years	EL 3125-02A Election day + 2 years
Conflict of Interest – Vendor Questionnaire	Conflict of Interest Questionnaire (*state form) Vendors are required to file on September 1 each year unless they have filed a form on or after June 1 of that year*	Date of filing + 5 years	GR 1000-43 Date of filing + 3 years
Conflict of Interest - Government Officer Conflict Disclosure Statement	Local Government Officer Conflict Disclosure Statement *(state form)*	5 years after leaving position	GR 1000-43 Date of filing + 3 years

AGENDA ITEM # 45

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Secretary
City Attorney's Office

CMO: Rosa A. Rios, 670-3738
Larry Casto, 670-3519

MAPSCO: N/A

SUBJECT

An ordinance ordering a bond election to be held in the city of Dallas on November 7, 2017, for the purpose of authorizing general obligation bonds by the qualified voters of the city of Dallas - Financing: No cost consideration to the City

BACKGROUND

This action orders a special election to submit to the qualified voters of the City general obligation bonds to be used to fund permanent public improvements. Section 3.005(c) of the Texas Election Code states in part that "For an election to be held on a uniform election date, the election shall be ordered not later than the 78th day before election day." The 78th date before election day is August 21, 2017.

In early 2016, the City Council began exploring the possibility of a new Capital Bond Program to address needed infrastructure improvements. Throughout the year, public meetings were conducted to discuss the 2017 Capital Bond Program and its components. In April 2017, the Council formed a Citizens Bond Task Force (CBTF) and five Subcommittees to review projects for the upcoming Bond Program. Upon conclusion of the CBTF review and briefings on June 7 and June 21, 2017, Council adopted a resolution supporting a $1,025,000,000 Capital Bond Program.

Working with Council, staff has finalized a proposed 2017 Capital Bond Program that is ready to be submitted to the voters for approval on November 7, 2017. Dallas voters will consider approving a $1,025,000,000 Capital Bond Program to be allocated among the following 10 propositions concerning:

Proposition A.	Streets and Transportation
Proposition B.	Parks and Recreation
Proposition C.	Flood Protection and Storm Drainage
Proposition D.	Library Facilities

BACKGROUND (continued)

Proposition E.	Cultural Arts Facilities
Proposition F.	Public Safety Facilities
Proposition G.	City Hall and other City Facilities
Proposition H.	Economic Development
Proposition I.	Homeless Assistance Facilities
Proposition J.	Fair Park

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 20, 2016, City Council was briefed on "The Path to the May 2017 Bond Program".

On June 1, 2016, City Council was briefed on "Summary Technical Criteria".

On September 7, 2016, City Council was briefed on "2017 Bond Program Development".

On September 21, 2016, City Council was briefed on "2017 Bond Program Development Part II".

On November 2, 2016, City Council was briefed on “The BIG Picture 2017 Bond Program: Review of Citizen Input and Set Overall Policy Objectives”.

On January 4, 2017, City Council was briefed on “The BIG Picture 2017 Bond Program: DRAFT Bond Program”.

On March 29 and 30, 2017, City Council was briefed at the Council Retreat on the Bond Program (minutes referenced “Bond Program”) Process.

On June 7, 2017, City Council was briefed on the “Proposed 2017 Capital Bond Program and Project Recommendations”.

On June 21, 2017, City Council was briefed on the “2017 Capital Bond Program Update”.

On June 28, 2017, City Council approved a resolution to formally indicate their support of the approximate total amount of $1,025,000,000 for the proposed 2017 Capital Bond Program.

FISCAL INFORMATION

No cost consideration to the City.

7/28/17

ORDINANCE NO. _____

An ordinance ordering a bond election to be held in the city of Dallas on November 7, 2017, for the purpose of authorizing general obligation bonds; prescribing the form of the ballot; designating polling places; providing for the use of an electronic voting system for early voting by personal appearance, a computerized voting system for early voting by mail, and electronic and computerized voting systems for voting on election day; permitting only resident qualified voters to vote; providing for early voting; providing for an early voting ballot board to process early voting; providing for notice of the election; and providing an effective date.

WHEREAS, the city council of the city of Dallas has determined that it is advisable that an election be called to submit propositions for the issuance of general obligation bonds of the city for the purposes stated in the listed propositions; and

WHEREAS, the city council finds and declares that the meeting at which this ordinance is considered is open to the public as required by law, and that public notice of the time, place, and purpose of the meeting was given as required by Chapter 551, Texas Government Code, as amended; Now, Therefore,

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

SECTION 1. That a bond election is ordered to be held in the city of Dallas on Saturday, November 7, 2017, between the hours of 7:00 a.m. and 7:00 p.m., which date is not less than 78 days nor more than 90 days from the effective date of this ordinance, and which election is for the purpose of authorizing general obligation bonds. At the election, the following propositions will be submitted to the qualified voters of the city:

CITY OF DALLAS - PROPOSITION A

Shall the city council of the city of Dallas, Texas, be authorized to issue general obligation bonds of the city in the aggregate principal amount of $526,481,000 for the purpose of providing funds for permanent public improvements, to-wit: planning, designing, constructing, reconstructing, improving, extending, reconfiguring, and expanding streets, circulation elements, thoroughfares, freeways, intersections, alleys, medians, sidewalks, bridges, and pedestrian and bike ways, including related storm drainage facilities and improvements, signalization, pedestrian warning devices, signage, markings, video roadside cameras, and other traffic and signal controls, street lighting, pedestrian lighting, landscaping, streetscape and median improvements, railroad crossing quiet zones and the related acquisition of land; said bonds to mature serially over a period not to exceed twenty (20) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the city council under laws in effect at the time of issuance and to provide for the payment of the principal and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due; where $713,842,500 is the estimated amount of repayment, including principal and interest, based on current market conditions?

CITY OF DALLAS - PROPOSITION B

Shall the city council of the city of Dallas, Texas, be authorized to issue general obligation bonds of the city in the aggregate principal amount of $241,307,000 for the purpose of providing funds for permanent public improvements; to-wit: planning, designing, constructing, improving, renovating, repairing, replacing, expanding and equipping park and recreation facilities and the acquisition of land therefor; said bonds to mature serially over a period not to exceed twenty (20) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the city council under laws in effect at the time of issuance, and to provide for the payment of the principal and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due; where $327,176,250 is the estimated amount of repayment, including principal and interest, based on current market conditions?

CITY OF DALLAS - PROPOSITION C

Shall the city council of the city of Dallas, Texas, be authorized to issue general obligation bonds of the city in the aggregate principal amount of $48,750,000 for the purpose of providing funds for permanent public improvements; to-wit: planning, designing, constructing, improving, renovating, repairing, replacing, and expanding flood protection and storm drainage facilities and improvements, erosion control, including necessary and appropriate relocation of utilities and the acquisition of land related thereto; said bonds to mature serially over a period not to exceed twenty (20) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the city council under laws in effect at the time of issuance, and to provide for the payment of the principal and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due; where $66,088,750 is the

estimated amount of repayment, including principal and interest, based on current market conditions?

CITY OF DALLAS - PROPOSITION D

Shall the city council of the city of Dallas, Texas, be authorized to issue general obligation bonds of the city in the aggregate principal amount of $15,589,000 for the purpose of providing funds for permanent public improvements; to-wit: planning, designing, constructing, renovating, repairing, replacing, improving, expanding and equipping library facilities and the acquisition of land therefor; said bonds to mature serially over a period not to exceed twenty (20) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the city council under laws in effect at the time of issuance, and to provide for the payment of the principal and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due; where $21,124,500 is the estimated amount of repayment, including principal and interest, based on current market conditions?

CITY OF DALLAS - PROPOSITION E

Shall the city council of the city of Dallas, Texas, be authorized to issue general obligation bonds of the city in the aggregate principal amount of $14,235,000 for the purpose of providing funds for permanent public improvements; to-wit: planning, designing, constructing, renovating, repairing, replacing, improving, expanding and equipping cultural and performing arts facilities and the acquisition of land therefor; said bonds to mature serially over a period not to exceed twenty (20) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the city council under laws in effect at the time of issuance, and to provide for the payment of the principal and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due; where $19,294,500 is the estimated amount of repayment, including principal and interest, based on current market conditions?

CITY OF DALLAS - PROPOSITION F

Shall the city council of the city of Dallas, Texas, be authorized to issue general obligation bonds of the city in the aggregate principal amount of $32,081,000 for the purpose of providing funds for permanent public improvements; to-wit: planning, designing, constructing, renovating, repairing, replacing, improving, expanding and equipping public safety facilities, including police substations, fire stations, police and fire training and related facilities and the acquisition of land therefor; said bonds to mature serially over a period not to exceed twenty (20) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the city council under laws in effect at the time of issuance, and to provide for the payment of the principal and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due; where $43,491,250 is the estimated amount of repayment, including principal and interest, based on current market conditions?

CITY OF DALLAS - PROPOSITION G

Shall the city council of the city of Dallas, Texas, be authorized to issue general obligation bonds of the city in the aggregate principal amount of $18,157,000 for the purpose of providing funds for permanent public improvements; to-wit: renovating, repairing, improving, expanding and equipping City Hall and City service and administrative facilities, including repair, replacement, and improvement of roofs, mechanical, electrical, plumbing, air conditioning, heating and ventilation equipment and systems, and improvements required by the Americans with Disabilities Act and other applicable laws; said bonds to mature serially over a period not to exceed twenty (20) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the city council under laws in effect at the time of issuance, and to provide for the payment of the principal and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due; where $24,608,750 is the estimated amount of repayment, including principal and interest, based on current market conditions?

CITY OF DALLAS - PROPOSITION H

Shall the city council of the city of Dallas, Texas, be authorized to issue general obligation bonds of the city in the aggregate principal amount of $58,400,000 for the purpose of providing funds for promoting economic development throughout the city, through planning, designing, constructing, improving, extending and expanding public street, utility, and other infrastructure facilities, including the acquisition of land therefor, and through the city's programs for economic development and housing including the acquisition of improved and unimproved properties, the demolition of existing structures, making grants of bond proceeds and otherwise providing assistance for private commercial, industrial, retail, residential and mixed-use development, neighborhood revitalization projects, and mixed income development; said bonds to mature serially over a period not to exceed twenty (20) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the city council under laws in effect at the time of issuance, and to provide for the payment of the principal and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due; where $79,176,250 is the estimated amount of repayment, including principal and interest, based on current market conditions?

CITY OF DALLAS - PROPOSITION I

Shall the city council of the city of Dallas, Texas, be authorized to issue general obligation bonds of the city in the aggregate principal amount of $20,000,000 for the purpose of providing funds for permanent public improvements; to-wit: planning, designing, constructing, renovating, repairing, replacing, improving, expanding, and equipping facilities to serve the homeless population in the city, including permanent, supportive and transitional housing; said bonds to mature serially over a period not to exceed twenty (20) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the city council under laws in effect at the time of issuance, and to provide for the payment of the principal and interest on said bonds by levying a tax sufficient

to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due; where $27,115,750 is the estimated amount of repayment, including principal and interest, based on current market conditions?

CITY OF DALLAS - PROPOSITION J

Shall the city council of the city of Dallas, Texas, be authorized to issue general obligation bonds of the city in the aggregate principal amount of $50,000,000 for the purpose of providing funds for permanent public improvements; to-wit: planning, designing, constructing, renovating, repairing, replacing, improving, expanding, and equipping facilities at Fair Park, including open space and recreation facilities, and; said bonds to mature serially over a period not to exceed twenty (20) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the city council under laws in effect at the time of issuance, and to provide for the payment of the principal and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due; where $67,781,500 is the estimated amount of repayment, including principal and interest, based on current market conditions?

SECTION 2. That, pursuant to Section 3.009 of the Texas Election Code, as amended, the following information is provided: the aggregate amount of the outstanding principal of the city's tax-supported debt obligations as of the beginning of the city's fiscal year, which is October 1, 2017, is $1,632,595,997; that the aggregate amount of outstanding interest on such tax-supported debt obligations of the city as of the beginning of the city's fiscal year is $1,007,772,469; and that city's ad valorem tax rate for the current fiscal year is 78.25¢ per $100 valuation with 56.01¢ per $100 valuation used for operating and maintenance costs incurred in the city's general fund and 22.24¢ per $100 valuation used to pay principal and interest on the city's outstanding general obligation debt.

SECTION 3. That the city intends to issue the bonds authorized by the propositions, if approved, over a period of years in a manner and in accordance with a schedule to be determined by the city council based upon a number of factors, including, but not limited to, the then-current needs of the city, demographic changes, prevailing market conditions, assessed valuations in the city, the use of variable rate debt, and management of the city's short-term and long-term interest

rate exposure. Market conditions, demographics, and assessed valuations vary based upon a number of factors beyond the city's control, and the use of variable rate debt involves periodic adjustments in interest rates that vary based on market conditions and contractual obligations. Market conditions are calculated as they existed on or about the date of this ordinance's passage. Therefore, the city cannot, and does not, guarantee a particular interest rate or tax rate associated with the bonds authorized by the propositions. As such, the information contained in this ordinance is provided solely for illustrative purposes and does not establish any limitations or restrictions or create a contract with the voters. The city currently estimates that, if the propositions are approved and the bonds proposed herein are authorized and issued in accordance with the city's current project plan of finance, the maximum interest rate of the bonds is not expected to exceed 5.00%.

SECTION 4. That electronic and computerized voting systems must be used for voting on the bond election date in compliance with the Texas Election Code, as amended, and the vote must be upon an official ballot submitting the propositions in substantially the following form, so as to permit voters to vote "FOR" or "AGAINST" the propositions:

CITY OF DALLAS - PROPOSITION A

THE ISSUANCE OF $526,481,000 GENERAL OBLIGATION BONDS FOR STREET AND TRANSPORTATION IMPROVEMENTS, THE ESTIMATED AMOUNT OF REPAYMENT, INCLUDING PRINCIPAL AND INTEREST BASED ON CURRENT MARKET CONDITIONS BEING $713,842,500.

CITY OF DALLAS - PROPOSITION B

THE ISSUANCE OF $241,307,000 GENERAL OBLIGATION BONDS FOR PARKS AND RECREATION FACILITIES AND IMPROVEMENTS, THE ESTIMATED AMOUNT OF REPAYMENT, INCLUDING PRINCIPAL AND INTEREST BASED ON CURRENT MARKET CONDITIONS BEING $327,176,250.

CITY OF DALLAS - PROPOSITION C

THE ISSUANCE OF $48,750,000 GENERAL OBLIGATION BONDS FOR FLOOD PROTECTION AND STORM DRAINAGE IMPROVEMENTS, THE ESTIMATED AMOUNT OF REPAYMENT, INCLUDING PRINCIPAL AND INTEREST BASED ON CURRENT MARKET CONDITIONS BEING $66,088,750.

CITY OF DALLAS - PROPOSITION D

THE ISSUANCE OF $15,589,000 GENERAL OBLIGATION BONDS FOR LIBRARY FACILITIES AND IMPROVEMENTS, THE ESTIMATED AMOUNT OF REPAYMENT, INCLUDING PRINCIPAL AND INTEREST BASED ON CURRENT MARKET CONDITIONS BEING $21,124,500.

CITY OF DALLAS - PROPOSITION E

THE ISSUANCE OF $14,235,000 GENERAL OBLIGATION BONDS FOR CULTURAL AND PERFORMING ARTS FACILITIES AND IMPROVEMENTS, THE ESTIMATED AMOUNT OF REPAYMENT, INCLUDING PRINCIPAL AND INTEREST BASED ON CURRENT MARKET CONDITIONS BEING $19,294,500.

CITY OF DALLAS - PROPOSITION F

THE ISSUANCE OF $32,081,000 GENERAL OBLIGATION BONDS FOR PUBLIC SAFETY FACILITIES AND IMPROVEMENTS, THE ESTIMATED AMOUNT OF REPAYMENT, INCLUDING PRINCIPAL AND INTEREST BASED ON CURRENT MARKET CONDITIONS BEING $43,491,250.

CITY OF DALLAS - PROPOSITION G

THE ISSUANCE OF $18,157,000 GENERAL OBLIGATION BONDS FOR REPAIRS AND IMPROVEMENTS TO CITY HALL AND TO VARIOUS CITY SERVICE AND ADMINISTRATIVE FACILITIES, THE ESTIMATED AMOUNT OF REPAYMENT, INCLUDING PRINCIPAL AND INTEREST BASED ON CURRENT MARKET CONDITIONS BEING $24, 608,750.

CITY OF DALLAS - PROPOSITION H

THE ISSUANCE OF $58,400,000 GENERAL OBLIGATION BONDS FOR FUNDING THE CITY'S ECONOMIC DEVELOPMENT PROGRAM, THE ESTIMATED AMOUNT OF REPAYMENT, INCLUDING PRINCIPAL AND INTEREST BASED ON CURRENT MARKET CONDITIONS BEING $79,176,250.

CITY OF DALLAS - PROPOSITION I

THE ISSUANCE OF $20,000,000 GENERAL OBLIGATION BONDS FOR PERMANENT, SUPPORTIVE AND TRANSITIONAL HOUSING FACILITIES FOR THE

HOMELESS, THE ESTIMATED AMOUNT OF REPAYMENT, INCLUDING PRINCIPAL AND INTEREST BASED ON CURRENT MARKET CONDITIONS BEING $27,115,750.

CITY OF DALLAS - PROPOSITION J

THE ISSUANCE OF $50,000,000 GENERAL OBLIGATION BONDS FOR FAIR PARK IMPROVEMENTS, THE ESTIMATED AMOUNT OF REPAYMENT, INCLUDING PRINCIPAL AND INTEREST BASED ON CURRENT MARKET CONDITIONS BEING $67, 781,500.

SECTION 5. That the manner of conducting the bond election must be in accordance with the ordinances and charter of the city of Dallas and the laws of the State of Texas applicable to bond elections. The official ballots, together with other election materials required by the Texas Election Code, as amended, must be printed in both English and Spanish and contain all provisions, markings, and language, as may be required by law.

SECTION 6. That the boundaries of the election precincts in which the election is to be held are defined by Ordinance No. 20231, as amended by Ordinance Nos. 20741, 21350, 21579, 22343, 22693, 23348, 24800, 25696, 27484, 28147, 28937, and 29375. Locations of the polling places in the respective election precincts are as designated in **Exhibit A**, attached to this ordinance, but which may be changed by the counties listed below, and which changes, if any, are hereby made part of this ordinance by reference and can be found by contacting the following counties or by visiting the following webpages:

Collin County Elections Department
2010 Redbud Boulevard, McKinney, Texas 75069
Tel: (972) 424-1460 ext.1990 (Metro)
Webpage: http://collincountytx.gov/elections/election_information/Pages/default.aspx

Dallas County Elections Department
2377 N. Stemmons Freeway, Suite 820, Dallas, Texas 75207
Tel: (214) 819-6389
Webpage: http://www.dallascountyvotes.org/election-day-information/upcoming-election-information/

Denton County Elections Department
701 Kimberly Drive, Suite A101, Denton, Texas 76208
Tel: (940) 349-3200
Webpage: http://www.votedenton.com/upcoming-election-information

SECTION 7. That each voter must vote in the precinct in which the voter resides, and only resident qualified voters are entitled to vote.

SECTION 8. That a person qualified to vote and residing in the city of Dallas, but not within any precinct described in Ordinance No. 20231, as amended by Ordinance Nos. 20741, 21350, 21579, 22343, 22693, 23348, 24800, 25696, 27484, 28147, 28937, and 29375, may vote in the precinct nearest the person's residence, and for that purpose the person's residence will be considered as part of that city election precinct. A person who has registered in a city election precinct, but whose residence is not in the city of Dallas, is not entitled to vote in the election even though the person may own property subject to taxation in the city.

SECTION 9. That early voting by personal appearance will be by the use of an electronic voting system in accordance with the Texas Election Code, as amended. Early voting by mail will be by the use of a computerized voting system in accordance with the Texas Election Code, as amended. Early voting will be conducted at the locations and during the dates and times in the respective election precincts as designated in **Exhibit B**, attached to this ordinance, but which may be changed by the counties listed below, and which changes, if any, are hereby made part of this ordinance by reference and can be found by contacting the following counties or by visiting the following webpages:

Collin County Elections Department
2010 Redbud Boulevard, McKinney, Texas 75069
Tel: (972) 424-1460 ext.1990 (Metro)
Webpage: http://collincountytx.gov/elections/election_information/Pages/default.aspx

Dallas County Elections Department
2377 N. Stemmons Freeway, Suite 820, Dallas, Texas 75207
Tel: (214) 819-6389
Webpage: http://www.dallascountyvotes.org/election-day-information/upcoming-election-information/

Denton County Elections Department
701 Kimberly Drive, Suite A101, Denton, Texas 76208
Tel: (940) 349-3200
Webpage: http://www.votedenton.com/upcoming-election-information

SECTION 10. That applications for early voting ballots to be voted by mail must be mailed to the following:

Collin County:
Early Voting Collin County Elections Administration Office
2010 Redbud Boulevard, Suite 102
McKinney, Texas 75069

Dallas County:
Early Voting Clerk, Dallas County Elections Department
2377 N. Stemmons Freeway, Suite 820
Dallas, TX 75207

Denton County:
Early Voting Clerk, Denton County Elections Administration Office
P.O. Box 1720
Denton, Texas 76202

Applications for early voting ballots by mail must be received no later than the close of business on Friday, October 27, 2017.

SECTION 11. That applications for early voting ballots to be voted by mail may, pursuant to Section 84.007 of the Texas Election Code, be sent to the following email addresses:

Collin County: absenteemailballoting@collincountytx.gov
Dallas County: evapplications@dallascounty.org
Denton County: elections@dentoncounty.com

SECTION 12. That the early voting ballots will be processed by an early voting ballot board to be created in accordance with the Texas Election Code, as amended.

SECTION 13. That the mayor or, in the mayor's absence or inability to act, the mayor *pro tem*, shall give notice of the bond election by causing the notice to be published in a newspaper within the city and posted on the city's public meeting bulletin board in accordance with applicable state law.

SECTION 14. That the mayor, the city manager, and the city secretary, in consultation with the city attorney, are hereby jointly and severally authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Elections Code and the Federal Voting Rights Act in carrying out and conducting the election, whether or not expressly authorized in this ordinance.

SECTION 15. That this ordinance will take effect immediately from and after its passage and publication in accordance with the provisions of the Dallas City Charter, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____

7/19/17

ORDENANZA NÚM. _____

Una ordenanza que ordena la realización de una elección de bonos en la ciudad de Dallas el 7 de noviembre de 2017, con el propósito de autorizar bonos de obligación general; establece la forma de la boleta de votación; designa los lugares de votación; estipula el uso de un sistema de votación electrónica para la votación anticipada en persona, un sistema de votación computarizada para la votación anticipada por correo y sistemas de votación electrónica y computarizada para la votación el día de la elección; permite que solo voten los votantes calificados residentes; contempla la votación anticipada; estipula que un consejo de boletas de votación anticipada procese los votos anticipados; establece el aviso de la elección; y proporciona una fecha de entrada en vigencia.

EN VISTA DE QUE, el consejo municipal de la ciudad de Dallas ha determinado que es aconsejable convocar a una elección a fin de presentar proposiciones sobre la emisión de bonos de obligación general de la ciudad con los propósitos establecidos en las proporciones a continuación; y

EN VISTA DE QUE, el consejo municipal halla y declara que la asamblea en que esta ordenanza es considerada está abierta al público, como lo exige la ley, y que se dio aviso público de la hora, el lugar y el propósito de la asamblea, según es requerido por el Capítulo 551 del Código de Gobierno de Texas, como enmendado; Ahora, por lo tanto,

EL CONSEJO MUNICIPAL DE LA CIUDAD DE DALLAS ORDENA:

SECCIÓN 1. Se ordena que una elección de bonos sea celebrada el sábado 7 de noviembre de 2017 en la ciudad de Dallas, en el horario de 7:00 a.m. a 7:00 p.m., cuya fecha es no menor de setenta y ocho (78) días ni tampoco mayor de noventa (90) días de la fecha de entrada

en vigencia de esta ordenanza, y cuya elección tiene el fin de autorizar bonos de obligación general.

En la elección se presentarán las siguientes proposiciones a los votantes calificados de la ciudad:

CIUDAD DE DALLAS: PROPOSICIÓN A

¿Deberá otorgarse autorización al consejo municipal de la ciudad de Dallas, Texas, a emitir bonos de obligación general de la ciudad por la cantidad total de capital de $543,981,000 con el propósito de proveer fondos para mejoras públicas permanentes, a saber: la planificación, diseño, construcción, reconstrucción, mejoramiento, extensión, reconfiguración y ampliación de calles, elementos de circulación, carreteras, autopistas, intersecciones, callejones, aceras, puentes y vías de peatones y bicicletas, incluyendo las mejoras e instalaciones de drenaje de agua de tormenta relacionadas, señalización, dispositivos de advertencia a peatones, señales, marcas, cámaras de video al lado de carreteras y otros controles de señales y tráfico, iluminación de calles, iluminación peatonal, mejoras de jardines, paisaje urbano y de medianeras, zonas silenciosas de cruce de ferrocarril y la adquisición relacionada de tierras; dichos bonos para madurar en serie por un período que no supere los veinte (20) años de su fecha, a emitirse en ciertos plazos y venderse a cierto precio o precios y a devenir interés a cierta tasa o tasas como lo determine el criterio del consejo municipal bajo las leyes vigentes en el momento de emisión y a disponer el pago del capital y del interés de dichos bonos mediante la imposición de un impuesto suficiente para pagar el interés anual y crear un fondo de amortización suficiente para redimir dichos bonos en el momento de su vencimiento; donde $737,811,500 es la cantidad estimada de devolución, que incluye el capital y los intereses, según las condiciones actuales del mercado?

CIUDAD DE DALLAS: PROPOSICIÓN B

¿Deberá otorgarse autorización al consejo municipal de la ciudad de Dallas, Texas, a emitir bonos de obligación general de la ciudad por la cantidad total de capital de $224,107,000 con el propósito de proveer fondos para mejoras públicas permanentes, a saber: la planificación, diseño, construcción, mejoramiento, renovación, reparación, reemplazo, ampliación y equipamiento de instalaciones de recreación y parques y la adquisición de tierras para lo anterior; dichos bonos para madurar en serie por un período que no supere los veinte (20) años de su fecha, a emitirse en ciertos plazos y venderse a cierto precio o precios y a devenir interés a cierta tasa o tasas como lo determine el criterio del consejo municipal bajo las leyes vigentes en el momento de emisión y a disponer el pago del capital y del interés de dichos bonos mediante la imposición de un impuesto suficiente para pagar el interés anual y crear un fondo de amortización suficiente para redimir dichos bonos en el momento de su vencimiento; donde $303,955,000 es la cantidad estimada de devolución, que incluye el capital y los intereses, según las condiciones actuales del mercado?

CIUDAD DE DALLAS: PROPOSICIÓN C

¿Deberá otorgarse autorización al consejo municipal de la ciudad de Dallas, Texas, a emitir bonos de obligación general de la ciudad por la cantidad total de capital de $59,690,000 con el propósito de proveer fondos para mejoras públicas permanentes, a saber: la planificación, diseño, construcción, mejoramiento, renovación, reparación, reemplazo y ampliación de las instalaciones y mejoras de protección contra inundaciones y de drenaje de agua de tormenta y, control de la erosión, incluyendo la reubicación necesaria y correspondiente de los servicios públicos y la

adquisición de tierras para lo anterior; dichos bonos para madurar en serie por un período que no supere los veinte (20) años de su fecha, a emitirse en ciertos plazos y venderse a cierto precio o precios y a devenir interés a cierta tasa o tasas como lo determine el criterio del consejo municipal bajo las leyes vigentes en el momento de emisión y a disponer el pago del capital y del interés de dichos bonos mediante la imposición de un impuesto suficiente para pagar el interés anual y crear un fondo de amortización suficiente para redimir dichos bonos en el momento de su vencimiento; donde $80,957,750 es la cantidad estimada de devolución, que incluye el capital y los intereses, según las condiciones actuales del mercado?

CIUDAD DE DALLAS: PROPOSICIÓN D

¿Deberá otorgarse autorización al consejo municipal de la ciudad de Dallas, Texas, a emitir bonos de obligación general de la ciudad por la cantidad total de capital de $15,589,000 con el propósito de proveer fondos para mejoras públicas permanentes, a saber: la planificación, diseño, construcción, renovación, reparación, reemplazo, mejora, ampliación y equipamiento de instalaciones de bibliotecas y la adquisición de tierras para lo anterior; dichos bonos para madurar en serie por un período que no supere los veinte (20) años de su fecha, a emitirse en ciertos plazos y venderse a cierto precio o precios y a devenir interés a cierta tasa o tasas como lo determine el criterio del consejo municipal bajo las leyes vigentes en el momento de emisión y a disponer el pago del capital y del interés de dichos bonos mediante la imposición de un impuesto suficiente para pagar el interés anual y crear un fondo de amortización suficiente para redimir dichos bonos en el momento de su vencimiento; donde $21,132,750 es la cantidad estimada de devolución, que incluye el capital y los intereses, según las condiciones actuales del mercado?

CIUDAD DE DALLAS: PROPOSICIÓN E

¿Deberá otorgarse autorización al consejo municipal de la ciudad de Dallas, Texas, a emitir bonos de obligación general de la ciudad por la cantidad total de capital de $14,235,000 con el propósito de proveer fondos para mejoras públicas permanentes, a saber: la planificación, diseño, construcción, renovación, reparación, reemplazo, mejora, ampliación y equipamiento de instalaciones culturales y de artes dramáticas y la adquisición de tierras para lo anterior; dichos bonos para madurar en serie por un período que no supere los veinte (20) años de su fecha, a emitirse en ciertos plazos y venderse a cierto precio o precios y a devenir interés a cierta tasa o tasas como lo determine el criterio del consejo municipal bajo las leyes vigentes en el momento de emisión y a disponer el pago del capital y del interés de dichos bonos mediante la imposición de un impuesto suficiente para pagar el interés anual y crear un fondo de amortización suficiente para redimir dichos bonos en el momento de su vencimiento; donde $19,302,750 es la cantidad estimada de devolución, que incluye el capital y los intereses, según las condiciones actuales del mercado?

CIUDAD DE DALLAS: PROPOSICIÓN F

¿Deberá otorgarse autorización al consejo municipal de la ciudad de Dallas, Texas, a emitir bonos de obligación general de la ciudad por la cantidad total de capital de $31,781,000 con el propósito de proveer fondos para mejoras públicas permanentes, a saber: la planificación, diseño, construcción, renovación, reparación, reemplazo, mejora, ampliación y equipamiento de instalaciones de seguridad pública, incluyendo subestaciones de policía, estaciones de bomberos,

entrenamiento para policías y bomberos y la adquisición relacionada de tierras para lo anterior; dichos bonos para madurar en serie por un período que no supere los veinte (20) años de su fecha, a emitirse en ciertos plazos y venderse a cierto precio o precios y a devenir interés a cierta tasa o tasas como lo determine el criterio del consejo municipal bajo las leyes vigentes en el momento de emisión y a disponer el pago del capital y del interés de dichos bonos mediante la imposición de un impuesto suficiente para pagar el interés anual y crear un fondo de amortización suficiente para redimir dichos bonos en el momento de su vencimiento; donde $43,101,250 es la cantidad estimada de devolución, que incluye el capital y los intereses, según las condiciones actuales del mercado?

CIUDAD DE DALLAS: PROPOSICIÓN G

¿Deberá otorgarse autorización al consejo municipal de la ciudad de Dallas, Texas, a emitir bonos de obligación general de la ciudad por la cantidad total de capital de $18,157,000 con el propósito de proveer fondos para mejoras públicas permanentes, a saber: la renovación, reparación, mejoramiento, ampliación y equipamiento del City Hall y de las instalaciones administrativas y de servicio de la ciudad, incluyendo la reparación, reemplazo y mejora de techos, equipos y sistemas mecánicos, eléctricos, de fontanería, de aire acondicionado, calefacción y ventilación y mejoras necesarias según la Ley de Estadounidenses con Discapacidades y otras leyes aplicables; dichos bonos para madurar en serie por un período que no supere los veinte (20) años de su fecha, a emitirse en ciertos plazos y venderse a cierto precio o precios y a devenir interés a cierta tasa o tasas como lo determine el criterio del consejo municipal bajo las leyes vigentes en el momento de emisión y a disponer el pago del capital y del interés de dichos bonos mediante la imposición de un impuesto suficiente para pagar el interés anual y crear un fondo de amortización suficiente para redimir dichos bonos en el momento de su vencimiento; donde $24,616,250 es la cantidad estimada de devolución, que incluye el capital y los intereses, según las condiciones actuales del mercado?

CIUDAD DE DALLAS: PROPOSICIÓN H

¿Deberá otorgarse autorización al consejo municipal de la ciudad de Dallas, Texas, a emitir bonos de obligación general de la ciudad por la cantidad total de capital de $41,400,000 con el propósito de proveer fondos para fomentar el desarrollo económico en toda la ciudad a través de la planificación, diseño, construcción, mejoramiento, ampliación y expansión de instalaciones de calles públicas, servicios públicos y otra infraestructura, incluyendo la adquisición de tierras para lo anterior, y a través de los programas de la ciudad para el desarrollo económico y viviendas, incluyendo la adquisición de propiedades mejoradas y no mejoradas, la demolición de estructuras existentes, otorgación de subsidios de los fondos del bono y proporcionar otro tipo de asistencia para el desarrollo privado comercial, industrial, minorista, residencial y de uso mixto, proyectos de revitalización del vecindario y desarrollo de ingresos mixtos; dichos bonos para madurar en serie por un período que no supere los veinte (20) años de su fecha, a emitirse en ciertos plazos y venderse a cierto precio o precios y a devenir interés a cierta tasa o tasas como lo determine el criterio del consejo municipal bajo las leyes vigentes en el momento de emisión y a disponer el pago del capital y del interés de dichos bonos mediante la imposición de un impuesto suficiente para pagar el interés anual y crear un fondo de amortización suficiente para redimir dichos bonos en el momento de su vencimiento; donde $56,148,750 es la cantidad estimada de devolución, que incluye el capital y los intereses, según las condiciones actuales del mercado?

CIUDAD DE DALLAS: PROPOSICIÓN I

¿Deberá otorgarse autorización al consejo municipal de la ciudad de Dallas, Texas, a emitir bonos de obligación general de la ciudad por la cantidad total de capital de $23,000,000 con el propósito de proveer fondos para mejoras públicas permanentes, a saber: la planificación, diseño, construcción, reconstrucción, mejoramiento, renovación, reparación, reemplazo, mejora, ampliación y equipamiento de instalaciones para asistir a la población sin hogar de la ciudad, incluyendo alojamiento permanente, de apoyo y de transición; dichos bonos para madurar en serie por un período que no supere los veinte (20) años de su fecha, a emitirse en ciertos plazos y venderse a cierto precio o precios y a devenir interés a cierta tasa o tasas como lo determine el criterio del consejo municipal bajo las leyes vigentes en el momento de emisión y a disponer el pago del capital y del interés de dichos bonos mediante la imposición de un impuesto suficiente para pagar el interés anual y crear un fondo de amortización suficiente para redimir dichos bonos en el momento de su vencimiento; donde $31,189,500 es la cantidad estimada de devolución, que incluye el capital y los intereses, según las condiciones actuales del mercado?

CIUDAD DE DALLAS: PROPOSICIÓN J

¿Deberá otorgarse autorización al consejo municipal de la ciudad de Dallas, Texas, a emitir bonos de obligación general de la ciudad por la cantidad total de capital de $50,000,000 con el propósito de proveer fondos para mejoras públicas permanentes, a saber: la planificación, diseño, construcción, reconstrucción, mejoramiento, renovación, reparación, reemplazo, mejora, ampliación y equipamiento de instalaciones en Fair Park, incluidos espacios abiertos e instalaciones recreativas, y; dichos bonos para madurar en serie por un período que no supere los veinte (20) años de su fecha, a emitirse en ciertos plazos y venderse a cierto precio o precios y a devenir interés a cierta tasa o tasas como lo determine el criterio del consejo municipal bajo las leyes vigentes en el momento de emisión y a disponer el pago del capital y del interés de dichos bonos mediante la imposición de un impuesto suficiente para pagar el interés anual y crear un fondo de amortización suficiente para redimir dichos bonos en el momento de su vencimiento; donde $67,806,250 es la cantidad estimada de devolución, que incluye el capital y los intereses, según las condiciones actuales del mercado?

SECCIÓN 2. Que, en virtud de la Sección 3.009 del Código Electoral de Texas, enmendado, se proporciona la siguiente información: la cantidad total del capital pendiente de las obligaciones de deuda respaldada con impuestos de la ciudad al comienzo del año fiscal de la ciudad, que es el 1 de octubre de 2017, es de $1,632,595,997; que la cantidad total del interés pendiente de esas obligaciones de deuda respaldada con impuestos de la ciudad al comienzo del año fiscal actual es $1,007,772,469; y que la tasa de interés ad valorem de la ciudad para el año fiscal actual es de 78.25¢ por cada $100 de tasación, donde 56.01¢ por cada $100 de tasación se utilizan para los costos operativos y de mantenimiento incurridos en el fondo general de la ciudad

y 22.24¢ por cada $100 de tasación se utilizan para pagar el capital y los intereses de la deuda de obligación general pendiente de la ciudad.

SECCIÓN 3. Que la Ciudad tiene la intención de emitir los bonos autorizados por las proposiciones, si se aprueban, en el curso de un período de años en la forma y de acuerdo con el cronograma que determine el consejo municipal con base en varios factores, incluidos, entre otros, las necesidades actuales de la ciudad, cambios demográficos, condiciones prevalecientes del mercado, valores de tasación en la ciudad, el uso de deuda de tasa variable y la administración de la exposición de corto y largo plazo a las tasas de interés de la ciudad. Las condiciones del mercado, los índices demográficos y los valores de tasación varían dependiendo de un número de factores fuera del control de la ciudad y el uso de deuda de tasa variable implica ajustes periódicos en las tasas de intereses que varían según las condiciones del mercado y las obligaciones contractuales. Las condiciones del mercado son calculadas de acuerdo éstas eran en la fecha o cerca de la fecha de la aprobación de esta ordenanza. Por lo tanto, la ciudad no puede garantizar, y no lo hace, una tasa de interés o tasa de impuesto particular asociada con los bonos autorizados por las proposiciones. De tal forma, la información contenida en esta ordenanza se proporciona solamente con fines ilustrativos y no establece limitación ni restricción alguna ni crea un contrato con los votantes. Actualmente la ciudad estima que si las proposiciones fueran aprobadas y los bonos propuestos en el presente fueran autorizados y emitidos de acuerdo con el proyecto de plan de finanzas actual de la ciudad, se espera que la tasa de interés máxima sobre los bonos de impuestos ilimitados no supere el 5.00%.

SECCIÓN 4. Que se deben utilizar sistemas de votación electrónica y computarizada para la votación que se realizará el día de la elección del bono de conformidad con el Código Electoral de Texas, como enmendado, y el voto debe hacerse en una boleta oficial que presente las

proposiciones sustancialmente de la siguiente forma, para permitir que los votantes voten "A FAVOR" o "EN CONTRA" de las proposiciones:

CIUDAD DE DALLAS: PROPOSICIÓN A

LA EMISIÓN DE BONOS DE OBLIGACIÓN GENERAL DE $543,981,000 PARA MEJORAS DE CALLES Y TRANSPORTE, DONDE LA CANTIDAD ESTIMADA DE DEVOLUCIÓN, INCLUYENDO EL CAPITAL Y LOS INTERESES SEGÚN LAS CONDICIONES ACTUALES DEL MERCADO, SEA DE $737,811,500.

CIUDAD DE DALLAS: PROPOSICIÓN B

LA EMISIÓN DE BONOS DE OBLIGACIÓN GENERAL DE $224,107,000 PARA MEJORAS E INSTALACIONES DE RECREACIÓN Y PARQUES, DONDE LA CANTIDAD ESTIMADA DE DEVOLUCIÓN, INCLUYENDO EL CAPITAL Y LOS INTERESES SEGÚN LAS CONDICIONES ACTUALES DEL MERCADO, SEA DE $303,955,000.

CIUDAD DE DALLAS: PROPOSICIÓN C

LA EMISIÓN DE BONOS DE OBLIGACIÓN GENERAL DE $59,690,000 PARA MEJORAS DE DRENAJE DE AGUA DE TORMENTA Y PROTECCIÓN CONTRA INUNDACIONES, DONDE LA CANTIDAD ESTIMADA DE DEVOLUCIÓN, INCLUYENDO EL CAPITAL Y LOS INTERESES SEGÚN LAS CONDICIONES ACTUALES DEL MERCADO, SEA DE $80,957,750.

CIUDAD DE DALLAS: PROPOSICIÓN D

LA EMISIÓN DE BONOS DE OBLIGACIÓN GENERAL DE $15,589,000 PARA MEJORAS E INSTALACIONES DE BIBLIOTECA, DONDE LA CANTIDAD ESTIMADA DE DEVOLUCIÓN, INCLUYENDO EL CAPITAL Y LOS INTERESES SEGÚN LAS CONDICIONES ACTUALES DEL MERCADO, SEA DE $21,132,750.

CIUDAD DE DALLAS: PROPOSICIÓN E

LA EMISIÓN DE BONOS DE OBLIGACIÓN GENERAL DE $14,235,000 PARA MEJORAS E INSTALACIONES CULTURALES Y DE ARTES DRAMÁTICAS, DONDE LA CANTIDAD ESTIMADA DE DEVOLUCIÓN, INCLUYENDO EL CAPITAL Y LOS INTERESES SEGÚN LAS CONDICIONES ACTUALES DEL MERCADO, SEA DE $19,302,750.

CIUDAD DE DALLAS: PROPOSICIÓN F

LA EMISIÓN DE BONOS DE OBLIGACIÓN GENERAL DE $31,781,000 PARA MEJORAS E INSTALACIONES DE SEGURIDAD PÚBLICA, DONDE LA CANTIDAD ESTIMADA DE DEVOLUCIÓN, INCLUYENDO EL CAPITAL Y LOS INTERESES SEGÚN LAS CONDICIONES ACTUALES DEL MERCADO, SEA DE $43,101,250.

CIUDAD DE DALLAS: PROPOSICIÓN G

LA EMISIÓN DE BONOS DE OBLIGACIÓN GENERAL DE $18,157,000 PARA REPARACIONES Y MEJORAS AL CITY HALL Y A DIVERSAS INSTALACIONES ADMINISTRATIVAS Y DE SERVICIO DE LA CIUDAD, DONDE LA CANTIDAD ESTIMADA DE DEVOLUCIÓN, INCLUYENDO EL CAPITAL Y LOS INTERESES SEGÚN LAS CONDICIONES ACTUALES DEL MERCADO, SEA DE $24,616,250.

CIUDAD DE DALLAS: PROPOSICIÓN H

LA EMISIÓN DE BONOS DE OBLIGACIÓN GENERAL DE $41,400,000 PARA FINANCIAR EL PROGRAMA DE DESARROLLO ECONÓMICO DE LA CIUDAD, DONDE LA CANTIDAD ESTIMADA DE DEVOLUCIÓN, INCLUYENDO EL CAPITAL Y LOS INTERESES SEGÚN LAS CONDICIONES ACTUALES DEL MERCADO, SEA DE $56,148,750.

CIUDAD DE DALLAS: PROPOSICIÓN I

LA EMISIÓN DE BONOS DE OBLIGACIÓN GENERAL DE $23,000,000 PARA INSTALACIONES DE ALOJAMIENTO PERMANENTE, DE APOYO Y DE TRANSICIÓN PARA LAS PERSONAS SIN HOGAR, DONDE LA CANTIDAD ESTIMADA DE DEVOLUCIÓN, INCLUYENDO EL CAPITAL Y LOS INTERESES SEGÚN LAS CONDICIONES ACTUALES DEL MERCADO, SEA DE $31,189,500.

CIUDAD DE DALLAS: PROPOSICIÓN J

LA EMISIÓN DE BONOS DE OBLIGACIÓN GENERAL DE $50,000,000 PARA MEJORAS EN FAIR PARK, DONDE LA CANTIDAD ESTIMADA DE DEVOLUCIÓN, INCLUYENDO EL CAPITAL Y LOS INTERESES SEGÚN LAS CONDICIONES ACTUALES DEL MERCADO, SEA DE $67,806,250.

SECCIÓN 5. Que el modo de realización de la elección del bono debe ser de conformidad con las ordenanzas y la carta orgánica de la ciudad de Dallas y las leyes del Estado de Texas aplicables a las elecciones de bonos. Las boletas de votación oficiales, junto con los demás materiales para la elección que requiere el Código Electoral de Texas, como enmendado, deben imprimirse en inglés y en español y contener todas las disposiciones, las marcas y el lenguaje que exija la ley.

SECCIÓN 6. Que los límites de los precintos de votación en los cuales se debe realizar la elección se definen en la Ordenanza Nro. 20231, enmendada por las Ordenanzas Nro. 20741, 21350, 21579, 22343, 22693, 23348, 24800, 25696, 27484, 28147, 28937 y 29375. Las

ubicaciones de los lugares de votación en los respectivos precintos de votación se designan en el **Anexo A**, adjunto a esta ordenanza, pero los condados enumerados a continuación podrían modificarlas. Esas modificaciones, si las hubiera, se incorporan por la presente a esta ordenanza por referencia y se pueden consultar por medio de los siguientes contactos de los condados o en las siguientes páginas web:

Collin County Elections Department
2010 Redbud Boulevard, McKinney, Texas 75069
Tel: (972) 424-1460 ext.1990 (Área metropolitana)
Página web: http://collincountytx.gov/elections/election_information/Pages/default.aspx

Dallas County Elections Department
2377 N. Stemmons Freeway, Suite 820, Dallas, Texas 75207
Tel: (214) 819-6389
Página web: http://www.dallascountyvotes.org/election-day-information/upcoming-election-information/

Denton County Elections Department
701 Kimberly Drive, Suite A101, Denton, Texas 76208
Tel: (940) 349-3200
Página web: http://www.votedenton.com/upcoming-election-information

SECCIÓN 7. Que cada votante debe votar en el precinto en el cual reside y que solo los votantes calificados residentes tienen derecho a votar.

SECCIÓN 8. Que una persona calificada para votar y que resida en la ciudad de Dallas, pero no esté dentro de ninguno de los precintos descritos en la Ordenanza Nro. 20231, enmendada por las Ordenanzas Nro. 20741, 21350, 21579, 22343, 22693, 23348, 24800, 25696, 27484, 28147, 28937 y 29375, podrá votar en el precinto más cercano a la residencia de la persona, y que para ese fin se considerará que la residencia de la persona es parte de ese precinto electoral de la ciudad. Una persona que se ha registrado en un precinto electoral de la ciudad, pero cuya residencia no sea

en la ciudad de Dallas, no tendrá derecho a votar en la elección aunque la persona tenga una propiedad gravada por impuestos en la ciudad.

SECCIÓN 9. Que la votación anticipada en persona se realizará por medio del uso de un sistema de votación electrónica de conformidad con el Código Electoral de Texas, como enmendado. La votación anticipada por correo se realizará por medio del uso de un sistema de votación computarizada de conformidad con el Código Electoral de Texas, como enmendado. La votación anticipada se llevará a cabo en los lugares y durante las fechas y los horarios en los respectivos precintos de votación se designan en el **Anexo B**, adjunto a esta ordenanza, pero los condados enumerados a continuación podrían modificarlas. Esas modificaciones, si las hubiera, se incorporan por la presente a esta ordenanza por referencia y se pueden consultar por medio de los siguientes contactos de los condados o en las siguientes páginas web:

Collin County Elections Department
2010 Redbud Boulevard, McKinney, Texas 75069
Tel: (972) 424-1460 ext.1990 (Área metropolitana)
Página web: http://collincountytx.gov/elections/election_information/Pages/default.aspx

Dallas County Elections Department
2377 N. Stemmons Freeway, Suite 820, Dallas, Texas 75207
Tel: (214) 819-6389
Página web: http://www.dallascountyvotes.org/election-day-information/upcoming-election-information/

Denton County Elections Department
701 Kimberly Drive, Suite A101, Denton, Texas 76208
Tel: (940) 349-3200
Página web: http://www.votedenton.com/upcoming-election-information

SECCIÓN 10. Que las solicitudes de las boletas de votación anticipada por correo deben enviarse por correo a las siguientes direcciones:

Condado de Collin:
Early Voting Collin County Elections Administration Office
2010 Redbud Boulevard, Suite 102

McKinney, Texas 75069

Condado de Dallas:
Early Voting Clerk, Dallas County Elections Department
2377 N. Stemmons Freeway, Suite 820
Dallas, TX 75207

Condado de Denton:
Early Voting Clerk, Denton County Elections Administration Office
P.O. Box 1720
Denton, Texas 76202

Las solicitudes de boletas de votación anticipada por correo deben ser recibidas a más tardar al cierre del horario de oficina del viernes 27 de octubre de 2017.

SECCIÓN 11. Que las solicitudes de las boletas de votación anticipada por correo pueden enviarse, de conformidad con la Sección 84.007 del Código Electoral de Texas, a las siguientes direcciones de correo electrónico:

Condado de Collin: absenteemailballoting@collincountytx.gov
Condado de Dallas: evapplications@dallascounty.org
Condado de Denton: elections@dentoncounty.com

SECCIÓN 12. Que las boletas de votación anticipada serán procesadas por un consejo de boletas de votación anticipada que se creará conforme al Código Electoral de Texas, como enmendado.

SECCIÓN 13. Que el alcalde o, ante la ausencia o incapacidad de actuar del alcalde, el alcalde interino, deberá dar aviso de la elección del bono procurando que se publique un aviso en un periódico de la ciudad y en el tablero de anuncios de reuniones públicas de la ciudad de conformidad con las leyes estatales aplicables.

SECCIÓN 14. Que por el presente se autoriza e instruye de forma conjunta y separada al alcalde, al administrador de la ciudad y a la secretaria de la ciudad, con el asesoramiento del abogado de la ciudad, a realizar toda acción necesaria para cumplir con las disposiciones del

Código Electoral de Texas y la Ley Federal de Derechos de Votación para la celebración y realización de la Elección, ya sea que esté expresamente autorizada en esta ordenanza o no.

SECCIÓN 15. Que esta ordenanza entrará en vigencia inmediatamente a partir de su aprobación y publicación de conformidad con las disposiciones de la Carta Orgánica de la Ciudad de Dallas y, por lo tanto, se ordena.

APROBADA EN CUANTO A SU LEGALIDAD:

LARRY E. CASTO, Abogado de la Ciudad

Por _____
Abogado Asistente de la Ciudad

Aprobado _____

BORRADOR

EXHIBIT A

ELECTION DAY POLLING LOCATIONS

DALLAS, COLLIN AND DENTON COUNTIES

ELECTION DAY POLLING LOCATIONS

DALLAS COUNTY

DALLAS COUNTY
DISTRICT 1 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA01				
3032	1,242	DALLAS	DA01	Hector P Garcia Middle School -DISD 700 E 8th St Dallas 75203
3084	1,147	DALLAS	DA01	Hector P Garcia Middle School -DISD 700 E 8th St Dallas 75203
3094	1	DALLAS	DA01	Hector P Garcia Middle School -DISD 700 E 8th St Dallas 75203
4035	1,112	DALLAS	DA01	Academy of Dallas School 2324 S Vernon Ave Dallas 75224
4036	28	DALLAS	DA01	The Union Church 3410 S Polk St Dallas 75224
4056	248	DALLAS	DA01	Palabra De Vida 2550 W Illinois Ave Dallas 75233
4061	2,318	DALLAS	DA01	Mountain View Church of Christ 4111 W Illinois Ave Dallas 75211
4062	1,863	DALLAS	DA01	Lelia P Cowart Elem School 1515 S Ravinia Dr Dallas 75211
4063	2,665	DALLAS	DA01	Elmwood-El Buen Samaritano Un Meth 1220 Newport Ave Dallas 75224
4066	182	DALLAS	DA01	Anson Jones Elem School 3901 Meredith Ave Dallas 75211
4067	1,911	DALLAS	DA01	George Peabody Elem School 3101 Raydell Pl Dallas 75211
4068	1,854	DALLAS	DA01	Lida Hooe Elem School 2419 Gladstone Dr Dallas 75211
4069	2,814	DALLAS	DA01	Winnetka Elem School 1151 S. Edgefield Ave Dallas 75208
4070	1,579	DALLAS	DA01	John Peeler Elem School 810 S Llewellyn Ave Dallas 75208
4071	313	DALLAS	DA01	Dallas County Sub-Courthouse 410 S Beckley Ave Dallas 75203
4073	1,425	DALLAS	DA01	Preparing The Way Ministries 2442 W Jefferson Blvd Dallas 75211
4074	2,601	DALLAS	DA01	Sunset High School- Annex Bldg 2021 W Tenth St Dallas 75208
4075	1,032	DALLAS	DA01	John H Reagan Elem School 201 N Adams Ave Dallas 75208
4076	1,898	DALLAS	DA01	Steven Park Elem School 2615 W Colorado Blvd Dallas 75211
4077	816	DALLAS	DA01	Rosemont Elem School 719 N Montclair Ave Dallas 75208
4078	1,349	DALLAS	DA01	Kidd Springs Rec Center 711 W Canty St Dallas 75208
4079	3,922	DALLAS	DA01	Kessler Park United Methodist 1215 Turner Ave Dallas 75208
4080	639	DALLAS	DA01	Kidd Springs Rec Center 711 W Canty St Dallas 75208
4113	384	DALLAS	DA01	Mountain View Church of Christ 4111 W Illinois Ave Dallas 75211
4114	1,676	DALLAS	DA01	Lelia P Cowart Elem School 1515 S Ravinia Dr Dallas 75211

DALLAS COUNTY
DISTRICT 1 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
4115	244	DALLAS	DA01	Kidd Springs Rec Center 711 W Canty St Dallas 75208
4300	19	DALLAS	DA01	Cockrell Hill City Hall 4125 W Clarendon Dr Dallas 75211

DALLAS COUNTY
DISTRICT 2 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA02				
1014	2,373	DALLAS	DA02	Multiple Careers Magnet Ctr 4528 Rusk Ave Dallas 75204
1015	1,382	DALLAS	DA02	Multiple Careers Magnet Ctr 4528 Rusk Ave Dallas 75204
1069	45	DALLAS	DA02	Grace United Methodist Church 4105 Junius St Dallas 75246
1070	1,622	DALLAS	DA02	Grace United Methodist Church 4105 Junius St Dallas 75246
1073	1,564	DALLAS	DA02	Junius Heights Baptist Church 5429 Reiger Ave Dallas 75214
1074	1,382	DALLAS	DA02	Samuell Grand Rec Center 6200 East Grand Ave Dallas 75223
1075	1,168	DALLAS	DA02	Samuell Grand Rec Center 6200 East Grand Ave Dallas 75223
1112	563	DALLAS	DA02	St. Luke Comm Un. Meth Chur 5710 E R L Thornton Frwy Dallas 75223
1119	1,503	DALLAS	DA02	St. Luke Comm Un. Meth Chur 5710 E R L Thornton Frwy Dallas 75223
1120	1,079	DALLAS	DA02	JFK Learning Center 1802 Moser Ave Dallas 75206
1122	378	DALLAS	DA02	Grace United Methodist Church 4105 Junius St Dallas 75246
1130	1,450	DALLAS	DA02	Multiple Careers Magnet Ctr 4528 Rusk Ave Dallas 75204
1131	576	DALLAS	DA02	Grace United Methodist Church 4105 Junius St Dallas 75246
1132	47	DALLAS	DA02	Grace United Methodist Church 4105 Junius St Dallas 75246
3005	284	DALLAS	DA02	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219
3006	626	DALLAS	DA02	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219
3008	2,450	DALLAS	DA02	Dallas County Courthouse - Allen 600 Commerce St Dallas 75202
3010	6	DALLAS	DA02	Exall Recreation Center 1355 Adair St Dallas 75204
3011	1,344	DALLAS	DA02	St. Edwards Catholic Church 4033 Elm St Dallas 75226
3016	1,328	DALLAS	DA02	Bill J Priest Institute 1402 Corinth St Dallas 75215
3089	8	DALLAS	DA02	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219
3090	1,334	DALLAS	DA02	St. Edwards Catholic Church 4033 Elm St Dallas 75226
4009	387	DALLAS	DA02	David Burnet Elem School 3200 Kinkaid Dr Dallas 75220
4010	64	DALLAS	DA02	Stephen Foster Elem School 3700 Clover Lane Dallas 75220
4011	716	DALLAS	DA02	Stephen Foster Elem School 3700 Clover Lane Dallas 75220

DALLAS COUNTY
DISTRICT 2 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
4015	1,684	DALLAS	DA02	North Park Community Corp. 4619 W University Blvd Dallas 75209
4016	1,721	DALLAS	DA02	K B Polk Center 6911 Victoria Ave Dallas 75209
4017	406	DALLAS	DA02	Maple Lawn Elem School 3120 Inwood Rd Dallas 75235
4018	362	DALLAS	DA02	Maple Lawn Elem School 3120 Inwood Rd Dallas 75235
4019	2,182	DALLAS	DA02	Arlington Park Rec Center 1505 Record Crossing Dallas 75235
4020	781	DALLAS	DA02	Maple Lawn Elem School 3120 Inwood Rd Dallas 75235
4021	3,734	DALLAS	DA02	Maple Lawn Elem School 3120 Inwood Rd Dallas 75235
4022	3,014	DALLAS	DA02	Esperanza Medrano Elem School 2221 Lucas Dr Dallas 75219
4023	4	DALLAS	DA02	Arlington Park Rec Center 1505 Record Crossing Dallas 75235
4032	2,404	DALLAS	DA02	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219
4086	2,367	DALLAS	DA02	Grauwyler Park Rec Center 7780 Harry Hines Blvd Dallas 75235
4087	173	DALLAS	DA02	Bachman Recreation Ctr 2750 Bachman Dr Dallas 75220
4088	438	DALLAS	DA02	Bachman Recreation Ctr 2750 Bachman Dr Dallas 75220
4100	25	DALLAS	DA02	Esperanza Medrano Elem School 2221 Lucas Dr Dallas 75219
4102	5	DALLAS	DA02	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219
4103	126	DALLAS	DA02	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219
4104	30	DALLAS	DA02	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219
4105	8	DALLAS	DA02	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219
4118	1	DALLAS	DA02	Grauwyler Park Rec Center 7780 Harry Hines Blvd Dallas 75235
4119	2	DALLAS	DA02	Bachman Recreation Ctr 2750 Bachman Dr Dallas 75220
4120	194	DALLAS	DA02	Bachman Recreation Ctr 2750 Bachman Dr Dallas 75220

DALLAS COUNTY
DISTRICT 3 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA03				
3001	508	DALLAS	DA03	T W Browne Middle School 3333 Sprague Dr Dallas 75233
3002	1,321	DALLAS	DA03	T W Browne Middle School 3333 Sprague Dr Dallas 75233
3003	1,723	DALLAS	DA03	T W Browne Middle School 3333 Sprague Dr Dallas 75233
3004	1,829	DALLAS	DA03	Daniel Webster Elem School 3815 S Franklin St Dallas 75233
3050	223	DALLAS	DA03	H I Holland Elem School at Lisbon 4203 S Lancaster Rd Dallas 75216
3051	674	DALLAS	DA03	Fountain of Living Word Church 2543 E Ledbetter Dr Dallas 75216
3053	2,086	DALLAS	DA03	Thurgood Marshall Recreation Ctr 5150 Mark Trail Way Dallas 75232
3054	2,482	DALLAS	DA03	W M Hawley Atwell Academy 1303 Reynoldston Ln Dallas 75232
3055	2,215	DALLAS	DA03	Adelle Turner Elem School 5505 S Polk St Dallas 75232
3057	2,175	DALLAS	DA03	T G Terry Elem School 6661 Greenspan Ave Dallas 75232
3058	1,349	DALLAS	DA03	St Paul Lutheran Church 5725 S Marsalis Ave Dallas 75241
3059	1,280	DALLAS	DA03	St. Luke Presbyterian Church 5915 Singing Hills Dr Dallas 75241
3060	1,486	DALLAS	DA03	R L Thornton Elem School 6011 Old Ox Rd Dallas 75241
3063	525	DALLAS	DA03	Ronald E Mcnair Elem School 3150 Bainbridge Ave Dallas 75237
3077	2,977	DALLAS	DA03	Park In The Woods Rec Ctr 6801 Mountain Creek Pkwy Dallas 75249
3078	2,870	DALLAS	DA03	Park In The Woods Rec Ctr 6801 Mountain Creek Pkwy Dallas 75249
3088	43	DALLAS	DA03	Daniel Webster Elem School 3815 S Franklin St Dallas 75233
3092	1,680	DALLAS	DA03	Thurgood Marshall Recreation Ctr 5150 Mark Trail Way Dallas 75232
3098	189	DALLAS	DA03	H I Holland Elem School at Lisbon 4203 S Lancaster Rd Dallas 75216
4050	3,772	DALLAS	DA03	Mountain Creek Library 6102 Mountain Creek Pkwy Dallas 75249
4052	4,418	DALLAS	DA03	Bilhartz Elem School 6700 Wandt Dr Dallas 75236
4053	374	DALLAS	DA03	YWLA at Arnold Middle School 1204 E Marshall Dr Grand Prairie 75051
4054	435	DALLAS	DA03	Leslie Stemmons Elem School 2727 Knoxville St Dallas 75211
4055	2,531	DALLAS	DA03	Leslie Stemmons Elem School 2727 Knoxville St Dallas 75211
4056	2,317	DALLAS	DA03	Palabra De Vida 2550 W Illinois Ave Dallas 75233

DALLAS COUNTY
DISTRICT 3 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
4059	353	DALLAS	DA03	Charley Taylor Rec Center 601 E Grand Prairie Rd Grand Prairie 75051
4060	1,181	DALLAS	DA03	Nancy Jane Cochran Elem School 6000 Keeneland Pkwy Dallas 75211
4065	68	DALLAS	DA03	Arcadia Park Elem School 1300 N Justin Ave Dallas 75211
4066	919	DALLAS	DA03	Anson Jones Elem School 3901 Meredith Ave Dallas 75211
4076	342	DALLAS	DA03	Steven Park Elem School 2615 W Colorado Blvd Dallas 75211
4090	80	DALLAS	DA03	Leslie Stemmons Elem School 2727 Knoxville St Dallas 75211
4093	100	DALLAS	DA03	Leslie Stemmons Elem School 2727 Knoxville St Dallas 75211
4111	282	DALLAS	DA03	Leslie Stemmons Elem School 2727 Knoxville St Dallas 75211
4112	202	DALLAS	DA03	Leslie Stemmons Elem School 2727 Knoxville St Dallas 75211
4113	1,570	DALLAS	DA03	Mountain View Church of Christ 4111 W Illinois Ave Dallas 75211

DALLAS COUNTY
DISTRICT 4 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA04				
3033	496	DALLAS	DA04	Greater Mt Pleasant Baptist Church 1403 Morrell Ave Dallas 75203
3034	1,359	DALLAS	DA04	Greater Mt Pleasant Baptist Church 1403 Morrell Ave Dallas 75203
3035	1,515	DALLAS	DA04	F D Roosevelt High School 525 Bonnie View Dr Dallas 75203
3036	48	DALLAS	DA04	F D Roosevelt High School 525 Bonnie View Dr Dallas 75203
3037	394	DALLAS	DA04	The Way-Truth-Life Christian Church 1702 Denley Dr Dallas 75216
3038	856	DALLAS	DA04	The Way-Truth-Life Christian Church 1702 Denley Dr Dallas 75216
3039	2,214	DALLAS	DA04	Oliver W Holmes Middle School 2001 E Kiest Blvd Dallas 75216
3040	1,431	DALLAS	DA04	Good Street Baptist Church 3110 Bonnie View Rd Dallas 75216
3041	151	DALLAS	DA04	CFNI Student Center 444 Fawn Ridge Dr Dallas 75224
3042	1,583	DALLAS	DA04	John Neely Bryan Elem School 2001 Deer Path Dr Dallas 75216
3043	2,169	DALLAS	DA04	John Neely Bryan Elem School 2001 Deer Path Dr Dallas 75216
3044	2,697	DALLAS	DA04	W W Bushman Elem School 4200 Bonnie View Rd Dallas 75216
3046	2,194	DALLAS	DA04	John W. Carpenter Elem School 2121 Tosca Ln Dallas 75224
3047	2,054	DALLAS	DA04	CFNI Student Center 444 Fawn Ridge Dr Dallas 75224
3048	2,549	DALLAS	DA04	South Oak Cliff High School 3601 S Marsalis Ave Dallas 75216
3049	2,033	DALLAS	DA04	Clara Oliver Annex 4010 Idaho Ave Dallas 75216
3050	1,690	DALLAS	DA04	H I Holland Elem School at Lisbon 4203 S Lancaster Rd Dallas 75216
3051	186	DALLAS	DA04	Fountain of Living Word Church 2543 E Ledbetter Dr Dallas 75216
3052	2,785	DALLAS	DA04	Elisha M Pease Elem School 2914 Cummings St Dallas 75216
3056	2,222	DALLAS	DA04	Mark Twain Vanguard 724 Green Cove Ln Dallas 75232
3057	341	DALLAS	DA04	T G Terry Elem School 6661 Greenspan Ave Dallas 75232
3058	789	DALLAS	DA04	St Paul Lutheran Church 5725 S Marsalis Ave Dallas 75241
3072	45	DALLAS	DA04	Tommie Allen Rec Center 7071 Bonnie View Dr Dallas 75241
3097	181	DALLAS	DA04	Clara Oliver Annex 4010 Idaho Ave Dallas 75216
3098	60	DALLAS	DA04	H I Holland Elem School at Lisbon 4203 S Lancaster Rd Dallas 75216

DALLAS COUNTY
DISTRICT 4 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
4036	806	DALLAS	DA04	The Union Church 3410 S Polk St Dallas 75224
4037	200	DALLAS	DA04	The Union Church 3410 S Polk St Dallas 75224
4038	2,040	DALLAS	DA04	Harrell Budd Elem School 2121 S Marsalis Ave Dallas 75216
4039	637	DALLAS	DA04	Bexar Street Baptist Church 2018 S Marsalis Ave Dallas 75216
4040	829	DALLAS	DA04	Roger Q Mills Elem School 1515 Lynn Haven Ave Dallas 75216
4041	803	DALLAS	DA04	Bexar Street Baptist Church 2018 S Marsalis Ave Dallas 75216
4043	1,233	DALLAS	DA04	The Union Church 3410 S Polk St Dallas 75224
4044	1,164	DALLAS	DA04	Clinton P Russell Elem School 3031 S Beckley Ave Dallas 75224
4046	1,229	DALLAS	DA04	Clinton P Russell Elem School 3031 S Beckley Ave Dallas 75224
4047	933	DALLAS	DA04	Boude Storey Middle School 3000 Maryland Ave Dallas 75216
4048	184	DALLAS	DA04	Clinton P Russell Elem School 3031 S Beckley Ave Dallas 75224
4057	1,499	DALLAS	DA04	Kiest Rec Center 3080 S Hampton Rd Dallas 75224
4058	915	DALLAS	DA04	Kiest Rec Center 3080 S Hampton Rd Dallas 75224
4072	303	DALLAS	DA04	Dallas County Sub-Courthouse 410 S Beckley Ave Dallas 75203
4107	120	DALLAS	DA04	Harrell Budd Elem School 2121 S Marsalis Ave Dallas 75216
4108	73	DALLAS	DA04	Bexar Street Baptist Church 2018 S Marsalis Ave Dallas 75216
4109	53	DALLAS	DA04	Boude Storey Middle School 3000 Maryland Ave Dallas 75216
4110	1,027	DALLAS	DA04	Boude Storey Middle School 3000 Maryland Ave Dallas 75216

DALLAS COUNTY
DISTRICT 5 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA05				
1083	449	DALLAS	DA05	Colonial Baptist Church 6459 Scyene Rd Dallas 75227
1085	1,135	DALLAS	DA05	Urban Park Elem School 6901 Military Pkwy Dallas 75227
1088	1,416	DALLAS	DA05	Forester Field House 8233 Military Pkwy Dallas 75227
1090	2,182	DALLAS	DA05	San Jacinto Elem School 7900 Hume Drive Dallas 75227
1091	1,874	DALLAS	DA05	Annie Webb Blanton School 8915 Greenmound Ave Dallas 75227
1092	134	DALLAS	DA05	Edward Titche Elem School 9560 Highfield Dr Dallas 75227
1094	1,296	DALLAS	DA05	John Ireland Elem School 1515 N Jim Miller Rd Dallas 75217
1095	1,371	DALLAS	DA05	Nathaniel Hawthorne ElemSchool 7800 Umphress Road Dallas 75217
1096	1,353	DALLAS	DA05	Nathaniel Hawthorne ElemSchool 7800 Umphress Road Dallas 75217
1097	2,611	DALLAS	DA05	W W Samuell High School 8928 Palisade Dr Dallas 75217
1098	2,029	DALLAS	DA05	YMLA at Florence Middle School 1625 N Masters Dr Dallas 75217
1099	66	DALLAS	DA05	YMLA at Florence Middle School 1625 N Masters Dr Dallas 75217
1100	1,455	DALLAS	DA05	E B Comstock Middle School 7044 Hodde St Dallas 75217
1101	1,542	DALLAS	DA05	Pleasant Grove Library 7310 Lake June Rd Dallas 75217
1102	1,861	DALLAS	DA05	B H Macon Elem School 650 Holcomb Rd Dallas 75217
1103	474	DALLAS	DA05	B H Macon Elem School 650 Holcomb Rd Dallas 75217
1104	2,564	DALLAS	DA05	William Anderson Elem School 620 N St Augustine Dr Dallas 75217
1105	39	DALLAS	DA05	William Anderson Elem School 620 N St Augustine Dr Dallas 75217
1106	251	DALLAS	DA05	Richard Lagow Elem School 637 Edgeworth Dr Dallas 75217
1107	764	DALLAS	DA05	Richard Lagow Elem School 637 Edgeworth Dr Dallas 75217
1108	2,404	DALLAS	DA05	H Grady Spruce High School 9733 Old Seagoville Rd Dallas 75217
1109	22	DALLAS	DA05	Fireside Drive Baptist Church 8805 Fireside Dr Dallas 75217
1110	26	DALLAS	DA05	Richard Lagow Elem School 637 Edgeworth Dr Dallas 75217
1113	218	DALLAS	DA05	John Ireland Elem School 1515 N Jim Miller Rd Dallas 75217
1135	1,547	DALLAS	DA05	YMLA at Florence Middle School 1625 N Masters Dr Dallas 75217

DALLAS COUNTY
DISTRICT 5 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
3082	9	DALLAS	DA05	W A Blair Elem School 7720 Gayglen Dr Dallas 75217

DALLAS COUNTY
DISTRICT 6 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA06				
2000	10	DALLAS	DA06	Marcus Rec Center 3003 Northaven Road Dallas 75229
2001	19	DALLAS	DA06	Thomas C Marsh Preparatory Academy 3838 Crown Shore Dr Dallas 75244
2012	1,656	DALLAS	DA06	Walnut Hill Rec Center 10011 Midway Rd Dallas 75229
2074	463	DALLAS	DA06	Richard J. Lee Elem Sch 8808 Chaparral Waters Way Dallas 75019
2076	10	DALLAS	DA06	Marcus Rec Center 3003 Northaven Road Dallas 75229
4000	545	DALLAS	DA06	Caillet Elem School 3033 Merrell Rd Dallas 75229
4001	751	DALLAS	DA06	Caillet Elem School 3033 Merrell Rd Dallas 75229
4003	390	DALLAS	DA06	Marcus Rec Center 3003 Northaven Road Dallas 75229
4005	944	DALLAS	DA06	Park Forest Branch Library 3421 Forest Lane Dallas 75234
4008	663	DALLAS	DA06	David Burnet Elem School 3200 Kinkaid Dr Dallas 75220
4009	1,014	DALLAS	DA06	David Burnet Elem School 3200 Kinkaid Dr Dallas 75220
4010	1,201	DALLAS	DA06	Stephen Foster Elem School 3700 Clover Lane Dallas 75220
4011	62	DALLAS	DA06	Stephen Foster Elem School 3700 Clover Lane Dallas 75220
4012	78	DALLAS	DA06	Stephen Foster Elem School 3700 Clover Lane Dallas 75220
4013	306	DALLAS	DA06	Stephen Foster Elem School 3700 Clover Lane Dallas 75220
4024	2,130	DALLAS	DA06	L G Pinkston High School 2200 Dennison St Dallas 75212
4025	351	DALLAS	DA06	Amelia Earhart Elem School 3531 N Westmoreland Rd Dallas 75212
4026	143	DALLAS	DA06	Eladio Martinez Learning Center 4500 Bernal Dr Dallas 75212
4027	336	DALLAS	DA06	Eladio Martinez Learning Center 4500 Bernal Dr Dallas 75212
4028	983	DALLAS	DA06	Amelia Earhart Elem School 3531 N Westmoreland Rd Dallas 75212
4029	28	DALLAS	DA06	L G Pinkston High School 2200 Dennison St Dallas 75212
4030	46	DALLAS	DA06	L G Pinkston High School 2200 Dennison St Dallas 75212
4031	2,186	DALLAS	DA06	C F Carr Elem School 1952 Bayside St Dallas 75212
4033	1,462	DALLAS	DA06	Dallas Fire Station # 1 1901 Irving Blvd Dallas 75207
4060	1,214	DALLAS	DA06	Nancy Jane Cochran Elem School 6000 Keeneland Pkwy Dallas 75211

DALLAS COUNTY
DISTRICT 6 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
4065	1,049	DALLAS	DA06	Arcadia Park Elem School 1300 N Justin Ave Dallas 75211
4076	312	DALLAS	DA06	Steven Park Elem School 2615 W Colorado Blvd Dallas 75211
4081	3,470	DALLAS	DA06	Eladio Martinez Learning Center 4500 Bernal Dr Dallas 75212
4082	357	DALLAS	DA06	Sidney Lanier Elem School 1400 Walmsley Ave Dallas 75208
4083	877	DALLAS	DA06	Sidney Lanier Elem School 1400 Walmsley Ave Dallas 75208
4084	606	DALLAS	DA06	Anita Martinez Rec Center 3212 N. Winnetka Ave Dallas 75212
4085	1,004	DALLAS	DA06	Anita Martinez Rec Center 3212 N. Winnetka Ave Dallas 75212
4086	111	DALLAS	DA06	Grauwyler Park Rec Center 7780 Harry Hines Blvd Dallas 75235
4087	854	DALLAS	DA06	Bachman Recreation Ctr 2750 Bachman Dr Dallas 75220
4094	317	DALLAS	DA06	Park Forest Branch Library 3421 Forest Lane Dallas 75234
4097	946	DALLAS	DA06	David Burnet Elem School 3200 Kinkaid Dr Dallas 75220
4098	33	DALLAS	DA06	Stephen Foster Elem School 3700 Clover Lane Dallas 75220
4101	140	DALLAS	DA06	L G Pinkston High School 2200 Dennison St Dallas 75212
4116	1	DALLAS	DA06	Anita Martinez Rec Center 3212 N. Winnetka Ave Dallas 75212
4117	123	DALLAS	DA06	Arlington Park Rec Center 1505 Record Crossing Dallas 75235
4120	480	DALLAS	DA06	Bachman Recreation Ctr 2750 Bachman Dr Dallas 75220

DALLAS COUNTY
DISTRICT 7 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA07				
1063	1,600	DALLAS	DA07	George Truett Elem School 1811 Gross Rd Dallas 75228
1064	171	DALLAS	DA07	George Truett Elem School 1811 Gross Rd Dallas 75228
1065	2,876	DALLAS	DA07	George Truett Elem School 1811 Gross Rd Dallas 75228
1067	10	DALLAS	DA07	George Truett Elem School 1811 Gross Rd Dallas 75228
1078	559	DALLAS	DA07	Bayles Elem School 2444 Telegraph Ave Dallas 75228
1079	1,304	DALLAS	DA07	S S Conner Elem School 3037 Greenmeadow Dr Dallas 75228
1080	1,018	DALLAS	DA07	S S Conner Elem School 3037 Greenmeadow Dr Dallas 75228
1081	2,728	DALLAS	DA07	Owenwood Un Methodist Church 1451 John West Road Dallas 75228
1082	294	DALLAS	DA07	Colonial Baptist Church 6459 Scyene Rd Dallas 75227
1083	1,109	DALLAS	DA07	Colonial Baptist Church 6459 Scyene Rd Dallas 75227
1084	3,087	DALLAS	DA07	Edna Rowe Elem School 4918 Hovenkamp Dr Dallas 75227
1085	77	DALLAS	DA07	Urban Park Elem School 6901 Military Pkwy Dallas 75227
1086	512	DALLAS	DA07	Owenwood Un Methodist Church 1451 John West Road Dallas 75228
1087	3,188	DALLAS	DA07	Skyline High School 7777 Forney Road Dallas 75227
1088	568	DALLAS	DA07	Forester Field House 8233 Military Pkwy Dallas 75227
1089	1,994	DALLAS	DA07	Forester Field House 8233 Military Pkwy Dallas 75227
1091	179	DALLAS	DA07	Annie Webb Blanton School 8915 Greenmound Ave Dallas 75227
1092	3,275	DALLAS	DA07	Edward Titche Elem School 9560 Highfield Dr Dallas 75227
1093	1,624	DALLAS	DA07	Nueva Vida Life Assembly 10747 Bruton Rd Dallas 75217
1100	2	DALLAS	DA07	E B Comstock Middle School 7044 Hodde St Dallas 75217
1114	776	DALLAS	DA07	Owenwood Un Methodist Church 1451 John West Road Dallas 75228
1119	544	DALLAS	DA07	St. Luke Comm Un. Meth Chur 5710 E R L Thornton Frwy Dallas 75223
1134	458	DALLAS	DA07	Forester Field House 8233 Military Pkwy Dallas 75227
1303	8	DALLAS	DA07	George Truett Elem School 1811 Gross Rd Dallas 75228
3012	274	DALLAS	DA07	Evangelist Temple Church 2627 Dorris St Dallas 75215

DALLAS COUNTY
DISTRICT 7 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
3016	325	DALLAS	DA07	Bill J Priest Institute 1402 Corinth St Dallas 75215
3017	815	DALLAS	DA07	MLK Learning Center 1817 Warren Ave Dallas 75215
3018	1,835	DALLAS	DA07	Park South YMCA 2500 Romine Ave Dallas 75215
3019	888	DALLAS	DA07	James Madison High School 3000 Mlk Blvd Dallas 75215
3020	184	DALLAS	DA07	Irma Rangel Womens School 1718 Robert B Cullum Blvd Dallas 75210
3021	1,134	DALLAS	DA07	Irma Rangel Womens School 1718 Robert B Cullum Blvd Dallas 75210
3022	1,975	DALLAS	DA07	Irma Rangel Womens School 1718 Robert B Cullum Blvd Dallas 75210
3023	1,287	DALLAS	DA07	James Madison High School 3000 Mlk Blvd Dallas 75215
3024	1,697	DALLAS	DA07	Mt Horeb Baptist Church 3306 Carpenter Ave Dallas 75215
3025	189	DALLAS	DA07	Mt Horeb Baptist Church 3306 Carpenter Ave Dallas 75215
3026	836	DALLAS	DA07	St. Paul Baptist Church 1600 Pear St Dallas 75215
3027	1,385	DALLAS	DA07	Lincoln High School -CHM 2826 Elsie Faye Heggins Dallas 75215
3028	973	DALLAS	DA07	Evangelist Temple Church 2627 Dorris St Dallas 75215
3029	728	DALLAS	DA07	Evangelist Temple Church 2627 Dorris St Dallas 75215
3045	535	DALLAS	DA07	Gethsemane Missionary Baptist Church 4600 Solar Ln Dallas 75216
3090	4	DALLAS	DA07	St. Edwards Catholic Church 4033 Elm St Dallas 75226

DALLAS COUNTY
DISTRICT 8 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA08				
1100	1,642	DALLAS	DA08	E B Comstock Middle School 7044 Hodde St Dallas 75217
1108	43	DALLAS	DA08	H Grady Spruce High School 9733 Old Seagoville Rd Dallas 75217
1109	442	DALLAS	DA08	Fireside Drive Baptist Church 8805 Fireside Dr Dallas 75217
1111	1,264	DALLAS	DA08	Fireside Drive Baptist Church 8805 Fireside Dr Dallas 75217
1124	3	DALLAS	DA08	Fireside Drive Baptist Church 8805 Fireside Dr Dallas 75217
1136	2	DALLAS	DA08	Richard Lagow Elem School 637 Edgeworth Dr Dallas 75217
3013	604	DALLAS	DA08	Kleberg Rylie Rec Center 1515 Edd Rd Dallas 75253
3014	1,903	DALLAS	DA08	Kleberg Rylie Rec Center 1515 Edd Rd Dallas 75253
3015	244	DALLAS	DA08	Kleberg Rylie Rec Center 1515 Edd Rd Dallas 75253
3031	612	DALLAS	DA08	Kleberg Rylie Rec Center 1515 Edd Rd Dallas 75253
3053	515	DALLAS	DA08	Thurgood Marshall Recreation Ctr 5150 Mark Trail Way Dallas 75232
3061	1,675	DALLAS	DA08	New Tech High at A Maceo Smith 3030 Stag Rd Dallas 75241
3062	2,867	DALLAS	DA08	J N Ervin Elem School 3722 Black Oak Dr Dallas 75241
3063	3,294	DALLAS	DA08	Ronald E Mcnair Elem School 3150 Bainbridge Ave Dallas 75237
3064	2,320	DALLAS	DA08	Friendship West Baptist Church 2020 W Wheatland Rd Dallas 75232
3065	2,403	DALLAS	DA08	Umphrey Lee Elem School 7808 Racine Dr Dallas 75232
3066	2,060	DALLAS	DA08	Martin Weiss Elem School 8601 Willoughby Blvd Dallas 75232
3067	2,864	DALLAS	DA08	Friendship West Baptist Church 2020 W Wheatland Rd Dallas 75232
3068	3,461	DALLAS	DA08	Singing Hills Recreation Ctr 1909 Crouch Rd Dallas 75241
3069	1,797	DALLAS	DA08	Cornerstone Community Church 2817 Cherry Valley Blvd Dallas 75241
3070	3,087	DALLAS	DA08	Tommie Allen Rec Center 7071 Bonnie View Dr Dallas 75241
3071	2,696	DALLAS	DA08	Highland Hills Un Methodist Church 3800 Simpson Stuart Rd Dallas 75241
3072	35	DALLAS	DA08	Tommie Allen Rec Center 7071 Bonnie View Dr Dallas 75241
3073	185	DALLAS	DA08	Tommie Allen Rec Center 7071 Bonnie View Dr Dallas 75241
3074	694	DALLAS	DA08	Friendship West Baptist Church 2020 W Wheatland Rd Dallas 75232

DALLAS COUNTY
DISTRICT 8 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
3075	207	DALLAS	DA08	Cornerstone Community Church 2817 Cherry Valley Blvd Dallas 75241
3079	631	DALLAS	DA08	Kleberg Rylie Rec Center 1515 Edd Rd Dallas 75253
3080	1,160	DALLAS	DA08	Kleberg Rylie Rec Center 1515 Edd Rd Dallas 75253
3082	3,013	DALLAS	DA08	W A Blair Elem School 7720 Gayglen Dr Dallas 75217
3083	1,417	DALLAS	DA08	Kleberg Rylie Rec Center 1515 Edd Rd Dallas 75253
3093	8	DALLAS	DA08	Kleberg Rylie Rec Center 1515 Edd Rd Dallas 75253
3099	344	DALLAS	DA08	Cornerstone Community Church 2817 Cherry Valley Blvd Dallas 75241

DALLAS COUNTY
DISTRICT 9 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA09				
1000	278	DALLAS	DA09	Dan D Rogers Elem School 5314 Abrams Rd Dallas 75214
1045	1,504	DALLAS	DA09	Highland Meadows Elem School 8939 Whitewing Ln Dallas 75238
1047	1,326	DALLAS	DA09	Martha T Reilly Elem School 11230 Lippitt Ave Dallas 75218
1048	2,528	DALLAS	DA09	Martha T Reilly Elem School 11230 Lippitt Ave Dallas 75218
1051	227	DALLAS	DA09	Alex Sanger Elem School 8410 San Leandro Dr Dallas 75218
1052	3,270	DALLAS	DA09	Lochwood Branch Library 11221 Lochwood Blvd Dallas 75218
1054	1,500	DALLAS	DA09	Casa View Elem School 2100 N Farola Dr Dallas 75228
1055	851	DALLAS	DA09	Casa View Elem School 2100 N Farola Dr Dallas 75228
1056	964	DALLAS	DA09	Charles A Gill Elem School 10910 Ferguson Rd Dallas 75228
1057	1,872	DALLAS	DA09	St Pius X Church Parish 3030 Gus Thomasson Rd Dallas 75228
1058	1,928	DALLAS	DA09	Bryan Adams High School 2101 Millmar Dr Dallas 75228
1059	1,626	DALLAS	DA09	Reinhardt Elem School 10122 Losa Dr Dallas 75218
1060	4,019	DALLAS	DA09	Alex Sanger Elem School 8410 San Leandro Dr Dallas 75218
1061	1,371	DALLAS	DA09	W H Gaston Middle School 9565 Mercer Drive Dallas 75228
1062	40	DALLAS	DA09	Edwin J. Kiest Elem School 2611 Healey Dr Dallas 75228
1068	39	DALLAS	DA09	Charles A Gill Elem School 10910 Ferguson Rd Dallas 75228
1078	720	DALLAS	DA09	Bayles Elem School 2444 Telegraph Ave Dallas 75228
1079	390	DALLAS	DA09	S S Conner Elem School 3037 Greenmeadow Dr Dallas 75228
1115	1,340	DALLAS	DA09	St Pius X Church Parish 3030 Gus Thomasson Rd Dallas 75228
1116	1,346	DALLAS	DA09	Edwin J. Kiest Elem School 2611 Healey Dr Dallas 75228
1121	2,236	DALLAS	DA09	Living Waters Church of God 11110 Shiloh Rd Dallas 75228
1125	2,132	DALLAS	DA09	Living Waters Church of God 11110 Shiloh Rd Dallas 75228
1133	331	DALLAS	DA09	Alex Sanger Elem School 8410 San Leandro Dr Dallas 75218
1137	34	DALLAS	DA09	Edwin J. Kiest Elem School 2611 Healey Dr Dallas 75228
1300	13	DALLAS	DA09	Ed Vanston Middle School 3230 Karla Mesquite 75150

DALLAS COUNTY
DISTRICT 9 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
2036	926	DALLAS	DA09	Zion Lutheran Church 6121 E Lovers Lane Dallas 75214
2065	2,387	DALLAS	DA09	Victor Hexter Elem School 9720 Waterview Rd Dallas 75218
2067	1,147	DALLAS	DA09	L L Hotchkiss Elem School 6929 Town North Dr Dallas 75231
2068	2,120	DALLAS	DA09	Dan D Rogers Elem School 5314 Abrams Rd Dallas 75214
2069	2,856	DALLAS	DA09	Ridgewood Recreation Ctr 6818 Fisher Road Dallas 75214
2070	1,251	DALLAS	DA09	Northridge Presbyterian Church 6920 Bob-O-link Dr Dallas 75214
2071	1,900	DALLAS	DA09	Lakewood Elem School 3000 Hillbrook St Dallas 75214
2072	2,825	DALLAS	DA09	Northridge Presbyterian Church 6920 Bob-O-link Dr Dallas 75214
2073	952	DALLAS	DA09	Bath House Cultural Center 521 E Lawther Dr Dallas 75218
3702	1	DALLAS	DA09	Toler Elem School 3520 Guthrie Rd Garland 75043

DALLAS COUNTY
DISTRICT 10 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA10				
1003	3,421	DALLAS	DA10	Hamilton Park Pacesetter 8301 Towns Street Dallas 75243
1004	1,660	DALLAS	DA10	Forest Meadow Jr. High School 9373 Whitehurst Dr Dallas 75243
1005	2,363	DALLAS	DA10	New Mount Zion Baptist Church 9550 Shepherd Rd Dallas 75243
1006	1,628	DALLAS	DA10	Moss Haven Elem School 9202 Moss Farm Lane Dallas 75243
1007	384	DALLAS	DA10	Moss Haven Elem School 9202 Moss Farm Lane Dallas 75243
1026	606	DALLAS	DA10	Richland College 12800 Abrams Rd Dallas 75243
1027	3,759	DALLAS	DA10	Audelia Creek Elem School 12600 Audelia Rd Dallas 75243
1028	1,540	DALLAS	DA10	Audelia Creek Elem School 12600 Audelia Rd Dallas 75243
1029	1,716	DALLAS	DA10	Richland College 12800 Abrams Rd Dallas 75243
1030	2,434	DALLAS	DA10	A M Aikin Elem School 12300 Pleasant Valley Dr Dallas 75243
1038	2,828	DALLAS	DA10	A M Aikin Elem School 12300 Pleasant Valley Dr Dallas 75243
1039	313	DALLAS	DA10	Lake Highlands High School 9449 Church Road Dallas 75238
1040	2,969	DALLAS	DA10	Dallas Fire Station #57 10801 Audelia Rd Dallas 75238
1041	984	DALLAS	DA10	Dallas Fire Station #57 10801 Audelia Rd Dallas 75238
1042	1,495	DALLAS	DA10	A M Aikin Elem School 12300 Pleasant Valley Dr Dallas 75243
1043	2,228	DALLAS	DA10	Skyview Elem School 9229 Meadowknoll Dr Dallas 75243
1044	2,222	DALLAS	DA10	Lake Highlands High School 9449 Church Road Dallas 75238
1045	434	DALLAS	DA10	Highland Meadows Elem School 8939 Whitewing Ln Dallas 75238
1046	319	DALLAS	DA10	Highland Meadows Elem School 8939 Whitewing Ln Dallas 75238
1049	2,187	DALLAS	DA10	Merriman Park Elem School 7101 Winedale Dr Dallas 75231
1128	656	DALLAS	DA10	Lake Highlands High School 9449 Church Road Dallas 75238
1129	151	DALLAS	DA10	Highland Meadows Elem School 8939 Whitewing Ln Dallas 75238
1707	1	DALLAS	DA10	A R Davis Elem School 1621 McCallum Dr Garland 75042
2059	1,221	DALLAS	DA10	Wallace Elem School -RISD 9921 Kirkhaven Dr Dallas 75238
2060	2,559	DALLAS	DA10	Northlake Elem School-RISD 10059 Ravensway Dr Dallas 75238

DALLAS COUNTY
DISTRICT 10 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
2061	2,878	DALLAS	DA10	Lake Highlands Elem School 9501 Ferndale Rd Dallas 75238
2062	2,114	DALLAS	DA10	Lake Highlands Jr. High School 10301 Walnut Hill Ln Dallas 75238
2063	716	DALLAS	DA10	Wallace Elem School -RISD 9921 Kirkhaven Dr Dallas 75238
2064	1,943	DALLAS	DA10	Highland Meadows Elem School 8939 Whitewing Ln Dallas 75238
2066	1,457	DALLAS	DA10	White Rock Elem School 9229 Chiswell Rd Dallas 75238

DALLAS COUNTY
DISTRICT 11 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA11				
1003	14	DALLAS	DA11	Hamilton Park Pacesetter 8301 Towns Street Dallas 75243
1010	1,591	DALLAS	DA11	Lee Mcshan Jr. Elem School 8307 Meadow Rd Dallas 75231
1032	777	DALLAS	DA11	Northwood Hills Elem School 14532 Meandering Way Dallas 75254
1033	1,266	DALLAS	DA11	Spring Valley Elem School 13535 Spring Grove Rd Dallas 75240
1035	249	DALLAS	DA11	RISD Academy 13630 Coit Road Dallas 75240
1036	799	DALLAS	DA11	RISD Academy 13630 Coit Road Dallas 75240
1037	1,563	DALLAS	DA11	RISD Academy 13630 Coit Road Dallas 75240
1127	712	DALLAS	DA11	RISD Academy 13630 Coit Road Dallas 75240
2016	3,327	DALLAS	DA11	Unity Church of Dallas 6525 Forest Lane Dallas 75230
2017	1,556	DALLAS	DA11	Unity Church of Dallas 6525 Forest Lane Dallas 75230
2019	1,666	DALLAS	DA11	George B Dealey Vanguard 6501 Royal Ln Dallas 75230
2020	2,455	DALLAS	DA11	Arthur Kramer Elem School 7131 Midbury Dr Dallas 75230
2022	708	DALLAS	DA11	George B Dealey Vanguard 6501 Royal Ln Dallas 75230
2023	1,224	DALLAS	DA11	Benjamin Franklin Middle School 6920 Meadow Rd Dallas 75230
2024	1,277	DALLAS	DA11	Benjamin Franklin Middle School 6920 Meadow Rd Dallas 75230
2041	4,068	DALLAS	DA11	Presbyterian Medical Office North 17110 Dallas Pkwy - Ste 120 Dallas 75248
2048	3,686	DALLAS	DA11	Dallas Fire Station # 7 6010 Davenport Rd Dallas 75248
2049	1,565	DALLAS	DA11	Prestonwood Elem School 6525 La Cosa Dr Dallas 75248
2050	1,670	DALLAS	DA11	Prestonwood Elem School 6525 La Cosa Dr Dallas 75248
2051	2,427	DALLAS	DA11	Spring Creek Elem School-RISD 7667 Roundrock Dallas 75248
2052	1,343	DALLAS	DA11	Northwood Hills Elem School 14532 Meandering Way Dallas 75254
2053	2,458	DALLAS	DA11	Anne Frank Elem School 5201 Celestial Rd Dallas 75254
2054	2,676	DALLAS	DA11	Anne Frank Elem School 5201 Celestial Rd Dallas 75254
2055	1,544	DALLAS	DA11	Anne Frank Elem School 5201 Celestial Rd Dallas 75254
2056	1,286	DALLAS	DA11	King of Glory Lutheran Church 6411 LBJ Freeway Dallas 75240

DALLAS COUNTY
DISTRICT 11 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
2057	495	DALLAS	DA11	Spring Valley Elem School 13535 Spring Grove Rd Dallas 75240
2058	1,139	DALLAS	DA11	Park Central Baptist Church 7777 LBJ Freeway Dallas 75251
2079	1,840	DALLAS	DA11	Anne Frank Elem School 5201 Celestial Rd Dallas 75254

DALLAS COUNTY
DISTRICT 12 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA12				
2041	35	DALLAS	DA12	Presbyterian Medical Office North 17110 Dallas Pkwy - Ste 120 Dallas 75248
2042	2,962	DALLAS	DA12	Parkhill Jr. High School 16500 Shadybank Dr Dallas 75248
2043	2,077	DALLAS	DA12	Brentfield Elem School 6767 Brentfield Dr Dallas 75248
2044	1,015	DALLAS	DA12	Texas A&M Research Ext Ctr 17360 Coit Road Dallas 75252
2045	1,850	DALLAS	DA12	Parkhill Jr. High School 16500 Shadybank Dr Dallas 75248
2046	1,813	DALLAS	DA12	James Bowie Elem School-RISD 7643 La Manga Dr Dallas 75248
2047	2,322	DALLAS	DA12	James Bowie Elem School-RISD 7643 La Manga Dr Dallas 75248
2406	29	DALLAS	DA12	Keller Springs Baptist Church 3227 Keller Springs Rd Carrollton 75006
2902	49	DALLAS	DA12	Addison Fire Department 4798 Airport Pkwy Addison 75001

DALLAS COUNTY
DISTRICT 13 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA13				
1000	510	DALLAS	DA13	Dan D Rogers Elem School 5314 Abrams Rd Dallas 75214
1001	792	DALLAS	DA13	Vickery Baptist Church 5814 Ridgecrest Rd Dallas 75231
1002	1,257	DALLAS	DA13	Vickery Baptist Church 5814 Ridgecrest Rd Dallas 75231
1008	741	DALLAS	DA13	Lee Mcshan Jr. Elem School 8307 Meadow Rd Dallas 75231
1009	1,000	DALLAS	DA13	Vickery Baptist Church 5814 Ridgecrest Rd Dallas 75231
1011	836	DALLAS	DA13	Vickery Baptist Church 5814 Ridgecrest Rd Dallas 75231
1012	259	DALLAS	DA13	Vickery Baptist Church 5814 Ridgecrest Rd Dallas 75231
1126	934	DALLAS	DA13	Vickery Baptist Church 5814 Ridgecrest Rd Dallas 75231
2002	1,230	DALLAS	DA13	Thomas C Marsh Preparatory Academy 3838 Crown Shore Dr Dallas 75244
2003	2,598	DALLAS	DA13	W T White High School 4505 Ridgeside Dr Dallas 75244
2004	1,984	DALLAS	DA13	Nathan Adams Elem School 12600 Welch Rd Dallas 75244
2005	984	DALLAS	DA13	DeGolyer Elem School 3453 Flair Dr Dallas 75229
2006	1,467	DALLAS	DA13	John Calvin Presbyterian Church 4151 Royal Ln Dallas 75229
2007	2,874	DALLAS	DA13	John Calvin Presbyterian Church 4151 Royal Ln Dallas 75229
2008	1,452	DALLAS	DA13	John J Pershing Elem School 5715 Meaders Lane Dallas 75229
2009	1,926	DALLAS	DA13	L G Cigarroa Elem School 9990 Webb Chapel Rd Dallas 75220
2010	1,369	DALLAS	DA13	Edward Cary Middle School 3978 Killion Dr Dallas 75229
2011	2,019	DALLAS	DA13	Walnut Hill Rec Center 10011 Midway Rd Dallas 75229
2013	1,234	DALLAS	DA13	Lovers Lane United Meth Church 9200 Inwood Rd Dallas 75220
2014	513	DALLAS	DA13	Lovers Lane United Meth Church 9200 Inwood Rd Dallas 75220
2015	1,122	DALLAS	DA13	Ewell D Walker Middle School 12532 Nuestra Dr Dallas 75230
2018	816	DALLAS	DA13	Northhaven Un Methodist Church 11211 Preston Rd Dallas 75230
2021	3,512	DALLAS	DA13	Preston Hollow Un Methodist Church 6315 Walnut Hill Ln Dallas 75230
2025	2,625	DALLAS	DA13	Hillcrest High School 9924 Hillcrest Rd Dallas 75230
2026	2,735	DALLAS	DA13	Hillcrest High School 9924 Hillcrest Rd Dallas 75230

DALLAS COUNTY
DISTRICT 13 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
2027	1,569	DALLAS	DA13	Our Redeemer Lutheran Church 7611 Park Lane Dallas 75225
2029	1,539	DALLAS	DA13	Lovers Lane United Meth Church 9200 Inwood Rd Dallas 75220
2030	1,902	DALLAS	DA13	Our Redeemer Lutheran Church 7611 Park Lane Dallas 75225
2033	2	DALLAS	DA13	Village Country Club 8308 Southwestern Dallas 75206
2034	1,480	DALLAS	DA13	Henry W Longfellow - CEA 5314 Boaz St Dallas 75209
2077	1,299	DALLAS	DA13	Ewell D Walker Middle School 12532 Nuestra Dr Dallas 75230
4001	350	DALLAS	DA13	Caillet Elem School 3033 Merrell Rd Dallas 75229
4002	972	DALLAS	DA13	Caillet Elem School 3033 Merrell Rd Dallas 75229
4003	17	DALLAS	DA13	Marcus Rec Center 3003 Northaven Road Dallas 75229
4004	1,595	DALLAS	DA13	Marcus Rec Center 3003 Northaven Road Dallas 75229
4006	1,230	DALLAS	DA13	DeGolyer Elem School 3453 Flair Dr Dallas 75229
4007	188	DALLAS	DA13	David Burnet Elem School 3200 Kinkaid Dr Dallas 75220
4014	1,833	DALLAS	DA13	Sudie Williams Elem School 4518 Pomona Rd Dallas 75209
4018	597	DALLAS	DA13	Maple Lawn Elem School 3120 Inwood Rd Dallas 75235
4092	178	DALLAS	DA13	David Burnet Elem School 3200 Kinkaid Dr Dallas 75220
4094	131	DALLAS	DA13	Park Forest Branch Library 3421 Forest Lane Dallas 75234
4095	45	DALLAS	DA13	DeGolyer Elem School 3453 Flair Dr Dallas 75229
4096	36	DALLAS	DA13	DeGolyer Elem School 3453 Flair Dr Dallas 75229
4099	1,039	DALLAS	DA13	Sudie Williams Elem School 4518 Pomona Rd Dallas 75209

DALLAS COUNTY
DISTRICT 14 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
District DA14				
1013	3,916	DALLAS	DA14	North Dallas High School 3120 N Haskell Ave Dallas 75204
1015	710	DALLAS	DA14	Multiple Careers Magnet Ctr 4528 Rusk Ave Dallas 75204
1016	224	DALLAS	DA14	JFK Learning Center 1802 Moser Ave Dallas 75206
1017	1,147	DALLAS	DA14	JFK Learning Center 1802 Moser Ave Dallas 75206
1018	262	DALLAS	DA14	Ben Milam Elem School-DISD 4200 McKinney Ave Dallas 75205
1019	2,488	DALLAS	DA14	Dallas Fire Station # 17 6045 Belmont Ave Dallas 75206
1020	1,314	DALLAS	DA14	Ben Milam Elem School-DISD 4200 McKinney Ave Dallas 75205
1021	1,628	DALLAS	DA14	Oaklawn Branch Library 4100 Cedar Springs Rd Dallas 75219
1022	3,625	DALLAS	DA14	Oaklawn Branch Library 4100 Cedar Springs Rd Dallas 75219
1023	1,915	DALLAS	DA14	The Fathers Church 2707 Abrams Road Dallas 75214
1050	152	DALLAS	DA14	Eduardo Mata Elem School 7420 La Vista Dr Dallas 75214
1071	2,700	DALLAS	DA14	Lakewood Branch Library 6121 Worth Street Dallas 75214
1073	1,052	DALLAS	DA14	Junius Heights Baptist Church 5429 Reiger Ave Dallas 75214
1075	578	DALLAS	DA14	Samuell Grand Rec Center 6200 East Grand Ave Dallas 75223
1076	1,889	DALLAS	DA14	Eduardo Mata Elem School 7420 La Vista Dr Dallas 75214
1117	2,463	DALLAS	DA14	North Dallas High School 3120 N Haskell Ave Dallas 75204
1118	1,439	DALLAS	DA14	J W Ray Elem School 2211 Caddo St Dallas 75204
1120	376	DALLAS	DA14	JFK Learning Center 1802 Moser Ave Dallas 75206
1131	725	DALLAS	DA14	Grace United Methodist Church 4105 Junius St Dallas 75246
2031	3,538	DALLAS	DA14	Village Country Club 8308 Southwestern Dallas 75206
2032	1,891	DALLAS	DA14	Village Country Club 8308 Southwestern Dallas 75206
2033	1,702	DALLAS	DA14	Village Country Club 8308 Southwestern Dallas 75206
2035	1,495	DALLAS	DA14	Stonewall Jackson Elem School 5828 Mockingbird Ln Dallas 75206
2036	1,440	DALLAS	DA14	Zion Lutheran Church 6121 E Lovers Lane Dallas 75214
2037	818	DALLAS	DA14	John S Armstrong Elem School 3600 Cornell Dallas 75205

DALLAS COUNTY
DISTRICT 14 - ELECTION DAY LOCATIONS - NOVEMBER 7, 2017 SPECIAL ELECTION

PCT	Voters	City	City Dist	Location
2038	3,128	DALLAS	DA14	Robert E Lee Elem School 2911 Delmar Ave Dallas 75206
2039	2,804	DALLAS	DA14	Robert E Lee Elem School 2911 Delmar Ave Dallas 75206
2040	1,624	DALLAS	DA14	St. Andrews Presbyterian Church 3204 Skillman St Dallas 75214
2068	245	DALLAS	DA14	Dan D Rogers Elem School 5314 Abrams Rd Dallas 75214
2201	1	DALLAS	DA14	John S Bradfield Elem School 4300 Southern Ave Dallas 75205
3000	3,511	DALLAS	DA14	William B Travis Vanguard 3001 Mckinney Ave Dallas 75204
3006	3,071	DALLAS	DA14	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219
3007	1,162	DALLAS	DA14	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219
3008	4,286	DALLAS	DA14	Dallas County Courthouse - Allen 600 Commerce St Dallas 75202
3009	2,309	DALLAS	DA14	Exall Recreation Center 1355 Adair St Dallas 75204
3010	477	DALLAS	DA14	Exall Recreation Center 1355 Adair St Dallas 75204
3081	1,441	DALLAS	DA14	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219
3086	3,221	DALLAS	DA14	William B Travis Vanguard 3001 Mckinney Ave Dallas 75204
4032	354	DALLAS	DA14	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219
4102	257	DALLAS	DA14	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219
4106	150	DALLAS	DA14	Reverchon Recreation Ctr 3505 Maple Ave Dallas 75219

ELECTION DAY POLLING LOCATIONS

COLLIN COUNTY

VOTE CENTERS

Collin County
Election Day Vote Centers - November 7, 2017 Special Election

Location	Address	City	Zip
Akin Elementary School	1100 Springwood Ln.	Wylie	75098
Aldridge Elementary School	720 Pleasant Valley Ln.	Richardson	75080
Allen Municipal Courts Facility	301 Century Pkwy.	Allen	75013
Armstrong Middle School	3805 Timberline	Plano	75074
Blue Ridge ISD Administration Bldg.	318 West School St.	Blue Ridge	75424
Bowman Middle School	2501 Jupiter Rd.	Plano	75074
Brinker Elementary School	3800 Clark Pkwy.	Plano	75093
Carpenter Middle School	3905 Rainier Rd.	Plano	75023
Carpenter Park Recreation Center	6701 Coit Rd.	Plano	75024
Celina ISD Administration Bldg.	205 S. Colorado St.	Celina	75009
Christ the Servant Lutheran Church	821 S. Greenville Ave.	Allen	75002
Christ United Methodist Church	3101 Coit Rd.	Plano	75075
Clark High School - Plano	523 W. Spring Creek Pkwy.	Plano	75023
Clark Middle School	4600 Colby Dr.	Frisco	75035
Collin College - Higher Education Center	3452 TX-399 Spur	McKinney	75069
Collin College Central Park Campus	2200 W. University Dr.	McKinney	75071
Collin College Preston Ridge Campus	9700 Wade Blvd.	Frisco	75035
Collin College Spring Creek Campus	2800 E. Spring Creek Pkwy.	Plano	75074
Collin County Elections Office	2010 Redbud Blvd, Ste. 102	McKinney	75069
Community ISD Technology/Conference Ctr.	615 FM 1138	Nevada	75173
Davis Library	7501 Independence Pkwy.	Plano	75025

CITY COUNCIL DISTRICT 12 TOTAL REGISTERED VOTERS: 28,967

Location	Address	City	Zip
Dowell Middle School	301 Ridge Rd.	McKinney	75070
Dr. Pepper Star Center at Craig Ranch	6993 Stars Ave.	McKinney	75070
Eldorado Country Club	2604 Country Club Dr.	McKinney	75070
First Baptist Church - Branch	7011 FM 546	Princeton	75407
First Baptist Church Farmersville, Youth Bldg.	201 Farmersville Pkwy.	Farmersville	75442
Fairview Town Hall	372 Town Place	Fairview	75069
Ford Middle School	630 Park Place Dr.	Allen	75002
Fowler Middle School	3801 McDermott Rd.	Plano	75025
Frisco Senior Center	6670 Moore St.	Frisco	75034
John and Judy Gay Library	6861 W. Eldorado Pkwy.	McKinney	75070
Haggar Elementary School	17820 Campbell Rd.	Dallas	75252
Gladys Harrington Library	1501 18th St.	Plano	75074
Heritage High School	14040 Eldorado Pkwy.	Frisco	75035
Lamar and Norma Hunt Middle School	4900 Legendary Dr.	Frisco	75034
John Q. Hammons Center – Courtyard Marriott	210 East Stacy Rd.	Allen	75002
Lavon City Hall	120 School Rd.	Lavon	75166
Lovejoy ISD Administration	259 Country Club Rd.	Allen	75002
Liberty High School	15250 Rolater Rd.	Frisco	75035
Lowry Crossing City Hall	1405 S. Bridgefarmer Rd.	Lowry Crossing	75069
Lucas City Hall	665 Country Club Rd.	Lucas	75002
McKinney Fire Station #7	861 Independence Pkwy.	Plano	75070

CITY COUNCIL DISTRICT 12 TOTAL REGISTERED VOTERS: 28,967

Location	Address	City	Zip
McKinney Senior Recreation Center	1400 S. College	McKinney	75069
Melissa City Hall	3411 Barker Ave.	Melissa	75454
Mitchell Elementary School	4223 Briargrove Ln.	Dallas	75287
Murphy Community Center	205 N. Murphy Rd.	Murphy	75094
Old Settlers Recreation Center	1201 E. Louisiana St.	McKinney	75069
Parker City Hall	5700 E. Parker Rd.	Parker	75002
Parr Library	6200 Windhaven Pkwy.	Plano	75093
Plano ISD Administration Center	2700 W. 15th St.	Plano	75075
Plano Senior Center	401 W. 16th St.	Plano	75075
Princeton High School	1000 E. Princeton Dr.	Princeton	75407
Prosper ISD Administration	605 E. Seventh St.	Prosper	75078
Renner-Frankford Library	6400 Frankford Rd.	Dallas	75252
Royse City Lady Bulldog Gymnasium	1412 FM 1777	Royse City	75189
Seis Lagos Community Services Association	222 Seis Lago Trail	Wylie	75098
Shiloh Missionary Baptist Church Annex	1310 Avenue "I"	Plano	75074
Smith Library	300 Country Club Rd., #300	Wylie	75098
Staley Middle School	6927 Stadium Ln.	Frisco	75033
Stonebridge United Methodist Church	1800 S. Stonebridge Dr.	McKinney	75070
Suncreek United Methodist Church	1517 W. McDermott Dr.	Allen	75013
Texas Star Bank	402 W. White St.	Anna	75409
Weston Community Center	117 Main St.	Weston	75097
Woodcreek Church	3400 E. Renner Rd.	Richardson	75082

CITY COUNCIL DISTRICT 12 TOTAL REGISTERED VOTERS: 28,967

ELECTION DAY POLLING LOCATIONS

DENTON COUNTY

Denton County
Election Day Locations - November 7, 2017 Special Election

Precinct	Voter Reg	Polling Place	Address	City	Zip
2000	3,856	Timberglen Recreation Center	3810 Timberglen Rd.	Dallas	75287
2001	4,086	Timberglen Recreation Center	3810 Timberglen Rd.	Dallas	75287
2002	5,092	Timberglen Recreation Center	3810 Timberglen Rd.	Dallas	75287

EXHIBIT B

EARLY VOTING LOCATIONS, DATES AND TIMES

DALLAS, COLLIN AND DENTON COUNTIES

EARLY VOTING LOCATIONS

DALLAS COUNTY

DALLAS COUNTY
EARLY VOTING LOCATIONS/DATES/TIMES - NOVEMBER 7, 2017 SPECIAL ELECTION

Location	Address	City	Zip
BETHANY LUTHERAN CHURCH	10101 WALNUT HILL LN.	DALLAS	75238
CEDAR HILL GOVERNMENT CENTER	285 UPTOWN BLVD.	CEDAR HILL	75104
CROSSWINDS HIGH SCHOOL	1100 N. CARRIER PKWY.	GRAND PRAIRIE	75050
DISD ADMINISTRATION BUILDING	3700 ROSS AVE.	DALLAS	75204
DISCIPLE CENTRAL COMMUNITY CHURCH	901 N. POLK ST.	DESOTO	75115
DUNCANVILLE LIBRARY	201 JAMES COLLINS	DUNCANVILLE	75116
EASTFIELD COLLEGE-PLEASANT GROVE CAMPUS	802 S. BUCKNER BLVD.	DALLAS	75217
EL CENTRO COLLEGE-WEST CAMPUS	3330 N. HAMPTON RD.	DALLAS	75212
FARMERS BRANCH CITY HALL	13000 WILLIAMD DODSON PKWY.	FARMERS BRANCH	75234
FRETZ PARK LIBRARY	6990 BELT LINE RD.	DALLAS	75254
GEORGE L. ALLEN SR. COURTS BUILDING (Main Location)	600 COMMERCE ST.	DALLAS	75202
GLENN HEIGHTS CITY HALL	1938 S. HAMPTON RD.	GLENN HEIGHTS	75154
GRAUWYLER PARK RECREATION CENTER.	7780 HARRY HINES BLVD.	DALLAS	75235
IRVING CITY HALL	825 W. IRVING BLVD.	IRVING	75060
J. ERIK JONSSON LIBRARY	1515 YOUNG ST.	DALLAS	75201
JOSEY RANCH LIBRARY	1700 KELLER SPRINGS	CARROLLTON	75006
LAKESIDE ACTIVITY CENTER	101 HOLLEY PARK DR.	MESQUITE	75149
LANCASTER VETERANS MEMORIAL LIBRARY	1600 VETERANS MEMORIAL PKWY.	LANCASTER	75134
LOCHWOOD LIBRARY	11221 LOCHWOOD BLVD.	DALLAS	75218
MARSH LANE BAPTIST CHURCH	10716 MARSH LN.	DALLAS	75229
MARTIN LUTHER KING CORE BUILDING	2922 MARTIN LUTHER KING, JR. BLVD.	DALLAS	75215
MARTIN WEISS RECREATION CENTER	1111 MARTINDELL AVE.	DALLAS	75211
MOUNTAIN CREEK LIBRARY	6102 MOUNTAIN CREEK	DALLAS	75249
OAK CLIFF SUB COURTHOUSE	410 S. BECKLEY	DALLAS	75203
OUR REDEEMER LUTHERAN CHURCH	7611 PARK LN.	DALLAS	75225
PAUL L. DUNBAR LANCASTER-KIEST LIBRARY	2008 E. KIEST BLVD.	DALLAS	75216
RICHARDSON CIVIC CENTER	411 W. ARAPAHO RD.	RICHARDSON	75080
RICHLAND COLLEGE - GARLAND CAMPUS	675 W. WALNUT ST.	GARLAND	75040
ROWLETT CITY HALL ANNEX	4004 MAIN ST.	ROWLETT	75088
SACHSE CITY HALL	3815 SACHSE RD., BLDG. B	SACHSE	75048
SAMUELL GRAND RECREATION CENTER	6200 EAST GRAND AVE.	DALLAS	75223
VALLEY RANCH LIBRARY	401 CIMARRON TRAIL	IRVING	75063

DATES AND TIMES OF EARLY VOTING

(FECHAS Y HORAS DE VOTACIÓN ANTICIPADA)

October 23 - October 27 (Monday through Friday) 23 de Octubre - 27 de Octubre (Lunes a Viernes)	8 AM - 5 PM
October 28 (Saturday) 28 de Octubre (Sábado)	8 AM - 5 PM
October 29 (Sunday) 29 de Octubre (Domingo)	1 PM - 6 PM
October 30 - November 1 (Monday through Wednesday) 30 de Octubre - 1 de Noviembre (Lunes a Miercoles)	8 AM - 5 PM
November 2 - November 3 (Thursday and Friday) 2 de Noviembre - 3 de Noviembre (Jueves y Viernes)	7 AM - 7 PM

EARLY VOTING LOCATIONS

COLLIN COUNTY

COLLIN COUNTY
EARLY VOTING LOCATIONS/DATES/TIMES - NOVEMBER 7, 2017 SPECIAL ELECTION

LOCATION	ADDRESS	CITY	ZIP
COLLIN COUNTY ELECTIONS **(MAIN EARLY VOTING LOCATION)**	2010 REDBUD BLVD. ST 102	MCKINNEY	75069
ALLEN MUNICIPAL COURTS FACILITY	301 CENTURY PKWY.	ALLEN	75013
CARPENTER PARK RECREATION CENTER	6701 COIT RD.	PLANO	75024
CELINA ISD ADMINISTRATION BUILDING	205 S. COLORADO ST.	CELINA	75009
CHRIST UNITED METHODIST CHURCH	3101 COIT RD.	PLANO	75075
COLLIN COLLEGE - CENTRAL PARK CAMPUS	2200 W. UNIVERSITY DRIVE	MCKINNEY	75071
COLLIN COLLEGE - PRESTON RIDGE CAMPUS	9700 WADE BLVD.	FRISCO	75035
COLLIN COLLEGE - SPRING CREEK CAMPUS	2800 E. SPRING CREEK PKWY.	PLANO	75074
COLLIN COLLEGE - HIGHER EDUCATION CENTER	3452 TX-399 SPUR	MCKINNEY	75069
DAVIS LIBRARY	7501 INDEPENDENCE PKWY.	PLANO	75025
FRISCO SENIOR CENTER	6670 MOORE ST.	FRISCO	75034
GAY LIBRARY	6861 W. ELDORADO PKWY.	MCKINNEY	75070
HAGGARD LIBRARY	2501 COIT RD.	PLANO	75075
HARRINGTON LIBRARY	1501 18TH ST.	PLANO	75074
LOVEJOY ISD ADMINISTRATION BLDG.	259 COUNTRY CLUB RD.	ALLEN	75002
LAVON CITY HALL	120 SCHOOL RD.	LAVON	75166
MCKINNEY FIRE STATION #7	861 S. INDEPENDENCE PKWY.	MCKINNEY	75070
METHODIST RICHARDSON MEDICAL CENTER	2831 E. PRESIDENT GEORGE BUSH HWY.	RICHARDSON	75082
MURPHY COMMUNITY CENTER	205 NORTH MURPHY RD.	MURPHY	75094
OLD SETTLERS RECREATION CENTER	1201 E. LOUISIANA ST.	MCKINNEY	75069
PARKER CITY HALL	5700 E. PARKER RD.	PARKER	75002
PARR LIBRARY	6200 WINDHAVEN PKWY.	PLANO	75093
PLANO ISD ADMINISTRATION CENTER	2700 W. 15TH ST.	PLANO	75075
PRINCETON CITY HALL	123 W. PRINCETON DRIVE	PRINCETON	75407
PROSPER MUNICIPAL CHAMBERS	108 W. BROADWAY ST.	PROSPER	75078
RENNER-FRANKFORD LIBRARY	6400 FRANKFORD RD.	DALLAS	75252
SMITH LIBRARY	300 COUNTRY CLUB RD., #300	WYLIE	75098

DATES AND TIMES OF EARLY VOTING

(FECHAS Y HORAS DE VOTACIÓN ANTICIPADA)

OCTOBER 23 – OCTOBER 27 (MONDAY THROUGH FRIDAY)	8 AM – 5 PM
23 DE OCTUBRE – 27 DE OCTUBRE (LUNES A VIERNES)	
OCTOBER 28 (SATURDAY)	7 AM – 7 PM
28 DE OCTUBRE (SABADO)	
OCTOBER 29 (SUNDAY)	1 PM – 6 PM
29 DE OCTUBRE (DOMINGO)	
OCTOBER 30 – NOVEMBER 3 (MONDAY THROUGH FRIDAY)	7 AM – 7 PM
30 DE OCTUBRE – 3 DE NOVIEMBRE (LUNES A VIERNES)	

TEMPORARY EARLY VOTING LOCATIONS:

(VOTACIONES TEMPORALES ANTICIPADAS)

LOCATION	ADDRESS	CITY	ZIP
FARMERSVILLE CITY HALL	205 S. MAIN ST.	FARMERSVILLE	75442

DATES AND TIMES OF EARLY VOTING

(FECHAS Y HORAS DE VOTACIÓN ANTICIPADA)

OCTOBER 23 – OCTOBER 27 (MONDAY THROUGH FRIDAY) **8 AM – 5 PM**
23 DE OCTUBRE – 27 DE OCTUBRE (LUNES A VIERNES)

LOCATION	ADDRESS	CITY	Zip
FARMERSVILLE CITY HALL	205 S. MAIN ST.	FARMERSVILLE	75442

DATES AND TIMES OF EARLY VOTING

(FECHAS Y HORAS DE VOTACIÓN ANTICIPADA)

OCTOBER 23 – OCTOBER 27 (MONDAY THROUGH FRIDAY) **8 AM – 5 PM**
23 DE OCTUBRE – 27 DE OCTUBRE (LUNES A VIERNES)

Important Note: *Eligible* Collin County registered voters (with an effective date of registration on or before November 7, 2017) may vote at any of the above early voting locations.

EARLY VOTING LOCATIONS

DENTON COUNTY

DENTON COUNTY
EARLY VOTING LOCATIONS/DATES/TIMES - NOVEMBER 7, 2017 SPECIAL ELECTION

Location	Address	City	Zip
AUBREY ISD BUILDING	415 TISDELL LN.	AUBREY	76227
DENTON COUNTY SOUTHWEST COURTHOUSE	6200 CANYON FALLS DR.	ROANOKE	76262
CARROLLTON PUBLIC LIBRARY	4220 N. JOSEY LN.	CARROLLTON	75010
CORINTH CITY HALL	3300 CORINTH PKWY.	CORINTH	76208
DENTON CIVIC CENTER	321 E. MCKINNEY ST.	DENTON	76201
DENTON COUNTY ELECTIONS ADMINISTRATION OFFICE (MAIN LOCATION)	701 KIMBERLY DR.	DENTON	76208
FLOWER MOUND POLICE AND MUNICIPAL COMPLEX	4150 KIRKPATRICK LN.	FLOWER MOUND	75028
FRISCO FIRE STATION #4	4484 COTTON GIN RD.	FRISCO	75034
FRISCO FIRE STATION #7	330 W. STONEBROOK PKWY.	FRISCO	75034
HIGHLAND VILLAGE MUNICIPAL COMPLEX	1000 HIGHLAND VILLAGE RD.	HIGHLAND VILLAGE	75077
JUSTIN MUNICIPAL COMPLEX	415 N. COLLEGE	JUSTIN	76247
KRUM ISD ADMINISTRATION BUILDING	1200 BOBCAT BLVD.	KRUM	76249
LEWISVILLE MUNICIPAL COMPLEX	1197 MAIN ST.	LEWISVILLE	75067
LITTLE ELM LIBRARY	100 W. ELDORADO PKWY.	LITTLE ELM	75068
PILOT POINT SENIOR CENTER	310 S. WASHINGTON ST.	PILOT POINT	76258
SANGER CHURCH OF CHRIST	400 LOCUST ST.	SANGER	76266
STEVEN E. COPELAND GOVERNMENT CENTER	1400 FM 424	AUBREY	76227
THE COLONY CITY HALL ANNEX	6800 MAIN ST.	THE COLONY	75056
TIMBERGLEN LIBRARY	18505 MIDWAY RD.	DALLAS	75287
UNT GATEWAY CENTER	801 N. TEXAS BLVD.	DENTON	76201

DATES AND TIMES OF EARLY VOTING

(FECHAS Y HORAS DE VOTACIÓN ANTICIPADA)

OCTOBER 23 - OCTOBER 27 (MONDAY THROUGH FRIDAY) 23 DE OCTUBRE - 27 DE OCTUBRE (LUNES A VIERNES)	8 AM - 5 PM
OCTOBER 28 (SATURDAY) 28 DE OCTUBRE (SÁBADO)	7 AM - 7 PM
OCTOBER 29 (SUNDAY) 29 DE OCTUBRE (DOMINGO)	1 PM - 6 PM
OCTOBER 30 - NOVEMBER 3 (MONDAY THROUGH FRIDAY) 31 DE OCTUBRE - 4 DE NOVIEMBRE (LUNES A VIERNES)	7 AM - 7 PM

AGENDA ITEM # 46

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: City Secretary

CMO: Rosa Rios, 670-3738

MAPSCO: N/A

SUBJECT

An ordinance amending Chapter 8, "Boards and Commissions," of the Dallas City Code amending Sections 8-1, 8-1.1, 8-1.2, 8-1.4, 8-1.5, 8-2, 8-4, 8-6, 8-8, 8-9, 8-20.1, and 8-21; **(1)** clarifying and adding definitions; **(2)** providing that each board approve and provide its annual report to the city manager; **(3)** clarifying and adding items to be included in a board's annual report; **(4)** providing clarification on residency requirements; **(5)** providing term limits for elected trustees of the employees' retirement fund; **(6)** requiring department directors to inform the city secretary's office of the board's regular meeting schedule; **(7)** providing that a board may call a special meeting if a quorum does not exist 30 minutes after the meeting was called; **(8)** providing that absence from a special meeting does not affect a board member's attendance in regards to the attendance policy; **(9)** providing that the minutes of meetings to be submitted to the city secretary must be signed by the presiding officer; **(10)** providing that the mayor shall appoint the chair for each board subject to confirmation by a majority of the city council; **(11)** providing that the term of appointment of chair or vice-chair will run concurrently with the term of appointment to the board; **(12)** providing that the chair or vice-chair may be removed from the position of chair or vice-chair for any cause with a public hearing before city council on charges publicly made; **(13)** providing for an exception to the special attendance requirements; **(14)** providing that a member will be counted absent from a meeting if that member is absent for more than 50 percent of that meeting; **(15)** making certain other structural, grammatical, and clarifying changes; **(16)** providing a saving clause; **(17)** providing a severability clause; and **(18)** providing an effective date – Financing: No cost consideration to the City

BACKGROUND

Chapter 8 of the Dallas City Code governs boards and commissions. The City Secretary's Office conducted a review of the chapter and found that there were outdated requirements and standards. Further, the need existed to incorporate certain appointment processes that would ensure compliance by both nominees and board/commission administrating departments. The changes were carefully reviewed with the City Attorney's Office. The proposed changes incorporates their recommendation as well as the Administrative Ad Hoc Committee's.

The Administrative Ad Hoc Committee has reviewed the proposed amendments to Chapter 8 and unanimously recommended the proposed changes be scheduled for approval by the City Council prior to the biennial appointment period, which begins in August with terms to begin October 1, 2017 for Chapter 8 boards/commissions.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 12, 2017, the Administrative Ad Hoc Committee was briefed on the proposed changes to Chapter 8, "Boards and Commissions," of the Dallas City Code.

On April 24, 2017, the Administrative Ad Hoc Committee reviewed and unanimously approved the amendments to Chapter 8, "Boards and Commissions" of the Dallas City Code and recommended City Council approval.

FISCAL INFORMATION

No cost consideration to the City.

7/17/2017

ORDINANCE NO. _____

An ordinance amending Chapter 8, "Boards and Commissions," of the Dallas City Code by amending Sections 8-1, 8-1.1, 8-1.2, 8-1.4, 8-1.5, 8-2, 8-4, 8-6, 8-8, 8-9, 8-20, 8-20.1, and 8-21; clarifying and adding definitions; providing that each board approve and provide its annual report to the city manager; clarifying and adding items to be included in a board's annual report; providing clarification on residency requirements; providing term limits for elected trustees of the employees' retirement fund; requiring department directors to inform the city secretary's office of the board's regular meeting schedule; providing that a board may call a special meeting if a quorum does not exist 30 minutes after the meeting was called; providing that absence from a special meeting does not affect a board member's attendance in regards to the attendance policy; providing that the minutes of meetings to be submitted to the city secretary must be signed by the presiding officer; providing that the mayor shall appoint the chair for each board subject to confirmation by a majority of the city council; providing that the term of appointment of chair or vice-chair will run concurrently with the term of appointment to the board; providing that the chair or vice-chair may be removed from the position of chair or vice-chair for any cause with a public hearing before city council on charges publicly made; providing for an exception to the special attendance requirements; providing that a member will be counted absent from a meeting if that member is absent for more than 50 percent of that meeting; making certain other structural, grammatical, and clarifying changes; 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:

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SECTION 1. That Section 8-1, "Definitions," of Article I, "In General," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"**SEC. 8-1. DEFINITIONS.**

In this chapter:

(1) BOARD means a board or commission of the city that is established by ordinance or the Charter of the City of Dallas.

(2) CHAIR means the presiding officer of a board whether appointed by the city council or elected by the other members of the board. In debate the chair shall be referred to by this official title and shall be addressed by prefixing Mr. or Madam, as the case may be, to that title.

(3) CONFIDENTIAL INFORMATION means any information that could not be obtained by the public under the Texas Open Records Act.

(4) CRIMINAL RECORD means a record of a person's criminal history, which may include, without limitation, arrests, convictions, dismissals, and acquittals.

(5) FORFEIT or FORFEITURE means automatic loss of membership on a board, without the need for council action.

(6) MEMBER means a duly appointed or elected member of a board."

SECTION 2. That Subsection (a) of Section 8-1.1, "Reports to the City Council," of Article I, "In General," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"**SEC. 8-1.1. REPORTS TO THE CITY COUNCIL.**

(a) By February 1 of each year, each board shall submit to the city manager for distribution to the city council an annual report that has been approved by the board of its activities containing the following:

(1) a cover letter transmitting the report, signed by the board chair, addressed to the mayor and city council;

(2) a table of contents;

(3) a mission statement [~~and~~] or the guiding principles of the reporting body;

(4) [~~a list of objectives, programs, and success indicators for period covered in the report;~~

~~(5)~~] a summary of the year just completed including highlights of objectives and accomplishments;

(5[~~6~~]) a [~~work program~~] list of objectives and programs for the coming year including revised goals [~~and a revised matrix~~];

(6[~~7~~]) a summary of the board's recommendations, including a summary of the recommendations of the minority if there is a minority report;

(7[~~8~~]) other information determined to be necessary by the board."

SECTION 3. That Subsection (c) of Section 8-1.1, "Reports to the City Council," of Article I, "In General," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"(c) The [~~public information representative of the~~] office of the city manager shall coordinate the preparation of the reports within the applicable city departments and generally give assistance in the development of the reports."

SECTION 4. That Subsection (d) of Section 8-1.1, "Reports to the City Council," of Article I, "In General," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"(d) The following formatting standards [~~for format~~] shall apply:

(1) The report should be 8-1/2 inches by 11 inches in size. Each larger sheet should be folded to this size.

[~~(2) The text should be black and white with no color.~~

~~(3) The text should be typed and reproduced directly, without typesetting.~~

~~(4) Use of photographs should be kept at a minimum.~~]

(2[~~5~~]) Covers should include [~~be of color stock paper with black print and~~] the city of Dallas logo.

[~~(6) The report may be bound if over 200 pages in length.~~

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~~(7) The city print shop should do the printing.~~]"

SECTION 5. That Subsection (a) of Section 8-1.2, "Notice of Appointment; Acceptance," of Article I, "In General," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"(a) After the city council appoints a person to serve as a member of a board, the city secretary shall notify the person in writing of the appointment. The notification shall contain [~~a copy of~~] the city's code of ethics and a form of acceptance of appointment to be returned to the city secretary by the appointee. The form of acceptance shall contain a statement that the appointee has read the entire code of ethics and agrees to comply with it."

SECTION 6. That Section 8-1.4, "Qualification Considerations in Appointments to Board," of Article I, "In General," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"(a) In addition to the qualifications for service on a board that are mandated by the city charter or other ordinances, an appointee to a board must:

(1) have been a resident of the city for at least six months prior to the date of appointment;

(2) be a qualified voter in the city at the time of appointment;

(3) have no criminal record that is considered by the city council to be so serious that it should serve as a disqualification;

(4) not be an adversary party to pending litigation or a claim against the city or a city employee, except for eminent domain proceedings; disqualification of an appointee under this subparagraph may be waived by the city council after review of the specific circumstances unless the subject of the litigation or claim involves the board on which the appointee will serve or the department providing support services to that board;

(5) not be an employee or a business associate of either an adversary party or a representative of an adversary party, nor have a pecuniary interest, in any pending litigation or claim, other than an eminent domain proceeding, against the city relating to the board on which the appointee will serve or the department providing support services to that board or against any individual officer or employee of the support department (unless unrelated to such individual's office or employment); disqualification of an appointee under this subparagraph may not be waived;

(6) not be in arrears on any city taxes, water service charges, or other

obligations owed the city;

(7) have a creditable record of attendance pursuant to Section 8-20 [~~and performance~~] in any previous board service; and

(8) not have been finally convicted of two or more felony offenses for which the person has not been pardoned or otherwise released from the resulting disabilities.

(b) Notwithstanding Subsection (a), an appointee to a board is not required to live in the district for which he or she is appointed, unless district residency for a board is expressly required by this code.

(c) A person may serve on only one board at a time, except that this restriction does not apply to ex officio board positions. It is the city council's intent that a board member is not required to resign one board position before being appointed to another board, but must resign the first position before accepting appointment to the new board position.

(d[~~c~~]) Notwithstanding Subsection (c[~~b~~]), a person may serve on up to two boards of directors of reinvestment zones established under the Tax Increment Financing Act, as amended.

(e[~~d~~]) A person appointed to a board must meet, at the time of appointment and during the entire period of service on the board, all qualifications for appointment to that board that are required by this section and any other applicable provision of a city ordinance or the city charter. This subsection does not apply to a qualification waived by the city council pursuant to specific authority granted in a provision of a city ordinance or the city charter applicable to the board to which the person is appointed.

(f[e]) The city secretary shall inform the city council if any person nominated for appointment to a board has been convicted of a misdemeanor offense, other than a traffic violation, in the last five years or of any felony offense.

(g[e]) A person is not disqualified from board service under Subsection (a)(6) if the person has entered into an agreement (authorized by the city, state law, or court order) to pay the obligation on a scheduled payment plan and is current on payments under the plan and in compliance with all terms and conditions of the plan. Before the person is appointed or reappointed to any board, the city secretary shall inform the city council if the person is on such a payment plan. The city secretary shall monitor compliance with the payment plan and notify the city council and the city attorney whenever the person is not in compliance with the plan. [~~The city secretary shall also send a notice of any noncompliance to the person, and, if the person is a current or holdover board member, the city secretary shall place an item on a council agenda to consider removal of the person from the board.~~]

(h) Except as provided in this subsection, if a person does not meet or continue to meet the qualifications set forth under this section, the city secretary shall send the following:

(1) a notice that the person forfeits their membership on the board for no longer

qualifying under Paragraph (1), (2), (5), (6), (7), or (8) of Subsection (a) of this section.

(2) a notice that the city secretary shall place an item on a council agenda to consider removal of the person from the board for no longer qualifying under Paragraph (3) or (4) of Subsection (a) of this section."

SECTION 7. That Section 8-1.5, "Limitation of Terms," of Article I, "In General," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"**SEC. 8-1.5. LIMITATION OF TERMS.**

(a) A person who has served as a member of a particular board for four consecutive two-year terms will not again be eligible to serve on that same board until at least one term has elapsed, regardless of whether service was as a member or chair. [~~Disqualification of a board appointee under this subsection may be waived by the city council after a review of the specific circumstances.~~]

(a-1) A person who has served on the board of the employees' retirement fund pursuant to Section 40A-3(a)(1) of this code, as amended, for three consecutive terms, of whatever length of time, will not again be eligible to serve on that same board until at least one term has elapsed, whether service was as a member, chair, or other position on the board.

(b) Notwithstanding Subsection (a), a person may serve as a member of a particular board for the maximum number of terms that may be fixed for the particular board by the city charter or federal law and will not again be eligible to serve on that same board until at least one term has elapsed.

(c) In determining whether a full term has been served by a board member, the same definition of "term" that applies to a city council member, as set forth in Chapter III, Section 3A(c) of the city charter, will also apply to a board member."

SECTION 8. That Section 8-2, "Regular Meetings," of Article II, "Meetings," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"**SEC. 8-2. REGULAR MEETINGS.**

(a) Each board shall determine the time and place of its meetings. Regular meetings shall be scheduled weekly, monthly, semi-monthly, or quarterly, as the responsibilities of the board necessitate, at a location within a public building.

(b) Department directors will biennially inform the city secretary's office of the board's regular meeting schedule, or at any other such time as that schedule changes."

SECTION 9. That Section 8-4, "Quorum," of Article II, "Meetings," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"**SEC. 8-4. QUORUM.**

(a) At the beginning of each regular or special meeting, the chair shall determine whether or not a quorum exists in order to properly transact business of the board. Unless otherwise provided by another city ordinance, the city charter, or state law, a quorum exists when there are physically present a simple majority of the number of members officially appointed to the board, regardless of the total number of members actually provided for the board, except that no board required to be composed of 15 or more members may have a quorum of fewer than six members. If a quorum does not exist 30 minutes after the time for which the meeting was called, the chair shall adjourn the meeting and may [~~and either re-schedule the meeting at its next regular time or~~] call a special meeting in accordance with the Texas Open Meetings Act, as amended [~~, depending on the circumstances~~].

(b) For purposes of calculating attendance, special meetings will not be counted."

SECTION 10. That Subsection (a) of Section 8-6, "Public Character of Meetings and Actions; Executive Sessions," of Article II, "Meetings," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"(a) All meetings of a board shall be open to the public unless pertaining to matters authorized under the Texas Open Meetings Act, as amended, to be discussed in executive session. All actions of the board shall be public and sufficient copies of the minutes shall be made available by the coordinating city [~~secretary to~~] staff member[~~s~~] to the[~~,~~] the news media[~~,~~] and other interested persons upon request."

SECTION 11. That Section 8-8, "Report of Minutes," of Article II, "Meetings," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"**SEC. 8-8. REPORT OF MINUTES.**

Each board shall submit to the city secretary [~~of the city~~], within five days following each regular and special meeting the following:[~~,~~]

(a) a list of members absent from the meeting; and

(b) the approved [~~a copy of the~~] minutes of each [~~the~~] meeting, signed by the presiding officer."

SECTION 12. That Subsection (a) of Section 8-9, "Chair and Vice-Chair," of Article III, "Officers and Their Duties," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"(a) The chair shall[~~, when present,~~] preside at all meetings of the board. In the absence of the chair, the vice-chair shall exercise the powers of the chair. The seniority of the vice-chairs, if more than one, must be stipulated at the time of their selections. If no [~~the~~] chair or [~~ceases to preside during a meeting and no~~] vice-chair is available, [~~the chair may, subject to the approval of~~] the board may[~~,~~] appoint a temporary chair. The first adjournment puts an end to this appointment."

SECTION 13. That Subsection (e) of Section 8-9, "Chair and Vice-Chair," of Article III, "Officers and Their Duties," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"(e) Unless specifically provided otherwise in the ordinance or city charter provision creating a particular board:

(1) The mayor shall appoint the chair of each board from among the members appointed, subject to confirmation by the city council, and the vice-chair of every board of the city must be appointed by the full city council, unless otherwise provided in state law, city charter, or city code; [~~and~~]

(2) no city board may have more than one vice-chair appointed to serve on it at any given time, unless otherwise provided in state law, city charter, or city code;

(3) the term of appointment for a chair or vice-chair must run concurrently with his or her term of appointment to the board; and

(4) Notwithstanding paragraph (3) of this section, the chair or vice-chair may be removed from the position of chair or vice-chair for any cause the city council deems sufficient for removal in the interest of the public, but only after a public hearing before the city council on charges publicly made, if demanded by such member within 10 days. Removal of the position of chair or vice chair does not affect the member's term of appointment to the board."

SECTION 14. That Section 8-20, "Attendance," of Article IV, "Duties and Privileges of Members," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"**SEC. 8-20. ATTENDANCE.**

(a) No member shall be excused from attendance at a board meeting, unless for medical reasons certified to by a physician or unless excused by the board and the city council. More than[~~A member having~~] three unexcused absences in succession shall result in a forfeiture [~~membership on the board~~].

(b) A member of the board that meets weekly or semi-monthly [~~biweekly~~], who is absent from more than 25 percent of the regular meetings in any six-month period, whether excused or not, shall result in a forfeiture [~~membership on the board~~].

(c) A member of a board that meets monthly, who is absent from more than 25 percent of the regular meetings during any 12-month period, whether excused or not, shall result in a forfeiture [~~membership on the board~~].

(d) An office that has been forfeited under the provisions of this section shall be filled for the remainder of the term by appointment of the city council.

(e) For purposes of this section, the record of a member's absences will begin with the first regular meeting after the 15th day from the date the member received notice of appointment."

SECTION 15. That Section 8-20.1, "Special Attendance Requirements," of Article IV, "Duties and Privileges of Members," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"**SEC. 8-20.1. SPECIAL ATTENDANCE REQUIREMENTS.**

If a board or commission, as part of its decision-making process, schedules an inspection trip to the location of a matter that is to be considered by the board or commission at that day's meeting, a member will be counted absent unless:

(1) the member attends both the inspection trip and the meeting; [~~or~~]

(2) the member represents that a personal inspection has been made of each location visited by the inspection trip and attends the meeting; or[~~.~~]

(3) the board or commission, by rule, provides otherwise."

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SECTION 16. That Section 8-21, "Excusal During Meeting," of Article IV, "Duties and Privileges of Members," of Chapter 8, "Boards and Commissions," of the Dallas City Code is amended to read as follows:

"**SEC. 8-21. EXCUSAL DURING MEETING.**

(a) [~~A member may not leave a board meeting in regular session without acknowledgment by the chair.~~] A member who leaves a board meeting after the board has been duly called to order and is absent for the remainder of the meeting, without first obtaining the consent of the chair, shall be charged with an unexcused absence for that meeting. The consent of the chair may be given only in an emergency beyond the control of the member that requires the member to leave the meeting.

(b) If a member is absent from more than 50 percent of a regular meeting, the member will be deemed absent and the absence will count against the member, unless the board, by rule, provides otherwise."

SECTION 17. That Chapter 8 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 18. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 19. 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.

DRAFT

SECTION 20. That this ordinance shall take effect immediately, 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

Passed_____

DRAFT

AGENDA ITEM # 47

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services

CMO: Elizabeth Reich, 670-7804

MAPSCO: N/A

SUBJECT

Execute the casting of lots to identify the recommended vendor resulting from tie bids on groups 1, 2, 4, 5, 6, 10, 11, 15, 17, 18, and 19 for bid BK1713 for a three-year service contract for heating, ventilation, and air conditioning system parts, supplies, and repair services – The Brandt Companies, LLC and Trane U.S., Inc. - Financing: No cost consideration to the City

BACKGROUND

This action is not intended to make an award, but to execute the casting of lots to identify a vendor for each of the groups for which the City has received identical bids. This process is being executed in accordance with Texas Local Government Code, Section 271.901. This section of the Texas local Government Code states, in part:

- The municipality must select identical bids by the casting of lots
- The casting of lots must be in the presence of the governing body of the municipality
- If one of the bidders submitting an identical bid is a resident of the municipality, the municipality must select that bidder

This particular solicitation resulted in identical bids from vendors located outside the City limits.

Once the vendor(s) are selected for each group and line by a casting of lots, a recommendation will be presented to City Council for award on September 13, 2017.

BID INFORMATION

Business Development & Procurement Services received the following bids from solicitation number BK1713. We opened them on June 16, 2017.

Bidders	Address	Tie Bid Groups
The Brandt Companies, LLC	1728 Briercroft Court Carrollton, TX 75006	Groups 1, 2, 4, 5, 6, 10, 11, 15, 17, 18, 19
Trane U.S., Inc.	1617 Hutton Drive Carrollton, TX 75006	Groups 1, 2, 4, 5, 6, 10, 11, 15, 17, 18, 19

OWNERS

The Brandt Companies, LLC

Barry Moore, President
Jack Vick, Sr. Vice President

Trane U.S., Inc.

David Regnery, President
David Butow, Vice President
Evan Turtz, Secretary
Francesco Incalza, Treasurer

AGENDA ITEM # 48

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Mayor and City Council

CMO: T.C. Broadnax, 670-3297

MAPSCO: N/A

SUBJECT

Authorize a resolution honoring the achievements of Marvin E. Crenshaw, Roy H. Williams, Michael Daniel and Betsy Julian for their roles in the creation of the 14-1 system for electing members of the Dallas City Council; and directing the City Manager to erect a plaque on the first floor of Dallas City Hall acknowledging the accomplishments of these individuals to the City of Dallas - Financing: No cost consideration to the City (via Council Members Griggs, Medrano, Felder, Atkins, Greyson)

BACKGROUND

The City of Dallas is governed by an elected body of 14 single member districts and an at-large Mayor, known as 14-1. This form of government is attributed to the tireless efforts of community activists Mr. Marvin E. Crenshaw, and Mr. Roy H. Williams, represented by attorneys Mr. Michael Daniel and Ms. Betsy Julian. It is the desire at this time to honor the efforts of these individuals.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

August 9, 2017

WHEREAS, Marvin E. Crenshaw and Roy H. Williams dedicated their lives to the fight for equal rights for minorities in areas such as fair housing, economic disparity, and equal representation in government; and

WHEREAS, Marvin E. Crenshaw and Roy H. Williams were both United States Army veterans, having both served their country in Germany; and

WHEREAS, Marvin E. Crenshaw and Roy H. Williams both successfully fought for an ordinance for the City of Dallas to sever all business ties with companies that did business in or with South Africa and the Soviet Union; and

WHEREAS, Michael Daniel and Betsy Julian have successfully litigated numerous cases concerning renters' rights, such as the 1975 judgement declaring unconstitutional the rules on eviction appeal procedure as set out in the Texas Rule of Civil Procedure, the 1978 judgement against illegal retaliatory evictions, and the 1978 judgement in which it was found that a renter has an implied warranty on the habitability of the dwelling; and

WHEREAS, Michael Daniel and Betsy Julian have also won many cases in racial discrimination in government-supported housing, exclusionary zoning, and voting rights, as well as environment protection; and

WHEREAS, Michael Daniel and Betsy Julian agreed to represent Marvin E. Crenshaw and Roy H. Williams in the lawsuit to reorganize the composition of the Dallas City Council from an 8-3 system to a 14-1 system, which gave minorities better representation on the Dallas City Council; and

WHEREAS, although Roy H. Williams passed away on March 18, 2017, he along with Marvin E. Crenshaw, Michael Daniel and Betsy Julian will continue to stand as examples of those who are not afraid to fight against social injustices.

Now, Therefore,

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

SECTION 1. That the efforts of Marvin E. Crenshaw, Roy H. Williams, Michael Daniel and Betsy Julian to provide minorities with the opportunity to serve on the Dallas City Council are applauded by the City of Dallas.

SECTION 2. That the City Manager is hereby directed to erect a plaque with pictures of Marvin E. Crenshaw and Roy H. Williams, on the first floor of Dallas City Hall on the same wall underneath the Dallas City Council pictures, honoring the achievements of Marvin E. Crenshaw and Roy H. Williams.

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.

Memorandum

RECEIVED
2017 JUN 28 PM 1:55
CITY SECRETARY
DALLAS, TEXAS

CITY OF DALLAS

DATE June 28, 2017

TO The Honorable Mike Rawlings, Mayor
T.C. Broadnax, City Manager

SUBJECT **Request for Placement of Item on Agenda**

In accordance with Section 6.2 (a) of the City Council Rules of Procedures, please direct the following item be placed for City Council consideration:

A resolution honoring the achievements of Roy H. Williams, Marvin Crenshaw, Michael Daniel and Betsy Julian for their roles in the creation of the 14-1 system for electing members of the Dallas City Council and directing the City Manager to erect a plaque on the first floor of Dallas City Hall acknowledging the accomplishments of these individuals to the City of Dallas.

This memo and resolution corrects an error of a clerical nature in the previously submitted memo and resolution.

Please move forward with this request and place the item on the next available agenda, in accordance with the Texas Open Meetings Act. Thank you for your attention to this request.

District 7

District 4

District 2

District 12

District 8

c: Honorable Dallas City Council
Larry E. Casto, City Attorney
Craig Kinton, City Auditor
Rosa Rios, City Secretary
Kimberly Bizor Tolbert, Chief of Staff to the City Manager

RESOLUTION

WHEREAS, Mr. Marvin E. Crenshaw and Mr. Roy H. Williams dedicated their lives to the fight for equal rights for minorities in areas such as fair housing, economic disparity, and equal representation in government; and

WHEREAS, Marvin Crenshaw and Roy Williams were both United States Army veterans, having both served their country in Germany; and

WHEREAS, Mr. Crenshaw and Mr. Williams both successfully fought for an ordinance for the city of Dallas to sever all business ties with companies that did business in or did business with South Africa and the Soviet Union; and

WHEREAS, Mr. Mike Daniel and Ms. Betsy Julian have successfully litigated numerous cases concerning renters' rights such as the 1975 judgment declaring unconstitutional the rules on eviction appeal procedure as set out in the Texas Rule of Civil Procedure, the 1978 judgment against illegal retaliatory evictions, and the 1978 judgment in which it was found that a renter has an implied warranty on the habitability of the dwelling; and

WHEREAS, Mr. Daniel and Ms. Julian have also won many cases in racial discrimination in government supported housing, exclusionary zoning, and voting rights, as well as environment protection; and

WHEREAS, Mr. Daniel and Ms. Julian agreed to represent Mr. Crenshaw and Mr. Williams in the lawsuit to reorganize the composition of the Dallas City Council from an 8-3 system to a 14-1 system, which gave minorities better representation on the Dallas City Council; and

WHEREAS, although Mr. Williams passed away on March 18, 2017, he along with Mr. Crenshaw and Mr. Daniel and Ms. Julian will continue to stand as examples of those would are not afraid to fight against social injustices.

NOW, THEREFORE,

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

Section 1: That the efforts of Marvin E. Crenshaw, Roy H. Williams, Mike Daniel and Betsy Julian to provide minorities with the opportunity to serve on the Dallas City Council are applauded by the City of Dallas.

Section 2: That the City Manager is hereby directed to erect a plaque with pictures of Roy Williams and Marvin Crenshaw, on the First Floor of Dallas City Hall the same wall underneath the Dallas City Council pictures honoring the achievements of Marvin E. Crenshaw and Roy H. Williams.

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 # 49

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Mayor and City Council

CMO: T.C. Broadnax, 670-3297

MAPSCO: N/A

SUBJECT

Authorize a resolution rejecting the Trinity Parkway Alternative 3C as the City's locally preferred alternative for the Trinity Parkway - Financing: No cost consideration to the City (via Council Members Griggs, Medrano, Felder, Greyson, Kingston)

BACKGROUND

The Trinity Parkway is a component of the Balanced Vision Plan, adopted by the Dallas City Council in 2003. Since the 1970s, the City of Dallas has contemplated various "river freeways." In April 2015, through the Federal Highway Administration (FHWA) Record of Decision for the Trinity Parkway From IH-35E/SH-183 to US-175/SH310, FHWA selected Alternative 3C as the build option for the Trinity Parkway.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed regarding this matter on August 2, 2017.

FISCAL INFORMATION

No cost consideration to the City.

August 9, 2017

WHEREAS, on April 6, 2005, City Council was briefed on the Trinity Parkway Federal Environmental Impact Statement containing six (6) alternative Trinity Parkway roadway alignment proposals, including Trinity Parkway Alternative Alignment 3B; and

WHEREAS, on April 13, 2005, pursuant to Resolution 05-1210, the City Council authorized the adoption of the Trinity Parkway Alternative Alignment 3B as the City's locally preferred alternative for the Trinity Parkway; and

WHEREAS, in January 2008, the Trinity River Corridor Project Committee was briefed by the North Texas Tollway Authority (the "NTTA") on design changes to Alternative Alignment 3B required by the U.S. Army Corps of Engineers (the "USACE"), resulting in the alignment for the Trinity Parkway being changed to Alternative Alignment 3C; and

WHEREAS, on August 12, 2015, pursuant to Resolution No. 15-1486, City Council approved the re-programming of the remaining $47,700,000 1998 Bond Proposition Funds for the Trinity Lakes and Trinity Parkway projects to be consistent with the 1998 Bond Proposition 11, so as to: (i) prioritize development of the parks, lakes, and flood control efforts contemplated by the Balanced Vision Plan; (ii) limit the use of these specified funds to the development and feasibility of the Dream Team/Beasley Plan presented to the Council; and (iii) preclude the use of the 1998 Bond Proposition funds for the development of any road that is greater than a four lane parkway to access the parks to be developed and to meet transportation needs; and

WHEREAS, in 2015 Records of Decision, the USACE and the Federal Highway Administration selected the Trinity Parkway Alternative Alignment 3C as the build option; and

WHEREAS, City Council now desires to eliminate any consideration of the Trinity Parkway Alternative Alignment 3C as the City's locally preferred alternative.

Now, Therefore,

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

SECTION 1. That Trinity Parkway Alternative Alignment 3C is eliminated from consideration by City Council as a potential Trinity Parkway roadway alignment.

SECTION 2. That the City Manager is directed to take any and all action necessary to ensure that the Trinity Parkway Alternative Alignment 3C is not constructed, including, but not limited to: (a) not acquiring or conveying any real property that could be utilized for the Trinity Parkway Alternative Alignment 3C; (b) terminating the Interlocal Agreement with the NTTA and Texas Department of Transportation regarding the Trinity Parkway; (c) supplementing or modifying any regulatory or environmental documents to reflect the elimination of the Trinity Parkway Alternative Alignment 3C as a potential Trinity Parkway roadway alignment; (d) modifying any regional transportation planning as necessary; and (e) amending the Balanced Vision Plan to remove the Trinity Parkway Alternative 3C from consideration for transportation improvements.

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.

Memorandum

RECEIVED
2017 JUL -7 AM 11:18
CITY SECRETARY
DALLAS, TEXAS

CITY OF DALLAS

DATE July 7, 2017

TO The Honorable Mike Rawlings, Mayor
T.C. Broadnax, City Manager

SUBJECT **Request for Placement of Item on Agenda**

In accordance with Section 6.2 (a) of the City Council Rules of Procedures, please direct the following item be placed for City Council consideration:

A resolution rejecting the Trinity Parkway Alternative 3C as the city's locally preferred alternative for the Trinity Parkway.

Please move forward with this request and place the item on the next available agenda, in accordance with the Texas Open Meetings Act. Thank you for your attention to this request.

District 1

Sandy Greyson
District 2

District 3

Philip Kingston
District 14

Kevin Felder
District 7

c: Honorable Dallas City Council
Larry E. Casto, City Attorney
Craig Kinton, City Auditor
Rosa Rios, City Secretary
Kimberly Bizor Tolbert, Chief of Staff to the City Manager

AGENDA ITEM # 50

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Mobility and Street Services

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

A resolution amending Resolution No. 17-1123, previously approved on June 28, 2017, supporting a November 2017 Capital Bond Program, including allocations for various categories, in the approximate amount of $1,025,000,000 - Financing: This action has no cost consideration to the City

BACKGROUND

This resolution amends Resolution No. 17-1123, previously approved on June 28, 2017, consistent with the Bond Program as outlined in the November 2017 Capital Bond Program election order.

In early 2016, the City Council began exploring a new Capital Bond Program to address needed infrastructure improvements. Throughout the year, several public meetings were conducted to discuss the 2017 Capital Bond Program and its components. In April 2017, City Council formed a Citizens Bond Task Force (CBTF) and five Subcommittees to review projects for the upcoming Bond Program. Upon conclusion of the CBTF review and staff briefings on June 7 and 21, 2017, City Council adopted a resolution supporting an approximate $1,025,000,000 Capital Bond Program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 20, 2016, City Council was briefed on "The Path to the May 2017 Bond Program".

On June 1, 2016, City Council was briefed on "Summary Technical Criteria".

On September 7, 2016, City Council was briefed on the "2017 Bond Program Development".

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

On September 21, 2016, City Council was briefed on "2017 Bond Program Development Part II".

On November 2, 2016, City Council was briefed on "The BIG Picture 2017 Capital Bond Program: Review of Citizen Input and Set Overall Policy Objectives".

On January 4, 2017, City Council was briefed on "The BIG Picture 2017 Bond Program: Draft Bond Program".

On March 29 and 30, 2017, City Council was briefed at the Council Retreat on the Bond Program (minutes referenced "Bond Program") Process.

On June 7, 2017, City Council was briefed on the "Proposed 2017 Capital Bond Program and Project Recommendations".

On June 21, 2017, City Council was briefed on the "2017 Capital Bond Program Update".

On June 28, 2017, City Council authorized a resolution to formally indicate their support of the approximate total amount of $1,025,000,000 for the proposed 2017 Capital Bond Program by Resolution No. 17-1123.

FISCAL INFORMATION

This action has no cost consideration to the City.

AGENDA ITEM # 51

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Raquel Favela, 670-3309

MAPSCO: 44J N

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Confia Homes, L.L.C. for the construction of houses; **(2)** the sale of two vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Confia Homes, L.L.C.; and **(3)** execution of a release of lien for any non-tax liens on the two properties that may have been filed by the City - Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Rick Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

Confia Homes, L.L.C. has submitted a proposal and development plan to DHADC for two lots shown on the attached list. The DHADC board of directors has approved the development plan and sale of the two lots, subject to City Council approval. This item will authorize City Council approval of the development plan submitted to DHADC by Confia Homes, L.L.C., the sale of those lots from DHADC to Confia Homes, L.L.C. and the release of lien for any non-tax liens on the two properties that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Confia Homes, L.L.C. will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Confia Homes, L.L.C. and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Confia Homes, L.L.C. will build houses on the lots. The approximate square footage and sale price of the houses will be from 1,236 to 1,600 square feet and from $119,900 to $134,900. The lots will be deed restricted for sale to eligible families.

DHADC will receive $10,000 for the sale price of the vacant lots to Confia Homes, L.L.C., as calculated from the 2016-17 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2004, City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of housing as allowed under Chapter 379C of the Texas Local Government Code by Resolution No. 04-0458.

On September 19, 2016, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On January 17, 2017, the Housing Committee was briefed regarding possible changes to the Urban Land Bank Demonstration Program.

On February 16, 2017, the DHADC board of directors approved the development plan and sale of two lots from DHADC to Confia Homes, L.L.C.

City Council was briefed by memorandum regarding this matter on March 31, 2017.

On April 12, 2017, this item was deferred by Mayor Pro-Tem Monica R. Alonzo.

On June 28, 2017, this item was deferred by Councilmember Omar Narvaez.

FISCAL INFORMATION

No cost consideration to the City.

DEVELOPER

Confia Homes, L.L.C.

RobertsCarrillo Management, Inc., Manager

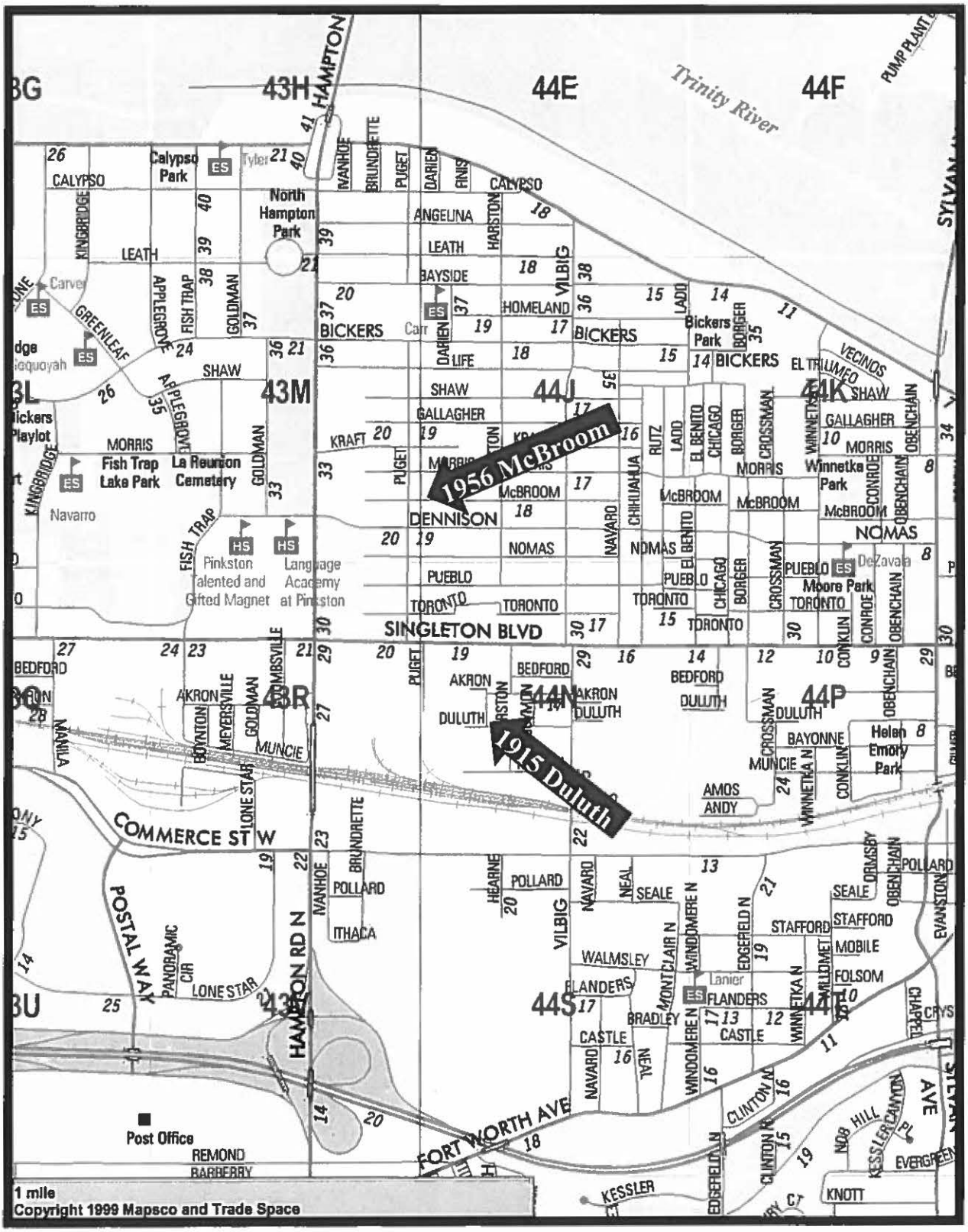
Kenneth E. Roberts, Chief Operating Officer

MAP

Attached

Land Bank (DHADC) Sale of Lots to
Confia Homes, L.L.C.

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 1956 McBroom	44J	6	$ 9,309.57
2. 1915 Duluth	44N	6	$11,229.18



MAPSCO 44J & 44N

August 9, 2017

WHEREAS, on January 28, 2004, City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C by Resolution No. 04-0458; and

WHEREAS, Confia Homes, L.L.C. submitted a proposal and development plan to DHADC for two lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, City Council desires to approve the development plan shown on Exhibit "B" indicating the approximate square footage and sale price ranges of the proposed houses submitted by Confia Homes, L.L.C. and authorize the sale of two lots from DHADC to Confia Homes, L.L.C. to build houses.

Now, Therefore,

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

SECTION 1. That the development plan shown on Exhibit "B" indicating the approximate square footage and sale price ranges of the proposed houses submitted by Confia Homes, L.L.C. and the sale of two lots shown on Exhibit "A" from DHADC to Confia Homes, L.L.C. is approved.

SECTION 2. That the City Manager, after approval as to form by the City Attorney is hereby authorized to execute a Deed without Warranty and release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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.

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**1956 McBroom** Part of Lot 4, Victory Gardens Addition No. 4 Block 6/7126	Confia Homes, L.L.C.	1	$5,000.00
2	**1915 Duluth** Lot A, 45x150, Duluth & Harston Addition Block 7238	Confia Homes, L.L.C.	1	$5,000.00
TOTAL				**$10,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 2

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

1956 McBroom

1915 Duluth

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built _____
Square Footage **range** of each home _____
Number of Bedrooms/Baths in each home _____/_____
Number of Garages____ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer_____ Which sides _____
Your Sales Price **range** without Subsidies to Qualified Low Income Buyer_____

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built _____
Square Footage **range** of each home _____
Number of Bedrooms/Baths in each home_____/_____
Number of Garages____ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer_____ Which sides _____
Your Sales Price **range** without Subsidies to Qualified Low Income Buyer_____

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built 2
Square Footage **range** of each home 1,236-1,600
Number of Bedrooms/Baths in each home 3 or 4 /2 or 2.5
Number of Garages 0 or 1 Number of Carports 0 or 1 Detached ____ Attached X
Type of Exterior Veneer Brick and Siding Which sides Brick - FR, Siding - R
Your Sales Price **range** without Subsidies to Qualified Low Income Buyer $119,900-$134,900

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Start of Construction: 30 days after receiving the deed to the property

Completion of Construction: 120 days after start of construction

Sale of first affordable housing unit to low income household: 30 days after completion of construction

Sale of last affordable unit to low income households: 120 days after completion of first house

AGENDA ITEM # 52

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 65 Y; Z & 75 C; D

SUBJECT

A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a TH-2(A) Townhouse District on property zoned Planned Development District No. 624 and an R-7.5(A) Single Family District; **(2)** an ordinance granting an MF-2(A) Multifamily District on property zoned Planned Development District No. 624; **(3)** an ordinance granting a CR Community Retail District on property zoned Planned Development District No. 624 and an R-7.5(A) Single Family District; **(4)** an ordinance granting an MF-3(A) Multifamily District on property zoned Planned Development District No. 624, an R-7.5(A) Single Family District, and a CR Community Retail District; **(5)** an ordinance granting a CR Community Retail District on property zoned an NS(A) Neighborhood Service District; **(6)** an ordinance granting an MF-3(A) Multifamily District on property zoned an R-7.5(A) Single Family District; **(7)** an ordinance granting an MF-2(A) Multifamily District on property zoned an R-7.5(A) Single Family District and a TH-2(A) Townhouse District; **(8)** an ordinance granting an MU-2 Mixed Use District on property zoned an R-7.5(A) Single Family District; **(9)** an ordinance granting a UC-2 Urban Corridor District on property zoned an R-7.5(A) Single Family District, an MF-2(A) Multifamily District, and an LO-1 Limited Office District; **(10)** an ordinance granting a CR Community Retail District on property zoned an LO-1 Limited Office District; **(11)** an ordinance granting a CR Community Retail District on property zoned an R-7.5(A) Single Family District, a TH-2(A) Townhouse District, and an MF-2(A) Multifamily District; **(12)** an ordinance granting a CR Community Retail District on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District; **(13)** an ordinance granting an MU-2 Mixed Use District on property zoned an MF-2(A) Multifamily District and an LO-1 Limited Office District; **(14)** an ordinance granting an MU-2 Mixed Use District on property zoned an R-7.5(A) Single Family District; **(15)** an ordinance granting a CR Community Retail District on property zoned an NS(A) Neighborhood Service District; **(16)** an ordinance granting a revised conceptual plan for the remainder of Planned Development District No. 624; and **(17)** a resolution granting the termination of deed restrictions on property west of South Lancaster Road, north of Interstate I-20, and on both sides of East Wheatland Road

Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan for the remainder of Planned Development District No. 624

Z156-344(OTH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z156-344(OTH) **DATE FILED:** August 23, 2016

LOCATION: West of South Lancaster Road, north of Interstate I-20, and on both sides of East Wheatland Road.

COUNCIL DISTRICT: 8 **MAPSCO:** 65-Y; Z & 75-C; D

SIZE OF REQUEST: Approx. 274.8 acres **CENSUS TRACT:** 113 & 167.01

APPLICANT: Centurion American

OWNER: CADG Property Holdings I, LLC

REPRESENTATIVE: BGE, Inc.; Brett Mann

REQUEST: An application for (1) a TH-2(A) Townhouse District on property zoned Planned Development District No. 624 and an R-7.5(A) Single Family District; (2) an MF-2(A) Multifamily District on property zoned Planned Development District No. 624; (3) a CR Community Retail District on property zoned Planned Development District No. 624 and an R-7.5(A) Single Family District; (4) an MF-3(A) Multifamily District on property zoned Planned Development District No. 624, an R-7.5(A) Single Family District, and a CR Community Retail District; (5) a CR Community Retail District on property zoned an NS(A) Neighborhood Service District; (6) an MF-3(A) Multifamily District on property zoned an R-7.5(A) Single Family District; (7) an MF-2(A) Multifamily District on property zoned an R-7.5(A) Single Family District and a TH-2(A) Townhouse District; (8) an MU-2 Mixed Use District on property zoned an R-7.5(A) Single Family District; (9) a UC-2 Urban Corridor District on property zoned an R-7.5(A) Single Family District, an MF-2(A) Multifamily District, and an LO-1 Limited Office District; (10) a CR Community Retail District on property zoned an LO-1 Limited Office District; (11) a CR Community Retail District on property zoned an R-7.5(A) Single Family District, a TH-2(A) Townhouse District, and an MF-2(A) Multifamily District; (12) a CR Community Retail District on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District; (13) an MU-2 Mixed Use District on property zoned an MF-2(A) Multifamily District and an LO-1 Limited Office District; (14) an MU-2 Mixed Use District on property zoned an R-7.5(A) Single Family District; (15) a CR Community Retail District on property zoned an NS(A) Neighborhood Service District; (16) a revised conceptual plan for the remainder of Planned Development District No. 624; and (17) termination of deed restrictions

SUMMARY: The applicant is requesting the zoning change to accommodate a variety of uses that include commercial, office, retail, hotel, restaurant, entertainment uses, and medium density residential uses that will include apartments and townhomes.

CPC RECOMMENDATION: **Approval**, subject to a revised conceptual plan for the remainder of Planned Development District No. 624.

STAFF RECOMMENDATION: **Approval**, subject to a revised conceptual plan for the remainder of Planned Development District No. 624.

BACKGROUND:

- The request site is strategically located to the east of the UNT campus. The applicant wishes to develop the land with uses compatible to the university area and to provide a variety of uses where people can live, work and play.

- The existing deed restrictions were established on April 11, 1986. In general, the deed restrictions establish conditions related to uses, height, density, FAR and setbacks. The original deed restrictions document is included in this report.

- On June 8, 2017, City Plan Commission recommended approval of the zoning request. Subsequent to the hearing, staff discovered several small parcels that were not identified in the request and would not be changed if the application proceeded to City Council.

- On June 22, 2017, CPC reconsidered the application and instructed staff to re-advertise for the July 20, 2017, hearing.

Zoning History: There have been two zoning changes in the vicinity within the last five years.

1. Z134-354 On April 22, 2015, the City Council approved a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District located on the east side of South Lancaster Road, north of Alamain Drive.

2. BDA112-111 On November 13, 2012, the Board of Adjustment approved the enlargement of a nonconforming "commercial motor vehicle parking" use, subject to a site plan.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
S. Lancaster Road	Principal Arterial	107 feet
I-20 LBJ Freeway	Freeway	Variable

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The proposed rezoning supports the goals and policies established in the *forwardDallas! Comprehensive Plan.*

Land Use Element

GOAL 1.1 Align Land Use Strategies with Economic Development Priorities

Policy 1.1.2 Focus on Southern Sector development opportunities.

Policy 1.1.4 Capitalize on transit oriented development opportunities.

GOAL 1.3 Provide Equitable Opportunities for Dallas Residents

Policy 1.3.1 Create housing opportunities throughout Dallas.

GOAL 1.4 Coordinate Planning Activities to Balance Transportation, Land Use, Infrastructure and the Environment

Policy 1.4.1 Coordinate development and planning activities.

Economic Element

GOAL 2.1 Promote Balanced Growth

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

GOAL 2.2 Engage in Strategic Economic Development

Policy 2.2.2 Maximize development opportunities around DART stations.

Policy 2.2.3 Attract desired development to the UNT campus area.

Transportation Element

GOAL 4.2 Promote a Variety of Transportation Options

Policy 4.2.1 Support expansion of Dallas' public transit system.

Policy 4.2.2 Promote a network of on-street and off street walking and biking paths.

Urban Design

GOAL 5.1 Promote a sense of place, safety and walkability

Policy 5.1.3 Encourage complementary building height, scale, design and character.

Neighborhood Plus
The UNT-Dallas Area Plan:

The request site lies within the UNT-Dallas Area Plan near the I-20 Corridor within a ten-minute drive from downtown Dallas. The UNT-Dallas Area Plan was adopted on June 2009. The plan includes the area generally bounded by IH-35, IH-20, Ledbetter Road and South Lancaster Road. The *c*omprehensive plan identified the UNT-Dallas area as important to shape development in Dallas' southern sector.

While the applicant is requesting different zoning districts than those established by the plan, the applicant's goal is to provide an environment that is consistent with the plan. The plan points out the key opportunities in the area to move forward the progress of the plan. These are the university campus, the DART light rail service, the strategic location of the area, the undeveloped land with unique characteristics and natural features, and the well-established existing neighborhoods. The area presently has DART light rail service in at Camp Wisdom DART Station and the UNT DART Station.

The plan also lists a number of challenges that make it more difficult to make it a reality, such as infrastructure and zoning. The plan proposes that the area be developed with Urban Neighborhood Use, Urban Mixed-Use, and trails and creeks.

Urban Neighborhood Use areas are defined in the UNT-Area Plan as development that offers a variety of housing options within easy access to work, shopping, and recreation opportunities. Urban Mixed-Use areas encourage a rich mix of working, shopping, entertainment and living within easy walking, biking and transit access.

The plan does not specifically use the existing zoning districts provided in the Code. The applicant is proposing to rezone the northern portion of the request site, currently PD No. 624, to a TH-2(A), MF-2(A), MF-3(A) and CR Districts which will allow the applicant to provide those type of uses listed in the Urban Neighborhood uses. These zoning districts will allow for residential variety such as single family and multifamily dwelling units.

The applicant is proposing to rezone the portion of land south of East Wheatland Road from a TH-2(A) with deed restrictions to an MF-2(A) District; the R-7.5(A) located on the center of the area south of East Wheatland Road to an MF-2(A), an MU-2, a UC-2, a

UC-3, a TH-2(A), and an MF-3(A), these zoning districts will allow the applicant to provide a variety of uses and opportunity to develop the property to accommodate work, shopping and entertainment while encouraging design standards that invite residents to walk or bike to work or school as well as being able to use the DART Light Rail services (existing and future).

The southern (along Highway I-20) and eastern portion (along South Lancaster Road) of the request site is zoned an MF-2(A) with deed restrictions. The applicant is proposing a CR district. The proposed district will allow the applicant to provide retail uses not only to the UNT campus but also to the region due to the location of the property and accessibility to and from the existing thoroughfares.

The area plan also discusses the strategic opportunities that the UNT campus provides with three DART rail stations proposed and existing. The property is within close proximity to the proposed DART rail stations. The DART rail lines divide the property currently zoned PD No. 624 which would be rezoned to a TH-2(A), MF-2(A), MF-3(A) and CR Districts. These districts will allow the applicant to provide a transit-oriented type development.

The following map provides the existing and proposed zoning districts for the area of request.

Surrounding Land Uses:

	Zoning	Land Use
Site	PD 624, TH-2(A) with deed restrictions, R-7.5(A), NS(A) with deed restrictions, LO-1 with deed restrictions, and MF-2(A) with deed restrictions	Undeveloped
North	CR, PD 625, R-5(A) & PD No, 624	Undeveloped, single family
East	CR and R-7.5(A)	Church, scattered single family, retail & industrial
South	IR & R-7.5(A)	Warehousing, retail & industrial
West	R-7.5(A)	Undeveloped, City of Lancaster

Land Use Compatibility:

The request site is currently undeveloped and zoned a variety of districts. The applicant is proposing to develop the property within the framework of several zoning districts in order to provide a variety of compatible uses.

The area of request is surrounded undeveloped land and single family to the north; church, scattered residential, retail and industrial uses to the east; warehousing, retail and industrial to the south; undeveloped land and the City of Lancaster to the west.

According to the applicant's land use statement, the intent of the proposal is to accommodate a range of compatible land uses on the properties. To accomplish this, the applicant is requesting different zoning districts that will allow for a mix of uses in the overall development consisting of commercial, retail, hotel, office, restaurants, medium density residential development, entertainment and service uses.

For the residential districts requested, the applicant estimates to develop approximately 1,500 to 1,600 residential units with an average density of 12.6 dwelling units per acre. The residential component will be as permitted by the district. The applicant's vision for the residential components is to have a design with architectural style that is compatible and complimentary to the other buildings within the development, with an emphasis on pedestrian access and connectivity across the site. With the straight zoning request, there are no provisions requiring specific architectural styles or connectivity.

The mix of zoning districts within the project is intended to create a "live-work-play" opportunity for the residents of the development. The pedestrian-oriented nature of the proposed development will provide access to commercial and entertainment venues as well as destination to retail and restaurants.

Parking:

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

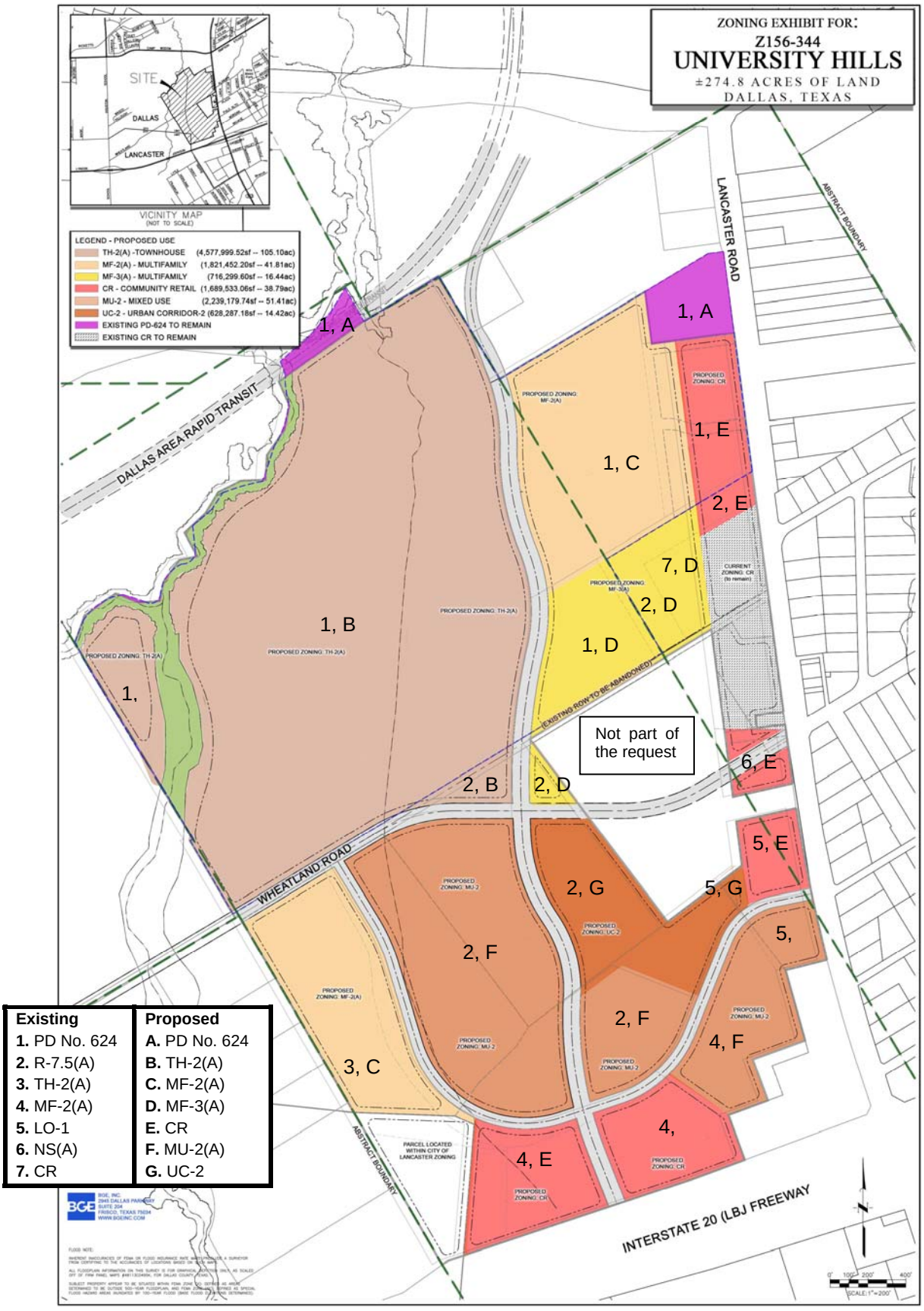
Landscaping:

The proposed development must comply with Article X requirements.

EXISTING AND PROPOSED ZONING DISTRICTS

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
PD No. 624							MF-2(A) & CR
R-7.5(A) Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
MF-2(A) Multifamily	15'	15'	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family
TH-2(A) Townhouse	0'	0'	9 Dwelling Units/ Acre	36'	60%	Min. Lot: 2,000 sq. ft	Single family
LO-1 Limited office	15'	20' adjacent to residential OTHER: No Min.	1.0 FAR	70' 5 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office – limited retail & personal service uses
NS(A) Neighborhood service	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	40%		Retail & personal service, office
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
Proposed							
TH-2(A) Townhouse	0'	0'	9 Dwelling Units/ Acre	36'	60%	Min. Lot: 2,000 sq. ft	Single family
MF-2(A) Multifamily	15'	15'	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family
MF-3(A) Multifamily	15'	10' Urban Form	Min lot 6,000 sq. ft. 450 sq ft – E 500 sq. ft – 1 BR 550 sq ft – 2 BR +50 sq ft each add BR	90'	60%	Proximity Slope U-form setback Tower spacing	Multifamily
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
MU-2 Mixed use-2	15'	20' adjacent to residential OTHER: No Min.	1.6 FAR base 2.0 FAR maximum + bonus for residential	135' 10 stories 180' 14 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential
UC-2 Urban Corridor-2	0' Urban form	O' adjacent to CA, MU or UC; 10' adjacent to R, TH, D or CH; 5' all others	35 DU/acre 0.85 FAR base 3.6 maximum	40' – 80' w/parking bonus	80%	3 story min. 6 story max. Proximity Slope U-form setback	Office, retail & personal service, multi-family

The following map provides the existing and proposed zoning districts for the area of request.



Existing	Proposed
1. PD No. 624	**A.** PD No. 624
2. R-7.5(A)	**B.** TH-2(A)
3. TH-2(A)	**C.** MF-2(A)
4. MF-2(A)	**D.** MF-3(A)
5. LO-1	**E.** CR
6. NS(A)	**F.** MU-2(A)
7. CR	**G.** UC-2

Partners & Principles

Mehrdad Moayedi	President of Centurion American Property Holdings, LLC (dba CADG Property Holdings I, LLC)

CPC Action:

July 20, 2017

Motion: It was moved to recommend **approval** of (1) a TH-2(A) Townhouse District on property zoned Planned Development District No. 624 and an R-7.5(A) Single Family District; (2) an MF-2(A) Multifamily District on property zoned Planned Development District No. 624; (3) a CR Community Retail District on property zoned Planned Development District No. 624 and an R-7.5(A) Single Family District; (4) an MF-3(A) Multifamily District on property zoned Planned Development District No. 624, an R-7.5(A) Single Family District, and a CR Community Retail District; (5) a CR Community Retail District on property zoned an NS(A) Neighborhood Service District; (6) an MF-3(A) Multifamily District on property zoned an R-7.5(A) Single Family District; (7) an MF-2(A) Multifamily District on property zoned an R-7.5(A) Single Family District and a TH-2(A) Townhouse District; (8) an MU-2 Mixed Use District on property zoned an R-7.5(A) Single Family District; (9) a UC-2 Urban Corridor District on property zoned an R-7.5(A) Single Family District, an MF-2(A) Multifamily District, and an LO-1 Limited Office District; (10) a CR Community Retail District on property zoned an LO-1 Limited Office District; (11) a CR Community Retail District on property zoned an R-7.5(A) Single Family District, a TH-2(A) Townhouse District, and an MF-2(A) Multifamily District; (12) a CR Community Retail District on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District; (13) an MU-2 Mixed Use District on property zoned an MF-2(A) Multifamily District and an LO-1 Limited Office District; (14) an MU-2 Mixed Use District on property zoned an R-7.5(A) Single Family District; (15) a CR Community Retail District on property zoned an NS(A) Neighborhood Service District; (16) a revised conceptual plan for the remainder of Planned Development District No. 624; and (17) termination of deed restrictions on property west of South Lancaster Road, north of Interstate I-20, and on both sides of East Wheatland Road, subject to a revised conceptual plan for the remainder of Planned Development District No. 624.

Maker: Haney
Second: Anglin
Result: Carried: 12 to 0

For: 12 - Anglin, Rieves, Davis, Shidid, Anantasomboon, Haney, Mack, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0
Conflict: 2 - Houston, Jung

Notices: Area: 500 Mailed: 117
Replies: For: 4 Against: 3

Speakers: For: Michael Beaty, 1800 Valley View Ln., Farmers Branch, TX, 75234
Against: Gilbert Miller, 2545 Morgan Dr., Dallas, TX, 75241

June 22, 2017 (Reconsideration)

Motion to Reconsider: It was moved to **approve** reconsider of the action taken on June 8, 2017, which was to recommend approval of 1) a TH-2(A) Townhouse District, an MF-2(A) Multifamily District, an MF-3(A) Multifamily District, a CR Community Retail District, subject to a revised conceptual plan and conditions for the remainder of Planned Development District No. 624 on property zoned Planned Development District No. 624, as requested by the applicant; approval of 2) an MF-2(A) Multifamily District and termination of the existing deed restrictions on property zoned a TH-2(A) Townhouse District with deed restrictions, as requested by the applicant; approval of 3) an MU-2 Mixed Use District, a TH-2(A) Townhouse District, an MF-3(A) Multifamily District, a UC-2 Urban Corridor District, and a CR Community Retail District on property zoned an R-7.5(A) Single Family District, as requested by the applicant; approval of 4) a CR Community Retail District and termination of deed restrictions on property zoned an NS(A) Neighborhood Service District with deed restrictions; approval of 5) a CR Community Retail District and termination of deed restrictions, an MU-2 Mixed Use District and termination of deed restrictions, and a UC-2 Urban Corridor District and termination of deed restrictions on property zoned an LO-1 Limited Office District with deed restrictions as requested; and approval of 6) a CR Community Retail District and termination of deed restrictions and an MU-2 Mixed Use District and termination of deed restrictions on property zoned an MF-2(A) Multifamily District with deed restrictions, west of South Lancaster Road, north of Interstate I-20, and on both sides of East Wheatland Road.

Maker: Haney
Second: Anglin
Result: Carried: 11 to 0

For: 11 - Anglin, Rieves, Davis*, Shidid, Anantasomboon, Mack, Haney, Housewright, Schultz, Peadon, Tarpley

Against: 0
Absent: 2 - Murphy, Ridley
Vacancy: 0
Conflict: 2 - Houston, Jung,

*out of the room, shown voting in favor

Motion: In considering an application for 1) a TH-2(A) Townhouse District, an MF-2(A) Multifamily District, an MF-3(A) Multifamily District, a CR Community Retail District, and a revised conceptual plan for the remainder of Planned Development District No. 624 on property zoned Planned Development District No. 624; 2) an MF-2(A) Multifamily District and termination of the existing deed restrictions on property zoned a TH-2(A) Townhouse District with deed restrictions; 3) an MU-2 Mixed Use District, a TH-2(A) Townhouse District, an MF-3(A) Multifamily District, a UC-2 Urban Corridor District, and a CR Community Retail District on property zoned an R-7.5(A) Single Family District; 4) a CR Community Retail District and termination of deed restrictions on property zoned an NS(A) Neighborhood Service District with deed restrictions; 5) a CR Community Retail District and termination of deed restrictions, an MU-2 Mixed Use District and termination of deed restrictions, and a UC-2 Urban Corridor District and termination of deed restrictions on property zoned an LO-1 Limited Office District with deed restrictions; and 6) a CR Community Retail District and termination of deed restrictions and an MU-2 Mixed Use District and termination of deed restrictions on property zoned an MF-2(A) Multifamily District with deed restrictions, west of South Lancaster Road, north of Interstate I-20, and on both sides of East Wheatland Road, it was moved to **hold** this case under advisement until July 20, 2017, and direct staff to re-advertise.

Maker: Haney
Second: Shidid
Result: Carried: 11 to 0

For: 11 - Anglin, Rieves, Davis, Shidid, Anantasomboon, Mack, Haney, Housewright, Schultz, Peadon, Tarpley

Against: 0
Absent: 2 - Murphy, Ridley
Vacancy: 0
Conflict: 2 - Houston, Jung,

Notices: Area: 500 Mailed: 117
Replies: For: 9 Against: 2

June 8, 2017

Motion: It was moved to recommend **approval** of 1) a TH-2(A) Townhouse District, an MF-2(A) Multifamily District, an MF-3(A) Multifamily District, a CR Community Retail District, subject to a revised conceptual plan for the remainder of Planned Development District No. 624 on property zoned Planned Development District No. 624; **approval** of 2) an MF-2(A) Multifamily District and termination of the existing deed restrictions on property zoned a TH-2(A) Townhouse District with deed restrictions; **approval** of 3) an MU-2 Mixed Use District, a TH-2(A) Townhouse District, an MF-3(A) Multifamily District, a UC-2 Urban Corridor District, and a CR Community Retail District on

property zoned an R-7.5(A) Single Family District; **approval** of 4) a CR Community Retail District and termination of deed restrictions on property zoned an NS(A) Neighborhood Service District with deed restrictions; **approval** of 5) a CR Community Retail District and termination of deed restrictions, an MU-2 Mixed Use District and termination of deed restrictions, and a UC-2 Urban Corridor District and termination of deed restrictions on property zoned an LO-1 Limited Office District with deed restrictions; and **approval** of 6) a CR Community Retail District and termination of deed restrictions and an MU-2 Mixed Use District and termination of deed restrictions on property zoned an MF-2(A) Multifamily District with deed restrictions, west of South Lancaster Road, north of Interstate I-20, and on both sides of East Wheatland Road.

Maker: Haney
Second: Rieves
Result: Carried: 8 to 0

For: 8 - Anglin, Rieves, Davis, Shidid, Haney, Housewright, Peadon, Tarpley

Against: 0
Absent: 5 - Anantasomboon, Mack, Schultz, Murphy, Ridley
Vacancy: 0
Conflict: 2 - Houston, Jung

Notices: Area: 500 Mailed: 117
Replies: For: 9 Against: 2

Speakers: For: Michael Beaty, 1800 Valley View Ln., Farmers Branch, TX, 75234
Mark Hawthorne, 6616 Erikaglen Dr., Dallas, TX, 75241
Robert Pitre, 1801 Wheatland Rd., Dallas, TX, 75215
Against: Melba Sue Hawthorne Wilson, 2623 Morgan Dr., Dallas, TX, 75241
Linder Hawthrone, 2623 Morgan Dr., Dallas, TX, 75241

EXISTING DEED RESTRICTIONS

Z845-250

That the undersigned Lancaster 635/Joint Venture, does hereby impress the property described in Exhibit "A" with the following Deed Restrictions applicable to those specific tracts more particularly described in Exhibit "A". For purposes of these restrictions, the terms "floor area ratio", "density" and "height" shall be interpreted as defined by the Dallas Development Code, as amended.

TRACT IA

a. The only uses permitted in Tract IA are those uses permitted in an MF-2 District as set forth in the

b. The maximum permitted height for any structure is 36 feet.

c. The maximum permitted density is 22 units per acre.

d. The required front yard, as defined in the Code is 75 feet.

e. The setback line from the north right of way line of LBJ Freeway (Interstate Highway 635) is 75 feet.

TRACT IB

a. The only uses permitted in Tract IB are those uses permitted in a TH-2 District as set forth in the Code.

b. The Maximum permitted height for any structure is 36 feet.

c. The maximum permitted density is nine units per acre.

TRACT II & III

a. The only uses permitted in Tracts II & III are those uses permitted in an R-7.5 District as set forth in the Code.

TRACT IV & V

a. The only uses permitted in Tract IV & V are those uses permitted in LO District as set forth in the Code.

b. The maximum permitted height for any structure is 30 feet.

c. The maximum permitted FAR as defined in the Code is .4:1.

TRACT VI & VII

a. The only uses permitted in Tracts VI & VII are those uses permitted in the NS District as set forth in the Code.

b. The maximum permitted height for any structure is 24 feet.

c. The maximum permitted FAR as defined in the Code is .4:1.

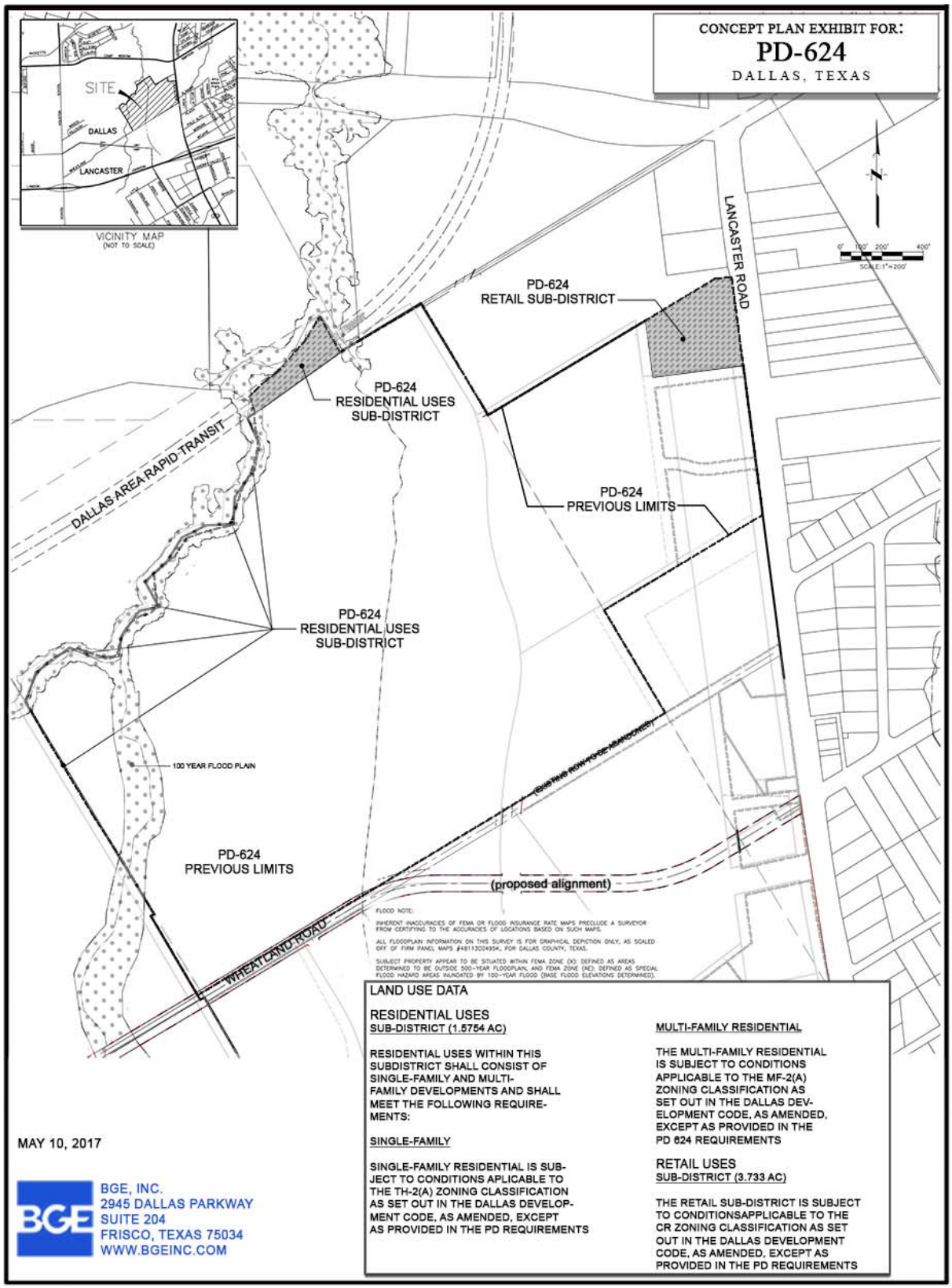
TRACT VIII & IX

a. The only uses permitted in Tracts VIII & IX are those uses permitted in a GR District as set forth in the Code.

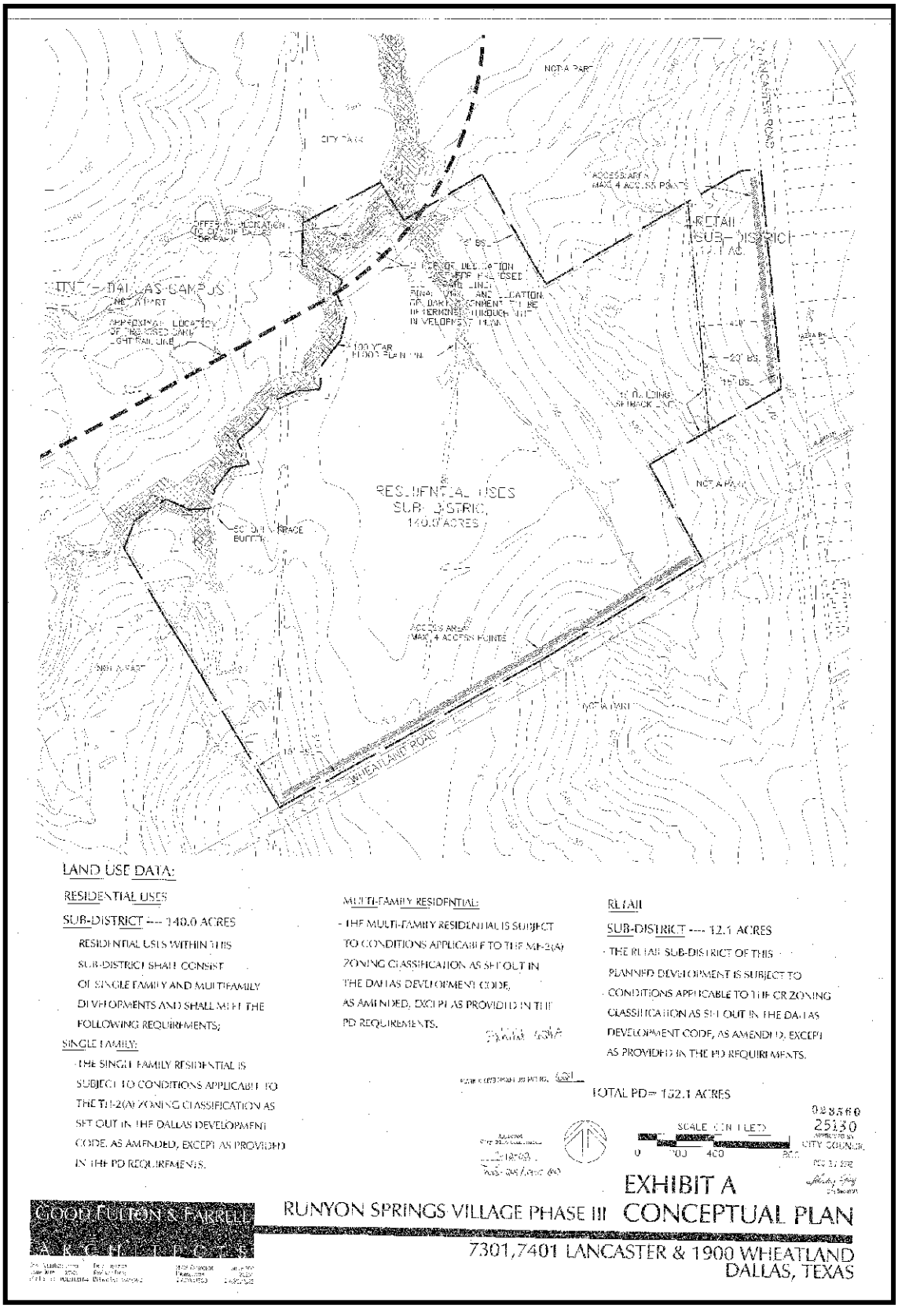
b. The maximum permitted height for any structure is 24 feet.

c. The maximum permitted FAR is .4:1 as defined by the Code, as amended.

PROPOSED CONCEPTUAL PLAN PD NO. 624



EXISTING CONCEPTUAL PLAN PLANNED DEVELOPMENT DISTRICT No. 624



LAND USE DATA:

RESIDENTIAL USES

SUB-DISTRICT --- 140.0 ACRES

RESIDENTIAL USES WITHIN THIS SUB-DISTRICT SHALL CONSIST OF SINGLE FAMILY AND MULTIFAMILY DEVELOPMENTS AND SHALL MEET THE FOLLOWING REQUIREMENTS;

SINGLE FAMILY:

- THE SINGLE FAMILY RESIDENTIAL IS SUBJECT TO CONDITIONS APPLICABLE TO THE TH-2(A) ZONING CLASSIFICATION AS SET OUT IN THE DALLAS DEVELOPMENT CODE, AS AMENDED, EXCEPT AS PROVIDED IN THE PD REQUIREMENTS.

MULTI-FAMILY RESIDENTIAL:

- THE MULTI-FAMILY RESIDENTIAL IS SUBJECT TO CONDITIONS APPLICABLE TO THE MF-2(A) ZONING CLASSIFICATION AS SET OUT IN THE DALLAS DEVELOPMENT CODE, AS AMENDED, EXCEPT AS PROVIDED IN THE PD REQUIREMENTS.

RETAIL

SUB-DISTRICT --- 12.1 ACRES

- THE RETAIL SUB-DISTRICT OF THIS PLANNED DEVELOPMENT IS SUBJECT TO CONDITIONS APPLICABLE TO THE CR ZONING CLASSIFICATION AS SET OUT IN THE DALLAS DEVELOPMENT CODE, AS AMENDED, EXCEPT AS PROVIDED IN THE PD REQUIREMENTS.

TOTAL PD= 152.1 ACRES

SCALE: 1" = 400'

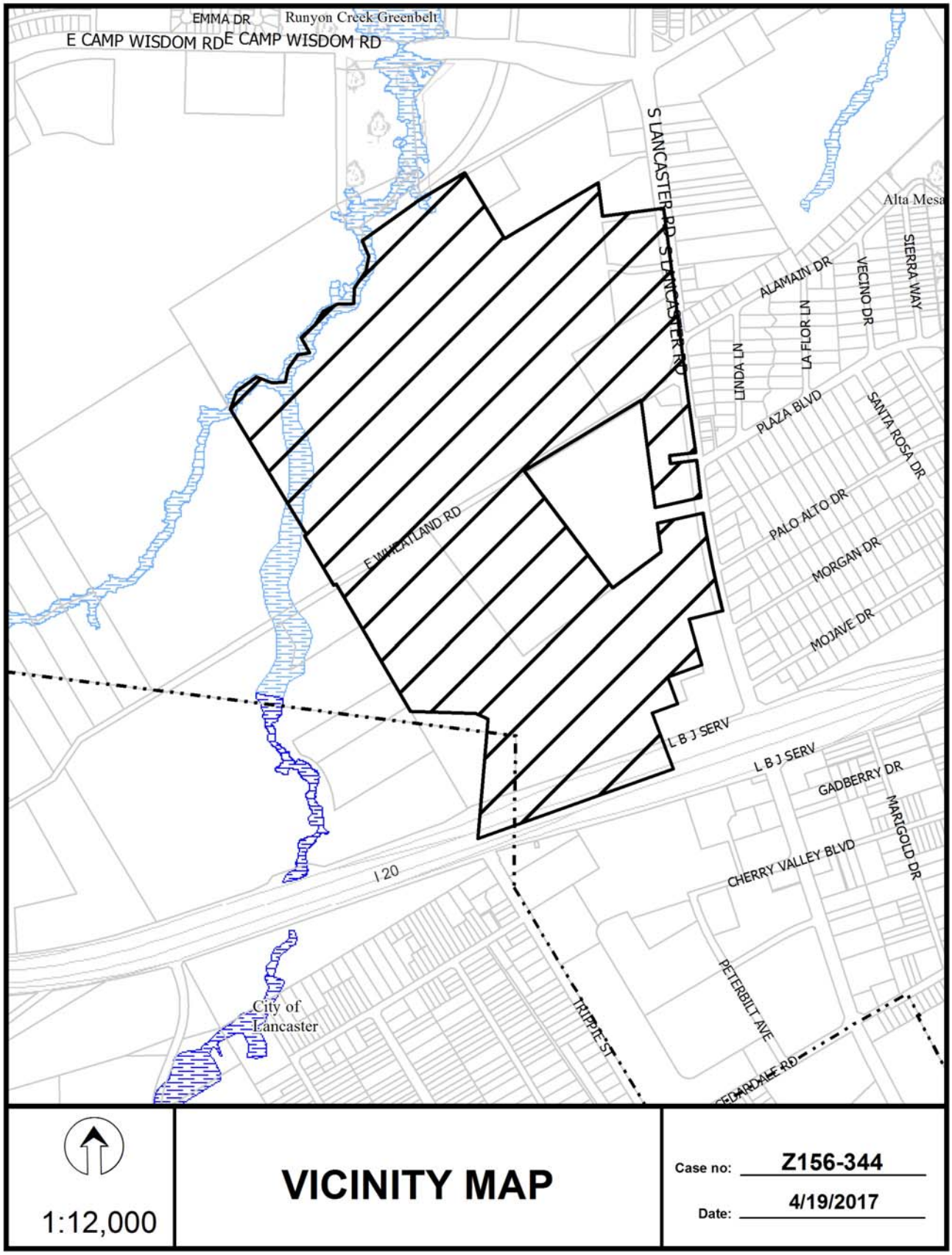
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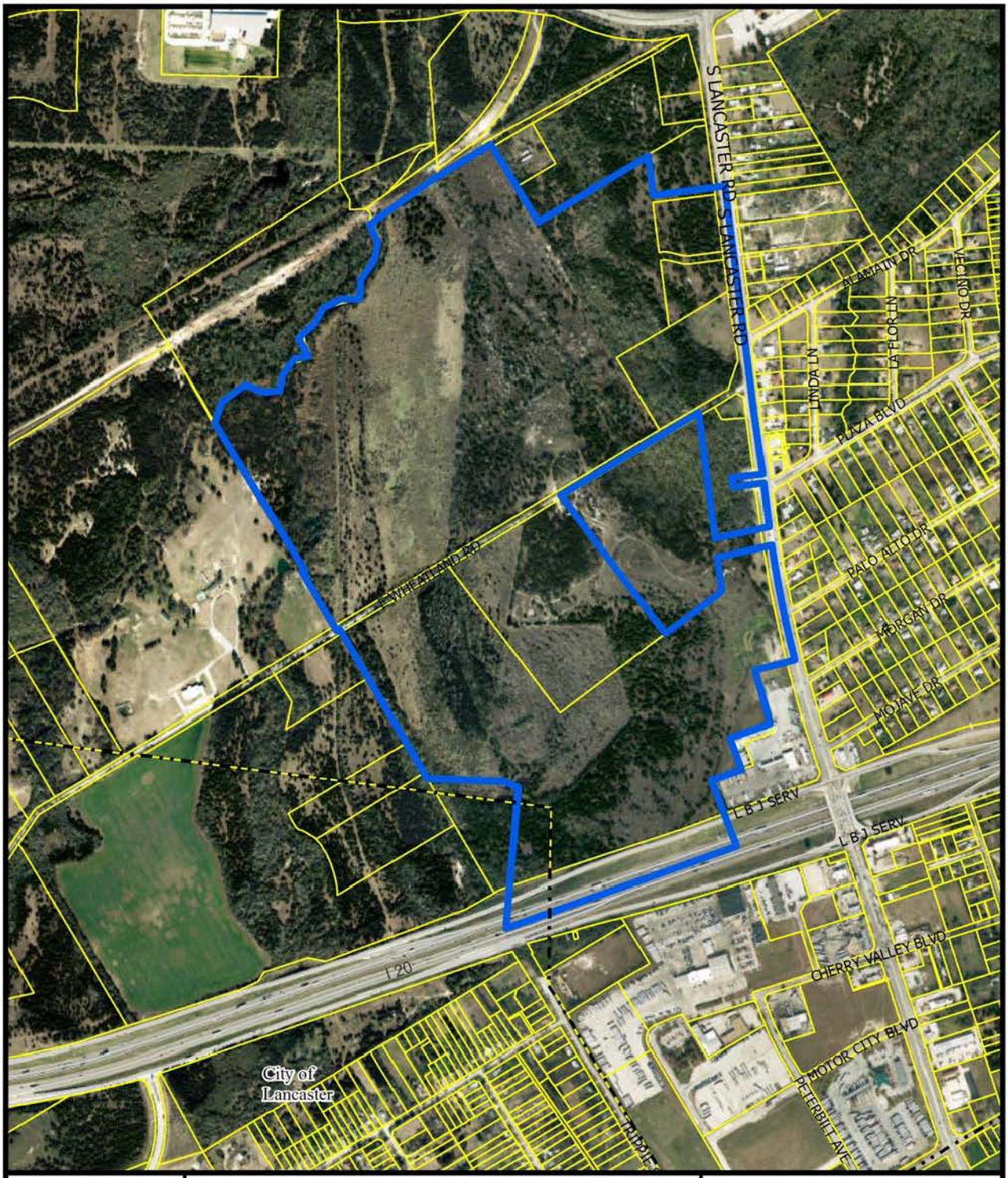
EXHIBIT A

RUNYON SPRINGS VILLAGE PHASE III CONCEPTUAL PLAN

7301,7401 LANCASTER & 1900 WHEATLAND
DALLAS, TEXAS

GOOD FULTON & FARRELL
ARCHITECTS


EMMA DR
Runyon Creek Greenbelt
E CAMP WISDOM RD
E CAMP WISDOM RD
S LANCASTER RD
S LANCASTER RD
Alta Mesa
ALAMAIN DR
VECINO DR
SIERRA WAY
LA FLOR LN
LINDA LN
PLAZA BLVD
SANTA ROSA DR
PALO ALTO DR
MORGAN DR
MOJAVE DR
F WHEATLAND RD
L B J SERV
L B J SERV
GADBERRY DR
MARIGOLD DR
CHERRY VALLEY BLVD
I 20
City of Lancaster
TRIPPE ST
PETERBILT AVE
CEDARDALE RD
1:12,000
VICINITY MAP
Case no: Z156-344
Date: 4/19/2017

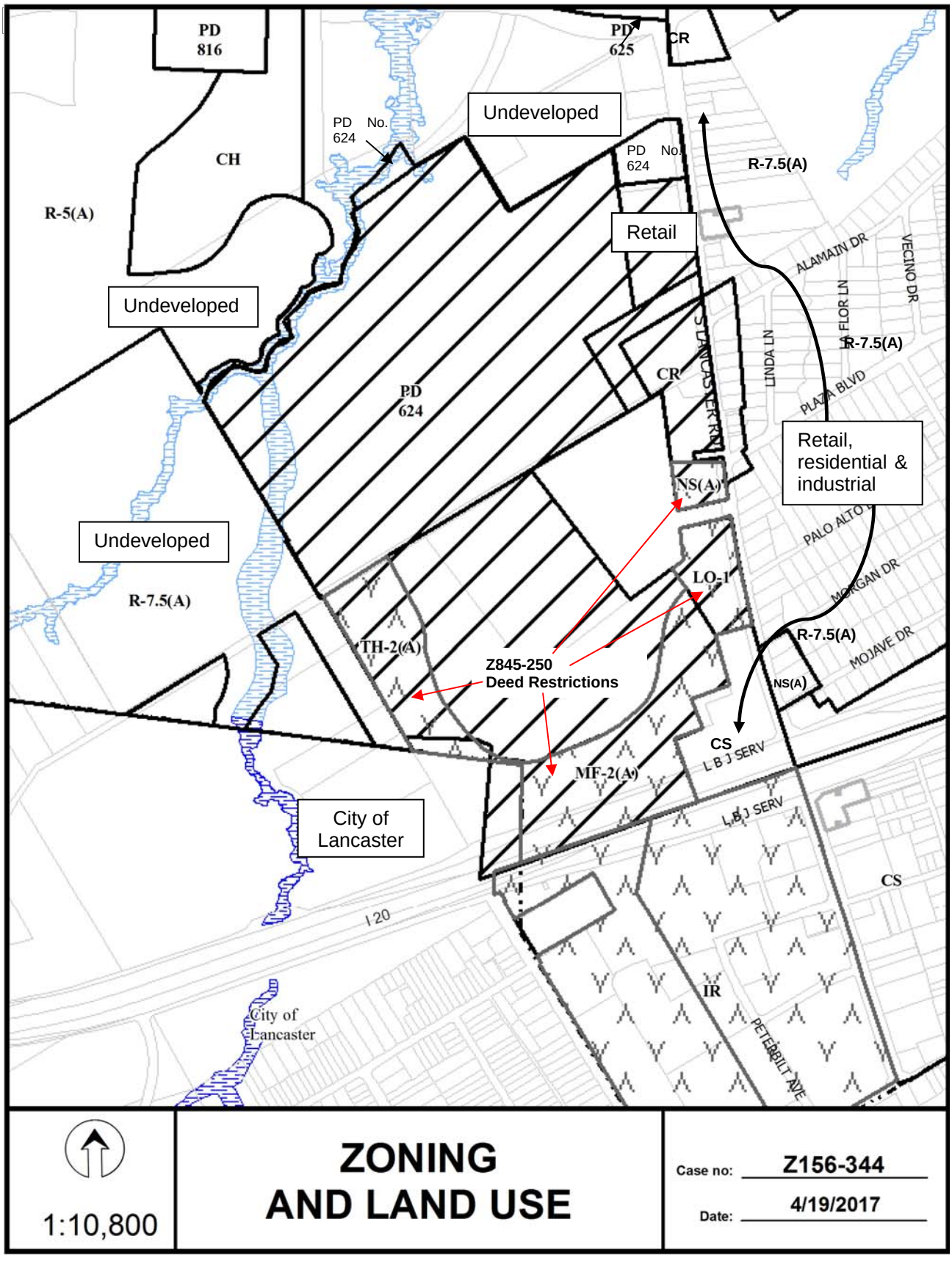


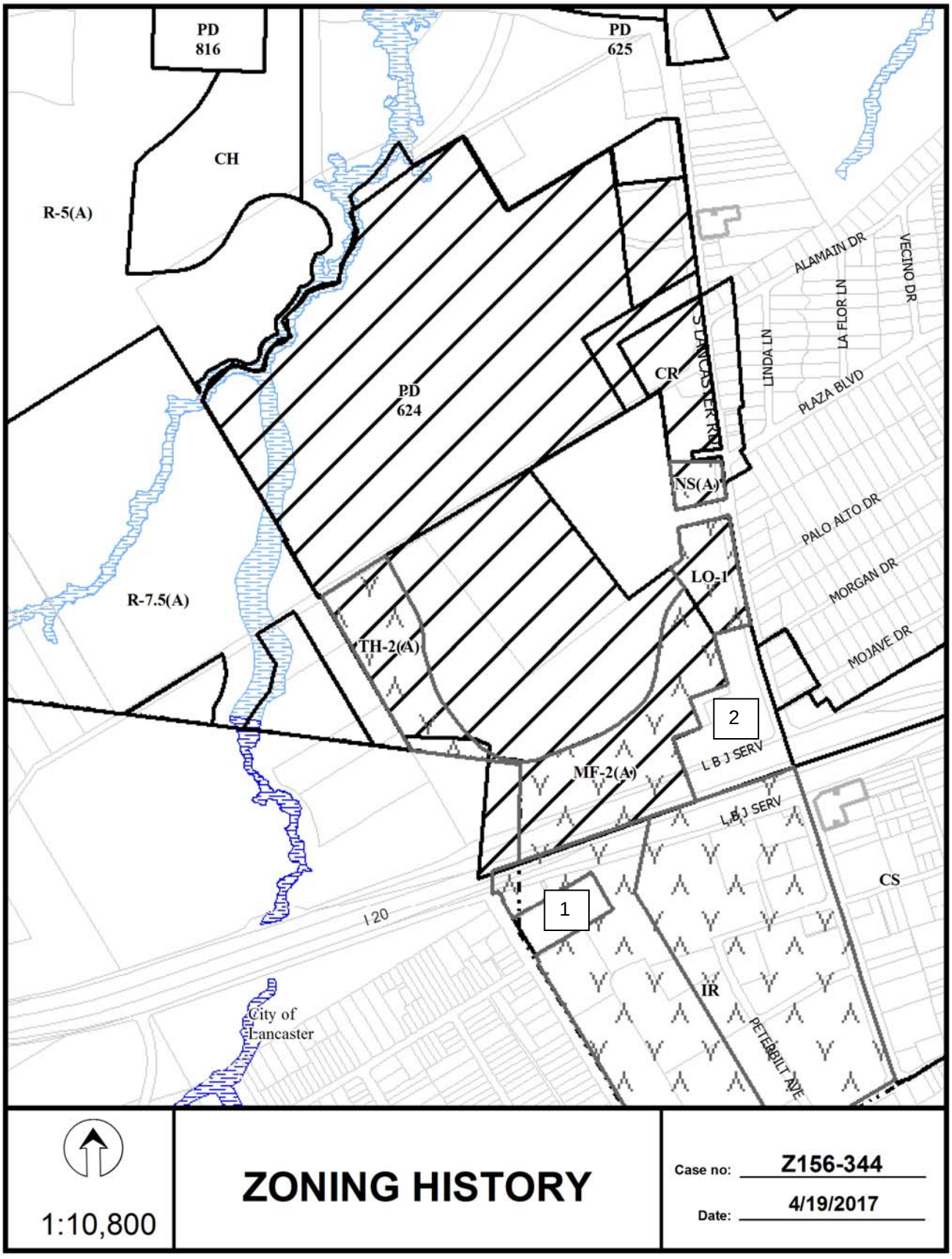
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AERIAL MAP

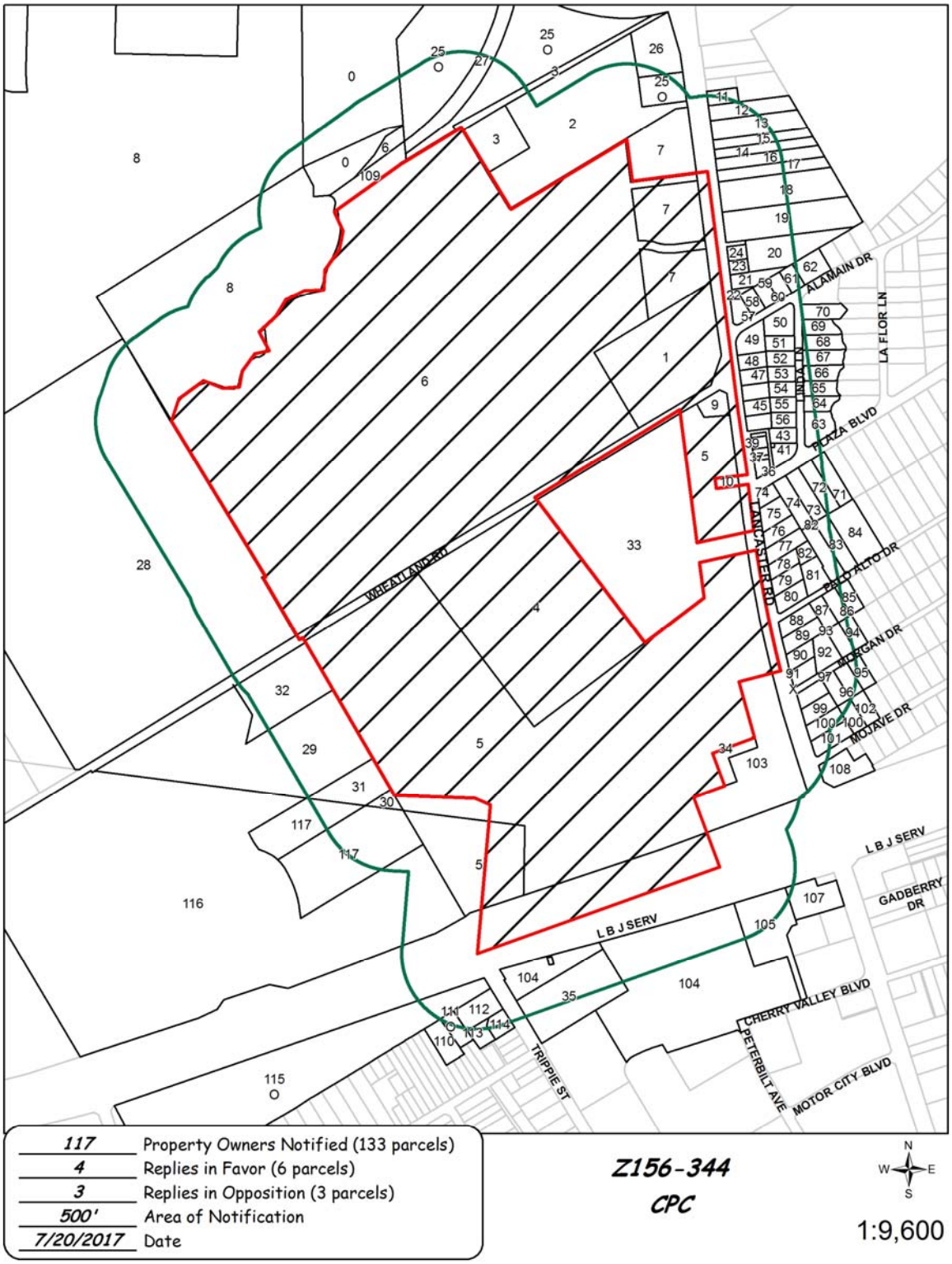
Case no: Z156-344

Date: 4/19/2017


PD 816
PD 625
CR
Undeveloped
PD No. 624
PD No. 624
CH
R-5(A)
R-7.5(A)
Retail
ALAMAIN DR
VECINO DR
FLOR LN
LINDA LN
R-7.5(A)
Undeveloped
CR
PD 624
PLAZA BLVD
Retail, residential & industrial
NS(A)
PALO ALTO
Undeveloped
LO-1
MORGAN DR
R-7.5(A)
R-7.5(A)
TH-2(A)
Z845-250
Deed Restrictions
MOJAVE DR
NS(A)
CS
L B J SERV
MF-2(A)
City of Lancaster
L B J SERV
CS
I 20
IR
City of Lancaster
PETERBILT AVE
1:10,800
ZONING AND LAND USE
Case no: Z156-344
Date: 4/19/2017


PD 816
PD 625
CH
R-5(A)
PD 624
CR
NS(A)
LO-1
R-7.5(A)
TH-2(A)
MF-2(A)
S LANCASTER RD
LINDA LN
LA FLOR LN
ALAMAIN DR
VECINO DR
PLAZA BLVD
PALO ALTO DR
MORGAN DR
MOJAVE DR
L B J SERV
L B J SERV
2
1
CS
IR
I-20
City of Lancaster
PETERBILT AVE
1:10,800
ZONING HISTORY
Case no: Z156-344
Date: 4/19/2017

CPC Responses



07/19/2017

Reply List of Property Owners

Z156-344

117 Property Owners Notified 4 Property Owners in Favor 3 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	7451	S LANCASTER RD	CADG PROPERTY HOLDINGS I LLC
	2	7201	S LANCASTER RD	PROTON PROPERTIES LLC
	3	7101	S LANCASTER RD	CAMPLANC INVESTMENTS
	4	2000	E WHEATLAND RD	CADG PROPERTY HOLDINGS I LLC
	5	7915	S LANCASTER RD	CADG PPTY HOLDINGS I LLC
	6	1900	WHEATLAND RD	CADG PPTY HOLDINGS I LLC
	7	1900	WHEATLAND RD	PATRIOT REAL ESTATE HOLDINGS RS10
	8	7894	UNIVERSITY HILLS BLVD	TEXAS STATE OF
	9	7505	S LANCASTER RD	CADG PROEPRTY HOLDINGS I LLC
	10	7549	S LANCASTER RD	SIMMONS YVONNE
	11	7220	S LANCASTER RD	WILLIE RAYS PRIVATE ROOM
	12	7234	S LANCASTER RD	WILLIAMS DANICA C
	13	7240	S LANCASTER RD	CAUDILLO JOSE JUAN
	14	7310	S LANCASTER RD	VILLANUEVA MARTHA L
	15	7304	S LANCASTER RD	TAYLOR DERRICK &
	16	7316	S LANCASTER RD	GRAY Q JUAN D
	17	7320	S LANCASTER RD	EVANS FRED
	18	7324	S LANCASTER RD	2008 WHITE FAMILY REV LIV THE
	19	7412	S LANCASTER RD	WILLIAMS FREDDIE MAE
	20	7420	S LANCASTER RD	HOWARD MARSHALL & GRACEY
	21	7430	S LANCASTER RD	JOHNSON VERNON LEE
	22	7440	S LANCASTER RD	BROWN ROBERTA
	23	7416	S LANCASTER RD	ST JUDES CHILDRENS
	24	7422	S LANCASTER RD	KING BOBBY J EST OF
O	25	7101	S LANCASTER RD	154 LANCASTER LTD
	26	7001	S LANCASTER RD	ROTEN STEVE & JOHN

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	27	2100	E CAMP WISDOM RD	DART
	28	1801	E WHEATLAND RD	RKCJ LLC
	29	1600	E WHEATLAND RD	KEY SUSAN WRIGHT
	30	7608	E WHEATLAND RD	WYCLIFFE BIBLE
	31	7608	E WHEATLAND RD	WYCLIFFE BIBLE
	32	1800	E WHEATLAND RD	SHROPULOS GEORGE P &
	33	2100	E WHEATLAND RD	RHODES KING E
	34	7915	S LANCASTER RD	ALL SAINTS INC
	35	8500	TRIPPIE ST	HEYDARIAN BRUCE & ASADOLLAH
	36	7544	S LANCASTER RD	AKRAMAWI OTHMAN YOUSEF
	37	7542	S LANCASTER RD	SMITH DAVID A
	38	7540	S LANCASTER RD	FISHER ROBERT J & TINA L
	39	7536	S LANCASTER RD	FISHER ROBERT & TINA
	40	7530	S LANCASTER RD	WHITE CANDI
	41	2435	PLAZA BLVD	UNITED STATES OF AMERICA
	42	9	UNKNOWN ST	WADLINGTON INA S
	43	7531	LINDA LN	EDWARDS MARY
X	44	7526	S LANCASTER RD	CLEMONS TRUCKING COMPANY
	45	7516	S LANCASTER RD	WADE ALVIN
O	46	7506	S LANCASTER RD	JOHNSON JOEL E
	47	7474	S LANCASTER RD	HEJ LIVING TRUST
	48	7468	S LANCASTER RD	MCDOWELL CASTON J & DONNIE
	49	7458	S LANCASTER RD	LOPEZ RAYES
	50	7419	S LANCASTER RD	WAFER TERRY L
	51	7427	LINDA LN	FOY ANTHONY
	52	7435	LINDA LN	JONES MONTGOMERY CAROLYN
	53	7443	LINDA LN	BARRON CRUZ LOPEZ & ALBERT
	54	7507	LINDA LN	J & R CONSTRUCTION SVC LP
	55	7515	LINDA LN	BUSBY RUBY F
	56	7523	LINDA LN	JONES BOBBY &
	57	7448	S LANCASTER RD	WILLIAMS GLORIA

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	58	2419	ALAMAIN DR	WILLIAMS GLORIA R
	59	2427	ALAMAIN DR	PARKER ETTA MAE DRAYDEN
	60	2435	ALAMAIN DR	GREEN LETHA MAE
	61	2507	ALAMAIN DR	WARREN DOROTHY VELORIA
	62	2515	ALAMAIN DR	BROWN DOROTHY
	63	7534	LINDA LN	GOREE CLARICE EST OF
	64	7516	LINDA LN	MATHERSON CONICE J
	65	7508	LINDA LN	LORING GEVAN K
	66	7444	LINDA LN	ARMSTEAD ANTHONY
	67	7436	LINDA LN	JONES DOROTHY F
	68	7428	LINDA LN	HERNANDEZ JAVIER C
	69	7420	LINDA LN	WOFFORD WILLIE C
	70	7414	LINDA LN	DEAMON KENNETH R JR &
	71	2516	PLAZA BLVD	DEUTSCHE BANK NATL TR CO
	72	2508	PLAZA BLVD	SPENCER SHAURETTA L
	73	2426	PLAZA BLVD	LITTLEJOHN PAUL S &
	74	7604	S LANCASTER RD	SPENCER RALPH
	75	7608	S LANCASTER RD	BCT FAMILY TR
	76	7708	S LANCASTER RD	LANKFORD DERRICK D
	77	7718	S LANCASTER RD	LANKFORD WADE
	78	7726	S LANCASTER RD	BRAY JOSEPH L
	79	7808	S LANCASTER RD	STEPHENS WILLIAM F
	80	7818	S LANCASTER RD	FRAZIER VIRGINIA
	81	2533	PALO ALTO DR	LOGAN ANDREW & MARGIE R
	82	2533	PALO ALTO DR	MCKNIGHT EYVONNE
	83	2549	PALO ALTO DR	WASHINGTON HAYWOOD &
	84	2607	PALO ALTO DR	TATUM DEMITREE LASHON
	85	2542	PALO ALTO DR	JACKSON MAYA
	86	2534	PALO ALTO DR	JIMENEZ SANTIAGO & VERONICA
	87	2526	PALO ALTO DR	ROLENPOWELL MONICA
	88	7908	S LANCASTER RD	DEJESUSPEREZ MANUEL &

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	89	7916	S LANCASTER RD	RODRIGUEZ JOEL & EVA
	90	7926	S LANCASTER RD	CLEMMONS LINDA &
X	91	7934	S LANCASTER RD	CLEMONS BEULAH V
	92	2529	MORGAN DR	F & S PROPERTIES LLC
	93	2537	MORGAN DR	WATSON W L & HAZEL
	94	2545	MORGAN DR	MILLER GILBERT
	95	2538	MORGAN DR	SANCHEZ PROPERTY MANAGEMENT INC
	96	2530	MORGAN DR	CLEMONS NARLAN
	97	2522	MORGAN DR	MILLER STEPHEN
X	98	8008	S LANCASTER RD	WASHINGTON STANFORD L &
	99	8018	S LANCASTER RD	HALLETT NO I LP
	100	8108	S LANCASTER RD	MEDINA BILLY &
	101	8118	S LANCASTER RD	MEDINA BILLY&
	102	2539	MOJAVE DR	BLACK JOHN T EST OF
	103	8181	S LANCASTER RD	DFW OIL INC
	104	8701	PETERBILT AVE	GRA GAR INC
	105	8701	PETERBILT AVE	WERNER ENTERPRISES INC
	106	2400	LBJ FWY	PRESCOTT INTERESTS BILLBOARDS LTD
	107	8333	S LANCASTER RD	MCDONALDS CORP
	108	8210	S LANCASTER RD	KANJO LLC
	109	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
	110	1055	LYLE ST	HERNANDEZ MARY
O	111	1	NO NAME ST	LANCASTER LTD
	112	4519	TRIPPIE ST	FIRST BAPTIST HOLY CHURCH
	113	4515	TRIPPIE ST	FIRST BAPTIST HOLY CHURCH
	114	4515	TRIPPIE ST	FIRST BAPTIST HOLY CHURCH
O	115	1100	IH 20	LANCASTER LTD
	116	1520	WHEATLAND RD	KEY SUSAN WRIGHT
	117	1700	WHEATLAND RD	WYCLIFFE BIBLE TRANSLATOR

AGENDA ITEM # 53

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 12

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 4 K

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District on the southeast corner of Trinity Mills Road and Westgrove Drive
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z167-113(WE)

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, AUGUST 9, 2017
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-113(WE) **DATE FILED:** October 17, 2016

LOCATION: Trinity Mills Road and Westgrove Drive, southeast corner

COUNCIL DISTRICT: 12 **MAPSCO:** 4-K

SIZE OF REQUEST: Approx. 1.84 acres **CENSUS TRACT:** 137.04

APPLICANT / OWNER: Tsay Properties Westgrove, LTD
Sam Tsay – Sole Owner

REPRESENTATIVE: Robert Reeves
Robert Reeves and Associates, Inc.

REQUEST: An application for an NS(A) Neighborhood Service District with deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District.

SUMMARY: The applicant's request would allow additional land uses such as personal service uses and general merchandise or food store 3,500 square feet or less to occupy the existing 48,000 square foot building. The applicant has volunteered deed restrictions prohibiting the total floor area of a general merchandise or food store to 2,500 square feet or less.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant

BACKGROUND INFORMATION:

- The request site is currently developed with a two story, 48,000 square foot office building.

- The applicant's request will allow for some flexibility in the allowed uses to lease space in the existing building. The NO(A) District limits certain uses to operate solely within the building that is primarily for the service of the occupants of the building.

- The applicant has volunteered deed restrictions prohibiting the total floor area of a general merchandise or food store to 2,500 square feet or less. The NS(A) Neighborhood Service District permits a general merchandise or food store 3,500 or less.

- The land uses that abut the request site's eastern property line consist of a variety of multifamily uses. The properties to the south and west of the site, across Westgrove Drive, are located in the Town of Addison and City of Carrollton, respectively. Residential uses are developed to the north, across Trinity Mills Road.

Zoning History: There has not been any zoning changes requested in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Trinity Mills Road	Principal Arterial	100 ft.	100 ft.
Westgrove Drive	Local	60 ft.	60 ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

COMPREHENSIVE PLAN: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

ECONOMIC

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.3 Encourage complementary building height, scale, design and character.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

GOAL 5.3 Establishing Walk-to Convenience

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use:

	Zoning	Land Use
Site	NO(A)	Office
North	R-7.5(A)	Single Family
South	Town of Addison	Multifamily
East	MF-2(A)	Multifamily
West	City of Carrollton	Retail

STAFF ANALYSIS:

Land Use Compatibility: The approximately 1.84 acre site is developed with a two-story, 48,000 square foot office building and is adjacent to multifamily uses to the south and east. The Town of Addison abuts the request site's southern property line. Properties that are located to the west of the request site, across Westgrove Drive, are developed with retail type uses and are located within the City of Carrollton. North of the request site, across Trinity Mills Road, is developed with residential uses.

The applicant's request for a NS(A) Neighborhood Service District will provide the flexibility to lease space with certain uses within the building. The current NO(A) Neighborhood Office District limits certain main uses to the entire building. The main uses designated as a "limited use" may not have a floor area that in combination with the floor area of other limited uses in the building exceeds 10 percent of the floor area of the building. In addition a limited use must have no exterior public entrance except though the general building entrances and have no exterior advertising signs on the same lot.

The NO(A) District and the NS(A) District have similar main uses that can be developed on a site. However, there is a small variation in the specific uses for each district and the chart below shows the limitations and differences between the two districts.

NO(A) Neighborhood Office – existing		**NS(A) Neighborhood Service District – proposed**
• Business School [SUP]		--
--		• Dry Cleaning or laundry store
--		• General merchandise or food store 3,500 sq. ft. or less
--		• Motor vehicle fueling station [SUP]
• Personal service uses up to 1,000 sq. ft. in floor area [L]*		• Personal service uses
• Restaurant without drive-in or drive through service [SUP]		• Restaurant without drive-in or drive through service [RAR]

Note: ***[L]** – means that a use is permitted by right as a limited use. A limited use may be contained entirely within a building and be primarily for the service of the occupants of the building.

Development Standards:

DISTRICT	**SETBACKS**		**Density**	**Height**	**Lot Coverage**	**Special Standards**	**PRIMARY Uses**
	Front	**Side/Rear**					
NO(A) – existing Neighborhood Office	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	50%	Proximity Slope Visual Intrusion	Office
NS(A) – proposed Neighborhood service	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	40%		Retail & personal service, office

Landscaping: Any renovation of the existing structure will not increase the impervious coverage and as a result will not trigger any landscaping requirements.

CPC Action (March 16, 2017)

Motion: In considering an application for an NS(A) Neighborhood Service District with deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District on the southeast corner of Trinity Mills Road and Westgrove Drive, it was moved to **hold** this case under advisement until April 27, 2017.

Maker: Rieves
Second: Houston
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: 300 Mailed: 35
Replies: For: 1 Against: 3

Speakers: None

CPC Action (April 27, 2017)

Motion: In considering an application for an NS(A) Neighborhood Service District with deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District on the southeast corner of Trinity Mills Road and Westgrove Drive, it was moved to **hold** this case under advisement until May 18, 2017.

Maker: Peadon
Second: Houston
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Shidid, Anantasomboon, Mack, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Davis

Vacancy: 0

Notices: Area: 300 Mailed: 35
Replies: For: 2 Against: 4

Speakers: None

CPC Action (May 18, 2017)

Motion: In considering an application for an NS(A) Neighborhood Service District with deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District on the southeast corner of Trinity Mills Road and Westgrove Drive, it was moved to **hold** this case under advisement until June 22, 2017.

Maker: Peadon
Second: Shidid
Result: Carried: 12 to 0

For: 12 - Anglin, Rieves, Houston, Davis, Shidid, Mack, Haney, Jung, Housewright, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Anantasomboon, Schultz, Tarpley
Vacancy: 0

Notices: Area: 300 Mailed: 35
Replies: For: 2 Against: 4

Speakers: None

CPC Action (June 22, 2017)

Motion: It was moved to recommend **approval** of an NS(A) Neighborhood Service District with deed restrictions volunteered by the applicant, subject to revised deed restrictions volunteered by the applicant with inclusion of photography studio and tattoo parlor (as defined in Chapter 51A) on property zoned an NO(A) Neighborhood Office District on the southeast corner of Trinity Mills Road and Westgrove Drive.

Maker: Peadon
Second: Houston
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

Notices: Area: 300 Mailed: 35
Replies: For: 2 Against: 4

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Against: None

PROPOSED DEED RESTRICTIONS

DEED RESTRICTIONS

THE STATE OF TEXAS)
) KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF COLLIN)

I.

The undersigned, Tsay Properties – Westgrove, LTD., a Texas limited partnership ("the Owner"), is the owner of the following described property ("the Property"), being in a particular a tract of land out of the Kingwell Survey, Abstract No. 1107, and the Edwin Allen Survey, Abstract No. 8 City Block 8705, City of Dallas ("City"), Collin County, Texas, and being that same tract of land conveyed to the Owner by Special Warranty Deed dated July, 24, 1990, and recorded in Volume 3323, Page 240, in the Deed Records of Collin County, Texas, and being more particularly described as follows:

Being a tract of land situated in the KINGWELL SURVEY, ABSTRACT NO. 1107, and the EDWIN ALLEN SURVEY ABSTRACT NO. 8, situated in the City of Dallas, Collin County, Texas, and being more particularly described as follows:

Commencing at the intersection of the South line of Trinity Mills Road (100 foot R.O.W.) and the projected centerline of Voss Road (60 foot R.O.W.;

Thence North, 78 degrees 28 minutes 39 seconds East, along said South line of Trinity Mills Road a distance of 30.66 feet to the PLACE OF BEGINNING, an “X” in concrete for corner;

THENCE North, 78 degrees 28 minutes 39 seconds East, continuing along said South line of Trinity Mills Road a distance of 159.18 feet to the beginning of a curve to the left having a central angle of 05 degrees 00 minutes 20 seconds a radius of 3,226.31 feet and a tangent length of 141.01 feet;

THENCE along said curve to the left and said South line of Trinity Mills Road an arc distance of 281.87 feet to an iron rod for corner;

THENCE South, 00 degrees 46 minutes 02 seconds West, a distance of 246.00 feet to an iron rod for corner;

THENCE North 89 degrees 13 minutes 58 seconds West, along the county line between Dallas and Collin County, a distance of 408.63 feet to an iron rod for a corner, said point also being the beginning of a nontangent curve to the left having a central of

01 degrees 27 minutes 19 seconds, a radius of 372.71 feet, a tangent length of 4.73 feet and a tangent bearing of North 16 degrees 58 minutes 34 seconds West;

THENCE along said curve to the left an arc distance of 9.47 feet to the beginning of a reversed curve to the right having a central angle of 18 degrees 48 minutes 58 seconds a radius of 289.41 feet and a tangent of 47.95 feet;

THENCE along said curve to the right an arc distance of 95.04 feet to the point of tangency;

THENCE North 00 degrees 23 minutes 05 seconds East, a distance of 37.96 feet to the PLACE OF BEGINNING and Containing 80,386 square feet or 1.84541 acres of land, more or less.

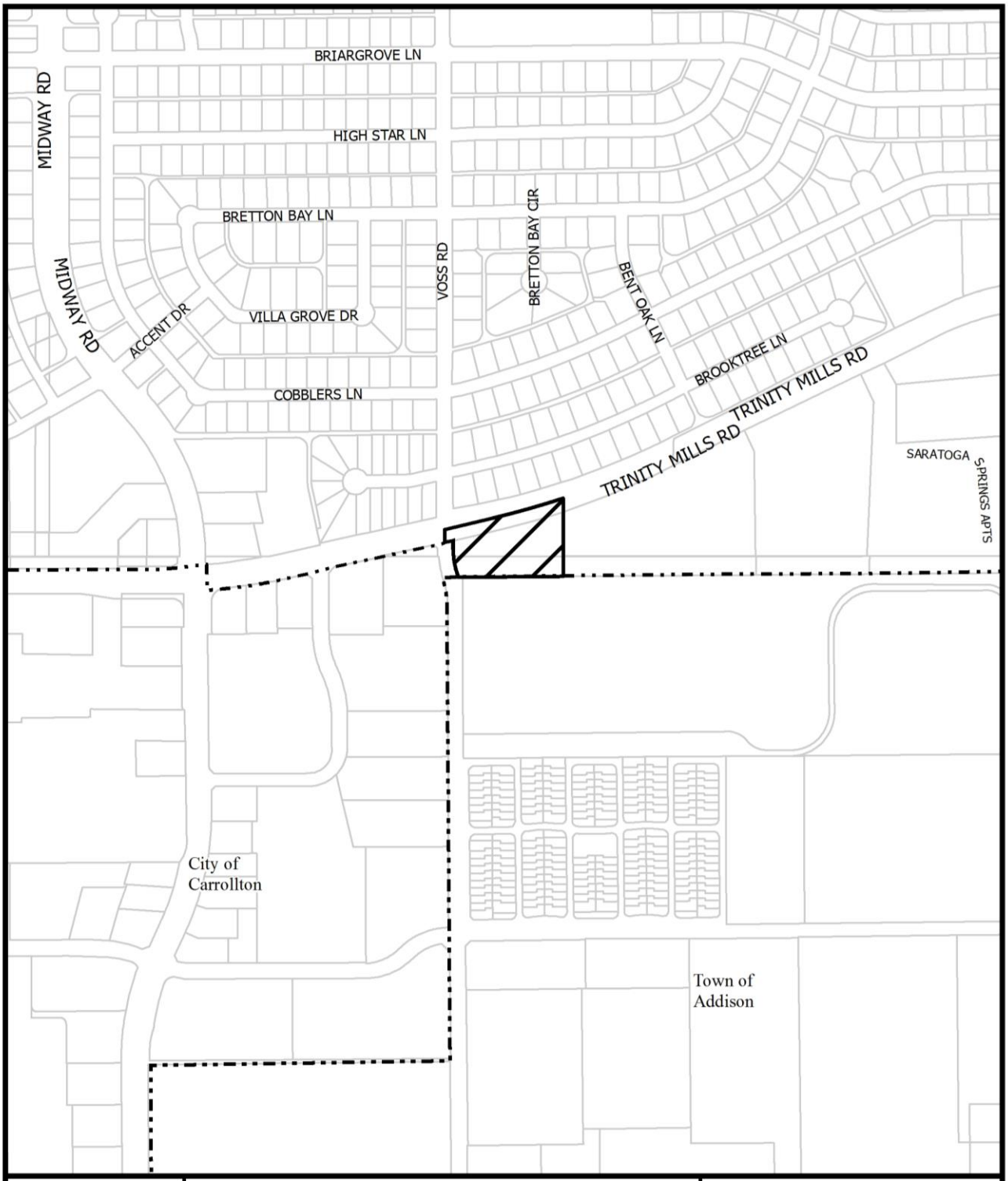
II.

-- Adult day care facility.
-- Agricultural uses.
-- Attached non-premise sign
-- Carnival or circus (temporary).
-- Cemetery or mausoleum.
-- College dormitory, fraternity or sorority house.
-- Community service center.
-- Convent or monastery.
-- Country club with private membership.
-- Dry cleaning or laundry store.
-- Gas drilling and production.
-- General merchandise or food store 3,500 square feet or less, except for a drug store defined as a facility for the preparing, preserving, compounding, and retail sale of drugs, medicines, and other health care related items. This drug store use does not include the sale of cosmetics, notions, fountain sodas, beverages, dry goods, sports, apparel, equipment for hobbies, gifts, flowers, household plants, toys, furniture, antiques, books and stationary, pets, auto parts, and accessories, and similar consumer goods.
-- Motor vehicle fueling station.
-- Photography Studio, which means a facility for taking and processing pictures.
-- Private recreation center, club or area.
-- Public park, playground, or golf course.
-- Radio, television, or microwave tower.
-- Recycling drop-off container.
-- Recycling drop-off for special occasion collection.
-- Restaurant without drive-in or drive-through service.
-- Tattoo Studio. TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

-- Temporary concrete or asphalt batching plant.
-- Tower/antenna for cellular communication.
-- Transit passenger station or transfer center.

III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.



1:6,000

VICINITY MAP

Case no: Z167-113

Date: 11/3/2016

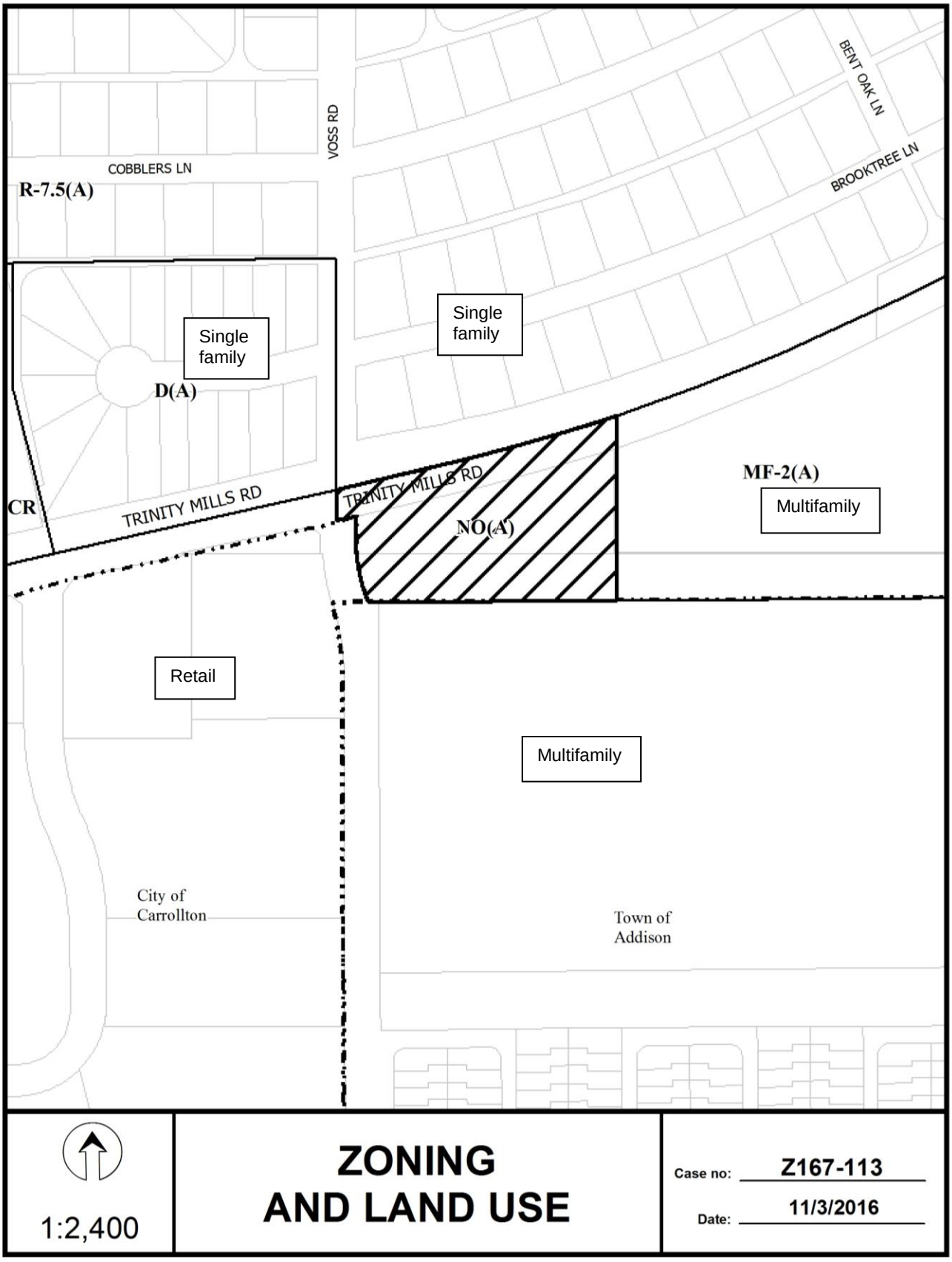


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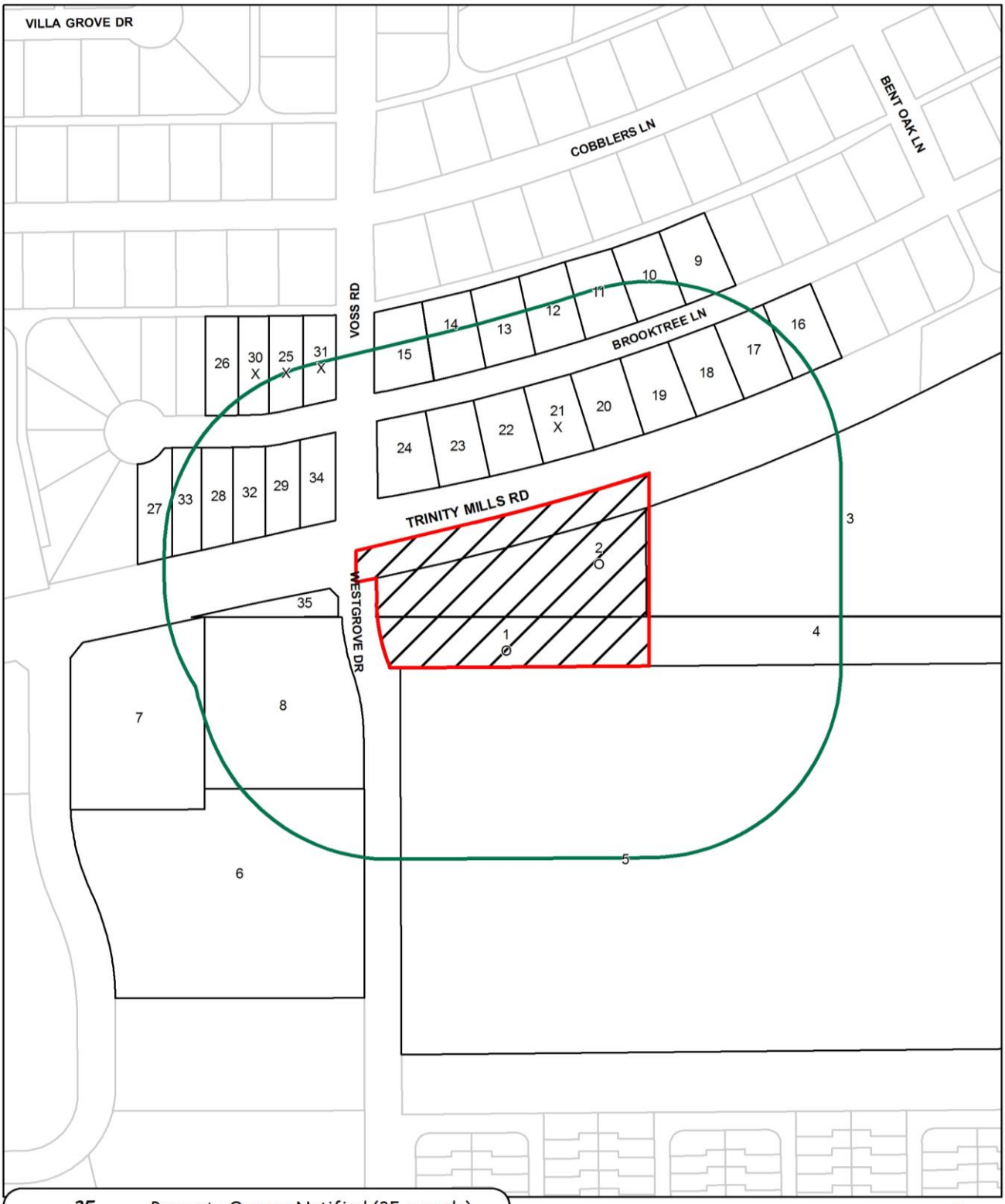
AERIAL MAP

Case no: Z167-113

Date: 11/3/2016


BENT OAK LN
VOSS RD
COBBLERS LN
BROOKTREE LN
R-7.5(A)
Single family
Single family
D(A)
MF-2(A)
Multifamily
CR
TRINITY MILLS RD
TRINITY MILLS RD
NO(A)
Retail
Multifamily
City of Carrollton
Town of Addison
1:2,400
ZONING AND LAND USE
Case no: Z167-113
Date: 11/3/2016

CPC RESPONSES



35	Property Owners Notified (35 parcels)
2	Replies in Favor (2 parcels)
4	Replies in Opposition (4 parcels)
300'	Area of Notification
6/22/2017	Date

Z167-113
CPC

N
W E
S

1:2,400

Notification List of Property Owners

Z167-113

35 Property Owners Notified 2 Property Owners in Favor 4 Property Owners Opposed

Reply	Label #	Address		Owner
O	1	4222	TRINITY MILLS RD	TSAY PPTIES WESTGROVE LTD
O	2	4222	TRINITY MILLS RD	TSAY PROPERTIES WESTGROVE LTD
	3	4280	TRINITY MILLS RD	FRONTLINE TRINITY LLC
	4	4280	TRINITY MILLS RD	FRONTLINE TRINITY LLC
	5	17200	WESTGROVE DR	CPT ADDISON LP
	6	2661	WESTGROVE DR	INTOWN SUITES CARROLLTON
	7	3400	E TRINITY MILLS RD	RETAIL BUILDINGS INC
	8	3408	E TRINITY MILLS RD	HALLE PPTIES LLC
	9	4215	BROOKTREE LN	ROBBINS WARREN A &
	10	4211	BROOKTREE LN	SCHMALZ EARL A
	11	4209	BROOKTREE LN	VERMA MARK C S
	12	4207	BROOKTREE LN	RICH DAVID & MARY L RICH
	13	4205	BROOKTREE LN	WANG JOHN SHIAW-SHEN &
	14	4203	BROOKTREE LN	LASKY MICHAEL J & CASEY
	15	4201	BROOKTREE LN	DUBEY ANSHUL &
	16	4218	BROOKTREE LN	KO ERIC CHIN-CHUONG &
	17	4216	BROOKTREE LN	WRIGHT IRENE J
	18	4214	BROOKTREE LN	COGBURN RICHARD
	19	4212	BROOKTREE LN	HART JOHN K
	20	4210	BROOKTREE LN	YAEGER JON M
X	21	4208	BROOKTREE LN	MEDLEN RONNYE M &
	22	4206	BROOKTREE LN	ROZEMBERG LINDA DEETTE & ISRAEL L
	23	4204	BROOKTREE LN	RAY KASEY D
	24	4202	BROOKTREE LN	CARRIZALES MARIO A
X	25	4115	BROOKTREE LN	CHILDRESS MARTHA M-LE
	26	4109	BROOKTREE LN	CHIU SHERMAN S & SANNA L

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	27	4110	BROOKTREE LN	KOCEK LAURA KRANZ &
	28	4114	BROOKTREE LN	ERIKSEN DAVID &
	29	4118	BROOKTREE LN	MARTINEZ CHRISTINA
X	30	4111	BROOKTREE LN	PATSELLIS JAMES PETER
X	31	4117	BROOKTREE LN	MACAULAY SANDRA ANN
	32	4116	BROOKTREE LN	ERIKSEN DAVID F & KATHRYN E
	33	4112	BROOKTREE LN	BUSH GARY & CRISTIN
	34	4120	BROOKTREE LN	BRILLIANT ENTERPRISES INC
	35	3200	E TRINITY MILLS RD	HALLE-VON VOIGTLANDER

AGENDA ITEM # 54

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 3

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 61B D; G; H

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned Planned Development District No. 612 for residential and institutional uses, north of Grady Niblo Road, east of Spur 408
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation, and conditions
Z167-195(KK)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-195(KK) **DATE FILED:** January 25, 2017

LOCATION: North of Grady Niblo Road, east of Spur 408

COUNCIL DISTRICT: 3 **MAPSCO:** 61B-D; G; H

SIZE OF REQUEST: Approx. 29.76 acres **CENSUS TRACT:** 165.20, 165.21

APPLICANT: SBA 2012 TC Assets, LLC

OWNER: UMEP, INC

REPRESENTATIVE: Virtual Site Walk LLC., Jacob Hamilton

REQUEST: An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned Planned Development District No. 612 for residential and institutional uses.

SUMMARY: The applicant proposes to legalize the existing 117 foot monopole tower for cellular communication with an 8 foot lightning rod for a total height of 125 feet, by obtaining a new SUP. The previous SUP expired on September 13, 2010. [Sprint, T-Mobile, Verizon]

CPC RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation, and conditions.

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation, and conditions.

BACKGROUND INFORMATION:

- The property is currently developed with the existing monopole tower for cellular communication, an open-enrollment charter school [UME Preparatory], and a church. The site contains a 2,400 square-foot area that houses the existing monopole tower for cellular communication and auxiliary structure.

- The existing monopole tower is 117 feet tall with an 8 foot lightning rod for a total height of 125 feet.

- The Specific Use Permit allows this additional use of the property and does not change the existing Planned Development District No. 612 zoning. The uses permitted by the present zoning will continue to be allowed.

- The previous Specific Use Permit, SUP No. 1420, was approved on September 13, 2000, for a ten year period with eligibility for automatic renewals for additional ten-year periods. This SUP expired on September 13, 2010. Ownership of the tower has changed since the expiration of the previous SUP, the applicant did not detail why a renewal was not applied for by previous ownership.

- The tower was constructed in February of 2001, antennas were added to the tower in September of 2007 according to permit documents.

Zoning History: There has been two recent zoning change requests in the area.

1. Z145-186 On August 12, 2015, the City Council approved the application and an ordinance granting an amendment to Planned Development District No. 612 and approval of the repeal of Specific Use Permit No. 1950 for an open-enrollment charter school.

2. Z167-211 On May 18, 2017, the City Plan Commission recommended approval to amend Planned Development District No. 612 for residential and institutional uses, located north of Grady Niblo Road, east of Spur 408. This case will be considered by the City Council on June 28, 2017.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Spur 408	State Highway	Variable Lane Widths

Surrounding Land Use:

	Zoning	Land Use
Site	PDD No. 612	Church, Open-enrollment charter school, tower/antenna for cellular communication
North	A(A)	Undeveloped land
East	TH-2(A), MF-1(A), A(A)	Undeveloped land
South	MF-1(A), A(A)	Multifamily, Undeveloped land
West	A(A)	Spur 408 Freeway, Single family, Undeveloped land

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

There are no goals or policies supporting or opposing the request.

Land Use Compatibility:

The area of request is approximately 29.76 acres and is partially developed with an open-enrollment charter school, church, and an existing monopole tower for cellular communication. The area of request contains a 2,400-square-foot lease area that is improved with a monopole tower for cellular communication. The monopole tower is at a height of 117 feet with an 8 foot lightning rod for a total height of 125 feet. The applicant has detailed that the proposed tower height is the minimum height necessary to provide the required coverage relative to nearby complementary wireless facilities. Per the applicant, the reason this request was submitted is because when the current owner acquired the cellular facility from another ownership, they learned that the Specific Use Permit has expired. The previous SUP expired on September 13, 2010.

Residential proximity slope does apply to this site. The closest site of origination is the eastern property line where PDD No. 612 abuts an A(A) Agricultural District. The tower is 116 feet in height and is located approximately 43 feet away from the site of origination. This height and location means that the tower encroaches into the residential proximity slope, a 1 to 3 slope, by 102 feet in height. In order for the tower not to encroach into the residential proximity slope the tower would have to be setback 348 feet from the eastern property line where the property is directly adjacent to a residentially zoned district. Due

to the configuration of the site and how the lot narrows to a point traveling north along the property this would place the existing monopole tower off site and into the right-of-way. The tower cannot be located on site and not encroach into residential proximity slope given the current location.

The request site is located within a predominately rural and undeveloped area. The closest residential development is approximately 1,392.50 feet east. There is a developed multifamily complex south of the area of request by 2,895 feet. All property surrounding the site is either heavily treed or is state highway right-of-way.

The applicant has detailed that the site serves Sprint, T-Mobile, Verizon, and a few smaller companies as tenants given the current configuration and height of the tower. The existing monopole tower is not proposed to change in anyway, nor will the existing lease area increase in size. The applicant asserts that the area will allow wireless telephone providers the necessary infrastructure for attaching their equipment to transmit and receive radio signals to and from their customers.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request is consistent with the intent of the Dallas Development Code which stipulates that a monopole cellular tower is exempt from residential proximity slope height restrictions if an SUP is required for the monopole cellular use and the impact of the tower height on an adjacent residential district is considered in the SUP process.

Development Standards:

DISTRICT	SETBACKS		Lot Area	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 612	50'	20'/50'	1 Dwelling Unit/3 acres	59'	10%	N/A	Agricultural, single family, church, institutional

Parking:

Parking will be provided in accordance to the parking requirements in the Dallas Development Code, as amended, which is one space if the cellular communication tower/antenna has an auxiliary building housing electronic and communication equipment ("auxiliary building") greater than a 120 square feet. The auxiliary building is more than 120 square feet, therefore one off-street parking space is required. This space will be provided on site along with the additional required parking for the open-enrollment charter school and church. The total site is required to provide 321 spaces and is providing 343 spaces.

Landscaping:

In general, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. Per the current proposal, the area of request will not be required to provide landscaping because no new development is proposed.

Traffic:

The Engineering Division of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

Notification Area:

On January 13, 2016, the City Council approved an amendment to the Development Code regarding tower/antenna for cellular communication use. One provision pertains to the notification area and requires written notification of the public hearing on an application for an SUP for a tower/antenna for cellular communication to all real property within 500 feet of the building site on which the tower/ antenna for cellular communication will be located.

As a result of the amendment, the SUP will be placed on the larger 29.76-acre tract of land, and the notification area will extend from this boundary rather than from border of the 2,400-square foot lease area of the tower/antenna for cellular communication.

CPC Action

June 8 , 2017

Motion: It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation, and conditions on property zoned Planned Development District No. 612 for residential and institutional uses, north of Grady Niblo Road, east of Spur 408.

Maker:	Houston
Second:	Anglin
Result:	Carried 9 to 3

For: 9 – Anglin, Houston, Davis, Shidid, Anantasomboon, Mack, Housewright, Peadon, Murphy, Tarpley

Against:	3 – Rieves, Haney, Jung
Absent:	2 – Anantasomboon, Schultz
Vacancy:	0
Conflict:	1 - Ridley

Notices:	Area:	500	Mailed:	12
Replies:	For:	0	Against:	0

Speakers: For: Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201
Against: None

List of Partners/Principals/Officers

Members of SBA 2012 TC Assets, LLC, a Foreign Limited Liability Company:

1. Thomas P. Hunt, Title Director, Senior Vice President, Secretary
2. Jeffrey A. Stoops, Title Director, President
3. Jason Silberstein, Title Senior Vice President

Principal place of business: 8051 Congrees Avenue, Boca Raton, FL, 33487
Registered Agent is the Corporate Creations Network, Inc., 11380 Prosperity Farms Road, STE#221E, Palm Beach Gardens, FL, 33410

Proposed SUP Conditions
Z167-195 (KK)

1. USE: The only use authorized by this specific use permit is a tower/antenna for cellular communication.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevation.

3. TIME LIMIT: This specific use permit expires on (ten years from the passage of the ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. HEIGHT: Maximum height of the tower/antenna for cellular communication is 117 feet with an 8 foot lightning rod for a total height of 125 feet.

5. MONOPOLE CELLULAR TOWER DIMENSIONS:

    A. The pole portion of the tower/antenna for cellular communication may not exceed 42 inches in diameter.

    B. The platform portion of the tower/antenna for cellular communication may not have a horizontal cross sectional area greater than 196 square feet.

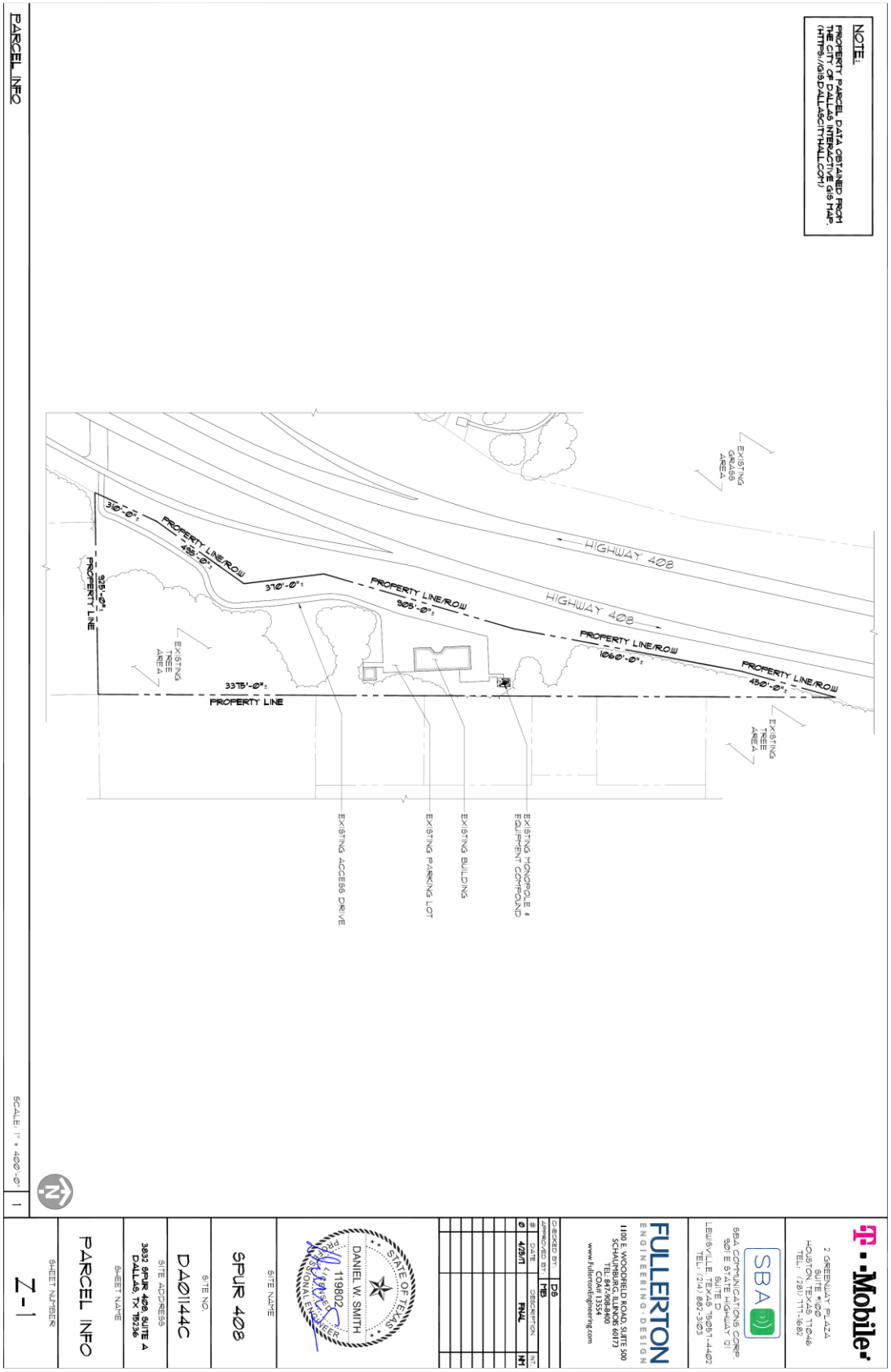
    C. The depth of the platform may not exceed four feet, excluding any whip antenna.

6. SHARED USE WITH OTHER CARRIERS: Any tower/antenna for cellular communication over 65 feet in height must be constructed to support the antenna arrays for at least two other wireless communications carriers, and the tower/antenna for cellular communication must be made available to other carriers upon reasonable terms.

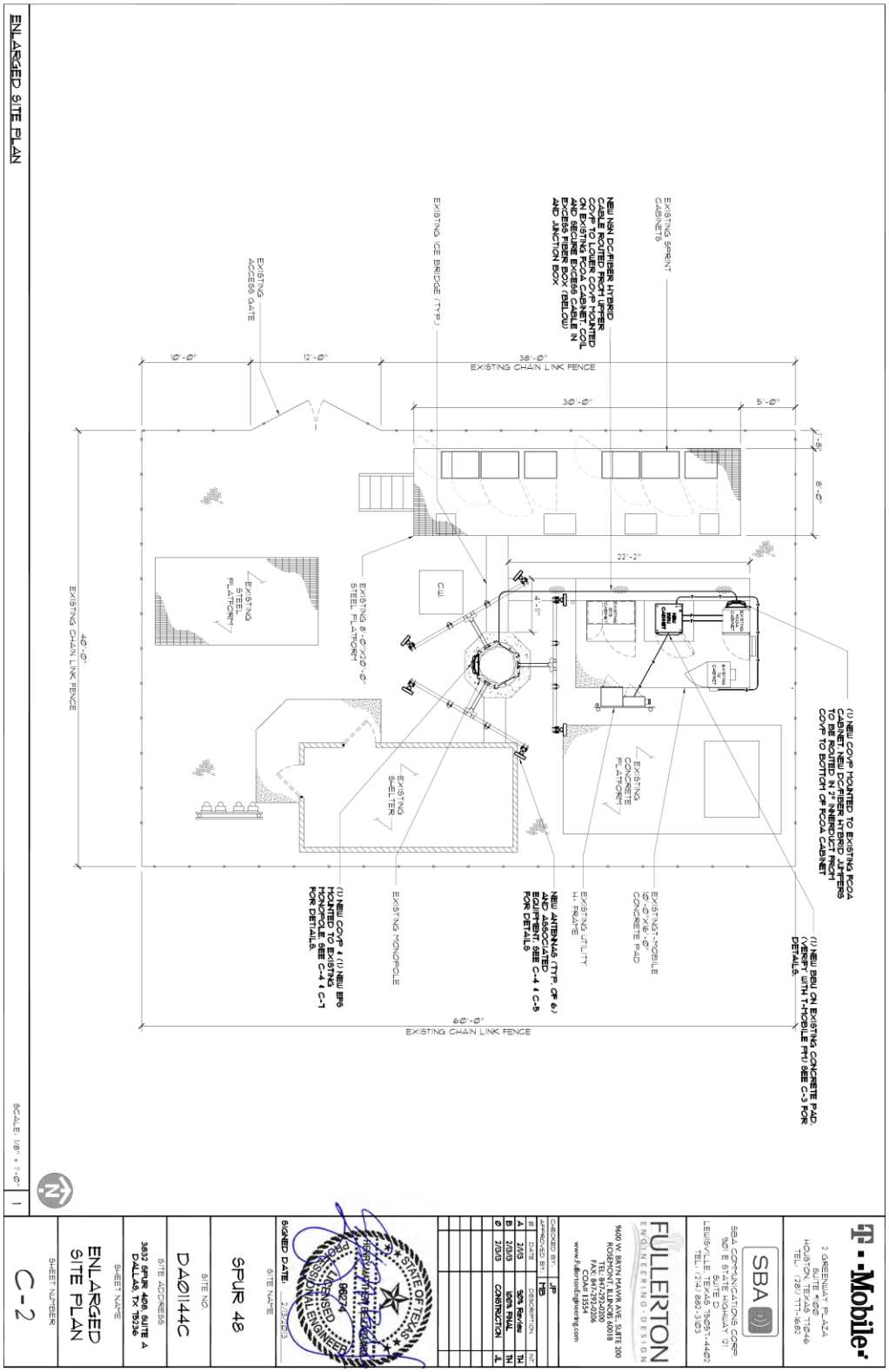
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



ENLARGED SITE PLAN



T-Mobile
2 GREENWAY PLAZA
SUITE 1400
HOUSTON, TEXAS 77046
TEL: (281) 771-1652

SBA
SBA COMMUNICATIONS CORP
20 E STATE HIGHWAY 121
SUITE D
LEWISVILLE, TEXAS 75057-4402
TEL: (214) 840-3303

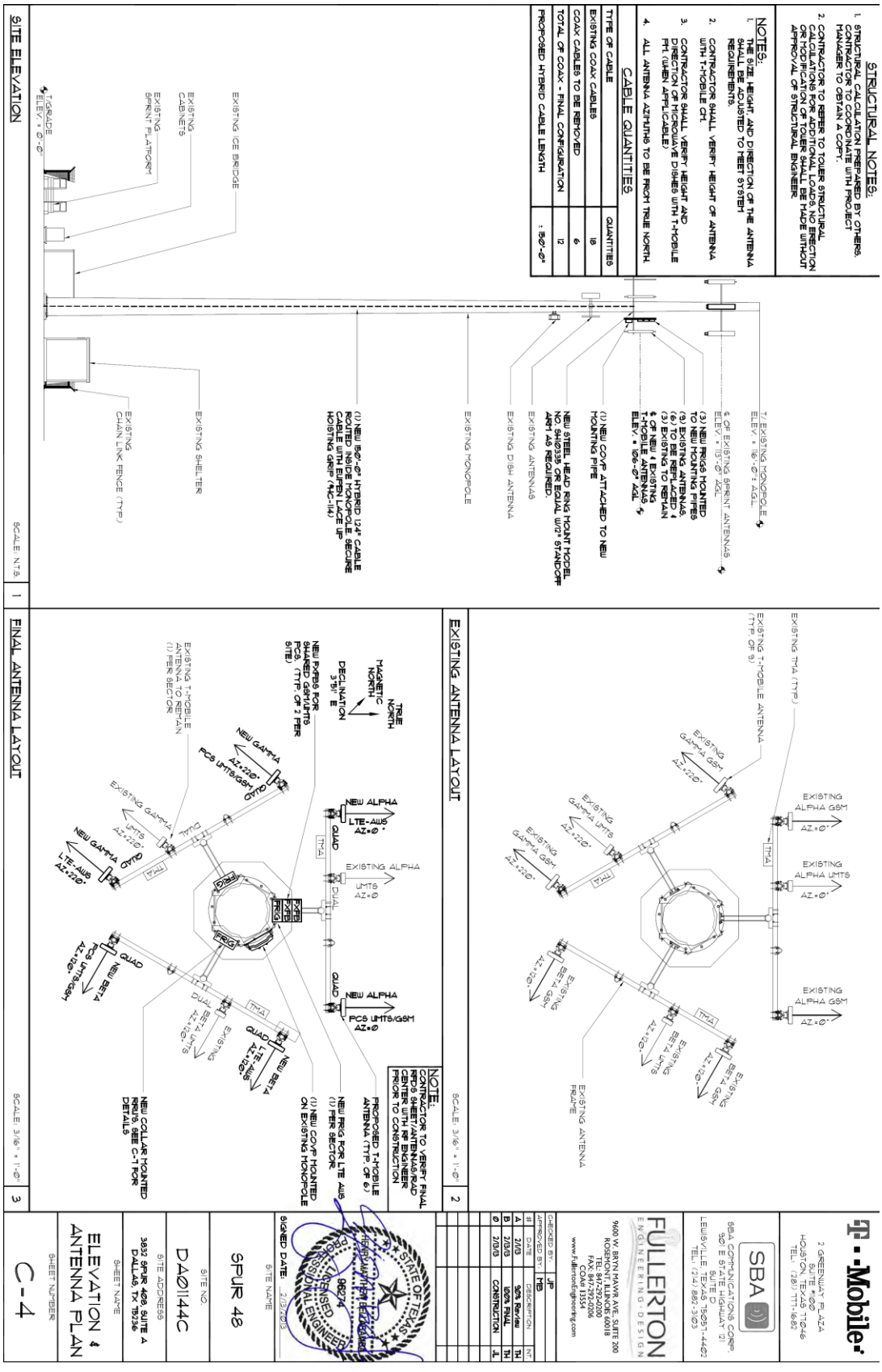
FULLERTON ENGINEERING DESIGN
9400 W. BRYN MAWR AVE. SUITE 200
ROSEMONT, ILLINOIS 60018
TEL: 847-292-0200
FAX: 847-292-0206
CoA# 1355A
www.fullertonengineering.com

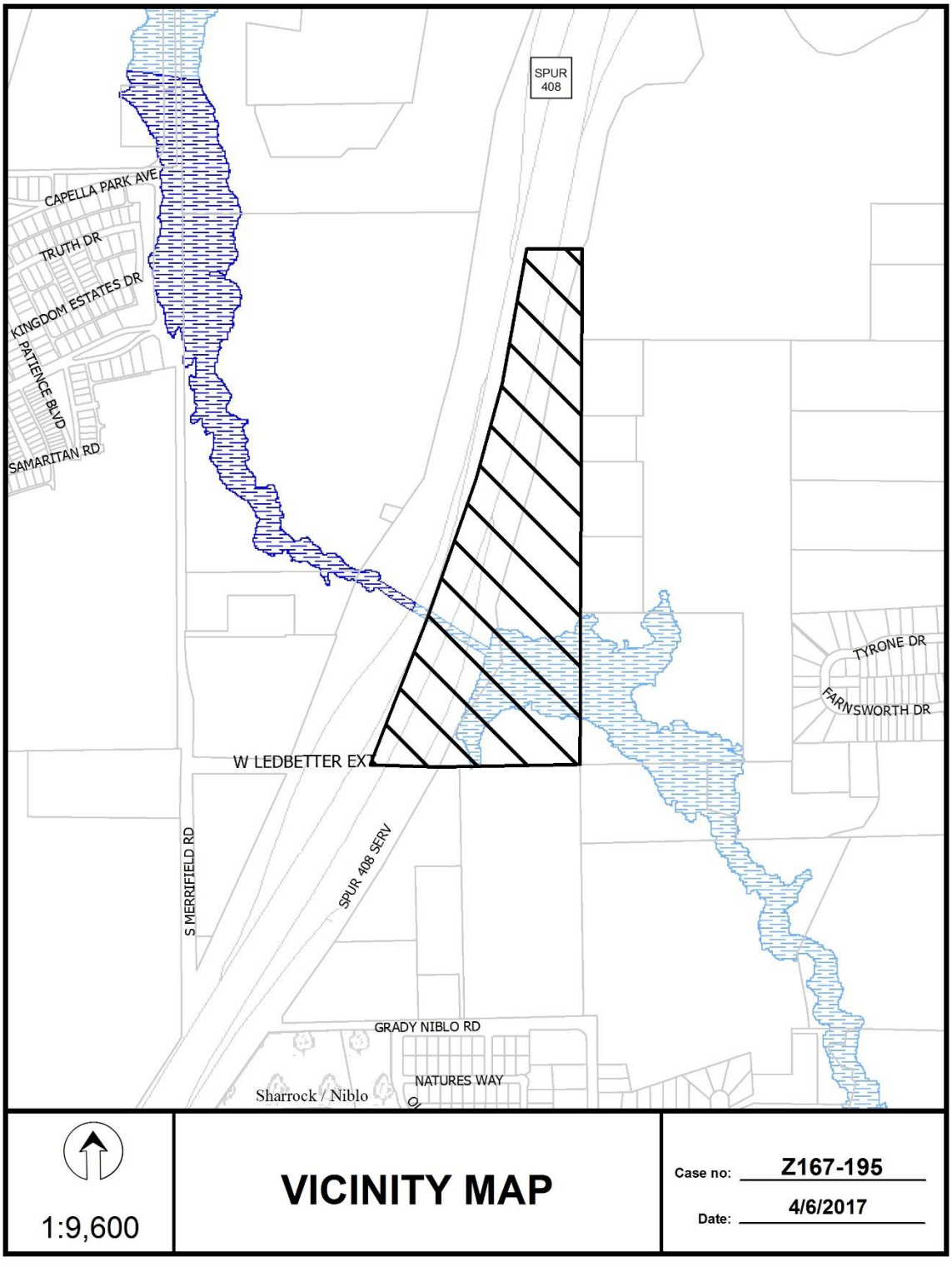
BY	DATE	DESCRIPTION	
JP		APPROVED BY:	
HB		CHECKED BY:	
A	2/6/13	90% Review	TH
B	2/8/13	100% FINAL	TH
0	2/8/13	CONSTRUCTION	TH

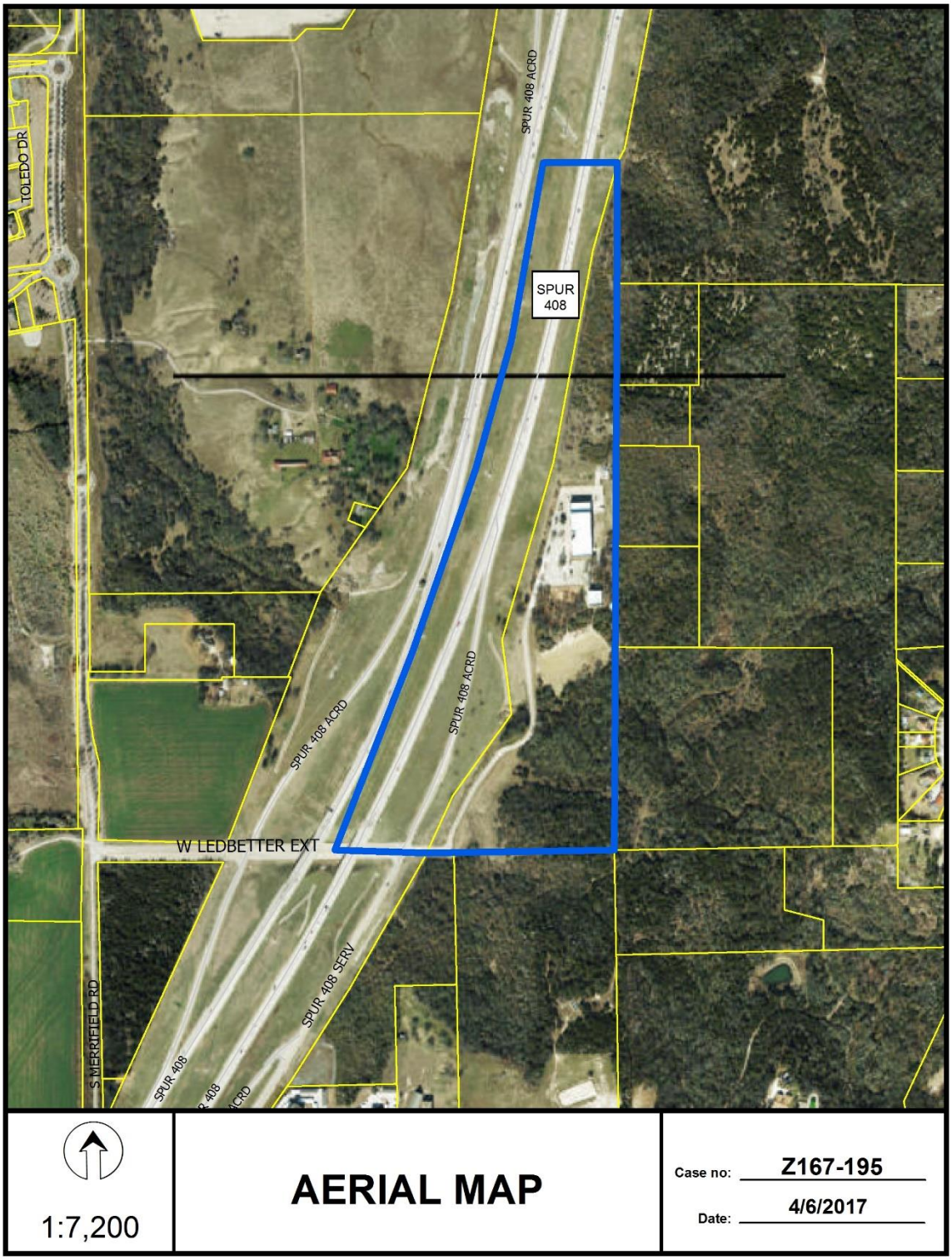
STATE OF TEXAS
TIMOTHY HUGHES
86274
LICENSED PROFESSIONAL ENGINEER
SIGNED DATE: 2/8/2013

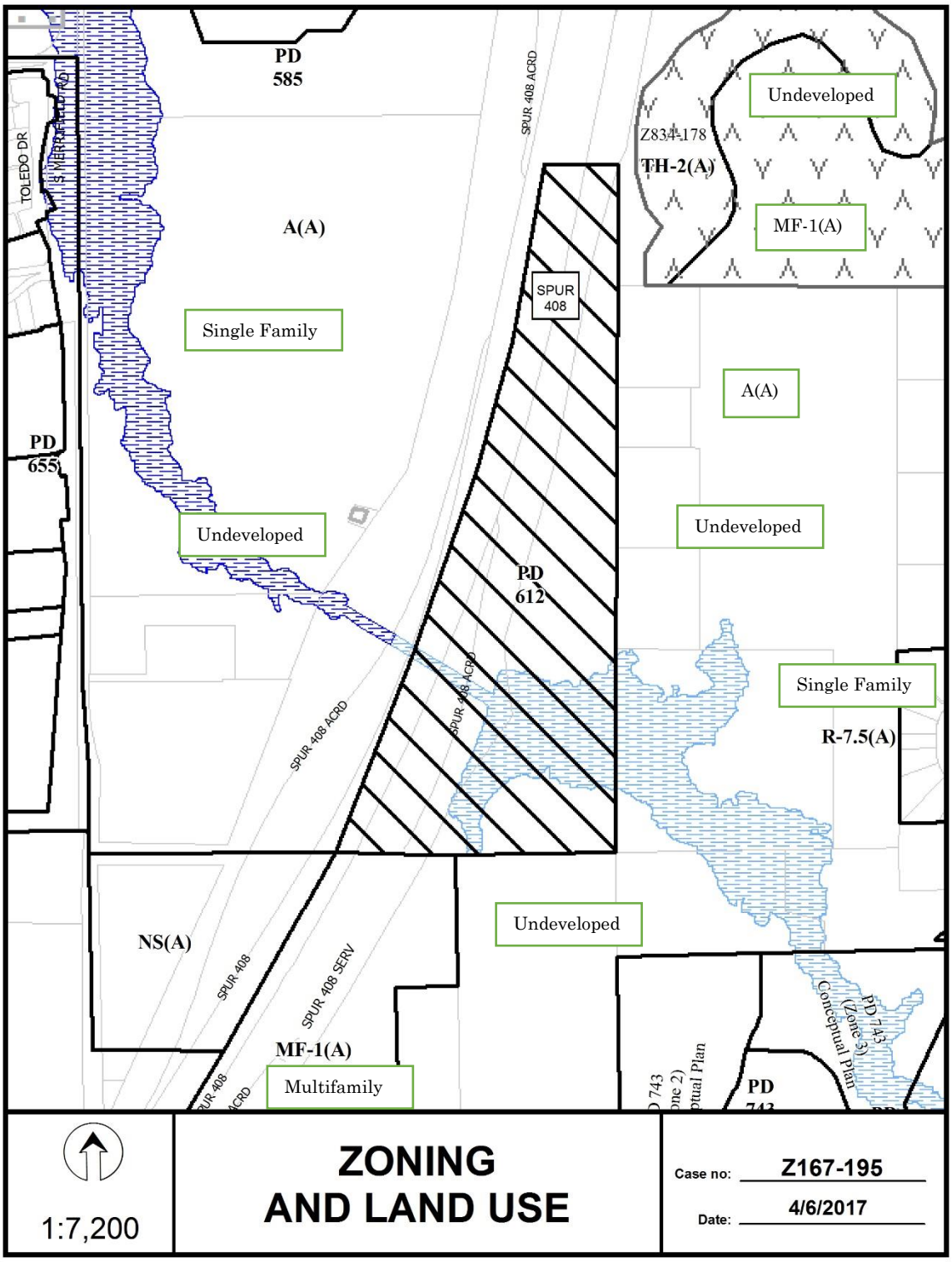
SITE NAME: SPUR 48
SITE NO.: DA0114C
SITE ADDRESS: 3832 SPUR 408, SUITE A DALLAS, TX 75236
SHEET NAME: ENLARGED SITE PLAN
SHEET NUMBER: C-2

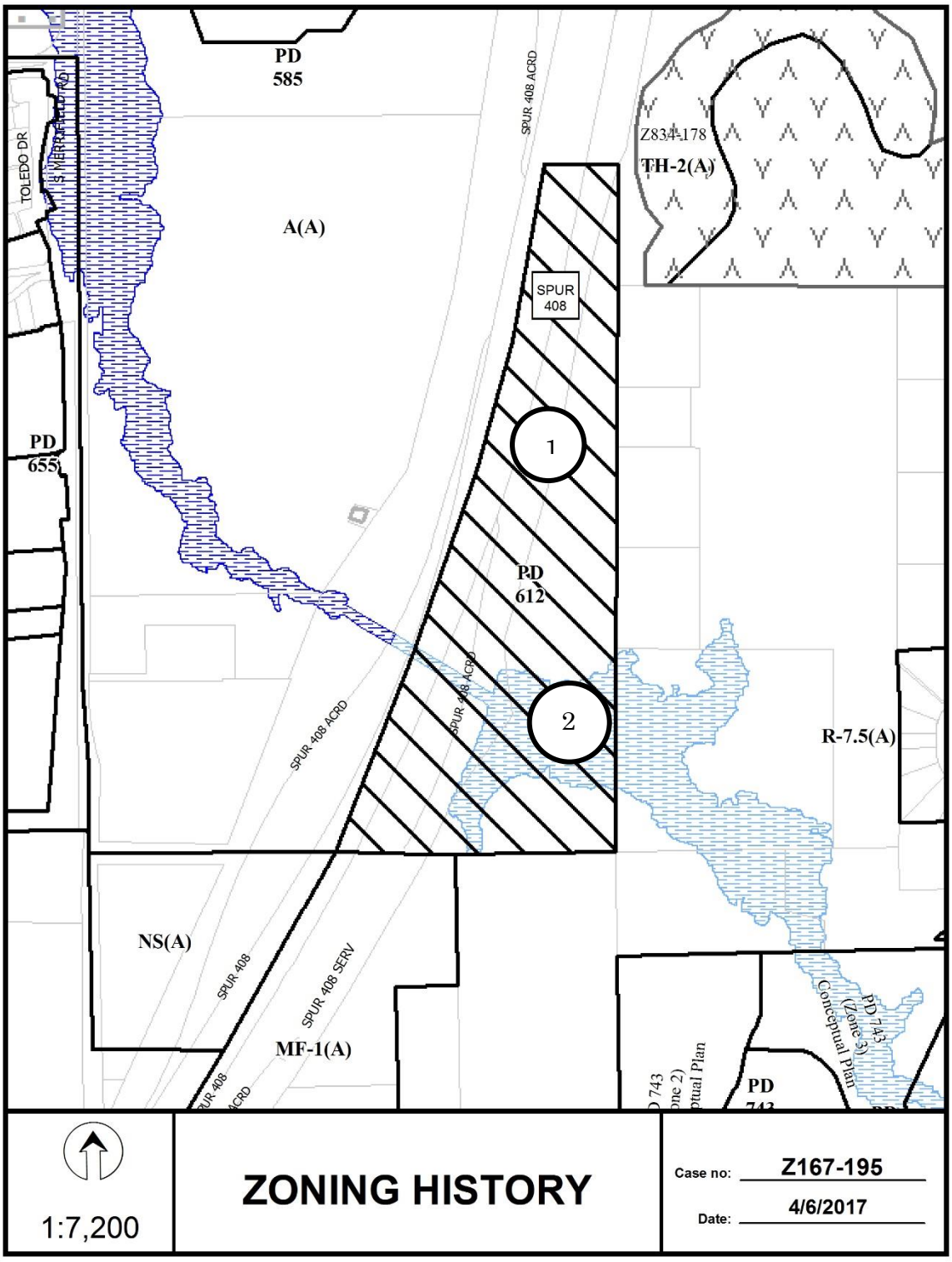
PROPOSED ELEVATION



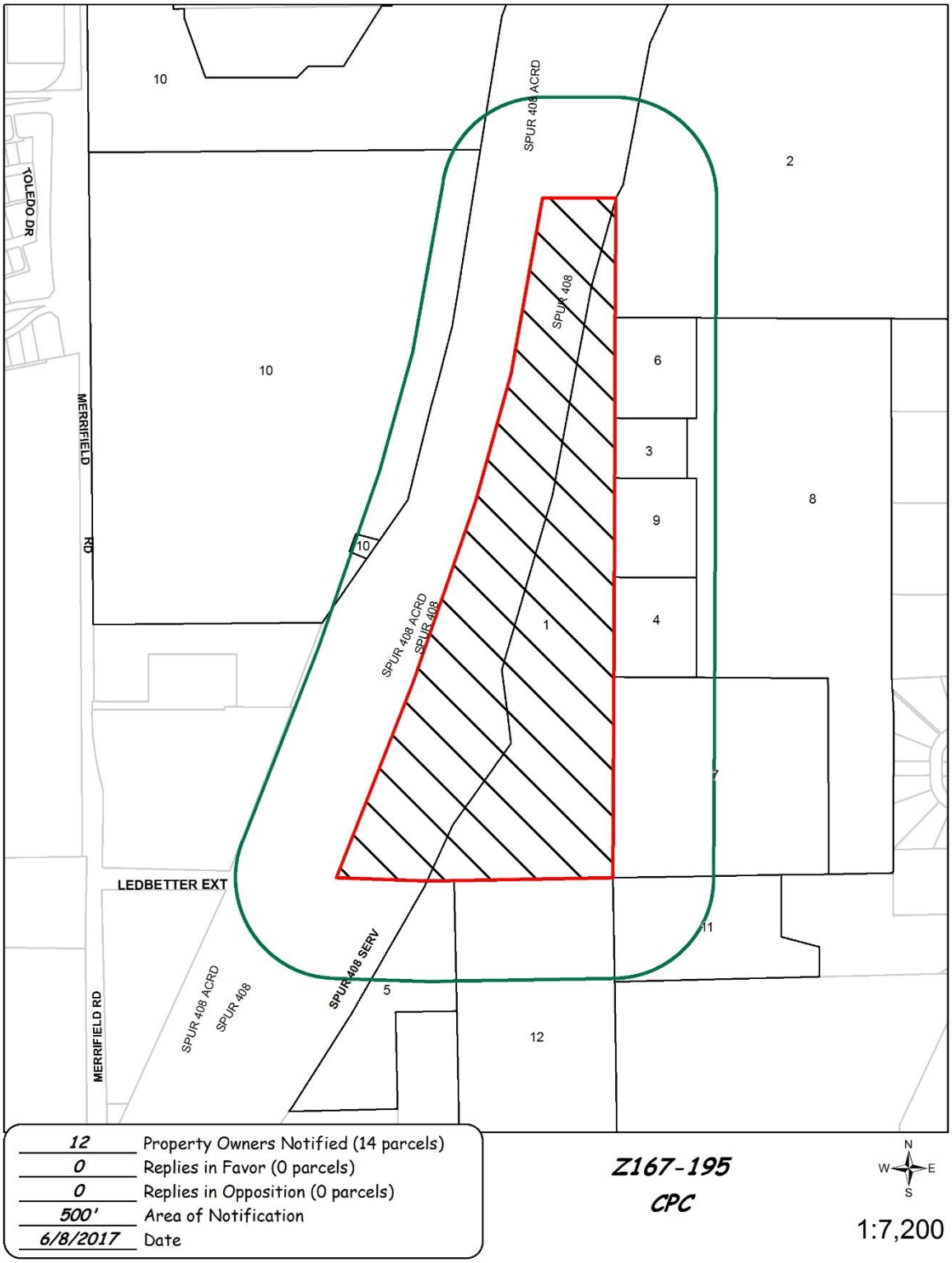

SPUR 408
CAPELLA PARK AVE
TRUTH DR
KINGDOM ESTATES DR
PATIENCE BLVD
SAMARITAN RD
TYRONE DR
FARNSWORTH DR
W LEDBETTER EXT
S MERRIFIELD RD
SPUR 408 SERV
GRADY NIBLO RD
NATURES WAY
Sharrock / Niblo
1:9,600
VICINITY MAP
Case no: Z167-195
Date: 4/6/2017


TOLEDO DR
SPUR 408 ACRD
SPUR 408
SPUR 408 ACRD
SPUR 408 ACRD
W LEDBETTER EXT
SPUR 408 SERV
S MERRIFIELD RD
SPUR 408
1:7,200
AERIAL MAP
Case no: Z167-195
Date: 4/6/2017


PD 585
SPUR 408 ACRD
Undeveloped
Z834-178
TH-2(A)
MF-1(A)
TOLEDO DR
S MERRIFIELD RD
A(A)
SPUR 408
Single Family
A(A)
PD 655
Undeveloped
Undeveloped
PD 612
SPUR 408 ACRD
SPUR 408 ACRD
Single Family
R-7.5(A)
NS(A)
SPUR 408
SPUR 408 SERV
Undeveloped
MF-1(A)
Multifamily
Conceptual Plan
PD 743 (Zone 3)
PD
1:7,200
ZONING AND LAND USE
Case no: Z167-195
Date: 4/6/2017


PD 585
SPUR 408 ACRD
Z834-178
TH-2(A)
TOLEDO DR
S MERRIMAC CIR
A(A)
SPUR 408
PD 655
1
PD 612
2
SPUR 408 ACRD
SPUR 408 ACRD
R-7.5(A)
NS(A)
SPUR 408
SPUR 408 SERV
MF-1(A)
SPUR 408 ACRD
PD 743 (Zone 3) Conceptual Plan
PD 743
1:7,200
ZONING HISTORY
Case no: Z167-195
Date: 4/6/2017

CPC RESPONSES



06/07/2017

Reply List of Property Owners

Z167-195

12 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3838	SPUR 408	UMEP INC
	2	7500	W KIEST BLVD	ATG DEVELOPMENT LLC
	3	4200	SPUR 408	WOOTEN BILLY & LEANNA
	4	885	W KIEST BLVD	JOHNSTON MARY ANN
	5	4500	SPUR 408	SHONUGA GABRIEL T &
	6	3200	SPUR 408	BOYKIN LUCRETIA A J
	7	3410	SPUR 408	JOHNSTON ZELDA FAY
	8	3410	SPUR 408	JOHNSTON ZELDA FAY ETAL
	9	3500	SPUR 408	BROWN BOBBY JO JOHNSTON
	10	3701	SPUR 408	MERRIFIELD FAMILY INVESTMENTS LTD
	11	4500	SPUR 408	PORTERFIELD D L &
	12	6711	GRADY NIBLO RD	JOHNSON ZELDA FAY ET AL

AGENDA ITEM # 55

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 11

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 5 S; T; W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development for TH-1(A) Townhouse District, single family, and private street or alley uses on property zoned an R-1ac(A) Single Family District, on the southeast line of Keller Springs Road, west of Preston Road
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z167-258(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-258(SM) **DATE FILED:** March 27, 2017

LOCATION: Southeast line of Keller Springs Road, west of Preston Road.

COUNCIL DISTRICT: 11 **MAPSCO:** 5-S, T, W

SIZE OF REQUEST: Approx. 14.38 acres **CENSUS TRACT:** 136.20

APPLICANT/OWNER: Keller Springs Estates, Ltd.

REPRESENTATIVE: Kirk Williams, Brad Williams; Winstead PC

REQUEST: An application for a Planned Development for TH-1(A) Townhouse District, single family, and private street or alley uses on property zoned an R-1ac(A) Single Family District.

SUMMARY: The applicant proposes to construct a single family development with a private road with a maximum of 41 dwelling units.

CPC RECOMMENDATION: **Approval**, subject to a conceptual plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a conceptual plan and conditions.

BACKGROUND INFORMATION:

- The site is currently undeveloped and White Rock Creek runs through the subject property. A fill permit was reviewed by the Trinity Watershed Management Department and approved by City Council on May 10, 2017 to construct two retaining walls to direct stormwater and fill the areas outside of the retaining walls to make the site developable.

- The southern boundary of the site is located adjacent to a rail road right-of-way. DART's 2030 Transit System Plans identifies the right-of-way as the future Cotton Belt Corridor and recommends that the railway provide Express Rail with 20 minute peak and 60 minute off-peak frequency services. DART is currently developing 10 percent design plans and preparing an environmental impact statement for the project. Additional information can be found at www.dart.org/Cottonbelt.

- On September 14, 2015 an application to rezone the site to a TH-3(A) Townhouse District was submitted. On July 5, 2016 the application expired due to lack of progress.

Zoning History: There have been no recent zoning changes requested in the area in the last five years.

Traffic: The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed zoning and determined it will not have a negative impact on the existing street system.

Thoroughfares/Streets:

Thoroughfares/Street	Function	Proposed Dimension	ROW
Keller Springs Road	Minor Arterial	Standard-4 lanes-divided	80 feet

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The proposed zoning request meets the following goals and objectives of the comprehensive plan:

Land Use Element

Goal 1.1 Align land use strategies with economic development priorities

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

Economic Element

Goal 2.1 Promote balanced growth

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Neighborhood Plus

Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety

Environment Element

Goal 6.1 Protect Dallas water quality and watersheds

The City should provide for the protection of water quality, preservation of the ecological function of watersheds, and management of storm water to mitigate impacts of development.

The fill permit review process includes a rigorous engineering study and application process in order to identify if the property contains habitats that are necessary to maintain and best practices for managing storm water and natural features like White Rock Creek. The fill permit and the proposed conditions also establish a minimum open space and areas that are to remain undisturbed in the grading process in order to protect the watershed and portions of the vegetation within.

Land Use Compatibility:

	Zoning	Land Use
Site	R-1ac(A)	Undeveloped
North	PDD No. 561	Single Family
Northeast	R-1ac(A)	Dog park and undeveloped park land
Southeast	TH-3(A), SUP No. 638	Single Family and Private Street
South	PDD No. 26, R-1ac(A)	Golf Course, DART Rail Line
West	A(A) and SUP No. 791	Golf Course

The request site is currently undeveloped and is almost entirely located within a flood plain. White Rock Creek bifurcates the property and runs generally parallel to Keller Springs Road which makes development of the property an engineering challenge. The applicant was granted a fill permit by Council on May 10, 2017 which includes the construction of two retaining walls to contain the floodway and permission to fill the land outside of the retaining walls in order to bring the grade above the flood plain level. The applicant is also required to leave a large area undisturbed and maintain the existing tree canopy in that area labeled as "open space" on the conceptual plan. In the areas filled in and brought out of the flood plain, the applicant proposes to construct a private street, including a bridge to span the creek, and up to 41 single family lots. The applicant also proposes that all single family structures will be detached. The overall density of the request is approximately 2.9 units per acre and is consistent with the surrounding single family developments.

A single family neighborhood is located to the north and is located within PDD No. 561. The maximum allowed density of PDD No. 561 is approximately 5.7 (allowed) and 3.7 (platted). A dog park and undeveloped park land is located to the northeast, a DART right of way separates the area of request from a single family development and private street to the southeast which has a maximum overall density of 4.6 units per acre. Finally, a golf course is located to the south, southwest, and west of the area of request.

Location	Zoning	Max Lots	Acres	Lots/Acre
Site Existing	R-1ac(A)	14	14.4	1.0
Site Proposed	PD with TH-1(A) base	41	14.4	2.9
North	PDD No. 561	145 per zoning 94 platted	25.4	5.7 per zoning 3.7 platted
Southeast	TH-3(A), SUP No. 638	95	20.5	4.6

Since the overall proposed density is lower than and the land use is consistent with surrounding properties, the request's land use is compatible with surrounding properties.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
Existing: R-1ac(A) Single Family	40'	10'	1 Dwelling Unit/ 1 Acre	36'	40%	Single family
Proposed PD base TH-1(A) Townhouse	0'	0'	41 max	45'	60%	Single family

The above table contrasts the differences between the existing zoning and the proposed planned development district. Setbacks are decreasing to zero, density is proposed to increase from a maximum of 14 units, since the site is approximately 14.38 acres, height is proposed to increase by nine feet, and lot coverage is proposed to increase by 20 percent. Additionally, the applicant proposes that all units will be detached in the additional provisions of the planned development district.

The reduction of the setbacks and increase in lot coverage can be explained by the vastness of the open space that is proposed within the development. Although the lots will not be required to have large setbacks which would create a lot of private open space, the overall development dedicates open space that will be commonly enjoyed by the residents of the development. The nine-foot increase in maximum height is attributed to increased floor heights since the maximum number of stories is three. Further, since the district's maximum height exceeds 36 feet, the development may not have the normal projections of four-foot parapet walls, rooftop equipment, elevator penthouses, etc. that are normally allowed to project 12 feet above the maximum height; however, skylights, clerestories, chimneys, and vent stacks may project 12 feet above the maximum structure height. Finally, the proposed increase in density is appropriate because the request has a lower overall maximum density than the surrounding area's densities as discussed in the land use compatibility section.

Parking:

The existing parking regulations of the R-1ac(A) Single Family District require a minimum of two parking spaces per dwelling unit. The TH Townhouse Districts require a minimum of one space per unit. The proposed planned development district has a TH Townhouse District base, therefore each unit will be required to provide a minimum of one parking space. Additionally, the conceptual plan shows an additional ten parking spaces for guests near the future DART rail line.

Landscaping:

Landscaping of any development will be in accordance with Article X, as amended. Separate tree removal and tree mitigation permits are required and will be reviewed and obtained at the time the area of request submits for a grading permit.

CPC Action – June 22, 2017:

Motion: It was moved to recommend **approval** of a Planned Development for TH-1(A) Townhouse District, single family, and private street or alley uses, subject to a conceptual plan and conditions with the addition of the following sentences: "A minimum of 1200 linear feet of walking trails are required throughout both open space areas." and "A minimum of one bench per 100 linear feet of walking trail is required along the walking trails" on property zoned an R-1ac(A) Single Family District on the southeast line of Keller Springs Road, west of Preston Road.

Maker: Schultz
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves*, Houston, Davis, Shidid, Anantasomboon, Mack, Haney*, Jung, Housewright, Schultz, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0
Conflict: 1 - Peadon

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 309
Replies: For: 3 Against: 3

Speakers: For: Brad Williams, 2728 N. Harwood St., Dallas, TX, 75201
Against: None

LIST OF PARTNERS AND PRINCIPALS

Keller Springs Estates, Ltd.

General Partner: Keller Springs Estates Management, Inc.

President/Director: Steve Dieb

CPC RECOMMENDED 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 located on the southeast line of Keller Springs Road, west of Preston Road. The size of PD _____ is approximately 14.38 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 residential zoning district.

SEC. 51P- ____.104. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit ___A: conceptual plan.

SEC. 51P- ____.105. 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- ____.106. DEVELOPMENT PLAN.

(a) For single family and private street or alley uses, a final plat may serve as the development plan.

(b) For all other uses, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- ____.107. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the TH-1(A) Townhouse District, subject to the same conditions applicable in the TH-1(A) Townhouse District, as set out in Chapter 51A. For example, a use permitted in the TH-1(A) Townhouse District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the TH-1(A) Townhouse District is subject to DIR in this district; etc.

(b) The following main use is permitted by right:

-- Private street or alley.

SEC. 51P-____.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-____.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the TH-1(A) Townhouse District apply.

(b) Density. Maximum number of dwelling units is 41.

(c) Height. Maximum structure height is 45 feet. Skylights, clerestories, chimneys, and vent stacks may project up to 12 feet above the maximum structure height.

(d) Stories. Maximum number of stories above grade is three.

SEC. 51P- ____.110. OFF-STREET PARKING AND LOADING.

Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

SEC. 51P- ____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.112. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- ____.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P- ____.114. ADDITIONAL PROVISIONS.

(a) Single-family structures must be detached.

(b) Except for visibility triangles, for single family uses, an eight-foot solid masonry screening wall is required along Keller Springs Road.

(c) In an effort to minimize the environmental impact of development to White Rock Creek, a minimum of seven acres of open space, generally surrounding the creek and inclusive of floodway and floodplain, shall be provided and maintained. For single-family uses, required open space shall be privately maintained and accessible to residents, as shown on the conceptual plan (Exhibit ___A). A minimum of 1,200 linear feet of walking trails are required throughout both open space areas. A minimum of one bench per 100 linear feet of walking trail is required along the walking trails

(d) The Property must be properly maintained in a state of good repair and neat appearance.

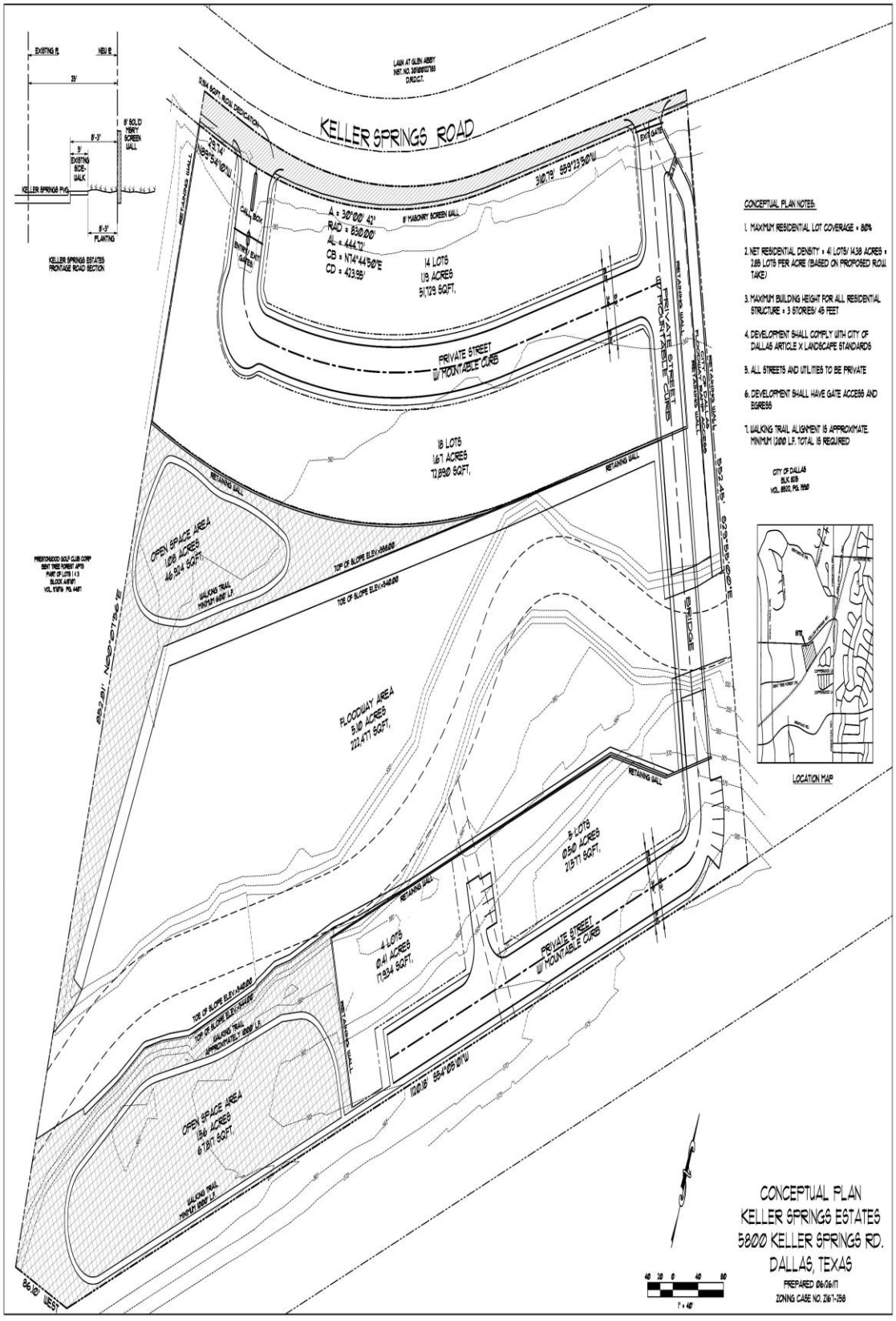
(e) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

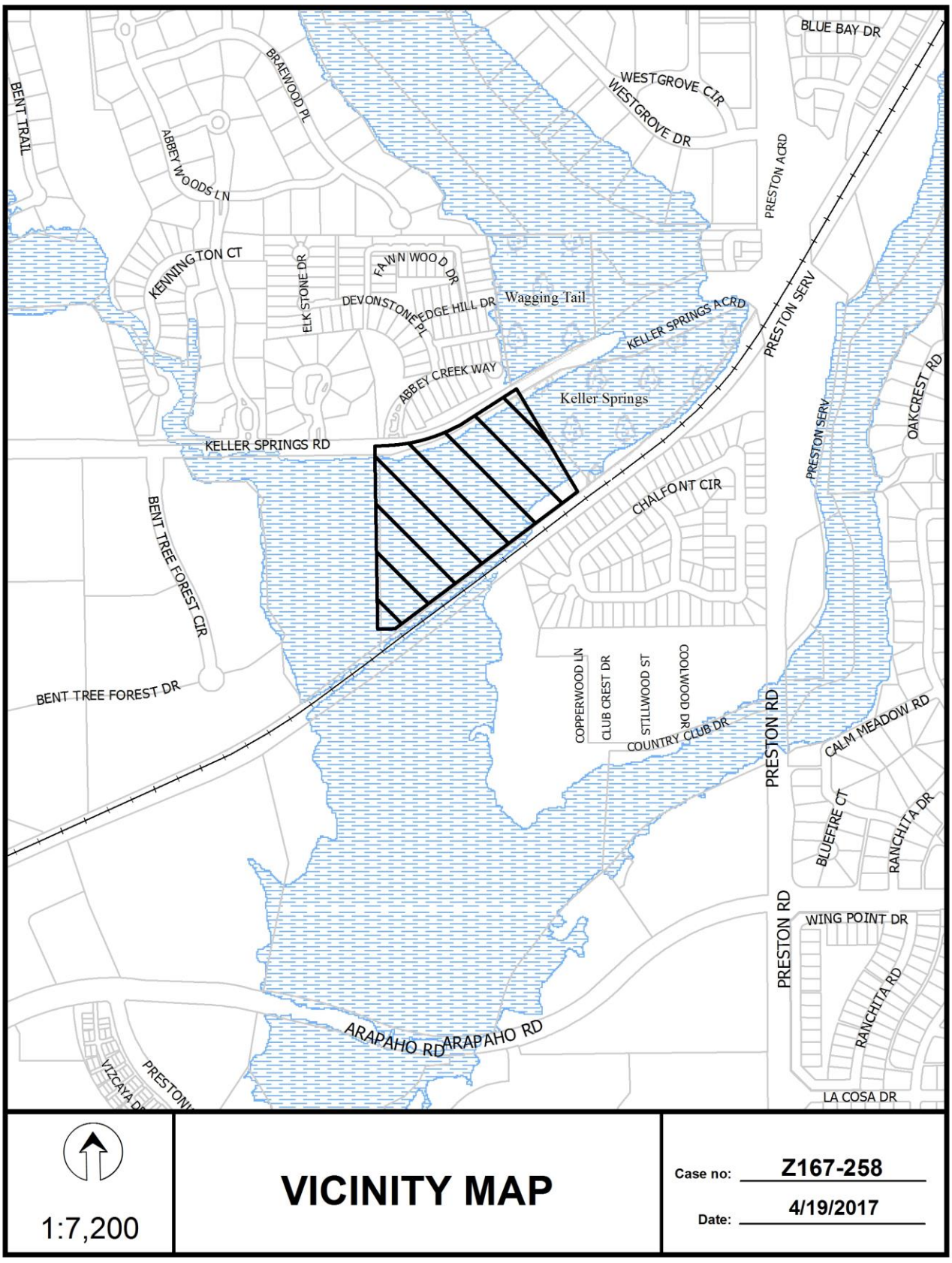
SEC. 51P-____.115. COMPLIANCE WITH CONDITIONS.

(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 Conceptual Plan



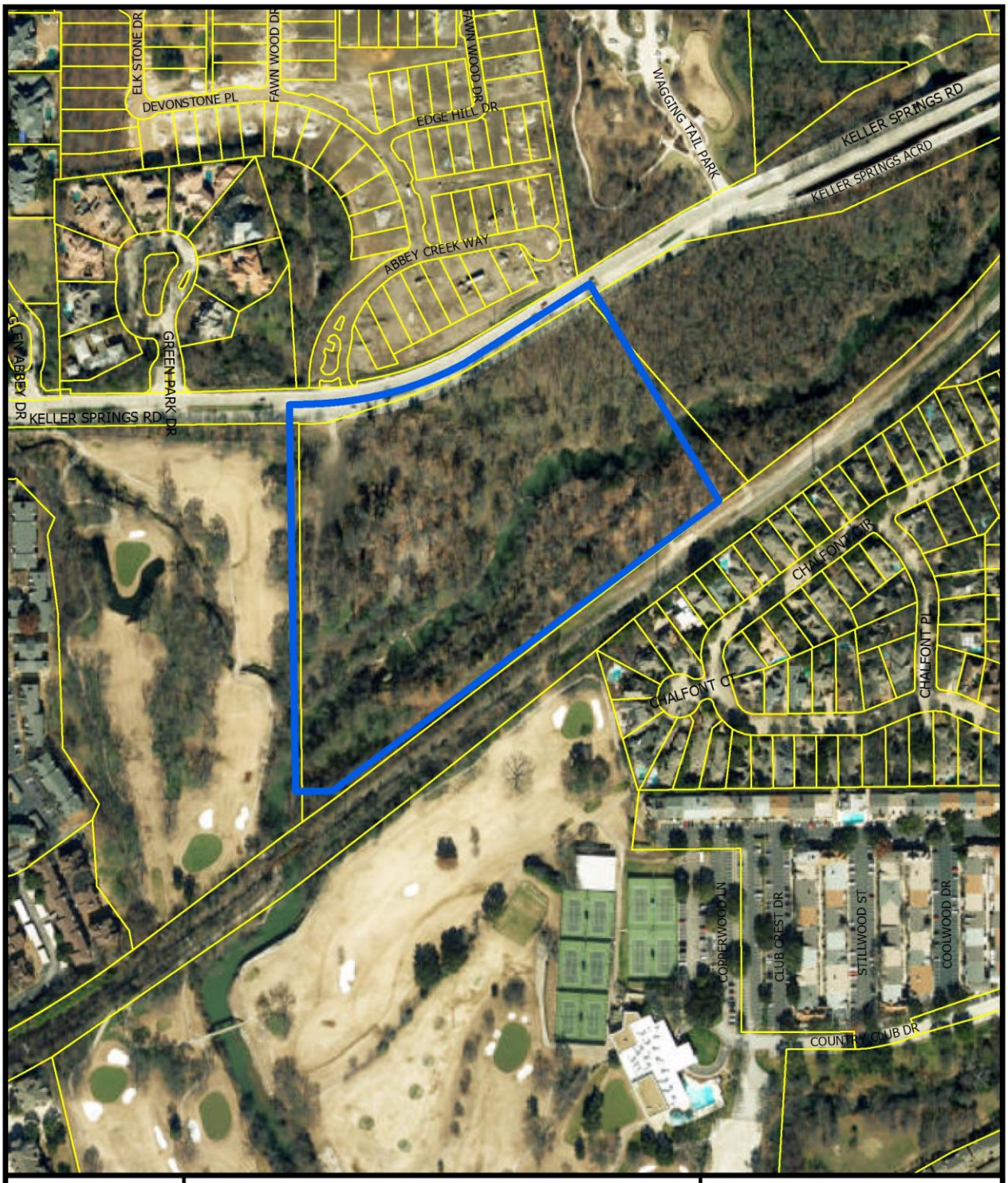


1:7,200

VICINITY MAP

Case no: Z167-258

Date: 4/19/2017

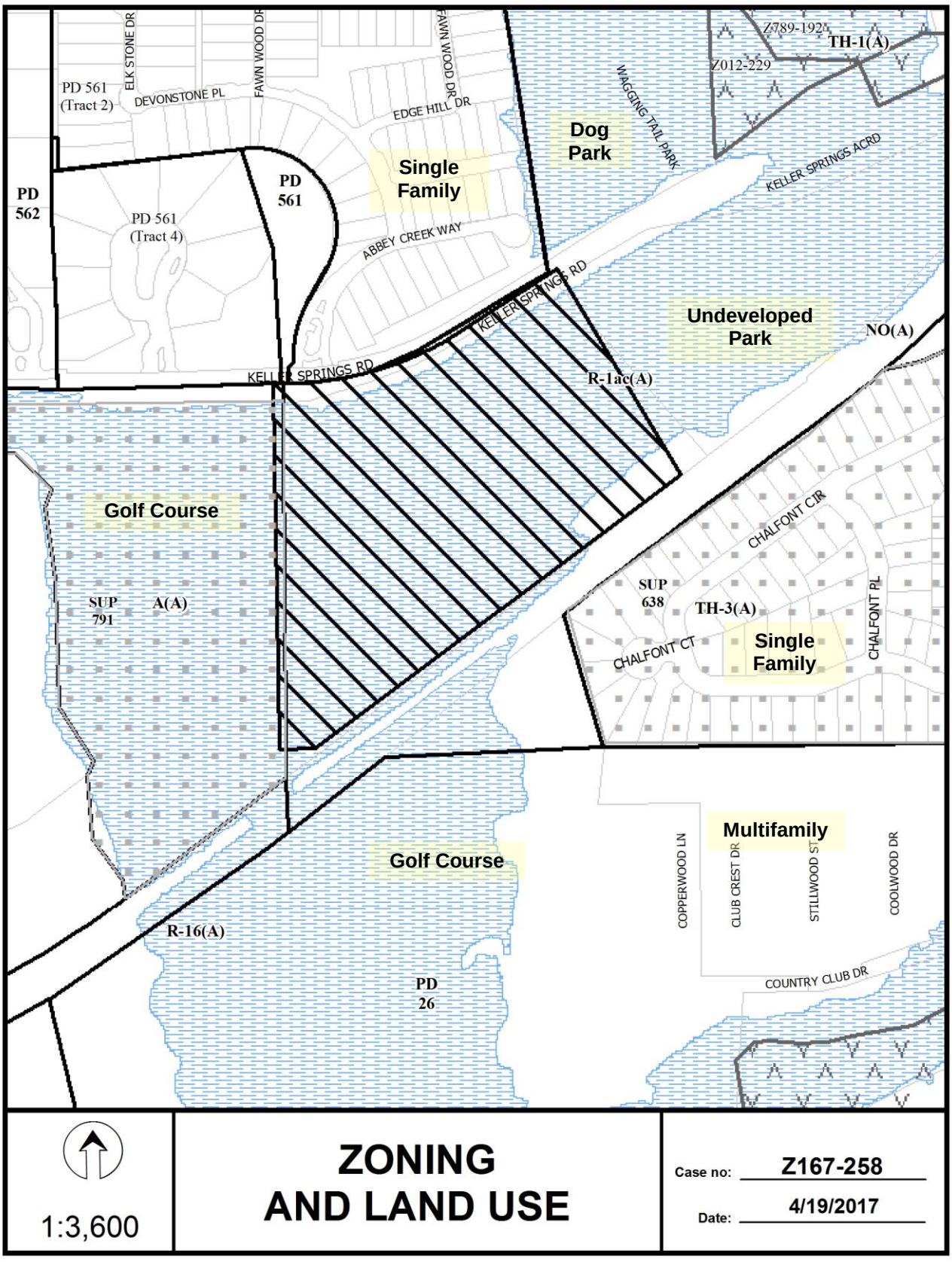


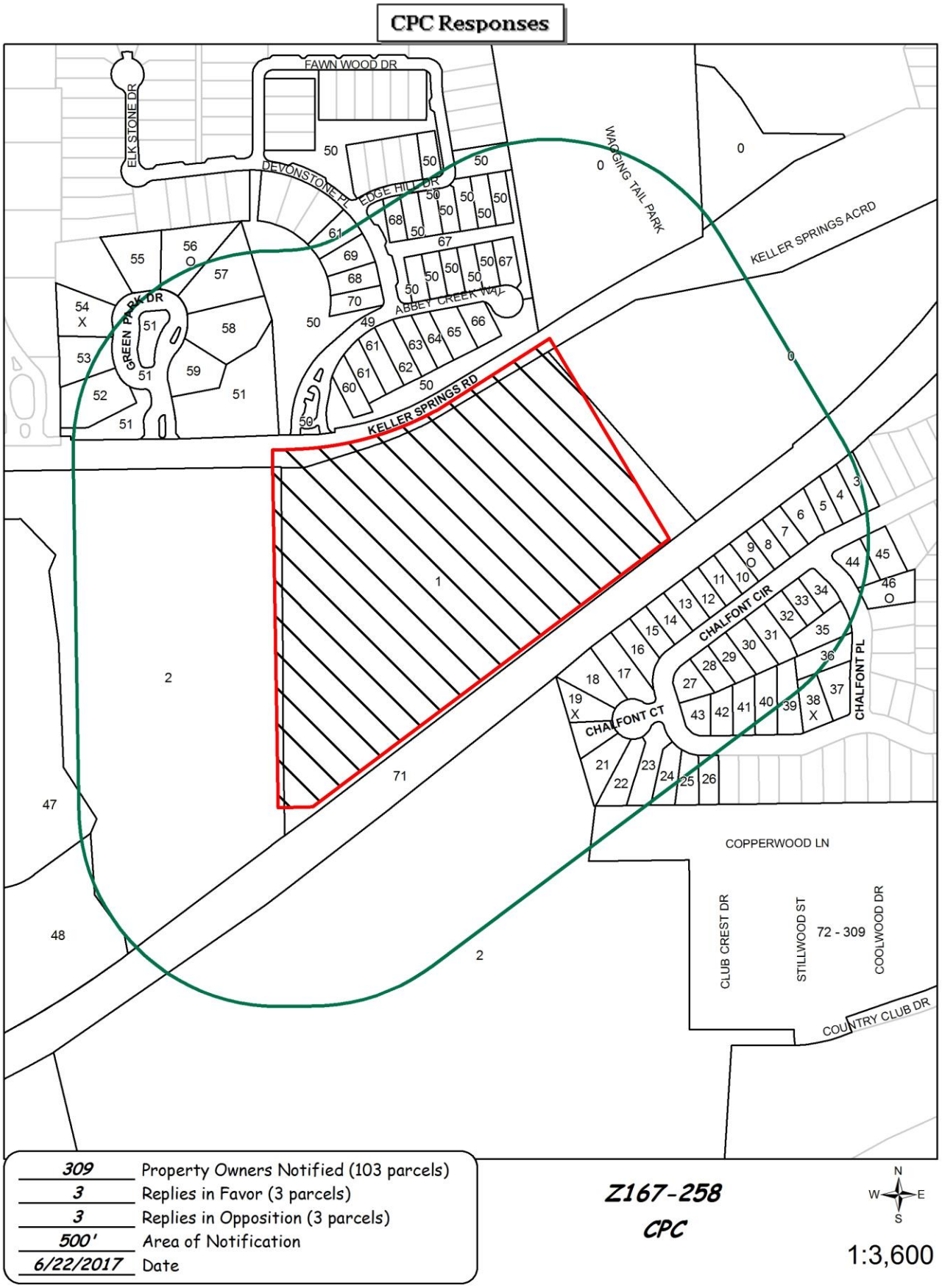
1:3,600

AERIAL MAP

Case no: Z167-258

Date: 4/19/2017


PD 561 (Tract 2)
ELK STONE DR
DEVONSTONE PL
FAWN WOOD DR
EDGE HILL DR
Z789-192
TH-1(A)
Z012-229
WAGGING TAIL PARK
Dog Park
Single Family
PD 562
PD 561
PD 561 (Tract 4)
ABBEY CREEK WAY
KELLER SPRINGS RD
KELLER SPRINGS ACRD
Undeveloped Park
NO(A)
R-1ac(A)
Golf Course
SUP 791
A(A)
CHALFONT CIR
SUP 638
TH-3(A)
CHALFONT CT
CHALFONT PL
Single Family
Multifamily
COPPERWOOD LN
CLUB CREST DR
STILLWOOD ST
COOLWOOD DR
COUNTRY CLUB DR
Golf Course
R-16(A)
PD 26
1:3,600
ZONING AND LAND USE
Case no: Z167-258
Date: 4/19/2017


CPC Responses
FAWN WOOD DR
ELK STONE DR
DEVONSTONE PL
EDGE HILL DR
WAGGING TAIL PARK
KELLER SPRINGS ACRD
GREEN PARK DR
ABBEY CREEK WAY
KELLER SPRINGS RD
CHALFONT CIR
CHALFONT CT
CHALFONT PL
COPPERWOOD LN
CLUB CREST DR
STILLWOOD ST
72 - 309
COOLWOOD DR
COUNTRY CLUB DR
309 Property Owners Notified (103 parcels)
3 Replies in Favor (3 parcels)
3 Replies in Opposition (3 parcels)
500' Area of Notification
6/22/2017 Date
Z167-258
CPC
N
W
E
S
1:3,600

06/21/2017

Reply List of Property Owners

Z167-258

309 Property Owners Notified ***3 Property Owners in Favor*** ***3 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	5800	KELLER SPRINGS RD	KELLER SPRINGS ESTATE LTD
	2	15901	PRESTON RD	CLUBCORP NV V LLC
	3	16156	CHALFONT CIR	ORR CHERYL D
	4	16152	CHALFONT CIR	HOCKERT RICHARD J &
	5	16148	CHALFONT CIR	HILL RANCH
	6	16144	CHALFONT CIR	STARK SUE DUNLAP
	7	16140	CHALFONT CIR	BOWERS DONNA L
	8	16136	CHALFONT CIR	BLASIUS BARBARA LEE
O	9	16132	CHALFONT CIR	GREENE KAREN D
	10	16128	CHALFONT CIR	WEST JOHN L & JANE A
	11	16124	CHALFONT CIR	WIGHT JANET C.
	12	16120	CHALFONT CIR	HUMBLE MACY M
	13	16114	CHALFONT CIR	OWEN DANIEL C
	14	16110	CHALFONT CIR	MONTGOMERY DAVID W & MARY A
	15	16106	CHALFONT CIR	EMI & WICK LLC
	16	16102	CHALFONT CIR	WURZEL AMIR
	17	16060	CHALFONT CT	LICCE BLASE P
	18	16058	CHALFONT CT	NILAND JOHN H &
X	19	16056	CHALFONT CT	TJARKS WILLIAMS F &
	20	16054	CHALFONT CT	MAHAFFEY MARTHA P LIVING TRUST
	21	16052	CHALFONT CT	CAMPBELL THOMAS W
	22	16050	CHALFONT CIR	MARTELL DALE ANN
	23	16048	CHALFONT CIR	WHITE RICHARD E & BARBARA
	24	16046	CHALFONT CIR	SCHELLING TOMMIE S
	25	16044	CHALFONT CIR	NELSON ROSALYN C &
	26	16042	CHALFONT CIR	COLLERAIN ALICE

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	27	16101	CHALFONT CIR	CONWAY CARY A &
	28	16105	CHALFONT CIR	VINSON CAROLE
	29	16109	CHALFONT CIR	WOOD KELLY & MCCAULEY PRESTON
	30	16115	CHALFONT CIR	THORNTON DIANE
	31	16119	CHALFONT CIR	SPENCER JENNIFER J
	32	16123	CHALFONT CIR	DAMMEYER ROBERT P & CATHERINE T
	33	16127	CHALFONT CIR	WESTDYKE HOYT T JR & SHIRLEY R
	34	16027	CHALFONT PL	ELLIS MARK
	35	16015	CHALFONT PL	MCCASKILL LEON & FRIEDA
	36	16011	CHALFONT PL	RAE THOMAS C
	37	16025	CHALFONT CIR	BIGLEY WILLIAM J JR & JEANNIE R
X	38	16027	CHALFONT CIR	DUCOTE T STUART
	39	16029	CHALFONT CIR	WISEMAN THOMAS H &
	40	16031	CHALFONT CIR	BUFKIN RICHARD L
	41	16033	CHALFONT CIR	TALLEY GEORGE D JR &
	42	16035	CHALFONT CIR	DUNCAN JOE R & NATALIE M
	43	16037	CHALFONT CIR	VANDUYNE ROGER & CHERYL
	44	16028	CHALFONT PL	SCOGGINS RALPH W &
	45	16139	CHALFONT CIR	WING BRUCE LAWRENCE & JOANN S
O	46	16024	CHALFONT PL	HOGUE JULIE P
	47	16000	BENT TREE FOREST CIR	DALLAS FT WORTH PPTIES LP
	48	15905	BENT TREE FOREST DR	RRE FAIRWAYS OF BENT TREE HOLDINGS LLC
	49	100	DEVONSTONE PL	LAWN AT GLEN ABBEY HOA INC
	50	9	ABBEY CREEK WY	LAGA LTD
	51	12	GREEN PARK DR	GP HOMEOWNERS ASSOC INC
	52	1	GREEN PARK DR	VELEZBAUTISTA JAVIER &
	53	3	GREEN PARK DR	ROBINSON HOWARD R U/T/D
X	54	5	GREEN PARK DR	BOYER FRANCIS C JR
	55	9	GREEN PARK DR	HANLON TERENCE F & NANCY R
O	56	8	GREEN PARK DR	SUMMERS KEVIN

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	57	6	GREEN PARK DR	SODERSTROM CARL D REVOCABLE TR
	58	4	GREEN PARK DR	MCGARITY KEVIN & KATHLEEN
	59	2	GREEN PARK DR	FISS TIMOTHY P &
	60	10	ABBEY CREEK WY	GORHAM GARY & CAROLYN
	61	14	ABBEY CREEK WY	HW BUILDERS LLC
	62	22	ABBEY CREEK WY	LUGAR STEVEN M &
	63	26	ABBEY CREEK WY	HW BUILDERS LLC
	64	30	ABBEY CREEK WY	ARANGO LUIS M & SANDRA PETROCCHI
	65	34	ABBEY CREEK WY	SHERRY A DEAN & CYNTHIA S
	66	38	ABBEY CREEK WY	VERNON LEIGH ANN
	67	19	DEVONSTONE PL	BOB THOMPSON HOMES LP
	68	12	EDGE HILL DR	BOB THOMPSON HOMES LP
	69	20	DEVONSTONE PL	THOMPSON BOB HOMES LP
	70	12	DEVONSTONE PL	BARNABAS REVOCABLE TRUST
	71	401	S BUCKNER BLVD	DART
	72	15919	PRESTON RD	MATHEWS WILLIAM MARK & JILL GUNNELL
	73	15921	PRESTON RD	PHILLIPS MARILYN C &
	74	15923	PRESTON RD	MAO FAMILY LP
	75	15925	PRESTON RD	MCFADDEN RONALD
	76	15927	PRESTON RD	FIDELITY RESEARCH ASSOCIATES LLC
	77	15929	PRESTON RD	LEVI SANTIAGO ALEJANDRO &
	78	15931	PRESTON RD	SMITH LORI A
	79	15933	PRESTON RD	BURBINE DANIEL
	80	15935	PRESTON RD	EGGER WILLIAM Y
	81	15937	PRESTON RD	DUKE AUDREY &
	82	15922	ARCHWOOD LN	SMITH NORMAN & DENISE
	83	15920	ARCHWOOD LN	605 OCEANVIEW LLC
	84	15918	ARCHWOOD LN	POLITANO ROBERT R
	85	15916	ARCHWOOD LN	MEKURIA TEWODROS S
	86	15914	ARCHWOOD LN	MEKURIA TEWODROS S
	87	15912	ARCHWOOD LN	RE BRANCH

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	88	15910	ARCHWOOD LN	BUCKHANAN CRYSTAL RAE
	89	15908	ARCHWOOD LN	DODSON MILLIE M
	90	15906	ARCHWOOD LN	GENAO DAISY S
	91	15904	ARCHWOOD LN	WILLIAMS FRED L
	92	15902	ARCHWOOD LN	MUNCHEL STEPHANIE
	93	15907	ARCHWOOD LN	HAAS ANALICIA S
	94	15908	ARCHWOOD LN	KAHLA EHSSAN A &
	95	15901	ARCHWOOD LN	DURAN JOYCE L
	96	15903	ARCHWOOD LN	MOORE JANICE L
	97	15905	ARCHWOOD LN	HENDRICKSON LINDA K
	98	15909	ARCHWOOD LN	GENOA DAISY & LEVY DEREK
	99	15911	ARCHWOOD LN	ZAMANIAN MARYAM
	100	15915	ARCHWOOD LN	CLAYTON MURIEL B
	101	15917	ARCHWOOD LN	SHIELDS JUDITH CAROL &
	102	15919	ARCHWOOD LN	STIERWALT KENNETH W
	103	15921	ARCHWOOD LN	SMITH QIANA R
	104	15923	ARCHWOOD LN	GASHAW TIGIST A
	105	15925	ARCHWOOD LN	DUKE CLAIRE P & WILLIAM C
	106	15927	ARCHWOOD LN	FOUNTAIN JAMES M
	107	15929	ARCHWOOD LN	RAHMANIAN HASSAN
	108	15930	COOLWOOD DR	FLEKSER JEAN LIFE ESTATE
	109	15928	COOLWOOD DR	ISAMINGER ADRIENNE
	110	15926	COOLWOOD DR	ISAMINGER AMANDA ELAINE
	111	15924	COOLWOOD DR	WILSON RONALD A
	112	15922	COOLWOOD DR	JACKSON CHARLES W
	113	15920	COOLWOOD LN	ERICSON REBECCA ULRICK
	114	15928	COOLWOOD DR	PROSSER STEWART A
	115	15916	COOLWOOD DR	PRICE KIMBERLY A
	116	15914	COOLWOOD DR	HEILAND DUSTIN
	117	15912	COOLWOOD DR	CZEKAJ HARALD & GAIL &
	118	15910	COOLWOOD DR	GENNARO SANDRA
	119	15908	COOLWOOD DR	FOUNTAIN MICHAEL F

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	120	15906	COOLWOOD DR	BURNS CRISSY A
	121	15904	COOLWOOD DR	ECHEVERRIA GRACE & HECTOR
	122	15902	COOLWOOD DR	PASANT JAMES H & LEAH MARIE
	123	15915	COOLWOOD DR	NORTHCUTT VICTORIA R
	124	15915	ARCHWOOD LN	KIRCHHEIMER EVAN REID
	125	15916	COOLWOOD DR	KAHLA ALI A
	126	15905	COOLWOOD DR	MCGIVERN LOIS &
	127	15909	COOLWOOD DR	WASHINGTON TAMMIE D
	128	15909	COOLWOOD DR	DUNCAN MARY
	129	15915	COOLWOOD DR	WELLS KATHLEEN P
	130	15919	COOLWOOD DR	RENEE MARY D
	131	15919	COOLWOOD DR	GOUGH DONNA L TR
	132	15923	COOLWOOD DR	MANSOUR NASTARAN &
	133	15923	COOLWOOD DR	SMITH ANN KATHERINE
	134	15923	COOLWOOD DR	WARD DINORAH
	135	15927	COOLWOOD DR	DURAN JOYCE L
	136	15927	COOLWOOD DR	VELAZQUEZ JESSE
	137	15931	COOLWOOD DR	BESSANT JUSTIN
	138	15931	COOLWOOD DR	HOLBROOK REBECCA
	139	15935	COOLWOOD DR	SEWOL INVESTMENTS LLC
	140	15938	STILLWOOD ST	CARREL PEGGY
	141	15934	STILLWOOD ST	ROBINSON DEBRA
	142	159340	STILLWOOD ST	BAYLESS MICHAEL R
	143	15930	STILLWOOD ST	WALLEY BETTY J
	144	15930	STILLWOOD ST	GOUGH DONNA L TRUST
	145	15926	STILLWOOD ST	GILLMAN VAN D
	146	15926	STILLWOOD ST	WILSON RANDALL S
	147	15922	STILLWOOD ST	RIDLING KRISTA & BARRY
	148	15922	STILLWOOD ST	BLUEPLACE LLC
	149	15922	STILLWOOD ST	BENNETT WILLADEAN
	150	15918	STILLWOOD ST	SINGER STEPHEN S

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	151	15918	STILLWOOD ST	MCJUNKIN KATHERINE H
	152	15914	STILLWOOD ST	OGLETREE VELMA M
	153	15914	STILLWOOD ST	NORWOOD MORRIS T
	154	15910	STILLWOOD ST	EDWARDS PEGGY
	155	15910	STILLWOOD ST	AHLSTROM MELISSA WELCH
	156	15906	STILLWOOD ST	JOHNS MICHAEL B
	157	15905	COOLWOOD DR	PETERS ANTHONY
	158	15909	COOLWOOD DR	DUCOING PATRICIA L
	159	15909	COOLWOOD DR	COWEN JAMES L & KERRY SILVER
	160	15915	COOLWOOD DR	SCHULTZ PHILLIP &
	161	15915	COOLWOOD DR	BENZIES HAZEL B
	162	15919	COOLWOOD DR	NURIC MIRSAD
	163	15919	COOLWOOD DR	DAVIS JONATHAN
	164	15923	COOLWOOD DR	GOLKARPARVIN MASHALLAH
	165	15923	COOLWOOD DR	SCHOMBURGER JOHN L & MELANIE A
	166	15923	COOLWOOD DR	DUDAR TARAS
	167	15927	COOLWOOD DR	SWENSEN CHARLES J &
	168	15927	COOLWOOD DR	SWENSEN MARY W &
	169	15931	COOLWOOD DR	TOBIAS LAWRENCE J
	170	15931	COOLWOOD DR	TATE DOREE M
	171	15935	COOLWOOD DR	STEIN DARLA J TODD
	172	15938	STILLWOOD ST	TODD DARLA JEAN
	173	15934	STILLWOOD ST	ROUHIPOUR MAHVASH
	174	15934	STILLWOOD ST	AMINI ALI HAFEZ
	175	15930	STILLWOOD ST	SHERMAN PATRICK D
	176	15930	STILLWOOD ST	FRANKE MARTIN L &
	177	15926	STILLWOOD ST	HASHAMI ZOHREH
	178	15926	STILLWOOD ST	RODRIGUEZ ALAN & BETH
	179	15922	STILLWOOD ST	SWENSEN CHARLES J & MARY
	180	15922	STILLWOOD ST	SHUST ALAN
	181	15922	STILLWOOD ST	REESE DALE O

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	182	15918	STILLWOOD ST	WARNER DEBRA ANNE
	183	15918	STILLWOOD ST	LEE FAMILY LIVING TRUST
	184	15914	STILLWOOD ST	REYNOLDS JOHN J
	185	15910	STILLWOOD ST	JORDAN ROBERT A
	186	15910	STILLWOOD ST	ROBLES ADELAIDA & JESUS
	187	15906	STILLWOOD ST	STIEBER VIRGINIA A
	188	15905	STILLWOOD ST	SCHULER TOMMY LEE
	189	15909	STILLWOOD ST	KOTCH JO A &
	190	15909	STILLWOOD ST	GORDON CECILE
	191	15915	STILLWOOD ST	DORAN WILLIAM J
	192	15915	STILLWOOD ST	STUDEBAKER KIMBERLY NORRIS &
	193	15919	STILLWOOD ST	PFISTER DENTON
	194	15919	STILLWOOD ST	PETERS ANTHONY JR.
	195	15923	STILLWOOD ST	FLEHARTY MOLLIE
	196	15923	STILLWOOD ST	STOLK DANIEL & LAURA C
	197	15927	STILLWOOD ST	ALHUSHEIMY NIZAR A
	198	15927	STILLWOOD ST	RITTER WILLIAM & AIDA LIVING TRUST THE
	199	15927	STILLWOOD ST	JABLINSKI RICHARD
	200	15931	STILLWOOD ST	PARK MARVIN CLAUDE
	201	15931	STILLWOOD ST	FARAH RICK
	202	15935	STILLWOOD ST	JOSIPOVIC DARKO
	203	15935	STILLWOOD ST	PRICE REX J
	204	15939	STILLWOOD ST	PRICE KIMBERLY
	205	15938	CLUB CREST DR	LICCE BLASE
	206	15934	CLUB CREST DR	ISIP RONALD
	207	15934	CLUB CREST DR	ENRIQUEZ LILLIAN A ESTATE OF
	208	15930	CLUB CREST DR	LINDER INA
	209	15930	CLUB CREST DR	GOLKARPARVIN MASHALLAH
	210	15926	CLUB CREST DR	BOYETT GRETCHEN R
	211	15926	CLUB CREST DR	SCATT HOLDINGS LLC

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	212	15922	CLUB CREST DR	BROWN FREDDIE SUE
	213	15922	CLUB CREST DR	WANG YU PING &
	214	15922	CLUB CREST DR	BERKLEY LIZABETH A TRUST
	215	15918	CLUB CREST DR	MANDRELL CARL TRUST
	216	15918	CLUB CREST DR	PRESTONWOOD CTRY CLUB
	217	15914	CLUB CREST DR	MILLER CYNTHIA L
	218	15914	CLUB CREST DR	GHEBREHIWET SABA
	219	15910	CLUB CREST DR	DOVER DAVID
	220	15910	CLUB CREST DR	MCCLESKEY JAN
	221	15905	STILLWOOD ST	BAYATI SAM
	222	15909	STILLWOOD ST	SHAMBAYATI SAEED
	223	15909	STILLWOOD ST	S D HOME DESIGN LLC
	224	15915	STILLWOOD ST	BURKS MARTHA
	225	15915	STILLWOOD ST	LEE BERWYN A
	226	15919	STILLWOOD ST	CARDASH PATRICIA
	227	15923	STILLWOOD ST	STEPHENS REBECCA S ETAL
	228	15923	STILLWOOD ST	MEYER SUZAN N
	229	15927	STILLWOOD ST	MIDDLETON JANICE
	230	15927	STILLWOOD ST	AMS INTERNATIONAL CORP
	231	15931	STILLWOOD ST	CAMPBELL WAYLON E
	232	15931	STILLWOOD ST	SMTIH DONALD DUANE
	233	15935	STILLWOOD ST	FOREMOST PROPERTIES LLC
	234	15939	STILLWOOD ST	LYLE JUDITH ANNE
	235	15938	CLUB CREST DR	CHESHIER TONY
	236	15934	CLUB CREST DR	ISIP LEONIE M
	237	15934	CLUB CREST DR	BARBAND JAVAD
	238	15930	CLUB CREST DR	RIDDLE ROSA E
	239	15930	CLUB CREST DR	DOBBS JOE D
	240	15926	CLUB CREST DR	CHESHIER TONY
	241	15922	CLUB CREST DR	JACKSON TIM & SHELLY
	242	15922	CLUB CREST DR	ABTAHI AMIR N
	243	15922	CLUB CREST DR	EDWARDS CHARLES W

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	244	15918	CLUB CREST DR	HAYNES JUDITH
	245	15914	CLUB CREST DR	PETTIT ANDREW D &
	246	15914	CLUB CREST DR	MCCOY LEONARD D
	247	15910	CLUB CREST DR	LEE ROGER D & CYNTHIA
	248	15910	CLUB CREST DR	JAMES JAN AILENE
	249	15906	CLUB CREST DR	AFZAL SUHAIL
	250	5803	COPPERWOOD LN	KIRKLAND JANET GAYLE F
	251	5807	COPPERWOOD LN	LEEPER JOSEPHINE B
	252	5807	COPPERWOOD LN	KOTCH WILLIAM S III &
	253	5811	COPPERWOOD LN	COHEN DAVID P & ERIN C VAN GIESON
	254	5811	COPPERWOOD LN	LEAKE LYNDA H
	255	5817	COPPERWOOD LN	ENGLISH DARRELL W
	256	5817	COPPERWOOD LN	MYERS MICHELLE L &
	257	5821	COPPERWOOD LN	GREGG JO M
	258	5821	COPPERWOOD LN	RAPPA BETTY LIFE ESTATE
	259	5825	COPPERWOOD LN	POUDEVIGNE JANET G LIFE ESTATE
	260	5825	COPPERWOOD LN	SALAZAR MONICA Y
	261	5825	COPPERWOOD LN	WILLIAMSON ROBERT L III
	262	5829	COPPERWOOD LN	HUGHES JEFFREY M
	263	5833	COPPERWOOD LN	WARNER DEBRA A
	264	5833	COPPERWOOD LN	SAM MARCUS AGENCY INC
	265	5837	COPPERWOOD LN	TRAN DINH TRONG & HUE THI
	266	5837	COPPERWOOD LN	GOODWIN JAMES RUSSELL
	267	5803	COPPERWOOD LN	WEBB DOROTHY MCGHEE
	268	5807	COPPERWOOD LN	BLANTON SHEILA S
	269	5807	COPPERWOOD LN	LEFEBVRE RONALD
	270	5811	COPPERWOOD LN	KIM HEJA
	271	5811	COPPERWOOD LN	HOGG JULIE A
	272	5817	COPPERWOOD LN	RAHMANIAN AFSANEH
	273	5821	COPPERWOOD LN	WILLIS BILLA
	274	5821	COPPERWOOD LN	KIM HEJA

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	275	5837	COPPERWOOD LN	SHASHOUA ESTHER
	276	5825	COPPERWOOD LN	CHIALASTRI THOMAS D &
	277	5829	COPPERWOOD LN	DAVIS DARRELL WAYNE
	278	5829	COPPERWOOD LN	FELDMAN MARTIN & SUZANNE
	279	5833	COPPERWOOD LN	THOMPSON BRADLEY L
	280	5833	COPPERWOOD LN	DAY DELISA
	281	5837	COPPERWOOD LN	EBERHART KELLY REXINE P &
	282	5825	COPPERWOOD LN	RICKRICH WHITE LLC
	283	5901	COPPERWOOD LN	EQUITY HOLDING CORP
	284	5903	COPPERWOOD LN	COOPERHEAD INVESTMENT LLC
	285	5905	COPPERWOOD LN	HENDERSON MEREDITH J &
	286	5907	COPPERWOOD LN	WOJCIECHOWSKI PAUL & SUSAN &
	287	5909	COPPERWOOD LN	MO SUK CHA &
	288	5911	COPPERWOOD LN	SMITH GARY E & PATRICIA A
	289	5915	COPPERWOOD LN	BURDETTE REBEKAH L
	290	5917	COPPERWOOD LN	RUDISILL LISA WORLEY
	291	5919	COPPERWOOD LN	CARRIKER LYNN E REVOCABLE LIVING TRUST
	292	5921	COPPERWOOD LN	JWGC LLC
	293	5923	COPPERWOOD LN	GHEBREHIWET SABA
	294	5925	COPPERWOOD LN	PHELAN PATRICIA T
	295	5927	COPPERWOOD LN	WILLIA LYN
	296	5929	COPPERWOOD LN	BAKER NANCY
	297	5931	COPPERWOOD LN	DARNELL JO LYNN
	298	5933	COPPERWOOD LN	PATTEN BETTY JO
	299	5935	COPPERWOOD LN	SCARROW DAWN
	300	5937	COPPERWOOD LN	PHILLIPS CAL RAY
	301	5939	COPPERWOOD LN	WILLIAMS JERRY A
	302	5941	COPPERWOOD LN	TRAEGER DEBORAH & DARRELL
	303	5943	COPPERWOOD LN	NANCY A BAKER
	304	5945	COPPERWOOD LN	BRINLEE WANDA

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	305	5947	COPPERWOOD LN	FARAH RICK
	306	5949	COPPERWOOD LN	MAHER DANIEL E & MARY LOU
	307	5909	COPPERWOOD LN	SANTAMARIA ELIZABETH A
	308	5925	COPPERWOOD LN	BARNETT FRANK B &
	309	5939	COPPERWOOD LN	WEINBLATT ALAN W & GLORIA

AGENDA ITEM # 56

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45 T

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1484 for a commercial amusement (inside) limited to a Class A dance hall on property within Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the west corner of South Riverfront Boulevard and Dearborn Street

Recommendation of Staff and CPC: Approval for a five-year period, subject to conditions

Z167-261(OTH)

HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-261(OTH) **DATE FILED:** March 29, 2017

LOCATION: West corner of South Riverfront Boulevard and Dearborn Street

COUNCIL DISTRICT: 2 **MAPSCO:** 45-T

SIZE OF REQUEST: ± 0.6491 acre **CENSUS TRACT:** 204.00

APPLICANT/OWNER: Roger Reyna

REQUEST: An application to renew Specific Use Permit No. 1484 for a commercial amusement (inside) limited to a Class A dance hall on property within Planned Development District No. 784, the Trinity River Corridor Special Purpose District.

SUMMARY: The applicant proposes to continue to operate a dance hall on the request site [El Carrizal Ballroom].

CPC RECOMMENDATION: **Approval** for a five-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to conditions.

BACKGROUND:

- The site is developed with a ±5,140-square foot structure which operates as an alcoholic beverage establishment and dance hall.

- The alcoholic beverage establishment is legally nonconforming. Certificate of occupancy (CO) records indicates that the building has been utilized as an alcoholic beverage establishment since May 4, 1979. Per CO records, the applicant has operated the alcoholic beverage establishment since March 8, 1993.

- SUP No. 1484 (for a commercial amusement (inside) limited to a Class A dance hall) was approved by City Council on September 11, 2002 for a five-year period with eligibility for automatic renewal for additional five-year periods subject to a site plan and conditions.

- In 2007, the SUP was automatically renewed for a five-year period. The SUP expiration date was September 11, 2012.

- The applicant missed the deadline to automatically renew the SUP for a second time. On August 22, 2012, the SUP was renewed for a five-year period by City Council. The SUP will expire on August 22, 2017.

- In October 2010, the City Council approved an expansion of Planned Development District No. 784, the Trinity River Corridor Special Purpose District, to add form districts and the Cedars West Subarea. The new form districts and subarea allow the commercial amusement (inside) use by SUP with no eligibility for automatic renewal.

Zoning History:

There has been one zoning change in the area during the past five years.

1. Z156-367 On January 25, 2017, the City Council approved the renewal of Specific Use Permit No. 1953 for a restaurant with drive-in or drive-through service on property zoned the Cedars West Subdistrict 1, Urban Village form District within Planned Development District No. 784, the Trinity River Corridor Special Purpose District, located at the south corner of East R.L. Thornton Freeway (Interstate 35E) and South Riverfront Boulevard.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
S. Riverfront Boulevard	Principal Arterial	130 feet

Land Use:

	Zoning	
Site	PDD 784 (Cedars West), SUP No. 1484	Bar/Dancehall
North	PDD 784 (Cedars West), SUP No.1953	Convenience store vehicle fueling station; and a drive-through restaurant
East	PDD 784 (Cedars West)	Auto-related, industrial & undeveloped
South	PDD 784 (Cedars West)	Industrial
West	PDD 784 (Cedars West)	Surface parking

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

Land Use Element

GOAL 1.1 Align Land Use Strategies with Economic Development Priorities

Policy 1.1.3 Build a dynamic and expanded Downtown.

Land Use Compatibility:

The site is developed with a ±5,140-square foot structure which operates as an alcoholic beverage establishment and dance hall. As specified in the existing site plan, the alcoholic beverage establishment comprises ±4,165 square feet of floor area, and the dance floor comprises ±975 square feet of floor area.

The site is surrounded by a convenience store with a motor vehicle fueling station and a drive-through restaurant to the north; auto-related and industrial uses and undeveloped to the east; industrial uses to the south and surface parking to the west.

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 proposed use is not a detriment to the area because the use is surrounded by businesses and there are no residential uses in the area. Planned Development District No. 784 does not allow the use to have an automatic renewal allow for review by the City Plan Commission and the City Council for each renewal. No changes to the site plan are proposed.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Parking:

As depicted on the existing site plan, the ±4,165-square foot bar requires 42 spaces (1 space per 100 square feet of floor area); the ±975 square-foot dance floor requires 39 spaces (1 space per 25 square feet of floor area). Of the 81 required parking spaces, 31 are provided onsite and 50 are provided remotely on the adjacent lot which is also owned by the applicant.

Landscaping:

Any new development on the site will require landscaping in accordance with requirements of Planned Development District No. 784.

Police Report:

The Dallas Police Department provided police records for the period of January 1, 2015 to April 26, 2017 as shown below:

Date	Premise	Address	Offense
9/26/2015	Parking Lot (All Others)	1027 S. Riverfront Blvd	ASSAULT
7/3/16	Parking Lot	1027 S. Riverfront Blvd	Theft
3/17/16	Bar/Night Club/Dance hall	1027 S. Riverfront Blvd	Miscellaneous

CPC Action:
June 22, 2017

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1484 for a commercial amusement (inside) limited to a Class A dance hall for a five-year period, subject to conditions on property within Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the west corner of South Riverfront Boulevard and Dearborn Street.

Maker: Rieves
Second: Davis
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: 200 Mailed: 9
Replies: For: 0 Against: 0

Speakers: None

CPC Recommended Conditions

1. USE: The only use authorized by this specific use permit is commercial amusement (inside), limited to a Class 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 five years ~~August 22, 2017~~.

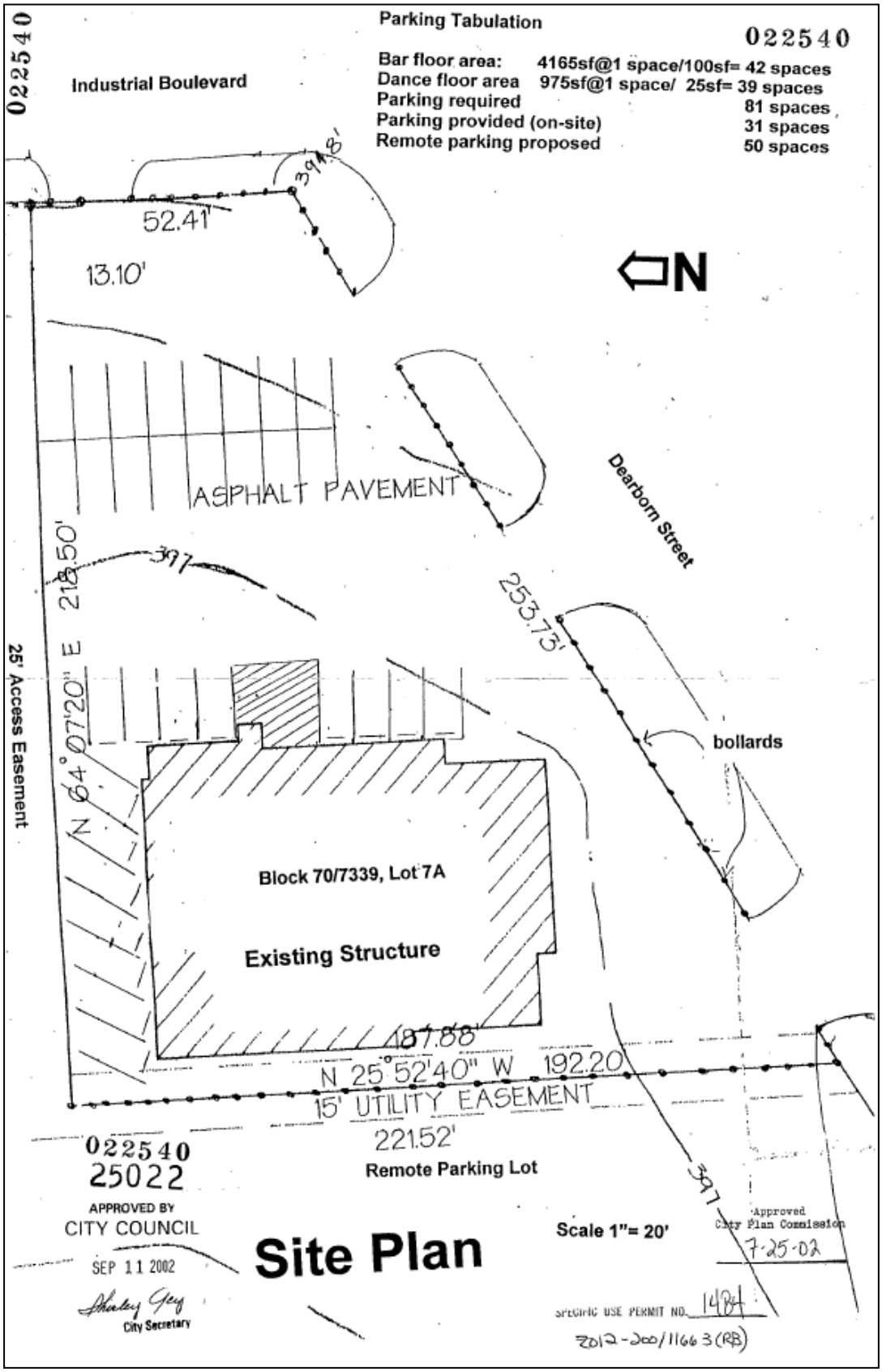
4. DANCE FLOOR AREA: The maximum floor area for the dance floor is 975 square feet.

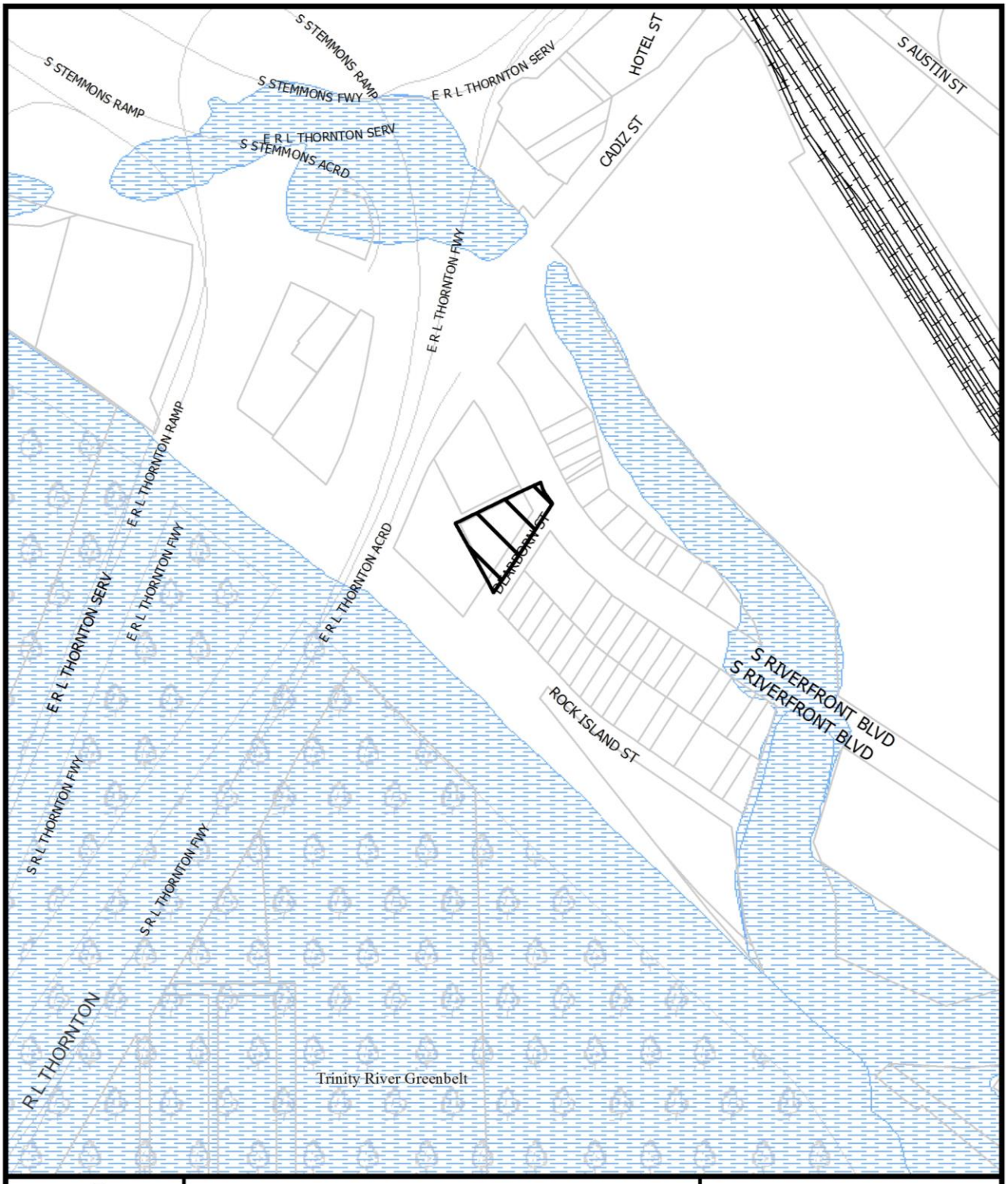
5. OFF-STREET PARKING: The total number of off-street parking spaces required is ~~81~~ 39. Of this number, 31 spaces must be provided in the location shown on the attached site plan and reserved exclusively for the use authorized by this specific use permit. The balance of the required off-street parking spaces (50) (8) may be provided off-site by means of a remote parking agreement that complies with Section 51A-4.328.

6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance at all times.

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.

Existing Site Plan





1:4,800

VICINITY MAP

Case no: Z167-261

Date: 4/19/2017

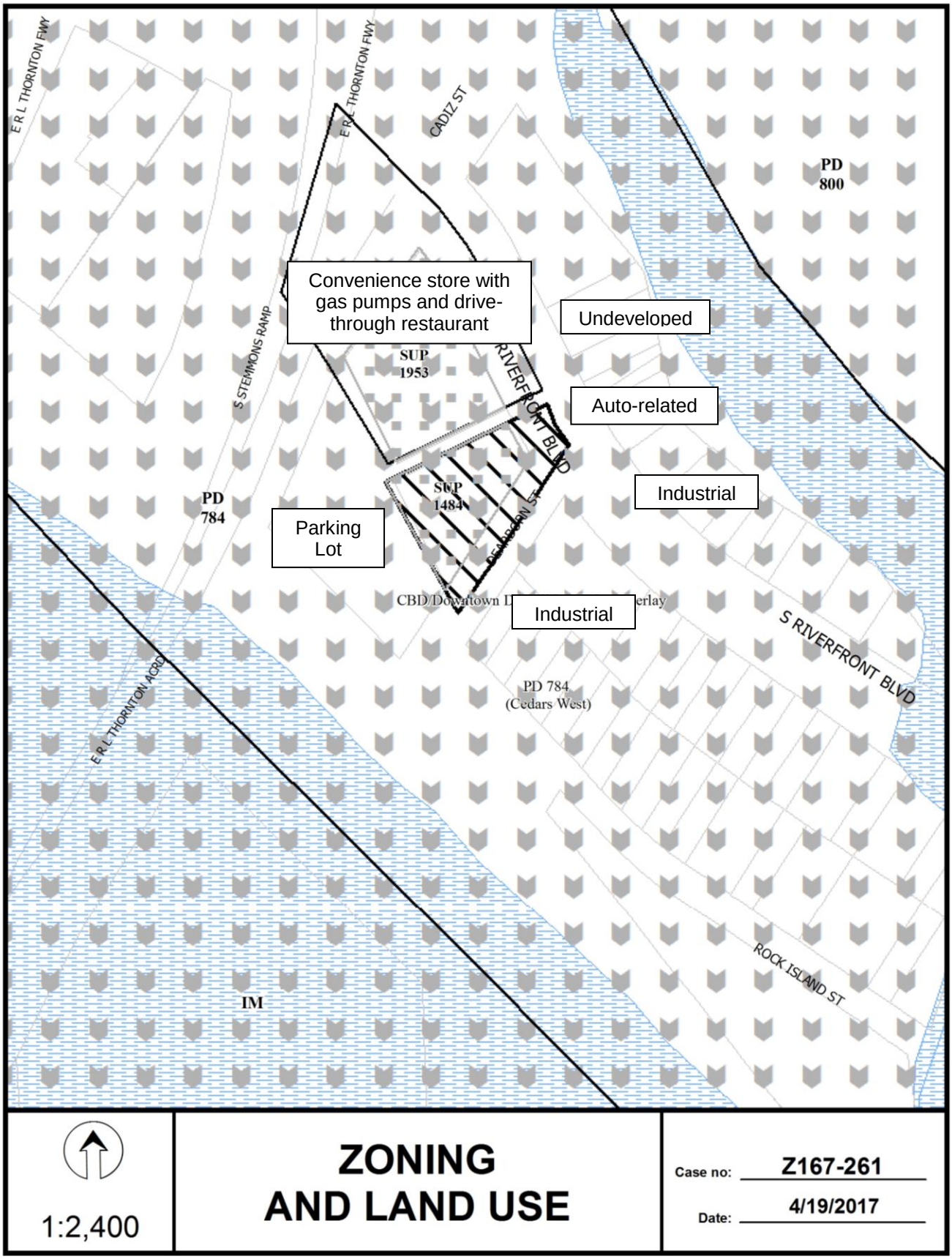


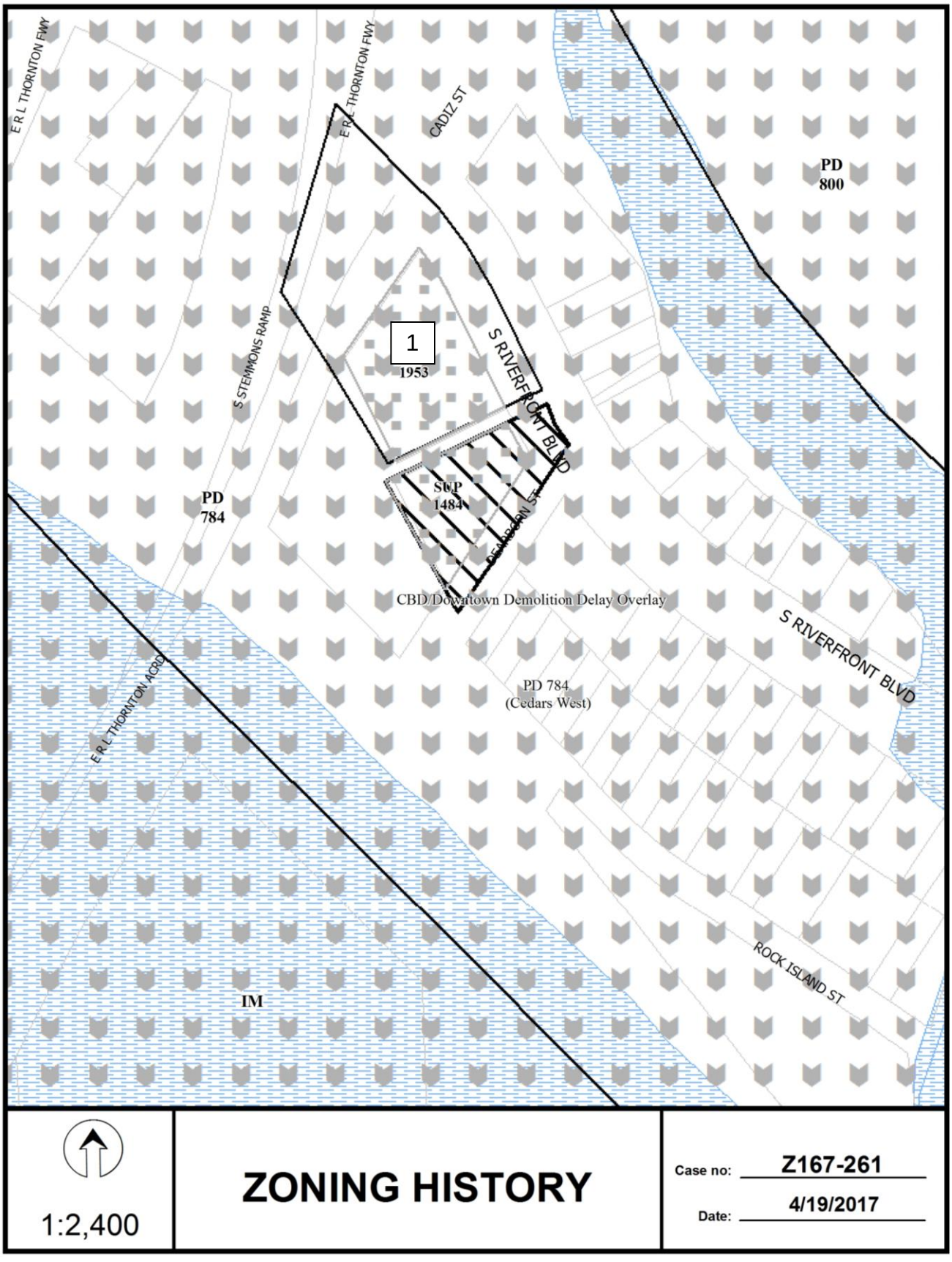
1:2,400

AERIAL MAP

Case no: Z167-261

Date: 4/19/2017


E R L THORNTON FWY
E R L THORNTON FWY
CADIZ ST
PD 800
Convenience store with gas pumps and drive-through restaurant
Undeveloped
S STEMMONS RAMP
SUP 1953
RIVERFRONT BLVD
Auto-related
Industrial
PD 784
SUP 1484
Parking Lot
BEARDEN ST
CBD/Downtown L
erlay
Industrial
S RIVERFRONT BLVD
PD 784 (Cedars West)
E R L THORNTON ACRD
IM
ROCK ISLAND ST
1:2,400
ZONING AND LAND USE
Case no: Z167-261
Date: 4/19/2017


E R L THORNTON FWY
E R L THORNTON FWY
CADIZ ST
PD
800
1
1953
S STEMMONS RAMP
S RIVERFRONT BLVD
PD
784
SUP
1484
CBD/Downtown Demolition Delay Overlay
S RIVERFRONT BLVD
PD 784
(Cedars West)
E R L THORNTON ACRD
ROCK ISLAND ST
IM
1:2,400
ZONING HISTORY
Case no: Z167-261
Date: 4/19/2017

CPC Responses



06/21/2017

Reply List of Property Owners

Z167-261

9 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	106	DEARBORN ST	REYNA ROGER & ROSA
	2	1027	S RIVERFRONT BLVD	REYNA ROGER
	3	1006	S RIVERFRONT BLVD	FAMKAR NICOLE MARLAM
	4	200	CADIZ ST	SPORTATORIUM ASSOC INC &
	5	1018	S RIVERFRONT BLVD	POORNOROOZ MIKE HOSSEIN
	6	1100	ROCK ISLAND ST	UNIFIED TEXAS PROPERTIES LLC
	7	1106	ROCK ISLAND ST	HURT & HARDIE INC
	8	1005	S RIVERFRONT BLVD	ARLINGTON LAKESIDE GROCERY & GRILL
	9	1103	S RIVERFRONT BLVD	UHRICK PROPERTIES LLC

AGENDA ITEM # 57

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45 L; Q

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistrict 4 in Planned Development District No. 357, the Farmers Market Special Purpose District and the Harwood Historic District No. 48 on a portion, on the northeast corner of South Harwood Street and Jackson Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z167-262(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z167-262(SM)	**DATE FILED:**	March 30, 2017
LOCATION:	Northeast corner of South Harwood Street and Jackson Street		
COUNCIL DISTRICT:	14	**MAPSCO:**	45-L, Q
SIZE OF REQUEST:	Approx. 1.098 acres	**CENSUS TRACT:**	31.01

APPLICANT:	CADG Jackson Parking A, LLC
OWNER:	CADG Jackson Parking A, LLC; CADG Harwood, LLC, and City of Dallas
REPRESENTATIVE:	J. Prabha Cinclair, Micklos Law, PLLC
REQUEST:	An application for a new subdistrict on property zoned Subdistrict 4 in Planned Development District No. 357, the Farmers Market Special Purpose District and the Harwood Historic District No. 48 on a portion.
SUMMARY:	The purpose of this request is construct a mixed use building with multifamily and office uses in conjunction with a parking garage. The proposed amendment permits an increase in the allowable lot coverage from 85 percent to 100 percent. No changes to the Historic Overlay regulations are included with this request.

CPC RECOMMENDATION: **Approval**, subject to conditions.

STAFF RECOMMENDATION: **Approval**, subject to conditions.

BACKGROUND INFORMATION:

- On June 22, 1994, the City Council approved Planned Development District No. 357, the Farmers Market Special Purpose District on property zoned a Central Area District.

- On March 22, 2017, City Council approved ordinance number 30398 to amend the Thoroughfare Plan for Harwood Street. The amendments included amendments to the City of Dallas Central Business District Streets and Vehicular Circulation Plan to
  1. Harwood Street between Commerce Street and Jackson Street from 85 feet of right-of-way to 64 feet of right-of-way and
  2. Harwood Street between Jackson Street and IH- 30 from 84-78 feet of right-of-way to 64-68 feet of right-of-way.

- The request will provide parking for the ongoing renovations to the Statler Hotel across South Harwood Street from the site.

Zoning History: There has been one recent zoning case requested in the area.

1. **Z123-285** On December 11, 2013, City Council approved an amendment to PDD No. 619.

2. **Z156-209** On May 25, 2016, City Council renewed Specific Use Permit No. 2029 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall.

3. **Z134-348** On September 9, 2015, City Council approved a Historic Overlay for the Allen Building.

4. **Z123-317** On November 12, 2013, City Council approved a new Subdistrict in Planned Development District No. 357, the Farmers Market Special Purpose District.

Thoroughfares/Streets:

Thoroughfare/ Street	Operational Characteristic	Existing ROW	Proposed ROW
Commerce Street	3 lanes eastbound	80	80
S. Harwood Street	2 lanes southbound; 2 lanes northbound	50	64
Jackson Street	1 lane eastbound; 1 lane westbound; 2-way bicycle facility	50	50

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.

Land Use:

Goal 1.1 Align land use strategies with economic development priorities

Policy 1.1.3 Build a dynamic and expanded Downtown.

Downtown Dallas must get the public and private support it needs to be transformed into a vibrant central business district and to restore the Downtown area as the economic and cultural heart of the region. The City should continue to promote Downtown as an exciting place to live and encourage developers to reuse historic buildings in order to enrich the character of Downtown.

Goal 1.2 Promote desired development

Policy 1.2.1 Use vision building blocks as a general guide for desired development patterns.

The Downtown Building Block is an important transit hub for commuter rail, light rail, bus and local systems. This area warrants significant public investment to sustain itself as the signature address in the North Central Texas Region and to continually reinvent itself to maintain its competitive advantage. The request is characteristic of the Downtown Building Block because it proposes to convert surface parking lots to a mixed use building.

AREA PLAN:

In 2011, the City Council approved the *Dallas 360 Plan,* which identifies the site within the Main Street District and adjacent to the Dallas Farmers Market district. The Main Street district is envisioned to continue its evolution into a contemporary, dynamic retail destination and the Dallas Farmers Market district is envisioned to develop with complementary uses including residences and supporting uses and services such as small scale neighborhood retail at key corners, parks, tot lots, and even a school are desirable to support the family-friendly atmosphere. The Urban Design Advisory Committee and the Transportation Committee are currently reviewing updates to the Plan. The pending updated recommendations of the Plan do not conflict with the request.

STAFF ANALYSIS:

Land Use Compatibility:

The area of request is comprised of surface parking lots and is located within the Central Business District. The remainder of the block contains two-story buildings that are primarily vacant but can contain retail, office, and personal service uses and parking lots. The former City Hall is located on the north side of Commerce Street. Additional surface parking lots and another two-story building that is vacant but can contain retail, office, and personal service uses are located to the south. To the west, the former Statler Hotel and former City library are under construction to become office, multifamily, and hotel uses.

Since the existing regulations regarding land use are remaining unchanged, the request's land use is compatible with surrounding properties.

	Zoning	Land Use
Site	PDD No. 357, Subdistrict 4, Historic Overlay No. 48	Commercial Parking
North	CA-1(A), Historic Overlay Nos. 17 & 48; PDD No. 357, Subdistrict 4; Historic Overlay No. 102	Municipal Building; Vacant, Retail, Office; Bluitt Sanitarium-Aspley Building
South	PDD No. 357, Subdistrict 4, Historic Overlay No. 48	Commercial Parking; Vacant, Retail, Office
East	PDD No. 357, Subdistrict 4	Commercial Parking
West	PDD No. 619, Historic Overlay No. 48	Vacant Hotel and Mixed Uses

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
PDD No. 357 - Existing	0'	5/10' – duplexes No min. all other areas	20 FAR	Any legal height	85%	Multifamily, duplex, single family, Retail and personal service, Warehouses
PDD No. 357 Proposed	0'	5/10' – duplexes No min. all other areas	20 FAR	Any legal height	85% 100% with MUP	Multifamily, duplex, single family, Retail and personal service, Warehouses

The request proposes to increase the lot coverage from 85 percent to 100 percent. 100 percent lot coverage is allowed in the Central Area Districts and PD No. 619, which is located to the southwest of the site, across from Harwood Street, and to the north of the site, across from Commerce Street. Staff supports the request because the applicant has committed to a mixed use development and will maintain the sidewalk regulations and design requirements of the existing district.

Sidewalks:

The existing sidewalk regulations are not proposed to be amended. Sidewalks for buildings with a floor area ratio less than 10 must have a minimum average 10 foot-sidewalk width with seven feet unobstructed. However, sidewalks may be cantilevered or be recessed inside of a gallery.

Development Plan:

Staff does not recommend a development plan for this unique application for these reasons: (1) the site is partially located within Harwood Historic District No. 48 and therefore must comply with the design and facade requirements established by those regulations and the Landmark Commission, (2) the existing planned development district has a design test and minimum requirements that would ensure a more urban design, and (3) since the applicant proposes a development with 100 percent lot coverage, the outline of the building that would be shown on a development plan would be predictable and unrefined.

Landscaping:

Landscaping must be in accordance with the landscaping requirements in Planned Development District No. 357, the Farmers Market Special Purpose District. The district's landscaping requirements focus on street trees, parkway landscaping, and pedestrian amenities and therefore, can be located within the right-of-way or inset underneath an upper story projection of a building. With the district's focus, it is possible to construct a new building with 100 percent lot coverage and comply with the landscaping regulations.

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.

Prior CPC Action – June 22, 2017:

Motion: It was moved to recommend **approval** of a new subdistrict, subject to conditions on property zoned Subdistrict 4 in Planned Development District No. 357, the Farmers Market Special Purpose District and the Harwood Historic District No. 48 on a portion, on the northeast corner of South Harwood Street and Jackson Street.

Maker: Rieves
Second: Davis
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Davis, Shidid*, Anantasomboon, Mack, Haney*, Jung, Housewright, Schultz, Peadon, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0
Conflict: 1 - Houston

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 69
Replies: For: 0 Against: 0

Speakers: None

List of Partners/Principles/Officers

CADG Harwood, LLC

CADG Harwood, LLC,
a Texas limited liability company

By: CADG Holdings, LLC,
a Texas limited liability company,
Its Sole Member

By: MMM Ventures, LLC,
a Texas limited liability company,
Its Manager

By: 2M Ventures, LLC,
a Delaware limited liability company,
Its Manager

By: Mehrdad Moayedi
Its: Manager

CPC RECOMMENDED PDD CONDITIONS

ARTICLE 357.

PD 357.

Farmers Market Special Purpose District

SEC. 51P-357.101. LEGISLATIVE HISTORY.

PD 357 was established by Ordinance No. 22097, passed by the Dallas City Council on June 22, 1994. Ordinance No. 22097 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 22097; 25850; 28341)

SEC. 51P-357.102. PROPERTY LOCATION AND SIZE.

PD 357 is established on property generally bounded by the center lines of East R.L. Thornton Freeway (I-30), St. Paul Street, Young Street, Park Avenue, Wood Street, Harwood Street, Commerce Street, and I-345. The size of PD 357 is approximately 172.5 acres. (Ord. Nos. 22097; 25850; 28341)

SEC. 51P-357.103. PURPOSE.

This article provides standards specifically tailored to meet the needs of the Farmers Market area of the city, which is hereby designated as an area of cultural importance and significance to the citizens of the city. 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) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment by encouraging the development of structures along entire blockfaces with continuous activities.

(3) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(4) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(5) To encourage and protect the quantity and quality of residential uses.

(6) To promote landscape/streetscape quality and appearance.

(7) To aid the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, groundwater recharge, and storm water runoff retardation, while at the same time aiding in noise, glare, and heat abatement.

(8) To provide visual buffering and enhance the beautification of the city.

(9) To safeguard and enhance property values and to protect public and private investment.

(10) To conserve energy.

(11) To discourage changes that fail to comply with the overall objectives of the Farmers Market concept approved by the Dallas City Council on August 14, 1991. (Ord. Nos. 22097; 25850; 28341)

SEC. 51P-357.104. DEFINITIONS AND INTERPRETATIONS.

(a) Definitions.

(1) Unless otherwise stated, the definitions contained in Chapter 51A apply to this article.

(2) Unless the context clearly indicates otherwise, in this article:

(A) CANOPY TREE means a species of tree that normally bears crown foliage no lower than six feet above ground level upon maturity.

(B) COLORED CONCRETE means concrete with one or more pigments added to it.

(C) DISTRICT means the property defined in Section 5 of Ordinance No. 22097.

(D) MAJOR MODIFICATION means modifications to an original building within a 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.

(E) NEW CONSTRUCTION means construction of a structure that is not an original building.

(F) OPENING means a door, window, passageway, or any other feature through which light or solid objects may pass.

(G) ORIGINAL BUILDING means a building constructed on or before June 22, 1994.

(H) PARKWAY means the portion of a right-of-way located between the street curb and the property line of an adjoining lot.

(I) REFLECTIVE GLASS means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.)

(J) RETAIL USE means any use listed in Section 51P-357.108(b)(8) of this article.

(K) SCREENING means a visual barrier provided by using one of the following methods:

(i) Brick, stone, or concrete masonry, stucco, concrete, or wood that is at least three feet in height.

(ii) Earthen berm at least three feet in height planted with turf grass or ground cover recommended for local area use by the director of park and recreation. The berm may not have a slope that exceeds one foot of height for each two feet in width.

(iii) Evergreen plant materials recommended for local area use by the director of park and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance and being at least three feet in height within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.

(iv) An ornamental steel or iron fence that is at least five feet in height.

(L) STOOP means a small porch that leads to the entrance of a residence.

(M) UTILITY AREAS means the areas occupied by loading docks, trash storage, air conditioning, heating, and ventilating equipment, and all other similar utility equipment. For the purposes of this article, utility poles are not "utility areas."

(b) Interpretations.

(1) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(2) The following rules apply in interpreting the use regulations in this article.

(A) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(B) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(C) 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.)

(D) 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.)

(3) Unless the context clearly indicates otherwise, this district is considered to be a central area district for purposes of interpreting Chapter 51A.

(4) Except for Section 24 of Ordinance No. 22097, that ordinance is incorporated by reference into Chapter 51A. (Ord. Nos. 22097; 25850; 28341)

SEC. 51P-357.104.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 357A: subdistrict boundary map.

(2) Exhibit 357B: list of approved plant materials.

(3) Exhibit 357C: conceptual plan for Subdistrict 10. (Ord. 28341)

SEC. 51P-357.105. ZONING CLASSIFICATION CHANGE.

Chapter 51A is amended by changing the zoning classification from CA-1(A) Central Area District to PD 357, to be known as the Farmers Market Special Purpose District ("the Farmers Market SPD"), on the property described in Ordinance No. 22097. (Ord. Nos. 22097; 25850; 28341)

SEC. 51P-357.106. ESTABLISHMENT OF SUBDISTRICTS.

A map (Exhibit 357A) shows the boundaries of the district and the 14[~~13~~] subdistricts (Subdistricts 1, 1A, 2, 2A, 3, 4, 4A, 5, 5A, 6, 7, 8, 9, 10). Property descriptions of the subdistricts are attached to Ordinance No. 22097 as Exhibit B. The subdistricts are hereby established for purposes of this article. If there is a conflict between the map and the text of this article, the text controls. (Ord. Nos. 22097; 25850; 26370; 28341; 29201; 29695)

SEC. 51P-357.107. GENERAL DEVELOPMENT STANDARDS.

The provisions of Section 51A-4.702, "Planned Development (PD) District Regulations," relating to the PD pre-application conference, site plan procedure, site analysis, conceptual plan, development plan, development schedule, and amendments to the development plan do not apply to this district. (Ord. Nos. 22097; 25850; 28341)

SEC. 51P-357.107.1. SUBDISTRICT 10 CONCEPTUAL PLAN.

In Subdistrict 10, development and use of the Property must comply with the conceptual plan (Exhibit 357C). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls. (Ord. 28341)

SEC. 51P-357.108. MAIN USES PERMITTED.

(a) Additional uses created. The uses listed under Paragraph (1) are created for purposes of this article.

(1) Definitions. In this article:

(A) FARMERS MARKET means a publicly owned or operated area for the sale and exchange of agricultural produce, food, and general merchandise by vendors.

(B) FLEA MARKET means a privately owned and operated area for the sale and exchange of food and general merchandise by vendors.

(C) FOOD PROCESSING means a facility for the manufacturing, processing, packaging, and sorting of foodstuffs from agricultural produce. This use does not include the slaughtering of animals, fish, or poultry.

(D) HOMELESS ASSISTANCE CENTER means a facility that is owned, operated, or contracted for by the city to provide services to the homeless including some or all of the following: outpatient health, medical, dental, and optical services; medical referrals; counseling services and referrals; educational and vocational services and referrals; habilitation or rehabilitation services and referrals; information resources; sanitary facilities; laundry facilities; facilities or areas for food service; and emergency shelter.

(E) STADIUM, ARENA, OR SPORTS COMPLEX means an indoor or outdoor facility with seating where spectators view events, including musical and athletic performances.

(2) Parking and loading. Consult Section 51P-357.110 of this article for the off-street parking and loading regulations for these uses.

(b) Main uses permitted in Subdistricts 1 through 9.

(1) Commercial and business service uses.

-- Catering service.
-- Custom business services.
-- Custom woodworking, furniture construction, or repair.
-- Electronics service center.
-- Food processing. *[SUP if floor area exceeds 7,500 square feet.] (Permitted only in Subdistricts 1 and 2.)*
-- Job or lithographic printing.
-- Medical or scientific laboratory.
-- Technical school.
-- Tool or equipment rental.

(2) Institutional and community service uses.

-- Adult day care facility. *[SUP] (Permitted only in Subdistricts 2, 8, and 9.)*
-- Child-care facility. *[SUP]*
-- Church.
-- College, university, or seminary.
-- Convent or monastery. *[SUP]*
-- Foster home. *[SUP] (Permitted only in Subdistricts 2, 8, and 9.)*
-- Homeless assistance center. *(Permitted only in Subdistrict 2A.)*
-- Library, art gallery, or museum.
-- Public or private school.

(3) Lodging uses.

-- Hotel or motel.
-- Lodging or boarding house. *[SUP]*
-- Residential hotel.

(4) Miscellaneous uses.

-- Temporary construction or sales office.

(5) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window. *[DIR required in Subdistrict 1.]*
-- Medical clinic or ambulatory surgical center.
-- Office.

(6) Recreation uses.

-- Country club with private membership.
-- 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.
-- Retirement housing.
-- Single family.

(8) Retail and personal service uses.

-- Ambulance service.
-- Auto service center.
-- Bar, lounge, or tavern.
-- Business school.
-- Car wash. *[DIR]*
-- Commercial amusement (inside).
-- Commercial amusement (outside). *[SUP]*
-- Commercial parking lot or garage.
-- Dry cleaning or laundry store.
-- Farmers market. *[By right in Subdistricts 1and 1A; By SUP only in all other subdistricts.]*
-- Flea market. *[SUP]*
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.
-- Home improvement center, lumber, brick, or building materials sales yard. *[DIR]*
-- Household equipment and appliance repair.
-- Liquor store. *[SUP]*
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.

-- Nursery, garden shop, or plant sales.
-- Outside sales.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service.
-- Restaurant with drive-in or drive-through service. *[DIR]*
-- Stadium, arena, or sports complex.
-- Temporary retail use.
-- Theater.

(9) Transportation uses.

-- Heliport. *[SUP]*
-- Helistop. *[SUP]*
-- STOL (short takeoff or landing) port. *[SUP]*
-- Transit passenger shelter.
-- Transit passenger station or transfer center.

(10) Utility and public service uses.

-- Commercial radio or television transmitting station.
-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Post office.
-- Radio, television, or microwave tower. *[SUP]*
-- Utility or government installation other than listed. *[SUP]*

(11) Wholesale, distribution, and storage uses.

-- Freight terminal. *[DIR]*
-- Mini-warehouse.
-- Office showroom/warehouse.
-- Outside storage (with visual screening).
-- Recycling collection center.
-- Trade center.
-- Warehouse.

(c) Main uses permitted in Subdistrict 10.

-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*
-- Local utilities.
-- Single family.
-- Temporary construction or sales office. (Ord. Nos. 22097; 25850; 26370; 28341; 29201)

SEC 51P-357.108.1. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some accessory uses, however, due to their unique nature, are subject to additional regulations

contained in Section 51A-4.217(b). For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory use is permitted by SUP only:

-- Accessory helistop.

(c) The following accessory uses are not permitted:

-- Accessory medical/infectious waste incinerator.
-- Accessory pathological waste incinerator.
-- Day home. (Ord. 28341)

SEC. 51P-357.109. YARD, LOT, AND SPACE REGULATIONS FOR SUBDISTRICTS 1 THROUGH 9.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front yard. No minimum front yard.

(b) Side and rear yard.

(1) Minimum side yard is:

(A) five feet for duplex structures; and

(B) no minimum in all other areas.

(2) Minimum rear yard is:

(A) 10 feet for duplex structures; and

(B) no minimum in all other cases.

(c) Dwelling unit density. No maximum dwelling unit density.

(d) Floor area ratio. Maximum floor area ratio is 20.0.

(e) Height. Maximum structure height is any legal height.

(f) Lot coverage.

(1) Except as provided in this subparagraph, m[~~M~~]aximum lot coverage is 85 percent.

(2) Subdistrict 1A is considered a single building site for the purposes of this subsection.

(3) An atrium is not counted as coverage if it exists at grade and is open to the public.

(4) In Subdistrict 1A, covered athletic courts or fields are not counted as lot coverage if they exist at grade and are open to the public.

(5) In Subdistrict 4A, maximum lot coverage is 100 percent when a development contains uses in two or more of the following categories, and the combined floor areas of the uses in each category must equal or exceed the following percentages of the total floor area of the project:

Use Category	% of Total Floor Area
Lodging	15%
Office	15%
Residential	15%
Retail and personal service	10%

(g) Lot size. No minimum lot size.

(h) Stories. No maximum number of stories.

(i) Right-of-way encroachments. In Subdistrict 1A, balconies, awnings, signs, and other structures attached to a building are allowed to encroach over a right-of-way line to the extent permitted by the Dallas City Code. This provision does not preclude encroachments in other subdistricts to the extent they are permitted. (Ord. Nos. 22097; 25850; 28341; 29201)

SEC. 51P-357.109.1. YARD, LOT, AND SPACE REGULATIONS FOR SUBDISTRICT 10.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front yard. No minimum front yard.

(b) Side and rear yard. No minimum side or rear yard.

(c) Dwelling unit density. Maximum dwelling unit density is 108 units.

(d) Floor area ratio. Maximum floor area ratio is 4.0.

(e) Height. Maximum structure height is 46 feet to the mid-point of the roof and 50 feet to the highest point of the roof. Rooftop projections, trellis projections, and other architectural features may exceed the height by 12 feet.

(f) Lot coverage. Maximum lot coverage is 90 percent. For purposes of lot coverage, Subdistrict 10 shall be treated as one lot.

(g) Lot size. No minimum lot size.

(h) Plat requirements. In this subdistrict, a minimum of 10 feet must be provided by plat between each group of no more than eight single family structures.

(i) Platted lots. Each dwelling unit must be located on a separately platted lot. Platted lots may have frontage on two opposite sides.

(j) Projections. Window sills, belt courses, cornices, or other architectural features may project no more than 12 inches into the right-of-way with a City of Dallas license for use of the public right-of-way. Cantilevered roof eaves, steps, stoops, and balconies may project no more than three feet into the right-of-way with a City of Dallas license for use of the public right-of-way.

(k) Shared access development. A shared access development is treated as one lot for purposes of compliance with the front, side, and rear year regulations and applicable landscape regulations.

(l) Steps and stoops. Steps and stoops must comply with the requirements of the Mill Creek Flood Zone Study. (Ord. 28341)

SEC. 51P-357.110. OFF-STREET PARKING AND LOADING FOR SUBDISTRICTS 1 THROUGH 9.

(a) In general. Except as provided in this section, the off-street parking and loading regulations contained in Divisions 51A-4.300 et seq. apply to this district.

(b) Off-street parking requirements.

(1) Except as provided in this subsection, off-street parking is required for a new building or an addition to an existing building at a ratio of one parking space for each 2,000 square feet of floor area.

(2) In Subdistrict 5A, a minimum of six spaces are required for a mini-warehouse.

(c) Cash in lieu of required parking.

(1) A property owner may make a one-time cash payment in lieu of providing required off-street parking spaces for a use in accordance with this subsection. The amount of the payment required is calculated by taking three-fourths of the cost of constructing a parking garage space and multiplying that cost by the number of parking spaces that will not be required by reason of the cash payment.

(2) The cost of a parking garage space is calculated by using the following formula:

National Median Cost/Sq. Ft. x 350 square feet x Dallas Cost Index = Cost of a Parking Garage Space

For purposes of the formula, "National Median Cost/Sq. Ft." means the national median cost per square foot of a parking space in a parking garage. Both the National Median Cost/Sq. Ft. and the Dallas Cost Index must be derived from the most recent issue of Building Construction Cost Data, published by the Robert Snow Means Company, Inc., of Kingston, Massachusetts, unless another comparable publication is designated by the director.

(3) Payments in lieu of required parking shall be paid to a special parking account and used to finance the construction of parking garages or other parking improvements to serve uses in the district, pursuant to the requirements of all applicable rules, regulations, and ordinances of the city.

(d) Commercial parking lots and garages.

(1) Definitions. In this subsection:

(A) EXISTING USE means a commercial parking lot or garage that was in operation on June 22, 1994, regardless of whether the use had a certificate of occupancy on that date. This definition does not mean that an illegal use on that date is now a conforming or legal use.

(B) NEW USE means a commercial parking lot or garage that is not an existing use.

(C) PARKWAY means the portion of a right-of-way located between the street curb and the property line of an adjoining lot.

(D) SELF-PARK SPACE means a parking space where a customer parks his vehicle and it remains there until a customer drives it away. It does not include a space where an attendant parks a customer vehicle.

(E) WROUGHT IRON includes metal that resembles wrought iron in appearance.

(2) Site plan.

(A) When required. When establishing a new use or enlarging an existing use by more than 40 percent, a site plan must be submitted and approved in accordance with this paragraph before a certificate of occupancy may be issued.

(B) Requisites. The site plan must include the following information:

(i) The number of existing and proposed parking spaces on the property.

(ii) The location and dimensions of the property.

(iii) The location and dimensions of all existing and proposed off-street parking and loading areas, parking bays, aisles, driveways, and attendant booths.

(iv) The location and type of all existing and proposed landscaping, screening, trash receptacles, lighting, and signs.

(v) Any other reasonable and pertinent information that the building official determines to be necessary for site plan review.

(C) Review by the building official. The building official shall deny an application unless is meets all the applicable standards of this subsection.

(D) Decision of the building official.

(i) Form of decision. The decision of the building official must take one of two forms:

(aa) Approval.

(bb) Denial.

(ii) Statement of reasons. If the building official denies an application, he shall state in writing the specific reasons for denial.

(iii) Approval. If there are no grounds for denial under this subsection, the building official shall approve the application with no conditions.

(E) Notice. The building official shall give written notice to the applicant of his decision regarding the application within 14 days of its receipt. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The notice must be sent to the address shown on the application.

(F) Development. If a site plan is approved by the building official, development of the property must be in accordance with the site plan.

(3) Construction.

(A) Slope. The entire surface of a surface parking lot may not deviate more than seven degrees from the horizontal plane. No portion of the surface may deviate more than 12 degrees from the horizontal plane.

(B) Driveways. No more than one two-way driveway or two one-way driveways may be maintained for each 300 feet, or fraction thereof, of frontage of a surface parking lot.

(4) Striping. All self-park spaces must be clearly and permanently identified by stripes. All self-park spaces for compact cars must be at least 7.5-foot-wide stalls and must be clearly and permanently marked "compact car only." All other self-park spaces must be at least eight-foot-wide stalls. Except as specified in this provision, these spaces must be provided and striped in accordance with Section 51A-4.301(d)(1).

(5) Lighting.

(A) Requirement. The following must be lighted between one-half hour after sunset and 2:30 a.m. and between 6:00 a.m. and one-half hour before sunrise:

(i) A surface parking lot.

(ii) The first story of a parking garage above grade.

(iii) All other portions of a parking garage that are accessible to pedestrians or vehicles during the hours of darkness.

For purposes of this paragraph, "hours of darkness" means the time between one-half hour after sunset and one-half hour before sunrise.

(B) Intensity. The intensity of required lighting on the parking surface must be:

(i) an average of at least two footcandles, initial measurement, and at least one footcandle on a maintained basis; and

(ii) a minimum at any point of at least 0.6 footcandle initial, and at least 0.3 footcandle maintained or one-third of the average footcandle measurement for the lighted area, whichever is greater.

(C) Type of fixtures. Light sources for surface parking lots must be indirect, diffused, or shielded-type fixtures, installed to reduce glare and the consequent interference with boundary streets. Bare bulbs or strings of lamps are prohibited.

(D) Location of fixtures. Fixtures must be attached to buildings or mounted on permanent poles. Fixtures may be located on adjoining property.

(E) Height of fixtures. Fixtures on surface parking lots must be at least 20 feet above the lot surface. This requirement does not apply to parking garages.

(F) Reconciliation. This paragraph controls over Section 51A-4.301(e)(1).

(6) Trash receptacles. A trash receptacle at each vehicle entrance is encouraged, but not required. No trash receptacle may have a fluorescent color.

(7) Attendant booths. An attendant booth may not be constructed of flammable materials or have a fluorescent color.

(8) Access openings.

(A) Access openings for surface parking lots may not exceed:

(i) Thirty feet in width for a two-way drive.

(ii) Twenty feet in width for a one-way drive.

(iii) Five feet in width for pedestrian access.

(B) At least one opening for pedestrian access must be provided for frontage of a surface parking lot. These openings are limited, however, to one for each 30 feet of frontage screened with bollards or a wrought iron fence, or three for each frontage landscaped with a combination of planters and either bollards or a wrought iron fence.

(9) Screening and landscaping.

(A) Where. Screening and landscaping must be provided along an abutting street right-of-way, excluding openings for pedestrian and vehicular access, of:

(i) a surface parking lot; and

(ii) a parking garage having any openings in the first story above grade, excluding openings for pedestrian and vehicular access.

(B) Screening.

(i) Surface parking lots in the middle of a block with buildings on both adjoining lots and less than 100 feet of frontage and all parking garages must have screening consisting of a wrought iron fence.

(ii) All other surface parking lots must have screening consisting of:

(aa) a wrought iron fence;

(bb) metal or concrete bollards; or

(cc) a combination of planters and either bollards or a wrought iron fence.

(iii) If a wrought iron fence is provided:

(aa) it must be at least 42 inches in height;

(bb) its vertical bars must be spaced no more than eight inches apart and welded or brazed to horizontal bars at or near the top and bottom of the fence;

(cc) it may have a foundation that does not exceed 12 inches in height; and

(dd) the columns extending into the ground or foundation must be spaced no more than 10 feet apart.

(iv) If bollards are provided, each bollard must be:

(aa) at least 18 inches in length;

(bb) at least nine inches in width;

(cc) at least 30 inches in height; and

(dd) no more than seven feet from another bollard, unless connected by an iron chain, in which case they may be no more than 12 feet from another bollard.

(v) If planters are provided:

(aa) each planter must be between six and 18 inches in height; and

(bb) the length of the planter area may not exceed one-fifth of the lot frontage.

(C) Landscaping.

(i) Requirement. Unless a parkway landscape permit is denied or revoked in accordance with Subparagraph (C)(vii), one tree or shrub must be provided in the adjoining

parkway for each 30 feet along the required landscaping area. All trees and shrubs provided must be recommended for local area use by the director of park and recreation.

(ii) Trees. Each tree planted must have a caliper of at least two and one-half inches.

(iii) Shrubs. Each shrub provided must be at least 30 inches in height and planted in a planter or a metal or concrete pot.

(iv) Minimum tree clearance. All portions of a tree above street pavement must be at least thirteen and one-half feet in height.

(v) Tree grates. Tree grates conforming to state and federal standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth must be provided for all trees planted within a public sidewalk.

(vi) Private license granted. The city council hereby grants a private license to the owners of all commercial parking lots and garages in this district for the exclusive purpose of authorizing compliance with the landscaping requirements. A property owner is not required to pay an initial or annual fee for this license. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance. A property owner is not required to comply with any landscaping requirement of this paragraph if compliance is made impossible due to the termination of this license. This provision controls over Article VI of Chapter 43 of the Dallas City Code.

(vii) Parkway landscape permit. A parkway landscape permit must be obtained from the director of public works and transportation for all landscaping in the parkway.

(aa) An application for a parkway landscape permit must be in writing on a form approved by the director of public works and transportation and accompanied by plans or drawings showing the area of the parkway affected and the planting proposed.

(bb) Upon receipt of the application, the director of public works and transportation shall circulate it to all affected city departments, utilities, and other franchise holders for review and comment. If, after receiving those comments, the director of public works and transportation determines that the construction and planting proposed will not be inconsistent with or unreasonably impair the public use of the right-of-way, he shall issue a parkway landscape permit to the property owner; otherwise, he shall deny the permit.

(cc) 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 he 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.

(dd) The issuance of a parkway landscape permit under this paragraph does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees or shrubs in the public right-of-way.

(10) Existing use exemption. Existing uses are encouraged, but not required, to comply with the trash receptacle, attendant booth, access openings, and screening and landscaping requirements.

(11) Compliance reports. An owner of an existing use in this district must submit a report by January 26, 1995, to the director of development services describing compliance with the lighting requirement. A report describing compliance with the striping and construction requirements must be submitted to the director of development services by January 26, 1997. A report describing voluntary compliance with the trash receptacle, attendant booth, access openings, and screening and landscaping requirements must be submitted to the director of development services by January 26, 1999.

(12) Conformance. All existing uses in this district must fully comply with the lighting requirements before January 26, 1995, and with the construction and striping requirements before January 26, 1997.

(13) Special exception.

(A) In general. The board of adjustment may grant a special exception to any requirement contained in Subsection (d) if the board finds, after a public hearing, the special exception will not adversely affect the other properties within the district and strict compliance with the requirement would result in unnecessary hardship. If the board grants a special exception, it must specify the length of time the special exception is effective.

(B) Lighting. The board shall not grant a special exception to a lighting requirement unless the board also finds, after a public hearing, that the special exception will not compromise the safety of persons using the parking. In determining whether to grant this special exception, the board shall consider:

(i) the extent to which the parking will be used after dark;

(ii) the crime statistics for the area;

(iii) the extent to which adequate lighting may be provided by light sources located on adjacent property; and

(iv) the extent to which the lot will be secured by fences, gates, and chains.

(C) Sign. The board shall not grant a special exception eliminating lighting requirements for all or a portion of a parking lot or garage without requiring that a sign be posted advising the public of the extent to which there will be no illumination during hours of darkness. The sign must be posted in a conspicuous place and be reasonably calculated to adequately inform those persons who might park in the area that is the subject of the special exception.

(e) Special off-street loading provisions.

(1) Off-street loading spaces must be provided in accordance with Section 51A-4.303(a) only for new structures or additions to an existing structure.

(2) Once the required off-street loading has been provided for a structure, no additional off-street loading is required if the use of the structure changes.

(3) Once an off-street loading space has been provided, the off-street loading space may not be reduced, eliminated, or made unusable in any manner during the life of the structure.

(4) On-street loading spaces may satisfy the off-street loading space requirement subject to the following standards:

(A) Any on-street loading spaces must be approved by the traffic engineer.

(B) Required off-street loading spaces furnished on-street must be provided at curbside contiguous to the building site.

(C) If no adjacent curb space is available due to traffic or transit needs, indented curb space may be provided if the required sidewalk width is maintained.

(D) All required medium and large loading spaces must be provided off-street.

(E) Structures meeting Subparagraphs (A) through (D) above and requiring seven or more off-street loading spaces may satisfy the off-street loading requirement as follows:

REQUIRED SPACES	**MINIMUM OFF-STREET**	**NUMBER ON-STREET**
7	**6**	**1**
8	**6**	**2**
9	**6**	**3**
10 or more	**60%**	**40%**

(f) Subdistrict 1A. Subdistrict 1A is considered a single building site for the purposes of this section. (Ord. Nos. 22097; 25850; 28341; 29201; 29695)

SEC. 51P-357.110.1. PARKING AND LOADING FOR SUBDISTRICT 10.

(a) Off-street parking. Except as provided in this section, the off-street parking and loading regulations contained in Divisions 51A-4.300 et seq. apply to this district. For single family uses, two off-street parking spaces are required for each dwelling unit.

(b) Guest parking. For single family uses, 34 on-street parking spaces must be provided on Marilla Street, Pearl Expressway, and the center private drive as shown on the conceptual plan. These spaces may be counted as guest parking and may cross lot lines.

(c) Parking space dimensions. Except for on-street parking spaces along the center private driveway, off-street parking spaces must be a minimum of eighteen feet long by eight feet wide.

(d) Accessory community center (private). Off-street parking is not required for an accessory community center (private) use.

(e) On-street parking shown on the conceptual plan may be parallel or head-in. (Ord. 28341)

SEC. 51P-357.110.2. SHARED ACCESS PAVEMENT WIDTHS FOR SUBDISTRICT 10.

(a) The shared access area must be provided as shown on the conceptual plan.

(b) The shared access area must have a minimum width of 20 feet, and a minimum pavement width of 20 feet. Pavement widths are measured perpendicularly from the edge of the pavement to the opposite edge of pavement.

(c) Minimum 20 foot visibility triangles are required at all intersections of driveways with public streets. At all other driveway intersections, visibility triangles must be a minimum of 10 feet. Visibility triangles are not required at the exterior corners of the subdistrict. (Ord. 28341)

SEC. 51P-357.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 22097; 25850; 28341)

SEC. 51P-357.112. SIGNS.

Signs must comply with the provisions for the Farmers Market Special Provision Sign District contained in Division 51A-7.1300. (Ord. Nos. 22097; 25850; 28341)

SEC. 51P-357.113. SINGLE FAMILY STRUCTURE SPACING.

Except as provided in Section 51P-357.109.1(h), in this district, a minimum of 15 feet between each group of eight single family or handicapped group dwelling unit structures must be provided by plat. (Ord. Nos. 22097; 25850; 28341)

SEC. 51P-357.114. SIDEWALK REGULATIONS FOR SUBDISTRICTS 1 THROUGH 9.

(a) A sidewalk must be provided between the back of the street curb and the face of a building at grade in accordance with this section. The face of a building is behind the columns for a building with exterior columns.

(b) Sidewalks must be constructed and maintained in accordance with the following regulations:

(1) A building with a floor area ratio of more than 15 to one is subject to the requirements of the CA-1(A)-CP district in Section 51A-4.124(a)(8)(C)(ii).

(2) A building with a floor area ratio of 10 to one through 15 to one must have an average sidewalk width of 15 feet and a minimum sidewalk width of nine feet that is unobstructed by any structure. For purposes of this paragraph:

(A) Average sidewalk width equals the total sidewalk surface area divided by the linear feet of frontage.

(B) Each frontage on each block must contain the required average sidewalk width.

(C) The area occupied by structural walls or columns is excluded when computing average sidewalk width.

(D) The surface area at a corner is counted only once when computing average sidewalk width.

(3) All other buildings must provide a minimum sidewalk width of 10 feet with seven feet unobstructed by any structure or planting. (Ord. Nos. 22097; 25850; 28341)

SEC. 51P-357.114.1. SIDEWALK REGULATIONS FOR SUBDISTRICT 10.

(a) A minimum sidewalk width of 12 feet, with 7.5 feet unobstructed by any structure or planting, must be provided adjacent to Cesar Chavez Boulvard, Marilla Street, and Pearl Expressway.

(b) A minimum sidewalk width of 10 feet, with 7.5 feet unobstructed by any structure or planting, must be provided adjacent to Canton Street.

(c) Sidewalks are required on both sides of the center interior drive. Sidewalks elsewhere in the interior of the subdistrict are allowed but not required. Interior sidewalks must be a minimum of three feet wide. (Ord. 28341)

SEC. 51P-357.115. DEVELOPMENT PLAN REVIEW.

(a) Pre-application conference. A person desiring to develop in the district should consult with the director to discuss whether the project is consistent with the requirements of this article.

(b) Review of project. Upon receipt of an application for a building permit for new construction or a major modification of a structure in the district and a landscape plan, the building official shall refer the application and plans to the director for review to determine whether the application complies with all requirements of this article. The director shall complete the review within 30 days from the date of submission of the completed application to the building official, or the application shall be deemed to be approved.

(c) Return of application to the building official. Once the director makes his determination, he shall refer the permit application, plans, all other relevant information, and his recommendation to the building official. If the director determines that sufficient points have been accumulated under the design and landscape tests and all mandatory provisions of this article have been met, he shall recommend approval. Otherwise, he shall recommend denial. If the recommendation is for denial, the director shall state the grounds for denial in writing to the applicant, and the building official shall not issue the permit unless the director's recommendation is overturned upon appeal to the board. If the recommendation is for approval and the building official determines that all requirements of the construction codes and all other applicable ordinances have been met, the building official shall issue the permit. (Ord. Nos. 22097; 25850; 28341)

SEC. 51P-357.116. DESIGN TEST AND REQUIREMENTS FOR SUBDISTRICTS 1 THROUGH 9.

(a) In general. All applications referred to the director for review in accordance with Section 51P-357.115 of this article must be evaluated against the tests and prohibitions in this section. Plans for new construction or a major modification of a structure must earn at least 65 points (out of a total of 120 possible points) and comply with all mandatory requirements of this section. The points awarded for providing a feature, as well as the maximum number of points allowed in any category, are provided in parenthesis.

(b) Highly reflective glass prohibited. Reflective glass may not be used as an exterior building material on any building or structure in the district.

(c) Building offset requirement. A building facade that faces a public right-of-way must contain an offset of at least 100 square feet in area for the first five stories if the facade is for:

(1) a residential structure that extends 50 or more feet along the right-of-way; or

(2) a nonresidential structure that extends 75 or more feet along the right-of-way.

For purposes of this section, an offset is an area within one or more angles in a building's footprint other than the four 90-degree corners of the building.

(d) Design points. Design points are awarded in accordance with the following criteria:

(1) Building facades. (Total possible points = 20). Points may be earned as follows:

(A) Retail uses. Ten points are awarded if each side of a building's ground floor that fronts a right-of-way (excluding halls, restrooms, utility areas, and other public spaces) is allocated to retail uses.

(B) Lower story articulation. Ten points are awarded if each of the first three stories of a building is articulated differently from the stories above and below it.

(C) Non-horizontal roofs. Ten points are awarded if the building's roof is capped by complex parapets, central or corner spires, pitched or stair-stepped roof forms, horizontal projected soffits, parapet walls consisting of decorative coping (for buildings having less than four stories), or other vertical offsets in the roof.

(D) Facade treatments. Ten points are awarded if the building's facade is given texture and complexity by the inclusion of ground level entries more than 14 feet in height, porticos, indented entries, belt coursing or other horizontal banding, grid coursing or other articulation of window openings, corner pilasters, rustication of the first floor, changes of color, or ornamental irons.

(E) Large public areas. Ten points are awarded if a sidewalk or plaza area not required by this article is provided for pedestrian activities.

(2) Awnings and arcades. (Total possible points = 10) To qualify for points under this paragraph, an arcade must have a minimum depth of six feet, a minimum height of seven feet, and a maximum height of 20 feet. An awning must have a minimum depth of three and one-half feet, a minimum height of seven feet, and a maximum height of 14 feet. For the purpose of this paragraph, awning and arcade height is the vertical distance between the ground or pavement directly beneath the

awning or arcade and the lowest point of the awning or arcade. One point is awarded for each 10 percent of front lot line linear footage of awning or arcade width. When arcades extend over public rights-of-way, the minimum depth requirement of the arcade may be reduced from six feet to the maximum depth permitted under the necessary agreement with the city.

(3) Building materials. (Total possible points = 20) One point is awarded for each three percent increment greater than 40 percent of total building facade area, excluding openings, incorporating stone, brick, or a combination of those materials as facade materials.

(4) Front facade openings. (Total possible points = 20) Twenty points are awarded if the percentage of a front facade containing openings is between 40 and 60 percent. For purposes of this paragraph, "front facade" means any facade facing a street. For buildings with more than one story, only the front facade of the first and second stories is used when calculating the percentage of openings.

(5) Public art. (Total possible points = 10) One point is awarded for each one percent of the value of improvement stated in the building permit application that is allocated to public art up to a maximum of 10 points. In order to qualify for public art points, the public art must be visible from a public right-of-way at all times. Examples of public art could include art in an atrium or lobby that is visible from a public right-of-way, art incorporated into the sidewalk or building facade, or freestanding art.

(6) Water features. (Total possible points = 10) One point is awarded for each one percent of the value of improvements stated in the building permit application that is allocated to a water feature, such as a fountain, stream, pond, pool, waterfall, mechanical water jet, or other similar water device, up to a maximum of 10 points. In order to qualify for water feature points, the water feature must be visible from a public right-of-way at all times.

(7) Flags and banners. (Total possible points = 10) Flags and banners may be hung from street light poles or suspended from private buildings or poles. One point is awarded for each one percent of building facade area that has an equivalent area of either flags or banners up to a maximum of 10 points. If the flags or banners are signs, they must comply with the sign regulations for this district.

(8) Ground floor light fixtures. (Total possible points = 10) Ten points are awarded if decorative light fixtures that are greater than three feet vertically frame a ground floor entry or create a repeating motif along the facade of the ground floor.

(9) Pedestrian seating. (Total possible points = 10) One point is awarded for each five feet of pedestrian seating. (Ord. Nos. 22097; 25850; 28341)

SEC. 51P-357.116.1. DESIGN STANDARDS FOR SUBDISTRICT 10.

(a) Highly reflective glass prohibited. Reflective glass may not be used as an exterior building material on any building or structure.

(b) Building materials. A minimum of 40 percent of total building facade area, excluding openings, must incorporate stone, brick or a combination of those materials. Hardi-board may be used on the facade containing the garage.

(c) Drive-through porte-cocheres. Drive-through porte-cocheres must have a minimum height of 13.5 feet and may be located across shared drives.

(d) Pedestrian seating. A minimum of 20 benches must be provided along the perimeter of the subdistrict and may be located within the public right-of-way with a City of Dallas license.

(e) Trash receptacles. A minimum of 20 trash receptacles must be provided along the perimeter of the subdistrict and may be located within the public right-of-way with a City of Dallas license.

(f) Outdoor lighting. Light poles must be located a minimum of 50 feet and a maximum of 100 feet on center with a minimum of one footcandle at the mid-point between fixtures. Outdoor light sources must be indirect, diffused, or shielded-type fixtures, installed to reduce glare and the consequent interference with boundary streets. Bare bulbs or strings of lamps are prohibited. Fixtures must be attached to buildings or mounted on permanent poles at a maximum height of 20 feet. Fixtures may be located within the public right-of-way with a City of Dallas license or on adjoining property. Pedestrian areas must be lighted beginning one-half hour after sunset and continuing until one-half hour before sunrise.

(g) Tree grates. Tree grates conforming to state and federal standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth must be provided for all trees planted within a public sidewalk.

(h) Fencing.

(1) Solid fencing is not required.

(2) Wrought iron fencing with gates is permitted between buildings along the perimeter of the subdistrict.

(3) Maximum height for fencing is eight feet.

(i) Pavement markings. Pedestrian crosswalks across ingress and egress driveways and interior drives or streets must be clearly marked by colored concrete or patterned or stamped concrete and must be consistent. (Ord. 28341)

SEC. 51P-357.117. LANDSCAPE REGULATIONS FOR SUBDISTRICTS 1 THROUGH 9.

(a) Street trees. Except for a lot that contains a warehouse, distribution, or storage use for produce, a tree must be planted at a density of one tree for each 30 linear feet of frontage, exclusive of visibility triangles and driveways and accessways at points of ingress and egress to and from the property. A tree must be planted at a density of one tree for each 60 linear feet of frontage, exclusive of visibility triangles and driveways and accessways at points of ingress and egress to and from the property, for a lot that contains a warehouse, distribution, or storage use for produce. The trees provided must be of a species listed in Exhibit 357B.

(b) ROW clearance. A structure constructed above any landscaping installed in the public right-of-way may not be lower than:

(1) thirteen and one-half feet above grade in the street pavement; or

(2) seven and one-half feet above grade in the remainder of the right-of-way.

(c) Minimum caliper. All trees installed in accordance with this section must have a caliper of at least three and one-half inches.

(d) Landscape plan test and requirements. A landscape plan must accompany an application for a building permit for new construction or a major modification of a structure in the district. A landscape plan must earn at least 65 points (out of a total of 130 possible points) and comply with all mandatory requirements of this section. Points are awarded for providing specific lighting, paving, landscape zones, and other enhancements. The points awarded for providing these features, as well as the maximum number of points allowed in any category, are provided in parenthesis at the end of the provision to which they apply. Unless otherwise provided, the definitions in Article X apply when construing these provisions. Existing landscaping may qualify for points.

(1) Tree, landscape, or pedestrian lighting. (Total possible points = 20) Ten points each are awarded for providing tree lighting, light bollards, light poles, building facade lighting, or landscaped area lighting, up to a maximum of 20 points. The lighting provided must be at least 1.5 footcandles in intensity over adjacent pedestrian areas.

(2) Tree canopy zone. (Total possible points = 20) Points may be obtained for planting canopy trees within a landscape zone along the entire frontage, exclusive of vehicular and pedestrian entrances and exits. The trees may be planted in the right-of-way if a parkway landscape permit is obtained in accordance with Subsection (e). Ten points are awarded for planting these trees at a density of one tree for each 30 linear feet of landscape zone and twenty points are awarded for planting these trees at a density of one tree for each 15 linear feet of landscape zone. The trees provided must be of a species listed in Exhibit 357B.

(3) Paving materials. (Total possible points = 20) Five points are awarded for each 25 percent increment of outdoor walkway area accessible to the public that is covered by decorative pavement. For purposes of this paragraph, decorative pavement means:

(A) pavers of colored concrete, brick, or stone;

(B) stamped, textured, or colored concrete; or

(C) exterior grade tile.

(4) Seasonal color. (Total possible points = 15) Points may be obtained for providing a landscape area for seasonal color in planting beds, raised planters, or pots. Five points are awarded for a landscape area that has a size that is equal to at least one-fourth of a square foot multiplied by the number of feet of frontage the property has. Ten points are awarded for a landscape area that has a size that is equal to at least one-half of a square foot multiplied by the number of feet of frontage the property has. Fifteen points are awarded for a landscape area that has a size that is equal to at least three-fourths of a square foot multiplied by the number of feet of frontage the property has. The plants installed in the landscape area must be maintained and changed in accordance with Subsection (g). Exhibit 357B indicates which plants qualify as seasonal color and the seasons in which they qualify.

(5) Private parks. (Total possible points = 20) Five points are awarded for each 200 square foot area provided as a park. A park may contain pedestrian seating, public art, or a water feature.

(6) Parking lot trees. (Total possible points = 20) Twenty points are awarded for planting one tree for each ten parking spaces in a parking lot. The trees must be planted in the interior of the parking lot and must be of a species listed in Exhibit 357B.

(7) Intersection open space. (Total possible points = 15) Fifteen points are awarded for providing an open area adjacent to a visibility triangle at the intersection of Young/Canton Street and South Central Expressway or Cadiz/Marilla Street and South Central Expressway. The open area must be at least 100 square feet.

(e) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or pavement (other than for the sidewalk required under Section 51P-357.114 of this article) 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 construction and planting proposed.

(2) 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 construction and planting proposed will not be inconsistent with or unreasonably impair the public use of the right-of-way, he shall issue a parkway landscape permit to the property owner; otherwise, he shall deny the permit.

(3) A property owner is not required to comply any parkway landscaping requirement of this section if compliance is made impossible due to the denial of a parkway landscape permit by the director of public works and transportation.

(4) 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 that 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.

(5) 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, landscaping, or pavement in the public right-of-way.

(f) Lighting. Pedestrian areas where lighting fixtures are provided to obtain points under this section must be lighted beginning one-half hour after sunset and continuing until one-half hour before sunrise.

(g) Maintenance.

(1) In general. All landscaping provided must be installed and maintained in accordance with Article X.

(2) Seasonal color. If a seasonal color landscape area is provided under Subsection (d)(4) of this section, the plants in that area must be changed at least four times a year in accordance with the appropriate seasonal colors indicated in Exhibit 357B. 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. (Ord. Nos. 22097; 25850; 28341)

SEC. 51P-357.117.1. LANDSCAPE REGULATIONS FOR SUBDISTRICT 10.

(a) In general. For the purposes of this section, Subdistrict 10 shall be treated as one lot.

(b) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(2) An owner or tenant is not required to comply with any landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this subsection.

(3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than $1,000,000 for each occurrence, and $2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(c) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application

for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.

(3) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right-of-way.

(d) Street trees must be planted at a density of one tree for each 30 linear feet of frontage along the perimeter of the property, exclusive of visibility triangles and points of ingress and egress to and from the property. The trees provided must be of a species listed in Exhibit 357B.

(1) Each tree planted must have a calliper of at least four inches.

(2) Tree branches must not hang lower than 13.5 feet above the street or sidewalk pavement.

(e) Any shrub provided must be at least 18 inches in height and may be planted in a planter or a metal or concrete pot.

(f) Trees, shrubs, water features, benches, mailboxes, and other amenities may be provided in open space easements provided by plat.

(g) Plant material must be maintained in a healthy, growing condition. (Ord. 28341

SEC. 51P-357.117.2. OPERATIONAL PLAN REQUIRED FOR HOMELESS ASSISTANCE CENTER.

Prior to the issuance of a certificate of occupancy for a homeless assistance center use, city council must approve an operational plan for the facility and surrounding area. At a minimum, the plan must address issues related to:

(1) loitering;

(2) security;

(3) control of trash and debris; and

(4) a reporting mechanism on the above factors. (Ord. 26370; 28341)

SEC. 51P-357.117.3. SUBDISTRICT 10 HOMEOWNER'S ASSOCIATION.

Prior to final plat approval, the owner of the Property must execute an instrument creating a homeowner's association for the maintenance of common areas, screening walls, landscaping areas (including right-of-way landscaping areas), and for other functions. This instrument must be approved as to form by the city attorney and filed in the Dallas County deed records. (Ord. 28341)

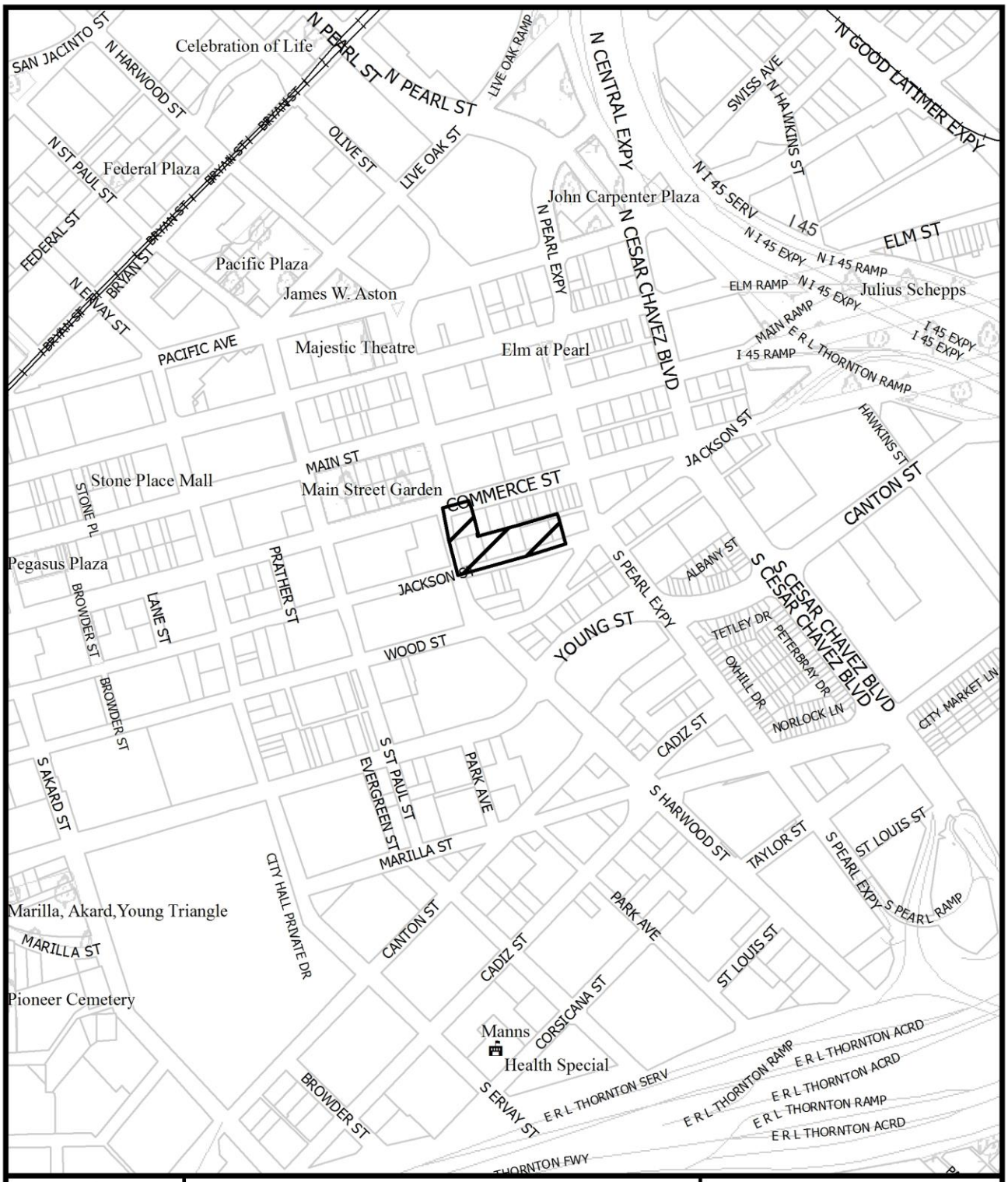
SEC. 51P-357.118. GENERAL REQUIREMENTS.

(a) Development and use of the Property must comply with all applicable federal and state laws and regulations and with all applicable ordinances, rules, and regulations of the city.

(b) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. (Ord. Nos. 22097; 25850; 28341)

SEC. 51P-357.119. EVALUATION.

The director of development services shall submit a report to the city plan commission within five years of June 22, 1994. The report must contain an evaluation of the effectiveness of Ordinance No. 22097 and recommendations as to what, if any, changes should be made to it. (Ord. Nos. 22097; 25850; 28341)

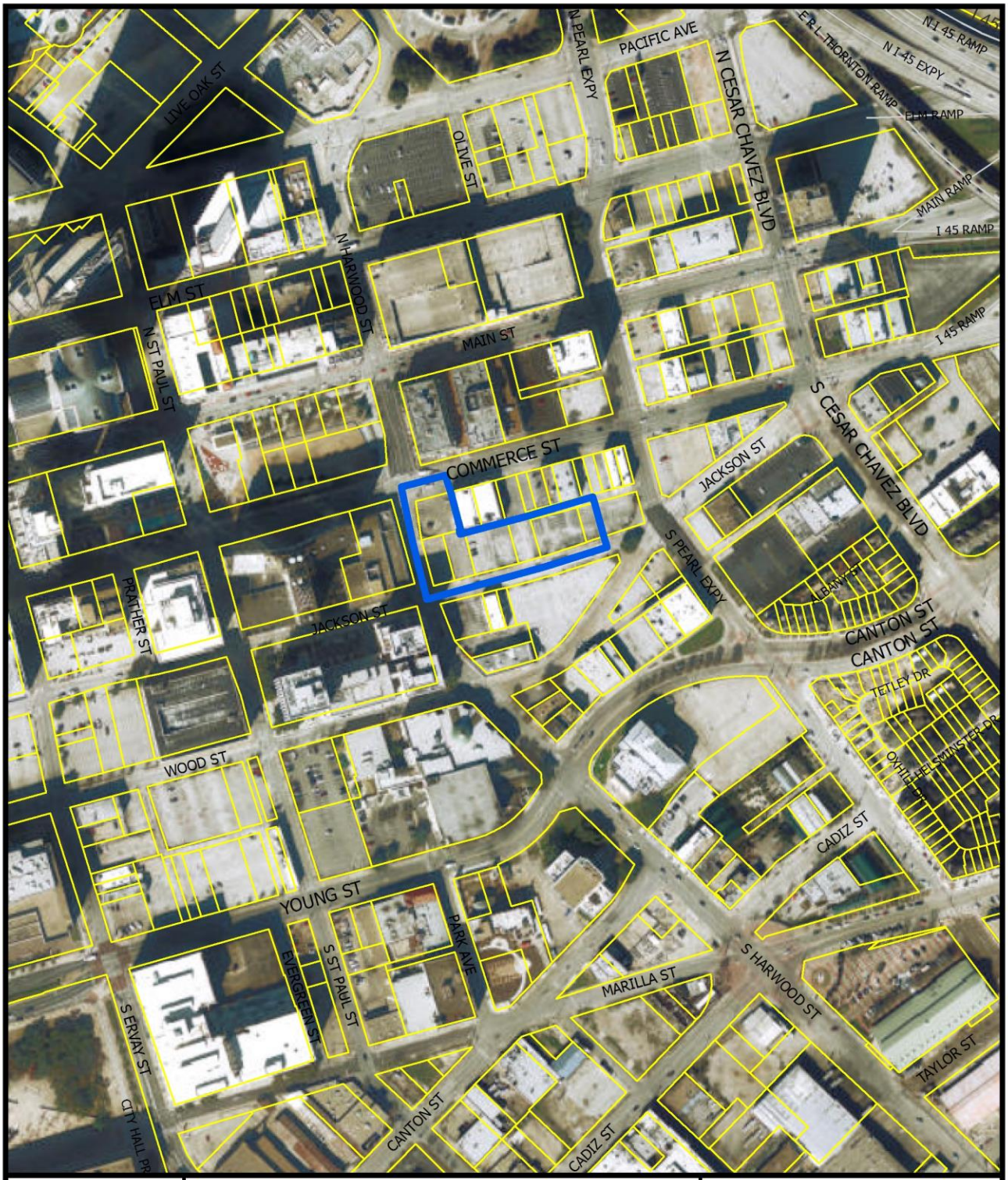


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VICINITY MAP

Case no: Z167-262

Date: 6/7/2017

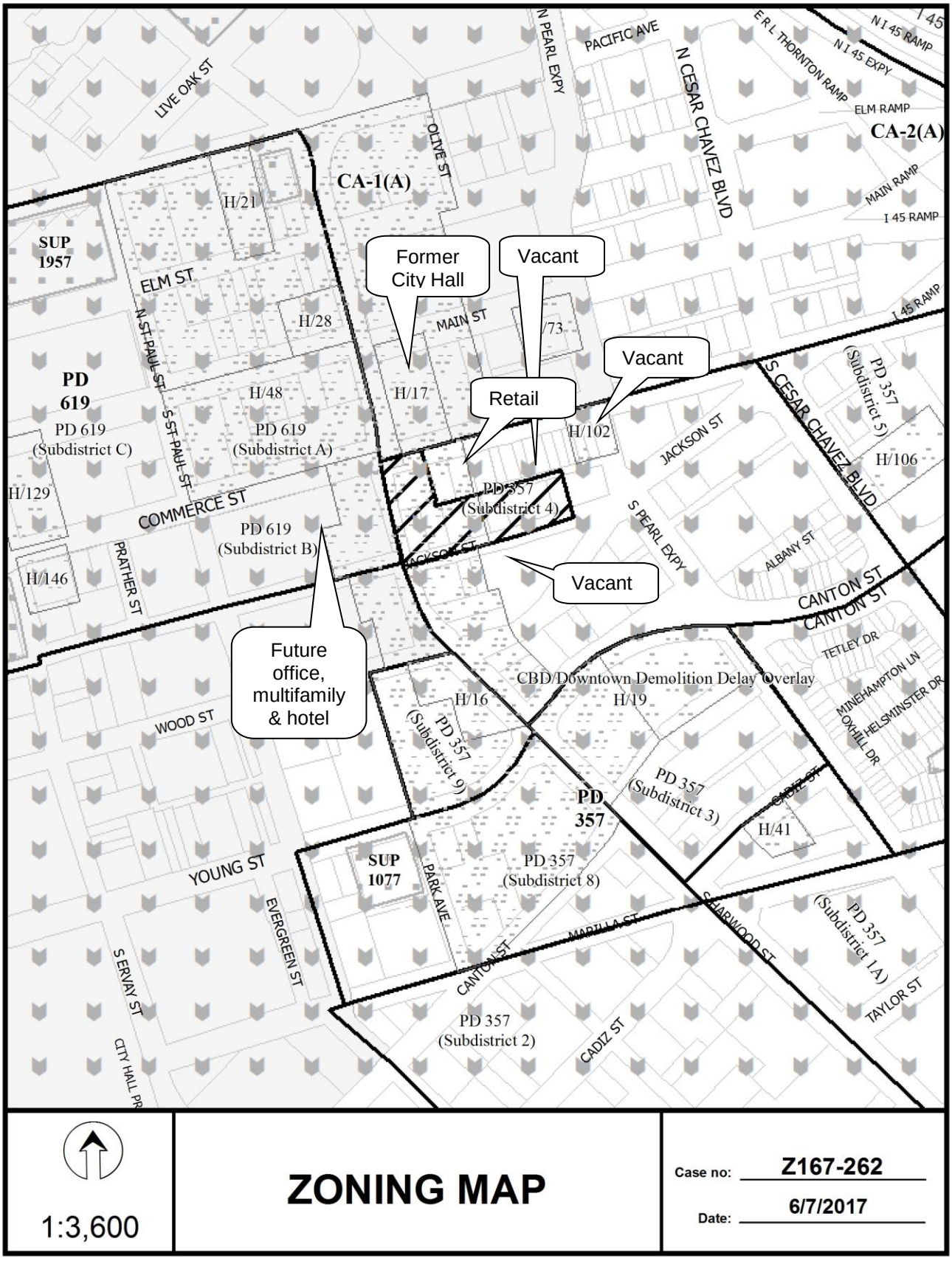


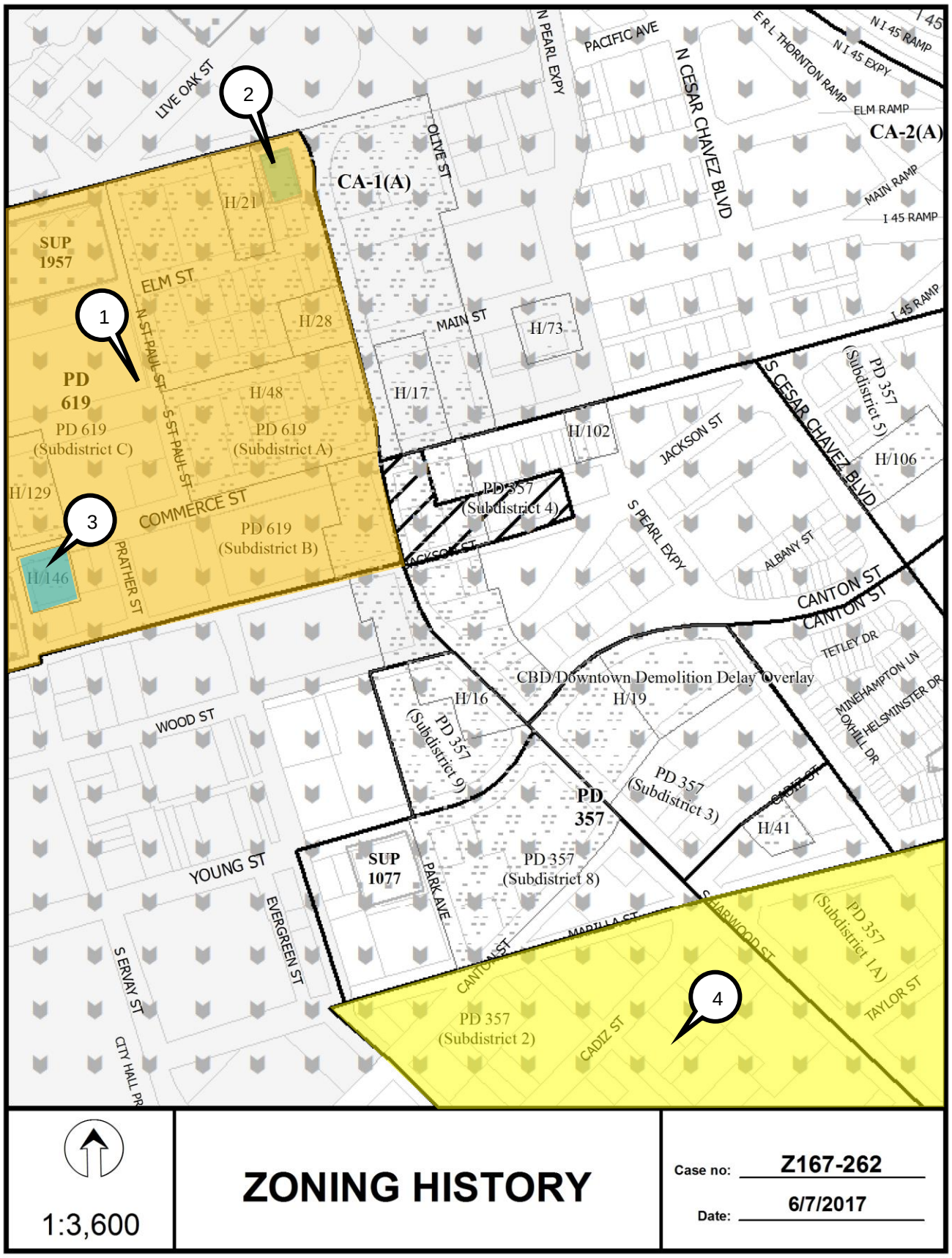
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AERIAL MAP

Case no: Z167-262

Date: 6/7/2017


Former City Hall
Vacant
Vacant
Retail
Vacant
Vacant
Future office, multifamily & hotel
CA-1(A)
CA-2(A)
PD 619
PD 619 (Subdistrict C)
PD 619 (Subdistrict A)
PD 619 (Subdistrict B)
PD 357 (Subdistrict 4)
PD 357
PD 357 (Subdistrict 9)
PD 357 (Subdistrict 3)
PD 357 (Subdistrict 8)
PD 357 (Subdistrict 2)
PD 357 (Subdistrict 5)
PD 357 (Subdistrict 1A)
SUP 1957
SUP 1077
CBD/Downtown Demolition Delay Overlay
H/21
H/28
H/48
H/17
H/73
H/102
H/106
H/129
H/146
H/16
H/19
H/41
ELM ST
MAIN ST
COMMERCE ST
JACKSON ST
CANTON ST
YOUNG ST
WOOD ST
N PEARL EXPY
S PEARL EXPY
N CESAR CHAVEZ BLVD
S CESAR CHAVEZ BLVD
PACIFIC AVE
LIVE OAK ST
OLIVE ST
N ST PAUL ST
S ST PAUL ST
PRATHER ST
ALBANY ST
TETLEY DR
MINEHAMPTON LN
OAKHILL DR
HELSMINSTER DR
CADIZ ST
PARK AVE
EVERGREEN ST
S ERVAY ST
CITY HALL PL
MARILLA ST
HARWOOD ST
TAYLOR ST
E R L THORNTON RAMP
N I 45 RAMP
N I 45 EXPY
ELM RAMP
MAIN RAMP
I 45 RAMP
I 45
1:3,600
ZONING MAP
Case no: Z167-262
Date: 6/7/2017


1
2
3
4
CA-1(A)
CA-2(A)
SUP 1957
PD 619
PD 619 (Subdistrict C)
PD 619 (Subdistrict A)
PD 619 (Subdistrict B)
H/21
H/28
H/48
H/129
H/146
H/17
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H/102
H/106
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H/19
PD 357 (Subdistrict 9)
PD 357 (Subdistrict 5)
PD 357 (Subdistrict 4)
PD 357 (Subdistrict 3)
PD 357 (Subdistrict 8)
PD 357 (Subdistrict 2)
PD 357 (Subdistrict 1A)
PD 357
SUP 1077
H/41
CBD/Downtown Demolition Delay Overlay
LIVE OAK ST
OLIVE ST
N PEARL EXPY
PACIFIC AVE
N CESAR CHAVEZ BLVD
E R L THORNTON RAMP
N I 45 RAMP
N I 45 EXPY
ELM RAMP
MAIN RAMP
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PRATHER ST
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CANTON ST
TETLEY DR
MINEHAMPTON LN
OXHILL DR
HELSMINSTER DR
WOOD ST
YOUNG ST
PARK AVE
EVERGREEN ST
S ERVAY ST
CITY HALL PR
MARILLA ST
HARWOOD ST
CADIZ ST
TAYLOR ST
1:3,600
ZONING HISTORY
Case no: Z167-262
Date: 6/7/2017

CPC Responses



69	Property Owners Notified (107 parcels)
0	Replies in Favor (0 parcels)
0	Replies in Opposition (0 parcels)
500'	Area of Notification
6/22/2017	Date

Z167-262
CPC

N W E S

1:3,600

06/22/2017

Reply List of Property Owners

Z167-262

69 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2002	COMMERCE ST	CADG JACKSON PARKING A LLC
	2	2013	JACKSON ST	CADG HARWOOD LLC
	3	1954	COMMERCE ST	COMMERCE STATLER DEVELOPMENT LLC
	4	1810	COMMERCE ST	FC CONTINENTAL LANDLORD LLC
	5	1810	JACKSON ST	1810 JACKSON GARAGE LLC
	6	1900	ELM ST	UNIVERSITY OF NORTH TEXAS SYSTEM
	7	1916	ELM ST	OLYMBEC USA LLC
	8	1920	ELM ST	1920 ELM LTD
	9	1933	MAIN ST	BIJOY LLC
	10	1927	MAIN ST	PHELAN RICHARD W JR ET AL
	11	1915	MAIN ST	F A SCHLUTER 1818 1882 FOUNDATION
	12	1915	MAIN ST	UNIVERSITY OF NORTH TEXAS SYSTEM
	13	1911	MAIN ST	UNIVERSITY OF NORTH TEXAS SYSTEM
	14	1911	MAIN ST	DALLAS COUNTY COMMUNITY
	15	1921	MAIN ST	UNIVERSITY OF NORTH TEXAS SYSTEM
	16	1921	MAIN ST	DALLAS COUNTY COMMUNITY
	17	1818	WOOD ST	HAMILTON ST PAUL GP LLC
	18	2033	COMMERCE ST	EASTERWOOD EVA EST
	19	2030	MAIN ST	GOOD SIGNATURE PROPERTIES
	20	2012	COMMERCE ST	ASC HARCOM INVESTMENTS
	21	2016	COMMERCE ST	DOWNTOWN COLLABORATIVE PS
	22	2037	JACKSON ST	CERAMI HOLDINGS LLC
	23	2024	COMMERCE ST	PEOPLES DICK
	24	2026	COMMERCE ST	CADG 2026 COMMERCE LLC
	25	2036	COMMERCE ST	Q COCKERELL COMPANIES LLC
	26	408	S HARWOOD ST	DREYFUS BETTY K

06/22/2017

Reply	*Label #*	*Address*		*Owner*
	27	408	S HARWOOD ST	GREENMAN SUZANNE FLAXMAN &
	28	408	S HARWOOD ST	KAHN ALAN LINZ ESTATE OF
	29	2012	JACKSON ST	LAKE AVENUE LLC
	30	2027	WOOD ST	LAKE AVENUE LLC
	31	404	S HARWOOD ST	STROUT PETER S &
	32	300	S HARWOOD ST	HARWOOD PROPACQUISTION LLC
	33	412	S HARWOOD ST	STROUT PETER S &
	34	412	S HARWOOD ST	STROUT PETERS S &
	35	2008	JACKSON ST	HARWOOD PROPACQUISITION LLC
	36	312	S HARWOOD ST	HARWOOD PARK LLC
	37	2011	YOUNG ST	LAKE AVENUE LLC
	38	309	S PEARL EXPY	MADJACKS HOLDINGS LTD
	39	2023	YOUNG ST	LAKE AVENUE LLC
	40	500	S HARWOOD ST	DALLAS SCOTTISH RITE
	41	2101	MAIN ST	42 EADO LP
	42	2121	COMMERCE ST	MAHARGER DEV COMPANY LLC
	43	2117	COMMERCE ST	GRAHAM RALPH E III
	44	2105	COMMERCE ST	2105 COMMERCE LP
	45	2101	COMMERCE ST	GOLDSTEIN FLORENCE C
	46	2101	COMMERCE ST	CATE JAMES L JR &
	47	2100	MAIN ST	GOLDSTEIN FLORENCE C
	48	2100	MAIN ST	CATE JAMES L JR &
	49	2106	MAIN ST	SOUTHWEST BLUEPRINT
	50	2110	MAIN ST	SOUTHWESTERN BLUEPRINT COMPANY
	51	315	S CESAR CHAVEZ BLVD	MAHARGER DEV NO 2 LLC
	52	2100	JACKSON ST	MAHARGER DEV #2 LLC
	53	2104	JACKSON ST	MAHARGER DEVELOPMENT COMPANY LLC
	54	2110	JACKSON ST	MAHARGER DEVELOPMENT CO
	55	1835	YOUNG ST	FIRST PRESBYTERIAN CHURCH
	56	1818	WOOD ST	FIRST PRESBYTERIAN CHURCH

06/22/2017

Reply	*Label #*	*Address*		*Owner*
	57	2000	ELM ST	OLYMBEC USA LLC
	58	2102	ELM ST	1717 TOWER OWNER LP
	59	2101	CANTON ST	GIBSON DANNY M
	60	2107	CANTON ST	HOLMES JESSE ERNEST
	61	2109	CANTON ST	ARIZOLA BEN &
	62	2111	CANTON ST	SOUTHERLAND NATALIA
	63	2113	CANTON ST	EMERY JASON BRENT & ALLISON J
	64	2115	CANTON ST	CANNON JEFFREY M
	65	2115	ALBANY ST	LAMBERTZ DIETMAR & DANIELLE H
	66	2113	ALBANY ST	GREENSPAN KEVIN R REV LIVING TRUST
	67	2111	ALBANY ST	STRAWN TONI P
	68	300	S ST PAUL ST	ATMOS LIHTC LLC
	69	301	S HARWOOD ST	HAMILTON ATMOS LP

AGENDA ITEM # 58

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 38 J; K

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2004 for the sale of alcoholic beverages in conjunction with a liquor store on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest side of Peavy Road, northwest of Garland Road

Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions

Z167-264(PD)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-264(PD) **DATE FILED:** April 3, 2017

LOCATION: Southwest side of Peavy Road, northwest of Garland Road

COUNCIL DISTRICT: 9 **MAPSCO:** 38-J; K

SIZE OF REQUEST: ±0.977 acres **CENSUS TRACT:** 82.00

OWNER: Dallas Goodfriends Package, LLC

APPLICANT: Peavy Plaza, LLC

REPRESENTATIVE: Robert Baldwin

REQUEST: An application for the renewal of Specific Use Permit No. 2004 for the sale of alcoholic beverages in conjunction with a liquor store on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue the sale of alcoholic beverages in conjunction with a liquor store [Goodfriend Package]. The site is developed with a ±10,850 square foot multi-tenant commercial strip. The existing liquor store use comprises ±2,248-square feet the commercial strip.

CPC RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

BACKGROUND INFORMATION:

- The request site is developed with a ±10,850-square foot commercial building.
- The applicant proposes to continue the sale of beer and wine and liquor in conjunction with a specialty/gourmet food store which is defined as a liquor store use.
- SUP No. 2004 was granted on March 27, 2013, for a two-year period with eligibility for automatic renewals for additional five year periods, however the applicant failed to submit the automatic renewal application within the required timeframe.
- The site has a second existing SUP within a ±1,000-square foot suite. SUP No. 2220 is for the sale of beer and wine for on-premise and off-premise consumption in conjunction with a proposed restaurant.
- There are no changes to the site plan as part of the request for renewal of existing SUP.

Zoning History: There has been one recent zoning case in the immediate vicinity.

1. Z156-315(JM): On November 9, 2016, the City Council approved Specific Use Permit No. 2220 for the sale of beer and wine for on-premise and off-premise consumption in conjunction with a proposed restaurant (the Greenville Avenue Pizza Company) on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Peavy Road	Collector	Variable Width up to 60’
Garland Road	Principal Arterial	Variable Width up to 100’

Traffic:
The Engineering Division of the Department of Sustainable Construction and Development has reviewed the requested renewal and determined that it will not have a negative impact on the existing street system.

Land Use:

	Zoning	Land Use
Site	CR-D-1, SUP No. 2004, SUP No. 2220	Multi-tenant commercial building Liquor store, Restaurant, Furniture Store, Medical Office, Tattoo Shop, Beauty Salon and Laundromat
North	D(A)	Residential
Northeast	CR	Retail, Personal Service
Southeast	CR	Retail, Personal Service
West	R-7.5(A)	Single-family Residential

Comprehensive Plan:
The comprehensive plan does not make a specific land use recommendation related to the request; however, the *forwardDallas! Vision Illustration*, adopted 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 is consistent with the following goal and policies of the Comprehensive Plan.

LAND USE:

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.

STAFF ANALYSIS:

Land Use Compatibility:

Land use to the north and west consists of residential uses, with retail to the northeast and southeast of the subject site. The retail uses are located along a major street (Garland Road) with no access from the commercial development to the single family neighborhood.

The commercial development currently exists. Tenants rotate in and out providing a variety of services to the adjoining neighborhoods. The longevity is market-based. The use is consistent with existing and previous uses in the commercial center. By offering this service for the residents, the request supports the overall quality of life for adjoining neighborhoods.

While the business operates as a specialty/gourmet food store, over 50% of sales are from beer and wine; thereby, designating the site as a liquor store per the Development Code. The applicant proposes to continue the sale of alcoholic beverages for off-premise consumption.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The City Council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the City.

Parking:
Pursuant to the Dallas Development Code, the off-street parking requirement for a liquor store use is one (1) space per 200 square feet of floor area. Therefore, the ±2,248-square foot liquor store use requires a total of 11 parking spaces. The site currently provides 56 spaces, as depicted on the site plan.

Landscaping:
The applicant does not propose new construction, therefore no landscaping is required.

Police Report:
There have been two reported activities during the last two years.

Incident Number	Service Year	Date	Time	Address	UCR Offense	Zip Code
160397-2015	2015	7/11/2015	21:00	1141 Peavy Rd	Burglary-Business	75218
028203-2015	2015	2/5/2015	14:23	1141 Peavy Rd	Other Thefts	75218

Owners & Officers

Owner

Peavy Plaza LLC
3620 Huffines Blvd – Suite 722
Carrollton, TX 75010

Officers

Owner
Peavy Plaza LLC
3620 Huffines Blvd – Suite 722
Carrollton, TX 75010

Mihey Yeom, Director

Applicant
Dallasgoodfriend package, LLC
1154 Peavy Road
Dallas, TX 75218

Manager = Usvsthem, Corp.
1154 Peavy Road
Dallas, TX 75218

Usvsthem, Corp.

Matthew Tobin, Director
9919 Galway Drive
Dallas, TX 75218

Joshua Yingling, Director
2306 Wild Oak Drive
Dallas, TX 75218

CITY PLAN COMMISSION ACTION:
JUNE 8, 2017

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2004 for the sale of alcoholic beverages in conjunction with a liquor store for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest side of Peavy Road, northwest of Garland Road.

Maker: Jung
Second: Housewright
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Mack, Haney, Jung, Housewright, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Anantasomboon, Schultz
Vacancy: 0

Notices: Area: 200 Mailed: 22
Replies: For: 1 Against: 0

Speakers: None

CPC Recommended Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a liquor store.

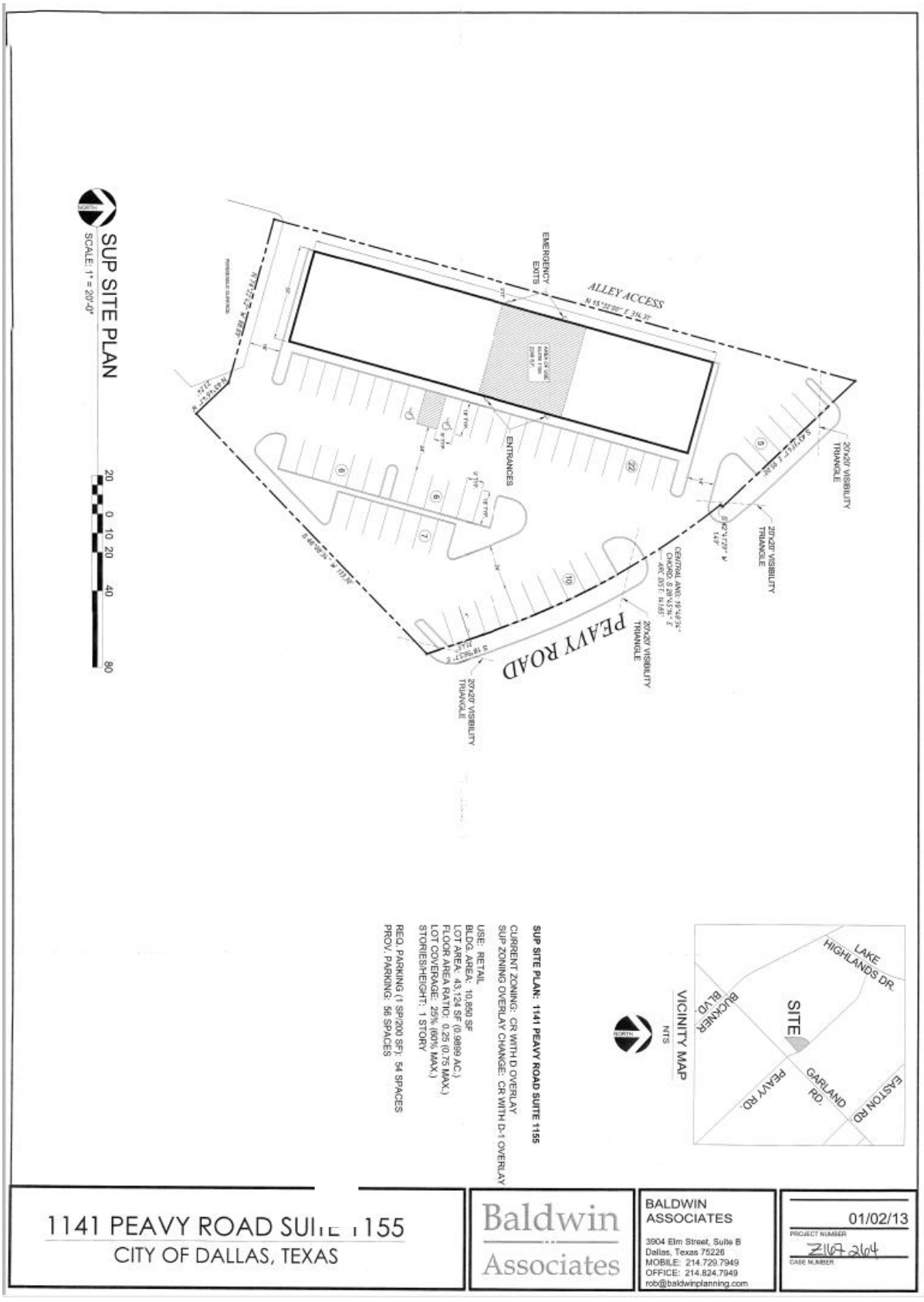
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

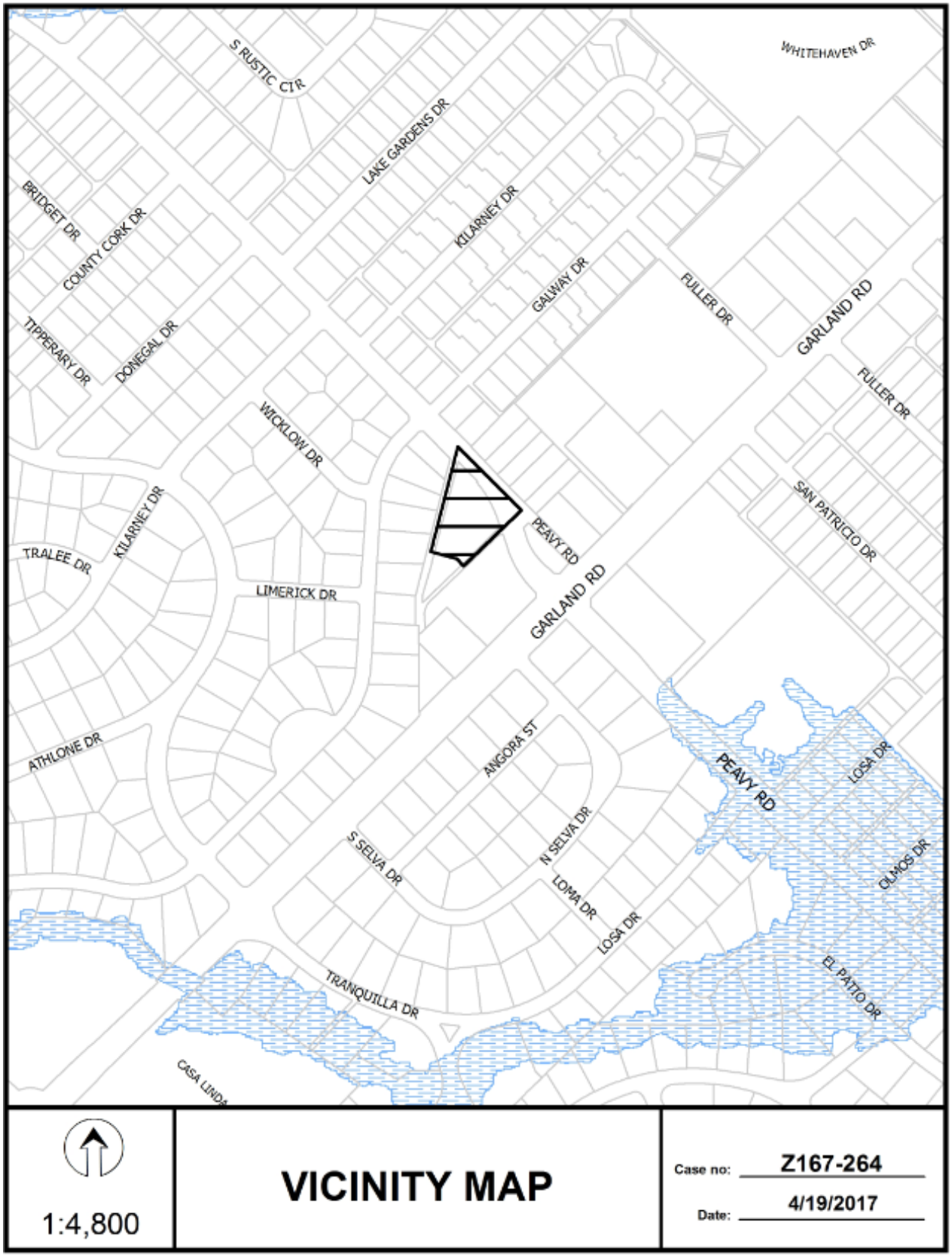
3. TIME LIMIT: This specific use permit expires on ~~June 17, 2017~~ (two years), but is eligible for automatic renewal for additional five year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.

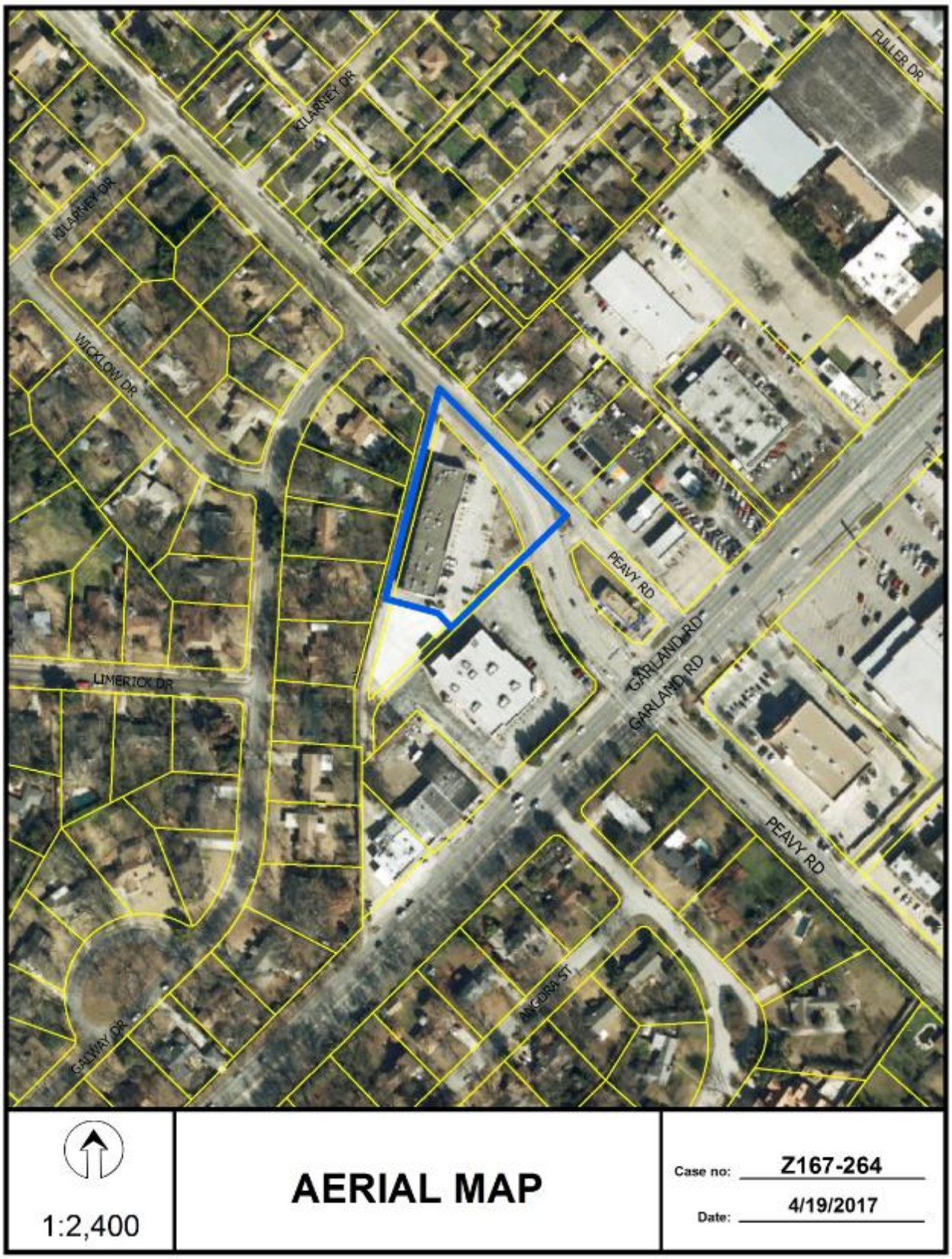
4. MAINTENANCE: The property must be properly maintained in a state of good repair and neat appearance.

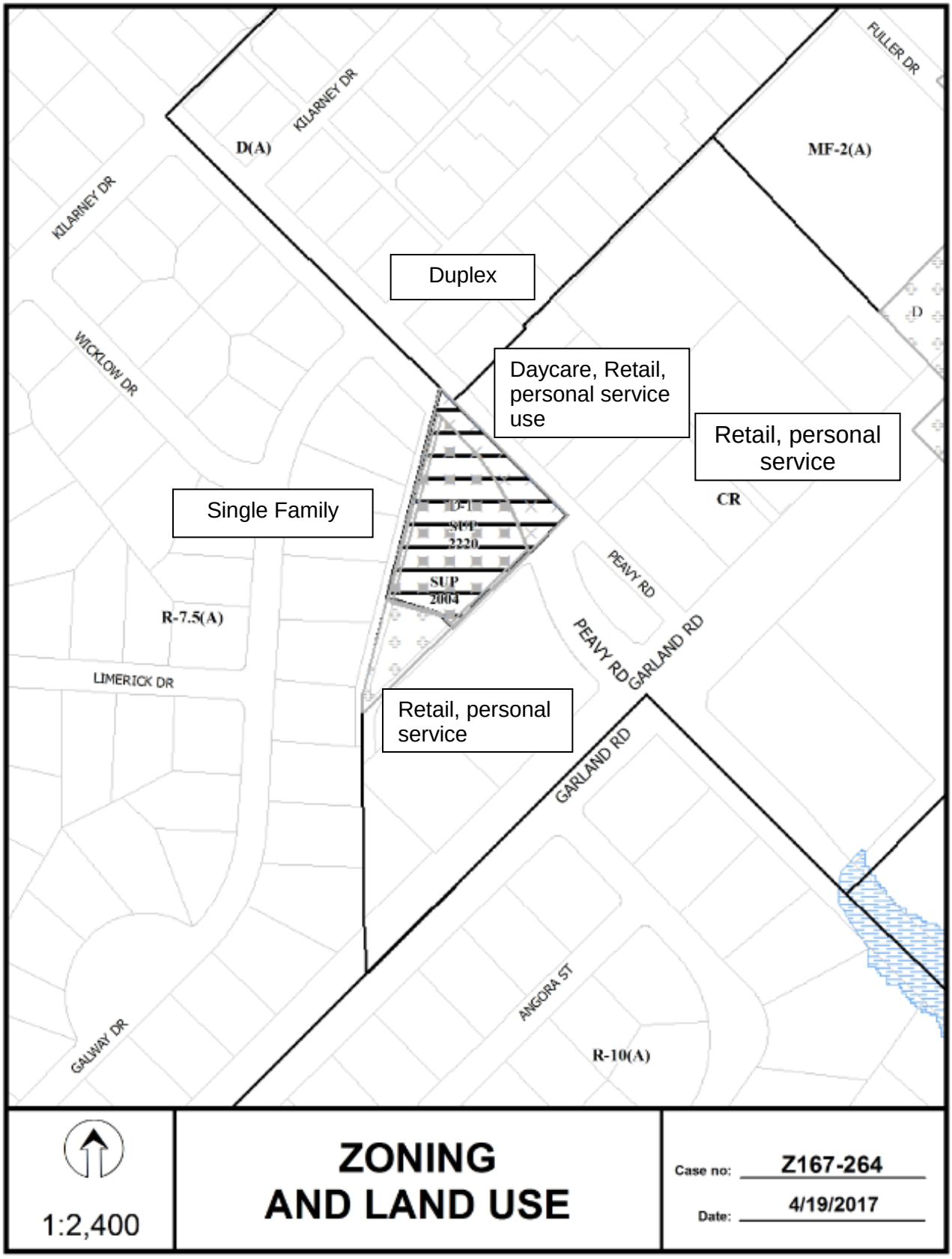
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

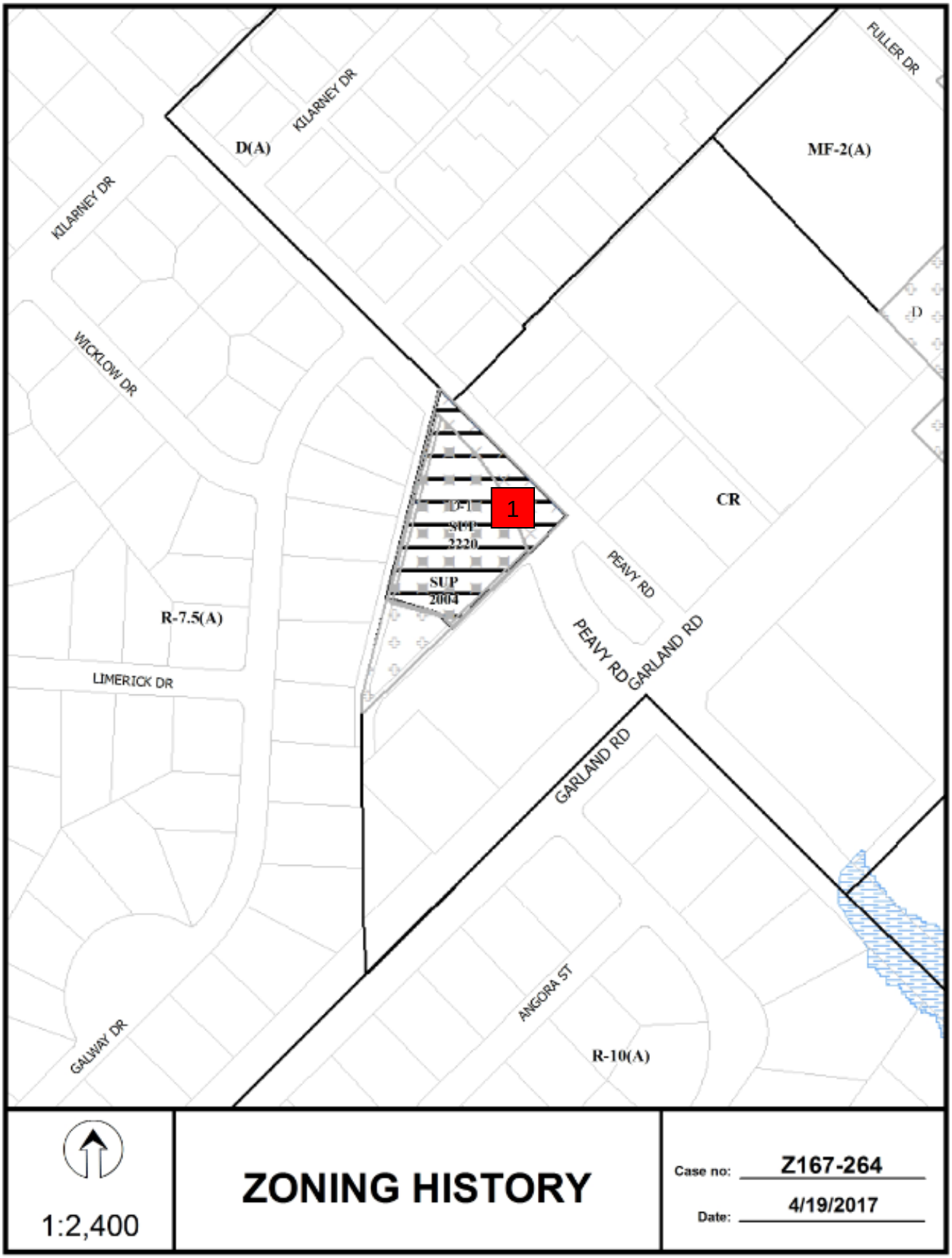
Existing Site Plan



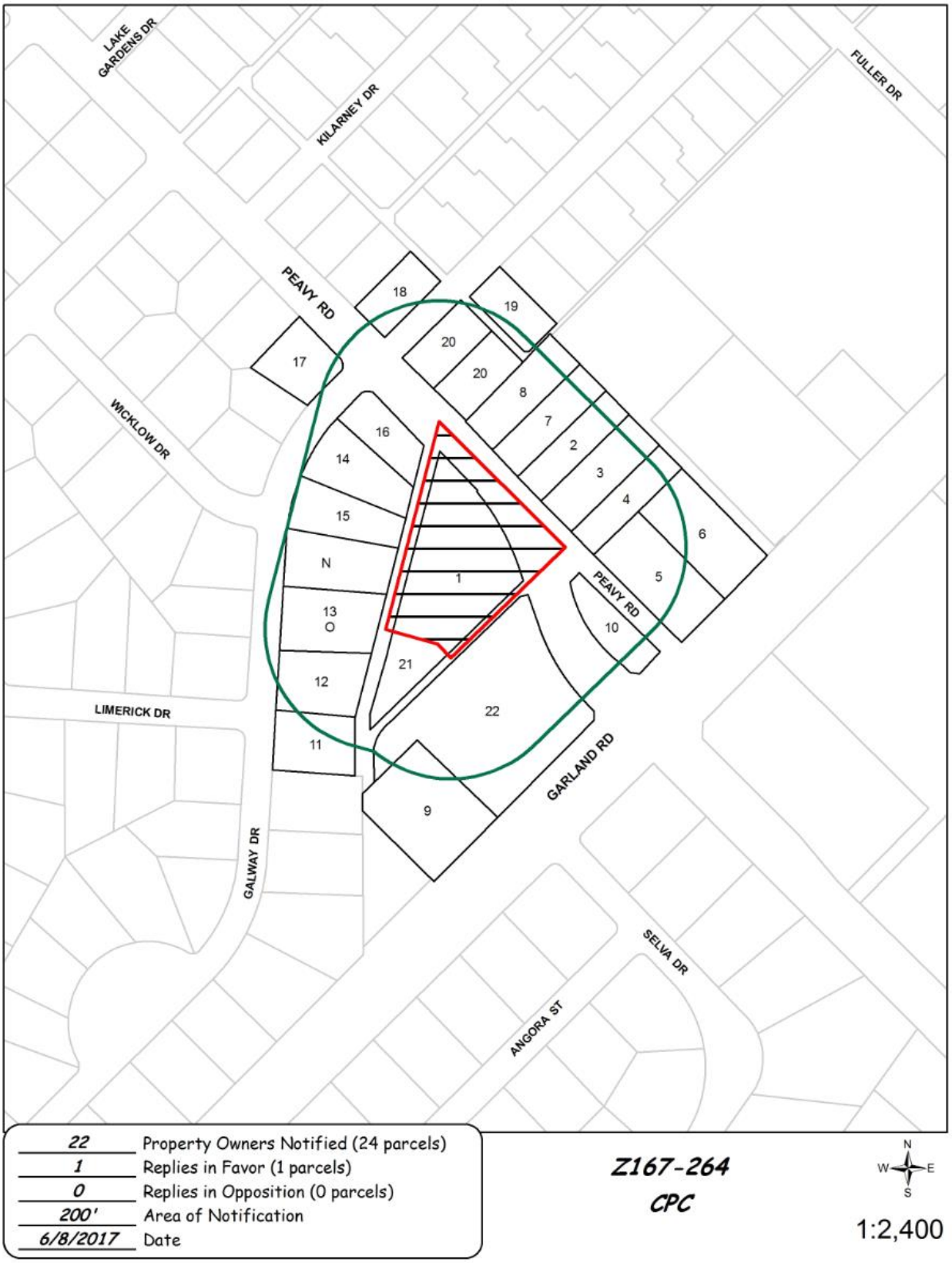

S RUSTIC CIR
WHITEHAVEN DR
LAKE GARDENS DR
BRIDGET DR
COUNTY CORK DR
KILARNEY DR
GALWAY DR
FULLER DR
GARLAND RD
TIPPERARY DR
DONEGAL DR
FULLER DR
WICKLOW DR
SAN PATRICIO DR
KILARNEY DR
PEAVY RD
TRALEE DR
LIMERICK DR
GARLAND RD
ATHLONE DR
ANGORA ST
PEAVY RD
LOSA DR
S SELVA DR
N SELVA DR
OLMOS DR
LOMA DR
LOSA DR
EL PATIO DR
TRANQUILLA DR
CASA LINDA
1:4,800
VICINITY MAP
Case no: Z167-264
Date: 4/19/2017


KILARNEY DR
KILARNEY DR
FULLER DR
WICKLOW DR
PEAVY RD
GARLAND RD
GARLAND RD
LIMERICK DR
PEAVY RD
ANGORA ST
GALWAY DR
1:2,400
AERIAL MAP
Case no: Z167-264
Date: 4/19/2017


KILARNEY DR
D(A)
KILARNEY DR
FULLER DR
MF-2(A)
Duplex
WICKLOW DR
Daycare, Retail, personal service use
Retail, personal service
CR
Single Family
D-1
SUP 2220
SUP 2004
PEAVY RD
R-7.5(A)
PEAVY RD
GARLAND RD
LIMERICK DR
Retail, personal service
GARLAND RD
ANGORA ST
GALWAY DR
R-10(A)
1:2,400
ZONING AND LAND USE
Case no: Z167-264
Date: 4/19/2017


KILARNEY DR
D(A)
FULLER DR
MF-2(A)
KILARNEY DR
WICKLOW DR
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CR
SUP
2220
SUP
2004
PEAVY RD
R-7.5(A)
PEAVY RD
GARLAND RD
LIMERICK DR
GARLAND RD
ANGORA ST
GALWAY DR
R-10(A)
1:2,400
ZONING HISTORY
Case no: Z167-264
Date: 4/19/2017

CPC RESPONSES



06/07/2017

Reply List of Property Owners

Z167-264

22 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	1141	PEAVY RD	PEAVY PLAZA LLC
	2	1146	PEAVY RD	AMERICAN DISTRIBUTING COMPANY
	3	1154	PEAVY RD	MLM ROSS LLC
	4	1160	PEAVY RD	REDTAIL COMMERCIAL LLC
	5	10001	GARLAND RD	CONDOR K LTD
	6	10011	GARLAND RD	ANGELL EARL M & PATSY R
	7	1144	PEAVY RD	MONOPOLY PL DUPLEXES LTD
	8	1140	PEAVY RD	SHAW JEFFREY A
	9	9925	GARLAND RD	GARLAND PEAVY ASSOCS
	10	9947	GARLAND RD	DALLAS ALISHAH
	11	9926	GALWAY DR	ANDERSON DAVID
	12	9934	GALWAY DR	SHAW JAY CARL
O	13	9942	GALWAY DR	MAXWELL WILLIAM RICHARD &
	14	9966	GALWAY DR	ALTOM JOHNNY W &
	15	9958	GALWAY DR	GARDNER BRIT & SARAH
	16	9972	GALWAY DR	ALDRETE MIGUEL
	17	9973	GALWAY DR	FREEMAN CLIFFORD RAY JR
	18	1118	PEAVY RD	MONROE JOWANNA
	19	10014	GALWAY DR	MORENO JOSE
	20	1132	PEAVY RD	MONOPOLY PLACE DUPLEXES
	21	1195	PEAVY RD	GARLAND PEAVY ASSOCIATES
	22	9937	GARLAND RD	9937 GARLAND ROAD

AGENDA ITEM # 59

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 69 T

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-1/2(A) Single Family District on the east side of South St. Augustine Road, south of Haymarket Road
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z167-265(OTH)

HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-265(OTH) **DATE FILED:** April 4, 2017

LOCATION: East side of South St. Augustine Road, south of Haymarket Road

COUNCIL DISTRICT: 8 **MAPSCO:** 69-T

SIZE OF REQUEST: Approx. 2.276 acres **CENSUS TRACT:** 171.02

APPLICANT/ OWNER: Gustavo Guerrero

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for a CS Commercial Services District with deed restrictions volunteered by the applicant on property zoned an R-1/2(A) Single Family District.

SUMMARY: The applicant proposes to use the property for a contractor's maintenance yard and is volunteering deed restrictions to eliminate potentially incompatible uses on the property such as machinery, heavy equipment, commercial amusement (inside), truck sales and services, and hotel or motel uses.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

BACKGROUND:

- The request site is currently undeveloped and adjacent to an undeveloped lot to the south, and single family to the north, undeveloped to the west and single family to the east.

- The applicant plans to use the land for a contractor's maintenance yard.

- The applicant is the property owner of the property adjacent to the north, which is his residence.

- On September 27, 2006 the applicant changed the zoning of the site and the adjacent property from an A(A) Agricultural District to an R-1/2ac(A) and R-1ac(A), respectively. The request change was so the applicant could develop the property in accordance to R-1/2ac(A) and R-1ac(A) requirements. The R-1ac(A) property was developed with a single residential unit where the applicant currently resides.

Zoning History: There has not been any zoning change request in the vicinity within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
South St. Augustine Road	Local	50 feet
Haymarket Road	Collector	50 feet

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Surrounding Land Uses:

	Zoning	Land Use
Site	R- ½ac.(A)	Outside storage, undeveloped
Northeast	R-1ac.(A)	Single Family
Southeast	A(A)	Residential
Southwest	A(A)	Residential, undeveloped
Northwest	R-7.5(A)	Undeveloped

Land Use Compatibility:

The request site is currently undeveloped and used for some outside storage. Outside storage is not an allowed use in the R-1/2ac(A) District. The applicant proposes to use the property for a contractor's maintenance yard. The property currently does not have any buildings on it and the land use statement submitted with the application does not provide information on whether a building will be built on the property. The applicant owns the property adjacent to the northeast and uses it as his residence.

The property is surrounded by single family uses to the northeast, southeast, and southwest; and undeveloped to the west. There are scattered undeveloped properties throughout the area. The property is surrounded an A(A) Agricultural District on two sides. The A(A) District is used as a holding district when property is annexed into the city. As development occurs, the zoning is changed.

The proposed zoning district will require screening, landscape buffers, and additional setbacks when adjacent to residential districts for any of the uses the applicant is proposing on the property. Compliance with these requirements will be established at the permitting process.

The rural character of the area should not be significantly impacted by the proposed uses. The deed restrictions volunteered by the applicant will eliminate uses that may be too intense for the existing area as well as for future development.

Parking:

Parking for the use will be subject to the Dallas Development Code.

Landscaping:

Landscaping must comply with Article X.

CPC Action:
June 22, 2017

Motion: It was moved to recommend **approval** of a CS Commercial Service District with deed restrictions volunteered by the applicant, subject to deed restrictions volunteered by the applicant on property zoned an R-1/2(A) Single Family District on the east side of South St. Augustine Road, south of Haymarket Road.

Maker: Rieves
Second: Davis
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: 300 Mailed: 12
Replies: For: 0 Against: 0

Speakers: None

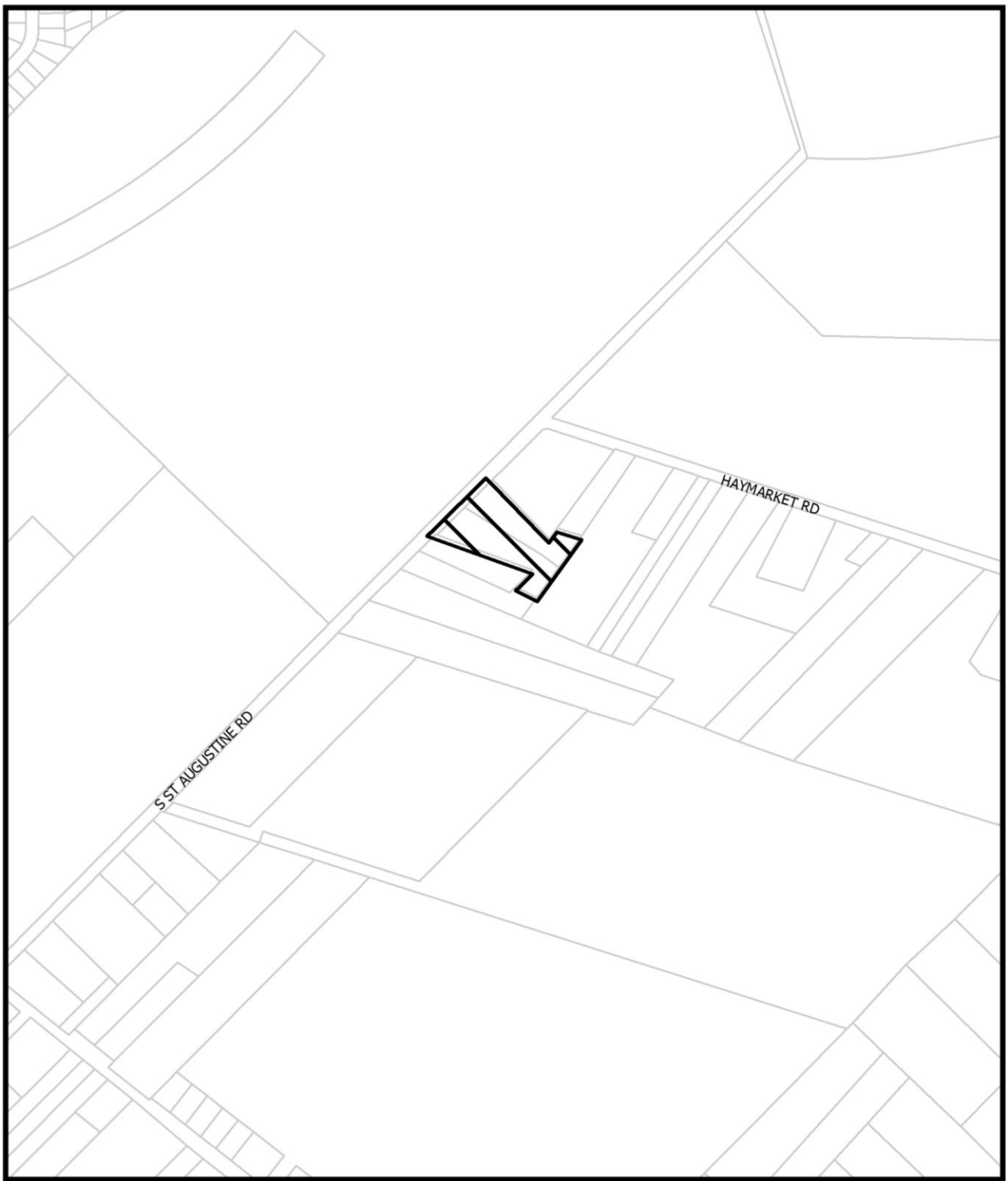
Proposed Deed Restrictions

The following main uses are not permitted:

-- Adult day care facility.
-- Alcoholic beverage establishments.
-- Alternative financial establishment.
-- Ambulance service.
-- Animal shelter or clinic without outside runs.
-- Attached non-premise sign.
-- Auto auction.
-- Auto service center.
-- Building mover's temporary storage yard.
-- Building repair and maintenance shop.
-- Bus or rail transit vehicle maintenance or storage facility.
-- Business school.
-- Car wash.
-- Carnival or circus (temporary).
-- Catering service.
-- Cemetery or mausoleum.
-- Child-care facility.
-- College dormitory, fraternity, or sorority house.
-- College, university, or seminary.
-- Commercial amusement (inside).
-- Commercial amusement (outside).
-- Commercial bus station and terminal.
-- Commercial bus station and terminal.
-- Commercial cleaning or laundry plant.
-- Commercial motor vehicle parking.
-- Commercial parking lot or garage.
-- Commercial radio or television transmitting station.
-- Community service center.
-- Convenience store with drive-through.
-- Convent or monastery.
-- Drive-in theater.
-- Dry cleaning or laundry store.
-- Electrical substation.
-- Electronics service center.
-- Extended stay hotel or motel.
-- Financial institution with drive-in window.
-- Financial institution without drive-in window.
-- Freight terminal.
-- Furniture store.
-- Gas drilling and production.
-- General merchandise or food store 100,000 square feet or more.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.

-- Halfway house.
-- Heliport.
-- Helistop.
-- Home improvement center, lumber, brick or building materials sales yard.
-- Hospital.
-- Hotel or motel.
-- Household equipment and appliance repair.
-- Industrial (inside) for light manufacturing.
-- Job or lithographic printing.
-- Labor hall.
-- Liquefied natural gas fueling station.
-- Liquor store.
-- Lodging or boarding house.
-- Machinery, heavy equipment, or truck sales and services.
-- Manufactured building sales lot.
-- Medical clinic or ambulatory surgical center.
-- Medical or scientific laboratory.
-- Mini-warehouse.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.
-- Office showroom/warehouse.
-- Open-enrollment charter school or private school.
-- Outside sales.
-- Overnight general purpose shelter.
-- Pawn shop.
-- Personal service uses.
-- Petroleum product storage and wholesale.
-- Police or fire station.
-- Post office.
-- Public school other than an open-enrollment charter school.
-- Radio, television, or microwave tower.
-- Railroad passenger station.
-- Recycling buy-back center.
-- Recycling collection center.
-- Recycling drop-off container.
-- Recycling drop-off for special occasion collection.
-- Restaurant with drive-in or drive-through service.
-- Restaurant without drive-in or drive-through service.
-- Sand, gravel, or earth sales and storage.
-- Swap or buy shop.
-- Taxidermist.
-- Technical school.
-- Temporary concrete or asphalt batching plant.
-- Temporary construction or sales office.
-- Temporary retail use.
-- Theater.
-- Tool or equipment rental.
-- Tower/antenna for cellular communication.

-- Trade center.
-- Transit passenger shelter.
-- Transit passenger station or transfer center.
-- Truck stop.
-- Utility or government installation other than listed.
-- Vehicle display, sales, and service.
-- Vehicle or engine repair or maintenance.
-- Vehicle storage lot.
-- Warehouse.



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VICINITY MAP

Case no: Z167-265

Date: 4/19/2017

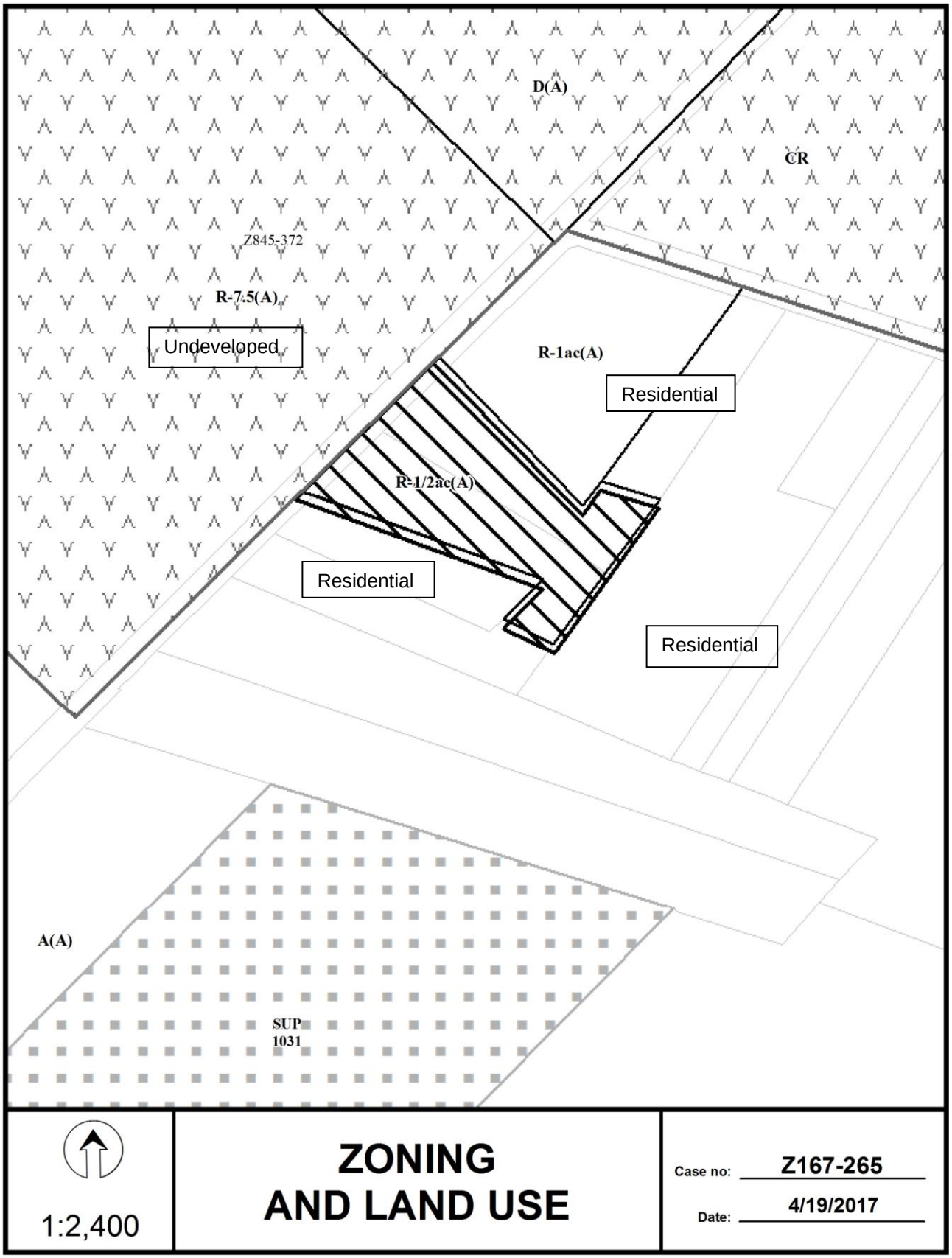


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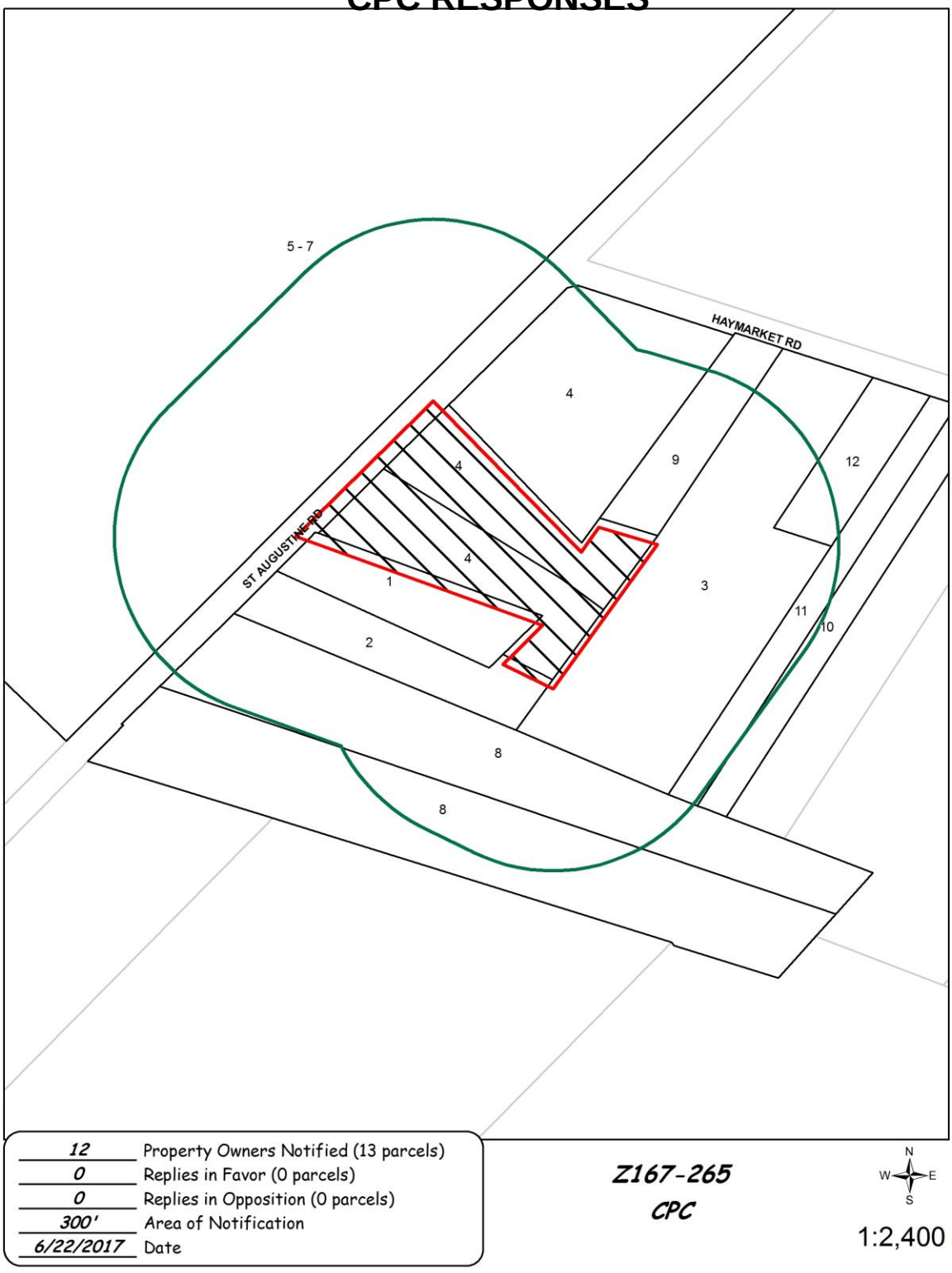
AERIAL MAP

Case no: Z167-265

Date: 4/19/2017


D(A)
CR
Z845-372
R-7.5(A)
Undeveloped
R-1ac(A)
Residential
R-1/2ac(A)
Residential
Residential
A(A)
SUP
1031
1:2,400
ZONING
AND LAND USE
Case no: Z167-265
Date: 4/19/2017

CPC RESPONSES



06/21/2017

Reply List of Property Owners

Z167-265

12 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2930	ST AUGUSTINE RD	THOMAS ALENE J
	2	2940	S ST AUGUSTINE RD	THOMAS ALENE
	3	2740	HAYMARKET RD	JASSO DAVID JR & DIANA M
	4	2770	HAYMARKET RD	GUERRERO GUSTAVO
	5	2315	S ST AUGUSTINE RD	WOMACK ROBERT C ET AL
	6	2315	S ST AUGUSTINE RD	BANKS KENNETH W EST OF
	7	2315	S ST AUGUSTINE RD	WOMACK ROBERT C ETAL
	8	2960	S ST AUGUSTINE RD	QUINTERO LAURA &
	9	2750	HAYMARKET RD	PADGETT FREDRICK
	10	2710	HAYMARKET RD	CARDENAS ZOILA A
	11	2720	HAYMARKET RD	VICKERS JULIA A
	12	2730	HAYMARKET RD	VICKERS JULIA ANN

AGENDA ITEM # 60

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 58 Y

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2118 for vehicle display, sales and services on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District, on the southwest side of C.F. Hawn Freeway, east of Murdock Road

Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions

Z167-268(WE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-268(WE) **DATE FILED:** April 11, 2017

LOCATION: Southwest side of C.F. Hawn Freeway, east of Murdock Road

COUNCIL DISTRICT: 8 **MAPSCO:** 58-Y

SIZE OF REQUEST: Approx. 0.16 acres **CENSUS TRACT:** 116.02

APPLICANT / OWNER: Augustin M. Miranda

REPRESENTATIVE: Augustin M. Miranda

REQUEST: An application for the renewal of Specific Use Permit No. 2118 for vehicle display, sales and services on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District.

SUMMARY: The purpose of this request is to allow for the applicant to continue selling automobiles on site [Moy Auto Sales].

CPC RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

BACKGROUND INFORMATION:

- The applicant's request for the renewal of Specific Use Permit No. 2118 will allow for continued sale and display of automobiles. The request is located along the C.F Hawn Freeway and is within Subdistrict 2 of PDD No. 534, where commercial and retail uses are encouraged to be developed.

- On November 12, 2014, the City Council approved Specific Use Permit No. 2118 for a vehicle display, sales and services for a three year period, subject to a site plan and conditions. There are no changes proposed to the site plan. The only change to the SUP conditions is the time period.

- In August 1999, the City Council approved Planned Development District No. 534, the C.F. Hawn Special Purpose District. The PDD established three Subdistricts that encourage the development of light industrial, commercial and retail uses along specific areas within the corridor.

Zoning History: There have been two recent zoning cases requested in the area during the past 5 years.

1. Z134-223 On November 12, 2014, the City Council approved a Specific Use Permit for vehicle display, sales and services on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District.

2. Z156-309 On January 25, 2016, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with D-1 Liquor Control Overlay.

Land Use:

	Zoning	Land Use
Site	PD No. 534, Subdistrict 2	Undeveloped
Northeast	PD No. 534, Subdistrict 2	C.F. Hawn Freeway
Southwest	R-7.5(A)	Single Family
Southeast	PD No. 524, Subdistrict 2	Vehicle display, sales & services
Northwest	PD No. 524, Subdistrict 2	Undeveloped

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

ECONOMIC ELEMENT

GOAL 2.1 Promote Balanced Growth

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

Area Plans: The request site lies within the boundary of the *Southeast Dallas Comprehensive Land Use Study*, which was adopted by the City Council in December 1996. The study makes very specific recommendations for the area inclusive of the request site that states, "retain industrial uses, and require landscape and architectural buffers to minimize impact on areas along C.F. Hawn Freeway."

STAFF ANALYSIS:

Land Use Compatibility: The request site encompasses three small tracts of land along the C.F. Hawn Freeway frontage road, which totals approximately 7,319.61 square feet of land. The applicant's request for the renewal of Specific Use Permit No. 2118 will permit the continued operation of a vehicle display, sales, and service use.

The proposed development is consistent with the mix of uses that are developed along the C.F. Hawn corridor. Uses such as vehicle display, sales, and services, auto service uses and motel uses are permitted within PDD No. 534, which encourages retail and personal service uses along the C.F. Hawn corridor. The proposed vehicle display, sales and service use should not negatively impact the surrounding uses

The land uses surrounding the area are residential uses to the southwest of the site. The site is also contiguous to an undeveloped parcel of land to the northwest and a vehicle display, sales and service use to the southeast. The request site is within Subdistrict 2 of PDD No. 534 which permits, through a Specific Use Permit, a vehicle display, sales and service use. Staff has reviewed the applicant's request and supports the use at this location. The SUP is a requirement for the proposed use within the PDD No. 534. In addition, the Planned Development District No. 534 promotes the beautification of the corridor through the specific landscape requirements.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote

the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 534 - Existing Subdistrict 2	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Landscaping: Landscaping must be in accordance with Section 51P-334.112 LANDSCAPING of Planned Development District No. 534, the CF Hawn Special Purpose District No. 2. The applicant is in compliance with the requirements in Section 51P-334.112.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
C.F. Hawn Freeway	Freeway	Variable lane widths	Variable lane widths

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 off-street parking requirements for a Vehicle Display, Sales and Service use is one space for each 500 square feet of floor area and site area, exclusive of parking area. The proposed display area and building's floor area totals approximately 1,484 square feet, which requires a minimum of three off-street parking spaces. The applicant is proposing four off-street parking spaces.

CPC Action (June 8, 2017)

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2118 for vehicle display, sales and services for a three-year period, subject to conditions on property zoned Subdistrict 2 within Planned Development District No. 534, the C.F. Hawn Special Purpose District on the southwest side of C.F. Hawn Freeway, east of Murdock Road.

Maker: Jung
Second: Housewright
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Mack, Haney, Jung, Housewright, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Anantasomboon, Schultz
Vacancy: 0

Notices: Area: 200 Mailed: 14
Replies: For: 0 Against: 0

Speakers: None

PROPOSED CPC SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a vehicle display, sales, and service use.

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 [~~November 12, 2017~~] (three-years from the passage of this ordinance).

4. LANDSCAPING: Landscaping must comply with Planned Development District No. 534, the CF Hawn Special Purpose District No. 2.

5. HOURS OF OPERATION: The vehicle display, sales, and service use may only operate during the hours 10:00 a.m. to 6:00 p.m., Monday through Friday.

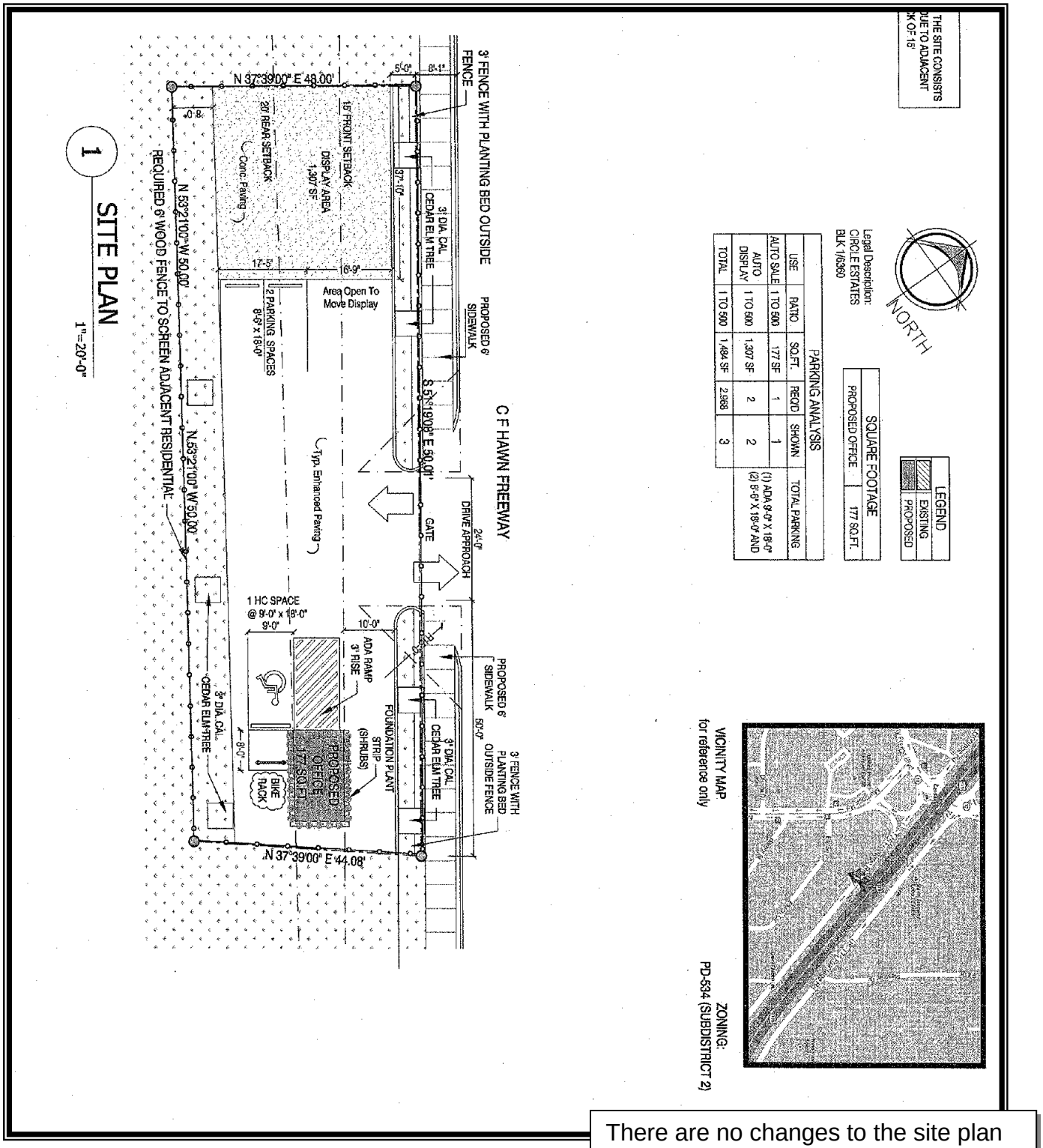
6. MAXIMUM FLOOR AREA: The maximum floor area is 180 square feet.

7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

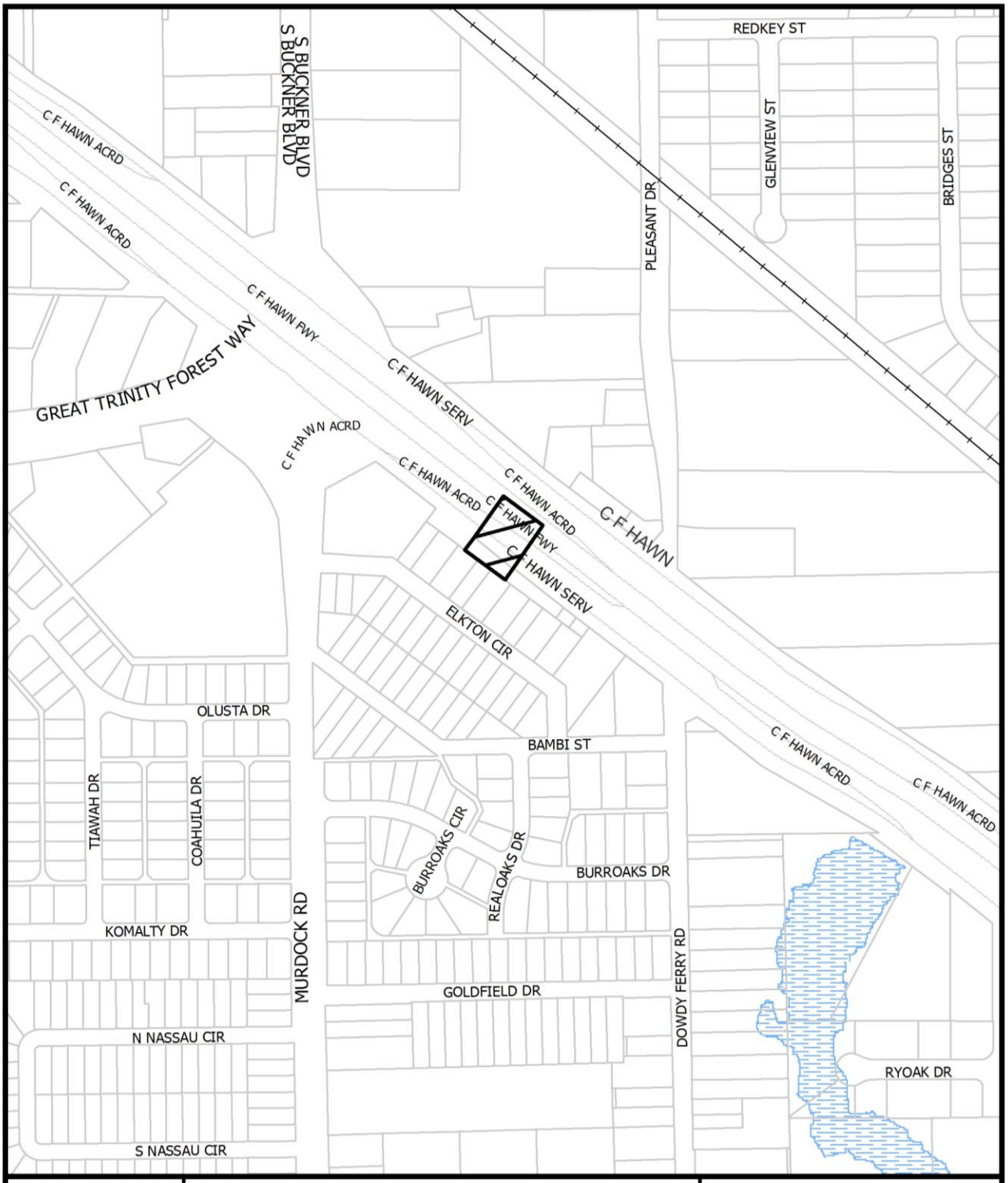
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Z167-268(WE)

EXISTING SITE PLAN



There are no changes to the site plan


REDKEY ST
S BUCKNER BLVD
S BUCKNER BLVD
C F HAWN ACRD
C F HAWN ACRD
C F HAWN FWY
GREAT TRINITY FOREST WAY
C F HAWN SERV
C F HAWN ACRD
C F HAWN ACRD
C F HAWN ACRD
C F HAWN FWY
C F HAWN SERV
C F HAWN
PLEASANT DR
GLENVIEW ST
BRIDGES ST
ELKTON CIR
OLUSTA DR
BAMBI ST
C F HAWN ACRD
C F HAWN ACRD
TIAWAH DR
COAHUILA DR
BURROAKS CIR
REALOAKS DR
BURROAKS DR
KOMALTY DR
MURDOCK RD
GOLDFIELD DR
DOWDY FERRY RD
N NASSAU CIR
RYOAK DR
S NASSAU CIR
1:4,800
VICINITY MAP
Case no: Z167-268
Date: 4/19/2017

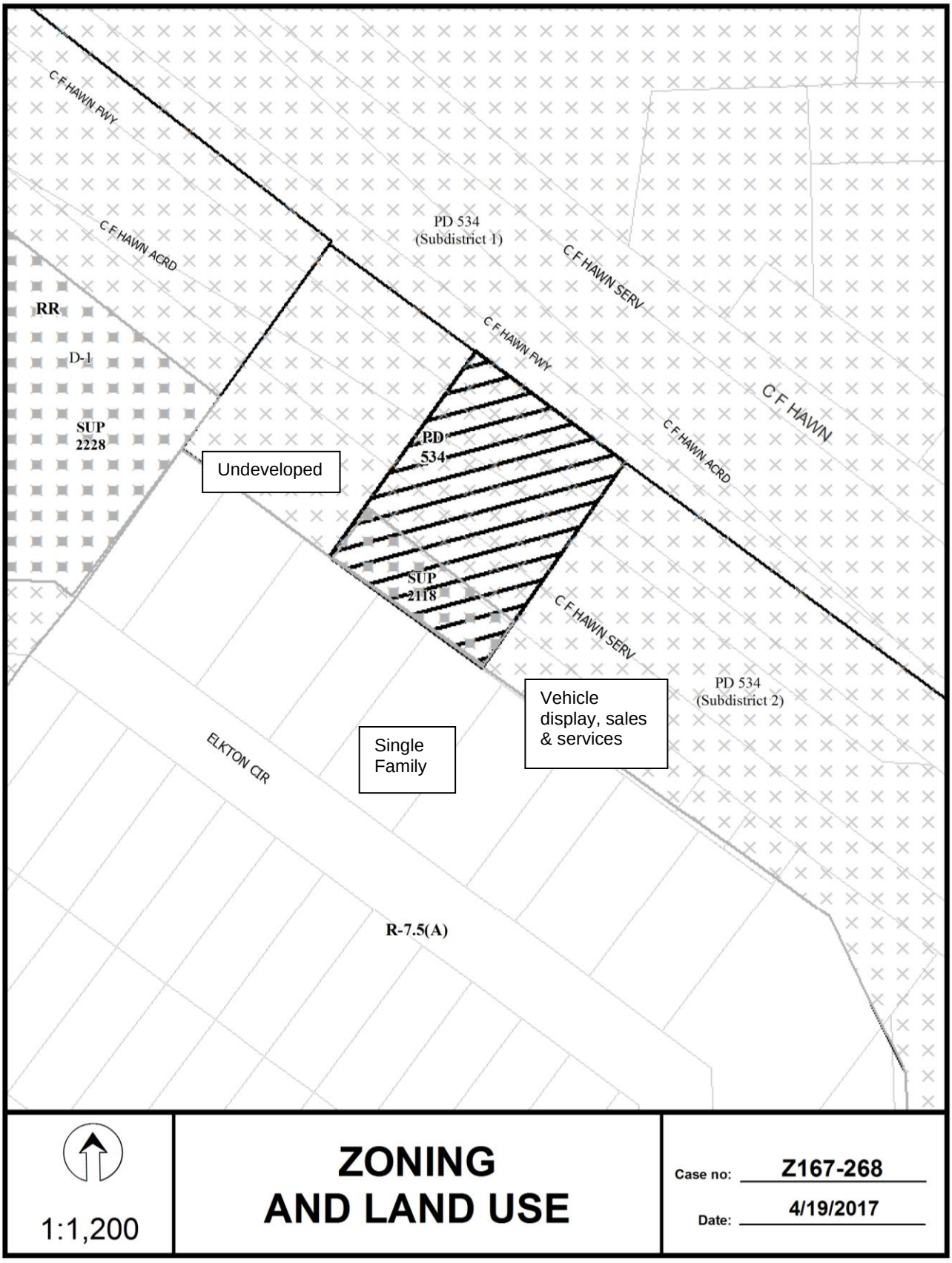


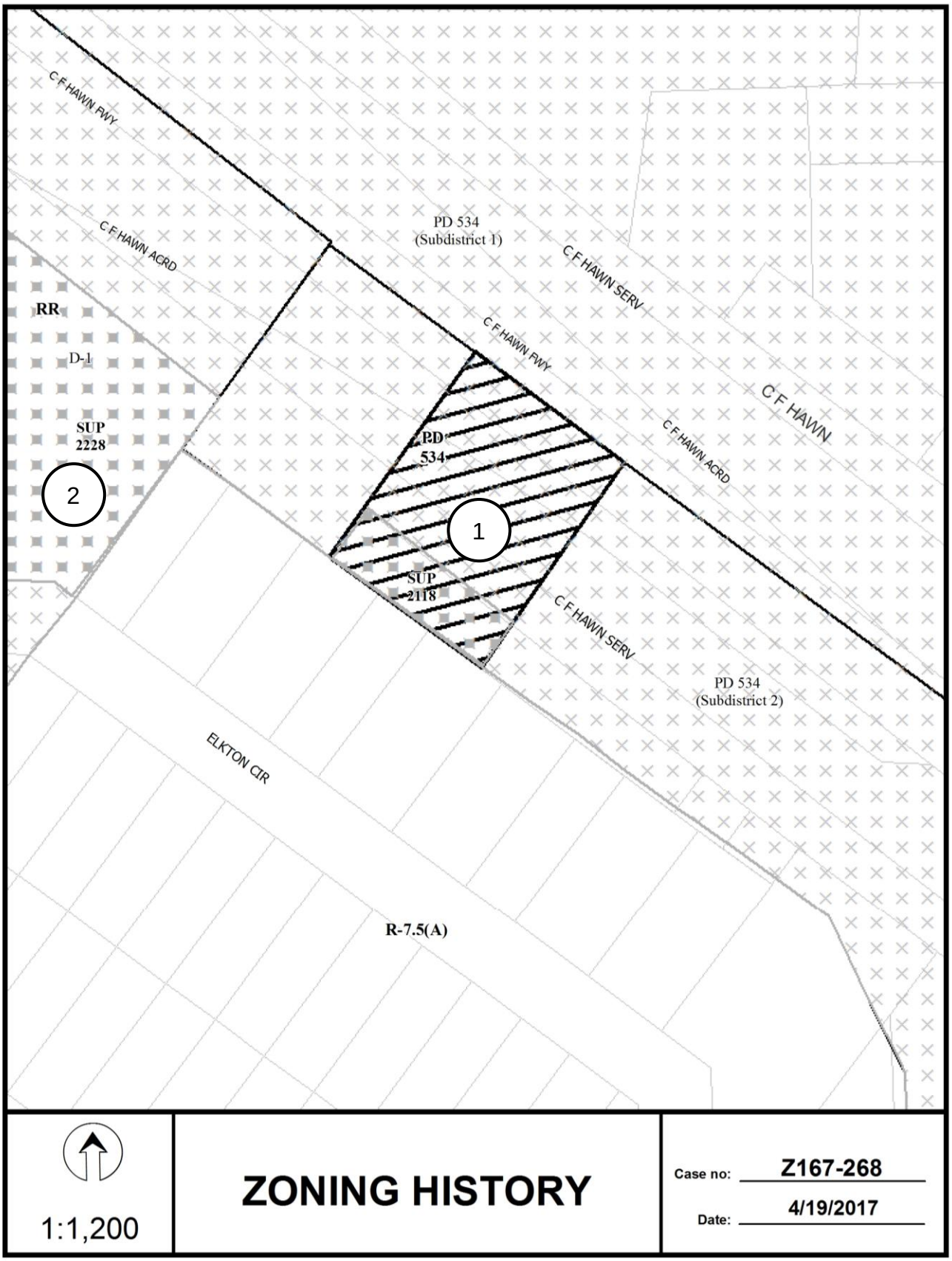
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AERIAL MAP

Case no: Z167-268

Date: 4/19/2017


C F HAWN FWY
C F HAWN ACRD
PD 534
(Subdistrict 1)
C F HAWN SERV
C F HAWN FWY
C F HAWN
C F HAWN ACRD
RR
D-1
SUP
2228
Undeveloped
PD
534
SUP
2118
C F HAWN SERV
PD 534
(Subdistrict 2)
Vehicle
display, sales
& services
Single
Family
ELKTON CIR
R-7.5(A)
1:1,200
ZONING
AND LAND USE
Case no: Z167-268
Date: 4/19/2017


C F HAWN FWY
C F HAWN ACRD
PD 534
(Subdistrict 1)
C F HAWN SERV
RR
D-1
SUP
2228
2
C F HAWN FWY
C F HAWN
C F HAWN ACRD
PD
534
1
SUP
2118
C F HAWN SERV
PD 534
(Subdistrict 2)
ELKTON CIR
R-7.5(A)
1:1,200
ZONING HISTORY
Case no: Z167-268
Date: 4/19/2017

CPC RESPONSES



14	Property Owners Notified (15 parcels)
0	Replies in Favor (0 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
6/8/2017	Date

Z167-268
CPC

N
W E
S

1:1,200

Notification List of Property Owners

Z167-268

14 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	8201	C F HAWN FWY	MIRANDA AGUSTIN M
	2	8221	C F HAWN FWY	JAY ROBERT L
	3	8107	ELKTON CIR	SIKKA INVESTMENTS LLC
	4	8227	C F HAWN FWY	CASTILLO REYES &
	5	8211	ELKTON CIR	MORA LIONEL V
	6	8205	ELKTON CIR	MORA LEONEL
	7	8143	ELKTON CIR	J G & A INVESTMENTS LLC
	8	8139	ELKTON CIR	PARRA RAUDEL D
	9	8125	ELKTON CIR	SALAS FELIPE R
	10	8127	ELKTON CIR	RAMOS GAUDENCIO
	11	8123	ELKTON CIR	ROSITAS JUANITA
	12	8130	C F HAWN FWY	STOVALL JIMMY A & LINDA J
	13	8204	C F HAWN FWY	8204 CF HAWN LLC
	14	8152	C F HAWN FWY	STOVALL JIMMY A

AGENDA ITEM # 61

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 46 N

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2087 for a recycling buy-back center for the collection of household metals, industrial metals, and recyclable materials on property zoned an IM Industrial Manufacturing District, on the northwest side of Hickory Street, northeast of Malcolm X Boulevard

Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions

Z167-272(OTH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-272(OTH) **DATE FILED:** April 14, 2017

LOCATION: Northwest side of Hickory Street, northeast of Malcolm X Boulevard

COUNCIL DISTRICT: 7 **MAPSCO:** 46-N

SIZE OF REQUEST: Approx. 0.114 acres **CENSUS TRACT:** 204.00

APPLICANT/OWNER: Rafael Jamaica

REPRESENTATIVE: Rafael Jamaica

REQUEST: An application for the renewal of Specific Use Permit No. 2087 for a recycling buy-back center for the collection of household metals, industrial metals, and recycling materials on property zoned an IM Industrial Manufacturing District.

SUMMARY: The applicant's request is to continue to use the property as a recycling buy-back center for the collection of household metals, industrial metals, and recycling materials. [CA$HXCAN$].

CPC RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

BACKGROUND:

- The property is currently being used for a recycling buy-back center for the collection of household metals, industrial metals, and recycling materials. The site is developed with a 2,063 square feet building built in 1920.

- The original SUP was approved on August 12, 2015 for a period of two-years, which is the maximum time period allowed by Code.

- The applicant is not proposing any changes to the existing site plan.

Surrounding Zoning History:

There have not been any zoning changes requested in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Hickory Street	Local	60 ft.

Traffic: The Engineering Division of the Department of Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding street system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The proposed rezoning supports the goals and policies established in the *forwardDallas! Comprehensive Plan.*

Environment use:

Goal 6.6 Increase recycling and conservation of renewable resources.

Policy 6.6.1 Increase recycling and composting.

Land Use:

	Zoning	Land Use
Site	IM	Recycling Buy Back Center
North	IM	Vacant/ Undeveloped land
South	IM	Natatorium
East	IM	Office Warehouse, undeveloped
West	IM	Vacant, undeveloped

Land Use Compatibility:

The recycling buy-back center use is permitted by right in the IM Industrial Manufacturing District, and is limited to the collection of aluminum cans, steel cans, glass, paper, clothing, and plastics. Additional regulations are in place for recycling buy-back centers that take in household and industrial metals. Household metals are defined as items that are customarily used in a residential dwelling not including cookware, gardening tools, or aluminum foil. Industrial metals are defined as pipes, wires, coils, condensers, automotive parts, bulky appliances and similar materials. These additional regulations are enacted through the Specific Use Permit process.

The property is surrounded by an industrial use and undeveloped land to the north; vacant and undeveloped to the west; a Dallas Independent School District natatorium to the south; and industrial and undeveloped to the east.

There are general concerns that accompany the recycling buy-back center that collects household and industrial metals, and recyclable materials. These concerns generally include noise impact, site maintenance, traffic, and the operator assurance that purchased materials are not stolen items. It is because of these concerns; there are strict SUP regulations that focus on these this type of use. Additional regulations for recycling buy-back centers include:

1. The maximum floor area for a recycling buy-back center is 10,000 square feet.
2. No more than one recycling use is permitted in a building site
3. This use must be located at least 1,000 feet from another recycling use
4. Materials stored at this use must be removed at least once a week or before reaching capacity.
5. Limits the two types of accepted metals to household and industrial metals

The purchasing, collecting, or soliciting of metals is regulated under Chapter 40B of the Dallas City Code, secondary metal recyclers. Chapter 40B requires a secondary metal recycler's license and specifies operations for secondary metal recyclers. The purpose

of the regulations in Chapter 40B is to promote the recovery of stolen property, particularly property composed of certain metals.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The site's development contains the use entirely within a structure and has a solid fence in the front. The required off-street parking is covered and located behind the main gates through the main driveway. The site is gated when the recycling buy-back center is closed. These site characteristics will serve to minimize the impact of the development on the surrounding properties.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/ Rear					
IM	15'	30'	2.0 FAR	110'	80%	Proximity slope	Industrial, wholesale distribution, etc.

Parking: The off-street parking requirement for a recycling buy-back center is one space per 500 square feet of floor area. The applicant is not proposing any changes to the area; therefore, the required parking is four parking spaces. The applicant is providing five off-street parking as shown in the existing site plan.

Landscaping: There request does not include any additional impervious coverage. Therefore, Article X will not be triggered.

Police Department: The Dallas Police Department has indicated that the applicant is in compliance with Chapter 40B in operating the proposed recycling collection center.

CPC Action
June 8, 2017

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2087 for a recycling buy-back center for the collection of household metals, industrial metals, and recyclable materials for a two-year period, subject to conditions on property zoned an IM Industrial Manufacturing District, on the northwest side of Hickory Street, northwest of Malcolm X Boulevard.

Maker: Jung
Second: Housewright
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Mack, Haney, Jung, Housewright, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Anantasomboon, Schultz
Vacancy: 0

Notices: Area: 200 Mailed: 16
Replies: For: 0 Against: 0

Speakers: None

CPC RECOMMENDED CONDITIONS
Z167-272(OTH)

1. USE: The only use authorized by this specific use permit is a recycling buy-back center for the collection of household metals, industrial metals, and recyclable materials. No other materials may be collected or recycled.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on ~~August 12, 2017~~, (2 years from ordinance).

4. GATE: The driveway gate abutting Hickory Street must remain open during the hours of operation.

5. HOURS OF OPERATION: The recycling buy-back center may only operate between 8:00 a.m. and 7:00 p.m., Monday through Sunday.

6. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

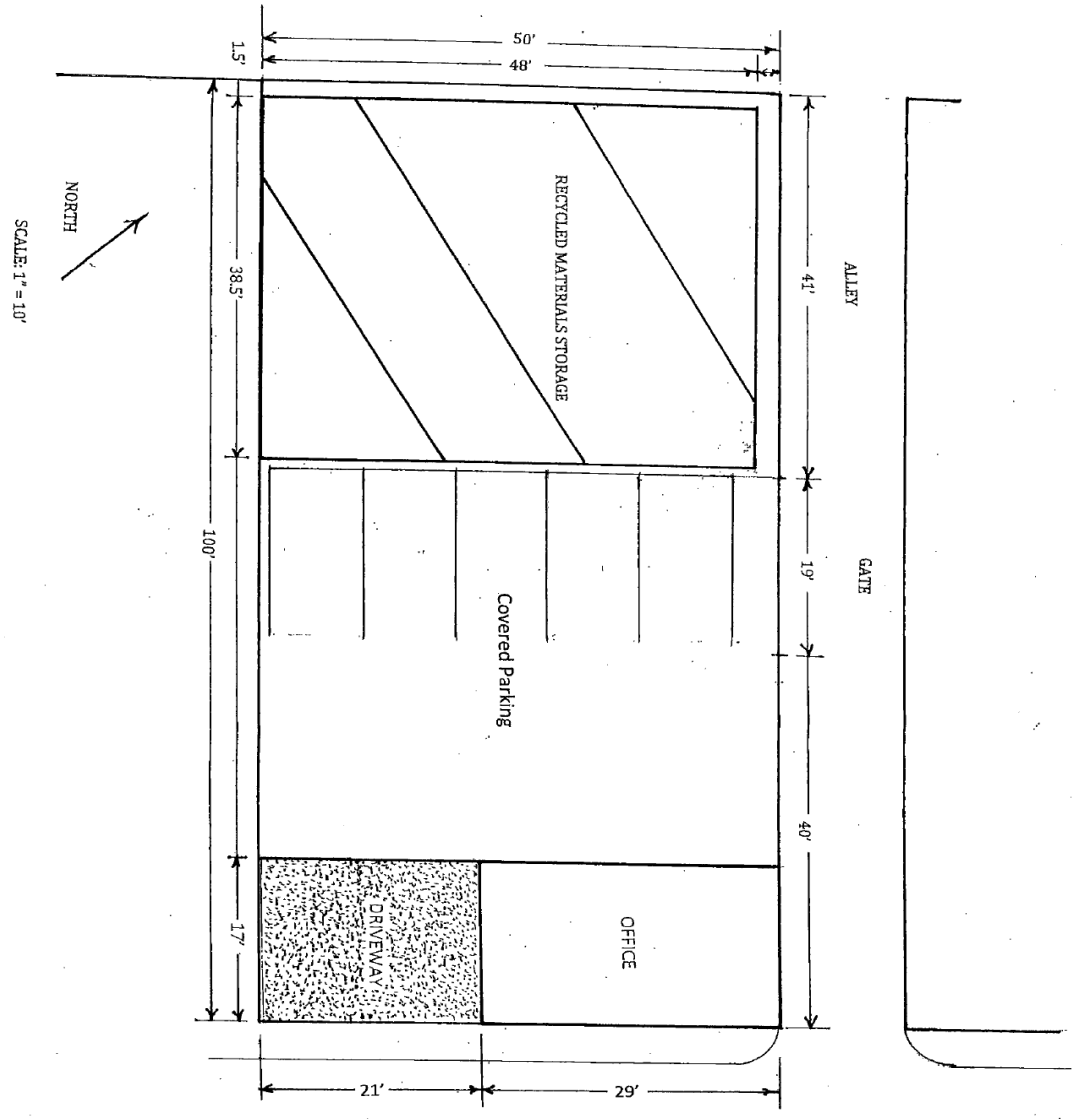
7. PARKING: Parking must be located as shown on the attached site plan.

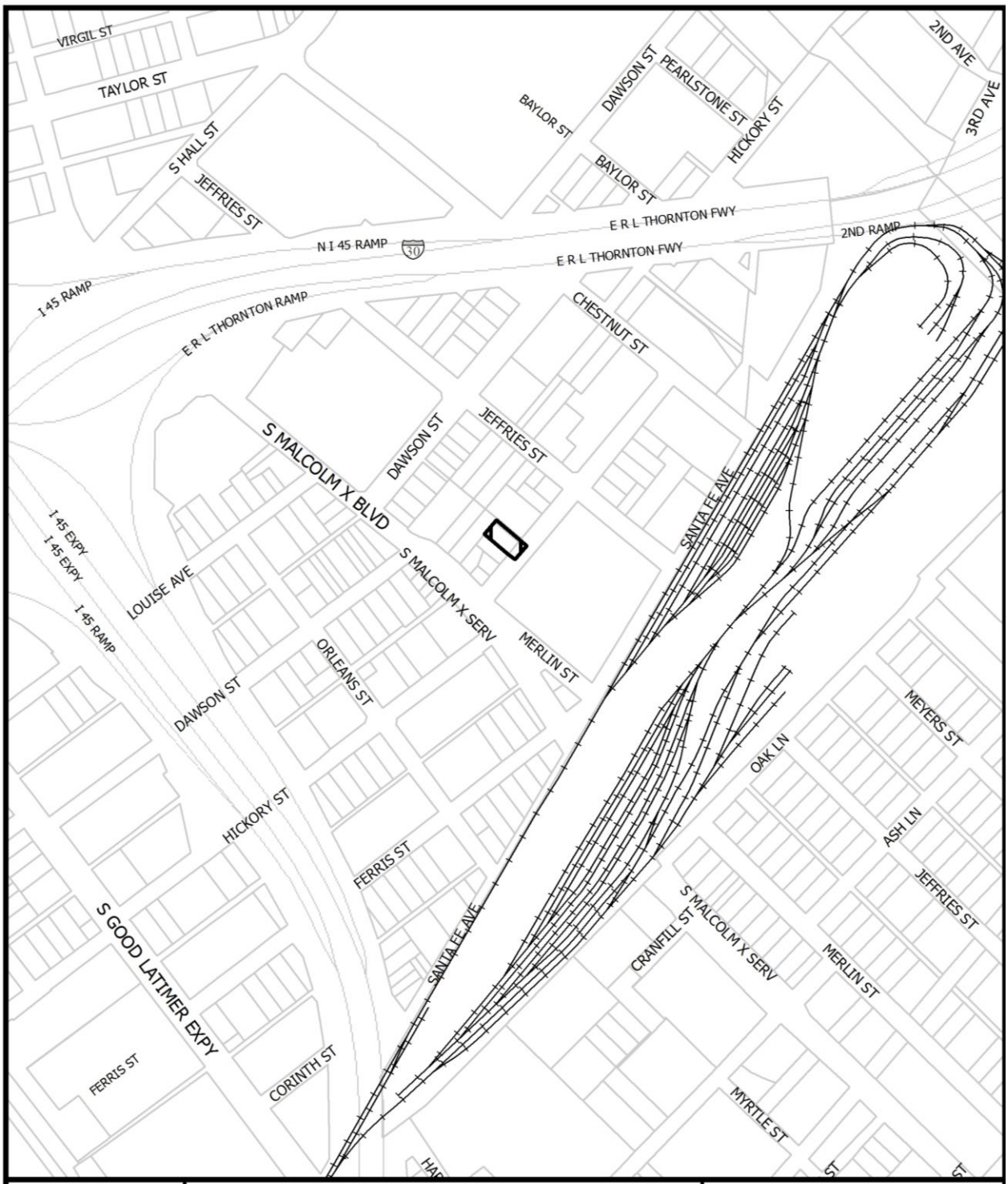
8. REGULATED PROPERTY LICENSE: The operator of this use must have a secondary metal recycler's license under Dallas City Code Chapter 40B.

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."

EXISTING SITE PLAN





1:4,800

VICINITY MAP

Case no: Z167-272

Date: 4/19/2017

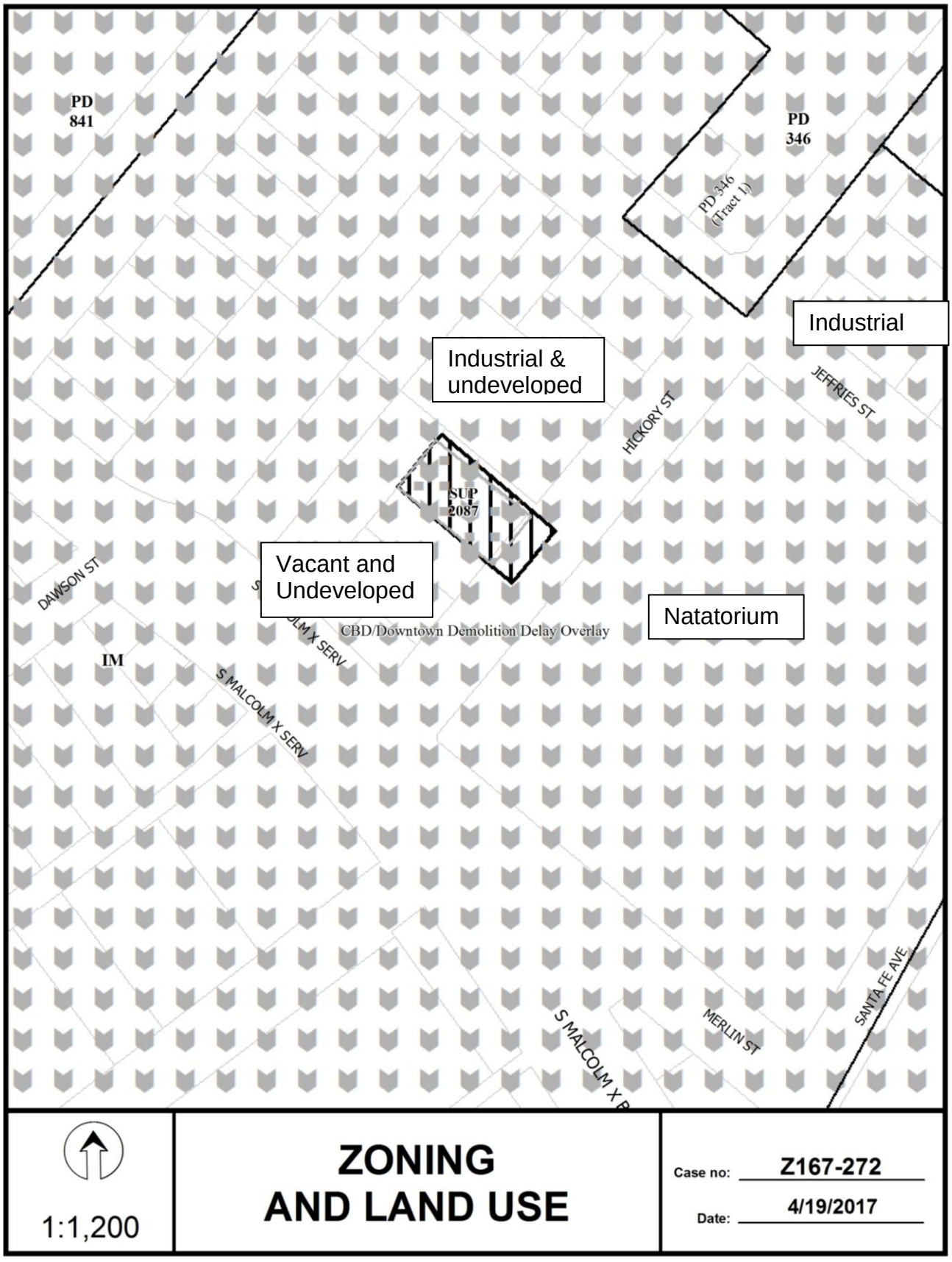


1:1,200

AERIAL MAP

Case no: Z167-272

Date: 4/19/2017


PD 841
PD 346
PD 346 (Tract I)
Industrial
Industrial & undeveloped
JEFFRIES ST
HICKORY ST
SUP 2087
Vacant and Undeveloped
DAWSON ST
Natatorium
CBD/Downtown Demolition Delay Overlay
IM
S MALCOLM X SERV
S MALCOLM X SERV
MERLIN ST
SANTA FE AVE
1:1,200
ZONING AND LAND USE
Case no: Z167-272
Date: 4/19/2017

CPC RESPONSES



06/07/2017

Reply List of Property Owners

Z167-272

16 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2813	HICKORY ST	JAMAICA RAFAEL &
	2	2814	DAWSON ST	CRABTREE J M EST
	3	2816	DAWSON ST	TOVAR DOMINGA &
	4	1715	JEFFRIES ST	HERNANDEZ ALLEN ET AL
	5	1711	JEFFRIES ST	GRAVES PROPERTIES INC
	6	1717	JEFFRIES ST	KIRK SHEET METAL CO INC
	7	2819	HICKORY ST	KIRK SHEET METAL CO
	8	2827	HICKORY ST	DURON MARCIANO
	9	2811	HICKORY ST	JAMAICA RAFAEL & HENRIETTA
	10	1824	S MALCOLM X BLVD	HEARD CHESTER LYNN
	11	1814	S MALCOLM X BLVD	HEARD CHESTER
	12	1818	S MALCOLM X BLVD	HEARD CHESTER L
	13	2808	DAWSON ST	RAMIREZ HERMAN
	14	2812	DAWSON ST	GARCIA FRED
	15	2804	DAWSON ST	RODRIGUEZ PHILLIP LIFE ESTATE
	16	1940	S MALCOLM X BLVD	Dallas ISD

AGENDA ITEM # 62

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 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. 2144 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A, Planned Development No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Main Street, west of North Crowdus Street

Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions

Z167-274(PD)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z167-274(PD)	**DATE FILED:**	April 21, 2017
LOCATION:	North side of Main Street, west of North Crowdus Street		
COUNCIL DISTRICT:	2	**MAPSCO:**	45-M
SIZE OF REQUEST:	Approx. 0.226 acres	**CENSUS TRACT:**	0204.00

APPLICANT: Dapper Life, LLC

OWNER: 42 Deep Ellum, LP

REPRESENTATIVE: Pamela Craig

REQUEST: An application for the renewal of Specific Use Permit No. 2144 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A, Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

SUMMARY: The request site consists of a one-story, 9,847-square-foot structure fronting on the north line of Main Street. The structure is divided into two uses with the tenant space for the proposed bar [High & Tight] consisting of 2,687 square feet.

CPC RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

BACKGROUND:

- The bar, lounge, or tavern use is located on 9,847 square feet of land with frontage on Main Street.

- The request site consists of a 630-square foot barber shop and the 2,687-square foot bar, lounge, or tavern use.

- The original SUP was approved by the City Council on April 22, 2015, for a two-year period.

- The applicant requests to continue the use of the bar, lounge, or tavern [High & Tight].

Zoning History:

1. Z167-154 On April 12, 2017, the City Council approved the renewal of Specific Use Permit No. 2122 for a bar, lounge, or tavern use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District south side of Elm Street, west of North Crowdus Street.

2. Z167-142 On March 22, 2017, the City Council approved the renewal of Specific Use Permit No. 2019 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District south side of Elm Street, east of North Good Latimer Expressway.

3. Z156-230 On June 22, 2016 the City Council approved the renewal of Specific Use Permit No. 1913 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District located at 2638 Elm Street.

4. Z145-249 On August 12, 2015 the City Council approved the renewal of Specific Use Permit No. 2050 for an alcoholic beverage establishment use limited to a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District.

5. Z145-176 On May 13, 2015, the City Council approved the renewal and amendment of Specific Use Permit No. 1696 for an alcoholic beverage establishment use limited to a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District on the south side of Elm Street, west of North Crowdus Street.

6. Z134-307 On December 13, 2014 City Council approved 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 Planned Development District No. 269, Tract A, the Deep Ellum/Near East Side Special Purpose District on the south line of Elm Street, west of North Crowdus Street.

7. 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 for a three year period.

8. Z145-121 On February 11, 2014, the City Council approved the renewal of Specific Use Permit No. 1783 for a bar, lounge or tavern for an additional five year-period.

9. Z123-206 On June 12, 2013, the City Council amended and renewed Specific Use Permit No. 1707 for a tattoo studio and a body piercing studio for a five-year period with the eligibility for automatic renewal for additional five-year periods.

10. Z101-351 On October 21, 2011, Specific Use Permit No. 1651 for a tattoo studio and body piercing studio was automatically renewed for an additional five-year time period and will expire on January 10, 2017.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Main Street	Minor Arterial	66’

Land Use:

Site	PD-269 (Tract A)	Bar
North	PD-269 (Tract A)	Bar, Surface Parking
East	PD-269 (Tract A)	Book & Record Store
West	PD-269 (Tract A)	Restaurant
South	PD-269 (Tract A)	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.

ECONOMIC ELEMENT

GOAL 2.3 BUILD A DUNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

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.

STAFF ANALYSIS:

Land Use Compatibility:

The request site is located in Deep Ellum, an area which provides for a healthy balance of housing, jobs, and shopping that permits residents to live, work, shop, and play in the same neighborhood. Wide sidewalks and pedestrian features offer alternative access options to this type of area, thus permitting foot and bike traffic to benefit from the mix of uses.

The request site consists of a one-story, 9,847-square-foot structure fronting on the north line of Main Street. The structure is divided into two uses, a personal service use (barber shop) and a bar mirroring the "speakeasy" concept. This concept was used during the prohibition years of the United States when the sale of alcohol was considered to be illegal. As a result of the prohibition in the early 1900's, bars operated illegally in the rear portion of existing establishments, hidden from plain view. Today, this concept/building layout allows for different uses to be integrated along with a bar where space is limited. The front of the structure houses a barbershop. The rear of the building houses a bar, lounge, or tavern use.

This area is composed of an eclectic mix of retail stores, tattoos parlors, residential units, arts, and entertainment venues. Considered to be one of Dallas' first commercial districts, Deep Ellum is within close proximity to two major highways, Fair Park, the Baylor Medical District, and Downtown.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The use is surrounded by other retail uses, bars, restaurants and various surface parking lots. There are medium density residential uses to the far west/northwest and close proximity to the DART Green Line to the north as well. As demonstrated below, although there have been some instances of police activity the majority of the activity has been general service calls rather than critical or urgent calls. As a result of this analysis, staff has determined the request complies with the general provisions for consideration of approval of the SUP renewal because the request is consistent with the character of the neighborhood and does not pose a negative impact.

Landscaping:
The landscaping requirements of Article X of the Dallas Development Code apply.

Traffic:
The Engineering Division of the Sustainable Development and Construction Department reviewed the original SUP request and determined that the existing development would not have a negative impact on the surrounding street system and the Engineering Division maintains this recommendation.

Crime Statistics:

Crime Part 1, April 01 2015 - May 29 2017

IncidentNum	ServYr	Date1	Time1	Address	UCR_Offense	ZipCode
114403-2017	2017	5/20/2017	22:00	2701 MAIN ST	OTHER THEFTS	75226
084175-2017	2017	4/15/2017	1:00	2701 MAIN ST	OTHER THEFTS	75226

Crime Part 2, April 01 2015 - May 29 2017

IncidentNum	ServYr	Date1	Time1	Address	UCR_Offense	ZipCode
054333-2017	2017	3/9/2017	21:24	2701 MAIN ST	ASSAULT	75226
052567-2015	2015	3/9/2015	10:00	2701 MAIN ST	CRIMINAL TRESPASS	75226

Calls, April 01 2015 - May 29 2017

Master_Incident_Number	Response_Date	Response_Time	Problem	Priority_Number	Priority_Description	Address	ZipCode
17-0961399	5/21/2017	16:38	20R - Robbery (report)+1hr	4	4 - Non Critical	2701 Main St	75226
17-0796417	4/27/2017	23:50	DAEF-Dist Armed Encounter Foot	1	1 - Emergency	2701 Main St	75226
17-0709464	4/14/2017	23:17	16 - Injured Person	3	3 - General Service	2701 Main St	75226
17-0501883	3/16/2017	5:18	32 - Suspicious Person	2	2 - Urgent	2701 Main St	75226
17-0238843	2/6/2017	13:42	40 - Other	3	3 - General Service	2701 Main St	75226
17-0120970	1/19/2017	16:59	PH - Panhandler	4	4 - Non Critical	2701 Main St	75226
17-0047069	1/8/2017	1:12	6X - Major Dist (Violence)	2	2 - Urgent	2701 Main St	75226
16-1762625	9/4/2016	2:25	6X - Major Dist (Violence)	2	2 - Urgent	2701 Main St	75226
16-1718868	8/29/2016	9:03	12B - Business Alarm	3	3 - General Service	2701 Main St	75226
16-1697156	8/26/2016	9:04	12B - Business Alarm	3	3 - General Service	2701 Main St	75226
16-1605264	8/13/2016	9:01	12B - Business Alarm	3	3 - General Service	2701 Main St	75226
16-1553727	8/6/2016	8:40	12B - Business Alarm	3	3 - General Service	2701 Main St	75226
16-1509155	7/31/2016	7:23	12R - Residential Alarm	3	3 - General Service	2701 Main St	75226
16-1150263	6/13/2016	9:08	12B - Business Alarm	3	3 - General Service	2701 Main St	75226
16-0921896	5/14/2016	0:16	31/01 - Crim Mis/Prog/Non Felo	3	3 - General Service	2701 Main St	75226
16-0703356	4/14/2016	2:56	40/01 - Other	2	2 - Urgent	2701 Main St	75226
16-0565267	3/25/2016	11:25	40 - Other	3	3 - General Service	2701 Main St	75226
16-0565563	3/25/2016	12:19	40 - Other	3	3 - General Service	2701 Main St	75226
16-0433199	3/5/2016	20:50	40/01 - Other	2	2 - Urgent	2701 Main St	75226
16-0206300	2/1/2016	17:27	12B - Business Alarm	3	3 - General Service	2701 Main St	75226

Calls, April 01 2015 - May 29 2017

Master_Incident_Number	Response_Date	Response_Time	Problem	Priority_Number	Priority_Description	Address	ZipCode
17-0961399	5/21/2017	16:38	20R - Robbery (report)+1hr	4	4 - Non Critical	2701 Main St	75226
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17-0709464	4/14/2017	23:17	16 - Injured Person	3	3 - General Service	2701 Main St	75226
17-0501883	3/16/2017	5:18	32 - Suspicious Person	2	2 - Urgent	2701 Main St	75226
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16-0433199	3/5/2016	20:50	40/01 - Other	2	2 - Urgent	2701 Main St	75226
16-0206300	2/1/2016	17:27	12B - Business Alarm	3	3 - General Service	2701 Main St	75226

List of Partners/Owners

Owner:
42 Deep Ellum, LP
Benton Payne, General Partner

Tenant:
Dapper Lice LLC
Sean Martin, LLC Manager
Corey Good, LLC Manager

CITY PLAN COMMISSION ACTION:
JUNE 22, 2017

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2144 for an alcoholic beverage establishment limited to a bar, lounge, or tavern for a two-year period, subject to conditions on property zoned Tract A, Planned Development No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Main Street, west of North Crowdus Street.

Maker: Rieves
Second: Davis
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: 200 Mailed: 19
Replies: For: 4 Against: 0

Speakers: None

CPC RECOMMENDED CONDITIONS
Z167-274

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge or tavern.

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_____, ~~April 22, 2017~~ (two-year period from the passage of this ordinance).

4. MAXIMUM FLOOR AREA: The maximum floor area for an alcoholic beverage establishment limited to bar, lounge or tavern is 2,687 square feet in the location shown on the attached site plan.

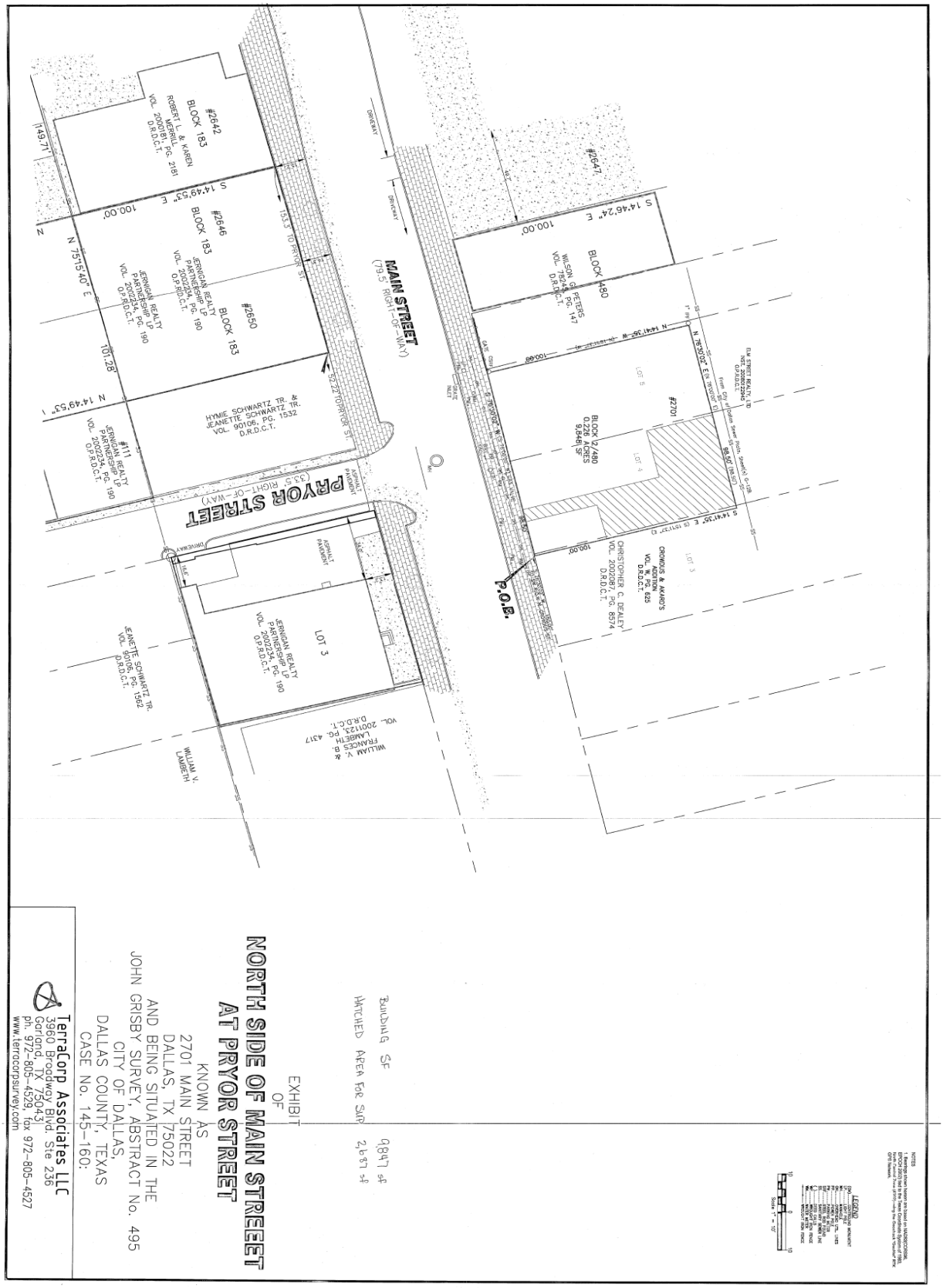
5. HOURS OF OPERATION: The hours of operation for the alcoholic beverage establishment limited to a bar, lounge or tavern is from 9 a.m. to 2:00 a.m. Monday through Saturday and 12:00 p.m. to 5:00 p.m., on Sunday.

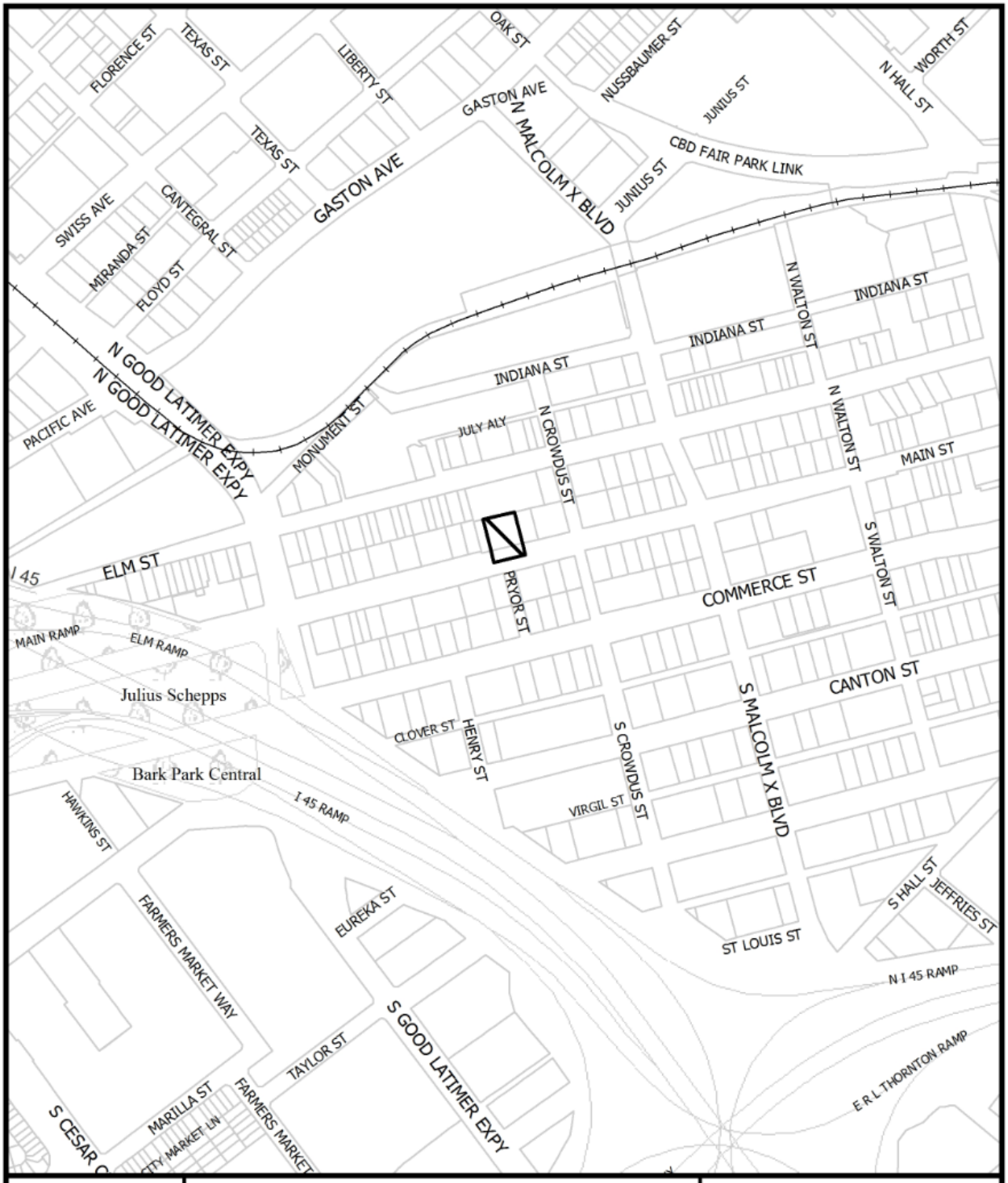
6. OUTSIDE SPEAKERS: Outside speakers are prohibited.

7. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.

8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas

EXISTING SITE PLAN





1:4,800

VICINITY MAP

Case no: Z167-274

Date: 5/3/2017

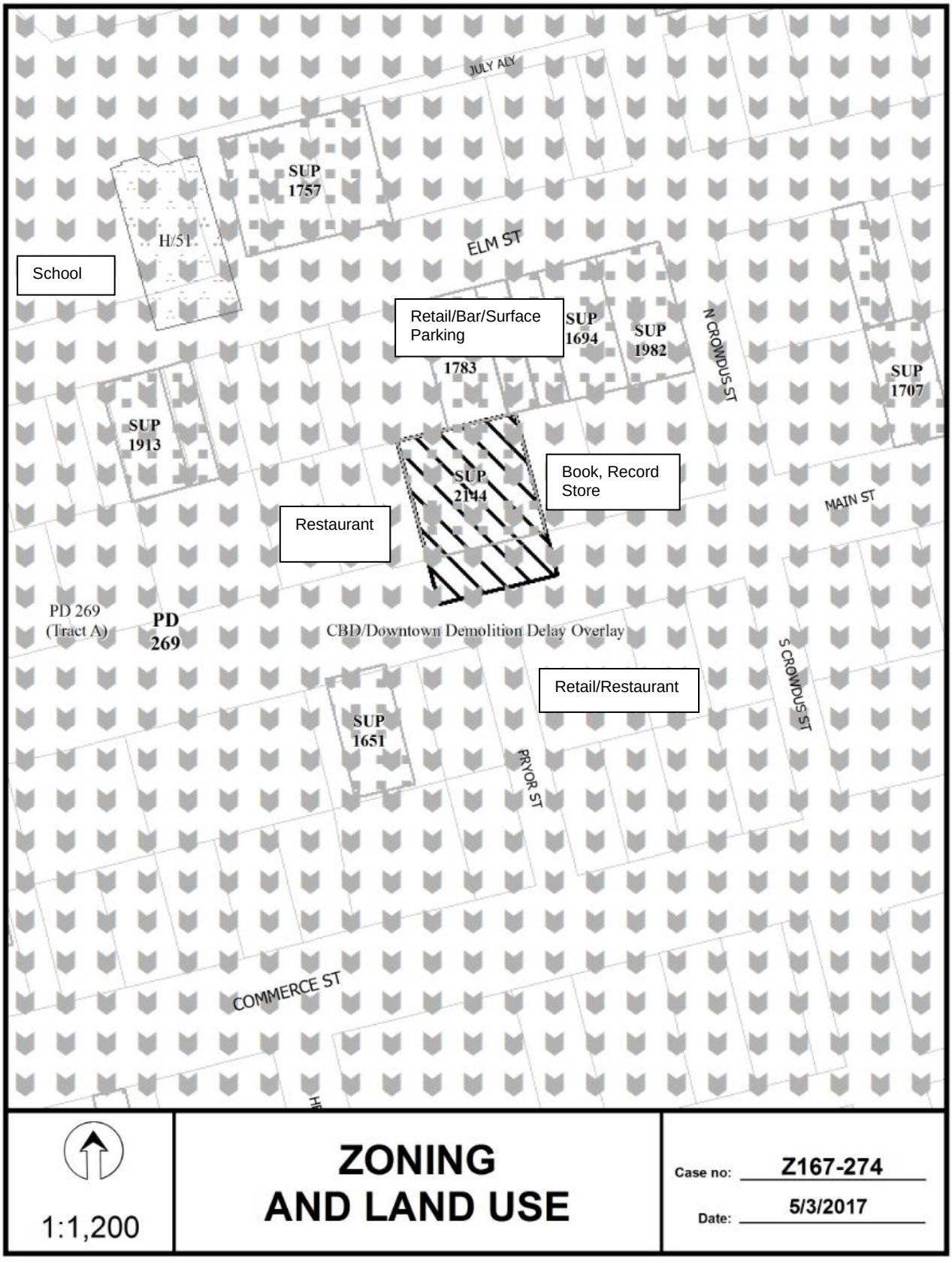


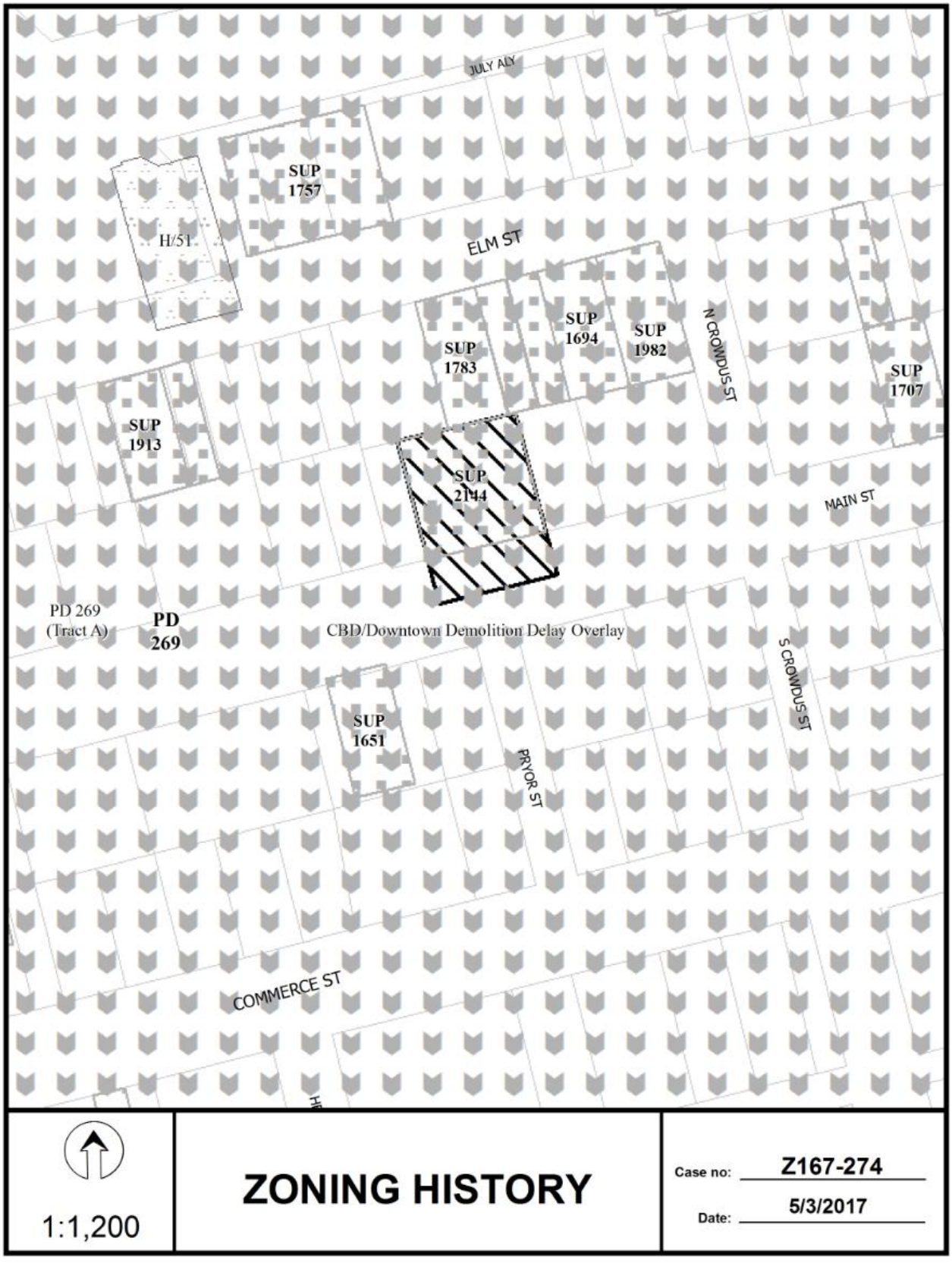
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AERIAL MAP

Case no: Z167-274

Date: 5/3/2017


JULY ALY
SUP 1757
H/51
School
ELM ST
Retail/Bar/Surface Parking
SUP 1694
SUP 1982
N CROWDUS ST
SUP 1707
1783
SUP 1913
SUP 2144
Book, Record Store
Restaurant
MAIN ST
PD 269 (Tract A)
PD 269
CBD/Downtown Demolition Delay Overlay
Retail/Restaurant
S CROWDUS ST
SUP 1651
PRYOR ST
COMMERCE ST
1:1,200
ZONING AND LAND USE
Case no: Z167-274
Date: 5/3/2017


JULY ALY
SUP 1757
H/51
ELM ST
SUP 1783
SUP 1694
SUP 1982
N CROWDUS ST
SUP 1707
SUP 1913
SUP 2144
MAIN ST
PD 269 (Tract A)
PD 269
CBD/Downtown Demolition Delay Overlay
S CROWDUS ST
SUP 1651
PRYOR ST
COMMERCE ST
1:1,200
ZONING HISTORY
Case no: Z167-274
Date: 5/3/2017

CPC Responses



19	Property Owners Notified (37 parcels)
4	Replies in Favor (5 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
6/22/2017	Date

Z167-274
CPC

N
W E
S

1:1,200

06/21/2017

Reply List of Property Owners

Z167-274

19 Property Owners Notified ***4 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2649	MAIN ST	42 DEEP ELLUM LP
	2	2644	ELM ST	CAMERON PAUL DARREN
	3	2638	ELM ST	MGP HOLDINGS LLC
	4	2642	ELM ST	LALCO INC
	5	2650	ELM ST	ELM ELM LLC
	6	2712	MAIN ST	CASS DON E TR
	7	2656	MAIN ST	SCHWARTZ HYMIE TRUST &
	8	2703	COMMERCE ST	SCHWARTZ JEANNETTE TRUST
O	9	2713	COMMERCE ST	WESTDALE PPTIES AMERICA I
	10	2800	MAIN ST	CONGRESS STREET NIGHTS
O	11	2724	ELM ST	WESTDALE PROPERTIES AMERICA I LTD
O	12	2720	ELM ST	ELM STREET REALTY LTD
	13	2715	MAIN ST	MAIN PROPERTIES LLC
	14	2707	MAIN ST	DEALEY CHRISTOPHER C
	15	2721	ELM ST	2723 ELM STREET JV
O	16	2717	ELM ST	WESTDALE PPTIES AMERICA LTD
	17	2707	ELM ST	BELMOR CORP
	18	2703	ELM ST	BELMOR CORP
	19	2701	ELM ST	BELMOR CORP

AGENDA ITEM # 63

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 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. 2050 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south line of Elm Street, west of North Crowdus Street

Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions

Z167-275(WE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-275(WE) **DATE FILED:** April 21, 2017

LOCATION: South line of Elm Street, west of North Crowdus Street

COUNCIL DISTRICT: 2 **MAPSCO:** 45-M

SIZE OF REQUEST: Approx. 7,853 sq. ft. **CENSUS TRACT:** 204

APPLICANT: Off the Record

OWNER: Elm Street Realty, Ltd

REPRESENTATIVE: Audra Buckley

REQUEST: An application for the renewal of Specific Use Permit No. 2050 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

SUMMARY: The purpose of this request is to permit the continued operation of a bar, tavern or lounge [Off the Record] on the subject site. A portion of the site has an uncovered patio in the rear of the facility and is located within an original building site. The request site is located within a one-story, multi-tenant, mixed-use development. The development consists of a variety of retail and personal service uses that share surface parking spaces on Elm Street and a small off-street parking lot that is west of the request site.

CPC RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

BACKGROUND INFORMATION:

- The applicant's request for the renewal of Specific Use Permit No. 2050 will allow for an existing bar, lounge or tavern to continue operating within the Deep Ellum District.

- In June 2006, the City Council amended the Deep Ellum Planned Development District to require certain businesses to have Specific Use Permits to operate and to sunset the non-conforming rights for those establishments.

- In October 2013, the City Council approved Specific Use Permit No. 2050 for a two year period for a bar, lounge or tavern. On August 15, 2015, the City Council approved the renewal of Specific Use Permit No. 2050 for a two year period.

- The request site is surrounded by a mixed use of commercial, retail, and surface parking lots.

Zoning History: There have been multiple zoning changes requested in the surrounding areas within Planned Development District No. 296, the Deep Ellum/Near East Side Special Purpose District. However, during the past seven years, and shown on the zoning map, there have been twelve zoning requests in the area.

1. Z056-271 On January 10, 2007, the City Council approved an SUP No. 1651 for a body piercing studio and a tattoo studio on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

2. Z112-234 On September 12, 2012, the City Council approved an amendment to and the renewal of SUP No. 1685 for a bar, lounge or tavern for a five year period on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

3. 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 for a live music venue on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

4. Z123-206 On June 12, 2013, the City Council approved the renewal of Specific Use Permit No. 1707 for a tattoo studio on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

5. 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 for a live music venue on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

6. Z134-307 On December 10, 2014, the City Council approved the renewal of Specific Use Permit No. 1982 for a bar, lounge, or tavern and an inside commercial amusement for dance hall on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

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 on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District

8. Z145-160 On April 22, 2015, the City Council approved the renewal of Specific Use Permit No. 1982 for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

9. Z145-160 On April 22, 2015, the City Council approved Specific Use Permit No. 2144 for a bar, lounge, or tavern on property zoned Tract A, Planned Development No. 269, the Deep Ellum/Near East Side District.

10. Z145-249 On August 12, 2015, the City Council approved the renewal of Specific Use Permit No. 2050 for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District [request site].

11. Z156-230 On June 22, 2016, the City Council approved the renewal of Specific Use Permit No. 1913 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District.

12. Z167-233 On May 4, 2017, the City Plan Commission approved the renewal of SUP No. 1685 a bar, lounge or tavern for a five year period on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District. The City Council will consider the case on the June 14, City Council Agenda.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Elm Street	Local Street	70 ft.	70 ft.
N. Crowdus Street	Local Street	35 ft.	35 ft.

Traffic: The Engineering Division of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

COMPREHENSIVE PLAN: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

ECONOMIC ELEMENT:

GOAL 2.5 Foster a City of Great Neighborhoods

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

URBAN DESIGN ELEMENT

GOAL 5.3 Establishing Walk-to Convenience

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use Compatibility:

	Zoning	Land Use
Site	PDD No. 269 w/ SUP 2050	Bar, Lounge or tavern
North	PDD No. 269	Surface parking, Retail & personal service
South	PDD No. 269	Retail & personal service
East	PDD No. 269, SUP 1964, SUP No. 1982	Retail & personal service
West	PDD No. 269, SUP No. 1783	Retail & personal service

Land Use Compatibility: The site is developed with a one-story structure that is adjacent to surface parking and a mix of retail and commercial uses. The applicant's request for the renewal of Specific Use Permit No. 2050 for a bar, lounge or tavern will allow for the use to continue operating within the existing structure. Since 2013, this site has had a certificate of occupancy for a bar, lounge or tavern use. There are no changes to the existing site plan and conditions, except for the time period.

A bar, lounge, or tavern means an establishment principally for the sale and consumption of alcoholic beverages on the premises that derives 75 percent or more of its gross revenue from the service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code, for on-premise consumption.

PDD No. 269 specifies that "no off-street parking spaces are required for the first 2,500 square feet of floor area in a ground level use that has a separate certificate of occupancy if the use is located in an original building. Otherwise, one space for each 100 square feet of floor area. No parking is required for outside uncovered seating. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement."

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

The proposed use is similar in operational characteristics of other entertainment venue uses in the immediate area. It should be noted that the general land use in the immediate area provides for various retail and entertainment venue uses (i.e., bars, live music, restaurants) that serve the new housing stock in Deep Ellum as well as serving as a destination for patrons outside of the area.

Staff recommends a three year period without automatic renewals. The City Council approved a two year period without automatic renewals in 2013. Staff included an additional year from the previous years because the applicant has demonstrated that they are good neighbors. The three year period will allow staff to continue to monitor the request site. The applicant's request is to permit a five year period of SUP No. 2050.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD no. 269 Deep Ellum/Near East Side	0'	0'	4.0 Far 6.0 FAR w/mixed uses	150'	1005%		Residential, retail, Office, Commercial & Lt. industrial

Landscaping: The request site is located within an existing structure and the landscaping requirements will not be triggered.

Parking: PDD No. 269 gives a credit for the first 2,500 square feet of bar, lounge, or tavern uses when located on the first floor in an original building. The request site is approximately 1,733 square feet.

Dallas Police Department: The Dallas Police Department has reported the following during a 19 month period between October 8, 2015 and May 31, 2017.

Crime, Jan 1 2016 - May 31 2017

IncidentNum	ServYr	Date1	Time1	Address	UCR_Offense	ZipCode
308226-2016	2016	12/22/2016	1:00	2716 ELM ST	ASSAULT	75226

Calls, Jan 1 2016 - May 31 2017

Response_Date	Response_Time	Problem	Address	ZipCode
2/27/2017	20:50	6X - Major Dist (Violence)	2716 Elm St	75226
12/17/2016	22:07	6X - Major Dist (Violence)	2716 Elm St	75226
10/10/2016	2:11	6X - Major Dist (Violence)	2716 Elm St	75226
8/14/2016	0:36	6X - Major Dist (Violence)	2716 Elm St	75226
1/17/2016	2:15	6X - Major Dist (Violence)	2716 Elm St	75226
8/15/2015	1:53	6XA - Major Dist Ambulance	2716 Elm St	75226
9/29/2014	1:35	6X - Major Dist (Violence)	2716 Elm St	75226
9/23/2014	19:42	34 - Suicide	2716 Elm St	75226

Arrests, Oct 8 2015 - May 31 2017

IncidentNum	ArrestYr	ArrestNumID	ArArrestDate	ArArrestTime	ArLAddress	ChargeDesc
046373-2017	2017	0008177-2017	2/27/2017	21:00	2716 ELM ST	PUBLIC INTOXICATION
291811-2016	2016	0051401-2016	12/8/2016	11:59	2716 ELM ST	ASSAULT-FV

CPC Action (June 22, 2017)

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2050 for a bar, lounge, or tavern for a three-year period, subject to staff's recommended conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south line of Elm Street, west of North Crowdus Street.

Maker: Rieves
Second: Houston
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

Notices: Area: 200 Mailed: 13
Replies: For: 3 Against: 0

Speakers: None

LIST OF OFFICERS

List of Officers

The ownership entity for 2720 Elm Street is:
Elm Street Realty, Ltd., a Texas limited partnership

By: JGB Ventures I, Ltd., a Texas limited partnership, General Partner

By: JGB Holdings, Inc., a Texas corporation, General Partner

By: Westdale Real Estate Investment and Management, Chuck Hixson, General Partner

By: Joseph G. Beard, President

Off the Record ownership:

Tim Daniels, Owner
Joshua Florence, Owner
Bryan Austin, Owner
Johel Coward, Partner

CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is a bar, lounge, or tavern.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

Staff's Recommendation

3. TIME LIMIT: This specific use permit expires on [~~August 12, 2017~~] three years from the passage of this ordinance.

Applicant's Proposal

3. TIME LIMIT: This specific use permit expires on [~~August 12, 2017~~], five years from the passage of this ordinance

4. FLOOR AREA: The maximum floor area is 1,733 square feet in the location shown on the site plan.

5. HOURS OF OPERATION: The bar, lounge, or tavern may only operate between 4:00 p.m. and 2:00 a.m. (the next day), Monday through Friday, and between 12:00 p.m. and 2:00 a.m. (the next day), Saturday and Sunday.

6. PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51A-4.704(b)(4) (A), may not be used to meet the off-street parking requirement.

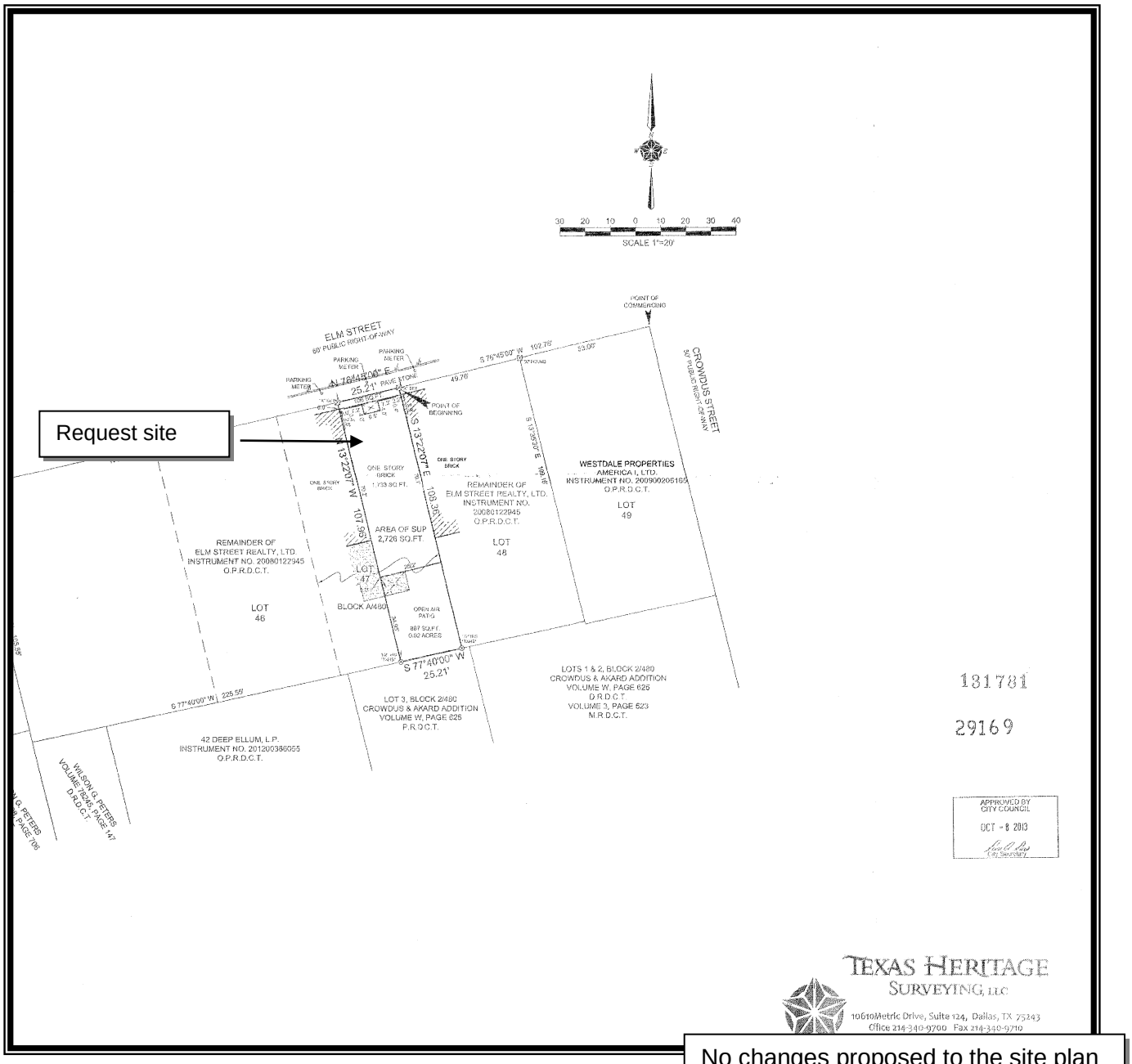
7. OUTSIDE SPEAKERS: Outside speakers are prohibited.

8. PATIO: An open air patio not to exceed 887 square feet is permitted in the location shown on the attached site plan.

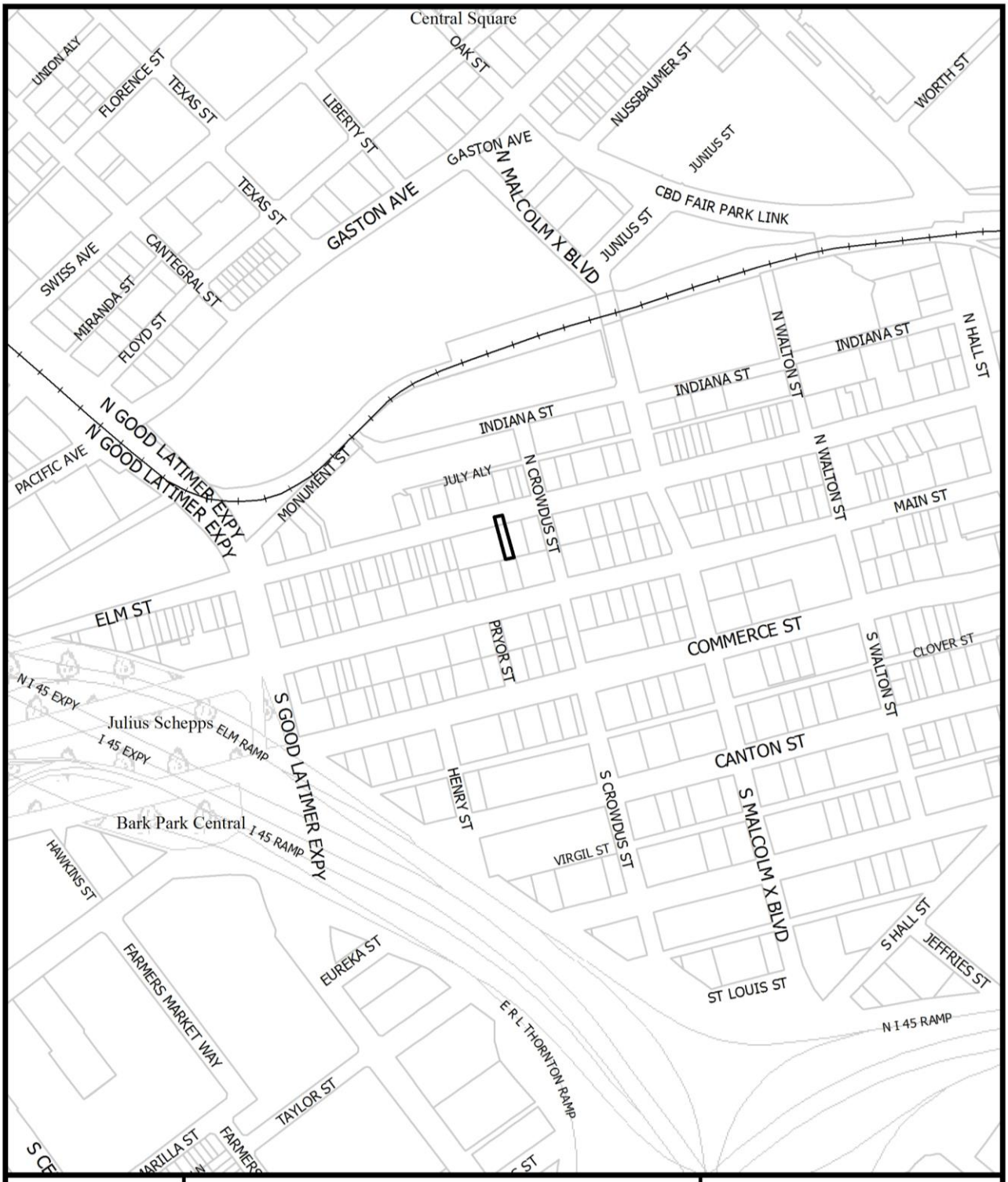
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

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.

EXISITNG SITE PLAN



No changes proposed to the site plan

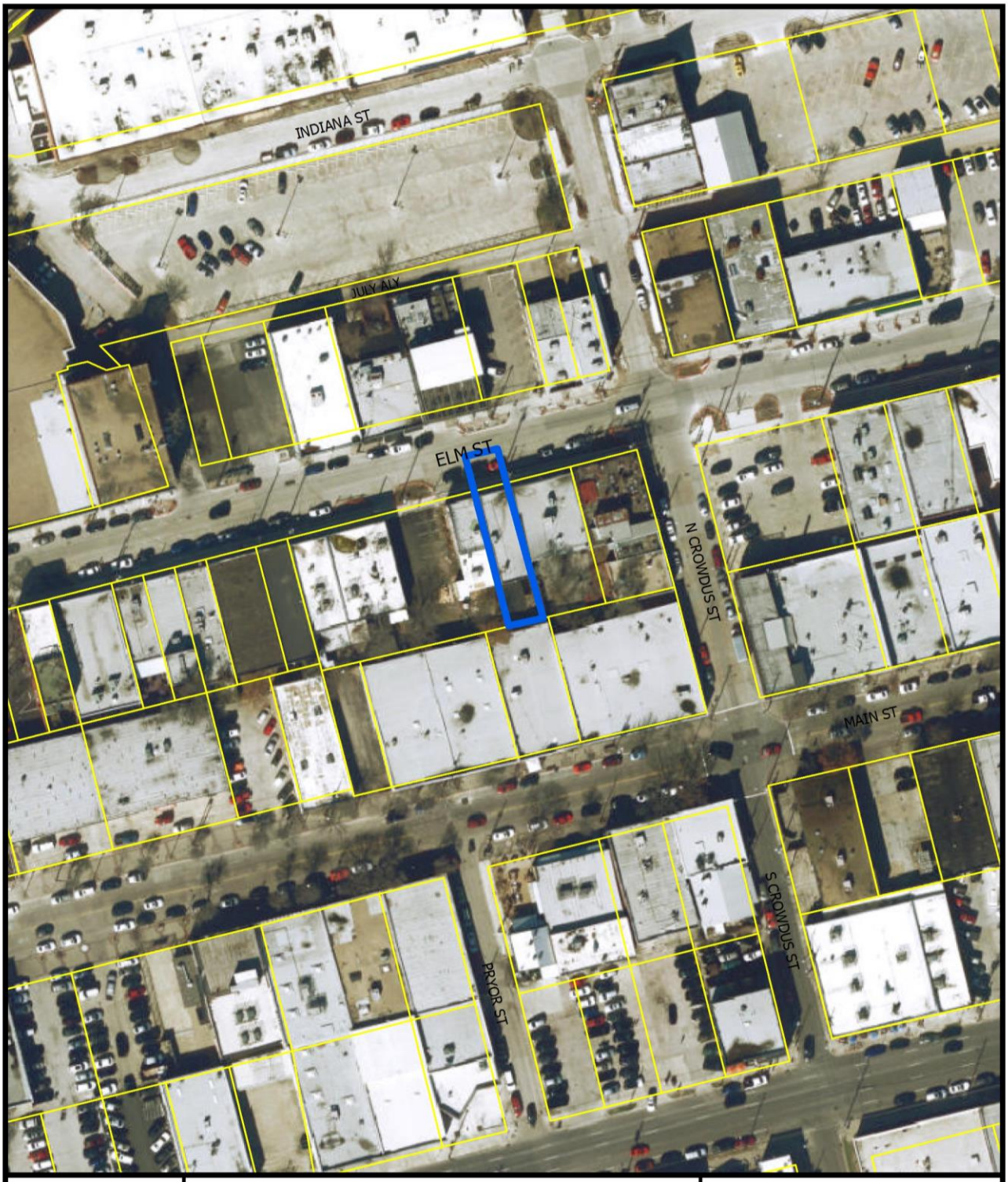


1:4,800

VICINITY MAP

Case no: Z167-275

Date: 5/3/2017

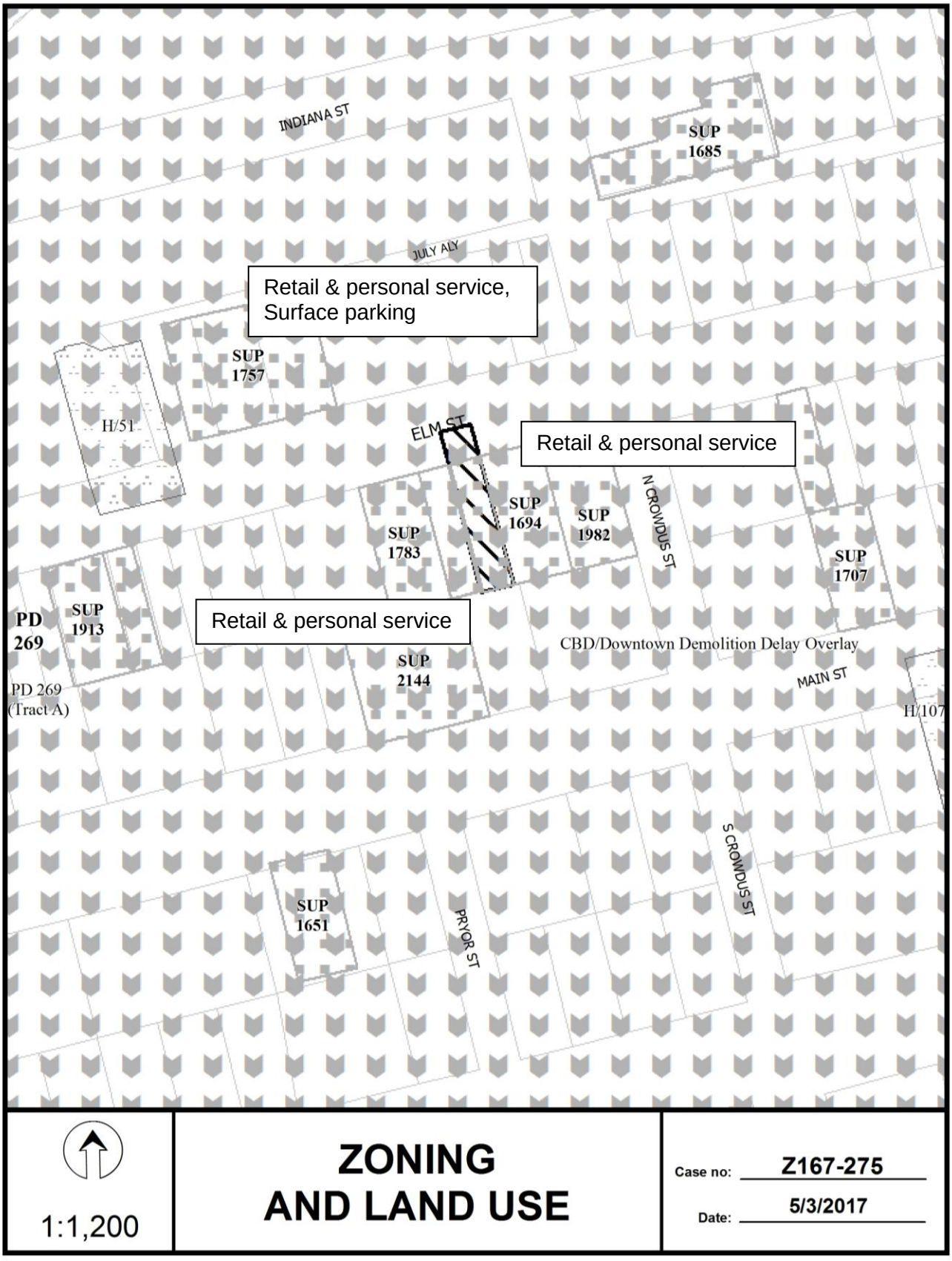


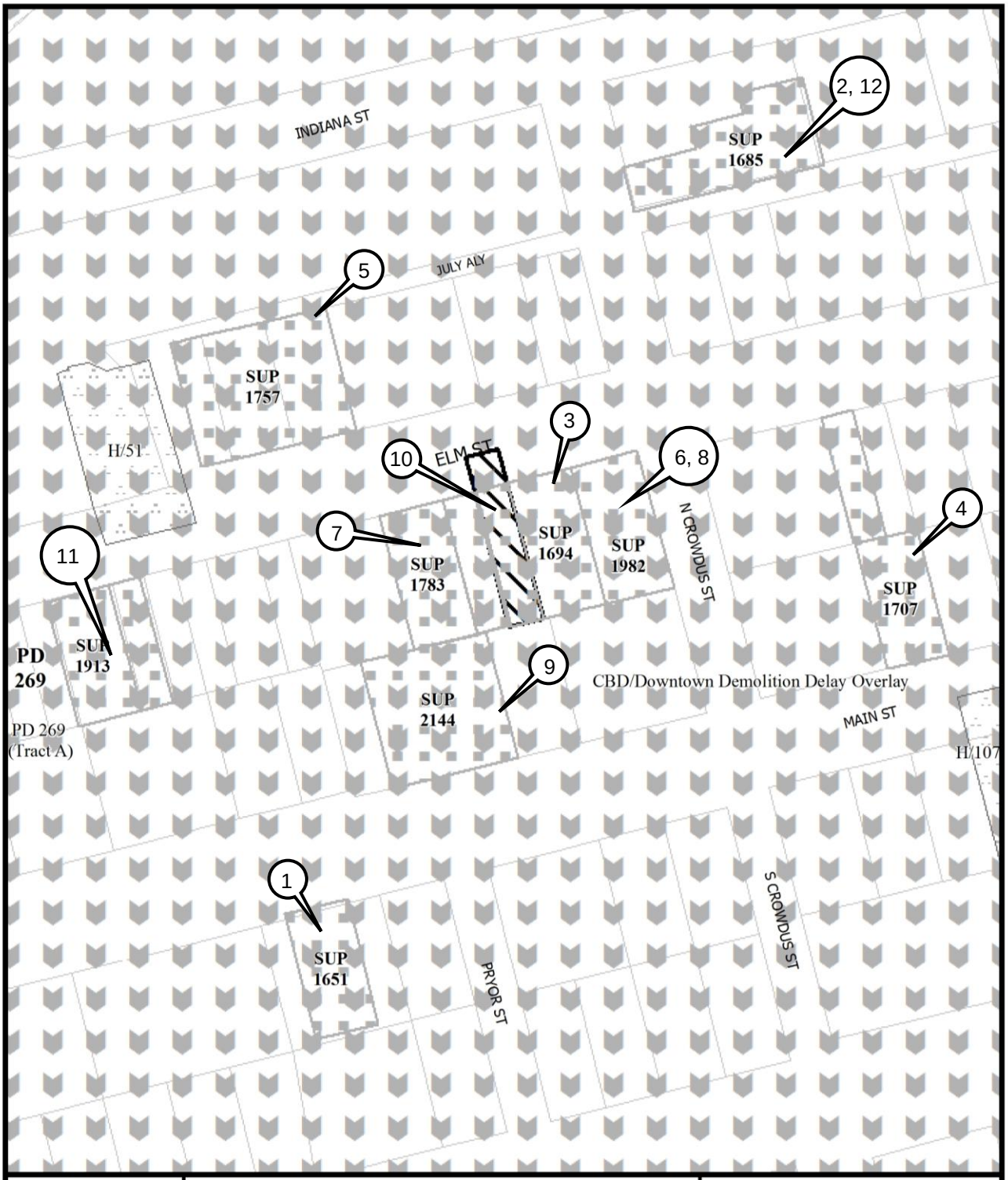
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AERIAL MAP

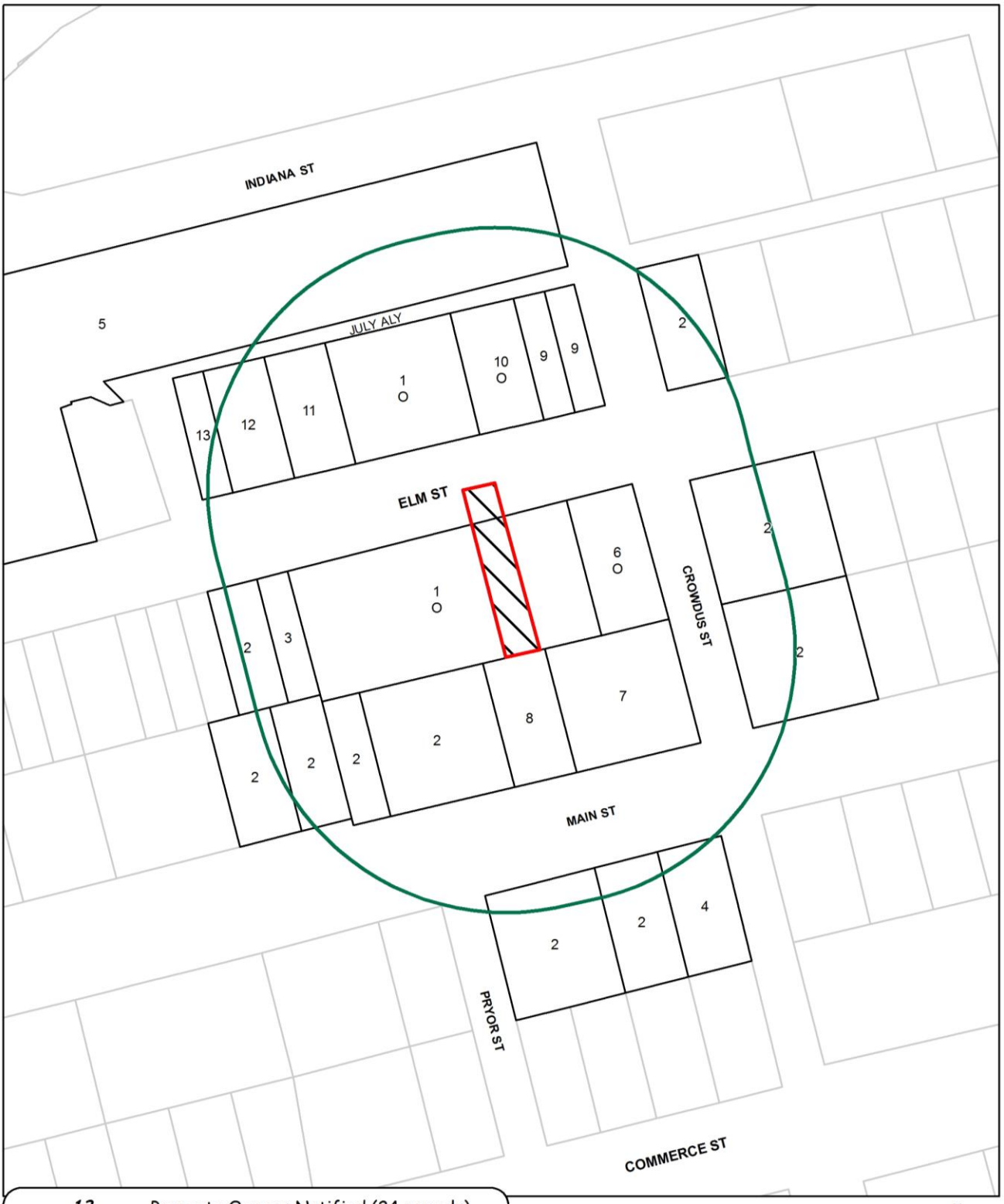
Case no: Z167-275

Date: 5/3/2017


INDIANA ST
SUP 1685
JULY ALY
Retail & personal service, Surface parking
SUP 1757
H/51
ELM ST
Retail & personal service
SUP 1694
SUP 1982
N CROWDUS ST
SUP 1783
SUP 1707
PD 269
SUP 1913
Retail & personal service
CBD/Downtown Demolition Delay Overlay
SUP 2144
MAIN ST
PD 269 (Tract A)
H/107
S CROWDUS ST
SUP 1651
PRYOR ST
1:1,200
ZONING AND LAND USE
Case no: Z167-275
Date: 5/3/2017


INDIANA ST
2, 12
SUP 1685
JULY ALY
5
SUP 1757
H/51
3
ELM ST
10
6, 8
7
SUP 1694
SUP 1783
SUP 1982
N CROWDUS ST
4
SUP 1707
11
PD 269
SUP 1913
9
CBD/Downtown Demolition Delay Overlay
SUP 2144
MAIN ST
PD 269 (Tract A)
H/107
1
S CROWDUS ST
SUP 1651
PRYOR ST
1:1,200
ZONING HISTORY
Case no: Z167-275
Date: 5/3/2017

CPC RESPONSES



13	Property Owners Notified (24 parcels)
3	Replies in Favor (4 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
6/22/2017	Date

Z167-275
CPC

N
W E
S

1:1,200

Notification List of Property Owners

Z167-275

13 Property Owners Notified 3 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
O	1	2720	ELM ST	ELM STREET REALTY LTD
	2	2649	MAIN ST	42 DEEP ELLUM LP
	3	2650	ELM ST	ELM ELM LLC
	4	2712	MAIN ST	CASS DON E TR
	5	2625	ELM ST	UPLIFT EDUCATION
O	6	2724	ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	7	2715	MAIN ST	MAIN PROPERTIES LLC
	8	2707	MAIN ST	DEALEY CHRISTOPHER C
	9	2723	ELM ST	2723 ELM STREET JV
O	10	2717	ELM ST	WESTDALE PPTIES AMERICA LTD
	11	2707	ELM ST	BELMOR CORP
	12	2703	ELM ST	BELMOR CORP
	13	2701	ELM ST	BELMOR CORP

AGENDA ITEM # 64

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 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 a Specific Use Permit for an alcoholic beverage establishment use limited to a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Elm Street, west of North Crowdus Street

Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions

Z167-277(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z167-277(JM)	**DATE FILED:**	April 24, 2017
LOCATION:	On the north side of Elm Street, west of North Crowdus Street.		
COUNCIL DISTRICT:	2	**MAPSCO:**	45-M
SIZE OF REQUEST:	Approx. 4,981 sq. ft.	**CENSUS TRACT:**	204.00

REPRESENTATIVE: Jason Marshall

APPLICANT: Rycam Enterprises

OWNER: Elm Street Realty, LTD

REQUEST: An application for a Specific Use Permit for an alcoholic beverage establishment use limited to a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

SUMMARY: The purpose of this request is to evolve the existing restaurant use into a bar, lounge, or tavern and a live music venue to operate in conjunction with the existing restaurant within the Deep Ellum District [Green Room Live].

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The 4,885-square-foot tenant space is located within a one-story structure with a roof-top deck and one other tenant, a restaurant, to the west. The subject site has operated as a restaurant since 2010. Due to increasing alcohol sales at the restaurant, the applicant proposes to convert the existing restaurant into an alcoholic beverage establishment with live music. The applicant would like to maintain the existing patio of which 1,869 square feet are covered and 689 square feet are uncovered.

- On June 14, 2006, the City Council approved an amendment to Planned Development District No. 269, which requires a Specific Use Permit for an alcoholic beverage establishment use limited to a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue.

Zoning History: There have been 10 recent zoning changes requested in the area.

1. **Z167-274** An application for the renewal of Specific Use Permit No. 2144 for a bar, lounge, or tavern on property zoned Tract A, Planned Development No. 269, the Deep Ellum/Near East Side District located on the north side of Main Street, west of North Crowdus Street. *Pending CC on August 9, 2017.*

2. **Z167-275** An application for a renewal of Specific Use Permit No. 2050 for a bar, lounge, or tavern on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south line Elm Street, west of North Crowdus Street. *Pending CPC on August 9, 2017.*

3. **Z167-233** On May 4, 2017, the City Plan Commission approved a renewal of SUP No. 1685 a bar, lounge or tavern for a five-year period on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District. The City Council will consider the case on the June 14, City Council Agenda.

4. **Z167-154** On April 12, 2017, the City Council approved the renewal of Specific Use Permit No. 2122 for a bar, lounge, or tavern use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District south side of Elm Street, west of North Crowdus Street.

5. **Z167-142** On March 22, 2017, the City Council approved the renewal of Specific Use Permit No. 2019 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District south side of Elm Street, east of North Good Latimer Expressway.

6. **Z156-230** On June 22, 2016 the City Council approved the renewal of Specific Use Permit No. 1913 for a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District located at 2638 Elm Street.

7. **Z145-249** On August 12, 2015 the City Council approved the renewal of Specific Use Permit No. 2050 for an alcoholic beverage establishment use limited to a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District.

8. **Z145-176** On May 13, 2015, the City Council approved the renewal and amendment of Specific Use Permit No. 1696 for an alcoholic beverage establishment use limited to a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District on the south side of Elm Street, west of North Crowdus Street.

9. **Z145-160** On April 22, 2015, the City Council approved a Specific Use Permit for a Bar, lounge, or tavern on property zoned Tract A, Planned Development No. 269, the Deep Ellum/Near East Side District located on the north side of Main Street, west of North Crowdus Street.

10. **Z145-121** On February 11, 2016, the City Council approved the renewal of Specific Use Permit No. 1783 for a bar, lounge or tavern on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side District.

11. **Z134-307** On December 13, 2014 City Council approved 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 Planned Development District No. 269, Tract A, the Deep Ellum/Near East Side Special Purpose District on the south line of Elm Street, west of North Crowdus Street.

12. **Z134-222** On August 13, 2014, the City Council approved the renewal of Specific Use Permit No. 1757 for an alcoholic beverage establishment use limited to a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District north of Elm Street and west of North Crowdus Street.

13. **Z123-206** On June 12, 2013, City Council approved renewal of Specific Use Permit No. 1707 for a Tattoo studio on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the northwest line of Main Street, East of North Crowdus Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Elm Street	Local	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed zoning and determined it will not have a negative impact on the existing street system.

Land Use:

	Zoning	Land Use
Site	PDD No. 269, Tract A	Restaurant (Alcoholic Beverage Establishment)
North	PDD No. 269, Tract A	Surface parking lot
East	PDD No. 269, Tract A	Surface parking lot
South	PDD No. 269, Tract A	Retail and Bar, lounge, or taverns/inside commercial amusement (live music venue)
West	PDD No. 269, Tract A	Bar, lounge, or taverns/inside commercial amusement (live music venue)

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:

ECONOMIC ELEMENT:

GOAL 2.5 Foster a City of Great Neighborhoods

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

URBAN DESIGN ELEMENT

GOAL 5.3 Establishing Walk-to Convenience

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

STAFF ANALYSIS:

Land Use Compatibility:

The 4,885-square-foot tenant space is located within a one-story structure with a roof-top deck and one other tenant, a restaurant, to the west. The subject site has operated as a restaurant since 2010. Due to increasing alcohol sales at the restaurant, the applicant proposes to convert the existing restaurant into an alcoholic beverage establishment with live music. The applicant would like to maintain the existing patio of which 1,869 square feet are covered and 689 square feet are uncovered. A portion of the rooftop patio extends onto the neighboring unit, but is only used by the applicant.

Surrounding land uses consist of surface parking to the north and east, restaurants and other alcoholic beverage establishments including live music venues and retail uses to the west and south.

The proposed alcoholic beverage establishment use limited to a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue is compatible and conforms to the adjacent retail and personal service uses. The use should not impact the surrounding uses negatively from a land use perspective. The primary uses in PD No. 269 consist of a mix of alcoholic beverage establishments, restaurants, personal service and office uses. The applicant has proposed the following hours of operation: 11:00 am to 2:00 am, Monday through Sunday. The short time period allows a re-evaluation of the use to ensure no negative effects on surrounding properties.

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 site is surrounded by a mix of retail/restaurant uses that are served by various surface parking lots and on-street parking spaces along Elm Street. PD No. 269 does not require off-street parking for the first 2,500 square feet of floor area for a bar, lounge, or tavern use when located on the first floor in an original building. According to

the site plan submitted with this request, the first floor contains 2,327 square feet. The second floor contains a rooftop deck with 1,869 square feet of covered floor area. This portion of the proposed use requires one parking space per 100 square feet; therefore, 19 parking spaces are required. A 689 square-foot uncovered section of the rooftop deck will not require parking. The applicant has not proposed parking at this time, but will have to comply with the parking requirements set forth in PD No. 269, including the aforementioned.

Dallas Police Department:

The following police report shows the number of offenses on the request site currently operating as a restaurant.

Offenses prior to a Specific Use Permit – January 1, 2016 to May 10, 2017

Crime Part 1, January 1 2016 - May 10 2017

IncidentNum	ServYr	Date1	Time1	Address	UCR_Offense	ZipCode
153524-2016	2016	6/24/2016	22:00	2715 ELM ST	UUMV	75226

Crime Part 2, January 1 2016 - May 10 2017

IncidentNum	ServYr	Date1	Time1	Address	UCR_Offense	ZipCode
153524-2016	2016	6/24/2016	22:00	2715 ELM ST	OTHER THEFTS	75226
001762-2016	2016	1/3/2016	0:00	2715 ELM ST	DISORDERLY CONDUCT	75226

Arrests, January 1 2016 - May 10 2017

IncidentNum	ArrestYr	ArrestNumID	ArArrestDate	ArArrestTime	ArLAddress	ChargeDesc
113978-2016	2016	0020647-2016	5/13/2016	8:35	2715 ELM ST	Public Intoxication

Calls, January 1 2016 - May 10 2017

Master_Incident_Number	Response_Date	Response_Time	Problem	Priority_#	Priority Description	Address	ZipCode
17-0809981	4/29/2017	22:23	6X - Major Dist (Violence)	2	2 - Urgent	2715 Elm St	75226
17-0374921	2/26/2017	2:14	7X - Major Accident	2	2 - Urgent	2715 Elm St	75226
16-1477560	7/26/2016	22:25	20 - Robbery	2	2 - Urgent	2715 Elm	75226
16-1435409	7/21/2016	1:53	08 - Intoxicated	3	3 - General Service	2715 Elm St	75226
16-1248437	6/26/2016	1:45	Dist Ambulance	2	2 - Urgent	2715 Elm St	75226

CPC Action:
June 22, 2017

Motion: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment use limited to a bar, lounge or tavern and an inside commercial amusement use limited to a live music venue for a two-year period, subject to a site plan and conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Elm Street, west of North Crowdus Street.

Maker: Rieves
Second: Davis
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: 200 Mailed: 16
Replies: For: 4 Against: 0

Speakers: None

List of Officers/Partners

The Green Room
List of Partners/Principles/Officers

Applicant/Tenant: Rycam Enterprises LLC a Texas Limited Liability Company
Corporate Address: 2715 Elm St., Dallas, Texas 75226

Managing Member/President
Christian Baird
2715 Elm Street
Dallas TX 75226

Property Owner: Elm Street Realty, Ltd, 3100 Monticello, #600, Dallas TX, 75205

Proposed SUP Conditions
Z167-277(JM)

1. USE: The only uses authorized by this specific use permit are a bar, lounge, tavern or restaurant and an inside commercial amusement limited to a live music venue.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on (two-years from the passage of this ordinance).

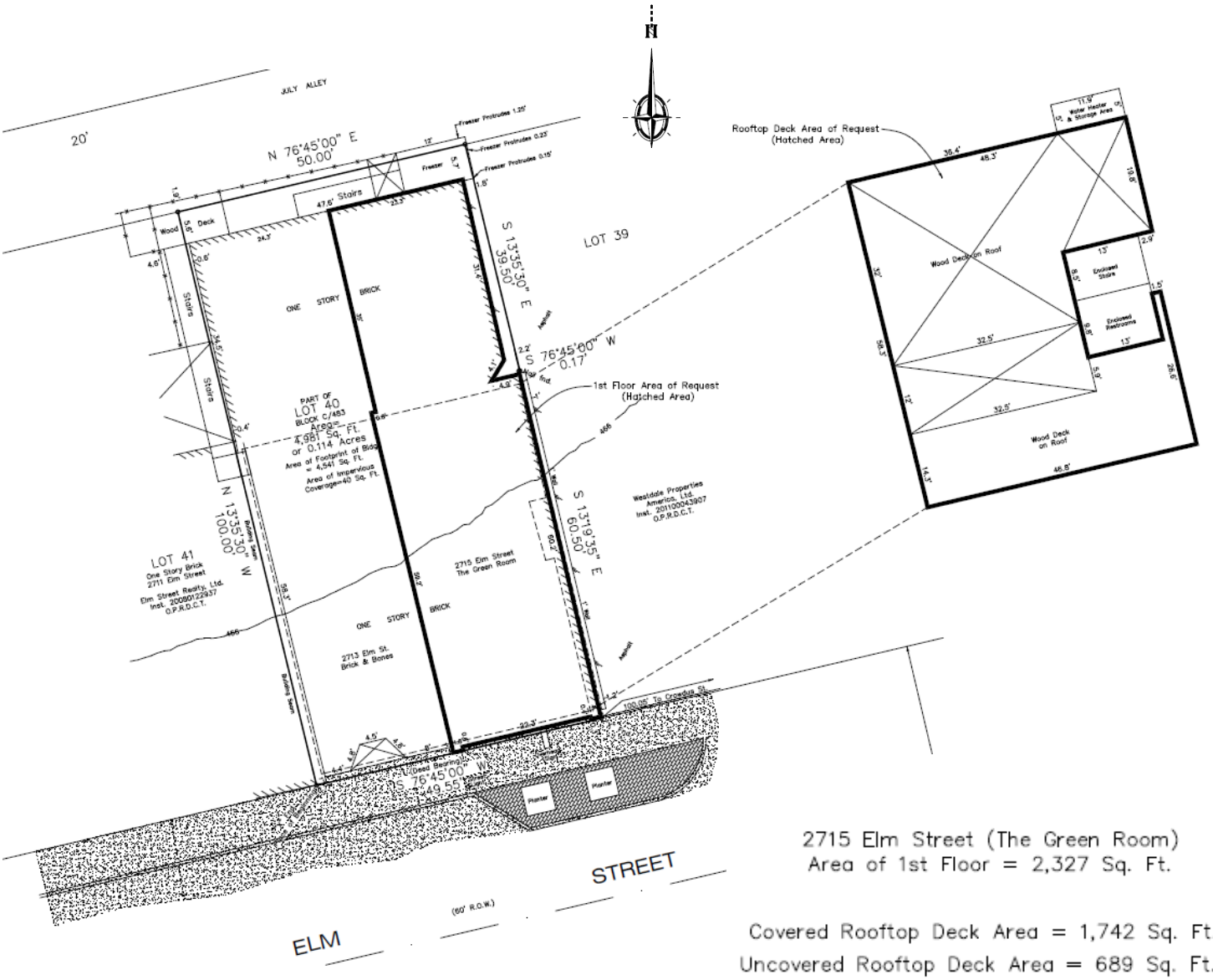
4. FLOOR AREA: The maximum floor area is 4,196 square feet in the location shown on the attached site plan. The total floor area includes a covered patio containing 1,869 square feet, and an uncovered patio containing 689 square feet.

5. HOURS OF OPERATION: The live music venue may only operate from 11:00 am to 2:00 am, Monday through Sunday.

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.

PROPOSED SITE PLAN



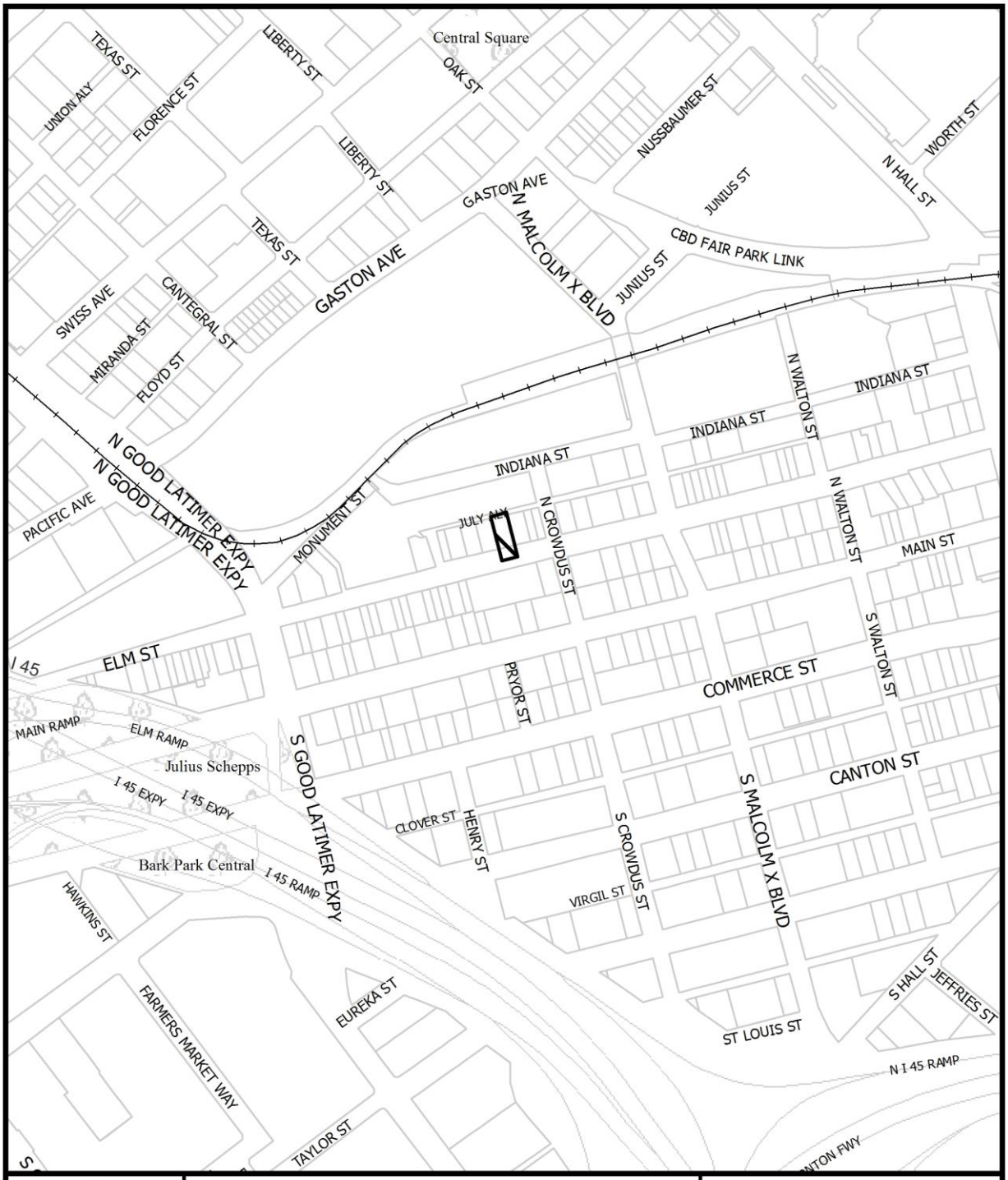
2715 Elm Street (The Green Room)
Area of 1st Floor = 2,327 Sq. Ft.

Covered Rooftop Deck Area = 1,742 Sq. Ft.
Uncovered Rooftop Deck Area = 689 Sq. Ft.
Restroom Area = 127 Sq. Ft.
Total Rooftop Area = 2,558 Sq. Ft.

Note: Parking will be provided per code.



Bold Area Indicates
Area of Request



1:4,800

VICINITY MAP

Case no: Z167-277

Date: 5/10/2017

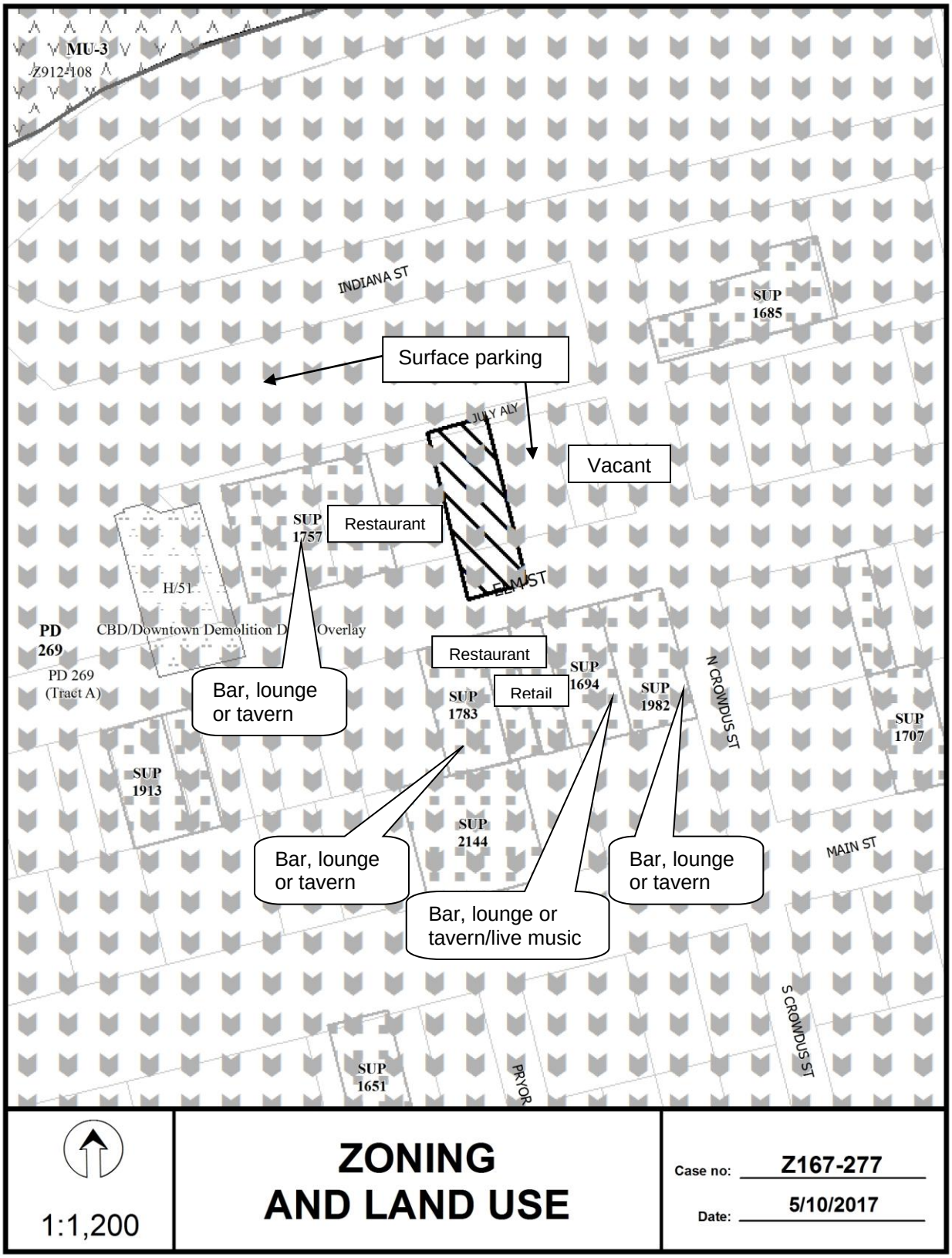


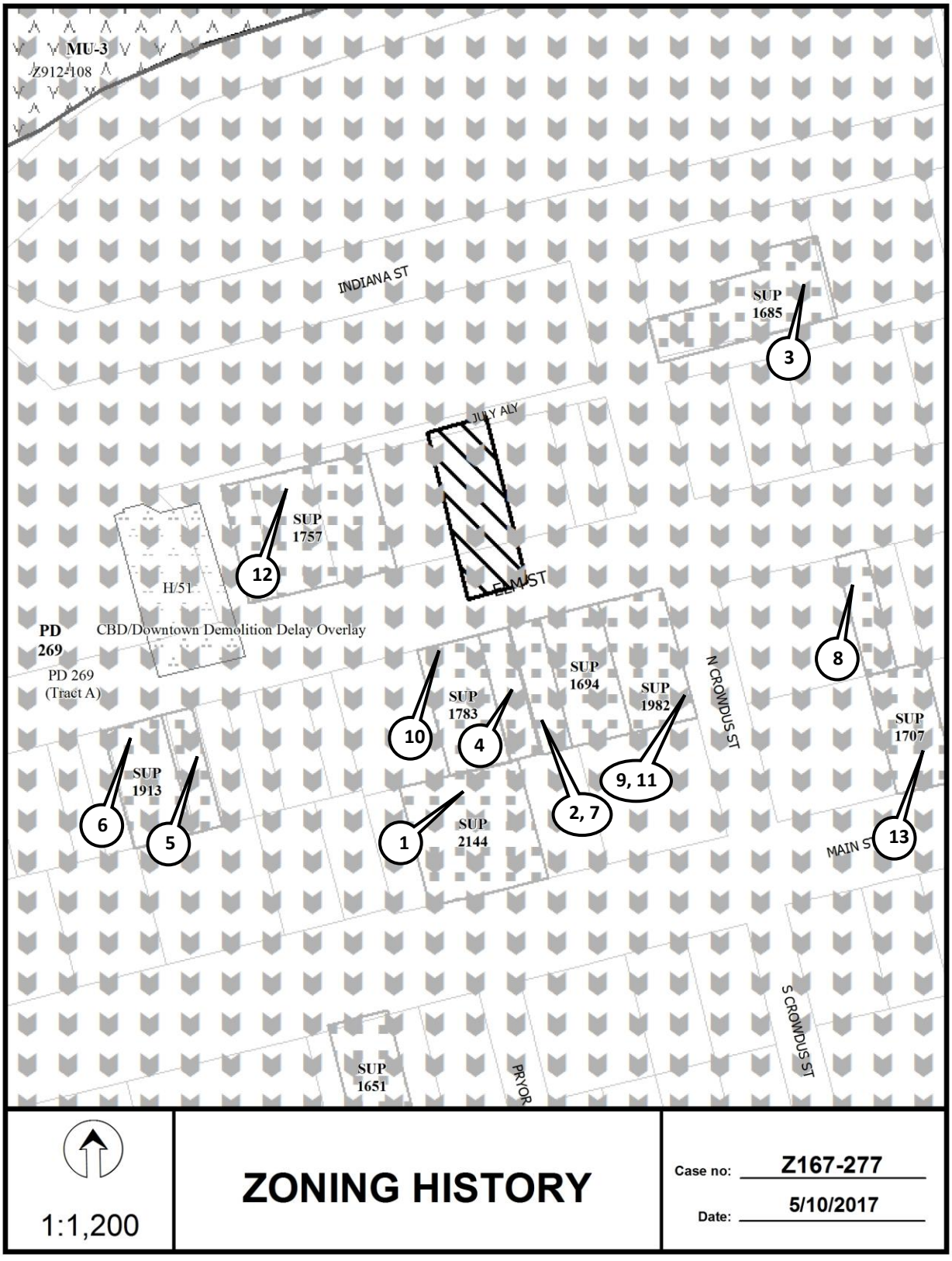
1:1,200

AERIAL MAP

Case no: Z167-277

Date: 5/10/2017


MU-3
Z912-108
INDIANA ST
SUP 1685
Surface parking
JULY ALY
Vacant
SUP 1757
Restaurant
ELM ST
H/51
PD 269
CBD/Downtown Demolition D Overlay
PD 269 (Tract A)
Bar, lounge or tavern
Restaurant
SUP 1694
Retail
SUP 1783
SUP 1982
N CROWDUS ST
SUP 1707
SUP 1913
SUP 2144
Bar, lounge or tavern
Bar, lounge or tavern/live music
Bar, lounge or tavern
MAIN ST
S CROWDUS ST
SUP 1651
PRYOR
1:1,200
ZONING AND LAND USE
Case no: Z167-277
Date: 5/10/2017


MU-3
Z912-108
INDIANA ST
SUP
1685
3
JULY ALY
SUP
1757
12
H/51
ELM ST
PD
269
CBD/Downtown Demolition Delay Overlay
PD 269
(Tract A)
SUP
1783
10
4
SUP
1694
SUP
1982
N CROWDUS ST
8
SUP
1707
SUP
1913
6
5
9, 11
2, 7
1
SUP
2144
MAIN ST
13
S CROWDUS ST
SUP
1651
PRYOR
1:1,200
ZONING HISTORY
Case no: Z167-277
Date: 5/10/2017

CPC Responses



16	Property Owners Notified (23 parcels)
4	Replies in Favor (5 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
6/22/2017	Date

Z167-277
CPC

1:1,200

06/21/2017

Reply List of Property Owners

Z167-277

16 Property Owners Notified ***4 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	2720	ELM ST	ELM STREET REALTY LTD
	2	2649	MAIN ST	42 DEEP ELLUM LP
	3	2644	ELM ST	CAMERON PAUL DARREN
	4	2650	ELM ST	ELM ELM LLC
	5	2625	ELM ST	UPLIFT EDUCATION
O	6	2724	ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	7	2715	MAIN ST	MAIN PROPERTIES LLC
	8	2707	MAIN ST	DEALEY CHRISTOPHER C
	9	2723	ELM ST	2723 ELM STREET JV
O	10	2717	ELM ST	WESTDALE PPTIES AMERICA LTD
	11	2707	ELM ST	BELMOR CORP
	12	2703	ELM ST	BELMOR CORP
	13	2701	ELM ST	BELMOR CORP
O	14	2810	INDIANA BLVD	WESTDALE PROPERTIES AMERICA I LTD
	15	2807	ELM ST	BLANTON JEANNE
	16	301	N CROWDUS ST	ANIMATION BUILDING LP THE

AGENDA ITEM # 65

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 24 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subarea 2 and Subarea 3 in Planned Development District No. 787, on the south line of West Northwest Highway, west of Midway Road
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan and conditions
Z167-278(WE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-278(WE) **DATE FILED:** April 24, 2017

LOCATION: South line of West Northwest Highway, west of Midway Road

COUNCIL DISTRICT: 13 **MAPSCO:** 24-W

SIZE OF REQUEST: Approx. 2.521 acres **CENSUS TRACT:** 73.02

APPLICANT: Trinsic Acquisition Company, LLC

OWNER: IRP/Crest Gates Associates, LP

REPRESENTATIVE: Robert Baldwin
Baldwin Associates

REQUEST: An application for an amendment to Subarea 2 and Subarea 3 in Planned Development District No. 787.

SUMMARY: The purpose of this request is to amend the boundary lines on the conceptual plan between Subareas 2 and 3. The applicant proposes to develop a single family shared access development with a maximum of 33 lots. The maximum height within the proposed development will not change as a result of the relocation of the boundary lines. Subarea 2 will retain a maximum structure height of 45 feet and Subarea 3 a maximum structure height of 35 feet.

CPC RECOMMENDATION: **Approval**, subject to a revised conceptual plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised conceptual plan and conditions.

BACKGROUND INFORMATION:

- The applicant's request to amend PDD No. 787 is twofold: 1) adjust the boundary lines for Subarea 2 and Subarea 3 on the conceptual plan, and 2) construct a shared access development that consists of 33 lots. Planned Development District No. 787 consists of 6 subareas. Subareas 2 and 3 are located on the eastern portion of the PDD that will be developed with approximately 33 single family lots. The entire PDD No. 787 is approximately 13.19 acres.

- On June 11, 2008, the City Council approved Planned Development District No. 787. The site is currently developed with multifamily units. The existing multifamily development was built between 1964 and 1965.

- On May 18, 2017, the City Plan Commission approved a development plan for Planned Development District No. 787 for subareas 1, 5, and 6. The development plan allowed for the development of five multifamily units, one two-story amenity building, surface parking and a parking structure. The maximum number of dwelling units allowed is 474 units.

Zoning History: There have been four zoning cases in the area over the past six years.

1. Z101-224 On June 8, 2011, the City Council approved Planned Development District No. 851 for retail and office uses on property zoned a TH-1(A) Townhouse District

2. Z101-231 On August 10, 2011, the City Council approved a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property within Planned Development District No. 366 with a D Liquor Control Overlay.

3. Z156-276 An application for a Planned Development for a shared access single family development on property zoned an R-10(A) Single Family District. A City Plan Commission hearing has not been scheduled at this time.

4. Z167-234 An application for a Specific Use Permit for a tower / antenna for cellular communication on property zoned an R-7.5(A) Single Family District. A City Plan Commission hearing has not been scheduled at this time.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
W. Northwest Highway	Principal Arterial	100 ft.	100 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 787, Subareas 2 & 3	Multifamily
North	TH-2(A) w/SUP No. 1558, R-10(A)	Single Family
South	PDD No. 787, Subarea No. 4	
East	TH-2(A) w/SUP No. 78	Cemetery
West	PDD No. 787, Subarea No. 1 & 5	Multifamily

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 787	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%	N/A	Single family, School, accessory youth and family center

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.

LAND USE

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

STAFF ANALYSIS:

Land Use Compatibility: The request site is developed with multifamily uses. The applicant's request to amend Subarea 2 and Subarea 3 of Planned Development District No. 787 will allow for the construction of a shared access development. The proposed development will consist of approximately 33 lots and is comprised of 2.521 acres. The proposed development will have one access driveway into the proposed development from West Northwest Highway and an emergency lock box on the western portion of the proposed development. The emergency lock box will ensure a secondary access through a proposed multifamily development within PDD No. 787 in the event the primary access on West Northwest Highway is not accessible.

Planned Development District No. 787 is separated into six subareas that restrict the structure height, maximum number of stories, main uses, and the maximum allowable of density. PDD No. 787 allows for a maximum density of 487 units for Subareas 1, 2, 5 and 6 and a maximum density of 32 units in Subarea 3. By amending the conceptual plan to reduce the area in Subarea 2, the applicant will have the ability to develop the site within the subarea's boundaries for single family uses while complying with the cumulative density allowed in Subareas 1, 2, 5 and 6. The enlargement of Subarea 3 will allow for development of approximately 23 single family units without encroaching into the area that is designated as Subarea 2 on the original conceptual plan. Subarea 3 permits a maximum density of 32 units. The applicant proposes to develop a single family shared access development with a maximum of 33 lots in Subarea 2 and Subarea 3. In addition, the maximum height within the proposed development will not change as a result of the relocation of the boundary lines. Subarea 2 will retain a maximum structure height of 45 feet and Subarea 3 a maximum structure height of 35 feet.

Staff has met with the representatives of the proposed development in Subareas 1, 5 and 6 and have agreed to insert a provision in the conditions regarding the residential proximately slope for the internal developments between the proposed multifamily development and proposed single family development. Therefore, staff has inserted language stating that Subarea 2 and Subarea 3 do not apply to the site of origination when determining the residential proximately slope. Staff believes that the proposed single family shared access development should not have a negative impact on the development within Planned Development District No. 787 or the surrounding developments.

The adjacent land uses consist of a cemetery to the east, and an area designated are open space [Subarea 4] to the south. PDD No. 787 west of the site is developed with multifamily uses. The adjacent subareas in PDD 787 will be developed with approximately 474 units. The properties north of the site, across West Northwest Highway, are developed with single family uses.

Landscaping: Landscaping will in accordance to the landscaping requirements in Article X, as amended.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

CPC Action (June 22, 2017)

Motion: It was moved to recommend **approval** of an amendment to Subarea 2 and Subarea 3, subject to a revised conceptual plan and conditions in Planned Development District No. 787, on the south line of West Northwest Highway, west of Midway Road.

Maker: Rieves
Second: Davis
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: 101
Replies: For: 9 Against: 1

Speakers: For: None
Against (Did not speak): Adam Hyman, 9411 Monteleon Ct., Dallas, TX, 75220

LIST OF OFFICERS

Trinsic Residential Group

Brian Tusa, CEO and Chairman

Steve Reynolds, President

Joe Barrett, COO

Sheri Thomas, Director

Matt Lewis, Managing Director

Adam N. Brown, Managing Director

Vincent Spencer, Managing Director

Todd Gosselink, Managing Director

Manuel Martinez, Managing Director

Bryce Snyder, Managing Director

Doug Walton, Vice President

Timothy Welsh, Vice President

IRP/Crest Gates Associates, L.P.

Crest Opportunity X, Inc.

RAJIV NAIDU, President & Secretary

Kevin Braun, Treasurer

PROPOSED CPC PDD CONDITIONS

SEC. 51P-787.101. LEGISLATIVE HISTORY.

PD 787 was established by Ordinance No. 27212, passed by the Dallas City Council on June 11, 2008.

SEC. 51P-787.102. PROPERTY LOCATION AND SIZE.

PD 787 is established on property located on the south side of Northwest Highway, east of Lemmon Avenue. The size of PD 787 is approximately 13.19 acres.

SEC. 51P-787.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to the article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A. In this district:

(1) BLADE SIGN means a sign projecting perpendicularly from a main building facade that is visible from both sides.

(2) STOOP means a small porch leading to the entrance of a residence.

(3) OPEN SPACE means an area used for recreational and gathering purposes that contains only landscaping, hardscaping, and structures with omitted walls.

(c) This district is considered to be a residential zoning district.

SEC. 51P-787.104. CREATION OF SUBAREAS.

This district is divided into six subareas: Subareas 1, 2, 3, 4, 5, and 6 as shown on the conceptual plan.

SEC. 51P-787.105. EXHIBIT.

The following exhibit is incorporated into this article:

1. Exhibit 787A: conceptual plan.

SEC. 51P-787.106. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit 787A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC. 51P-787.107. DEVELOPMENT PLAN.

(a) For a single family development, a final plat may serve as the development plan.

(b) For all other uses, a[~~A~~] development plan for each subarea must be approved by the city plan commission before the issuance of any building permit to authorize work in that subarea. If there is a conflict between the conceptual plan and an approved development plan, the approved development plan controls. If there is a conflict between the text of this article and an approved development plan, the text of this article controls.

SEC. 51P-787.108. MAIN USES PERMITTED.

(a) Subareas 1, 2, 3, 5, and 6. The following uses are the only main uses permitted:

-- Duplex.
-- Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(3.1) is not met.]
-- Local utilities.
-- Multifamily.
-- Private recreation center, club, or area. [SUP]
-- Private street or alley.
-- Public park, playground, or golf course.
-- Retirement housing.
-- Single family.

(b) Subarea 4. The following main use is the only main use permitted:

-- Public park, playground, or golf course.

SEC. 51P-787.109. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subarea 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.

(b) The following accessory uses are not permitted:

-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.
-- Accessory outside display or sale of merchandise.
-- Accessory pathological waste incinerator.
-- Amateur communication tower.
-- Day home.
-- General waste incinerator.
-- Pedestrian skybridges.
-- Private stable.

SEC. 51P-787.110. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Setbacks between subareas are not required.

(b) Front yard.

(1) Single family uses.

(A) Except as provided in this paragraph, minimum front yard is 10 feet.

(B) Along Northwest Highway, minimum front yard is 20 feet as shown on the conceptual plan.

(C) Balconies, bay windows, stoops, signs, and entryways may project up to five feet into the required front yard if the total combined area of these projections does not exceed 10 percent of the required front yard.

(2) Other uses. Minimum front yard is 20 feet.

(c) Side and rear yard.

(1) Except as provided in this subsection, for single family uses, no side or rear yard is required.

(2) Except as provided in this subsection, for all other uses, minimum side yard is as shown on the conceptual plan and minimum rear yard is 15 feet.

(3) For carports and single-story parking structures:

(A) Minimum side and rear yard of five feet must be provided along southern and eastern Property line;

(B) No side or rear yard must be provided along the western Property line.

(4) Balconies, bay windows, stoops, signs, and entryways may project up to four feet into the required side or rear yard if the total combined area of these projections does not exceed 10 percent of the required side or rear yard.

(d) Density.

(1) In Subareas 1, 2, 5, and 6, maximum total number of dwelling units is 487.

(2) In Subarea 3, maximum number of dwelling units is 32.

(e) Floor area. No maximum floor area, except that maximum floor area for all accessory uses combined is 10,000 square feet.

(f) Height.

(1) If any portion of a structure is over 26 feet in height, that portion may not be located above a 1-to-3 residential proximity slope. See Section 51A-4.412 for site of origination.

(1b) Subarea 2 and Subarea 2: Subarea 2 and Subarea 3 does not apply to the site of origination when determining the residential proximately slope.

(2) Single-story parking structures may not exceed 16 feet in height. See Section 51P-787.114(e) for facade requirements.

(3) Unless further restricted in Paragraph (1), maximum structure height is:

(A) Subarea 1: 36 feet in the area between 10 feet and 48 feet from the western property line; otherwise 60 feet.

(B) Subarea 2: 45 feet.

(C) Subarea 3: 35 feet.

(D) Subarea 4: 22 feet.

(E) Subarea 5: 70 feet.

(F) Subarea 6: 36 feet in the area between 10 feet and 48 feet from the western property line; otherwise, 80 feet.

(g) Lot coverage.

(1) Maximum lot coverage is 70 percent.

(2) For purposes of calculating lot coverage, the Property is considered one lot.

(3) Aboveground parking structures are included in lot coverage calculations; surface parking lots, carports, and underground parking structures are not.

(h) Lot size. No minimum lot size.

(i) Stories. Maximum number of stories above grade is:

(1) Subarea 1: four.

(2) Subarea 2: three.

(3) Subarea 3: two.

(4) Subarea 4: no maximum.

(5) Subarea 5: five.

(6) Subarea 6: six.

(j) Open space. A minimum of five percent of the Property must be open space.

SEC. 51P-787.111. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Multifamily uses.

(1) One off-street parking space is required for each 500 square feet of dwelling unit floor area.

(2) Not less than one off-street parking space or more than two off-street parking spaces are required for each dwelling unit.

(c) Compact parking. A maximum of 25 percent of the required off-street parking may be compact parking.

SEC. 51P-787.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-787.113. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping, tree mitigation, and tree preservation must be provided in accordance with Article X.

(b) Screening. The screening requirements in Section 51A-4.602(b) do not apply along the southern boundary of the Property.

(c) Site trees. One site tree must be provided for every 6,000 square feet of lot area.

(d) Location. Required trees must be planted no closer than 2.5 feet from a curb or paved surface. Large trees must be planted no closer than 10 feet from a building wall and no closer than 20 feet from another large tree.

(e) Tree mitigation.

(1) To qualify for a reduction in the number of replacement trees, the building official must determine that the tree protection requirements in Article X have been met.

(2) The total caliper inches of replacement trees required may be reduced by a factor of 1.5 for every existing large tree with a caliper of 20 inches or greater that is preserved. For example, a tree with a caliper of 20 inches that is preserved reduces the tree replacement requirement by 30 caliper inches. The purpose of this provision is to encourage the preservation of existing trees. As used in this provision, “existing” means a tree that existed on June 11, 2008, the date of creation of this district.

(3) Yaupon holly, Ilex vomitoria, is not a protected tree, but relocation of yaupon hollies is encouraged.

(4) If the property owner submits an application for a building permit for a building within six months after the issuance of an approved tree removal application, tree mitigation must be completed before the final certificate of occupancy is issued on the Property, or within 36 months after the tree removal application is approved, whichever is sooner. Otherwise, tree mitigation must be completed as required by Section 51A-10.134(5).

(5) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-787.114. PARKING STRUCTURE FACADES.

(a) Except as provided in this section, parking structure facades must have a facade that is similar in materials, architecture, and appearance to the facade of the main structure or the adjacent structure.

(b) Breaks in a parking structure facade not exceeding 40 feet in width are permitted at entrances and exits.

(c) Openings in a parking structure facade may not exceed 50 percent of the total parking structure facade area.

(d) Openings in a parking structure facade that are visible from a public right-of-way, other than entrances and exits, may not exceed 45 percent of the total parking structure facade area.

(e) At least 70 percent of the facade of a single-story parking structure, exclusive of openings, must have materials similar to the main residential structure the parking serves.

SEC. 51P-787.115. SIDEWALKS.

A minimum six-foot-wide sidewalk must be provided along Northwest Highway.

SEC. 51P-787.116. SIGNS.

(a) Except as provided in this section, signs must comply with the provisions for nonbusiness zoning districts in Article VII.

(b) For multifamily uses, two additional blade premise signs are permitted. The effective area of the two additional blade premise signs may not exceed 68 square feet for each side. The two additional blade premise signs must be attached to a main structure and may not be internally lighted.

SEC. 51P-787.116.1 SHARED ACCESS DEVELOPMENT

(a) A shared access development can have a maximum of 33 lots and a minimum of one access point.

(b) An emergency-only access point connecting to a fire lane on an adjacent property within the district must be provided for a shared access development with one access point.

SEC. 51P-787.117. 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.

SEC. 51P-787.118 COMPLIANCE WITH CONDITIONS.

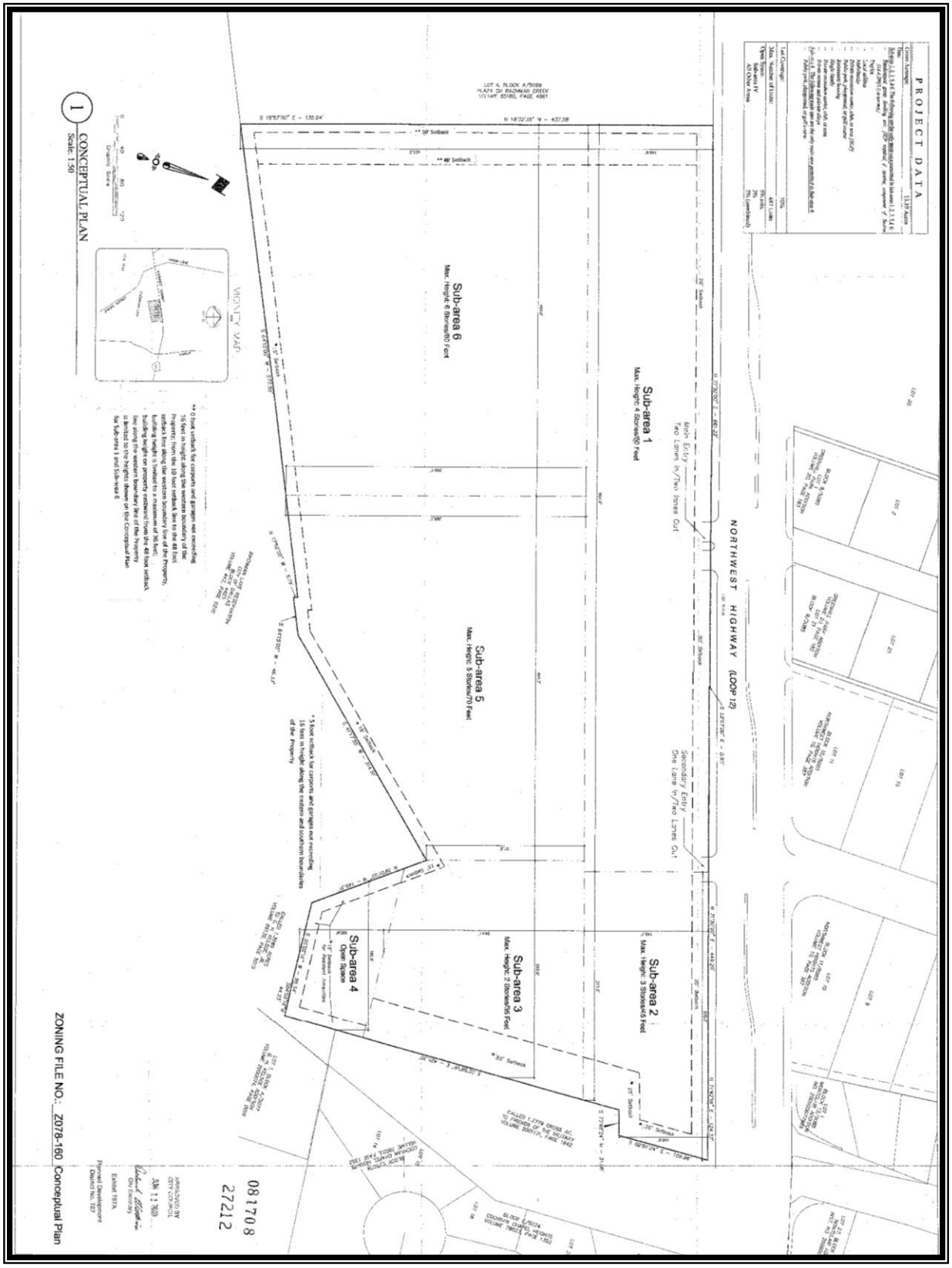
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

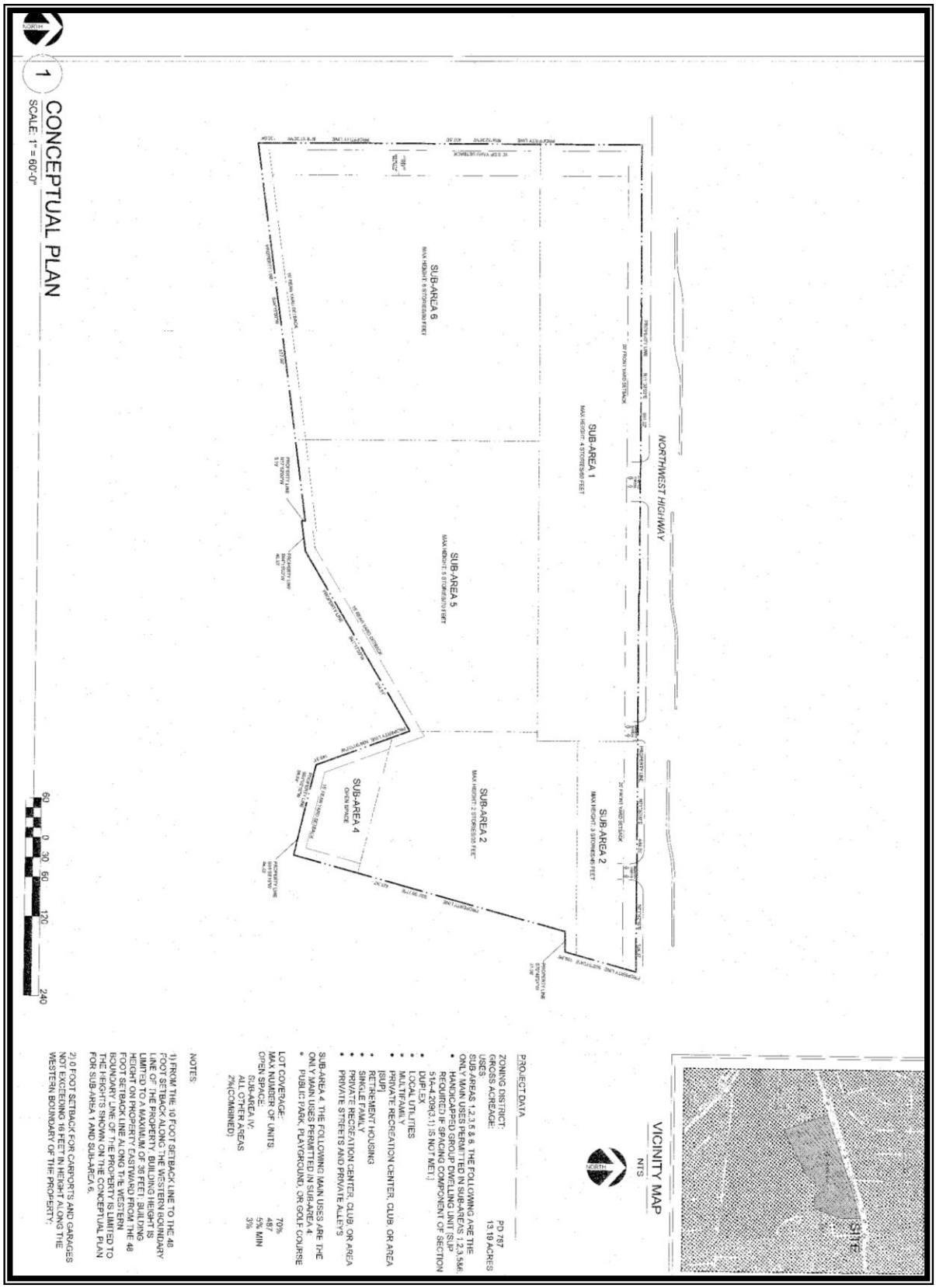
[~~SEC. 51P-787.119. ZONING MAP.~~]

[~~PD 787 is located on Zoning Map No. F-6.~~]

EXISTING CONCEPTUAL PLAN



PROPOSED CONCEPTUAL PLAN



DEVELOPMENT PLAN
FOR ILLUSTRATIVE PURPOSES ONLY
The applicant will use a plat map for the development plan

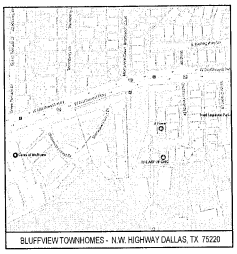


BUILDING TABULATIONS (33) UNITS

	CONDITIONED SPACE	PORCHES & TERRACES	GARAGE
UNIT A			
FIRST FLOOR	000 sf	000 sf	000 sf
SECOND FLOOR	000 sf	000 sf	000 sf
TOTAL	000 sf	000 sf	000 sf

LOT TABULATONS

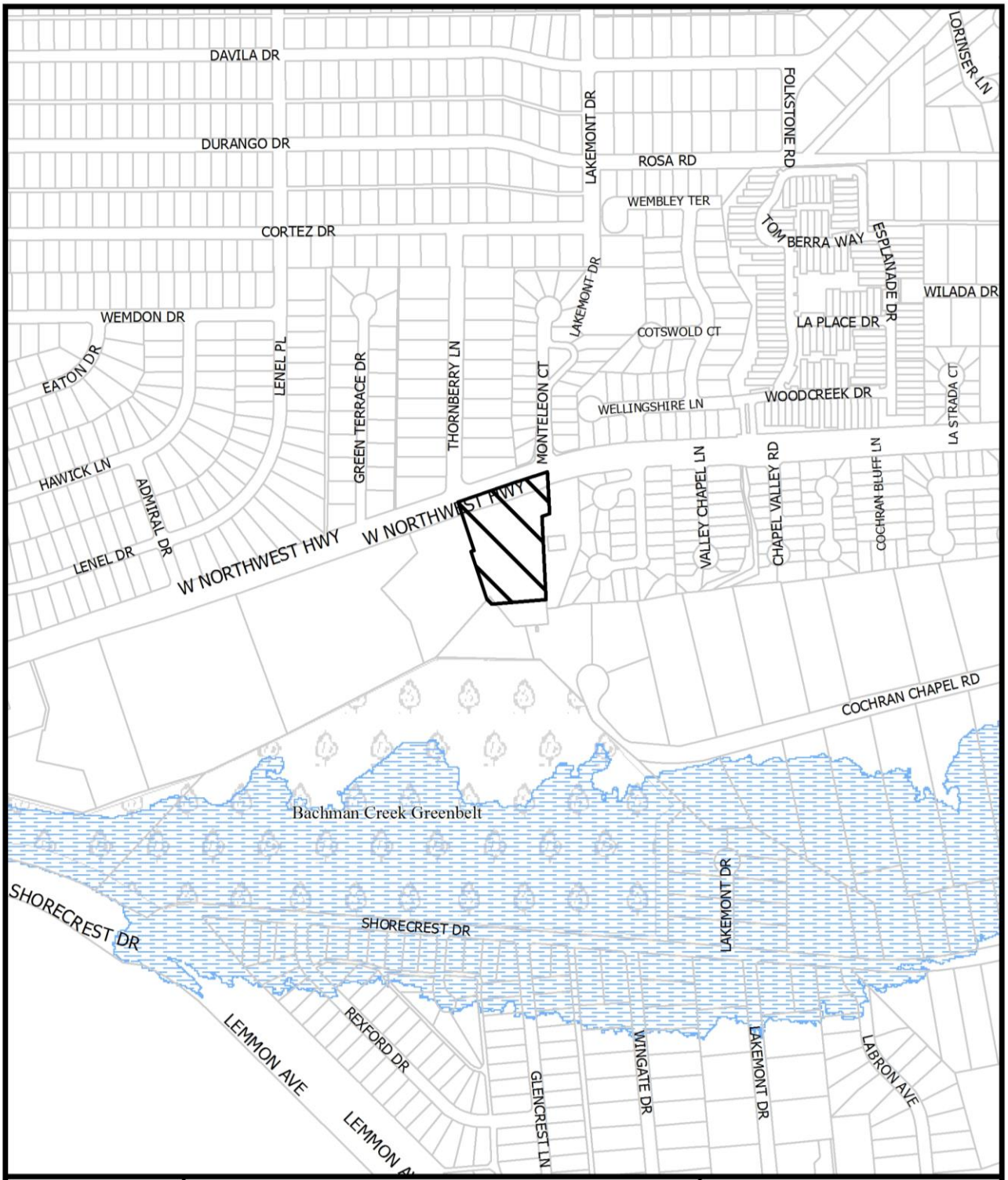
TOTAL LOT SIZE (PROPERTY LINES)	000 sf
BUILDABLE AREA (WITHIN REQ'D SETBACKS)	000 sf
ALLOWABLE COVERAGE (45% OF TOTAL LOT)	000 sf
PROPOSED LOT COVERAGE	000 sf
BUILDING FOOTPRINT	000 sf



BLUFFVIEW TOWNHOMES - N.W. HIGHWAY DALLAS, TX. 75220

1 OVERALL FIRST FLOOR SITE PLAN
1" = 30'-0"

NOT FOR CONSTRUCTION

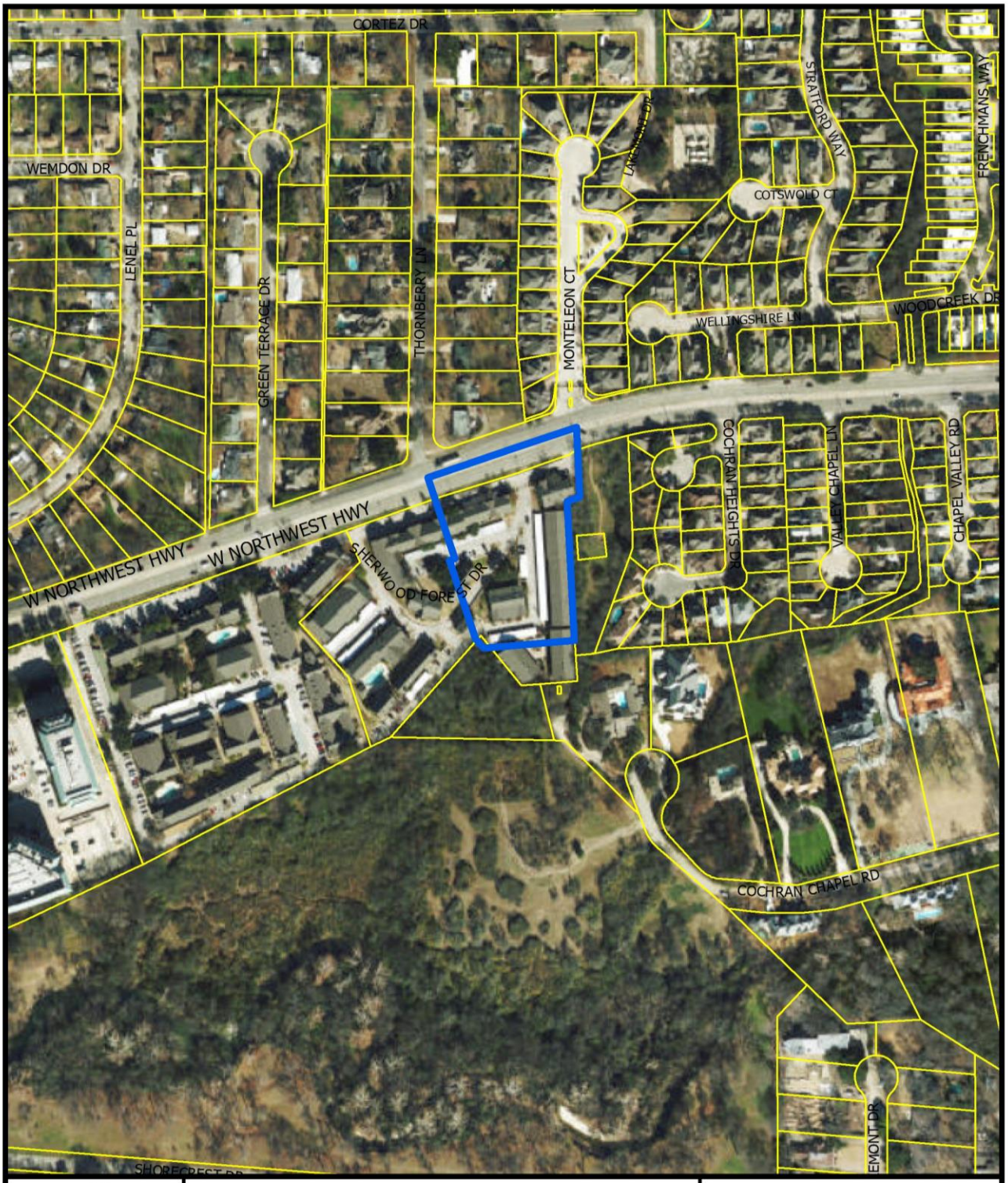


1:6,000

VICINITY MAP

Case no: Z167-278

Date: 5/18/2017

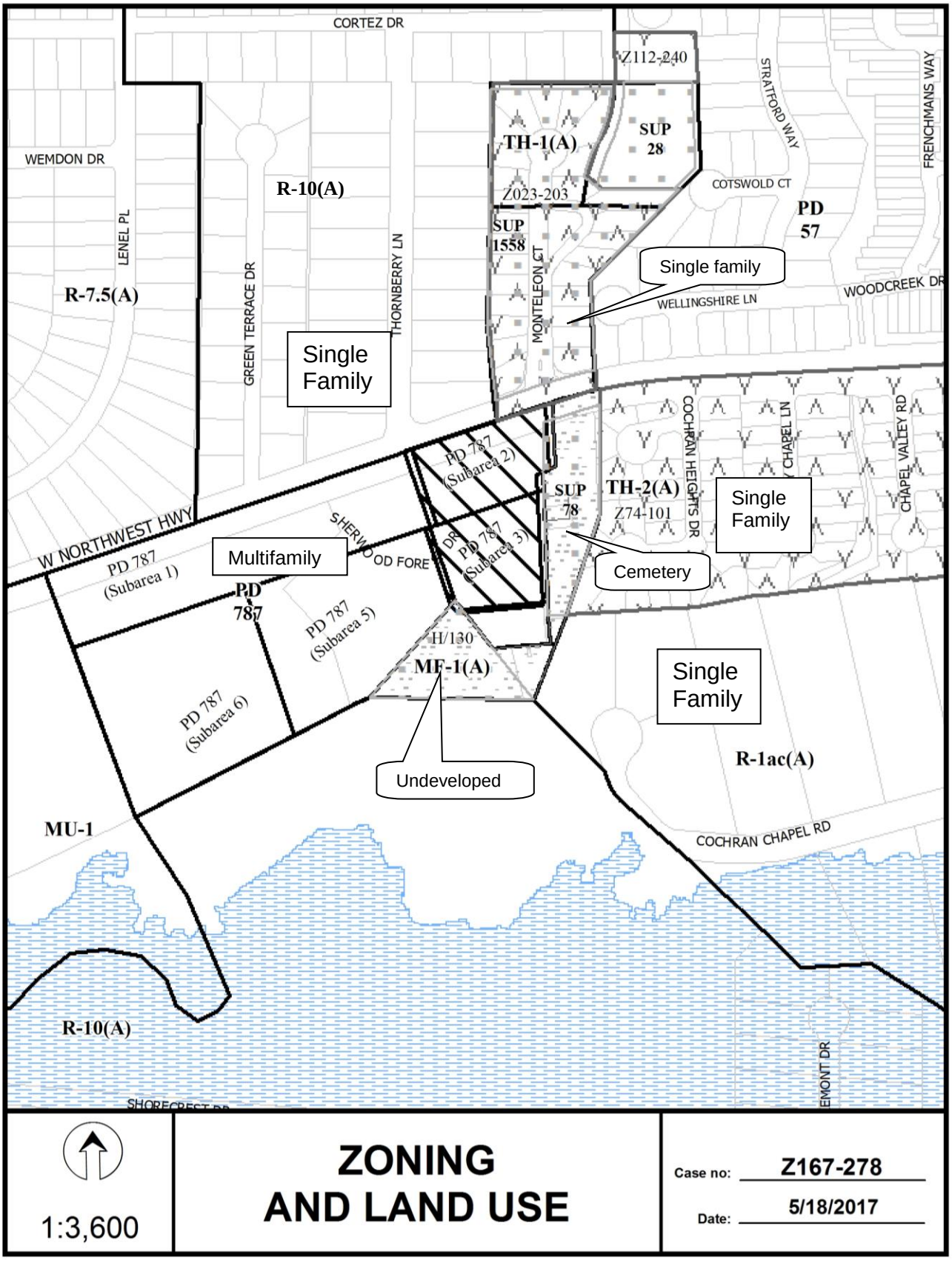


1:3,600

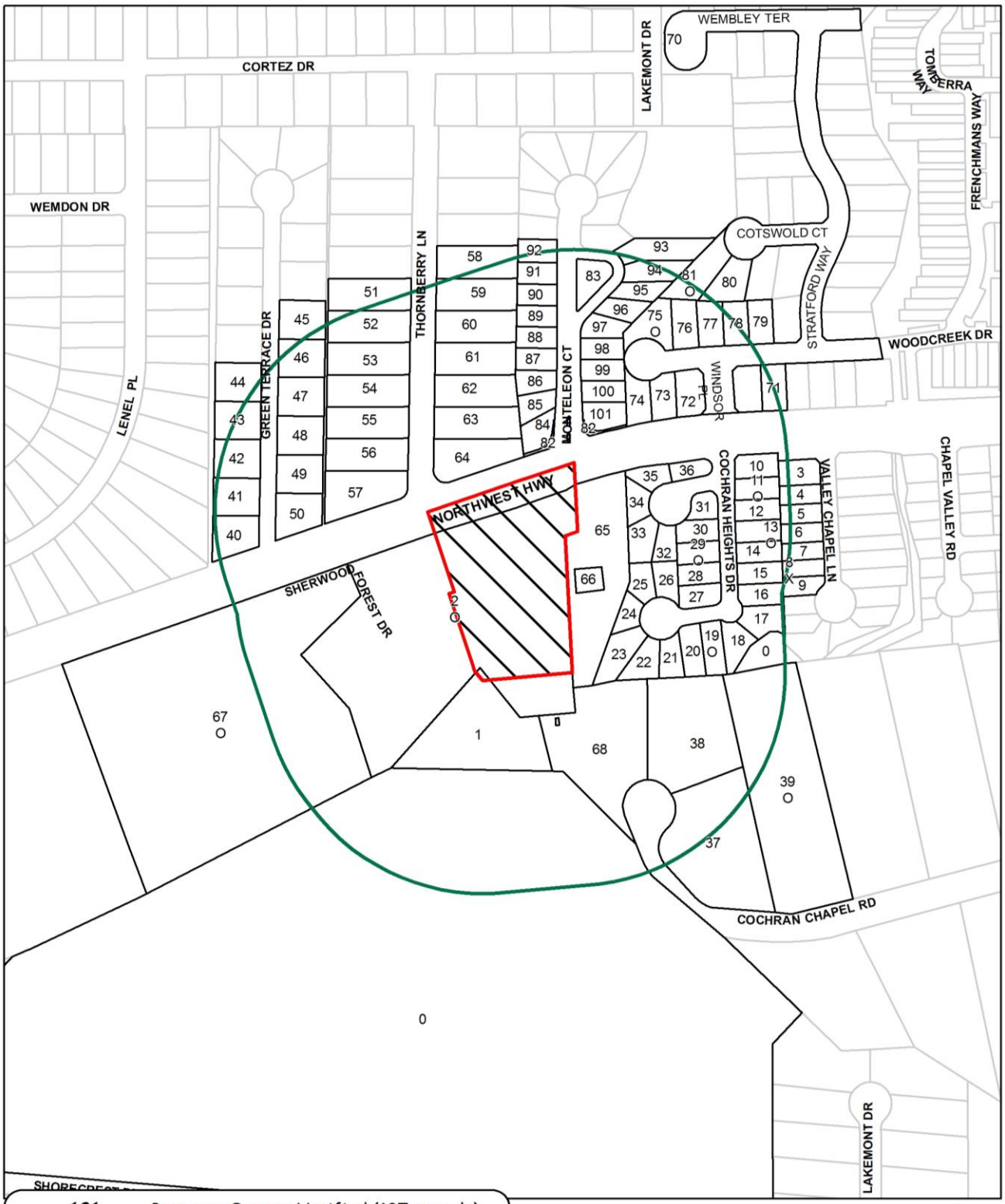
AERIAL MAP

Case no: Z167-278

Date: 5/18/2017


CORTEZ DR
Z112-240
STRATFORD WAY
FRENCHMANS WAY
WEMDON DR
TH-1(A)
SUP 28
R-10(A)
Z023-203
COTSWOLD CT
PD 57
SUP 1558
LENEL PL
R-7.5(A)
GREEN TERRACE DR
THORNBERRY LN
MONTELEON CT
Single family
WELLINGSHIRE LN
WOODCREEK DR
Single Family
PD 787 (Subarea 2)
COCHRAN HEIGHTS DR
CHAPEL LN
CHAPEL VALLEY RD
SUP 78
TH-2(A)
Z74-101
Single Family
W NORTHWEST HWY
SHERWOOD FOREST DR
PD 787 (Subarea 3)
Multifamily
Cemetery
PD 787 (Subarea 1)
PD 787
PD 787 (Subarea 5)
H/130
MF-1(A)
Single Family
PD 787 (Subarea 6)
R-1ac(A)
Undeveloped
MU-1
COCHRAN CHAPEL RD
R-10(A)
SHORECREST DR
EMONT DR
1:3,600
ZONING AND LAND USE
Case no: Z167-278
Date: 5/18/2017

CPC RESPONSES



101	Property Owners Notified (107 parcels)
9	Replies in Favor (9 parcels)
1	Replies in Opposition (1 parcels)
500'	Area of Notification
6/22/2017	Date

Z167-278
CPC

N
W E
S

1:3,600

Notification List of Property Owners

Z167-278

101 Property Owners Notified ***9 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4002	W NORTHWEST HWY	GONZALEZ AL
O	2	3909	SHERWOOD FOREST DR	IRP CREST GATES ASSOC LP
	3	9139	VALLEY CHAPEL LN	BREWINGTON MYRA CHAMPELLA
	4	9135	VALLEY CHAPEL LN	DE LEON JOHN
	5	9131	VALLEY CHAPEL LN	PLUNKETT PATTI LYNNE
	6	9127	VALLEY CHAPEL LN	SADARANGANI MAHESH
	7	9123	VALLEY CHAPEL LN	WOODALL MARTIN
X	8	9119	VALLEY CHAPEL LN	LEHNORTT SUSAN M
	9	9115	VALLEY CHAPEL LN	BLEIBERG MICHELLE E
	10	9154	COCHRAN HEIGHTS DR	WHITE BENJAMIN D & MATAN
O	11	9150	COCHRAN HEIGHTS DR	DUNCAN WILLIAM D & SUZANNE G
	12	9146	COCHRAN HEIGHTS DR	CHAPA GLORIA I
O	13	9142	COCHRAN HEIGHTS CT	FNHS LIVING TRUST
	14	9138	COCHRAN HEIGHTS DR	MOORE KATHY S
	15	9134	COCHRAN HEIGHTS DR	FLETCHER REBECCA
	16	9130	COCHRAN HEIGHTS DR	TANDEM REAL ESTATE LLC
	17	9126	COCHRAN HEIGHTS DR	SMITH THOMAS M
	18	9122	COCHRAN HEIGHTS DR	FISCHER LEO J
O	19	9118	COCHRAN HEIGHTS DR	WILDBURGER HANS A & SUSAN
	20	9114	COCHRAN HEIGHTS DR	TIPTON CRAIG D
	21	9110	COCHRAN HEIGHTS DR	LYNCH BRANDON MICHAEL
	22	9106	COCHRAN HEIGHTS DR	BRESSON KEVIN A
	23	9102	COCHRAN HEIGHTS DR	MOORE KAYREN Z
	24	9101	COCHRAN HEIGHTS DR	MERRITT MARTIN R
	25	9105	COCHRAN HEIGHTS DR	THOBE TIMOTHY G
	26	9109	COCHRAN HEIGHTS DR	GAMBORDELLA THEODORE L &

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	27	9125	COCHRAN HEIGHTS DR	ROLAND INA STEPHANIE
	28	9135	COCHRAN HEIGHTS DR	STONE ROBERT & SUE
O	29	9139	COCHRAN HEIGHTS DR	HENDERSON ROBERT D & MARY
	30	9143	COCHRAN HEIGHTS CT	PARKER ALYSON P
	31	9147	COCHRAN HEIGHTS DR	FRAZIER WILLIAM H &
	32	4008	COCHRAN HEIGHTS CT	ELLINGTON KATHLEEN F G
	33	4004	COCHRAN HEIGHTS CT	KRASEN DON CHARLES
	34	4003	COCHRAN HEIGHTS CT	POWELL FRED P &
	35	4007	COCHRAN HEIGHTS CT	STEINBERG SAUNDRA R
	36	4011	COCHRAN HEIGHTS CT	BULLARD AMBER
	37	4015	COCHRAN CHAPEL RD	STARNES STEVE IRREVOCABLE TR
	38	4011	COCHRAN CHAPEL RD	GROVE TOBIN C & DAWN C
O	39	4023	COCHRAN CHAPEL RD	O NEIL LYNN G
	40	9405	GREEN TERRACE DR	GARCIA-SAUCEDO ELODIA RUIZ
	41	9411	GREEN TERRACE DR	HONEA PEGGY &
	42	9417	GREEN TERRACE DR	DEAN NANCY & JAMES
	43	9423	GREEN TERRACE DR	LOMENICK SUZANNE
	44	9429	GREEN TERRACE DR	GS INVESTMENTS LLC
	45	9438	GREEN TERRACE DR	SHS TEXAS LLC
	46	9432	GREEN TERRACE DR	REISENBICHLER THOMAS H & LORI J
	47	9426	GREEN TERRACE DR	SPITZER PHILIP L
	48	9420	GREEN TERRACE DR	HAWICK PROPERTIES LLC
	49	9414	GREEN TERRACE DR	MEADOWS CHARLENE
	50	9408	GREEN TERRACE DR	LIPSCOMB BURKE A
	51	9439	THORNBERRY LN	KUDERKA LUANN
	52	9433	THORNBERRY LN	MENTER ALAN & PAMELA &
	53	9427	THORNBERRY LN	MANNS RYAN E
	54	9421	THORNBERRY LN	PEREZ LUIS & ARACELI
	55	9415	THORNBERRY LN	USA KAUL ENTERPRISES INC
	56	9409	THORNBERRY LN	CASON TODD A &
	57	9403	THORNBERRY LN	PRUETT JAMES ROSS & RONDA

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	58	9444	THORNBERRY LN	FRANKLIN AUSTIN
	59	9438	THORNBERRY LN	TAYLOR JODI L & BRAD C
	60	9432	THORNBERRY LN	GERINGER DONNA
	61	9426	THORNBERRY LN	WEBB SUSAN A
	62	9420	THORNBERRY LN	KNISLEY BRANDY LEE
	63	9414	THORNBERRY LN	MESSER HOLDINGS SERIES LLC
	64	9408	THORNBERRY LN	SCHRIMSHER EDD H
	65	4000	W NORTHWEST HWY	EL PASO CHELSEA LTD
	66	4000	W NORTHWEST HWY	FRIENDS OF THE MILITARY
O	67	3900	W NORTHWEST HWY	IRP CREST GATES ASSOC LP
	68	4005	COCHRAN CHAPEL RD	GONZALEZ AL
	69	4000	W NORTHWEST HWY	FINN FRANK
	70	9300	STRATFORD WAY	WELLINGTON ON THE CREEK
	71	4020	WELLINGSHIRE LN	POLLAN RUDY R TRUSTEE
	72	4012	WELLINGSHIRE LN	PARKS JOSHUA DAVID
	73	4008	WELLINGSHIRE LN	KEILS KAROL
	74	4004	WELLINGSHIRE LN	JOHNSON KRIS E
O	75	4007	WELLINGSHIRE LN	TAYLOR MICHAEL G &
	76	4011	WELLINGSHIRE LN	CARROLL JAMES EDWARD
	77	4015	WELLINGSHIRE LN	JONES MARY LOU
	78	4019	WELLINGSHIRE LN	WOLTER CAROLYN M
	79	4021	WELLINGSHIRE LN	COOK DEBRA
	80	4016	COTSWOLD CT	BOWE DAVID E &
O	81	4006	COTSWOLD CT	SCOTT LUCY L
	82	3993	W NORTHWEST HWY	MONTCLAIR HOMEOWNERS ASSN INC
	83	3993	W NORTHWEST HWY	MONTCLAIR HOMEOWNERS ASSN INC
	84	9403	MONTELEON CT	MAELE LYDIA
	85	9407	MONTELEON CT	STIDHAM CODY L
	86	9411	MONTELEON CT	HYMAN MEGAN & ADAM M
	87	9415	MONTELEON CT	ENLOE JASON & KATIE
	88	9419	MONTELEON CT	JUDICE DONALD JOSEPH JR

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	89	9423	MONTELEON CT	PEDERSON TONY W & JULIANNE K
	90	9427	MONTELEON CT	GARNETT DANA LESSARD
	91	9431	MONTELEON CT	DIXON JULIUS BRINARD &
	92	9435	MONTELEON CT	FRANKEL JILL K & ARTHUR E
	93	9436	MONTELEON CT	MCCOY KIMBERLY R & BRANDON S
	94	9432	MONTELEON CT	HOLT AUNDREA LAUREN GAMBLE
	95	9428	MONTELEON CT	SMITH JULIE ELIZABETH
	96	9424	MONTELEON CT	BOND KELSEY
	97	9420	MONTELEON CT	WARNER NATHAN PAUL
	98	9416	MONTELEON CT	MOLLDREM CRAIG &
	99	9412	MONTELEON CT	GAZAR LUISA FERANDA REYES &
	100	9408	MONTELEON CT	EITZEN MELINDA L
	101	9404	MONTELEON CT	HARGETT KELLYE R &

AGENDA ITEM # 66

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 10, 13

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 26 F; G; L

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 790 to increase the allowable square footage within Area C on the west corner of Royal Lane and Greenville Avenue

Recommendation of Staff and CPC: Approval, subject to a revised development plan and conditions

Z167-282(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-282(JM) **DATE FILED:** April 26, 2017

LOCATION: West corner of Royal Lane and Greenville Avenue.

COUNCIL DISTRICT: 10 & 13 **MAPSCO:** 26-F; G; L

SIZE OF REQUEST: ± 151.79 acres **CENSUS TRACT:** 78.05, 78.23

OWNER/APPLICANT: Royal Oaks Country Club

REPRESENTATIVE: Karl A. Crawley, Masterplan

REQUEST: An application to amend Planned Development District No. 790 to increase the allowable square footage within Area C.

SUMMARY: PD No. 790 limits the overall floor area by designated area, as well as for the overall site. The current request is made to increase the allowable floor area within Area C from 12,000 square feet to 15,000 square feet to allow for a 5,000 square-foot expansion of an existing equipment/maintenance structure. This also requires updating the overall allowable floor area from 128,386 square feet to 132,000 square feet. No additional parking is planned.

CPC RECOMMENDATION: **Approval**, subject to a revised development plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised development plan and conditions.

BACKGROUND INFORMATION:

- PD No. 790 was created in 2008, containing 151.179 acres, for R-7.5(A) Single Family District and country club with private membership uses.

- The applicant would like to construct a 5,000 square-foot addition in Area C for storage purposes to maintain the property (maintenance). The subject area is limited to 12,000 square feet of floor area. Currently, structures within Area C total 6,000 square feet. The request is to increase the allowable square footage in Area C to 15,000 square feet. This would allow the proposed 5,000 square-foot addition, and leave ample space for future additions in Area C.

- A built-out survey revealed a total of 126,950 square feet of existing floor area between the three areas. The proposed 5,000 square-foot addition in Area C also requires updating the overall allowable floor area from 128,386 square feet to 132,000 square feet. This leaves approximately 5,000 square feet of available floor area for the proposed addition.

Zoning History: There have been seven recent zoning cases in the vicinity in the last five years.

1. **Z167-290:** Termination of deed restrictions on the east line of Greenville Avenue north of Walnut Hill Lane. *Pending CC hearing on 8/9/17.*
2. **Z167-237:** On June 28, 2017, the City Council approved an amendment to the Subarea B portion of PD No. 745 on property bounded by the west line of Manderville Lane and the north line Midtown Boulevard.
3. **Z167-103:** On Wednesday, February 8, 2017, the City Council approved an MU-3 Mixed Use District with volunteered deed restrictions located on the east line of North Central Expressway, north of Meadow Road.
4. **Z145-204:** On August 12, 2015, the City Council approved an amendment to Subareas C & D Planned Development District No. 745 on property bounded by the west line of Manderville Lane and the north line Midtown Boulevard.
5. **Z145-153:** On June 17, 2015, the City Council approved an amendment to the Subarea B portion of PD No. 745 on property bounded by the west line of Manderville Lane and the north line Midtown Boulevard.
6. **Z134-171:** On October 8, 2014, the City Council approved Planned Development District No. 927 for mixed uses on property zoned an MF-2(A) Multifamily District and a GO(A) General Office District on the north and south sides of Meadow Road, west of Manderville Lane.
7. **Z123-212:** On August 28, 2013, the City Council approved Planned Development District No. 895 for mixed uses on property zoned a GO(A) General Office District on the southeast corner of North Central Expressway and Midtown Boulevard.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Greenville Avenue	Principal Arterial	100 feet
Royal Lane	Principal Arterial	100 feet

Land Use:

	Zoning	Land Use
Site	PD No. 790	Country club with private membership
NW	GO(A), MU-3, PD No. 580	Retail and personal service, multifamily
North	CR	Undeveloped and public park
NE	R-7.5(A), PD No. 345, NO(A)	Single family, public park
SE & E	NO(A), R-7.5(A), CR	Office, institutional (church), public park, retail
SW & W	P(A), CR, R-10(A), MF-2(A), PD No. 745, PD No. 686, PD No. 791	Surface parking, country club with private membership, electrical substation, DART Light Rail

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed zoning and determined it will not have a negative impact on the existing street system.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

There are no goals or policies supporting or opposing the request.

Land Use Compatibility:

The site is located almost entirely in the flood plain. The private country club was established in approximately 1969. The request is to increase the overall maximum of 128,386 square feet in floor area to allow for a 5,000 square-foot addition in Area C. The total proposed floor area of 132,000 square feet represents approximately two-percent of the 6,585,357 square feet of land area. The increase in the overall allowed square footage is less than adding 5,000 square feet to the existing allowed square

footage. The applicant provided information on existing buildings on the site and the total was less than 128,386. When the 5,000 was added to the existing building square footage the number was 132,000. Therefore, staff recommended capping the square footage in the conditions to the lesser number of 132,000. The golf course and outdoor recreation associated with the private country club allow for a vast amount of open space within the flood plain.

Surrounding land uses to the north across Royal Lane include retail and personal service, undeveloped land, single family, and institutional. Contiguous to the site facing Greenville Avenue are offices and retail uses and a surface parking lot. Across the east line of Greenville Avenue includes public parks and additional retail uses. The site has a DART light rail line along the westerly boundary, as well as a public park, an electrical substation, and multifamily uses.

The proposed addition in Area C is not visible from the exterior of the site and is believed to be in character with the surrounding land uses. An existing condition for Area C restricts additions to 1,000 square-foot expansion with a maximum of 12,000 square feet to total floor area. The request includes removing this provision of limiting additions to 1,000 square feet per addition, as the proposed expansion is for a 5,000 square-foot maintenance/storage building.

Finally, upon examination of the existing development plan for Areas A & C (Exhibit 790A), staff discovered that the plan was not to scale. The revised development plan is now a two-page plan with an enlargement of the original Area A on page one and the proposed expansion within Area C on page two. Both pages have updated data tables indicating the existing and maximum allowable square-footage. This includes the proposed 5,000 square-foot addition within Area C. At the time of this report, the Vicinity Maps on the two pages were pending a minor correction. Area B seemed to extend past the boundaries of the PD. This should be corrected by CPC.

Landscaping:

No changes to landscaping are proposed. The site must comply with Article X.

Parking:

The existing site must provide 485 parking spaces for a country club with private membership use with 128,386 square feet of floor area. The site must comply with the Dallas Development Code for all other uses or for a floor area greater than allowed.

The current request would increase the total allowable square footage to 132,000 square feet without providing additional parking. The net increase is 3,614 square feet. The Department's Engineering Division found no issue with the existing parking for the country club use. The proposed additional square-footage in Subarea A has been limited to maintenance/storage use operating under a private country club use in the

proposed PD conditions. This ensures that the new square-footage does not become a more an active use allowed under the umbrella of a private country club which could create a greater demand for parking.

CPC Action:
June 22, 2017

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 790 to increase the allowable square footage, subject to a revised development plan and conditions within Area C, on the west corner of Royal Lane and Greenville Avenue.

Maker: Rieves
Second: Davis
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: 141
Replies: For: 8 Against: 1

Speakers: None

List of Officers/Partners

ROYAL OAKS COUNTRY CLUB

Ted Daniels, President

Doug Gunn, Co-Treasurer

Scott Wagoner, Co-Treasurer

David Dealy

Gary Sleeper, Vice President

Russ Williams, Vice President

Paul Ritter

Tommy Summers

James Choi

Mike McKinney, Secretary

J. Todd Harbour, COO

Z167-282

Proposed Revisions to PD Conditions

ARTICLE 790.

PD 790.

SEC. 51P-790.101. LEGISLATIVE HISTORY.

PD 790 was established by Ordinance No. 27296, passed by the Dallas City Council on August 27, 2008. (Ord. 27296)

SEC. 51P-790.102. PROPERTY LOCATION AND SIZE.

PD 790 is established on property generally located at the southwest corner of Royal Lane and Greenville Avenue. The size of PD 790 is approximately 151.179 acres. (Ord. 27296)

SEC. 51P-790.103. CREATION OF AREAS.

This district is divided into three areas: Areas A, B, and C as shown on the development plans. (Ord. 27296)

SEC. 51P-790.104. 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 residential zoning district. (Ord. 27296)

SEC. 51P-790.105. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 790A: development plan for Area A and Area C.

(2) Exhibit 790B: development plan for Area B. (Ord. 27296)

SEC. 51P-790.106. DEVELOPMENT PLAN.

(a) For a country club with private membership use, except as provided in this subsection, development and use of the Property must comply with the development plans (Exhibits 790A and 790B). If there is a conflict between the text of this article and the development plans, the text of this article controls. The building official may approve building permits that are deviations from the development plan provided that the following floor area limits are not exceeded:

(1) In Area A, total floor area may not exceed 5,000 square feet.
(2) In Area B, total floor area may not exceed 125,000 square feet.

(3) In Area C, ~~new single improvements may not exceed 1,000 square feet of floor area and~~ total floor area may not exceed ~~12,000~~ **15,000** square feet. **The floor area in Area C is limited to maintenance and storage in conjunction with the golf course use as part of the country club with private membership use.**

(4) Total floor area on the Property may not exceed ~~128,386~~ **132,000** square feet.

A table showing the floor area of each new building, the floor area of each existing building, and the total floor area for each area must be submitted to the building official with each building permit for new or expanded buildings.

(b) For all other uses, 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. 27296)

SEC. 51P-790.107. MAIN USES PERMITTED.

(c) Except as provided in this subsection, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this district; etc.

(d) The following additional use is permitted by right:

-- Country club with private membership.

(Ord. 27296)

SEC. 51P-790.108. ACCESSORY USES.

(e) 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.

(f) The following accessory uses are not permitted:

-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.
-- Accessory pathological waste incinerator.

(Ord. 27296)

SEC. 51P-790.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A4.400, this section controls.)

(a) Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

(b) For a country club with private membership use:

(1) A seven-foot-high ornamental metal fence is permitted in the required front yard.

(2) In Area B, the maximum structure height is 54 feet. (Ord. 27296)

SEC. 51P-790.110. OFF STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For a country club with private membership use with ~~128,386~~ **132,000** square feet of floor area or less, 485 off-street parking spaces must be provided as generally shown on the development plans.

(c) For a country club with private membership use with more than ~~128,386~~ **132,000** square feet of floor area consult the use regulations contained in Division 51A-4.200 for specific off street parking and loading requirements. (Ord. 27296)

SEC. 51P-790.111. ENVIRONMENTAL PERFORMANCE

STANDARDS. See Article VI. (Ord. 27296)

SEC. 51P-790.112. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition. (Ord. 27296)

SEC. 51P-790.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII. (Ord. 27296)

SEC. 51P-790.114. 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) If a development plan is amended, the area of notification is measured from that portion of the Property where development is being changed. (Ord. 27296)

SEC. 51P-790.115. COMPLIANCE WITH CONDITIONS.

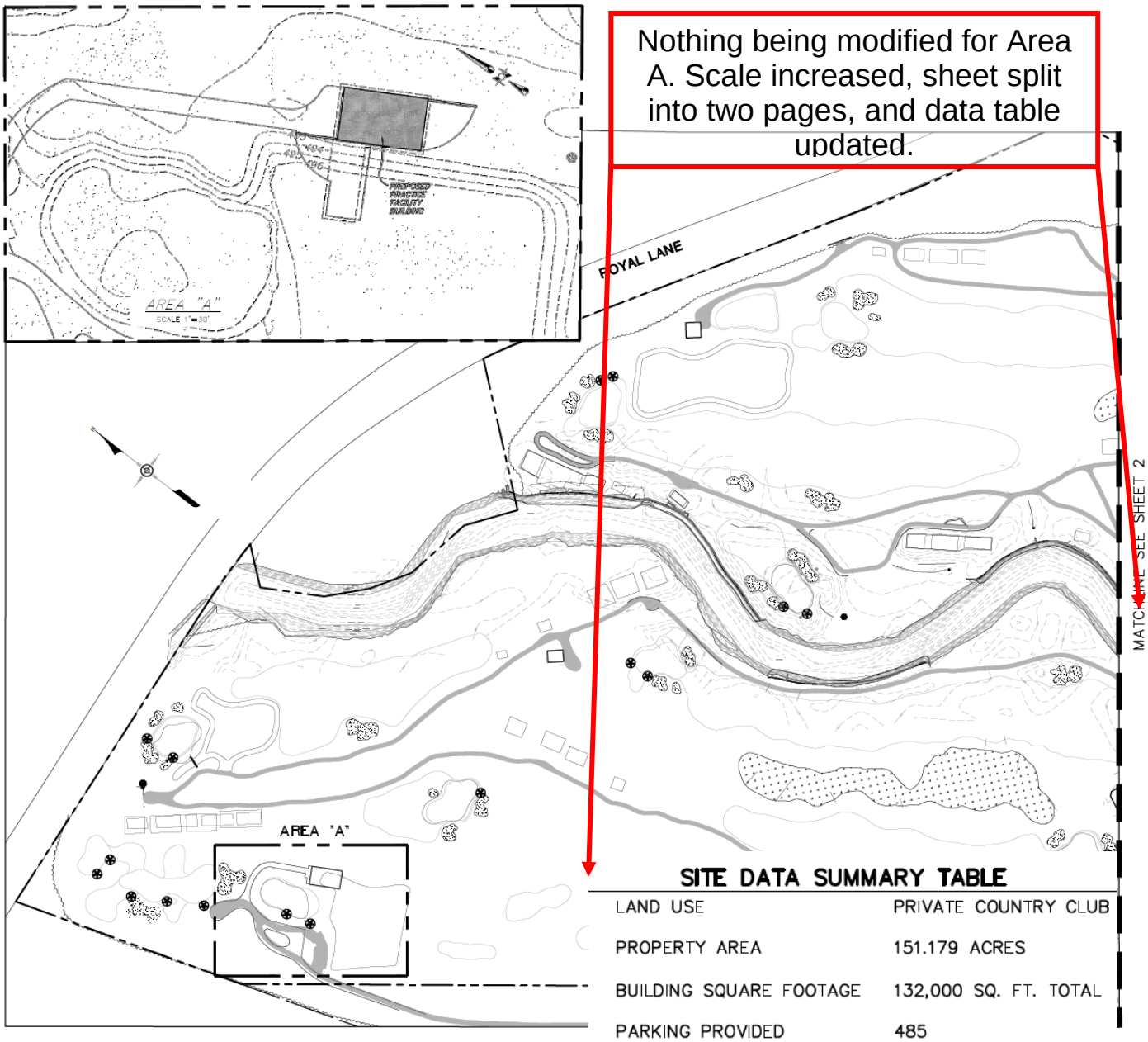
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy for a use until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 27296)

~~**SEC. 51P-790.116. ZONING MAP.**~~

~~PD 790 is located on Zoning Map No. E-8. (Ord. 27296)~~

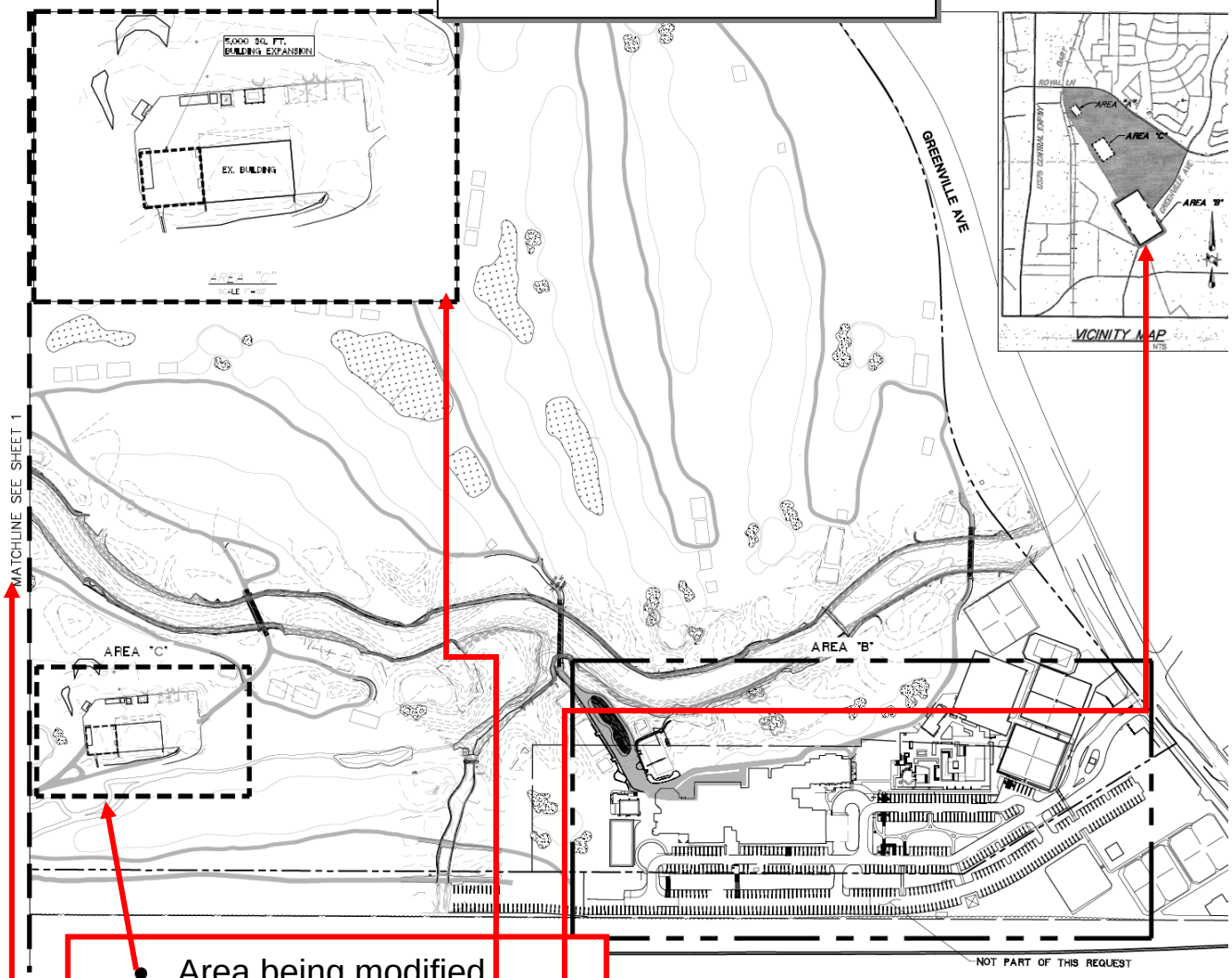
Proposed Development Plan
Page 1—Area A



SITE DATA SUMMARY TABLE

LAND USE	PRIVATE COUNTRY CLUB
PROPERTY AREA	151.179 ACRES
BUILDING SQUARE FOOTAGE	132,000 SQ. FT. TOTAL
PARKING PROVIDED	485
AREA A:	
EXISTING FLOOR AREA:	3,200 SQ. FT.
MAX. ALLOWED	5,000 SQ. FT.
AREA B:	
EXISTING FLOOR AREA:	117,750 SQ. FT.
MAX. ALLOWED	128,000 SQ. FT.
AREA C:	
EXISTING FLOOR AREA:	6,000 SQ. FT.
PROPOSED ADDITION:	5,000 SQ. FT.
MAX. ALLOWED	15,000 SQ. FT.

Proposed Development Plan
Page 2—Area C



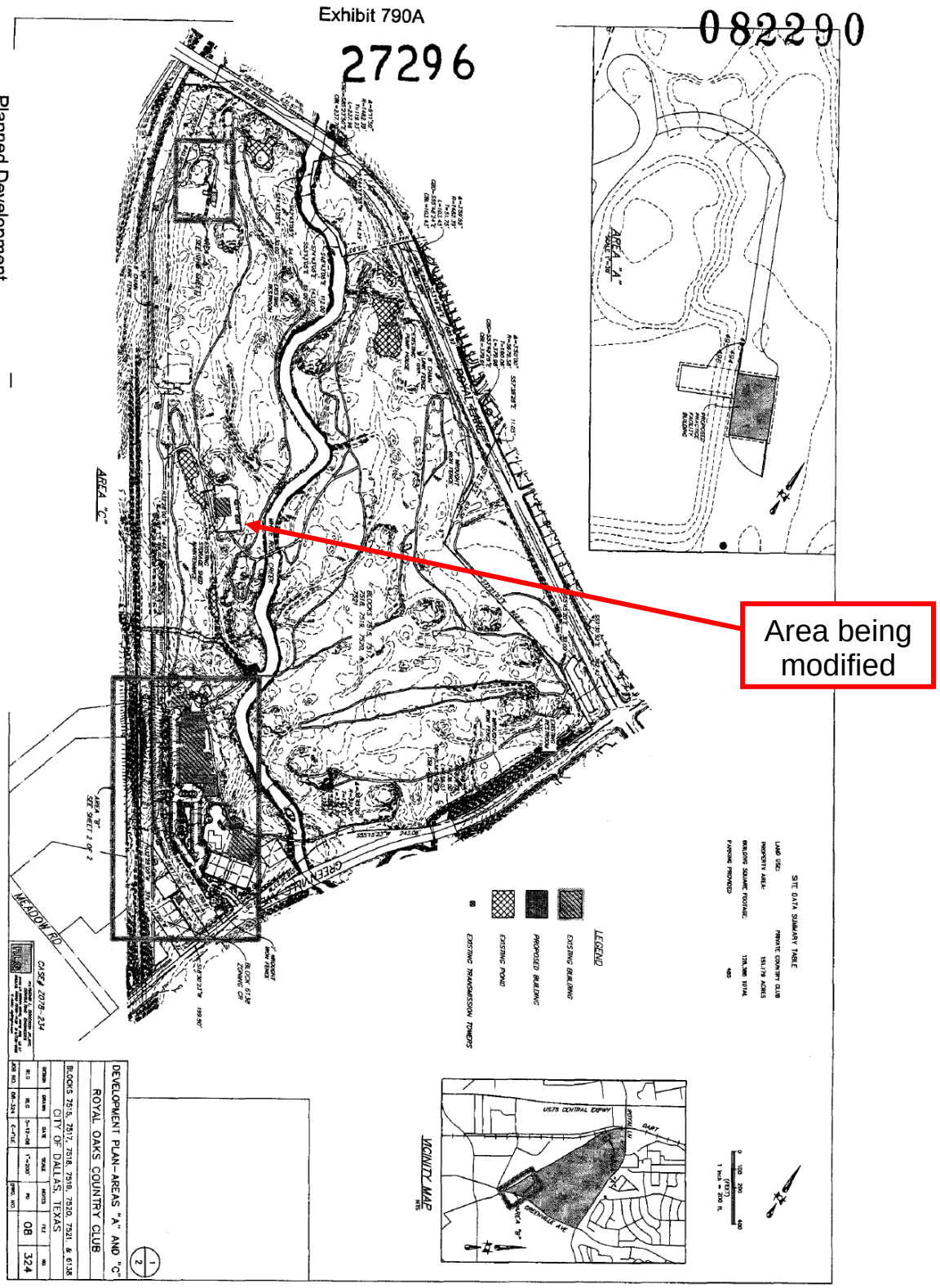
- Area being modified
- Enlargement of area being modified
- Vicinity map pending minor correction to show Area B within boundaries of the PD
- Matchline to page 1
- New data table

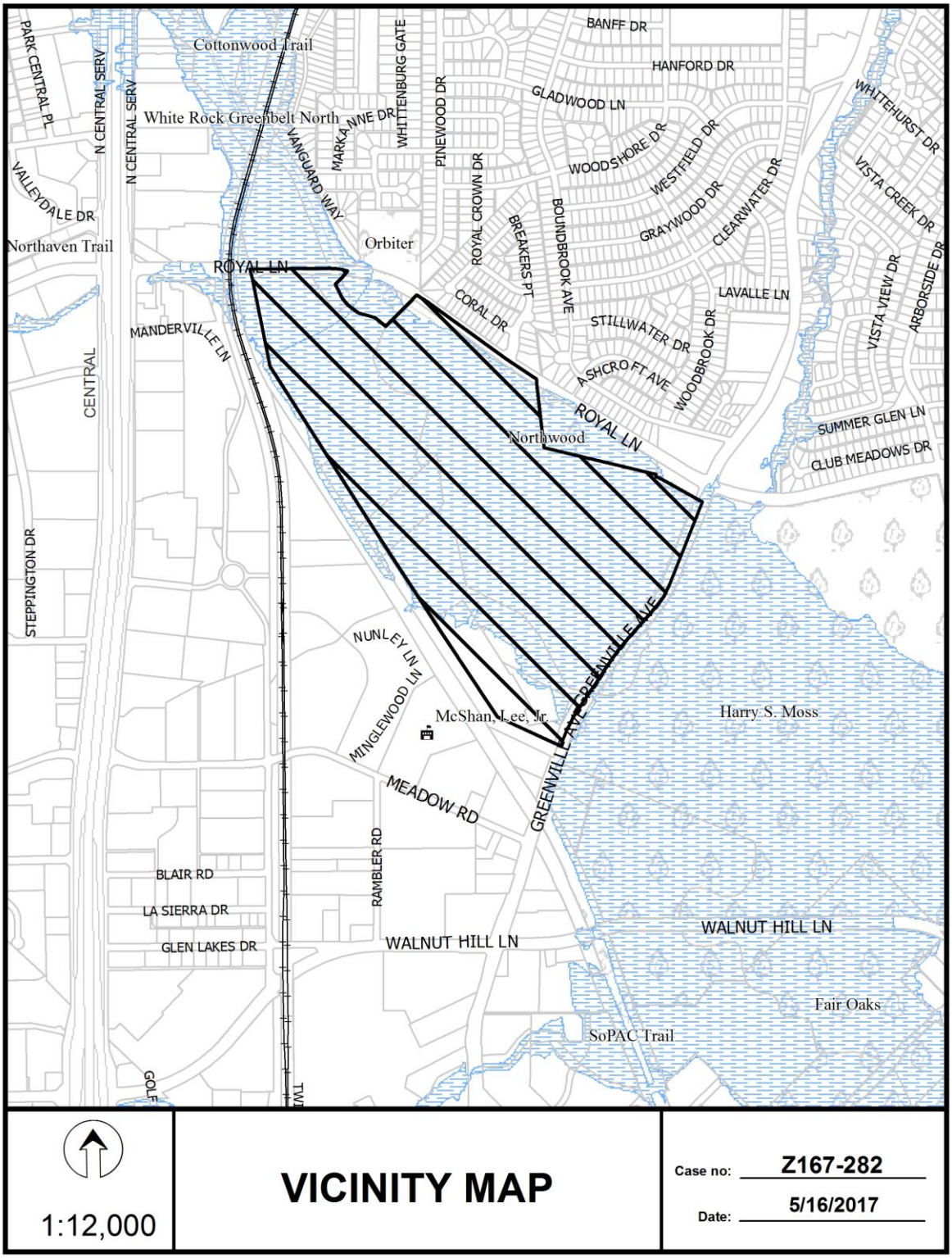
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EXISTING FLOOR AREA:	6,000 SQ. FT.
PROPOSED ADDITION:	5,000 SQ. FT.
MAX. ALLOWED	15,000 SQ. FT.

Z167-282(JM)

Existing Development Plan




Cottonwood Trail
White Rock Greenbelt North
Orbiter
Northaven Trail
Northwood
Harry S. Moss
McShan, Lee, Jr.
Fair Oaks
SoPAC Trail
PARK CENTRAL PL
N CENTRAL SERV
VALLEYDALE DR
CENTRAL
STEPPINGTON DR
VANGUARD WAY
MARKANNE DR
WHITTENBURG GATE
PINEWOOD DR
ROYAL CROWN DR
BREAKERS PT
BOUNDBROOK AVE
BANFF DR
HANFORD DR
GLADWOOD LN
WOODSHORE DR
WESTFIELD DR
GRAYWOOD DR
CLEARWATER DR
LAVALLE LN
WHITEHURST DR
VISTA CREEK DR
VISTA VIEW DR
ARBORSIDE DR
ROYAL LN
CORAL DR
STILLWATER DR
ASHCROFT AVE
WOODBROOK DR
SUMMER GLEN LN
CLUB MEADOWS DR
MANDERVILLE LN
NUNLEY LN
MINGLEWOOD LN
GREENVILLE AVE
MEADOW RD
RAMBLER RD
BLAIR RD
LA SIERRA DR
GLEN LAKES DR
WALNUT HILL LN
WALNUT HILL LN
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VICINITY MAP
Case no: Z167-282
Date: 5/16/2017

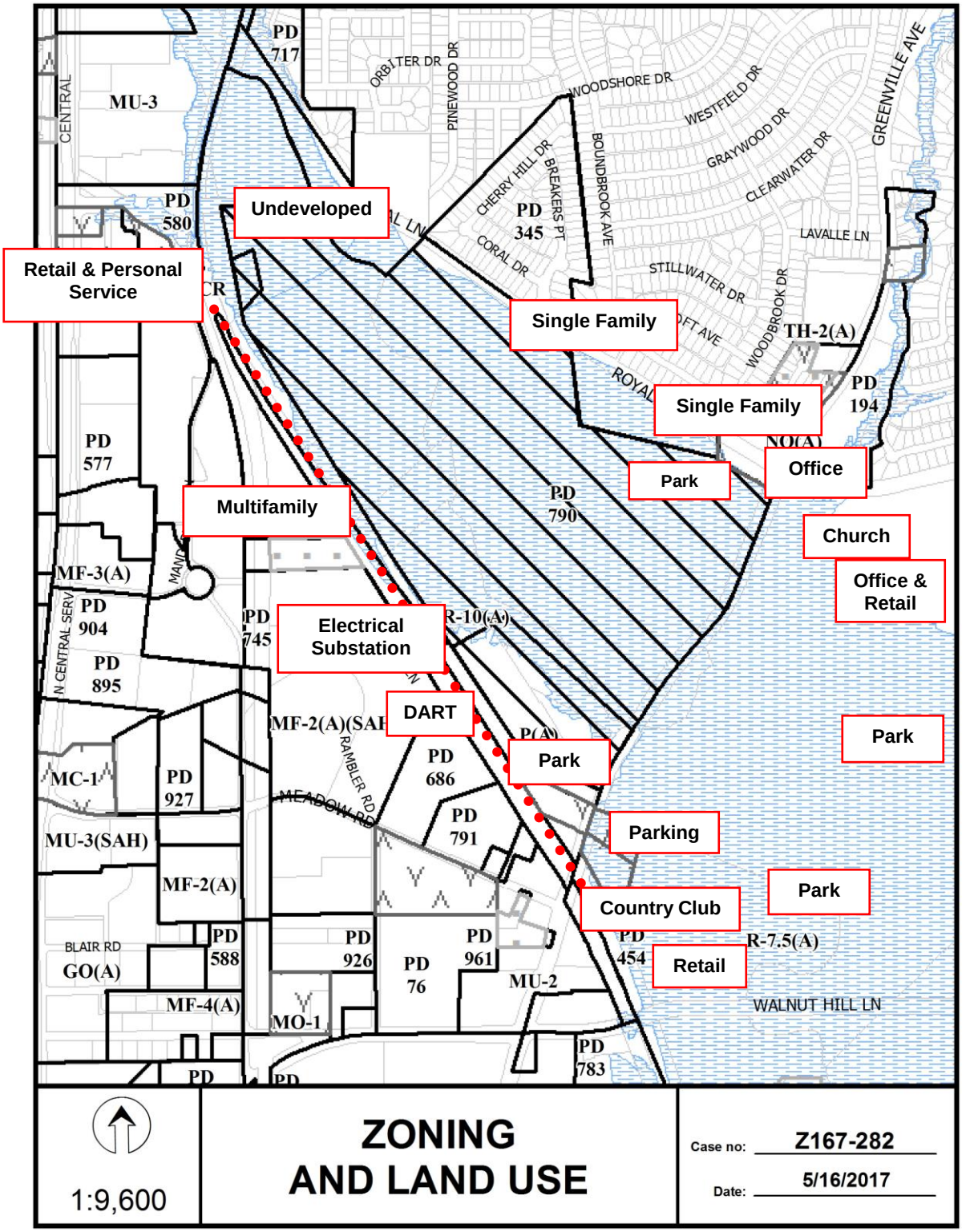


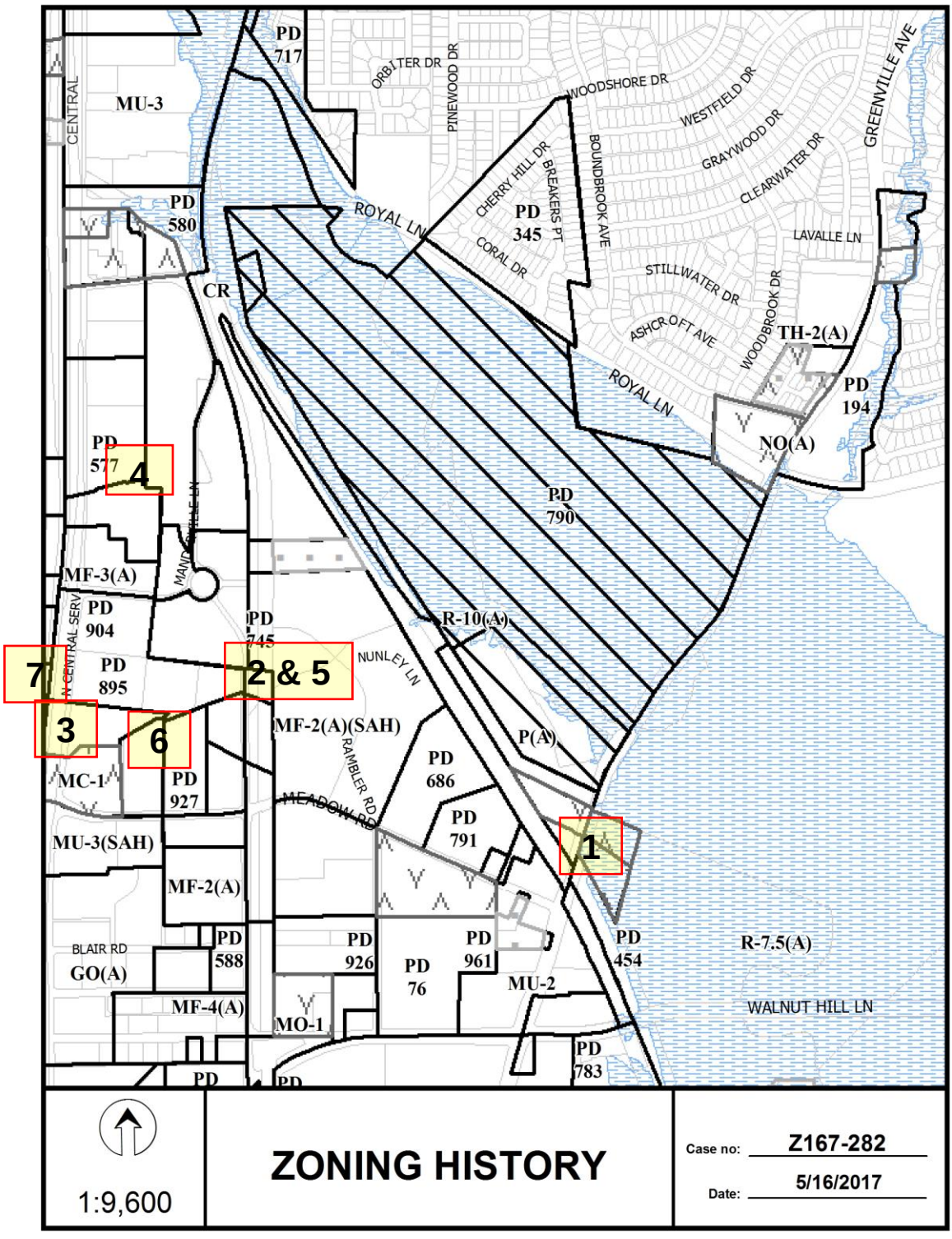
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AERIAL MAP

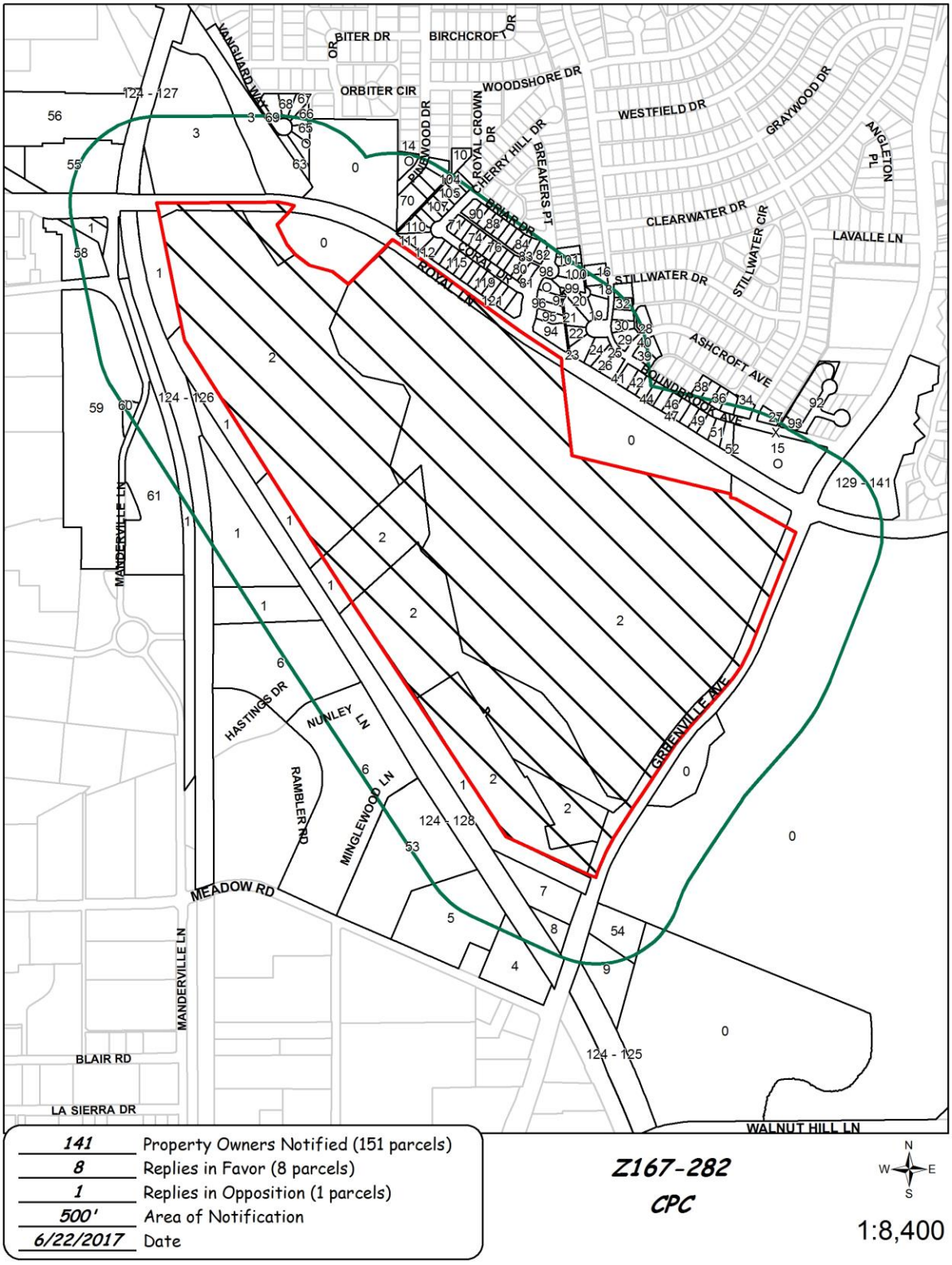
Case no: Z167-282

Date: 5/16/2017


Undeveloped
Retail & Personal Service
Single Family
Single Family
Park
Office
Multifamily
Church
Office & Retail
Electrical Substation
DART
Park
Park
Parking
Country Club
Park
Retail
PD 717
MU-3
PD 580
PD 345
TH-2(A)
PD 194
PD 577
PD 790
MF-3(A)
PD 904
PD 895
PD 745
R-10(A)
MF-2(A)(SAH)
PD 686
MC-1
PD 927
MU-3(SAH)
MF-2(A)
PD 791
PD 588
PD 926
PD 961
PD 76
MU-2
PD 454
R-7.5(A)
GO(A)
MF-4(A)
MO-1
PD 783
ORBITER DR
PINEWOOD DR
WOODSHORE DR
WESTFIELD DR
GRAYWOOD DR
CLEARWATER DR
GREENVILLE AVE
CHERRY HILL DR
BREAKERS PT
BOUNDBROOK AVE
CORAL DR
STILLWATER DR
WOODBROOK DR
LAVALLE LN
ROYAL
CENTRAL
N CENTRAL SERV
RAMBLER RD
MEADOW RD
BLAIR RD
WALNUT HILL LN
1:9,600
ZONING AND LAND USE
Case no: Z167-282
Date: 5/16/2017


PD 717
MU-3
CENTRAL
ORBITER DR
PINEWOOD DR
WOODSHORE DR
WESTFIELD DR
GRAYWOOD DR
CLEARWATER DR
GREENVILLE AVE
PD 580
ROYAL LN
CHERRY HILL DR
BREAKERS PT
PD 345
BOUNDBROOK AVE
CORAL DR
LAVALLE LN
STILLWATER DR
WOODBROOK DR
ASHCROFT AVE
CR
TH-2(A)
PD 194
NO(A)
ROYAL LN
PD 577
4
PD 790
MF-3(A)
MANDERVILLE LN
PD 904
PD 745
R-10(A)
7
PD 895
2 & 5
NUNLEY LN
N CENTRAL SERV
3
6
MF-2(A)(SAH)
P(A)
MC-1
PD 927
RAMBLER RD
MEADOW RD
PD 686
PD 791
1
MU-3(SAH)
MF-2(A)
BLAIR RD
GO(A)
PD 588
PD 926
PD 76
PD 961
MU-2
PD 454
R-7.5(A)
MF-4(A)
MO-1
WALNUT HILL LN
PD 783
PD
PD
1:9,600
ZONING HISTORY
Case no: Z167-282
Date: 5/16/2017

CPC Responses



Reply List of Property Owners

Z167-282

141 Property Owners Notified ***8 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	7804	GREENVILLE AVE	TEXAS UTILITIES ELEC CO
	2	7915	GREENVILLE AVE	ROYAL OAKS COUNTRY CLUB
	3	8216	ROYAL LN	ROYAL OAKS DEVELOPMENT CO
	4	8383	MEADOW RD	DTX MEADOWS REALTY LLC
	5	8325	MEADOW RD	PARK CENTRAL RESIDENTIAL LLC
	6	8215	MEADOW RD	HT MIDTOWN LP
	7	7740	GREENVILLE AVE	ROYAL OAKS DEVELOPMENT CO
	8	7735	GREENVILLE AVE	EXPRESS BEER FOOD GAS INC
	9	7580	GREENVILLE AVE	OH JUNG AE
	10	9027	ROYAL CROWN DR	ANNIS MARK A
	11	9018	PINEWOOD DR	PAYNE CASS & CHRISTOPHER
O	12	9014	PINEWOOD DR	IVERSON ISABELLA J
	13	9010	PINEWOOD DR	KELLEY JARED & SARAH
O	14	9015	PINEWOOD DR	PICKERING LISA GISELLE A
O	15	8515	GREENVILLE AVE	GASTON AVE BAPTIST CHURCH
	16	8909	BOUNDBROOK AVE	SCHEPPS SHELDON &
	17	8905	BOUNDBROOK AVE	ELDRIDGE HENRY JOEL
	18	8841	BOUNDBROOK AVE	HERNANDEZ TOMASA &
	19	8835	BOUNDBROOK AVE	TUTSON S T JR EST OF
	20	8831	BOUNDBROOK CIR	COOK SARA LINDSAY
	21	8827	BOUNDBROOK CIR	TORRES GARY &
	22	8823	BOUNDBROOK CIR	FLUCAS WILMA TEEN
	23	8819	BOUNDBROOK CIR	TYLER WILBERT V
	24	8815	BOUNDBROOK CIR	ELLIS KIRSTEN
	25	8809	BOUNDBROOK AVE	ZBOLON TIKVA
	26	8805	BOUNDBROOK AVE	CALDWELL R A

06/21/2017

Reply	*Label #*	*Address*		*Owner*
X	27	8606	WOODBROOK DR	KRESH NORMAN
	28	8611	ASHCROFT AVE	HERNANDEZ-GONZALEZ MARIA E &
	29	8810	BOUNDBROOK AVE	KLEIN JEFFREY BOWERS
	30	8820	BOUNDBROOK AVE	LUEDKE SCOTT J & KATHY A
	31	8830	BOUNDBROOK AVE	MARTINEZ ENRIQUE &
	32	8834	BOUNDBROOK AVE	WATSON RICKY LEE
	33	8840	BOUNDBROOK AVE	LEE SAUNDRA ELIZABETH
	34	8603	WOODBROOK DR	ORTEGA JORGE F & JUANA
	35	8712	BOUNDBROOK AVE	HARGENRADER ROBIN & ASHLEY ADLOO
	36	8718	BOUNDBROOK AVE	DAVIS MARK VINCENT
	37	8722	BOUNDBROOK AVE	BANKS FRANCES L
	38	8728	BOUNDBROOK AVE	NORTHWOOD ESTATES I INC
	39	8606	ASHCROFT AVE	ESPINOZA HECTOR
	40	8612	ASHCROFT AVE	BEAUMONT DUSTY L
	41	8759	BOUNDBROOK AVE	WALLS SUSAN & MATHEW
	42	8755	BOUNDBROOK AVE	VILLALBA JACINTO & MARTHA
	43	8751	BOUNDBROOK AVE	GARDNER ANITA ZAPATA
	44	8747	BOUNDBROOK AVE	BRISCOE BRIAN &
	45	8743	BOUNDBROOK AVE	ARMSTRONG DAVID & MARCIA
	46	8739	BOUNDBROOK AVE	TORRES FERNANDO
	47	8733	BOUNDBROOK AVE	GALINDEZ CRESCENCIO
	48	8729	BOUNDBROOK AVE	DAVIS NORMAN EDWARD & MICKEY JEANETTE
	49	8721	BOUNDBROOK AVE	ASSEFA HIRUT
	50	8717	BOUNDBROOK AVE	BELAYE MESFIN
	51	8711	BOUNDBROOK AVE	ZAPATA JOSEPHINE &
	52	8707	BOUNDBROOK AVE	SHATZ GUENNADE G & LISA B
	53	8307	MEADOW RD	Dallas ISD
	54	7606	GREENVILLE AVE	SEB GROUP LLC
	55	11100	N CENTRAL EXPY	AVG PARTNERS 1
	56	11170	N CENTRAL EXPY	11170 NORTH CENTRAL LP
	57	8400	MANDERVILLE LN	PENTECO INC

Reply	*Label #*	*Address*		*Owner*
	58	8555	MANDERVILLE LN	SOVRAN ACQUISITION LTD PS
	59	8401	MANDERVILLE LN	DOMAIN AT MIDTOWN PARK LTD
	60	4	MANDERVILLE LN	DOMAIN AT MIDTOWN PARK LTD
	61	8182	MANDERVILLE LN	LEGACY AT MIDTOWN PARK INC
O	62	301	VANGUARD WY	URBAN RESERVE HOA INC
	63	88	VANGUARD WY	URBAN EDGE DEV LTD
	64	84	VANGUARD WY	SLEEPER GARY
O	65	80	VANGUARD WY	BEATTIE EVAN LIFE ESTATE
	66	76	VANGUARD WY	SMITH TREY H
	67	72	VANGUARD WY	INTEGRO DEVELOPMENT LLC
	68	68	VANGUARD WY	FOX EDWARD J & CORINE H
	69	64	VANGUARD WY	ORRILL DEBORAH &
	70	9006	PINEWOOD DR	MATTHIES RICHARD &
	71	8307	CORAL DR	GARRETT JEANELL LIFE ESTATE
	72	8311	CORAL DR	HARSTON CAROL A
	73	8315	CORAL DR	HILL CLIFTON A &
	74	8319	CORAL DR	ASHCRAFT STEVEN P
	75	8323	CORAL DR	RUSHING NANCY T
	76	8327	CORAL DR	SCHULTZ WILLIAM H &
	77	8331	CORAL DR	NEWSOM KIRK & M LYNN
	78	8335	CORAL DR	KLEIN RITA RYAN & JOHN J
	79	8339	CORAL DR	MAJORS DANIEL B &
	80	8343	CORAL DR	SMITH E HELEN
	81	8347	CORAL DR	BROWN WILLIAM V
	82	8340	BRIAR DR	DAVIS BOBBY D &
	83	8336	BRIAR DR	LIVINGSTON HENRY W VII & DEBORA R
	84	8332	BRIAR DR	LUCK CHERYL M & ERIC
	85	8328	BRIAR DR	ELDER WILLIAM J &
	86	8324	BRIAR DR	REED WADE WALLACE &
	87	8320	BRIAR DR	HILZ JOHN
	88	8316	BRIAR DR	WEISS BEVERLY JOAN

06/21/2017

Reply	*Label #*	*Address*		*Owner*
O	89	8312	BRIAR DR	ALLES MARIE A
	90	8308	BRIAR DR	WOLFF EDWARD A JR &
	91	8304	BRIAR DR	HEATH EDWARD W & ELIZABETH C
	92	8600	ROYALBROOK CT	BOUNDBROOK OAKS VENTURE
	93	8607	ROYALBROOK CT	NGUYEN THUYLINH THI &
	94	8504	BREAKERS POINT	JONES MATTHEW BOUNDS
	95	8508	BREAKERS POINT	PHILLIPS DAVID &
	96	8512	BREAKERS POINT	DORSEY JAMES A & BETTY J
	97	8516	BREAKERS POINT	NGUYEN TUNG THANH &
O	98	8520	BREAKERS POINT	HARLEY LARRY E &
	99	8524	BREAKERS POINT	HAMILTON CARL L III & MARGARET A
	100	8528	BREAKERS POINT	SCRUGGS LORNA LEE
	101	8532	BREAKERS POINT	SHETTLE AUBYN K JR &
O	102	8536	BREAKERS POINT	MING GLORIA
	103	8531	CHERRY HILL DR	PECHERSKY PAUL N & DIANE
	104	8527	CHERRY HILL DR	VANWINKLE GARY L &
	105	8523	CHERRY HILL DR	MOORE BRIANA
	106	8519	CHERRY HILL DR	ROBERTSON SYBIL B
	107	8515	CHERRY HILL DR	BRIGGS DAVID C &
	108	8511	CHERRY HILL DR	WATERS SAMUEL W &
	109	8507	CHERRY HILL DR	GIBSON J STEPHEN
	110	8503	CHERRY HILL DR	COEN JANET KIMBALL
	111	8304	CORAL DR	CLAYTON J DAVID
	112	8308	CORAL DR	ALLEN ROBERT M &
	113	8312	CORAL DR	FORMES JOHN J JR & CHERYL
	114	8316	CORAL DR	BOYD DAN S
	115	8320	CORAL DR	GILLIAM EDWARD &
	116	8324	CORAL DR	HOWARD KAYLA R
	117	8328	CORAL DR	MCKEE ROSALYN R
	118	8332	CORAL DR	VERSHUM JILL
	119	8336	CORAL DR	MENZIES WILLIAM &

Reply	*Label #*	*Address*		*Owner*
	120	8340	CORAL DR	STARNES JOE L & BETH W
	121	8344	CORAL DR	BLACKMUN LAURIE A
	122	8348	CORAL DR	LARICKS JAMES R &
	123	8352	CORAL DR	SHIDID SALOMON & TERESA
	124	401	S BUCKNER BLVD	DART
	125	401	S BUCKNER BLVD	DART
	126	401	S BUCKNER BLVD	DART
	127	401	S BUCKNER BLVD	DART
	128	401	S BUCKNER BLVD	DART
	129	8604	GREENVILLE AVE	HO MING TAO &
	130	8604	GREENVILLE AVE	LEAP & ROUQUETTE
	131	8604	GREENVILLE AVE	COMMUNITY OPTIONS INC
	132	8604	GREENVILLE AVE	423 COLONY LTD
	133	8604	GREENVILLE AVE	ROYAL CREEK PSYCHIATRIC CENTER LLC
	134	8610	GREENVILLE AVE	B & C HOLDINGS LP
	135	8610	GREENVILLE AVE	B & C HOLDINGS LP
	136	8616	GREENVILLE AVE	8616 GREENVILLE ASC LP
	137	8616	GREENVILLE AVE	8616 GREENVILLE ASC LP
	138	8710	GREENVILLE AVE	LLGEE INC
	139	8722	GREENVILLE AVE	TANUR PPTIES
	140	8722	GREENVILLE AVE	WHIDDON FAMILY LTD PS
	141	8722	GREENVILLE AVE	ASCENSION REAL ESTATE LLC

AGENDA ITEM # 67

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 46 J

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern use on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the east side of Hall Street fronting on Elm Street and Main Street
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z167-283(PD)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-283(PD) **DATE FILED:** April 26, 2017

LOCATION: On the east side of Hall Street fronting on Elm Street and Main Street

COUNCIL DISTRICT: 2 **MAPSCO:** 46-J

SIZE OF REQUEST: ±1,700 square feet **CENSUS TRACT:** 204

OWNER/APPLICANT: 3101 Main, LP

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern use 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 operate a bar, lounge or tavern use within an existing building.

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request is to allow an alcoholic beverage establishment limited to a bar, lounge or tavern on the first floor within the multifamily building.

- The site is currently under construction with a 17-story, 575,428-square foot building, consisting of 337-mulitfamily units with a structured parking garage.

- The structure will also have a lobby area and a leasing office.

Zoning History: There has been one recent zoning case requested in the area.

1. Z123-267: On May 28, 2014, the City Council approved amendments to Planned Development District No. 269, the Deep Ellum/East Side District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Elm Street	Collector	70 feet

Land Use:

	Zoning	Land Use
Site	PDD No. 269 (Tract A)	Multifamily
North	PDD No. 269 (Tract A)	Warehouse, Office
East	PDD No. 269 (Tract A)	Undeveloped, Public Utility
South	PDD No. 269 (Tract A)	Retail, Personal Services
West	PDD No. 269 (Tract A)	Restaurant, Multifamily, Warehouse

STAFF ANALYSIS:

Comprehensive Plan: The *forwardDallas!* Comprehensive Plan was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

ECONOMIC ELEMENT

GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.1 Restore Downtown Dallas as the economic and cultural heart of North Central Texas.

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.

STAFF ANALYSIS:

Land Use Compatibility:

The request site is currently under construction and will be housed within a 17-story, 337 unit newly constructed ±575,428-square foot multifamily structure. The applicant proposes to operate a bar, lounge or tavern within the building utilizing a ±1,700-square foot area within the first floor. The requested bar is proposed to be interior to the building and located near the lobby area. The requested bar is primarily intended for residents of the property and their guest(s), however, is not restricted from other patrons. The applicant intends to operate between 11:00 am and 11:00 pm, Monday through Sunday, consistent with other bar, lounge or tavern uses in the area.

The site is surrounded by a mix of retail/restaurant, warehouse and office uses that are served by various surface parking lots and metered spaces along Elm Street and South Hall Street. In addition to these uses, medium-density mulitfamily uses are found west and far southwest of the site. The site is located within the Deep Ellum Entertainment District. The district provides for a healthy balance of housing, job, and shopping that permits residents to live, work, shop, and play in the same neighborhood. Wide sidewalks and pedestrian features offer alternative access options to this type of area, thus permitting foot and bike traffic to benefit from the mix of uses.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. 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.

Traffic:

The Engineering Division of the Sustainable Construction and Development Department has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Parking:

The proposed bar will be located within a newly constructed multifamily structure with a three-story above ground garage and an additional half level garage underground. The site will provide a total of 484 parking spaces with only 354 spaces required for the multifamily use and 17 spaces required for the bar, lounge or tavern use; providing a surplus of 113 spaces. It has historically been recognized that Deep Ellum serves as an entertainment and retail destination that often finds patrons traversing the area on foot. As a result, the area's surface parking lots and on-street meters provide for additional parking options.

Landscaping:

New construction requires landscaping in accordance with the provisions of Planned Development District No. 269.

Partners/Principals/Officers:

General Partners of 3101 Main, LP

SLR Hall & Main GP, LLC

Officers:
Douglas Chestnut
Thomas Bakewell
Robert Voelker

Westdale 3101 Main GP, Inc.

Officers:
Joseph G. Beard

CITY PLAN COMMISSION ACTION:
June 22, 2017

Motion: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern use for a two-year period, subject to a site plan and conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the east side of Hall Street fronting on Elm Street and Main Street.

Maker: Rieves
Second: Davis
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: 300 Mailed: 29
Replies: For: 7 Against: 1

Speakers: None

CPC Recommended Conditions
Z167-283

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge or tavern.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit automatically terminates on _____ (two year period from passage of this ordinance).

4. FLOOR AREA: The maximum floor area is 1,700 square feet in the location shown on the attached site plan.

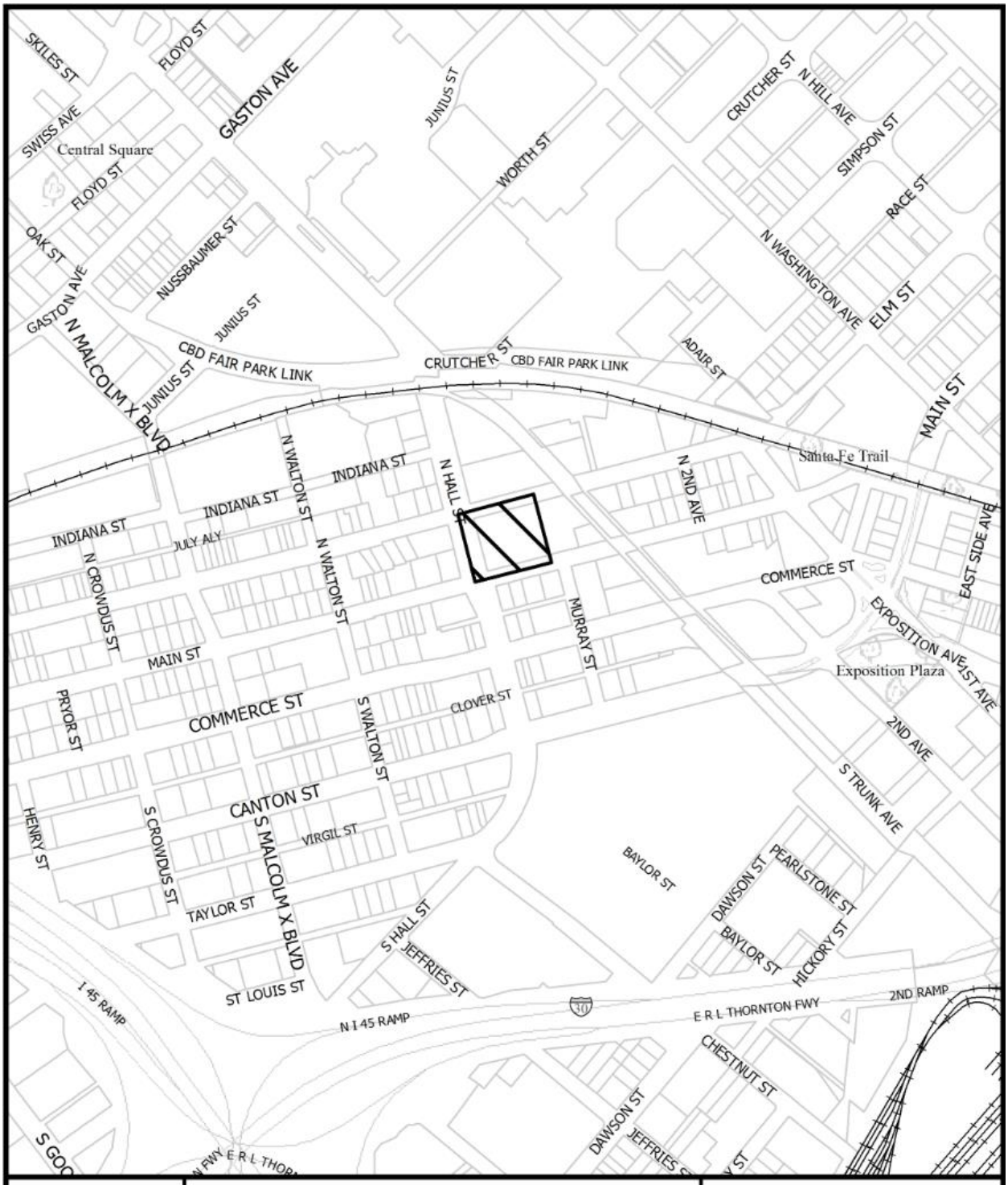
5. HOURS OF OPERATION: The bar, lounge or tavern may only operate between 11:00 a.m. and 11:00 p.m., Monday through Sunday.

7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Proposed Site Plan



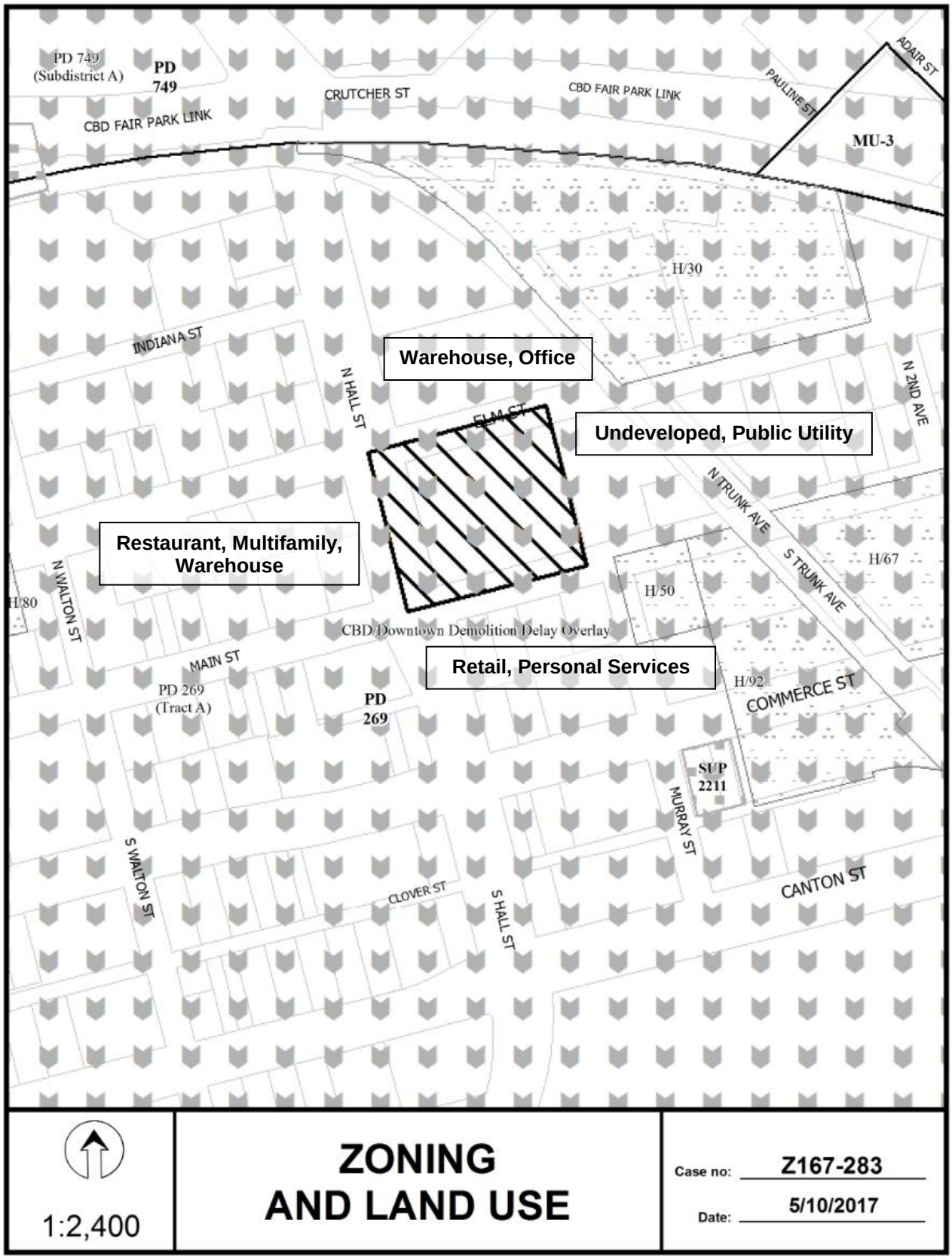


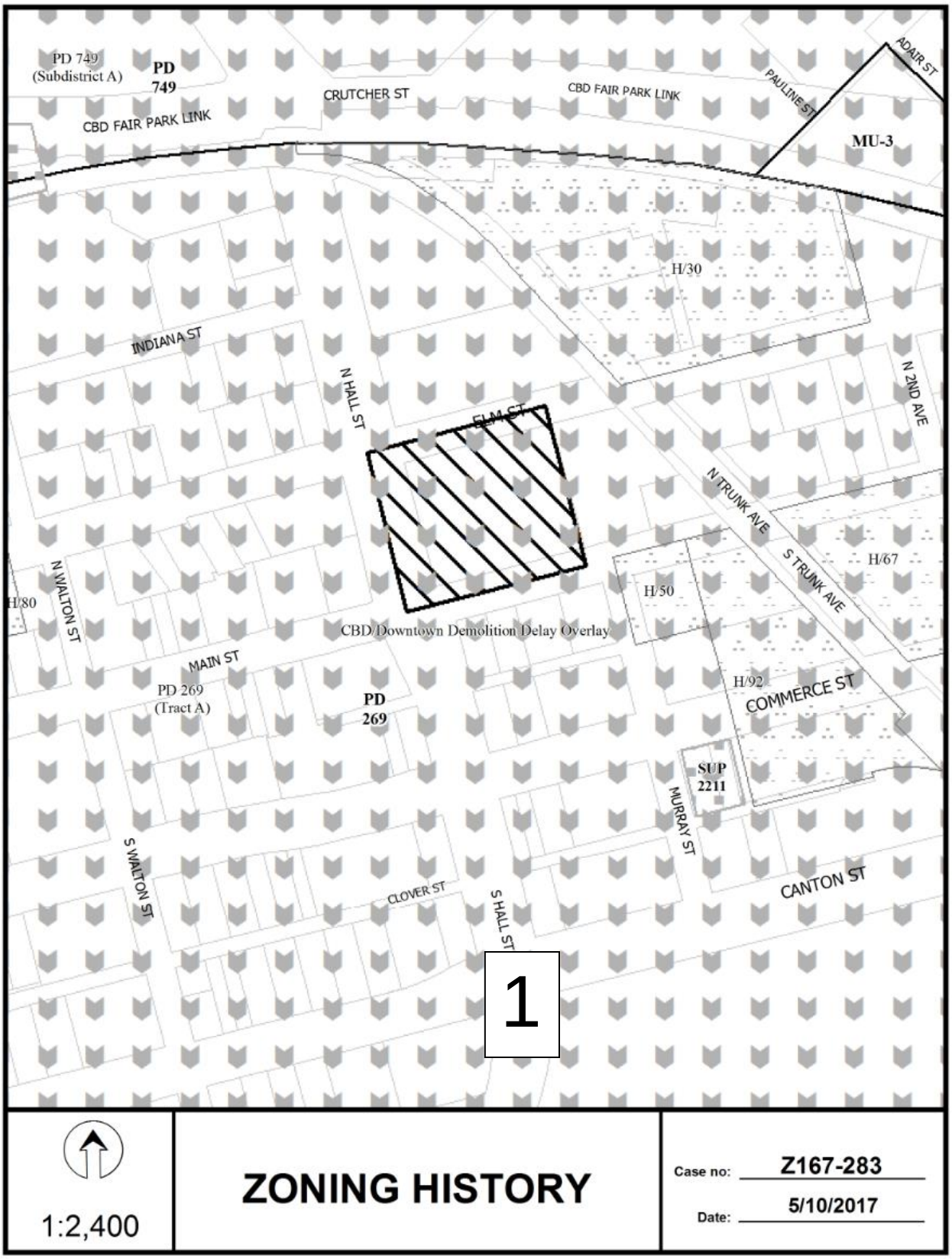
1:6,000

VICINITY MAP

Case no: Z167-283

Date: 5/10/2017


PD 749 (Subdistrict A)
PD 749
CRUTCHER ST
CBD FAIR PARK LINK
CBD FAIR PARK LINK
PAULINE ST
ADAIR ST
MU-3
H/30
INDIANA ST
N HALL ST
Warehouse, Office
ELM ST
Undeveloped, Public Utility
N 2ND AVE
N TRUNK AVE
S TRUNK AVE
H/67
H/50
Restaurant, Multifamily, Warehouse
H/80
N WALTON ST
CBD/Downtown Demolition Delay Overlay
MAIN ST
Retail, Personal Services
H/92
COMMERCE ST
PD 269 (Tract A)
PD 269
SUP 2211
MURRAY ST
S WALTON ST
CLOVER ST
S HALL ST
CANTON ST
1:2,400
ZONING AND LAND USE
Case no: Z167-283
Date: 5/10/2017


PD 749
(Subdistrict A)
PD
749
CRUTCHER ST
CBD FAIR PARK LINK
CBD FAIR PARK LINK
PAULINE ST
ADAIR ST
MU-3
H/30
INDIANA ST
N HALL ST
ELM ST
N 2ND AVE
N TRUNK AVE
S TRUNK AVE
H/67
H/50
H/80
N WALTON ST
CBD/Downtown Demolition Delay Overlay
MAIN ST
PD 269
(Tract A)
PD
269
H/92
COMMERCE ST
SUP
2211
MURRAY ST
S WALTON ST
CLOVER ST
S HALL ST
CANTON ST
1
1:2,400
ZONING HISTORY
Case no: Z167-283
Date: 5/10/2017

CPC Responses



06/21/2017

Reply List of Property Owners

Z167-283

29 Property Owners Notified ***7 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	3101	MAIN ST	3101 MAIN LP
	2	3021	ELM ST	BAYLOR HEALTH CARE SYSTEM
	3	3302	ELM ST	TEXAS UTILITIES ELEC CO
	4	210	N HALL ST	BAYLOR HEATH CARE SYSTEM
	5	334	N HALL ST	BAYLOR HEALTH CARE SYSTEM
	6	211	N HALL ST	BAYLOR HEALTH CARE SYSTEM
	7	3033	MAIN ST	BAKERS RIBS INC
	8	3029	MAIN ST	DAPPEM PROPERTIES LLC
	9	3036	ELM ST	3036 ELM INVESTORS LLC
	10	3026	ELM ST	UNICORP SERVICES INC
	11	3016	ELM ST	MCMURRAY JOHN DENNISON IV
	12	3014	MAIN ST	42 DE SILKY LP
	13	111	S HALL ST	WILD ABOUT HARRYS ALLEN LLC
	14	3028	MAIN ST	JAS INTERESTS INC
	15	3023	COMMERCE ST	RUMSEY & HUNT PTNRS LLC
O	16	3202	ELM ST	WESTDALE PROPERTIES
O	17	100	N TRUNK AVE	WESTDALE PPTIES AMERICA I
	18	3100	MAIN ST	KELCHER MARK &
	19	3104	MAIN ST	LEE LIZA
	20	3112	MAIN ST	MAIN MURRAY LLC
	21	3101	COMMERCE ST	BALLAS VICTOR
	22	3117	COMMERCE ST	SMITH ED W MACHINE WORK
O	23	3200	MAIN ST	WESTDALE FUTURA LOFTS LTD
O	24	3210	MAIN ST	WESTDALE FUTURA LOFTS LTD
O	25	100	S TRUNK ST	WESTDALE PPTIES AMERICA I
X	26	3309	ELM ST	TALL COTTON PPTIES LTD

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	27	3301	ELM ST	DICKENSON DANIEL
O	28	3311	ELM ST	WESTDALE DEEP ELLUM LOFTS
	29	555	2ND AVE	DART

AGENDA ITEM # 68

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 23 Q

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-10(A) Single Family District and public school other than an open-enrollment charter school uses on property zoned an R-10(A) Single Family District on property bounded by Park Lane, Dale Crest Drive, Kinkaid Drive and Harwich Drive

Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan, and conditions

Z167-285(PD)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-285(PD) **DATE FILED:** April 28, 2017

LOCATION: On property bounded by Park Lane, Dale Crest Drive, Kinkaid Drive and Harwich Drive

COUNCIL DISTRICT: 6 **MAPSCO:** 23-Q

SIZE OF REQUEST: Approx. 10.888 acres **CENSUS TRACT:** 98.03

APPLICANT/ OWNER: Dallas Independent School District

REPRESENTATIVE: Karl A. Crawley, Masterplan

REQUEST: An application for a Planned Development District for R-10(A) Single Family District and public school other than an open-enrollment charter school uses on property zoned an R-10(A) Single Family District.

SUMMARY: The applicant proposes to construct a new playground with a canopy; a one-story, approximately 2,000-square foot addition; 19 new parking spaces; to establish setbacks, parking requirements; provide an expansion area; fencing to exceed the maximum height of four feet in a required front yard; and to establish setbacks, height, parking requirements to the existing David G. Burnett Elementary School.

CPC RECOMMENDATION: **Approval**, subject to a development plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan, traffic management plan, and conditions.

BACKGROUND INFORMATION:

- The existing school, David G. Burnet Elementary School, exists on a 10-acre lot and was built in 1956 by the Dallas Independent School District.

- The existing structures contain 83,771 square feet and have 54 classrooms for grades Kindergarten to 5th grade.

- The proposed expansion is for two new classrooms approximately 2,000 square feet on the southwest side of the existing building facing Park Lane. When the proposed addition is complete, the school will have a total floor area of 85,566 square feet.

- Aerial photography from January 2017 show 18 portable buildings proposed for removal however a small expansion area is proposed to allow placement of future portables; if or when needed. The expansion area will allow for an additional 2,500 of future expansion.

Zoning History: There have been no recent zoning cases requested in the area.

Thoroughfare/Streets:

Thoroughfare/Street	Designation	Dimension
Walnut Hill	Principal Arterial	100' ROW
Webb Chapel-IH-635 to Lombardy	Principal Arterial	100' ROW

Land Use:

Site	R-10(A)	Elementary School
North	R-10(A)	Single Family
East	R-10(A)	Single Family
West	R-7.5(A)	Single Family
South	MF-2(A)	Multifamily

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 following goals and policies support the proposed development.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

URBAN DESIGN

GOAL 5.2 Strengthen Community and Neighborhood Identity

Policy 5.2.1 Maintain neighborhood scale and character.

Land Use Compatibility:

The request site is currently developed with a one story, 83,771 square feet building not including the existing 18 portables. The applicant proposes to construct a one-story, approximately 2,000 square foot structure for two new classrooms. Additionally, the applicant proposes a new playground with canopy, an addition to the existing parking lot with allowed parking in the front yard setback, and fencing to exceed the maximum height of four feet allowed in a front yard. The school was originally constructed in 1956 with two small additions of a cafeteria and classrooms added in 1973. When the school was built in 1956, the City of Dallas did not require a public or private school to have a specific use permit.

Surrounding uses consist of single family on all sides except for a multifamily use to the south. The school is the only parcel on the block. Because there are no neighboring properties, the reductions to the setbacks are more compatible than if the request site shared its block face with single family properties.

The addition will be compatible in size and character to the existing school and surrounding properties. The proposed addition is within the interior of the site and not within proximity to the residential neighborhoods. The proposed addition will not exceed 30 feet in height which is the maximum structure height allowed within the R-10(A) Single Family District. Currently, the school has an existing 65-foot legally non-conforming chimney which will remain. The proposed new structure will be compatible with the existing surrounding structures.

Landscaping:

The applicant is requesting that landscaping be required in accordance with Article X of the Dallas Development Code.

Parking:

The parking requirement for an elementary school is 1.5 parking spaces per classroom. The school currently has 54 existing classrooms. With the addition of two new classrooms, the school will need three additional off-street parking spaces. The school is required to provide a total of 84 off-street parking spaces, is providing a total of 133 spaces with proposed additions of 19 new spaces for a total of 152 spaces to be provided.

DALLAS INDEPENDENT SCHOOL DISTRICT

BOARD OF TRUSTEES

District 1	Edwin Flores
District 2	vacant
District 3	Dan Micciche
District 4	Nancy Bingham, Board Secretary
District 5	Lew Blackburn, Ph.D., 2nd Vice President
District 6	Joyce Foreman
District 7	Eric Cowan, President
District 8	Miguel Solis, 1st Vice President
District 9	Bernadette Nutall

CITY PLAN COMMISSION ACTION:
JUNE 22, 2017

Motion: It was moved to recommend **approval** of a Planned Development District for R-10(A) Single Family District and public school other than an open-enrollment charter school uses, subject to a development plan, traffic management plan, and conditions on property zoned an R-10(A) Single Family District on property bounded by Park Lane, Dale Crest Drive, Kinkaid Drive and Harwich Drive.

Maker: Rieves
Second: Davis
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: 207
Replies: For: 1 Against: 1

Speakers: None

PROPOSED CONDITIONS

SEC. 51P-XXX.101. LEGISLATIVE HISTORY.

PD XXX was established by Ordinance No. XXXX, passed by the Dallas City Council on XXXX

SEC. 51P-XXX.102. PROPERTY LOCATION AND SIZE.

PD XXX is established on property generally located in an area bounded by Park Lane, Dale Crest Drive, Kinkaid Drive and Harwich Drive. The size of PD xxx is approximately 10.25 acres.

SEC. 51P-XXX.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 a residential zoning district. (Ord. 27296)

SEC. 51P-XXX.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit xxxA: development plan.

SEC. 51P-XXX.105. DEVELOPMENT PLAN.

(a) For a public school other than an open enrollment charter school development and use of the Property must comply with the development plan (Exhibits xxxA). If there is a conflict between the text of this article and the development plans, the text of this article controls

(b) For all other permitted uses, Paragraph 51A.4.702(c)2 through Subsection 51A-4.702(j), governing the requirements for a site plan, a development plan, and amendments to a development plan, do not apply.

SEC. 51P-XXX.106. MAIN USES PERMITTED.

(1) Except as provided in below, all uses permitted in the R-10(A) Single Family District, subject to the same conditions applicable in the R-10(A) Single Family District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the R-10(A) Single Family District by specific use permit (SUP) only is permitted in this planned development district by SUP. A use subject to development impact review (DIR) in the R-10(A) Single Family District is subject to DIR in this planned development district, etc.

(2) Public school, other than an open enrollment charter school, is allowed by right.

SEC. 51P-XXX.107. ACCESSORY USES.

Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-XXX.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 Division 51A-4.400. If there is a conflict between this section and Division 51A4.400, this section controls.)

(a) Front yard, side and rear yard per the requirements for an R-10(A) District, except as follows: the front yard setback for a public school other than an open enrollment charter is 15 feet for Dale Crest Drive.

(b) Density: Per the requirements for an R-10(A) District.

(c) Floor area: Maximum floor area for a public school other than an open enrollment charter school use is 88,125 square feet. A maximum of 2,500 square feet of floor area is allowed within the area labeled as “Expansion Area” as shown on the attached Development Plan.

(d) Floor area ratio: For all uses other than a public school other than open enrollment charter school use, no maximum floor area ratio

(e) Height: Maximum structure height is 30 feet.

(f) Lot coverage:

(i) The maximum lot coverage is 45 percent for residential structures and 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(g) Lot size:

(i) For a public school other than open enrollment charter school use, no minimum lot size.

(ii)For all other permitted uses, minimum lot size is 10,000 square feet.

(h) Stories: No maximum number of stories.

SEC. 51P-XXX.109. OFF STREET PARKING AND LOADING.

(3) Off-street parking must be provided in accordance with Division 51A-4.300 et seq.

(4) Parking for a public school other than an open enrollment charter school is allowed in the required front yard.

(5) Parking lot and or loading screening is not required.

SEC. 51P-XXX.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-XXX.111. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-XXX.112. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P-XXX.113. 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.

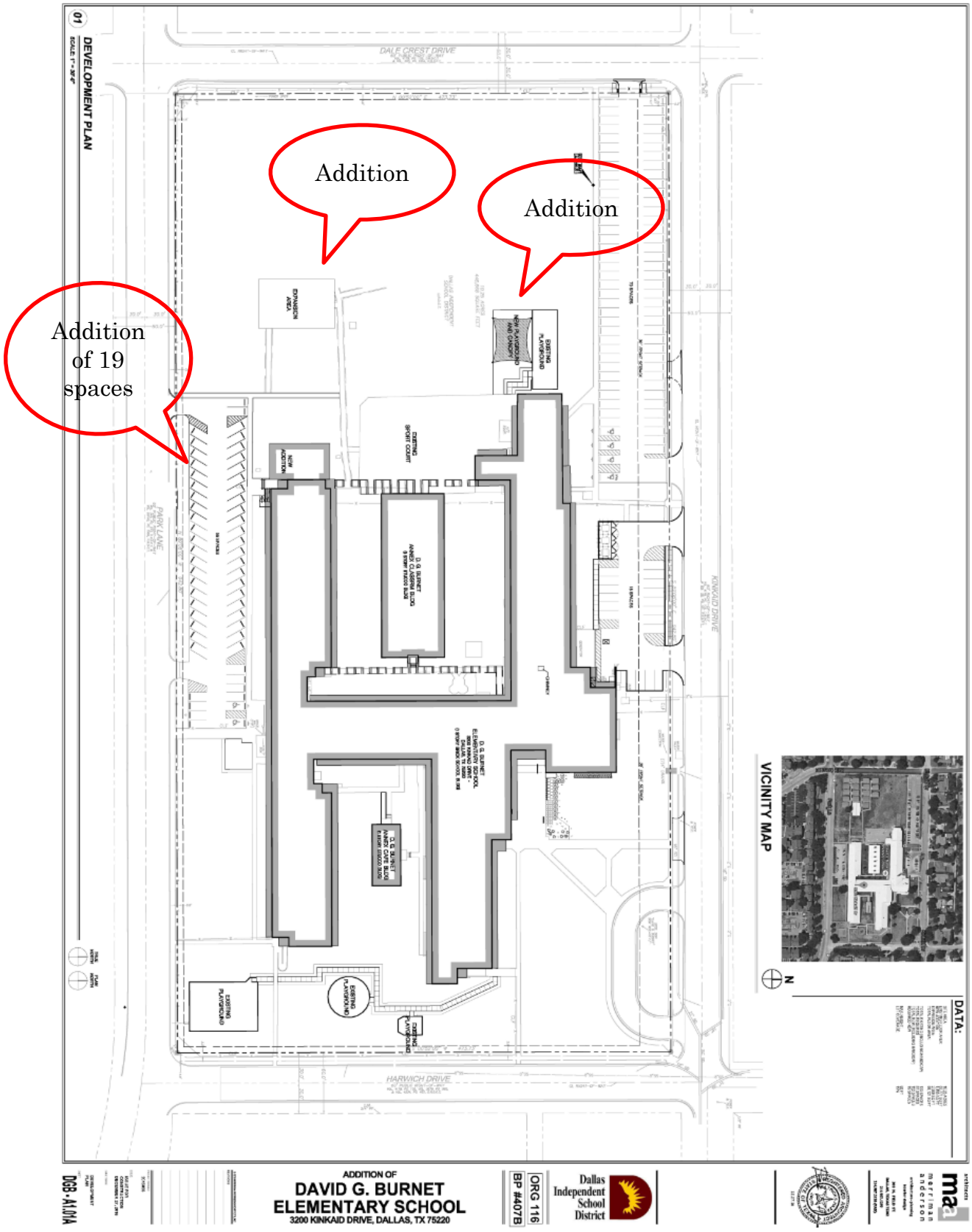
(c) Fencing. For a public school other than an open enrollment charter school use, fencing may be provided in the required yards with a maximum height of six feet.

SEC. 51P-XXX.1154 COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy for 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



Proposed Traffic Management Plan

DeShazo Group

Traffic. Transportation Planning. Parking. Design.



Technical Memorandum

To: Karl Crawley — Masterplan Consultants

From: David Nevarez, PE, PTOE — DeShazo Group, Inc.

Date: April 3, 2017

Re: Traffic Management Plan for David G. Burnet Elementary School in Dallas, Texas
DeShazo Project Number 17026

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm providing professional services in traffic engineering, transportation planning and related fields. Masterplan Consultants retained the services of DeShazo on behalf of the Dallas Independent School District (DISD) to provide a requisite Traffic Management Plan (TMP) for David G. Burnet Elementary School. The school is located at 3200 Kinkaid Drive in Dallas, Texas.

At the time of this study, the school had an enrollment of 976 students in Pre-K through 5th grade. The school is undergoing renovations mainly attributed to additional classroom space with no change to student capacity. A proposed site plan showing proposed building modifications is attached as reference.

The school site is zoned R-10(A), Single Family. In order to gain entitlements for the proposed improvements, the school administration is seeking approval of a change to the development plan. As part of the approval process, the City of Dallas requires a TMP as a record of the preferred traffic control strategies and to ensure overall traffic safety and efficient operations. The plan is intended to assess anticipated traffic conditions during the morning drop-off and afternoon pick-up activities on the basis of satisfying these objectives. 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. By properly managing vehicular traffic generated during the critical periods, the safety and efficiency of other modes of travel — including walking — will also inherently improve while the operational impact on the public street system is minimized. **The TMP is a tool a tool to facilitate a safer and more efficient environment; it should not be considered a comprehensive set of instructions to ensure adequate safety.**

Z167-285

The analysis summarized below utilizes the existing school site plan to evaluate aspects such parking and vehicle queuing (i.e., stacking) that occur at the school in order to accommodate the observed peak demands. A concerted effort and full participation by the school administration, staff, students, and parents are essential to maintain safe and efficient traffic operations.

School Operational Characteristics

Table 1 provides a summary of the known operational characteristics for the school.

Table 1. School Operational Characteristics

Enrollment:	Pre-K: 105 students Kindergarten: 116 students 1st-5th: 755 students *Total: 976 students*
Daily Start/End Schedule	>Start: 7:55 AM >End: 2:55 PM
Approximate Percentage of Students Travelling by Mode Other Than Drop-off/Pick-up:	By Daycare/Van: ≅ 5% (~49 Students) By Walking: ≅ 0% (Observed)

NOTE #1: To the highest degree practical, the accounts of existing conditions presented in this report were based upon actual on-site observations conducted by DeShazo during typical school conditions and from personal interviews of school representatives.
NOTE #2: Occasional functions or other events may be held at the school which generate traffic outside of the traditional peak drop-off and pick-up periods. While some of the measures presented in this report may be applicable in such cases, traffic characteristics other than those directly associated with the primary drop-off and pick-up periods are not the subject of this analysis.

Existing Site Access and Circulation

The school provides parking lots for faculty and staff only on Park Lane and Kinkaid Drive. During afternoon peak hours, a third parking lot located at the northwest corner of the school provides parking for parents. During school pick-up periods, traffic operations concentrate in the perimeter of the school with a significant number of vehicles parked on both sides of Park Lane. The majority of parents arrive from the east of the school traveling westbound on Park Lane. Once the parents park, they either cross the street to pick up students or wait for students to be dismissed. A school bus and van park eastbound on Kinkaid Drive without a designated loading area.

Passenger Unloading/Loading and Vehicle Queuing

DeShazo conducted field observations during typical school-day conditions on Tuesday, February 28, 2017. The peak number of parent-vehicles on site was quantified during the afternoon pick-up period. The total maximum vehicular accumulation peaked with 167 vehicles around the school. The school administration should immediately implement an active management of student loading to expedite queueing operations and reduce the maximum accumulation of traffic.

The school provides enough capacity for 146 vehicles as depicted in **Exhibit 1**. The designated areas for queuing operations is considered adequate upon enforcement of an active traffic management plan based on studies of other schools with similar enrollment characteristics.

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Recommendations to Facilitate Queueing Operations

Queue pick-up participation is a challenge that schools in our community face constantly. Full cooperation of all school staff members, students and parents is crucial for the success of the systematic queue. Proper training of school staff 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 recommended.

The following recommendations are provided to school administration for the management of vehicular traffic generated by the school during peak traffic conditions. Generally, traffic delays and congestion that occurs during pick-up periods is notably greater than the traffic generated during the morning drop-off period due to timing and traffic concentration. In most instances, achieving efficiencies during the afternoon period is most critical, while the morning traffic operations require nominal active management.

Traffic Queue Operations

- As shown on **Exhibit 1**, parents picking up students in Pre-K and Kindergarten should immediately proceed to form a double queue upon arriving at the school during the afternoon pick-up period. The northwest lot provides 752 linear feet of on-site queuing—enough capacity for a double queue for more than 32 vehicles. Parents for all other grades should proceed to form a systematic queue along the perimeter of the road in a clockwise direction without obstructing any private driveway. Dismissal of grades 1 through 5 should be limited to the front of the school on Kinkaid Drive.

- Pedestrian access to/from school should be limited to the front of the building on Kinkaid Drive to encourage student pick-up at designated areas only.

Student Safety

- Student safety should remain paramount at all times. School administration should remind students, parents and staff of their expectations relative to this traffic management plan continuously throughout the school year.

- School administration should review traffic operations and address any problems concerning this traffic management plan and identify solutions in the interest of student safety.

- There is no evidence of any students walking home after school. School administration should investigate *A Safe Routes to School* program for students to walk home or ride bikes safely.

- In accordance with the Transportation Code, Section 545.4252, State law prohibits the use of wireless communication devices while operating a motor vehicle during the time a school zone is in effect. Restrictions do not apply to stopped vehicles or the use of handheld free devices.

School Bus/Daycare Vans Operations

- All school and daycare van pick-up activities should be designated at the loading zone located at the northeast corner of the school site as shown in **Exhibit 1**.

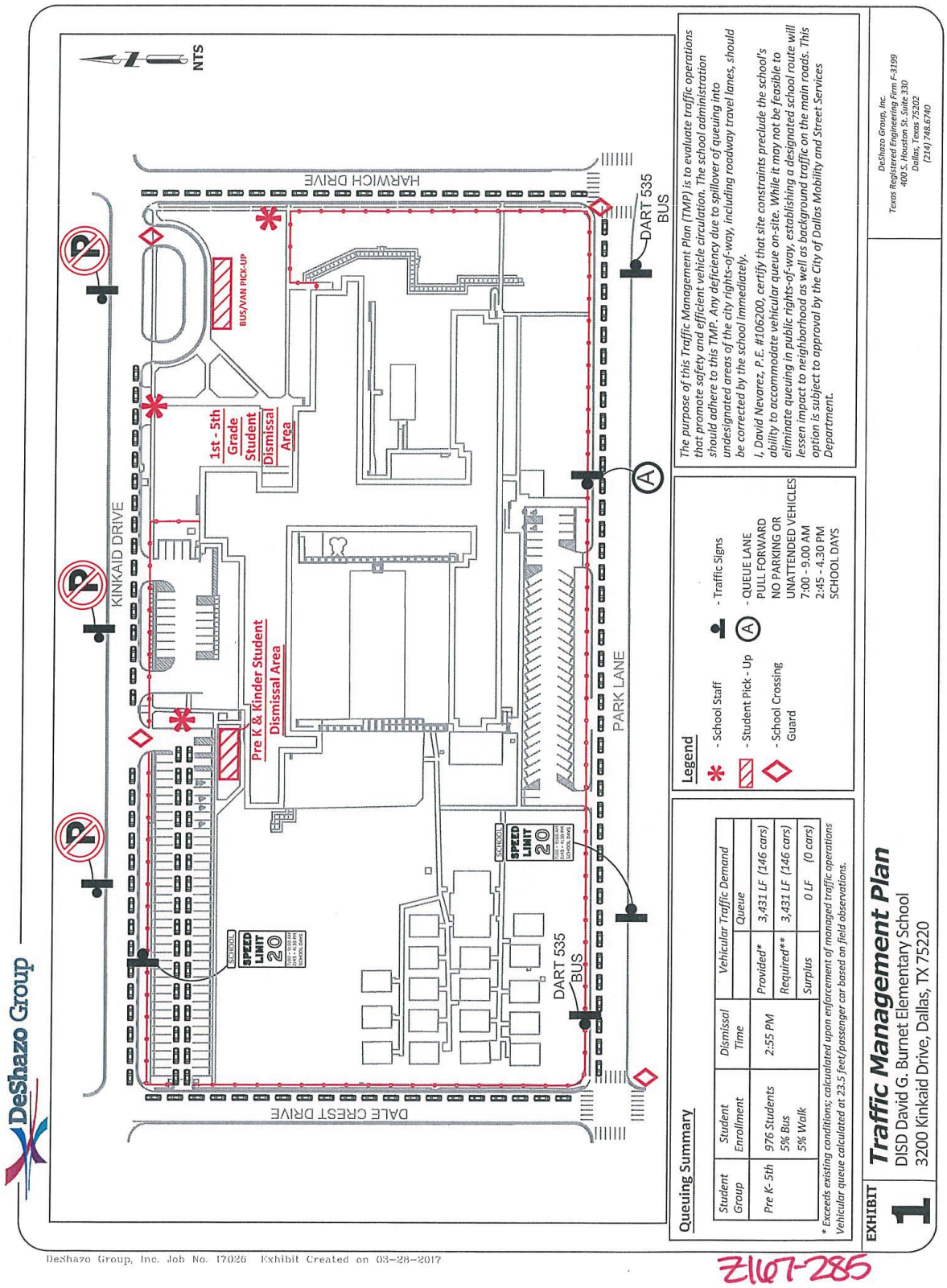
Enforcement

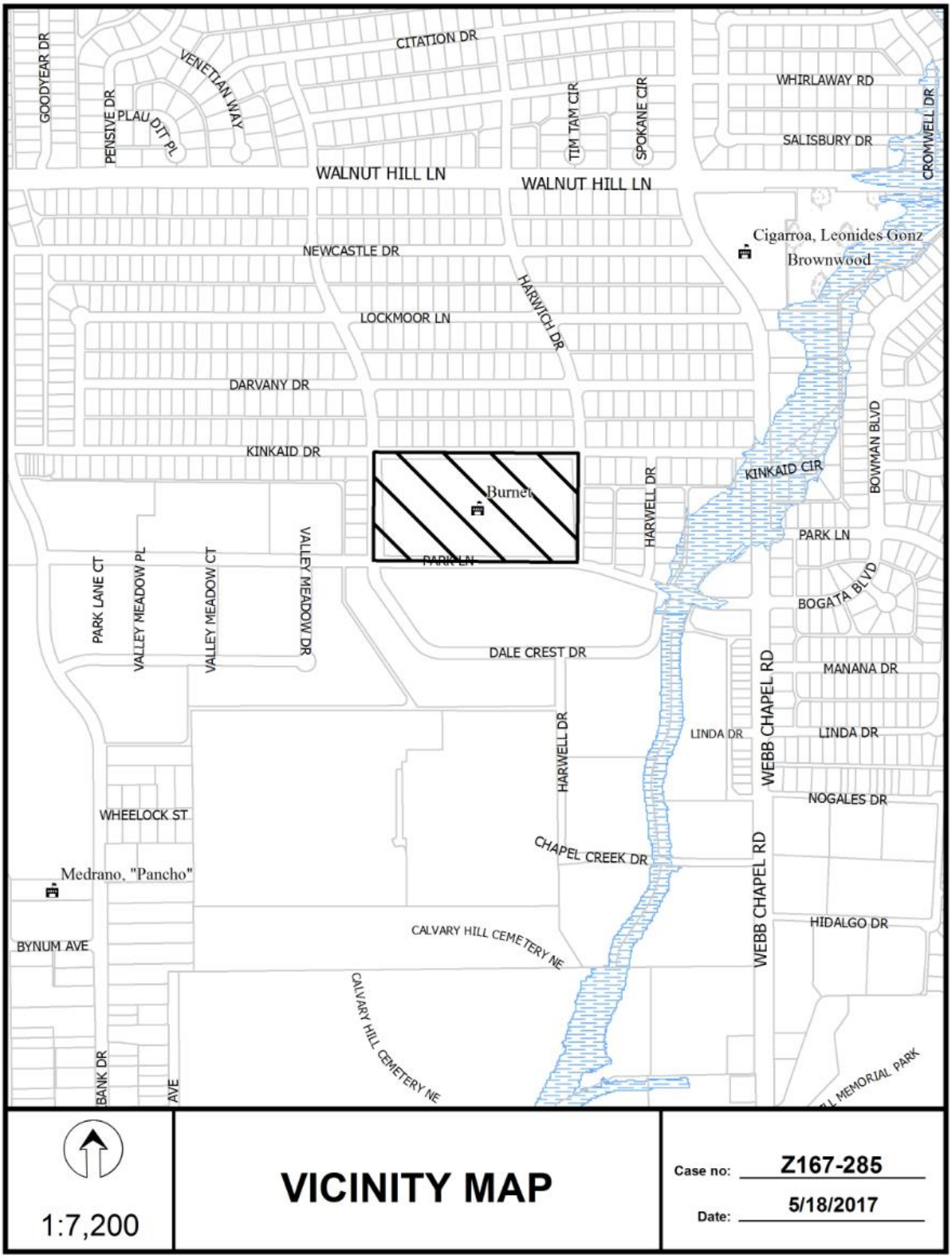
- School officials should appoint a safety committee whose objective is to implement actions of this TMP and make any necessary adjustments to enforce a coordinated traffic management plan.
- The plan includes a specific number and location of school staff and adult crossing guards. An appropriate number of school staff shall be assigned to fulfill the duties of student supervision, traffic control, and other related duties as generally depicted on the plan.
- Maintain the closure of the fence to discourage remote parking and to encourage parents to pick-up students at the designated loading areas as shown in **Exhibit 1**.

SUMMARY & RECOMMENDATIONS

This TMP is to be used by DISD David G. Burnet Elementary School to provide safe and efficient transportation of students, staff, and faculty. The Plan was developed with the intent of optimizing safety and efficiency and the goal of accommodating vehicular traffic generated by the school at peak traffic periods within the site. The details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness.

END OF MEMO


NTS
HARWICH DRIVE
KINKAID DRIVE
DALE CREST DRIVE
PARK LANE
BUS/VAN PICK-UP
1st - 5th Grade Student Dismissal Area
Pre K & Kinder Student Dismissal Area
DART 535 BUS
DART 535 BUS
SCHOOL
SPEED LIMIT 20
SCHOOL DAYS
Legend
- School Staff
- Traffic Signs
- Student Pick - Up
- QUEUE LANE PULL FORWARD NO PARKING OR UNATTENDED VEHICLES 7:00 - 9.00 AM 2:45 - 4.30 PM SCHOOL DAYS
- School Crossing Guard
The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. The school administration should adhere to this TMP. Any deficiency due to spillover of queuing into undesignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.
I, David Nevarez, P.E. #106200, certify that site constraints preclude the school's ability to accommodate vehicular queue on-site. While it may not be feasible to eliminate queuing in public rights-of-way, establishing a designated school route will lessen impact to neighborhood as well as background traffic on the main roads. This option is subject to approval by the City of Dallas Mobility and Street Services Department.
Queuing Summary
Student Group | Student Enrollment | Dismissal Time | Vehicular Traffic Demand | Queue
Pre K- 5th | 976 Students 5% Bus 5% Walk | 2:55 PM | Provided* | 3,431 LF (146 cars)
Required** | 3,431 LF (146 cars)
Surplus | 0 LF (0 cars)
* Exceeds existing conditions; calculated upon enforcement of managed traffic operations
Vehicular queue calculated at 23.5 feet/passenger car based on field observations.
EXHIBIT 1
Traffic Management Plan
DISD David G. Burnet Elementary School
3200 Kinkaid Drive, Dallas, TX 75220
DeShazo Group
DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S. Houston St, Suite 330
Dallas, Texas 75202
(214) 748.6740
DeShazo Group, Inc. Job No. 17026 Exhibit Created on 03-28-2017
Z167-285



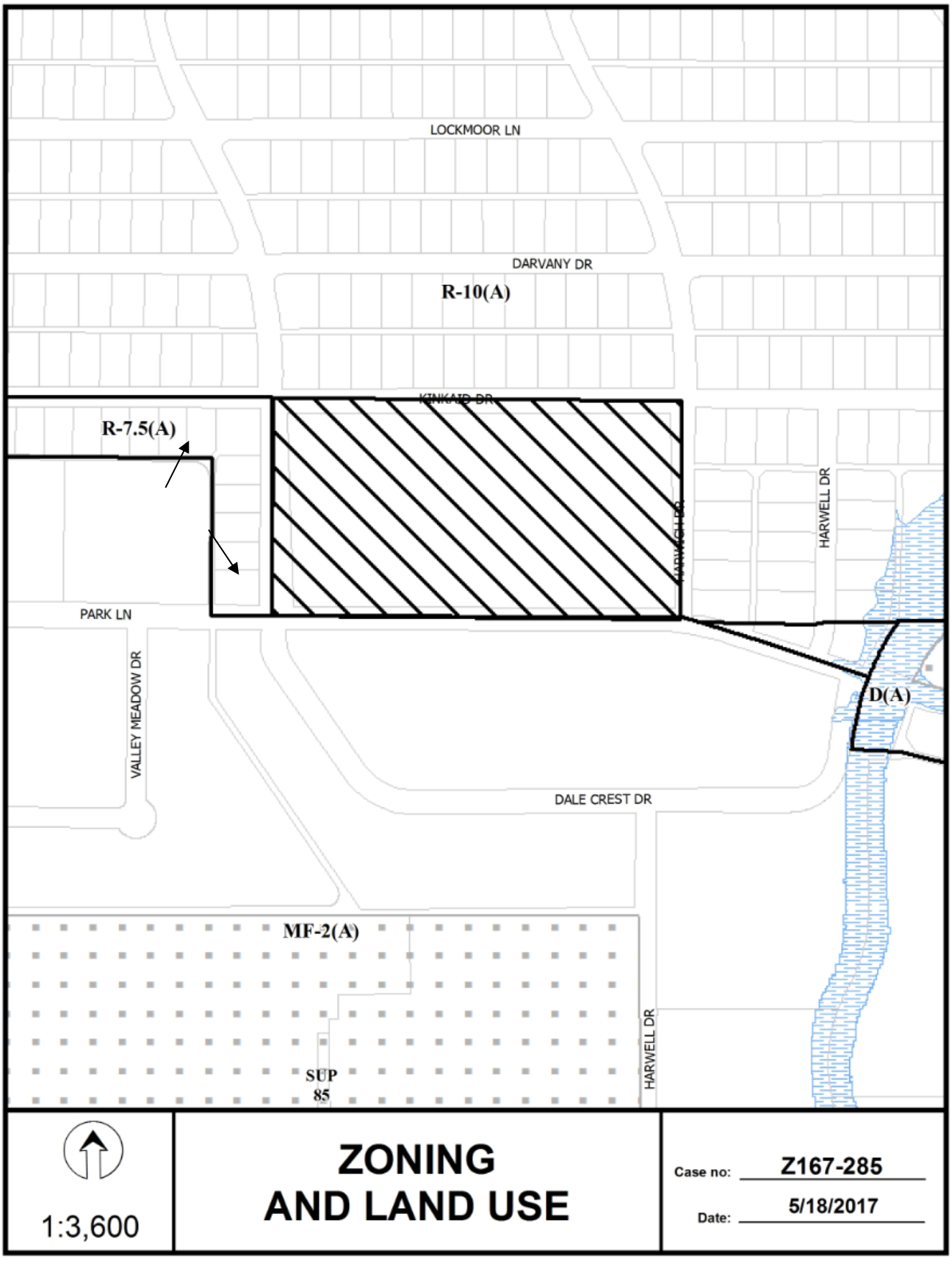
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VICINITY MAP

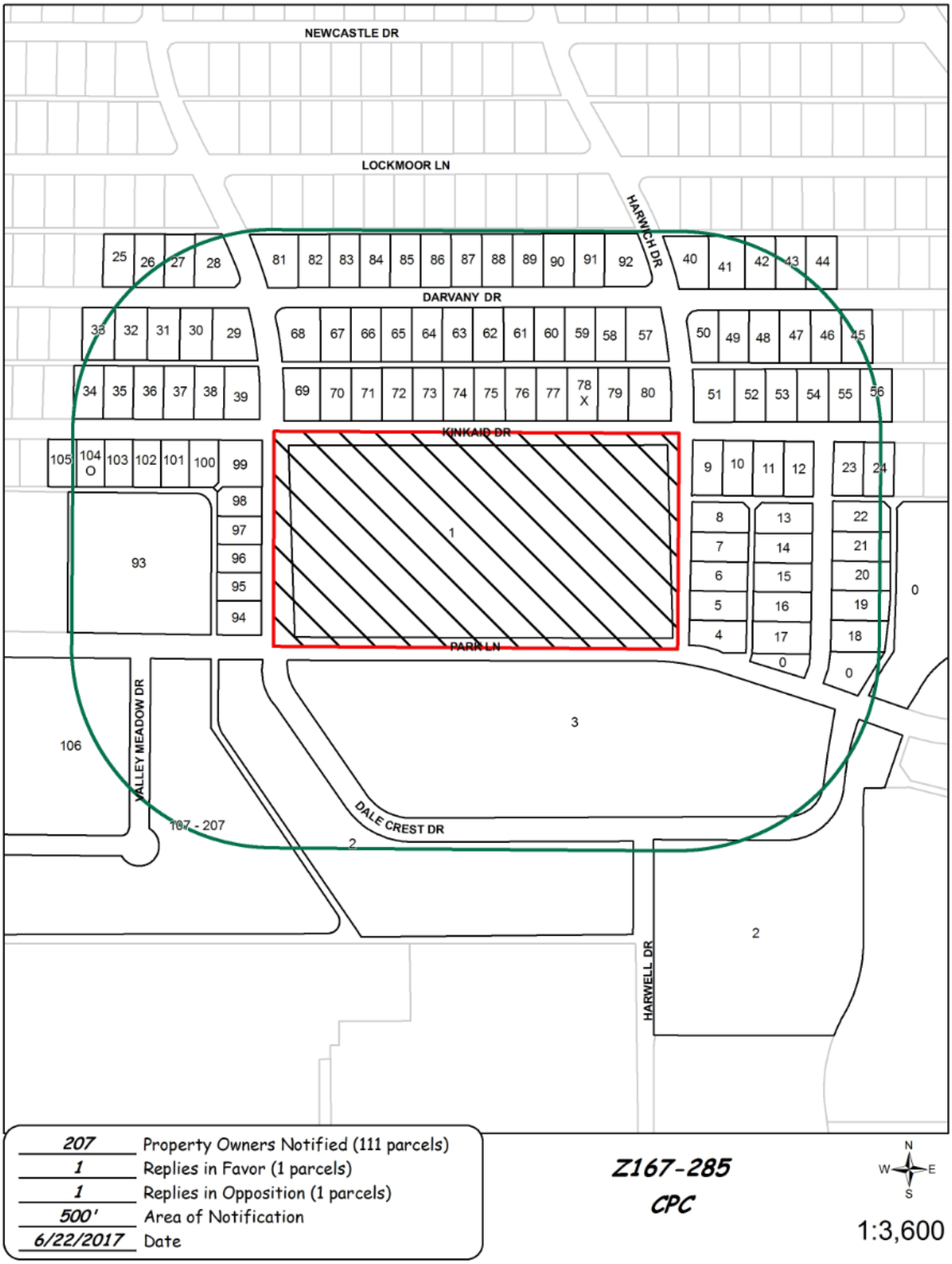
Case no: Z167-285

Date: 5/18/2017


LOCKMOOR LN
DARVANY DR
KINKAID DR
DALE CREST DR
HARWICH DR
HARWELL DR
PARK LN
VALLEY MEADOW DR
HARWELL DR
1:3,600
AERIAL MAP
Case no: Z167-285
Date: 5/18/2017


LOCKMOOR LN
DARVANY DR
R-10(A)
KINKAID DR
R-7.5(A)
HARWELL DR
HARWELL DR
PARK LN
VALLEY MEADOW DR
D(A)
DALE CREST DR
MF-2(A)
SUP
85
HARWELL DR
1:3,600
ZONING
AND LAND USE
Case no: Z167-285
Date: 5/18/2017

CPC Responses



06/21/2017

Reply List of Property Owners

Z167-285

207 Property Owners Notified ***1 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3200	KINKAID DR	Dallas ISD
	2	9727	DALE CREST DR	PARKDALE REDEVELOPMENT LLC
	3	9850	DALE CREST DR	SANTA MONICA PROPERTIES
	4	9904	HARWICH DR	RODRIGUEZ JOE JR
	5	9910	HARWICH DR	GONZALEZ OCTAVIO T
	6	9916	HARWICH DR	GARCIA EDUARDO &
	7	9922	HARWICH DR	BELL LOUIS J
	8	9926	HARWICH DR	NESBITT JOANNE R
	9	3306	KINKAID DR	KELLERMAN MELINDA DEANNE & JAMES CANNON
	10	3312	KINKAID DR	OSIER JAMES B
	11	3318	KINKAID DR	ELIZALDE GABRIEL &
	12	3324	KINKAID DR	KESSEE PATRICIA
	13	9929	HARWELL DR	MATTHEWS LANCE A &
	14	9923	HARWELL DR	OFOEGBU GOODLUCK
	15	9917	HARWELL DR	GUERRA MARK ANTHONY &
	16	9911	HARWELL DR	RAMIREZ EDIS J & GENEVA I
	17	9905	HARWELL DR	MCINTOSH DAVID L
	18	9906	HARWELL DR	SIMPLE HOUSE SOLUTIONS LLC
	19	9912	HARWELL DR	VENER LYNNE
	20	9918	HARWELL DR	ESTRADA JUAN F
	21	9924	HARWELL DR	SORTO MARIA D
	22	9930	HARWELL DR	OLDEN SCOTT &
	23	3328	KINKAID DR	OLDEN SCOTT
	24	3334	KINKAID DR	GEORGE AMY
	25	3181	DARVANY DR	PERKINS STACY L
	26	3185	DARVANY DR	MARQUEZ VIRGINIA I &

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	27	3191	DARVANY DR	WELLS MILBERT A
	28	3195	DARVANY DR	ZACNY BARBARA J
	29	3196	DARVANY DR	CHRISMAN KYLE & LAURA
	30	3192	DARVANY DR	TRUJILLO AGUSTIN & MARIA
	31	3188	DARVANY DR	BERRY DARRYL T
	32	3182	DARVANY DR	WILSON NICHOLAS RYAN
	33	3176	DARVANY DR	WILSON CHRISTOPHER
	34	3131	KINKAID DR	GOMEZ ARTURO & LIDIA
	35	3135	KINKAID DR	HUNTER BART T
	36	3141	KINKAID DR	JIMENEZ JESUS M
	37	3147	KINKAID DR	ANGUIANO JESUS
	38	3151	KINKAID DR	BERCAT PPTIES LLC
	39	3159	KINKAID DR	SANCHEZ JOSE C & CINTHIA J
	40	3305	DARVANY DR	HERNANDEZ JOSE JUAN
	41	3311	DARVANY DR	GARCIA EFRAIN & MARIA E
	42	3317	DARVANY DR	DAVIDSON DAVID K
	43	3323	DARVANY DR	BOYER CHRISTOPHER HEATH
	44	3329	DARVANY DR	HARPER THOMAS CLYDE
	45	3336	DARVANY DR	FERNANDEZ ELVIRA
	46	3330	DARVANY DR	FRANTZ JASON
	47	3324	DARVANY DR	ANDERSON WILMA JOYCE FAMILY TRUST
	48	3318	DARVANY DR	MONROE SONDRA
	49	3312	DARVANY DR	SCHMID KENDAL M & KENNTH R SCOTT
	50	3306	DARVANY DR	HERNANDEZ LAZARO P &
	51	3305	KINKAID DR	TENNISON ERIC L & ROBIN G
	52	3311	KINKAID DR	CAREY DAVID J & LAURA L
	53	3317	KINKAID DR	WEY MARISSA VAN
	54	3323	KINKAID DR	ELIZONDO OVIDIO F &
	55	3329	KINKAID DR	MORRIS PHILIP A
	56	3335	KINKAID DR	MCGILBERRY CLARENCE B
	57	3276	DARVANY DR	KNUTOWSKI JOEL G &

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	58	3270	DARVANY DR	AMARO JUANA
	59	3264	DARVANY DR	AGUINAGA MICAELA
	60	3258	DARVANY DR	URBINA MANUEL &
	61	3252	DARVANY DR	CUELLO CONSUELO
	62	3246	DARVANY DR	FRIDAY JOHN MATTHEW &
	63	3240	DARVANY DR	ALFARO CARLOS MAURICIO & LAURIE A
	64	3234	DARVANY DR	GONZALEZ DOWNNY R
	65	3228	DARVANY DR	WEYNAND ANTHONY E
	66	3222	DARVANY DR	STEINER MICHAEL A JR
	67	3216	DARVANY DR	GONZALEZ GUSTAVO
	68	3208	DARVANY DR	JIMENEZ JOSE ALFREDO
	69	3205	KINKAID DR	ROCHA ALFREDO & BLANCA L
	70	3211	KINKAID DR	TORRES JOSE
	71	3217	KINKAID DR	MUHA SUSAN M
	72	3223	KINKAID DR	MARTIN MICHELINE
	73	3229	KINKAID DR	CARDENAS HIPOLITO &
	74	3235	KINKAID DR	DIAZ ELISEO L
	75	3241	KINKAID DR	GUERECA GUADALUPE
	76	3247	KINKAID DR	ALVARADO ENRIQUE
	77	3253	KINKAID DR	MEDRANO ESMERALDA &
X	78	3255	KINKAID DR	MORENO JAIBER RUMALDO
	79	3265	KINKAID DR	LOPEZ ERNESTO ALONSO
	80	3271	KINKAID DR	HECTOR RONALD R & NANCY S
	81	3205	DARVANY DR	COOPER H E JR EST OF
	82	3211	DARVANY DR	DUNCAN IDYL D
	83	3217	DARVANY DR	SPITZER IRYNA
	84	3223	DARVANY DR	GUZMAN JOSE A
	85	3229	DARVANY DR	CERVANTES ADRIANA M &
	86	3235	DARVANY DR	GONZALEZ ALDO I &
	87	3241	DARVANY DR	RODRIGUEZ JUAN CARLOS
	88	3247	DARVANY DR	TORRES JOSE FREDERICO &

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	89	3253	DARVANY DR	AGUIRRE JOSE & MARIA IRMA
	90	3259	DARVANY DR	KILLINGSWORTH KEVIN & SARAH
	91	3265	DARVANY DR	FULMER DALTON K
	92	3271	DARVANY DR	DURAN JOSE M & ALMA R
	93	3155	PARK LN	CASA SAN LUIS APARTMENTS LLC
	94	9905	DALE CREST DR	CORONADO ABEL CHAVEZ
	95	9911	DALE CREST DR	PADILLA PRINCESS M
	96	9917	DALE CREST DR	PEREZ ALBERT S
	97	9923	DALE CREST DR	SANTIBANEZ EPIFANO &
	98	9929	DALE CREST DR	MORENO YANIXA &
	99	9935	DALE CREST DR	MARTINEZ LINDA A & RICKY
	100	3150	KINKAID DR	MARTIN SHAWN
	101	3146	KINKAID DR	SIFUENTES ALEJANDRO
	102	3140	KINKAID DR	NAVARRO CARLOS R &
	103	3136	KINKAID DR	MCMULLEN WILLIAM E
O	104	3130	KINKAID DR	RAMIREZ PRISCILLA SMITH
	105	3126	KINKAID DR	TREJO KAREN
	106	3110	PARK LN	MANOR STONE PARTNERS LP
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06/21/2017

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06/21/2017

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06/21/2017

Reply	*Label #*	*Address*		*Owner*
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AGENDA ITEM # 69

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 5, 7

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 48 L; Q; U; Y & 58 C; G; L; Q; U

SUBJECT

A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 366, with consideration given to appropriate zoning for the area including use, development standards, and other appropriate regulations in Planned Development District No. 366, generally along both sides of Buckner Boulevard from Heinen Drive and Hoyle Avenue on the north to the T. & N.O. Railroad on the south, and along Lake June Road between Carbona Drive on the west and Pleasant Drive on the east and an ordinance granting the amendments to Planned Development District No. 366
Recommendation of Staff and CPC: Approval
Z156-183(JEM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z156-183(JEM) **DATE FILED:** January 7, 2016

LOCATION: Generally along both sides of Buckner Boulevard from Heinan Drive and Hoyle Avenue on the north to the T. & N.O. Railroad on the south, and along Lake June Road between Carbona Drive on the west and Pleasant Drive on the east

COUNCIL DISTRICT: 5 & 7 **MAPSCO:** 58-C; G; L; Q; U
48-L; Q; U; Y

SIZE OF REQUEST: Approx. 408 acres **CENSUS TRACT:** 153,163,164, 166-170, 229

REQUEST: A City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 366, with consideration given to appropriate zoning for the area including use, development standards, and other appropriate regulations in Planned Development District No. 366.

SUMMARY: The purpose of this authorized hearing is to focus on urban design, land use, parking and streetscape, and ensure provisions that encourage future development by proposing amendments such as: 1) consolidation of subareas, 2) update landscape, sidewalk, accessory and land use regulations, and 3) the introduction of residential components including mixed use projects.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND:

- Planned Development No. 366 the Buckner Boulevard Special Purpose District was established by the Dallas City Council on February 26, 1992.

- Currently PD No. 366 is divided into nine subareas.

- The existing general zoning for each subarea is as follows:

    - Subarea 1 – Retail and Personal Service
    - Subarea 1A – Retail and Personal Service. (Neighborhood Walmart)
    - Subarea 2 – Community Retail and Commercial Service
    - Subarea 3 – Light Industrial
    - Subarea 4 – Industrial Manufacturing
    - Subarea 5 – Community Retail and Commercial Service (Eastfield Community College)
    - Subarea 6 – Retail and Personal Service
    - Subarea 7 – Retail and Personal Service
    - Subarea 8 – Community Retail and Community Service

- Subarea 1A and 5 must comply with a development plan.

- On January 7, 2016, City Plan Commission authorized a public hearing to determine the proper zoning for Planned Development District No. 366.

- On May 18, 2016 an initial community meeting was held to provide information including:

    - History/Background of Planned Development No. 366
    - Existing zoning regulations
    - Existing land use and characteristics of the area
    - Initiation of area study/research
    - Auto related uses and regulations to be addressed.

- A steering committee was created to guide the direction of the proposed amendments**.** Eight steering committee meetings took place between August 2016 and April 2017.

- On May 8, 2017, and May 23, 2017, meetings were held to present an overview of the proposed changes to the community.

Zoning History

The principal zoning cases over the past five-year period are summarized below:

1. **Z134-281:** On October 20, 2014, Specific Use Permit No. 1730 was automatically renewed for an alcoholic beverage establishment.

2. **Z145-138:** On March 24, 2015, Specific Use Permit No. 1850 was automatically renewed for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.

3. **Z123-202** On May 25, 2011, Dallas City Council approved an application for Specific Use Permit No. 1850 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.

4. **Z123-254** On July 25, 2013, Specific Use Permit No. 1873 was automatically renewed of for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.

5. **Z123-162** On July 25, 2013, Specific Use Permit No. 1869 was automatically renewed for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.

6. **Z134-148** On March 26, 2014, Dallas City Council approved an application for a Planned Development District for non-residential uses on property zoned a GO(A) General Office District.

7. **Z156-261** On October 26, 2016, Dallas City Council approved an application to 1) create a new subarea to allow an alternative financial establishment use by Specific Use Permit within Subarea 2 and, for 2) Specific Use Permit No. 2217 for an alternative financial establishment use.

8. **Z156-239** On August 10, 2016, Dallas City Council approved an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet.

9. **Z123-366** On December 19, 2013 Specific Use Permit No. 1942 was automatically renewed of for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.

10. **Z134-302** On December 10, 2014, Specific Use Permit No. 1973 was renewed for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.

11. **Z167-192** On May 18, 2017, City Plan Commission denied an application for a Planned Development District for NS(A) Neighborhood Service district uses and an auto service center, a motor vehicle fueling station, and a restaurant with drive-in or drive-through service by right, on property zoned an R-7.5(A) Single Family District and Subarea 2. Application was not been appealed.

12. **Z123-246** On September 28, 2011, Dallas City Council approved an application for Specific Use Permit No. 1900 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3500 square feet or less.

13. **Z134-350** On January 28, 2015, Dallas City Council approved an application for a Specific Use Permit No. 2135 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet, and termination of Specific Use Permit No. 1996 for the Sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property within the Subarea 1 with a D-1 Liquor Control Overlay.

14. **Z167-179** On May 18, 2017, City Plan Commission approved an application to renew and amend Specific Use Permit No. 2135 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned Subarea 1.

15. **Z156-320** On October 26, 2016, Dallas City Council approved an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a restaurant without drive-in service on property within Subarea 6 with a D-1 Liquor Control Overlay.

16. **Z123-220** On June 26, 2013, Dallas City Council approved an application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property within Subarea 6.

17. **Z167-125** On February 22, 2017, Dallas City Council approved an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned Subarea 6.

18. **Z134-105** On November 10, 2015, Dallas City Council approved an application for a new subarea and Specific Use Permit No. 2160 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less within Tract 2A, Subarea 1.

19. **Z156-305** On October 27, 2015, Specific Use Permit No. 2160 was automatically renewed of for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.

20. **Z156-208** On January 11, 2017, Dallas City Council approved an application for a commercial amusement (inside) limited to a dance hall, on property zoned Subarea 6

21. **Z167-284** On April 27, 2017, Specific Use Permit No. 1989 was automatically renewed for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3500 square feet or less.

22. **Z145-193** On May 13, 2015, Specific Use Permit No. 954 was renewed for a for a private school and child care facility.

23. **BDA156-057** On June 28, 2016 the Board of Adjustment approved an application for enlarging a nonconforming use with conditions.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
S. Buckner Blvd	Principal Arterial	107 feet
Lake June Rd	Principal Arterial	100 feet
Bruton Rd	Principal Arterial	100 feet
Scyene Rd	Principal Arterial	100 feet
Military Pkwy	Principal Arterial	100 feet
Elam Rd	Principal Arterial	100 feet
Hoyle Ave	Community Collector	60 feet
Jim Miller Rd	Minor Arterial	100 feet

Land Use:

	Zoning	Land Use
Site	PD No. 366	Retail, office, and personal service uses
North	LI, IM	Machine/ weld shop, Industrial Inside
East	R-7.5(A) , R-5(A), CR	Single Family Residential, retail, auto service center
South	LI, IM	DART station, US Post Office, Warehouse
West	R-7.5(A), CR	Single Family Residential, retail, personal service, and office uses, fire station

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating an applicant's request.

In general, this Planned Development District proposal is consistent with the following goals and policies of the ***forwardDallas!*** Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.4 Capitalize on transit oriented development opportunities.

Implementation Measure 1.1.4.1 Maximize development opportunities around DART stations.

Implementation Measure 1.1.4.4 Use land use regulations to define the appropriate mix and density of uses and appropriate transitions to adjacent areas. The range of regulatory measures should reflect the need for various scale and densities in transit centers.

ECONOMIC ELEMENT

GOAL 2.5.1 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.3 Encourage complementary building height, scale, design and character.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

Land Use Compatibility:

PD No. 366 is currently divided into nine subareas within 408 acres. The central portion, and majority of the district, is comprised of mostly retail and personal service uses, and some commercial service uses with the majority of these being auto related. Eastfield Community College Pleasant Grove Campus is located on the east side of Buckner Blvd. in the southern portion of this central area. This area also contains many vacant properties and buildings scattered throughout. Single family residential abuts this central area on both the east and west.

The north end of the district contains light industrial uses, metal fabrication facilities, warehouses and welding shops. The surrounding land uses are comprised of warehouses and inside industrial uses.

The DART Buckner Station Park-and-Ride and a U.S. Post Office are located within the south end of the PD. The railroad runs through this area of the district and is surrounded by industrial warehouses. This southern part of the district is surrounded by industrial storage.

The overarching issues and concerns throughout the PD are:

- The amount of auto related uses that have increased in recent years.
- Accessory outside display of merchandise on sites has caused visual clutter.
- Walkability along Buckner Boulevard is constrained due to an underdeveloped sidewalk and streetscape system.

The Steering Committee proposed the following goals in working on the proposal:

- Promote redevelopment and beautification of the area;
- Protect and provide guidelines for an increase in streetscape and landscape;
- Promote pedestrian activity by providing guidelines for new development in sidewalk regulations;
- Provide a balance of land uses appropriate for mixed-use development compatible with the surrounding single family; and
- Create a focal area or gateway into the district at the south end.

Proposed Changes:

Currently, there are nine subareas in PD No. 366 and, with the reconfiguration of some of these subareas, nine remain. Subareas 1, 6, and a portion of Subarea 2 were combined into Subarea 1 creating a contiguous subarea with similar regulations. A new subarea was created, Subarea 2A, as a mixed use pedestrian oriented area.

Additional provisions were added to specific accessory uses in order to reduce the amount of visual clutter and obstructions, addressing a concern throughout the planned development district. Currently Code allows for the accessory display of merchandise to be displayed anywhere within the property as long as it complies to visibility and area requirements, with the exception of subarea 6 which allows the merchandise to be

displayed within ten feet of the structure housing the main use. For control and consolidation of visual clutter from accessory outside display of merchandise, the accessory display of merchandise will be reduced to within five feet of the structure housing the main use in all subareas.

In Subareas 1, 1A, 5 and 7 the land uses generally remained the same with the addition of the tower/antenna for cell communication which will now be allowed by Specific Use Permit (SUP).

In Subareas 2 and 8 tower/antenna for cell communication use by SUP was added and auto related uses, currently allowed by right, now are allowed by SUP.

The following land uses were removed:

- Bus/rail transit vehicle maintenance storage facility
- Commercial cleaning and laundry plant
- Machine or welding shop
- Machinery, heavy equipment or truck sales service
- Lodging or boarding house
- Outside sales
- Taxidermist
- Auto Auction

These uses do not currently exist and because of the high intensity and nuisances associated with these uses such as noise from machinery, noise from outside speakers, odors, and heavy equipment traffic, they are not compatible with the community serving retail and personal service uses in the immediate area nor the single family surrounding these subareas.

On the other hand, the requirement for an SUP for auto related uses will make 53 businesses nonconforming. Requiring an SUP allows each business and location to be reviewed for compliance with all the use requirements and to insure compatibility with adjacent community serving retail and the surrounding single family. In particular vehicle display, sales and service use is currently allowed by right in Subarea 2 only.

Subarea 2A has been carved out of Subarea 2 on the southern portion of the Planned Development District. One purpose of the new Subarea 2A is to create a gateway into the area, providing direction and to help initiate revitalization. The elements that make this area key for potential redevelopment are: 1) proximity to Eastfield Community College Pleasant Grove campus, and 2) the DART Buckner Station which allows the transit component to be utilized. The student, administrative and support population associated with the Community College, the proximity to the DART station and the fact that Buckner Boulevard is a four lane highway as opposed to the northern portion that expands to six lanes, and the surrounding single family neighborhoods give direction and support the need for a pedestrian friendly mixed use area.

This area, having been a part of Subarea 2, has the same issues with the proliferation of auto related uses, as mentioned above, with no consideration of compatibility with

the surrounding single family. In order to promote a mix of uses and balance to the auto related uses that have proliferated through this area; the auto related uses will now require a Specific Use Permit. Requiring a SUP provides a tool to enable review of each use and location, taking into account its proximity and compatibility as part of a mixed use area and the surrounding single family.

Land uses were added/deleted in Subarea 2A in order to allow for a mix of compatible uses to promote the development medium density retail, office, personal service and/or multifamily residential uses in combination on single or contiguous building sites. The land uses added are:

- Multifamily
- Retirement Housing

The newly created Subarea 2a will no longer allow the uses listed below.

- Bus/rail transit vehicle maintenance storage facility
- Commercial cleaning and laundry plant
- Machine or welding shop
- Machinery, heavy equipment or truck sales service
- Medical or scientific lab
- Lodging or boarding house
- Outside sales
- Swap or buy shop
- Taxidermist
- Heliport
- Helistop
- Auto Auction
- Building movers temporary storage yard
- Freight terminal
- Manufactured building sales lot
- Mini warehouse
- Outside storage without visual screening

The removal of these land uses does not make any businesses nonconforming as none currently exist.

However, the requirement for an SUP for auto related uses in Subarea 2A will make 50 businesses nonconforming.

In order to incentivize development in this subarea, the introduction of multifamily and mixed-use components are proposed to promote a pedestrian friendly active community retail, live, and work environment and engages the surrounding single family neighborhoods. MUP (Mixed-Use Project) incentives are provided to serve as a model and development opportunity. Incentives allow for additional dwelling unit density, increased floor area ratio, and/or additional structure height depending on the percentage of total floor area each use in the mixed use project.

Sidewalks:

The scarcity of walking space along Buckner Boulevard is an issue for the pedestrian. There are very few sidewalks and when there are, they are broken, narrow, and rarely continuous. In order to promote a safer, walkable, pedestrian friendly environment the redevelopment of sites will require a minimum five foot sidewalk along Buckner Boulevard. In the newly proposed Subarea 2A, sidewalks are a key element and vital to making it a great pedestrian friendly, active mixed use area.

Parking:

The parking requirements set forth in Sec.51P-366.108 remain the same.

Landscaping:

Landscape requirements were updated, resulting in the increase of landscaping and streetscape to improve and enhance the streetscape as redevelopment occurs. Front yard strip landscaping was addressed to focus on Buckner Boulevard in addition to providing minimum front yard strip landscaping depths for planting requirements.

CPC ACTION

Note: During the question period of this item Chair Tarpley held further discussion to allow staff additional time to answer questions from citizens in attendance. The Commission returned to the regular order of the agenda and heard Zoning Case - Under Advisement agenda item #6. Z167-191(KK) next.

June 8, 2017

Motion: It was moved to recommend **approval** of amendments to Planned Development District No. 366 and to allow Accessory outside display of merchandise in Subarea 2 within Planned Development District No. 366 generally along both sides of Buckner Boulevard from Heinen Drive and Hoyle Avenue on the north to the T. & N.O. Railroad on the south, and along Lake June Road, between Carbona Drive on the west and Pleasant Drive on the east.

Maker: Houston
Second: Anglin
Result: Carried: 9 to 0

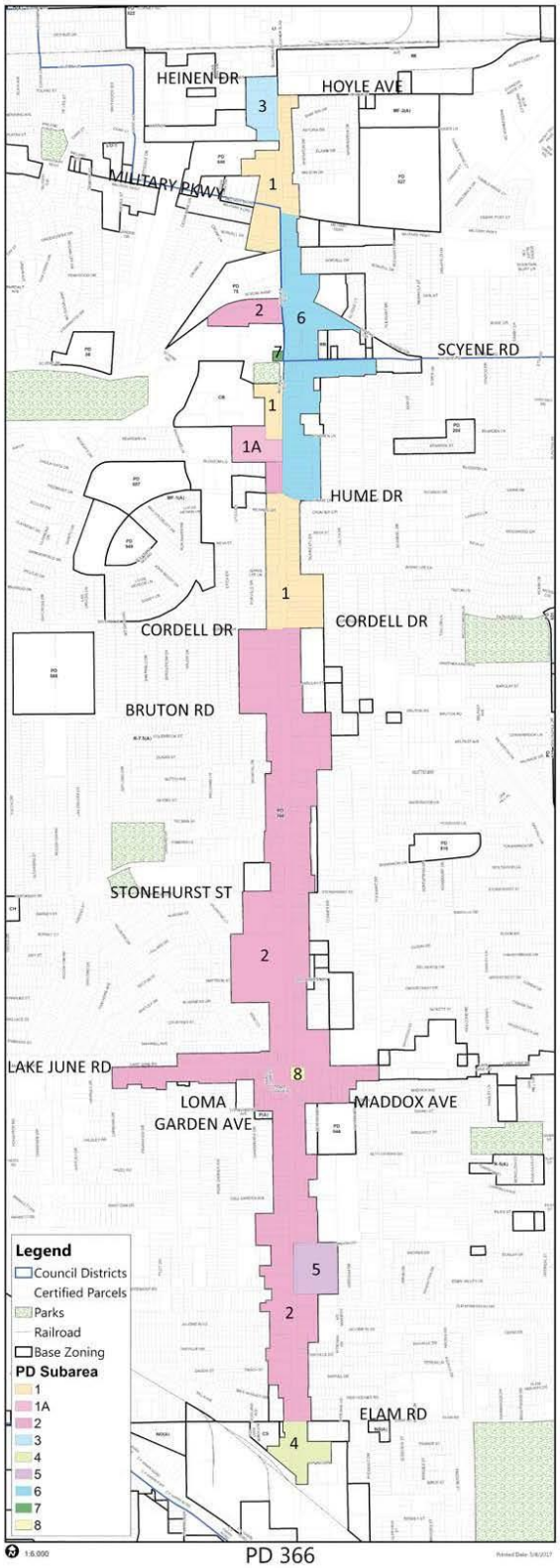
For: 9 - Anglin, Rieves, Houston, Davis, Haney, Housewright, Peadon, Murphy, Tarpley

Against: 0
Absent: 3 - Anantasomboon, Mack, Schultz
Vacancy: 0
Conflict: 3 - Shidid, Jung, Ridley

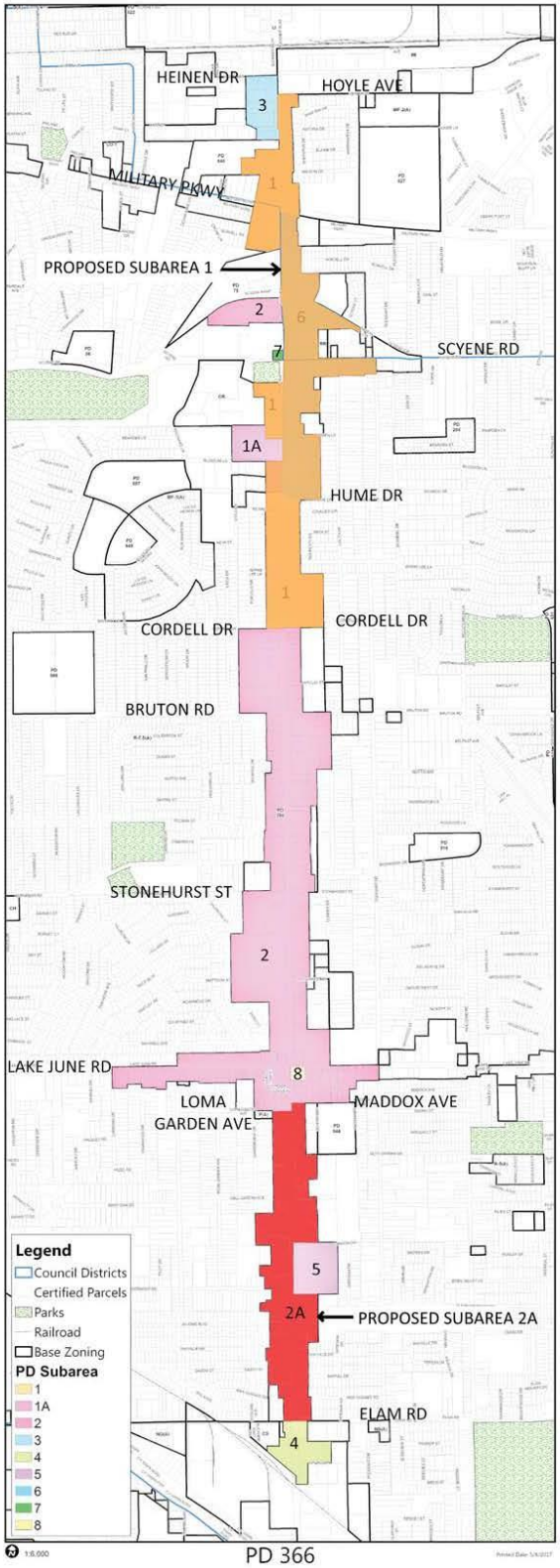
Notices:	Area:	200	Mailed:	1027
Replies:	For:	10	Against:	10

Speakers: For: Randy Balch, P.O. Box 360577, Dallas, TX 75836
Against: James Mayhall, 829 S. Buckner Blvd., Dallas, TX 75217

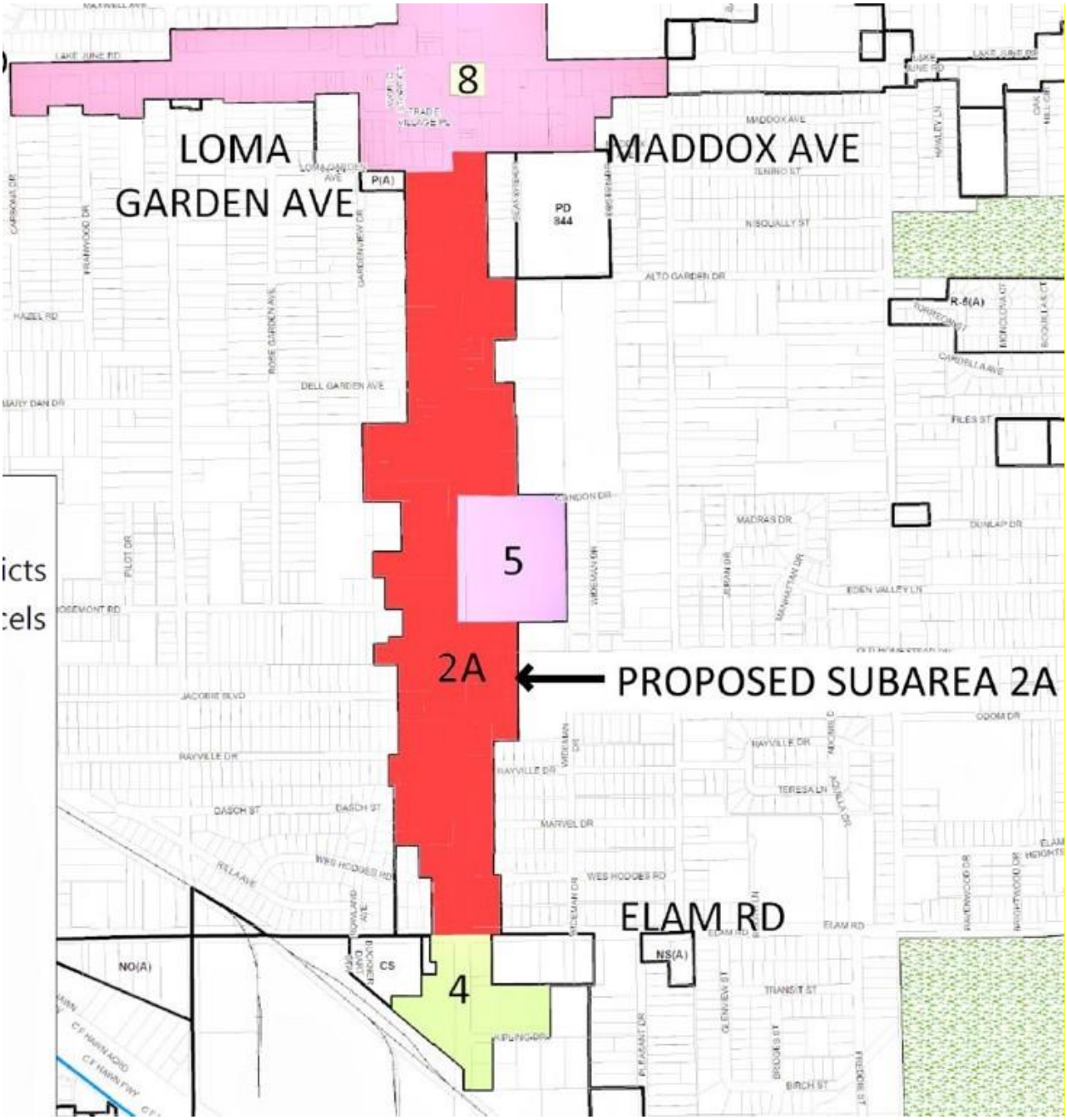
PD NO. 366 EXISTING SUBAREA BOUNDARY MAP



PD NO. 366 PROPOSED SUBAREA BOUNDARY MAP



PD NO. 366 SUBAREA 2A DETAIL



CPC PROPOSED AMENDMENTS

ARTICLE 366.

PD 366.

Buckner Boulevard Special Purpose District

SEC. 51P-366.101. LEGISLATIVE HISTORY.

PD 366 was established by Ordinance No. 21211, passed by the Dallas City Council on February 26, 1992. Ordinance No. 21211 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 21211 was amended by Ordinance No. 21313, passed by the Dallas City Council on June 10, 1992, and Ordinance No. 24159, passed by the Dallas City Council on January 12, 2000. (Ord. Nos. 19455; 21211; 21313; 24159; 25164)

SEC. 51P-366.102. PROPERTY LOCATION AND SIZE.

PD 366 is established on property generally located along both sides of Buckner Boulevard from Heinen Drive and Hoyle Avenue on the north to the T. & N.O. Railroad on the south, and along Lake June Road between Carbona Drive on the west and Pleasant Drive on the east. The size of PD 366 is approximately 407.945 acres. (Ord. Nos. 21211; 21313; 24159; 25164; 27034; 27902; 28199; 28520; 28547; 28775)

SEC. 51P-366.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions in Chapter 51A apply to this article. In Subarea 6:

~~(1) ALTERNATIVE FINANCIAL ESTABLISHMENT means a business that provides car title loans, check cashing, money transfers, payday cash advances, payroll advances, or short term cash loans. An alternative financial establishment does not include state or federally chartered banks, savings and loans, and credit unions. An alternative financial establishment does not include an establishment that provides financial services that are accessory to another main use.~~

~~(2) FEED STORE means a facility for the wholesale or retail sale of grain, prepared feed, and forage for pets, livestock, and fowl.~~

(3) MASSAGE ESTABLISHMENT means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed

beauty parlors or barber shops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. MASSAGE means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

(4) TATTOO OR BODY PIERCING STUDIO means a business in which tattooing or body piercing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. BODY PIERCING means the piercing of body parts, other than ears, for purposes of allowing the insertion of jewelry.

(5) MAJOR MODIFICATION means reconstruction, alteration, or renovation of an original building that exceeds 50 percent of the value of the original building assessed by the Dallas Central Appraisal District or any increase in floor area of an original building by 50 percent or more.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are 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.

(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.)

(5) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for

purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a nonresidential zoning district.

(e) PD 366 is to be known as the Buckner Boulevard Special Purpose District. (Ord. Nos. 21211; 25164; 27788)

SEC. 51P-366.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 366A: Subarea descriptions.

(2) Exhibit 366B: Subarea 5 development plan.

(3) Exhibit 366C: Subarea 1A development plan.

(4) Exhibit 366D: ~~Tract~~ Subarea map.

(5) Exhibit 366E: Subarea 7 development and landscape plan. (Ord. Nos. 28547; 29933)

SEC. 51P-366.104. CREATION OF SUBAREAS AND DEVELOPMENT PLAN.

(a) Creation of subareas. This district is divided into nine subareas as described in Exhibit 366A. Subareas and tracts are shown on Exhibit 366D.

(b) Development plan.

(1) Except as provided in this subsection, 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, and development schedule do not apply.

(2) Development and use of Subarea 1A must comply with the Subarea 1A development plan (Exhibit 366C).

(3) Development and use of Subarea 5 must comply with the Subarea 5 development plan (Exhibit 366B).

(4) Development and use of Subarea 7 must comply with the Subarea 7 development and landscape plan (Exhibit 366E).

(5) If there is a conflict between the text of this article and a development plan, the text of this article controls. (Ord. Nos. 21211; 21313; 24159; 25164; 27034; 27322; 27788; 28547; 29933; 30249)

SEC. 51P-366.104.1. MIXED USE PROJECTS IN SUBAERA 2A.

(a) In general. Single or multiple uses may be developed on one site ~~in a mixed use district as in any other district~~; however, in order to encourage a mixture of uses and promote innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel, density bonuses and, in some instances, increases to the maximum structure height are awarded to developments that qualify as "mixed use projects" as defined in Subsection (b). If a development does not qualify as an MUP, it is limited to a "base" dwelling unit density, floor area ratio, and maximum structure height. When a development qualifies as an MUP, it earns a higher maximum dwelling unit density and floor area ratio and, in some instances, a greater maximum structure height. Additional FAR bonuses are incrementally awarded to encourage the inclusion of "residential" as part of an MUP. The exact increments of increase vary depending on the actual use categories mixed and the district that the MUP is in. For more information regarding the exact increments of increase, consult the yard, lot, and space regulations in this section governing the particular district of interest.

(b) Qualifying as a mixed use project. To qualify as a MIXED USE PROJECT (MUP) for purposes of this section, a development must contain uses in two or more of the following use categories, and the combined floor areas of the uses in each category must equal or exceed the following percentages of the total floor area of the project:

MU-1 AND MU-1(SAH) DISTRICTS	
Use Category	**% of Total Floor Area**
Office	15%
Residential	15%
Retail and personal service	10%

(c) Project plan. If a MUP is proposed, a project plan must be submitted to and approved by the building official.

(d) Phases. If an MUP is constructed in phases:

(1) the first phase must independently qualify as an MUP under Subsection (b); and

(2) each subsequent phase combined with all previous phases already completed or under construction must also qualify as an MUP under Subsection (b).

(e) Multiple building sites.

(1) An MUP may consist of two or more building sites if they are developed under a unified development plan. The plan must be:

(A) signed by or on behalf of all of the owners of the property involved;

(B) approved by the building official; and

(C) filed in the deed records of the county where the property is located.

(2) When an MUP consists of multiple building sites, its development standards and off-street parking and loading requirements are calculated by treating the multiple building sites as one building site.

SEC. 51P-366.105. MAIN USES PERMITTED.

(a) Subareas 1 and 7.

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Building repair and maintenance shop. *[RAR]*
-- Catering service.
-- Custom business services.
-- Electronics service center.
-- Machine or welding shop. *[SUP]*
-- Medical or scientific laboratory. *[SUP]*
-- Tool or equipment rental.
-- Vehicle or engine repair or maintenance. *[SUP]*

(3) Institutional and community service uses.

-- Adult day care facility.
-- Cemetery or mausoleum. *[SUP]*
-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center.
-- Convalescent and nursing homes, hospice care, and related institutions.
-- Convent or monastery.
-- Foster home. *[SUP]*
-- Hospital. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(4) Lodging uses.

-- Hotel and motel. *[SUP]*
-- Lodging or boarding house. *[SUP]*

(5) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window.
-- Medical clinic or ambulatory surgical center.
-- Office.

(6) Recreation uses.

-- Country club with private membership.
-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(7) Residential uses.

-- College dormitory, fraternity, or sorority house.

(8) Retail and personal service uses.

-- Ambulance service. *[RAR]*
-- Animal shelter or clinic without outside run. *[RAR]*
-- Auto service center. *[RAR]*
-- Business school.
-- Car wash. *[DIR]*
-- 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.
-- Home improvement center, lumber, brick, or building materials sales yard. *[DIR]*
-- Household equipment and appliance repair.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.
-- Nursery, garden shop, or plant sales.
-- Pawnshop.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service. *[RAR]*
-- Restaurant with drive-in or drive-through service. *[DIR]*
-- Swap or buy shop. *[SUP]*
-- Taxidermist. *[SUP]*
-- Temporary retail use.
-- Theater.
-- Vehicle display, sales, and service. *[SUP]*

(9) Transportation uses.

-- Transit passenger shelter. *[See Section 51A-4.211.]*
-- Transit passenger station or transfer center. *[See Section 51A-4.211.]*

(10) Utility and public service uses.

-- Commercial radio or television and transmitting station.
-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Post office.
-- Radio, television, or microwave tower. *[SUP]*
-- Tower/antenna for cellular communication. *[SUP]*
-- Utility or government installation other than listed. *[SUP]*

(11) Wholesale, distribution, and storage uses.

-- Mini-warehouse. *[SUP]*
-- Office showroom/warehouse. *[SUP]*
-- Outside storage (with visual screening). *[SUP]*
-- Recycling collection center. *[RAR]*

(b) Subarea 1A.

(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.
-- Cemetery or mausoleum. *[SUP]*
-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center.
-- Convalescent and nursing homes, hospice care, and related institutions.
-- Convent or monastery.
-- Foster home. *[SUP]*
-- Hospital. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(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.

-- Country club with private membership.
-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(9) Residential uses.

-- College dormitory, fraternity, or sorority house.

(10) Retail and personal service uses.

-- Animal shelter or clinic without outside run. *[RAR]*
-- Business school.
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet.
-- Household equipment and appliance repair.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Nursery, garden shop, or plant sales.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service. *[RAR]*
-- Taxidermist. *[SUP]*

(11) Transportation uses.

-- Transit passenger shelter. *[See Section 51A-4.211.]*
-- Transit passenger station or transfer center. *[See Section 51A-4.211.]*

(12) Utility and public service uses.

-- Commercial radio or television and transmitting station.
-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Post office.
-- Radio, television, or microwave tower. *[SUP]*
-- Tower/antenna for cellular communication. *[SUP]*
-- Utility or government installation other than listed. *[SUP]*

(c) Subareas 2, 2A, and 8.

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Building repair and maintenance shop. *[RAR]*
-- ~~Bus or rail transit vehicle maintenance or storage facility. *[RAR]*~~
-- Catering service.
-- ~~Commercial cleaning and laundry plant. *[RAR]*~~
-- Custom business services.
-- Custom woodworking, furniture construction, or repair.
-- Electronics service center.
-- Job or lithographic printing. *[RAR]*
-- ~~Machine or welding shop. *[RAR]*~~
-- ~~Machinery, heavy equipment, or truck sales and service. *[RAR]*~~
-- Medical or scientific laboratory. *[Subareas 2 and 8 only.]*
-- Technical school.
-- Tool or equipment rental.
-- ~~Vehicle or engine repair or maintenance. *[RAR]*~~

(3) Institutional and community service uses.

-- Adult day care facility.
-- Cemetery or mausoleum. *[SUP]*
-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center.
-- Convalescent and nursing homes, hospice care, and related institutions.
-- Convent or monastery.
-- Foster home. *[SUP]*
-- Hospital. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(4) Lodging uses.

-- Hotel and motel. ~~*[RAR]*~~ *[SUP]*
-- ~~Lodging or boarding house.~~

(5) Office uses.

-- Alternative financial establishment. *[By SUP only in Subarea 8.]*
-- Financial institution without drive-in window.
-- Financial institution with drive-in window. *[RAR]*
-- Medical clinic or ambulatory surgical center.
-- Office.

(6) Recreation uses.

-- Country club with private membership.
-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(7) Residential uses.

-- College dormitory, fraternity, or sorority house.
-- Multifamily. *[Subarea 2A only.]*
-- Retirement housing. *[Subarea 2A only.]*

(8) Retail and personal service uses.

-- Ambulance service. *[RAR]*
-- Animal shelter or clinic without outside run. *[RAR]*
-- Animal shelter or clinic with outside run. *[SUP]*
-- Auto service center. ~~*[RAR]*~~ *[SUP]*
-- Business school.
-- Car wash. ~~*[RAR]*~~ *[SUP]*
-- Commercial amusement (inside).
-- Commercial amusement (outside). *[DIR]*
-- 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.
-- Home improvement center, lumber, brick, or building materials sales yard. *[RAR]*
-- Household equipment and appliance repair.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.
-- Nursery, garden shop, or plant sales.
-- ~~Outside sales. *[SUP]*~~
-- Pawnshop.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service. *[RAR]*
-- Restaurant with drive-in or drive-through service. *[DIR]*
-- Swap or buy shop. *[SUP][Subareas 2 and 8 only.]*
-- ~~Taxidermist.~~
-- Temporary retail use.
-- Theater.
-- Vehicle display, sales, and service. *[SUP]*

(9) Transportation uses.

-- Commercial bus station and terminal. *[DIR]*

-- Heliport. *[SUP][Subareas 2 and 8 only.]*
-- Helistop. *[SUP][Subareas 2 and 8 only.]*
-- Railroad passenger station. *[SUP]*
-- Transit passenger shelter. *[See Section 51A-4.211.]*
-- Transit passenger station or transfer center. *[See Section 51A-4.211.]*

(10) Utility and public service uses.

-- Commercial radio or television transmitting station.
-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Radio, television, or microwave tower. *[RAR]*
-- Tower/antenna for cell communication. *[SUP]*
-- Utility or government installation other than listed. *[SUP]*

(11) Wholesale, distribution, and storage uses.

-- ~~Auto auction. *[SUP]*~~
-- Building mover's temporary storage yard. *[SUP][Subareas 2 and 8 only.]*
-- Contractor's maintenance yard. *[RAR]*
-- Freight terminal. *[RAR] [Subareas 2 and 8 only.]*
-- Manufactured building sales lot. *[RAR]*
-- Mini-warehouse.
-- Office showroom/warehouse.
-- Outside storage (with visual screening). *[RAR][Subareas 2 and 8 only.]*
-- ~~Petroleum product storage and wholesale. *[SUP]*~~
-- ~~Recycling collection center. *[RAR]*~~
-- ~~Sand, gravel, or earth sales and storage. *[SUP]*~~
-- Trade center.
-- ~~Vehicle storage lot. *[SUP]*~~
-- Warehouse. *[RAR]*

(d) Subarea 3. The uses permitted in Subarea 3 are all uses permitted in the LI Light Industrial District, as set out in Chapter 51A subject to the same conditions applicable in the LI Light Industrial District. For example, a use only permitted in the LI Light Industrial District by specific use permit (SUP) is only permitted in this planned development district by SUP; a use subject to development impact review (DIR) in the LI Light Industrial District is subject to DIR in this planned development district; etc. Exception: The vehicle display, sales, and service use is permitted by SUP only, paraphernalia shop use is not allowed.

(e) Subarea 4. The uses permitted in Subarea 4 are all uses permitted in the IM Industrial Manufacturing District, as set out in Chapter 51A, subject to the same conditions applicable in the IM Industrial Manufacturing District. For example, a use only permitted in the

IM Industrial Manufacturing District by specific use permit (SUP) is only permitted in this planned development district by SUP; a use subject to development impact review (DIR) in the IM Industrial Manufacturing District is subject to DIR in this planned development district; etc. Exception: paraphernalia shop use is not allowed.

(f) Subarea 5.

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.
-- Custom business services.
-- Custom woodworking, furniture construction, or repair.
-- Electronics service center.
-- Medical or scientific laboratory.
-- Technical school.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

-- Adult day care facility.
-- Cemetery or mausoleum. *[SUP]*
-- Child-care facility.
-- Church.
-- College, university, or seminary.
-- Community service center.
-- Convalescent and nursing homes, hospice care, and related institutions.
-- Convent or monastery.
-- Foster home. *[SUP]*
-- Hospital. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

None permitted.

(7) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window. *[RAR]*
-- Medical clinic or ambulatory surgical center.
-- Office.

(8) Recreation uses.

-- Country club with private membership.
-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(9) Residential uses.

-- College dormitory, fraternity, or sorority house.

(10) Retail and personal service uses.

-- Ambulance service. *[RAR]*
-- Animal shelter or clinic without outside runs. *[RAR]*
-- Animal shelter or clinic with outside runs. *[SUP]*
-- Business school.
-- Commercial parking lot or garage. *[RAR]*
-- Dry cleaning or laundry store.
-- Furniture store.
-- Nursery, garden shop, or plant sales.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service. *[RAR]*
-- Temporary retail use.
-- Theater.

(11) Transportation uses.

-- Commercial bus station and terminal. *[DIR]*
-- Railroad passenger station. *[SUP]*
-- Transit passenger shelter. *[See Section 51A-4.211.]*
-- Transit passenger station or transfer center. *[See Section 51A-4.211.]*

(12) Utility and public service uses.

-- Commercial radio or television transmitting station.

-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Radio, television, or microwave tower. *[RAR]*
-- Tower/antenna for cellular communication. *[SUP]*
-- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

None permitted.

~~(g) Subarea 6.~~

~~(1) Agricultural uses.~~

~~-- Crop production.~~

~~(2) Commercial and business service uses.~~

~~-- Building repair and maintenance shop. *[RAR]*~~
~~-- Catering service.~~
~~-- Custom business services.~~
~~-- Electronics service center.~~
~~-- Feed store.~~
~~-- Machine or welding shop. *[SUP]*~~
~~-- Medical or scientific laboratory. *[SUP]*~~
~~-- Tool or equipment rental.~~
~~-- Vehicle or engine repair or maintenance. *[SUP]*~~

~~(3) Industrial uses.~~

~~None permitted.~~

~~(4) Institutional and community service uses.~~

~~-- Adult day care facility.~~
~~-- Cemetery or mausoleum. *[SUP]*~~
~~-- Child-care facility.~~
~~-- Church.~~
~~-- College, university, or seminary.~~
~~-- Community service center.~~
~~-- Convalescent and nursing homes, hospice care, and related institutions.~~
~~-- Convent or monastery.~~
~~-- Foster home. *[SUP]*~~
~~-- Hospital. *[SUP]*~~

-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(5) Lodging uses.

-- Hotel or motel. *[SUP. Must have more than 60 guest rooms.]*

(6) Miscellaneous uses.

None permitted.

(7) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window.
-- Medical clinic or ambulatory surgical center.
-- Office.

(8) Recreation uses.

-- Country club with private membership.
-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(9) Residential uses.

-- College dormitory, fraternity, or sorority house.

(10) Retail and personal service uses.

-- Alternative financial establishment. *[SUP]*
-- Ambulance service. *[RAR]*
-- Animal shelter or clinic without outside runs. *[RAR]*
-- Auto service center. *[RAR]*
-- Business school.
-- Car wash. *[SUP]*
-- Commercial amusement (inside). *[Treat as if in a CR Community Retail District.]*
-- 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.
-- Home improvement center, lumber, brick, or building materials sales yard. *[DIR]*
-- Household equipment and appliance repair.

-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.
-- Nursery, garden shop, or plant sales.
-- Pawnshop.
-- Personal service uses. *[Massage establishment and tattoo or body piercing studio uses are prohibited.]*
-- Restaurant without drive-in or drive-through service. *[RAR]*
-- Restaurant with drive-in or drive-through service. *[DIR]*
-- Swap or buy shop. *[SUP]*
-- Taxidermist. *[SUP]*
-- Temporary retail use.
-- Theater.
-- Vehicle display, sales, and service. *[SUP]*

(11) Transportation uses.

-- Transit passenger shelter. *[See Section 51A-4.211.]*
-- Transit passenger station or transfer center. *[See Section 51A-4.211.]*

(12) Utility and public service uses.

-- Commercial radio or television and transmitting station.
-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Post office.
-- Radio, television, or microwave tower. *[SUP]*
-- Tower/antenna for cellular communication. *[SUP may be required. See Section 51A-4.212(10.1). Treat as a CR Community Retail district.]*
-- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

-- Mini-warehouse. *[SUP]*
-- Office showroom/warehouse. *[SUP]*
-- Outside storage (with visual screening). *[SUP]*
-- Recycling collection center. *[RAR]* (Ord. Nos. 21211; 25164; 27034; 27788; 28547; 29933; 30249)

SEC. 51P-366.106. 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) ~~In Subarea 6,~~ accessory outside display of merchandise is only permitted within ~~10~~ 5 feet of the structure housing the primary use. (Ord. Nos. 21211; 25164; 27788)

(c) The following accessory uses are not permitted:

(1) Subareas 1, 1A, 3, 4, 5, 7 &8.

-- Accessory helistop
-- Accessory medical/ infectious waste incinerator
-- Accessory pathological waste incinerator
-- Amateur communications tower
-- Day home
-- General waste incinerator
-- Home occupation
-- Occasional sales (garage sales)
-- Private stable
-- Swimming pool (private)

(2) Subareas 2 &2A.

-- Accessory helistop
-- Accessory medical/ infectious waste incinerator
-- Accessory outside display of merchandise [allowed in 2 only]
-- Accessory outside sales
-- Accessory outside storage
-- Accessory pathological waste incinerator
-- Amateur communications tower
-- Day home
-- General waste incinerator
-- Home occupation
-- Occasional sales (garage sales)
-- Private stable
-- Swimming pool (private)

SEC. 51P-366.107. 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) Subareas 1, 1A, 2, 2A ~~6,~~ 7, and 8.

(1) Front yard. Minimum front yard is:

(A) 15 feet where adjacent to an expressway or a thoroughfare; and

(B) no minimum in all other cases.

(2) Side and rear yard. Minimum side and rear yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district;

(B) in Subarea 7, no minimum side or rear yard; and

(C) no side and rear yard required in all other cases.

(3) Dwelling unit density. ~~No dwelling unit density.~~

(a) Maximum dwelling unit density varies depending on whether the development is a mixed use project as follows:

MAXIMUM DWELLING UNIT DENSITY (dwelling units per net acre)		
Base (No MUP)	**MUP with Mix of 2 Categories**	**MUP with Mix of 3 Categories**
15	20	25

(4) Floor area ratio. Maximum floor area ratio is:

~~(A) 0.5 for any combination of lodging, office, and retail and personal service uses; and~~

~~(B) 0.75 for all uses combined.~~

(C) Maximum floor area ratio (FAR) varies depending on whether the development is a mixed use project as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two other use categories.]

	I	II	III	IV
Use Categories	**Base (no MUP)**	**MUP=2 (no Re s)**	**MUP=2 (with Res) Res + 1**	**MUP=3 (with Res) Res + 2**
Office	0.8	0.85	0.9	0.95
Residential	0.8	---	0.95	0.95
Retail and personal	0.4	0.5	0.5	0.6

(5) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 45 feet.

(B) In Subarea 2A. the maximum structure height varies depending on whether the development is a mixed use project as follows:

MAXIMUM STRUCTURE HEIGHT SUBDISTRICT 1 AND SUBDISTRICT 5		
Base (No MUP)	**MUP with Mix (No Retail)**	**MUP (with Retail)**
45 FT	60 FT	80 FT

(6) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Stories. ~~Maximum number of stories above grade is three. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (5).~~

(A) Maximum number of stories above grade is:

(i) three when the maximum structure height is 45 feet;

(ii) four when the maximum structure height is 60 feet; and

(iii) Six when the maximum structure height is 80 feet.

(B) No maximum stories for parking structures.

(b) Subarea 3. Except as otherwise provided, the yard, lot, and space regulations for this subarea must comply with the yard, lot, and space regulations applicable to the LI Light Industrial District, as set out in Chapter 51A. Minimum side and rear yard is:

(1) 20 feet where adjacent to or directly across the street from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(2) no side or rear yard required in all other cases.

(c) Subarea 4. Except as otherwise provided, the yard, lot, and space regulations for this subarea must comply with the yard, lot, and space regulations applicable to the IM Industrial Manufacturing District, as set out in Chapter 51A. Minimum side and rear yard is:

(1) 20 feet where adjacent to or directly across the street from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(2) no side or rear yard required in all other cases.

(d) Subarea 5.

(1) Front yard. Minimum front yard is 25 feet.

(2) Side and rear yard. Minimum side yard is 25 feet. Minimum rear yard is 50 feet.

(3) Dwelling unit density. No dwelling unit density.

(4) Floor area ratio. Maximum floor area ratio is:

(A) 0.5 for any combination of lodging, office, and retail and personal service uses; and

(B) 0.75 for all uses combined.

(5) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. (See Section 51A-4.412.) Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 45 feet.

(6) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Stories. Maximum number of stories above grade is three. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (5). (Ord. Nos. 21211; 25164; 27034; 27788; 28547; 29933; 30249)

SEC. 51P-366.108. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, off-street parking and loading must be provided in accordance with the Dallas Development Code, as amended.

(b) Subarea 1A. Except as provided in this subsection, any on-street parking spaces partially located within the street easement adjacent to Buckner Boulevard at Bearden Lane as shown on the development plan may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(1) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(2) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space (8 ÷ 24 = one-third). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(c) Subarea 5.

(1) For a college, university, or seminary use, off-street parking must be provided at a ratio of 0.23 parking spaces per student and employee.

(2) Surface parking is permitted in the required side and rear yards.

~~(d) Subarea 6.~~

~~(1) Feed store.~~

~~(A) One space per 500 square feet of retail floor area is required.~~

~~(B) One space per 1,000 square feet of warehouse and storage floor area is required.~~

(2) Alternative financial establishment. One space per 200 square feet of floor area is required. (Ord. Nos. 21211; 25164; 27034; 27788; 28547)

SEC. 51P- .114. STREETSCAPE AND SIDEWALK STANDARDS.

(a) Sidewalks required. The street and sidewalk standards of this subsection apply only to new construction or a major modification

(1) All sidewalks must be designed and constructed to be barrier-free to the handicapped, and in accordance with the construction requirements in the Paving Design Manual and the Standard Construction Details of the City of Dallas.

(3) No certificate of occupancy may be issued for new construction or a major modification until hard surface sidewalks are provided in accordance with this section.

(4) An existing sidewalk may not be used to comply with this subsection unless it meets the construction standards and the minimum unobstructed widths specified below.

(b) Minimum sidewalk widths. Sidewalks with a minimum unobstructed width of five feet must be provided along Buckner Boulevard

SEC. 51P-366.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 21211; 25164)

SEC. 51P-366.110. LANDSCAPING FOR ALL SUBAREAS EXCEPT SUBAREA 7.

Except as provided in this article, landscaping must be provided in accordance with Article X.

(a) Application.

(1) ~~Parkway landscaping~~ Front yard strip landscaping provisions for Buckner Boulevard shall become applicable to a lot when an application is made for a building permit for construction work that increases building height, floor area ratio, required parking, or nonpermeable coverage of the lot.

(2) Site area landscaping, front yard strip landscaping, screening, and sidewalk provisions shall become applicable to a lot when an application is made for a building permit for construction work that increases either the floor area ratio, building height, or nonpermeable coverage of the lot by more than 20 percent.

(3) Front yard strip landscaping and screening provisions may be imposed during required development impact or residential adjacency review procedures.

(b) Parkway landscaping. When parkway landscaping is approved under this article, a minimum of ~~O~~one tree at least three and one-half inches in diameter, or two trees at least one and one-half inches in diameter must be provided between the street curb and the sidewalk per 30 feet of frontage, exclusive of driveways, visibility triangles, and accessways at points of ingress and egress. No underground irrigation system is required for parkway landscaping.

(c) Front yard strip landscaping.

The landscape area provided along the entire length of the lot adjacent to Buckner Boulevard **and intersecting ~~adjoining~~ streets**, excluding paved surfaces at points of vehicular and pedestrian ingress and egress, must meet the following requirements:

Average depth	**Minimum depth**	**Maximum depth**
7.5 feet	**5 feet**	**25 feet**

All other streets:

Average depth	**Minimum depth**	**Maximum depth**
5 feet	**3 feet**	**25 feet**

The planting area is measured from the property line.

One large tree must be provided for every 30 linear feet of frontage.

When existing conditions prohibit planting large trees, two small trees may be substituted for each large tree with building official approval. Large trees may not be planted within fifteen feet, measured horizontally from the base center of the tree, to the closest point of an overhead utility ~~distribution~~ line.

Parkway landscaping. The parkway adjacent to the Property line may be used to satisfy the street tree requirements of the front yard strip landscaping subject to:

The minimum depth for front yard strip landscaping is maintained on the Property for planting requirements; and

Compliance with the landscape plan review requirements per this article.

~~(1) The 10-foot-wide strip of land along the entire length of the front yard and immediately adjacent to the property line must be landscaped as follows:~~

~~(A) Twenty percent of the surface must be permeable.~~

~~(B) Ten percent must be landscaped with trees, shrubs, or a combination of trees and shrubs that have the potential to attain a minimum height of 30 inches within a three-year time period.~~

~~(C) An underground~~ automatic ~~irrigation system must be provided.~~

~~(2) Front yard strip landscaping must be approved by the director of the department of development services.~~

(d) Site area landscaping.

(1) Except as provided in this subsection, the remainder of the lot must be landscaped in accordance with the provisions contained in Article X.

(2) An underground automatic irrigation system must be provided.

(3) A plant group that complies with the provisions of Section 51A-10.125(b)(7)(B) must be provided for every 35 feet of street frontage in the Landscape Enhancement Areas as shown on the development plan for Subarea 1A (Exhibit 366C).

(e) Screening.

(1) A six-foot-high solid screening fence must be provided along all rear and side lot lines that are adjacent to residential districts.

(2) On-site parking must be screened with:

(A) a minimum three-foot-high solid fence, with an 18-inch wide planting bed located on its street side; or

(B) shrubs with the potential to attain a minimum height of 30 inches within a three-year time period.

(3) Manufactured building sales lot and vehicle display, sales, and service uses must be screened with a minimum two and one-half-foot-high fence with a screening factor of less than 66 percent, and an 18-inch-wide planting bed located on its street side.

(4) Required screening of on-site parking may be used for compliance with design standard requirements.

~~(f) Sidewalks. A sidewalk with a minimum width of five feet must be provided in the 12 foot area parallel to and in back of the projected street curb.[goes in separate section]~~

(g) Completion. All landscaping must be completed in accordance with the provisions contained in Article X.

(h) General maintenance.

(1) Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within 90 days after notification by the city.

(2) Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If, nonetheless, some plant materials die, it is the obligation of the property owner to replace the plant materials.

~~(i) Points. For purposes of tabulating the number of points earned toward the minimum number required by Article X, 15 points are awarded for parkway landscaping. Ten points are awarded for required or voluntary front yard strip landscaping. Five points are awarded for the screening of on-site parking. (Ord. Nos. 21211; 25164; 28547; 29933)~~

SEC. 51P-366.110.1. LANDSCAPING FOR SUBAREA 7.

(a) Landscaping must be provided as shown on the Subarea 7 development and landscape

plan.

(b) Plant materials must be maintained in a healthy, growing condition. (Ord. 29933)

SEC. 51P-366.111. PRIVATE LICENSE GRANTED.

(a) The city council hereby grants a private license to each of the abutting property owners of property in the Buckner Boulevard Special Purpose District for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. An abutting property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit in accordance with Chapter 52 of the Dallas City Code, as amended. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to

terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(b) To the extent that the provisions contained in this section conflict with the applicable licensing provisions contained in Chapter 43 of the Dallas City Code, the provisions contained in Chapter 43 are waived.

(c) In no event shall the license granted by this section be construed to grant an easement or real property interest of any kind to the licensees. (Ord. Nos. 21211; 25164)

SEC. 51P-366.112. LANDSCAPE PLANS FOR ALL SUBAREAS EXCEPT SUBAREA 7.

(a) A landscape plan must be submitted to and approved by the director of the department of sustainable development and construction [~~services~~] prior to the installation of landscaping required by this article.

(b) Upon the submission of a plan for or including the installation of parkway landscaping, the director [~~of the department of development services~~] shall circulate it to all affected city departments and all utilities and communication companies for review and comment. If, after receiving comments from affected city departments, utilities, and communication companies, the director determines that the construction and planting proposed is in compliance with this article, and will not be inconsistent with and will not impair the public, utility, or communications company use of the right-of-way, the director shall approve the landscape plan; otherwise, the director shall disapprove the plan.

(c) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the director's [~~of the department of development services's~~] disapproval of a plan to install parkway landscaping on the basis that the installation of the landscaping will be inconsistent with, or will unreasonably impair the public, utility, or communication company use of the right-of-way. Required front yard strip landscaping must be planted on-site.

(d) The approval of a plan to install parkway landscaping does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way. (Ord. Nos. 21211; 25164; 29933)

SEC. 51P-366.113. SIGNS.

(a) Except as provided in this section, all signs must comply with the provisions for business zoning districts in Article VII.

(b) For Subarea 1A, detached premise signs are limited to one two-sided sign on Blossom Lane and one two-sided sign on Buckner Boulevard in the areas shown on the development plan. The detached premise sign on Blossom Lane must be a monument sign and

may not exceed six feet in height or 50 square feet in effective area. (Ord. Nos. 21211; 25164; 28547)

SEC. 51P-366.114. NONCONFORMING USES.

~~(a) Subareas 1, 2, 3, 4, 5, and 8.~~

~~(1) Existing nonconforming uses and uses made nonconforming by this article are not subject to amortization by the board of adjustment.~~

~~(2) The right to operate a nonconforming use terminates if the nonconforming use is discontinued or remains vacant for one year or more. The board may grant a special exception to this provision only if the owner can state an extreme circumstance that demonstrates that there was not an intent to abandon the use even though the use was discontinued for one year or more.~~

~~(b) Subarea 6.~~

~~(1) The city council finds that certain nonconforming uses have an adverse effect on nearby properties. The purpose of this subsection is to eliminate these nonconforming uses and to make them comply with the regulations of the Dallas Development Code, having due regard for the property rights of the persons affected, the public welfare, and the character of the surrounding area.~~

~~(2) The right to operate a nonconforming hotel or motel use; a nonconforming lodging or boarding house use; and a nonconforming residential hotel use automatically terminates on January 13, 2011 or one year after the use became nonconforming, whichever is later.~~

~~(3) An owner of a nonconforming hotel or motel use; a nonconforming lodging or boarding house use; or a nonconforming residential hotel use may request an extension of the compliance deadline in Paragraph (2) by filing an application with the director on a form provided by the city for that purpose. The application must be filed at least 30 days before the deadline in Paragraph (2). If a fee is required, the application will not be considered filed until the fee is paid. Failure to timely file a complete application for extension constitutes a waiver of the right to contest the reasonableness of the deadline in Paragraph (2).~~

~~(4) Upon the filing of a complete application for extension, the board shall, in accordance with the law, determine whether it is necessary to extend the compliance deadline for the nonconforming use. The board shall consider the factors listed in Section 51A-4.704(a)(1)(D) in determining whether to grant the request for extension.~~

~~(5) If, based on evidence presented at the public hearing, the board finds that additional time is needed to recoup the owner's actual investment in the use before the use became nonconforming, the board shall grant the request for extension and establish a new compliance deadline consistent with its determination of a reasonable amortization period;~~

~~otherwise, the board shall deny the request. If the board denies the request, the right to operate the nonconforming use automatically terminates on the deadline in Paragraph (2), or 30 days after the date of the board's decision to deny, whichever is later.~~

(c) In general. Except as otherwise provided in this section, Section 51A-4.704 applies to all nonconforming uses and structures in this district. (Ord. Nos. 21211; 25164; 27788; 30249)

SEC. 51P-366.114.1 SUBAREA 1A ROADWAY IMPROVEMENTS.

(a) Before the issuance of a certificate of occupancy for a permitted use, the following must be provided:

(1) Reconstruction of the segment of Bearden Lane west of Buckner Boulevard, retaining the existing driveway connection on the north line of Bearden Lane. Eastbound Bearden Lane must provide separate left-turn and right-turn lanes at Buckner Boulevard.

(2) Signalization at Buckner Boulevard and Blossom Lane, with design and construction approved by the Director of Public Works and Transportation.

(3) Restriping Blossom Lane, providing for separate eastbound and through lanes between Buckner Boulevard and the easternmost drive approach into the Property.

(4) Drive approaches along Blossom Lane, having separate left-turn and right-turn lanes onto Blossom Lane.

(b) On-street parking along Blossom Lane is prohibited. (Ord. 28547)

SEC. 51P-366.115. GENERAL REQUIREMENTS.

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. 21211; 25164; 26102)

SEC. 51P-366.116. WAIVER OF CERTAIN SUP FEES IN SUBAREA 1.

The city council waives the application fee for a specific use permit for nonconforming uses located in Subarea 1 in those cases where:

(1) the nonconforming use was existing on February 26, 1992, or made nonconforming by this article; and

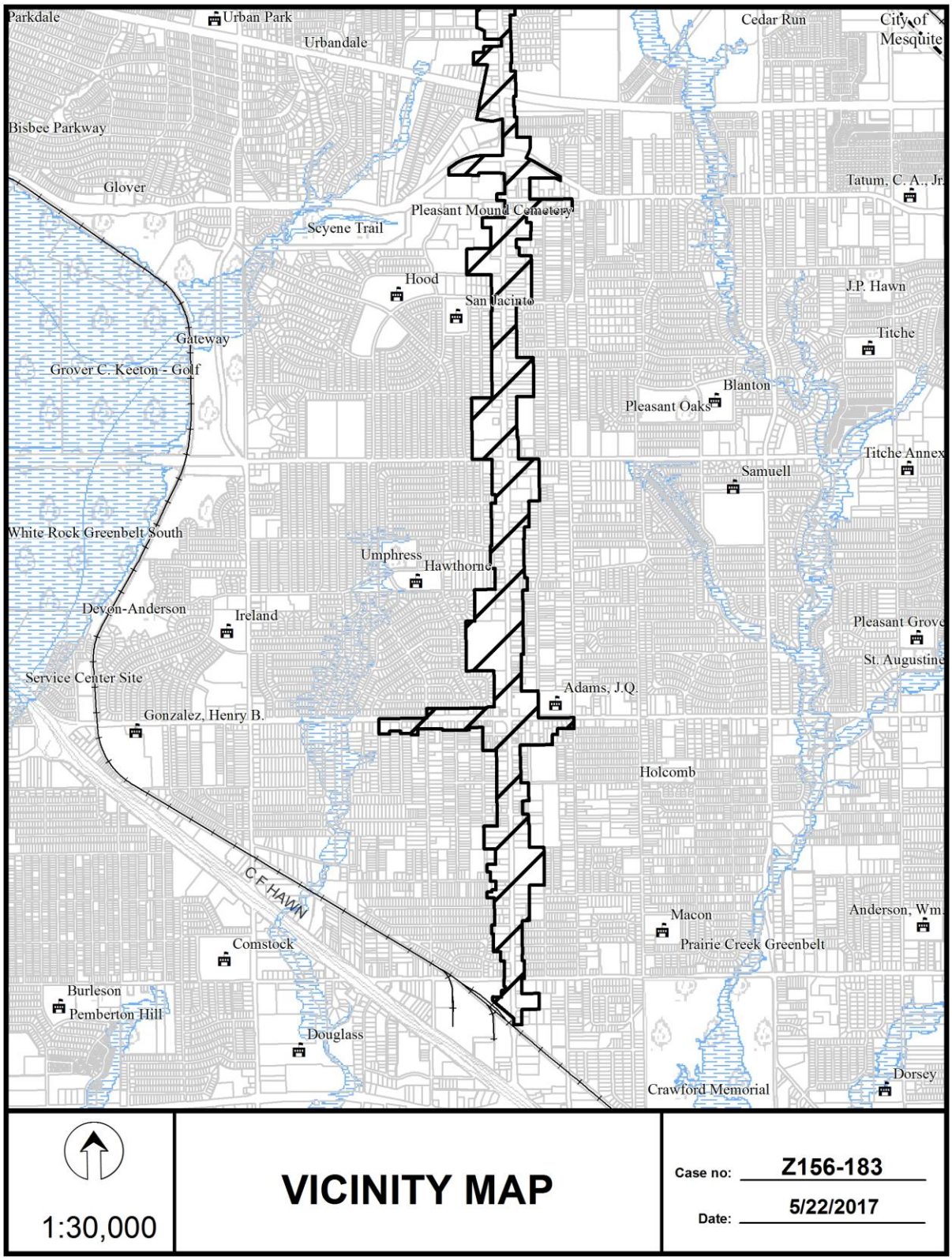
(2) upon inspection by the director of the department of code compliance or the director's designee, it is determined that the nonconforming use and the property on which it

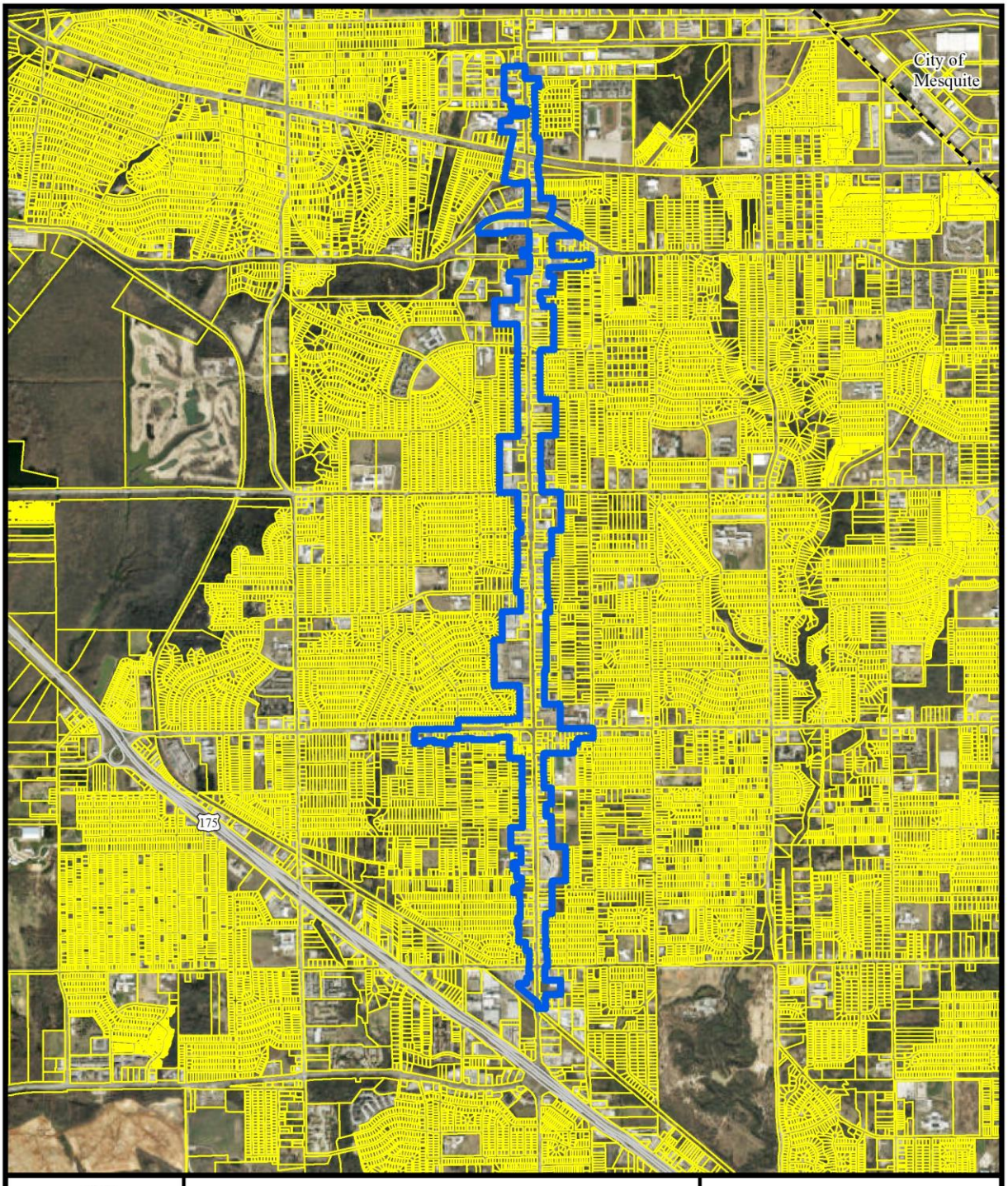
is located is in compliance with all applicable ordinances, rules, and regulations of the city other than the requirement of a specific use permit. (Ord. Nos. 21211; 25164; 26102)

SEC. 51P-366.117. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 21211; 25164; 26102)


Parkdale
Urban Park
Urbandale
Cedar Run
City of Mesquite
Bisbee Parkway
Glover
Tatum, C. A., Jr.
Pleasant Mound Cemetery
Scyene Trail
Hood
San Jacinto
J.P. Hawn
Titche
Gateway
Grover C. Keeton - Golf
Blanton
Pleasant Oaks
Titche Annex
Samuell
White Rock Greenbelt South
Umphress
Hawthorne
Devon-Anderson
Ireland
Pleasant Grove
St. Augustine
Service Center Site
Adams, J.Q.
Gonzalez, Henry B.
Holcomb
C F HAWN
Macon
Anderson, Wm.
Prairie Creek Greenbelt
Comstock
Burleson
Pemberton Hill
Douglass
Dorsey
Crawford Memorial
1:30,000
VICINITY MAP
Case no: Z156-183
Date: 5/22/2017

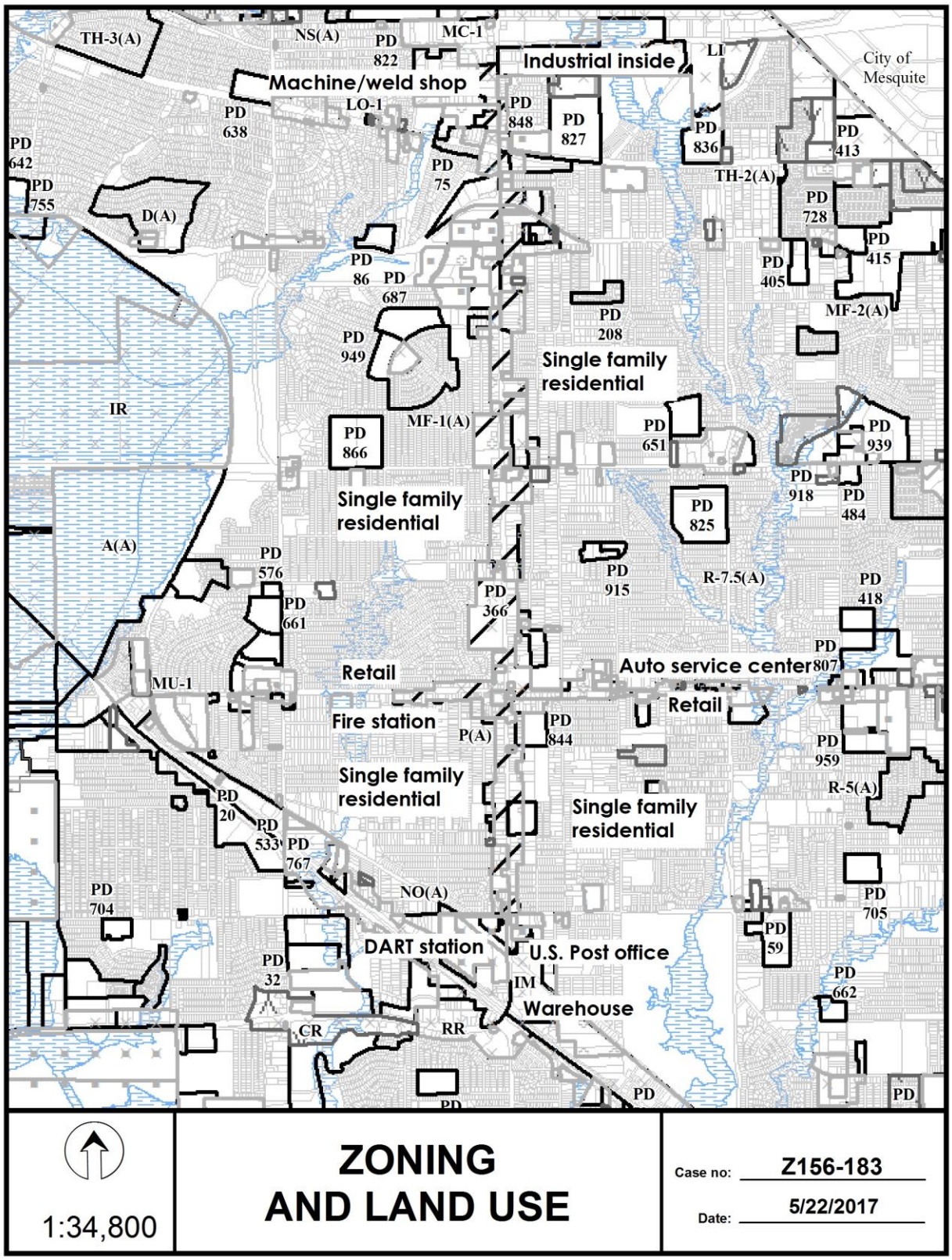


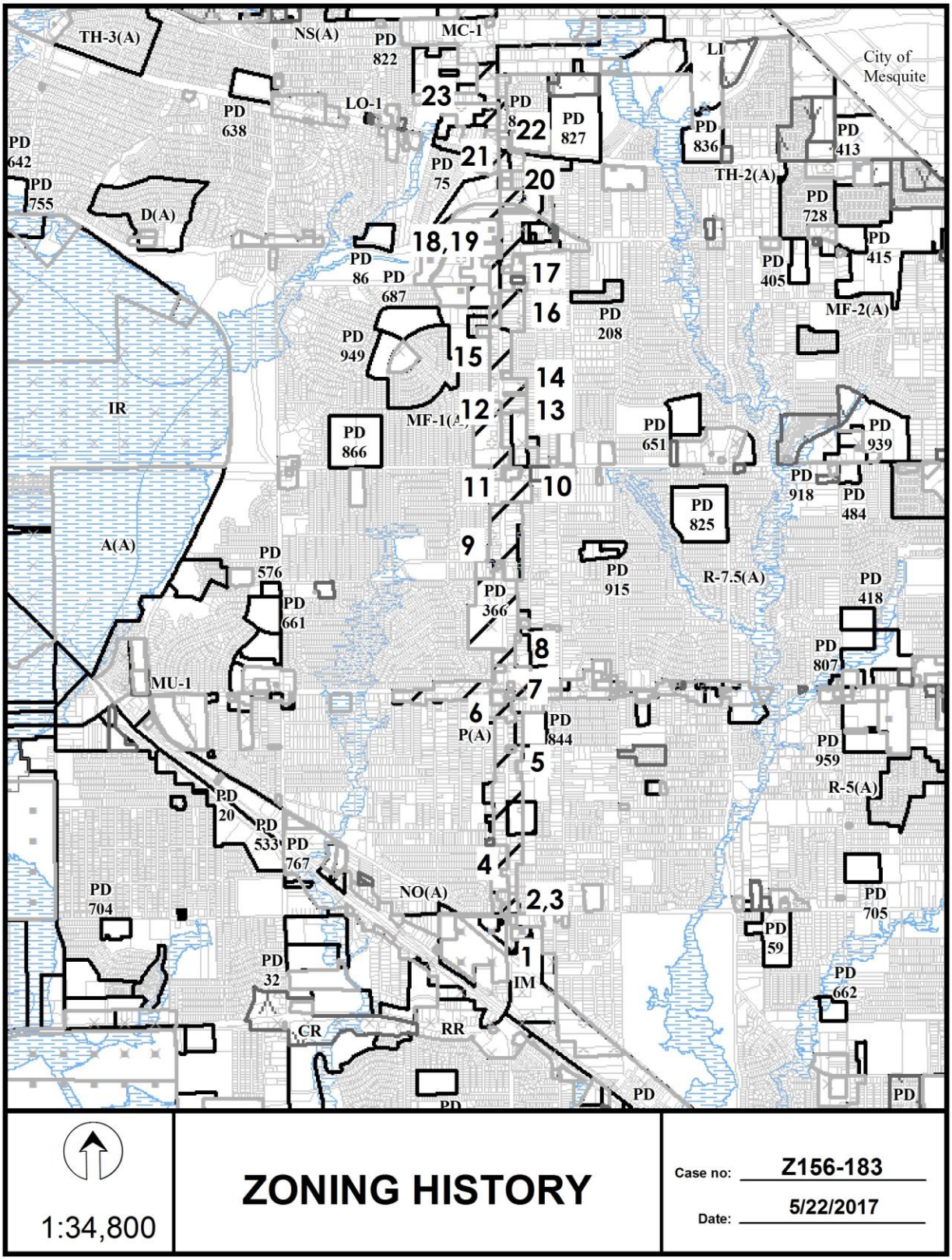
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AERIAL MAP

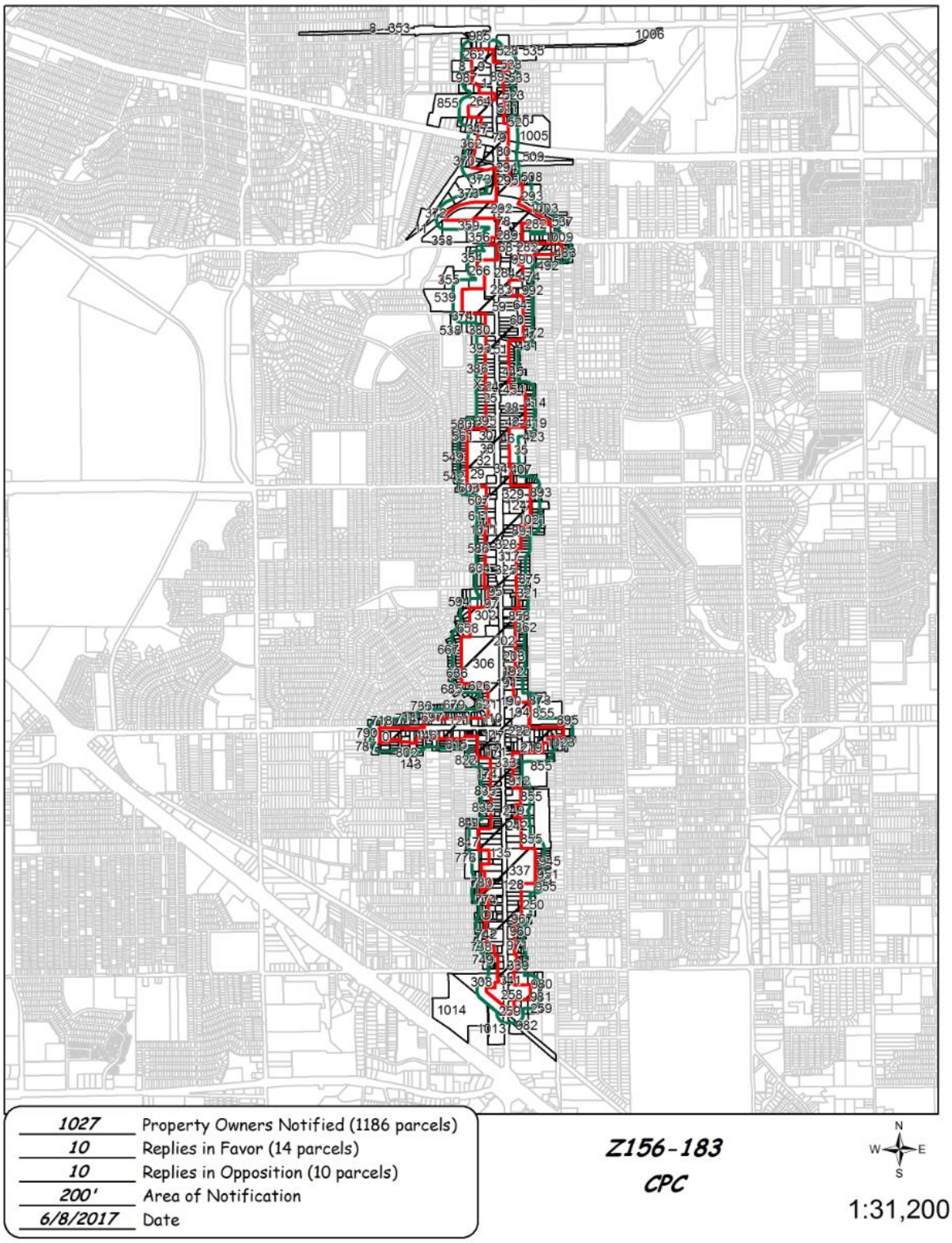
Case no: Z156-183

Date: 5/22/2017


TH-3(A)
NS(A)
PD 822
MC-1
Industrial inside
LI
City of Mesquite
Machine/weld shop
LO-1
PD 638
PD 848
PD 827
PD 836
PD 413
PD 642
PD 755
PD 75
TH-2(A)
D(A)
PD 728
PD 415
PD 86
PD 687
PD 405
MF-2(A)
PD 208
PD 949
Single family residential
IR
MF-1(A)
PD 866
PD 651
PD 939
PD 918
PD 484
Single family residential
PD 825
A(A)
PD 576
PD 915
R-7.5(A)
PD 418
PD 661
PD 366
PD 807
Retail
Auto service center
MU-1
Retail
Fire station
P(A)
PD 844
PD 959
Single family residential
R-5(A)
PD 20
PD 533
PD 767
Single family residential
NO(A)
PD 704
PD 705
DART station
U.S. Post office
PD 59
PD 32
IM
PD 662
Warehouse
CR
RR
PD
PD
1:34,800
ZONING AND LAND USE
Case no: Z156-183
Date: 5/22/2017


TH-3(A)
NS(A)
PD 822
MC-1
LI
City of Mesquite
PD 638
LO-1
23
PD 827
22
PD 836
PD 413
PD 642
PD 755
21
PD 75
20
TH-2(A)
PD 728
D(A)
18,19
PD 415
PD 405
PD 86
PD 687
17
16
MF-2(A)
PD 208
PD 949
15
14
IR
12
13
MF-1(A)
PD 866
PD 651
PD 939
PD 918
PD 484
11
10
PD 825
A(A)
9
PD 576
PD 915
R-7.5(A)
PD 366
PD 418
PD 661
8
PD 807
MU-1
7
6
PD 844
P(A)
5
PD 959
R-5(A)
PD 20
PD 533
PD 767
4
PD 704
NO(A)
2,3
PD 705
PD 59
1
IM
PD 32
PD 662
CR
RR
PD
PD
PD
1:34,800
ZONING HISTORY
Case no: Z156-183
Date: 5/22/2017

CPC RESPONSES



06/07/2017

Reply List of Property Owners

Z156-183

1027 Property Owners Notified ***10 Property Owners in Favor*** ***10 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4001	S BUCKNER BLVD	THOMAS MICHAEL L &
	2	3949	S BUCKNER BLVD	MUNDO TILE LTD
	3	3827	S BUCKNER BLVD	BUCKNER PAINT & BODY CORP
	4	3821	S BUCKNER BLVD	ELDRIGE DAVID G
	5	3811	S BUCKNER BLVD	ELDRIDGE DAVID G
	6	3803	S BUCKNER BLVD	SAMIR INC
	7	8019	MILITARY PKWY	RATHBURN WILLIAM F
	8	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	9	9999	NO NAME ST	UNION PACIFIC RR CO
	10	8050	SCYENE RD	CEMETERY
	11	3701	S BUCKNER BLVD	TEXAS UTILITIES ELEC CO
	12	8008	MILITARY PKWY	LINSKI DALLAS HOLDINGS LLC
	13	3717	S BUCKNER BLVD	ALWAN CORP
	14	3625	S BUCKNER BLVD	MEZA JESUS
	15	2707	S BUCKNER BLVD	NASSER INVESTMENTS INC
	16	2635	S BUCKNER BLVD	NGUYEN LONG TUONG
	17	2645	S BUCKNER BLVD	STOUT WAREHOUSE PARTNERS LP
	18	2615	S BUCKNER BLVD	CARRILLO FUNERAL DIRECTORS INC
	19	2603	S BUCKNER BLVD	ALEMAN PROPERTIES INVESTMENT LLC
	20	2543	S BUCKNER BLVD	OLIVARES MARTIN
	21	2537	S BUCKNER BLVD	ALMASS INVESTMENT GROUP LP
	22	2531	S BUCKNER BLVD	MARTINEZ JUAN J & IRMA G
	23	2523	S BUCKNER BLVD	MARTINEZ JUAN J & IRMA G
	24	2501	S BUCKNER BLVD	CNB REAL ESTATE
	25	2423	S BUCKNER BLVD	ALMASS INVESTMENT GROUP LP
	26	2405	S BUCKNER BLVD	QAREM FADI

06/07/2017

Reply	*Label #*	*Address*		*Owner*
	27	2327	S BUCKNER BLVD	HALL NANCY MARIE
	28	2323	S BUCKNER BLVD	SILVERSTONE VENTURE CAPITAL LLC
	29	2109	S BUCKNER BLVD	EASTERN COLUMBIA ASSO LLC
	30	2253	S BUCKNER BLVD	JOEDE LEASING INC
	31	7900	CORDELL DR	KRS PARTNERSHIP LTD
	32	2223	S BUCKNER BLVD	KRS PARTNERSHIP LTD
	33	2215	S BUCKNER BLVD	ARCHLAND PROPERTY II LP
	34	2112	S BUCKNER BLVD	MIRIAM BRUTON
	35	8117	BARCLAY ST	DELMENDO FAMILY TRUST THE
	36	2424	S BUCKNER BLVD	ADLEY RON TR &
	37	2414	S BUCKNER BLVD	PALOMA ISABELA INVESTMENTS INC
	38	2336	S BUCKNER BLVD	TNS INVESTMENTS LTD
	39	2328	S BUCKNER BLVD	OLARTE JOVANNI JOSE MICLOS
	40	2320	S BUCKNER BLVD	HERNANDEZ ALFREDO
	41	2312	S BUCKNER BLVD	SILVA DONACIANO
	42	2306	S BUCKNER BLVD	VALADEZ AGUSTIN JAIME
	43	2300	S BUCKNER BLVD	DEL REY PARTNERS LLC
	44	2264	S BUCKNER BLVD	MTX NOOR REAL ESTATE LLC
	45	2248	S BUCKNER BLVD	ADELPHI GROUP LTD
	46	2244	S BUCKNER BLVD	BRIAN L HOCHSTEIN LLC
	47	2240	S BUCKNER BLVD	S & H LIFE LLC
	48	2230	S BUCKNER BLVD	PETERSON BOBBY
	49	2226	S BUCKNER BLVD	A & H REAL PPTIES
	50	2206	S BUCKNER BLVD	ROSEFF LLC
	51	2618	S BUCKNER BLVD	2618 SB LTD
	52	2614	S BUCKNER BLVD	ENGLISH FAMILY LTD PS
	53	2608	S BUCKNER BLVD	ALBITER BENITO
	54	2530	S BUCKNER BLVD	J T REALTY INC
	55	2522	S BUCKNER BLVD	TEXAS AUTOMASTERS CORP
	56	2514	S BUCKNER BLVD	2120 24 MS LTD
	57	2506	S BUCKNER BLVD	LCG BUCKNER COMMONS LLC

06/07/2017

Reply	*Label #*	*Address*		*Owner*
	58	2438	S BUCKNER BLVD	BUCKNER INVESTMENTS LLC
	59	2810	S BUCKNER BLVD	CHEVEZ YAMIL A & ROSA
	60	2742	S BUCKNER BLVD	THOMPSON BILLY C
	61	2730	S BUCKNER BLVD	PRUITT JEFFERY J
	62	2702	S BUCKNER BLVD	RSVG HOLDING LLC
	63	2762	S BUCKNER BLVD	FLORES WALFRE
	64	8138	BEARDEN LN	CHAVEZ JESUS C &
	65	2942	S BUCKNER BLVD	HEAVER PROPERTIES LIMITED
	66	2952	S BUCKNER BLVD	MONA & NADA CORPORATION
	67	8127	BEARDEN LN	MATA EDGAR
	68	8106	SCYENE RD	ZUNIGA CLAUDIA Y
	69	2940	S BUCKNER BLVD	MITCHELL WILLIAM J &
	70	8238	SCYENE RD	TORRES ATILANO
	71	2953	PLEASANT DR	PEDRAZA JUAN C
	72	8232	SCYENE CIR	TRAN GARAGE COMPANY
	73	8202	SCYENE RD	PHILPOT JOHNNY RAY SR
	74	2946	LOLITA DR	CHIHUAHUA JOSE MANUEL
	75	8226	SCYENE RD	ENSERCH CORP
	76	8149	SCYENE RD	WIMBERLY JOANNE
	77	8117	SCYENE RD	JACKSON WILLIE RAY
	78	3118	S BUCKNER BLVD	UGWONALI FELIX C &
	79	3806	S BUCKNER BLVD	BARAKAT MAHMOUND
	80	3760	S BUCKNER BLVD	OMAR OMAR
	81	3608	S BUCKNER BLVD	4 CUSTOM WHEELS & TIRES INC
	82	3946	S BUCKNER BLVD	ADHAM ABDALLAH & HANA
	83	3930	S BUCKNER BLVD	GALAVIZ ROSA M
	84	3922	S BUCKNER BLVD	WARNER WILLIAM JAMES
	85	3900	S BUCKNER BLVD	PRYOR JOHN T & DONNA M
	86	2416	FONVILLE DR	MECCA APRIL INC
	87	8100	HOYLE AVE	CONTINENTAL ELECTRONICS
	88	4024	S BUCKNER BLVD	S & W JOINT VENTURE

06/07/2017

06/07/2017

Reply	*Label #*	*Address*		*Owner*
	89	4022	S BUCKNER BLVD	HURLEY R B
	90	4014	S BUCKNER BLVD	RAWLINS JOE A
	91	1939	S BUCKNER BLVD	ALMASS INVEST GROUP LP
	92	1929	S BUCKNER BLVD	BROWN SHAWN MICHAEL
	93	1944	SHORTAL DR	FREED RICHARD WILLIAM
	94	1907	S BUCKNER BLVD	ARMCO INSURANCE AGENCY
	95	1731	S BUCKNER BLVD	ROSHANI ENTERPRISES INC
	96	1709	S BUCKNER BLVD	HAWKINS MARTHA ANN
	97	1705	S BUCKNER BLVD	LG BUCKNER EZ LLC
	98	8032	UMPHRESS RD	GARZA EDUARDO & ADRIANA M
	99	1811	S BUCKNER BLVD	ALAM JAVED
	100	8025	UMPHRESS RD	COLEMAN VIKKI R
	101	1801	S BUCKNER BLVD	KENTUCKY FRIED CHICKEN
	102	1801	S BUCKNER BLVD	ADAMS DANIEL D ETAL
	103	1819	S BUCKNER BLVD	LIVAY LLC
	104	8018	TILLMAN ST	SHORT WILLIE R
	105	8040	BRUTON RD	BRUTON JEFF B TESTAMENTARY TRUST
	106	2029	S BUCKNER BLVD	K & O INVESTMENTS INC
	107	2005	S BUCKNER BLVD	LIU CHIKUANG & FENGCHIAO
	108	2017	S BUCKNER BLVD	ISACKSON WILLIAM CO
	109	2025	S BUCKNER BLVD	RASANSKY ELI M
	110	8017	LAKE JUNE RD	SHIDID TERESA TRUSTEE &
	111	1309	S BUCKNER BLVD	HINDI AMGAD HAMED &
	112	1311	S BUCKNER BLVD	SANTOS GUADALUPE &
	113	8011	LAKE JUNE RD	RODRIQUEZ ROBERTO & ALMA
	114	8007	LAKE JUNE RD	RODRIGUEZ ROBERTO &
	115	8005	LAKE JUNE RD	L F MARTINEZ INC
	116	8027	LAKE JUNE RD	SHIDID SOLOMON TR &
	117	1301	S BUCKNER BLVD	YOUSEF ABDALLA ETAL
	118	8003	LAKE JUNE RD	CRISTO LA ROCA

06/07/2017

Reply	*Label #*	*Address*		*Owner*
	119	7807	LAKE JUNE RD	ESTRADA RAUL
	120	7805	LAKE JUNE RD	DIAZ JUAN
	121	7857	LAKE JUNE RD	MARTINEZ MILAGRO ET AL
	122	7843	LAKE JUNE RD	LOPEZ DE LIRA ENTERPRISES
	123	543	S BUCKNER BLVD	POE TOMMY W &
	124	551	S BUCKNER BLVD	MUELLER PROPERTIES LTD
	125	8029	WES HODGES RD	NOTE ONE AUTO SALES INC
	126	8020	WES HODGES RD	JUMA REAL ESTATE L P
	127	509	S BUCKNER BLVD	MCDANIEL TED
	128	701	S BUCKNER BLVD	BEVRO PROPERTIES LP
	129	623	S BUCKNER BLVD	JOE DONIBHOOS FAMILY RENTAL INC
	130	8006	JACOBIE BLVD	GAGE CATHY &
	131	603	S BUCKNER BLVD	CHILDRESS DORIS FAMILY LP
	132	615	S BUCKNER BLVD	CLASEN ROBERT KEITH
	133	8002	RAYVILLE DR	ESCANDON GONZALO &
	134	565	S BUCKNER BLVD	BJ DAVIS INVESTMENTS, LTD
	135	845	S BUCKNER BLVD	WAY OF TRUTH CHURCH INC THE
	136	829	S BUCKNER BLVD	MAYHALL JAMES & JANE
	137	805	S BUCKNER BLVD	SANCHEZ MARTIN R
	138	733	S BUCKNER BLVD	TING RYAMEI
	139	731	S BUCKNER BLVD	JCRB BUCKNER REALTY LP
	140	8016	ROSEMONT RD	LOPEZ ROSA E
	141	7628	LAKE JUNE RD	VARGAS JUAN &
	142	7714	LAKE JUNE RD	BEW FINANCING LP
	143	7720	LAKE JUNE RD	MONTGOMERY MARIE
	144	7738	LAKE JUNE RD	MONTGOMERY JOHN HENRY
	145	7822	LAKE JUNE RD	SUPER MERCADO MEXICO
	146	7800	LAKE JUNE RD	PLSNT GROVE MORTUARY ETAL
	147	1227	S BUCKNER BLVD	GOTTLIEB BUCKNER BLVD DRUGSTORE LLC
	148	7828	LAKE JUNE RD	MARTINEZ FERNANDO &

Reply	*Label #*	*Address*		*Owner*
	149	7834	LAKE JUNE RD	MARTINEZ FERNANDO &
	150	7840	LAKE JUNE RD	GAYTAN LUIS &
	151	7900	LAKE JUNE RD	ROSALES MARTIN & THELMA
	152	7912	LAKE JUNE RD	LOPEZ HECTOR & SONIA
O	153	7922	LAKE JUNE RD	ROSALES THELMA
	154	7928	LAKE JUNE RD	GRACIANO ARTURO & ALMA
	155	7930	LAKE JUNE RD	MARTINEZ RAUL & LETICIA
	156	8000	LAKE JUNE RD	JPVOS PROPERTIES LLC
	157	8002	LAKE JUNE RD	VOSBURG PATRICK F &
	158	8014	LAKE JUNE RD	MONTOYA LUPE
	159	1227	WORLD STORE PL	SLP VILLA INC
	160	8000	TRADE VILLAGE PL	SILVA JUAN J &
	161	8004	TRADE VILLAGE PL	SILVA JUAN J & EMIGDIA C
	162	8010	TRADE VILLAGE PL	SARAZUA NICOMEDES
	163	8018	TRADE VILLAGE PL	QUINTERO BERTHA LIDIA
	164	8001	LOMA GARDEN AVE	BALTAZAR BRENDA SILVERIO &
	165	8009	LOMA GARDEN DR	BALTAZAR MARIA SANTOS & FILBERTO
	166	8025	LOMA GARDEN DR	ARELLANO JOSE
	167	8025	LOMA GARDEN DR	QUINTERO BERTHA LIDIA
	168	8021	LOMA GARDEN DR	QUINTERO BERTHA
	169	1221	S BUCKNER BLVD	FLORES GUADALUPE F &
	170	1217	S BUCKNER BLVD	MARTINEZ FERNANDO &
	171	1209	S BUCKNER BLVD	MARTINEZ FERNANDO &
	172	1142	GARDENVIEW DR	GEMACK INCORPORATED
	173	1135	S BUCKNER BLVD	BUCKNER S K INVESTMENTS INC
	174	1124	GARDENVIEW DR	ACE MANOR PROPERTY MGMT I LTD
	175	1105	S BUCKNER BLVD	OCAMPO MARIA M
	176	1045	S BUCKNER BLVD	MCALEXANDER PROPERTIES LLC
	177	1025	S BUCKNER BLVD	MARTINEZ MARIA E
	178	1015	S BUCKNER BLVD	CAMACHO JAVIER &
	179	1011	S BUCKNER BLVD	CONTRERAS JOSE H &
	180	8023	DELL GARDEN AVE	CONTRERAS JOSE H

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	181	1001	S BUCKNER BLVD	NGUYEN QUOC PHU & HA THI THU
	181	1001	S BUCKNER BLVD	NGUYEN QUOC PHU & HA THI THU
	182	953	S BUCKNER BLVD	MONTOYA VICKIE P &
	183	941	S BUCKNER BLVD	PUBLIC AUTOS LTD
	184	905	S BUCKNER BLVD	MEI INVESTMENTS LP
	185	1402	S BUCKNER BLVD	BUCKNER S INVESTMENTS INC
	186	1418	S BUCKNER BLVD	JDC HEALTHCARE MANAGEMENT LLC
	187	1434	S BUCKNER BLVD	PRENGLER HERSCHEL
	188	1436	S BUCKNER BLVD	MARTINEZ MARIBEL
	189	1330	S BUCKNER BLVD	CHANTILIS FRANCES B
	190	1340	S BUCKNER BLVD	SEO BOU GUNG &
	191	1432	S BUCKNER BLVD	F & S PROPERTIES LLC
	192	1442	S BUCKNER BLVD	JDBM TEXAS LLC
	193	1336	S BUCKNER BLVD	LEE CHY D
	194	1310	S BUCKNER BLVD	R G M EAGLE INC
	195	1424	S BUCKNER BLVD	DIAZ ROBERTO
	196	1400	S BUCKNER BLVD	SEO BOU GUNG & IN HYUN AN
	197	1654	S BUCKNER BLVD	KLOEBER PROPERTIES LTD
	198	1642	S BUCKNER BLVD	VILLEGAS VICTOR & MA GUADALUPE
	199	1638	S BUCKNER BLVD	HALLE PROPERTIES LLC
	200	1630	S BUCKNER BLVD	SANCHEZ MARTIN JR
	201	1624	S BUCKNER BLVD	SANCHEZ DELORES MARIA &
	202	1536	S BUCKNER BLVD	NEWTEX REALTY LP
	203	1520	S BUCKNER BLVD	GROVE STATE BANK
	204	1508	S BUCKNER BLVD	ORTEGA RAFAEL &
	205	1802	S BUCKNER BLVD	CERVANTES EDGAR
	206	1838	S BUCKNER BLVD	TRINITY SAVINGS
	207	1905	CONNER DR	PRESLEY JUDY
	208	1918	S BUCKNER BLVD	SCHNEITER KURT B & LISA TR
	209	1922	S BUCKNER BLVD	KECHEJIAN CAPITAL L P
	210	1942	S BUCKNER BLVD	ELLIS DANNY

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	211	1952	S BUCKNER BLVD	DORKARI MARK
	212	1948	S BUCKNER BLVD	SALAZAR MARCIAL
	213	2010	S BUCKNER BLVD	2010 BUCKNER LLC
	214	2010	S BUCKNER BLVD	CAPPS PATRICIA RUTH W
	215	8124	LAKE JUNE RD	REALEINS PROPERTIES LTD
	216	8131	MADDOX AVE	ENNIS ELECTRIC SERVICE
	217	1214	S BUCKNER BLVD	MADDOX STREET INVESTMENTS INC
	218	8204	LAKE JUNE RD	GROOM FAMILY LP
	219	8205	MADDOX AVE	BANDA JOE
	220	8142	LAKE JUNE RD	HISPANIC SERVICES
	221	1234	S BUCKNER BLVD	FRIS CHKN LLC % CAJUN OPERATING CO
	222	8126	LAKE JUNE RD	NEKAN ACCOUNTING
	223	8107	MADDOX AVE	WHITE MICHAEL J &
	224	1200	S BUCKNER BLVD	J & A MENDEZ INC
	225	1212	S BUCKNER BLVD	ALAM JAVED
	226	8115	MADDOX AVE	MORA ADELE GARZA
	227	8252	LAKE JUNE RD	GONZALEZ DELIA
	228	8240	LAKE JUNE RD	GAMEZ JOSE A
	229	8240	LAKE JUNE RD	ZEMAG FAMILY LTD PS
	230	8215	MADDOX AVE	MORA JOSE
	231	8224	LAKE JUNE RD	MONTOYA MIGUEL
	232	8222	LAKE JUNE RD	MORA JONATHAN
	233	8214	LAKE JUNE RD	HERNANDEZ JOSE S &
	234	8209	MADDOX AVE	PUYEAR EDDIE D & TERESA
	235	1150	S BUCKNER BLVD	GRIFFS OF AMERICA INC
	236	1132	S BUCKNER BLVD	PATTERSON LEOPOLD &
	237	1120	S BUCKNER BLVD	OCAMPO O MARIA M O
	238	1114	S BUCKNER BLVD	PATTERSON LEOPOLD &
	239	1110	S BUCKNER BLVD	PATTERSON LEOPOLD & CAROLYN
	240	920	S BUCKNER BLVD	CHILDRESS DENNIS KEITH JR
	241	928	S BUCKNER BLVD	GRG PROPERTIES INC
	242	944	S BUCKNER BLVD	LARCK PPTIES LTD

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	243	1024	S BUCKNER BLVD	MARTINEZ JOSE J
	244	1034	S BUCKNER BLVD	BAZALDUA JUAN J
	245	1012	S BUCKNER BLVD	BROCKER GEORGE M
	246	1018	S BUCKNER BLVD	MEDINA MARIA
	247	1002	S BUCKNER BLVD	MEDINA MARIA &
	248	1006	S BUCKNER BLVD	MEDINA MARIA
	249	8115	DELL GARDEN AVE	MEDINA MARIA C
	250	634	S BUCKNER BLVD	WILLIAMS EVALYNN A
	251	634	S BUCKNER BLVD	HALO DEVELOPMENT INC
	252	700	S BUCKNER BLVD	RICHESON DONALD E
	253	712	S BUCKNER BLVD	TAPIA RICARDO &
	254	538	S BUCKNER BLVD	JACKSON AMY &
	255	528	S BUCKNER BLVD	CRAWFORD JUANITA IMOGENE
	256	570	S BUCKNER BLVD	HP MVP HOLDING COMPANY LLC
	257	426	S BUCKNER BLVD	PREECE & PREECE INC
	258	400	S BUCKNER BLVD	WHATS HOT FUND WORLD LTD &
	259	316	S BUCKNER BLVD	U S POSTAL SERVICE
	260	4105	S BUCKNER BLVD	PENA GERARDO DE LA
	261	4300	S BUCKNER BLVD	POINTS RONALD GILBERT
	262	8020	HEINEN DR	POINTS RONALD
O	263	4131	S BUCKNER BLVD	SNEED JAMES W
	264	3921	S BUCKNER BLVD	GORDON R HOLT TRUSTEE
	265	3909	S BUCKNER BLVD	WILBERT FUNERAL SERVICES INC
	266	8000	SCYENE RD	BUCKNER PARTNERSHIP LP
	267	8008	NORVELL DR	LINSK DALLAS HOLDINGS LLC
	268	3241	S BUCKNER BLVD	ACCESS-BUCKNER LTD
	269	3003	S BUCKNER BLVD	EAST BENGAL CORP
	270	2827	S BUCKNER BLVD	WAL MART REAL ESTATE BUSINESS TRUST
O	271	2517	S BUCKNER BLVD	RUVALCABA RAMON & GILMA &
	272	2313	S BUCKNER BLVD	KUMAR VILAS
	273	2101	S BUCKNER BLVD	PLS PPTY MGMT OF TX LP

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	274	2222	S BUCKNER BLVD	CHANDLER BILLY EARL JR
	275	2630	S BUCKNER BLVD	TABU PROPERTY I LLC
	276	2814	S BUCKNER BLVD	ZIGMA REALTY LLC
	277	2820	S BUCKNER BLVD	BELTLINE INVESTMENTS LLC
	278	2760	S BUCKNER BLVD	OREILY AUTO ENTERPRISES LLC
	279	2658	S BUCKNER BLVD	RSVG HOLDING LLC
	280	2722	S BUCKNER BLVD	BUENA REDELVEOPMENT LLC
	281	8116	SCYENE RD	LEWIS PAUL C
	282	8207	SCYENE RD	FORD ROBERT L
	283	2842	S BUCKNER BLVD	HUDSON REAL ESTATE 1 & 2 LLC
	284	2904	S BUCKNER BLVD	FREEMAN WILLIAM R
	285	2930	S BUCKNER BLVD	FWP BUCKNER BLVD TX LLC
	286	2926	S BUCKNER BLVD	ALDI LLC
	287	8119	BEARDEN LN	TURNER TRAVIS &
	288	2902	S BUCKNER BLVD	PAN LIANYA &
	289	3004	S BUCKNER BLVD	FIREBRAND PROPERTIES LP
	290	3110	S BUCKNER BLVD	FIRST CASH LTD
	291	3210	S BUCKNER BLVD	SH 708-716 LLC
	292	3230	S BUCKNER BLVD	HERNANDEZ TERESA
	293	3402	S BUCKNER BLVD	TACP DCREEK LP
	294	3510	S BUCKNER BLVD	DUKE & SONS INC
	295	3424	S BUCKNER BLVD	YARA GROUP LLC
	296	3814	S BUCKNER BLVD	OMAR OMAR
	297	3914	S BUCKNER BLVD	BAINBRIDGE JEAN
	298	1825	S BUCKNER BLVD	GARCIA ADLAY U
	299	1955	S BUCKNER BLVD	TACO BELL OF AMERICA INC
	300	1837	S BUCKNER BLVD	ULMER MICHAEL
	301	1343	S BUCKNER BLVD	PVP NWC BUCKNER & LAKE JUNE LLC
	302	1639	S BUCKNER BLVD	1639 BUCKNER PLAZA LLC
	303	1685	S BUCKNER BLVD	KRUGER PAUL W & CUI YE LEE
	304	1625	S BUCKNER BLVD	REISBERG FRED INV LTD

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	305	1605	S BUCKNER BLVD	COMMERCIAL NATIONAL BANK
	306	1503	S BUCKNER BLVD	PLEASANT GROVE SHPPG CTR
	307	1401	S BUCKNER BLVD	THREE STAR GROUP LLC THE
	308	8008	ELAM RD	DALLAS AREA RAPID TRANSIT
	309	815	S BUCKNER BLVD	SANCHEZ MARTIN
	310	7706	LAKE JUNE RD	BEW FINANCING INC
	311	7810	LAKE JUNE RD	GOODWILL INDUSTRIES OF
	312	1207	S BUCKNER BLVD	LOMBARD FINANCIAL SERVICES LP
	313	1115	S BUCKNER BLVD	MARSAW CARLA D
	314	1021	S BUCKNER BLVD	SALAZAR MARCIAL
	315	1310	S BUCKNER BLVD	CIRCLE K STORES INC
	316	1734	S BUCKNER BLVD	DUKMIN INC
	317	1910	S BUCKNER BLVD	WENDYS PROPERTIES LLC
	318	8127	STONEHURST ST	PARVEZ SHARMEEN &
	319	8123	STONEHURST ST	TEXAS PRIDE 1
	320	8121	STONEHURST ST	MENDOZA JUAN RUIZ
	321	1723	CONNER DR	CISNEROS DOMINGO H &
	322	1722	S BUCKNER BLVD	LOZANO REYNALDO
	323	1718	S BUCKNER BLVD	PEP BOYS MANNY MOE & JACK
	324	1735	CONNER DR	ZUNIGA TERESA & JOSE LUIS
	325	1830	S BUCKNER BLVD	CKP PROPERTIES LLC
	326	1710	S BUCKNER BLVD	PEP BOYS MANNY MOE & JACK
	327	9003	S BUCKNER BLVD	MENDOZA JUAN RUIZ
	328	1932	S BUCKNER BLVD	FREEDOM 2011 REAL ESTATE GROUP LLC
	329	2050	S BUCKNER BLVD	MORRIS OPTIMUS INVESTMENTS LLC
	330	8140	BRUTON RD	MARQUEZ DANIEL & LAURA
	331	1250	S BUCKNER BLVD	REALEINS PROPERTIES LTD
	332	8210	LAKE JUNE RD	BELTRAN JUAN EDGARDO
	333	1136	S BUCKNER BLVD	NOTTINGHAM PHIL
	334	1102	S BUCKNER BLVD	M J AUTO SALES INC
	335	1044	S BUCKNER BLVD	SUHANI CORP INC

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	336	630	S BUCKNER BLVD	MOFFETT JERRY & NELDA
	337	802	S BUCKNER BLVD	DALLAS COUNTY COMMUNITY
	338	578	S BUCKNER BLVD	MARTINEZ MILTON
	339	8106	WES HODGES RD	LEAL ALFREDO LAMAS
	340	606	S BUCKNER BLVD	FIRST CASH LTD
	341	440	S BUCKNER BLVD	KASH INVESTORS GROUP LLC
	342	4307	S BUCKNER BLVD	PANNELL TIMOTHY
	343	4120	CEDAR LAKE DR	ABC REALTY HOLDINGS LLC
	344	7930	HEINEN DR	JLK LTD
	345	8020	CARR ST	HEINEN LLC
	346	7924	CARR ST	PARKER ENTERPRISES
	347	8003	MILITARY PKWY	BLOUNT GRADY DWAYNE
	348	8003	MILITARY PKWY	KING SHIRLEY A
	349	7929	MILITARY PKWY	DAVIS W O REALTY LP
	350	7923	MILITARY PKWY	SILVA SOTERO
	351	7915	MILITARY PKWY	GOMEZ OSWALDO
	352	3810	CEDAR LAKE DR	EXPONENTIAL MANAGEMENT LLC
	353	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	354	8004	SCYENE RD	HERITAGE FUNERAL HOME &
	355	2874	PRICHARD LN	NOTTINGHILL GATE HILLSIDE
	356	3151	S BUCKNER BLVD	PLEASANT MOUND CEMETERY
	357	7801	SCYENE RD	CONGREGATION TIFERET
	358	7851	SCYENE RD	TEMPLO DE DIOS
	359	8004	SCYENE RD	PLEASANT MOUND CEM ASSOC
	360	7916	MILITARY PKWY	AVILES OSCAR ETAL
	361	7920	MILITARY PKWY	GALVEZ SANTOS G
	362	7924	MILITARY PKWY	DUNCAN DORIS ANN
	363	7928	MILITARY PKWY	BARRIENTOS TERESA &
	364	7929	NORVELL DR	MARTINEZ ARMANDO &
	365	7925	NORVELL DR	BARRIENTOS GERARDO &
	366	7921	NORVELL DR	DUNCAN JUANITA

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X	367	7917	NORVELL DR	DUNCAN JIMMY W
	368	7928	NORVELL DR	VESS DAVID
	369	7924	NORVELL DR	VERA JUAN & MARIA T
	370	7920	NORVELL DR	GRIMALDO LUCIA J
	371	7912	NORVELL DR	CUEVAS JOEL &
	372	3505	S BUCKNER BLVD	TRIANGLE SNF LTD
	373	7000	SCYENE CIR	BUCKNER SCYENE SNF LTD
	374	7926	BLOSSOM LN	LOCHHEAD RANDY A
	375	8014	BLOSSOM LN	DEJESUSLOPEZ JEHOVA
	376	8006	BLOSSOM LN	SMITH EVELYN E GILMORE &
	377	7934	BLOSSOM LN	PUENTE ESMERALDA
	378	7935	HUME DR	REYNA JUAN &
	379	8015	HUME DR	LUCERO LUIS A
	380	8001	HUME DR	JIMENEZ BEVERLY
	381	8006	HUME DR	SANDERSON WILLIAM MEADOR
	382	7946	HUME DR	HERNANDEZ ANGELA
	383	2500	FONVILLE DR	RAMIREZ MELECIO SAUCEDO
	384	2506	FONVILLE DR	REYNOSO JOSE M
	385	2516	FONVILLE DR	REYNOSO JOSE
X	386	2522	FONVILLE DR	CASTILLO MARIA
	387	2530	FONVILLE DR	DROPELA HARRY E
	388	2536	FONVILLE DR	BAKER LURIA V EST OF
X	389	2542	FONVILLE DR	CASTILLO MARIA ASUNCION
	390	2604	FONVILLE DR	DEPERDOMO VIRGINIA
	391	2610	FONVILLE DR	HUERTA MARTIN & MARIA
	392	2616	FONVILLE DR	LEIJA HECTOR
	393	2622	FONVILLE DR	RAMIREZ CAMILO
	394	2300	FONVILLE DR	DELGADO ENRIQUE F &
	395	2310	FONVILLE DR	SILVA MARICELA &
	396	2316	FONVILLE DR	ALVARADO JAVIER E
	397	2322	FONVILLE DR	ALFAN MARLENE &

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	398	2328	FONVILLE DR	GUZMAN JERONIMO & MARIA
	399	2404	FONVILLE DR	GONZALEZ ZENON &
	400	2410	FONVILLE DR	GALLARDO ERASMO
	401	2422	FONVILLE DR	PINEDA JAIME
	402	2432	FONVILLE DR	GONZALEZ MARTIN R
	403	2317	FONVILLE DR	ZEPEDA ARTURO & MARIA DEL SOCORRO
	404	2311	FONVILLE DR	ARMAS NERY &
	405	2301	FONVILLE DR	RAMIREZ PEDRO & JUANA ABRAHANA
	406	8129	BRUTON RD	LEAL RUBEN R
	407	8128	BARCLAY ST	ELDEN GORDON W
	408	8127	BRUTON RD	DIAZ JESUS JR
	409	8121	BRUTON RD	HANDMADE FOODS INC M
	410	2423	LOLITA DR	MA PARTNERS 3
	411	2413	LOLITA DR	MA ST PARTNERS 4
	412	2419	LOLITA DR	ALEMAN MARIA DEL CARMEN &
	413	2411	LOLITA DR	RIOS CESAR ADRIAN ARAGON
	414	2401	LOLITA DR	CRUZ HORTENCIA
O	415	2331	LOLITA DR	CHUDEJ JOHNNIE
O	416	2323	LOLITA DR	CHUDEJ JOHN M &
	417	2317	LOLITA DR	NOSKA ROSA TRUSTEE
	418	2311	LOLITA DR	LOPEZ JUAN
	419	2305	LOLITA DR	ROSARIO ADELINA
	420	2267	LOLITA DR	MARTINEZ ELSA C
	421	2263	LOLITA DR	NAPOLI DEBBIE L
	422	2255	LOLITA DR	LICEA MA GUADALUPE E
	423	2249	LOLITA DR	MEDINA ESCOLASTICA
	424	2115	LOLITA DR	CRUZ CARLOS &
	425	8163	BRUTON RD	BRUTON
	426	8159	BRUTON RD	MATN PARTNERS 1
	427	8153	BRUTON RD	ALTAMIRANO MANUEL ALBERTO

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	428	8149	BRUTON RD	AVILA AGUSTIN
	429	8157	CAVALIER CIR	MAGANA FELIX
	430	8153	CAVALIER CIR	NAVARRETE SANDRA
	431	8147	CAVALIER CIR	AGUILAR ARTEMIO
	432	8143	CAVALIER CIR	LPP MORTGAGE LTD
	433	8137	CAVALIER CIR	THOMPSON LILLIE K
	434	8133	CAVALIER CIR	MEZA FIDEL C & MARIVEL
	435	2635	DUNREATH DR	FUENTES ALFONSO &
	436	2631	DUNREATH DR	REYES ABELINO
	437	2625	DUNREATH DR	KING DOUGLAS A
	438	2615	DUNREATH DR	LOPEZ JUAN BUSTOS
	439	2611	DUNREATH DR	GARCIA ANNA M
	440	2605	DUNREATH DR	NARVAEZ CANDELARIO &
	441	8134	CAVALIER CIR	ADAME FRANCISCA &
	442	8133	REVA ST	BRASHEAR WAYNE M EST OF
	443	2531	DUNREATH DR	ZAMARRIPA JUAN M
	444	2525	DUNREATH DR	SEBASTIAN GARY & ROSE
	445	2521	DUNREATH DR	BRYANT BARBARA
	446	2515	DUNREATH DR	DUREN JUANITA
	447	2511	DUNREATH DR	CALDERON URIEL
	448	2505	DUNREATH DR	MARTINEZ BRAYAN D
	449	8134	REVA ST	GARCIA FIDENCIO R &
	450	8133	JENNIE LEE LN	CORDERO RAUL &
	451	2516	DUNREATH DR	HERNANDEZ JOSE & JESSICA
	452	2522	DUNREATH DR	ESKRIDGE R L ESTATE OF
	453	8118	JENNIE LEE LN	MUSTAFA SANDRA LUHRING
	454	8124	JENNIE LEE LN	PEQUENO JUANITA M ET AL
	455	8128	JENNIE LEE LN	SANDERS W J
	456	8134	JENNIE LEE LN	VAQUERA MARIO
	457	8138	JENNIE LEE LN	MORENO SALVADOR &
X	458	8144	JENNIE LEE LN	SHIRLEY MELVIS LYNN

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	459	8148	JENNIE LEE LN	RODRIGUEZ ARTURO &
	460	8154	JENNIE LEE LN	HERNANDEZ MARVIN A
	461	8158	JENNIE LEE LN	MARTINEZ CRISTOBAL
	462	2833	LOLITA DR	MORENO JUAN
	463	2827	LOLITA DR	DIAZ HUMBERTO &
	464	2821	LOLITA DR	NEPONUCENO LAUREANO
	465	2815	LOLITA DR	CHAVEZ SERGIO
	466	2811	LOLITA DR	MA VIS PARTNERS 3
	467	2803	LOLITA DR	LARA RAMAON H ETAL
	468	2741	LOLITA DR	ROBLES CONSTANTINO
	469	2735	LOLITA DR	GARCIA JOSE A & EVELYN S
	470	2729	LOLITA DR	MORALES JOSE & MARIA
	471	2723	LOLITA DR	DIAZ DOMINGO
	472	2719	LOLITA DR	THE SHARON HARVILLE REVOCABLE LIVING TRUST
	473	2711	LOLITA DR	QUIROZ JOSE ROJAS
	474	2863	LOLITA DR	ZUNIGA GUADALUPE
	475	8151	BEARDEN LN	AZA ALFREDO C ETAL
	476	2907	LOLITA DR	DAVIS RANDOLPH & EVELYN
	477	8131	BEARDEN LN	GUERRERO ALFREDO
	478	8139	BEARDEN LN	PENA ABEL TOVAR &
	479	2947	PLEASANT DR	HAWTHORNE ROBERT D
	480	2943	PLEASANT DR	MEJIA FILIMON E
	481	8314	SCYENE RD	REAL BAPTIST CHURCH INC
	482	2942	PLEASANT DR	DIAZ SERGIO MAURICIO
	483	2952	PLEASANT DR	MEJINA FILIMON
	484	2958	PLEASANT DR	FAITH CHURCH IN ACTION
	485	2946	PLEASANT DR	MEJIA FILIMON
	486	2938	PLEASANT DR	GUILLORY RICKY LYNN
	487	8300	SCYENE RD	PADGETT FREDRICK

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	488	8306	SCYENE RD	FAITH CHURCH IN ACTION
	489	2935	PLEASANT DR	VILLAGRAN REFUGIO &
	490	2938	LOLITA DR	MERAZ BALFREDO
	491	2930	LOLITA DR	HURTADO ALFONSO NAVAREZ &
	492	2922	LOLITA DR	QUINTERO JORGE &
	493	8155	SCYENE RD	VALDEZ ANGEL
	494	8163	SCYENE RD	RODRIGUEZ CELESTINO &
	495	8225	SCYENE RD	ALVAREZ RENE
	496	8123	NORVELL DR	OROZCO JOSE LUIS
	497	8127	NORVELL DR	HURTADO DOMINGO
	498	8131	NORVELL DR	BARRAZA ELIAS
	499	8137	NORVELL DR	HERNANDEZ AGUSTIN
	500	8122	NORVELL DR	SANCHEZ REBECA &
	501	8126	NORVELL DR	BANDA ANTONIO &
	502	8130	NORVELL DR	RODRIGUEZ GUILLERMO SOTO
	503	8136	NORVELL DR	CLEMENS SCOTT
	504	8140	NORVELL DR	ARAGON MARIA L
	505	8144	NORVELL DR	REA TOMAS & PATRICIA B
	506	8148	NORVELL DR	REA JAIME & MAGDALENA
	507	8154	NORVELL DR	HERNANDEZ ARMANDO S
	508	8158	NORVELL DR	SALAS MARCOS
	509	3608	S BUCKNER BLVD	MARES NOEL
	510	3907	SHERATON DR	MORAN FRANCISCO &
	511	3915	SHERATON DR	LOPEZ MARIA
	512	3921	SHERATON DR	MARTINEZ SANTIAGO JOSE A
	513	3927	SHERATON DR	SOLIS CRENCENCIO & RAQUEL
	514	3935	SHERATON DR	JIMENEZ VINCENTE & ROCIO
	515	3941	SHERATON DR	BENAVIDEZ ANGEL
	516	3947	SHERATON DR	SOLIS CRESENCIO & RAMON
	517	8116	NELSON DR	DE LEON SAGRARIO
	518	8124	NELSON DR	TREJO JOSE & ROSA

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	519	8130	NELSON DR	TREJO MARIA E
	520	8136	NELSON DR	ORTIZ ROBERTO D
	521	8135	NELSON DR	RODRIGUEZ EDUARDO &
	522	8134	ELAINE DR	RAMIREZ OLIVIA
	523	8135	ELAINE DR	LARA CRESENCIA G
	524	8103	SHAFTER DR	ARELLANO SILVIANO
	525	8107	SHAFTER DR	CARTER JAMES E
	526	8111	SHAFTER DR	CERDA DANIEL &
	527	8115	SHAFTER DR	WEINBERGER PAUL L
	528	8121	SHAFTER DR	CONTINENTAL ELEC CORP
	529	8125	SHAFTER DR	OLVERA RENDENTOR
	530	8129	SHAFTER DR	CERDA DANIEL
	531	8134	ASTORIA DR	EVANGELICA CRISTIANA
	532	8135	ASTORIA DR	NEW TESTAMENT CHURCH IN
	533	8126	SHAFTER DR	CALDERONREA JUAN & MICAELA MARTINEZ &
	534	8118	SHAFTER DR	PEQUENO YULMA R
	535	8181	HOYLE AVE	CHARTER HOYLE LP
	536	3115	PLEASANT DR	WARNER LAVORN &
	537	3117	PLEASANT DR	KYLE JOSEPH JR &
	538	7905	HUME DR	IGLESIA PALABRA VIVIENTE
	539	2818	PRICHARD LN	MINISTERIOS TIEMPO DE DIOS INC
	540	2103	UTICA DR	MARTINEZ JUAN MANUEL &
	541	2109	UTICA DR	HERNANDEZ NICOLAS
	542	2115	UTICA DR	GREER SHERYL &
	543	2121	UTICA DR	QUIROZ MAURO & MARIA
	544	2125	UTICA DR	ROCHA FERNANDO &
	545	2129	UTICA DR	SOLIS VICTOR & ERICA
	546	2133	UTICA DR	ROJAS ALEJO
	547	2139	UTICA DR	NAVA DORA &
	548	2143	UTICA DR	MANIVATH MANITH &
	549	2149	UTICA DR	MACMILLAN MARGARET N

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	550	2203	UTICA DR	AYALA BLAS
	551	2207	UTICA DR	HINOJOSA JORGE H
	552	2211	UTICA DR	RUIZ JOSE FRANCISCO JR &
	553	2217	UTICA DR	MACEDO OSCAR ZAVALETA &
	554	2221	UTICA DR	ESCOBEDO REYNALDO A
	555	2227	UTICA DR	NOVAS JOSE LUIS & MARIA
	556	2231	UTICA DR	BROCKWELL MARK GREGORY
	557	2235	UTICA DR	HERNANDEZ YOAHANA
	558	2241	UTICA DR	DIAZ FRANCISCO D REVOCABLE LIVING TRUST
X	559	2240	UTICA DR	MERCADO FRANCISCO &
	560	2234	UTICA DR	IPINA AURELIO G
	561	2230	UTICA DR	TINOCO ERNESTO
	562	2226	UTICA DR	MONREAL FRANCISCO &
	563	2220	UTICA DR	CP ORIGINATIONS LTD
	564	2216	UTICA DR	WEBB ALBERT D & CECILIA
	565	2212	UTICA DR	SANCHEZ RAFAEL &
	566	2206	UTICA DR	SANCHEZ RAFAEL R &
	567	2202	UTICA DR	WEAVER MILDRED L LIFE ESTATE
	568	2150	UTICA DR	WEIR DANNA WALKER
	569	2144	UTICA DR	ROMAN JOSE I &
	570	2140	UTICA DR	JENKINS KENNETH C
	571	2136	UTICA DR	CALVILLO JOSE
	572	2130	UTICA DR	CALVILLO JOSE ANTONIO
	573	2126	UTICA DR	ROJAS JOSE A &
	574	2122	UTICA DR	VALADEZ FELIPE
	575	2116	UTICA DR	ROCHA RAUL &
	576	2110	UTICA DR	NAVARRETE AMADO & JUANITA
	577	2104	UTICA DR	ANDREWS GLORIA Y
	578	2314	UTICA DR	SIMPSON HANNIE ESTATE OF
	579	2308	UTICA DR	JAIME ISAAC & SANJUANA

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	580	2302	UTICA DR	ALTAMIRANO GUADALUPE
	581	2303	UTICA DR	CASTILLO DAVID & MARIA
	582	1910	SHORTAL DR	ORTIZ MANUEL
	583	1914	SHORTAL DR	DIAZ DAVID E & KAREN L
	584	1918	SHORTAL DR	GONZALEZ FERMAN
	585	1922	SHORTAL DR	GARZA CONSEPCION
	586	1930	SHORTAL DR	PEREZ JOSE JUAN
	587	1936	SHORTAL DR	FAIN CLIFFORD
	588	1926	SHORTAL DR	GUTIERREZ VICTORIANO
	589	8024	UMPHRESS RD	HILL RANCH LTD
	590	8012	UMPHRESS RD	BAHENA MARIO JR &
	591	8010	UMPHRESS RD	BRIARWOOD MJL LP
	592	7948	UMPHRESS RD	UMPHRESS RD 7948 LAND TR
	593	7942	UMPHRESS RD	MCGUFFEY RALPH W
	594	7940	UMPHRESS RD	ALANIS MAURO
	595	8019	UMPHRESS RD	GARCIA SANTIAGO & DIANA S
	596	8001	UMPHRESS RD	HOLLEY MICHAEL R &
	597	8011	UMPHRESS RD	MONZANO JOEL SANDOVAL &
	598	7918	BRUTON RD	ROJO REINALDO R &
	599	7926	BRUTON RD	SANTOYA MARIA DELCARMEN
	600	2054	UTICA DR	CASANOVA ROGERS A & DIANA
	601	2055	SHORTAL DR	GARCIASANCHEZ JOSE MANUEL &
	602	7944	BRUTON RD	NOLASCO NOE S
	603	7936	BRUTON RD	BRAXTON KENNETH & JOHNNIE
	604	8008	TILLMAN ST	SHORT WILLIE R TR ET AL
	605	7962	TILLMAN ST	DELEON JESUS J & BEGONIA
X	606	2030	SHORTAL DR	HALL ROY J
	607	2042	SHORTAL DR	HARPER KENNETH L &
	608	2036	SHORTAL DR	GONZALEZ OSCAR & DEIBI
	609	2026	SHORTAL DR	FERNANDEZ NANCY
	610	2022	SHORTAL DR	FIELDS A J
	611	2016	SHORTAL DR	BUSTAMANTE VICENTE

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	612	8011	HUTTIG AVE	MORRIS DENNIS A
	613	8007	HUTTIG AVE	RAMIREZ JOSE ROBERTO GAYTAN &
	614	8003	HUTTIG AVE	GUTIERREZ DON
	615	8002	S RENO CT	SALMERON ROBERTO &
	616	8008	S RENO CT	PEREZ RAMON
	617	8014	S RENO CT	DELGADO JOSE L & DELMI E
	618	8018	S RENO CT	LOVE JOSEPH B
	619	8022	S RENO CT	HERRERACASTANEDA JUAN &
	620	8026	S RENO CT	RAMIREZ SAMUEL &
	621	8030	S RENO CT	MARTINEZ RUBEN & CAROLINA
	622	8057	N RENO CT	LARA ADALBERTO
	623	8053	N RENO CT	HERNANDEZ ROBERTO
	624	8049	N RENO CT	JENSEN 1987 REVOCABLE LIVING TRUST THE
	625	8043	N RENO CT	JENSEN RAYMOND L 3 & MARY REVOCABLE TRUST
	626	8033	N RENO CT	PUTMAN CHARLES
	627	8027	N RENO CT	AVALOS MARIA &
	628	8023	N RENO CT	MARTINEZ INOSCENCIO
	629	8019	N RENO CT	AYALA MONICO
	630	8015	N RENO CT	HENRY CHARLET A H
	631	8009	N RENO CT	SILVERIO BRENDA
	632	1400	PRICHARD LN	SUCHIL CATARINO
	633	1410	PRICHARD LN	BOLAND BERNICE ESTATE OF
	634	1414	PRICHARD LN	CAMBEROS RAUL & MARIA JUANA
	635	1420	PRICHARD LN	GARCIA MARIA G &
	636	1426	PRICHARD LN	SANDOVAL ALEX
	637	1430	PRICHARD LN	ROCK 7 HOLDINGS LLC
	638	8006	N RENO CT	RENTAL EQUITY LLC
	639	8005	S RENO CT	POWELL STEPHEN M & DEENA
	640	8025	S RENO CT	FRAIRE JOSE ARTURO DE LEON
	641	8029	S RENO CT	SHOEMAKER JAMES A

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	642	8038	N RENO CT	CARTER MAMIE M
	643	8032	N RENO CT	GOODSPEED WALTER L
	644	8024	N RENO CT	SANDOVAL IRENE
	645	8016	N RENO CT	GAINES JIMMY &
	646	1502	PRICHARD LN	CABRERA FERNANDO RODRIGUEZ
	647	1510	PRICHARD LN	PEMBERTON MARTHA EST OF
	648	1514	PRICHARD LN	CARDONA GRACIELA
	649	1520	PRICHARD LN	MADRIGALES AQUILEO &
	650	1530	PRICHARD LN	ESPINOZA EMMA &
	651	1536	PRICHARD LN	MORENO CLEMENTE RENO &
	652	1540	PRICHARD LN	AYALA ARTURO A
	653	1544	PRICHARD LN	TELLO ELIAS & GELVI
	654	1548	PRICHARD LN	MACON RICKY L
	655	1556	PRICHARD LN	MONTALVO MARIA DOLORES
	656	7914	VALENTINE CT	CONATSER JIM B INC
	657	7918	VALENTINE CT	HERNANDEZ EFRAIN
	658	7922	VALENTINE CT	MARR JULIAN E &
	659	7926	VALENTINE CT	1G CAPITAL LLC
	660	7930	VALENTINE CT	FLORES FREDERICK
	661	7936	VALENTINE CT	ARGUETA JUAN
	662	7940	VALENTINE CT	TONCHE ABEL &
X	663	7944	VALENTINE CT	SMITH PATSYE R
	664	7923	VALENTINE CT	GONZALEZ JESUS &
	665	7929	VALENTINE CT	HERNANDEZ NAYDA
	666	7941	VALENTINE CT	VALENZUELA ARLINDA
	667	1531	PRICHARD LN	MADRIGALES MARIA
	668	1539	PRICHARD LN	ZAVALA MANUEL & MARIA I
	669	1543	PRICHARD LN	ESPINOZA JUANA MARIA
	670	1551	PRICHARD LN	GARZA ELEAZAR & ETHEL
	671	1503	PRICHARD LN	LUNA CARLOS & ESTEVEZ LUZ
	672	1511	PRICHARD LN	CHAVEZ JUANA

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	673	1515	PRICHARD LN	FRAGA REYNALDO V &
X	674	1521	PRICHARD LN	BURKETT WILLIAM H
	675	1403	PRICHARD LN	TRUJILLO HUMBERTO &
	676	1409	PRICHARD LN	BROWN PAULINE LAVONNE &
	677	1415	PRICHARD LN	FLORES DORA
	678	1419	PRICHARD LN	HERNANDEZ ELADIO
	679	7903	MAXWELL AVE	FRIAS RAMON &
	680	7911	MAXWELL AVE	SALAS TERESA C
	681	7915	MAXWELL AVE	ALVARADO JUAN CARLOS
	682	1329	PRICHARD LN	ESCARENO JOSE &
	683	1357	PRICHARD LN	VEGA JAIME &
	684	1361	PRICHARD LN	GRIFFIN JOE W & EVA D
	685	1367	PRICHARD LN	ZAMORANO CESAR GALLEGOS &
	686	7852	ROSEMEAD DR	CELIS PAULO
	687	7803	MAXWELL AVE	VILLA JUAN &
	688	7811	MAXWELL AVE	DIAZ JORGE C
	689	7815	MAXWELL AVE	JAIME DORA ELENA
	690	7819	MAXWELL AVE	LICONA GLEDYS JOEL
	691	7823	MAXWELL AVE	CALDERON OMAR
	692	7827	MAXWELL AVE	VALDEZ JOSE JAIME
	693	7833	MAXWELL AVE	ALMAGUER MARIO &
	694	7839	MAXWELL AVE	PALACIOS JOSE M
	695	7802	MAXWELL AVE	SANCHEZ RICARDO
	696	7810	MAXWELL AVE	TOVAR CIRILO &
	697	7814	MAXWELL AVE	RODRIGUEZ MIGUEL A &
	698	7818	MAXWELL AVE	LOPEZ CARLOS
	699	7824	MAXWELL AVE	WEED KELLY & KATHY WEED
	700	7828	MAXWELL AVE	ROSS MARCELLA M
	701	7834	MAXWELL AVE	MCGRUDER WILLIE LEE EST OF
	702	7838	MAXWELL AVE	GARCIA ALBERTO ANTONIO II
	703	7842	MAXWELL AVE	SANCHEZ JUAN R & AMPARO

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	704	7902	MAXWELL AVE	RODRIGUEZ ROBERTO
	705	7908	MAXWELL AVE	ALVARADO KARLA
	706	7914	MAXWELL AVE	GARCIA GASPAR ISAAC
	707	7918	MAXWELL AVE	ARCE GEOCONDA I & LUISA
	708	7922	MAXWELL AVE	PEREZ ROBERTO C
	709	7926	MAXWELL AVE	JARAMILLO JOSE
	710	7730	MAXWELL AVE	ROMERO ALVARO M
	711	7726	MAXWELL AVE	LOPEZ PORFIRIO &
	712	7718	MAXWELL AVE	CROSS LAVERN
	713	7712	MAXWELL AVE	GRANFORS ROBERT
	714	7708	MAXWELL AVE	GUEVARA FLORENTINO &
	715	7702	MAXWELL AVE	TELLO RICARDO &
	716	7603	LAKE JUNE RD	VALDEZ MARSHUNDRA
	717	7609	LAKE JUNE RD	BENTRAN MARIA DEL
	718	7615	LAKE JUNE RD	CASTANEDA RUBEN & MANUELA
	719	7619	LAKE JUNE RD	BROILES JOYCE W LF EST
	720	7623	LAKE JUNE RD	PARGAS ROMAN & JENNIFER
	721	7629	LAKE JUNE RD	BRICENO JUAN VASQUEZ
	722	7633	LAKE JUNE RD	ROBERT ANTHONY HOLDINGS LLC
	723	7639	LAKE JUNE RD	RUIZ PABLO
	724	7643	LAKE JUNE RD	RANGEL ROBERTO T &
	725	7647	LAKE JUNE RD	POLK PATSY JANE EST OF
	726	7703	LAKE JUNE RD	DALE EDWARD L
	727	7709	LAKE JUNE RD	GUTIERREZ JUAN & MARIA E
	728	7715	LAKE JUNE RD	MORALES JOAQUIN & MARIA
	729	7719	LAKE JUNE RD	GAMEZ MARIA
	730	7725	LAKE JUNE RD	LARABAUTISTA DIANA
	731	7729	LAKE JUNE RD	GARCIA AURELIO HERNANDEZ
	732	7735	LAKE JUNE RD	CHAVEZ BENITO &
	733	7729	MAXWELL AVE	ADAMS REBECCA
	734	7521	LAKE JUNE RD	SERRATOS INVESTMENTS LLC

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	735	8011	ELAM RD	BARRON MARIO
	736	8011	WES HODGES RD	HERNANDEZ MARIA CRISTINA
	737	536	ROWLAND AVE	GUZMAN MAURO JR
	738	542	ROWLAND AVE	HERNANDEZ MOISES
	739	546	ROWLAND AVE	RODRIGUEZ BERTHA L
	740	550	ROWLAND AVE	MASON JEWEL ESTATE OF
	741	554	ROWLAND AVE	TAMAYO DAVID EUGENE &
	742	558	ROWLAND AVE	CORNEJO CARMEN
	743	7935	DASCH ST	RODRIGUEZ JAIME
	744	7931	DASCH ST	GERMAN DURAN
	745	7925	DASCH ST	RODRIGUEZ JAIME &
	746	7953	WES HODGES RD	ROMO GERARDO
	747	541	ROWLAND AVE	CABELLERO CAYETANO
	748	549	ROWLAND AVE	TORRES JUAN C
	749	8014	WES HODGES RD	TAMAYO SANDRA ISABEL
	750	8017	WES HODGES RD	OLIVARES ANGELICA
	751	8023	WES HODGES RD	BRIONES MARTIN
	752	8031	ELAM RD	BARRON MARIO & SONIA
	753	8029	ELAM RD	BARRON MARIO &
	754	8027	ELAM RD	BARRON MARIO & SONIA BARR
	755	8023	ELAM RD	BARRON MARIO &
	756	7940	RAYVILLE DR	HERNANDEZ DELFINO
	757	7936	RAYVILLE DR	GREEN VICKI LYNN
	758	7932	RAYVILLE DR	QUIROZ VICTOR MANUEL ESQUIVEL &
	759	7928	RAYVILLE DR	ARITA GUILLERMO C
	760	7941	RAYVILLE DR	VAZQUEZ RAUL &
	761	7937	RAYVILLE DR	DUARTE MARIA S
	762	7933	RAYVILLE DR	BENAVIDES AGUSTIN
	763	7929	RAYVILLE DR	BALLARD JOE M
	764	7936	JACOBIE BLVD	ARREDONDOOROCIO JUAN MANUEL &
	765	7940	JACOBIE BLVD	ROMAN VIRGINIA
	766	7944	JACOBIE BLVD	BARRERA BLANCA ROCIO &

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	767	7945	JACOBIE BLVD	CANTU ADELLA VIDAL
	768	7941	JACOBIE BLVD	FLORES EMANUEL & MARITZA
	769	7937	JACOBIE BLVD	TORRES JANET GUADALUPE
	770	7933	JACOBIE BLVD	ROBLEZ ELVIRA VENTURA
	771	7929	JACOBIE BLVD	SCOTT CASEY TERESA NANETT
	772	8003	JACOBIE BLVD	RESENDIZ CATALINO &
	773	8003	RAYVILLE DR	EDWARDS HERMAN C TRUSTEE
O	774	8002	JACOBIE BLVD	PIERCE MINNIE MAE
	775	8003	ROSEMONT RD	BENITEZ HELIDIA
	776	7919	ROSEMONT RD	TEXAS CONFERENCE ASSOC SEVENTH DAY ADVENTISTS
	777	7933	ROSEMONT RD	FUENTES ADRIAN O &
	778	7939	ROSEMONT RD	MARTINEZ ROGELIO L
	779	8008	ROSEMONT RD	LOPEZ ROSA
	780	8004	ROSEMONT RD	LOPEZ ROSA E
	781	7934	ROSEMONT RD	MARQUEZ JOSE
	782	7930	ROSEMONT RD	ROJAS JOSE GUADALUPE &
	783	7944	ROSEMONT RD	MARTINEZ ANGEL &
	784	7938	ROSEMONT RD	DEVILL HOMES INC
	785	7512	LAKE JUNE RD	ADVISORY BD DALLAS DIST
	786	7516	LAKE JUNE RD	CERVANTEZ ANA MARIA
	787	1223	CARBONA DR	LIRA MARIA IRENE MACIAS
	788	1217	CARBONA DR	GARCIA GILBERTO H CAVAZOS & YESSICA Y CRUZ
	789	1211	CARBONA DR	AVELLANEDA RUFINO & FERNANDA
	790	1226	WHITLEY DR	LAKE JUNE CHURCH OF
	791	1226	CARBONA DR	BALDERAS ARTEMIO &
	792	1220	CARBONA DR	DELGADO MA YOLANDA
	793	1214	CARBONA DR	ORCHARD JIM
	794	1243	FRANWOOD DR	TORRES FRANCISCO JAVIER &
	795	1233	FRANWOOD DR	FLORES GLORIA G
	796	1239	FRANWOOD DR	SIPRIANO BEN

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	797	1229	FRANWOOD DR	SIPRIANO BEN & ESTEFANITA
	798	1223	FRANWOOD DR	ARAGON MARTIN F & LORENZA L
	799	1242	FRANWOOD DR	SIPRIANO VINCENT BEN &
	800	1236	FRANWOOD DR	SIPRIANO BEN & ESTEFANA
	801	1230	FRANWOOD DR	GARNICA BRIDGETT A &
	802	1224	FRANWOOD DR	HERRERA JUVENAL & CARMEN
	803	1231	HILLBURN DR	HERRERA DAVID
	804	1211	HILLBURN DR	GARIBALDI MIGUEL &
	805	1227	HILLBURN DR	BRADSHAW JANICE ET AL
	806	1221	HILLBURN DR	RANGEL ABELARDO &
	807	1219	HILLBURN DR	SALVADOR NOE & HORTENCIA
	808	1228	HILLBURN DR	BELTRAN JESUS J &
	809	1231	ROSE GARDEN AVE	ORNELAS ROGELIO
	810	1227	ROSE GARDEN AVE	DURAN GABRIEL &
	811	1223	ROSE GARDEN AVE	DELGADILLO JUAN ANTONIO &
	812	1219	ROSE GARDEN AVE	CHOU HSLAOCHING
	813	1211	ROSE GARDEN AVE	LOZADA MANUEL JR &
	814	1226	ROSE GARDEN AVE	ROSALES MARTIN &
	815	1220	ROSE GARDEN AVE	ANDERSON CARETHIA
	816	1218	ROSE GARDEN AVE	PENA TOMAS P &
	817	1212	ROSE GARDEN AVE	GARCIA ISIDORO &
O	818	1223	GARDENVIEW DR	ROSALES MARTIN & THELMA
	819	1219	GARDENVIEW DR	MI HACIENDA PPTIES DEV
	820	1215	GARDENVIEW DR	METOYER GLENN C &
	821	1203	GARDENVIEW DR	MENDOZA TOMASA &
	822	1143	GARDENVIEW DR	PARENT ROGER L
	823	1135	GARDENVIEW DR	BASURTO AGUSTIN & AURELIA
	824	1134	GARDENVIEW DR	SALCEDO AMADOR GARCIA
	825	1126	GARDENVIEW DR	MCPHERSON HEATHER ANN &
	826	1122	GARDENVIEW DR	SALAZAR ADELFA J
	827	1118	GARDENVIEW DR	RODRIGUEZ ISAIA

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	828	1114	GARDENVIEW DR	CLARK BARBARA KATHLEEN
	829	1106	GARDENVIEW DR	TREJO RAUL
	830	1102	GARDENVIEW DR	VAZQUEZ ALFONSO
	831	1002	GARDENVIEW DR	MACIAS MANUELA
	832	1012	GARDENVIEW DR	CAZARES ISMAEL
	833	8015	DELL GARDEN AVE	BRIONES FERNANDO
	834	1006	GARDENVIEW DR	VALERO JUAN
	835	1044	GARDENVIEW DR	AGUILAR PABLO & BEATRICE
	836	1038	GARDENVIEW DR	JUAREZ ALICIA
	837	1028	GARDENVIEW DR	SHEHORN DAVID
	838	1026	GARDENVIEW DR	HERNANDEZ LORENA M
	839	1020	GARDENVIEW DR	ACOSTA LAURA
	840	951	GARDENVIEW DR	RODRIGUEZ GILSARDO L
	841	947	GARDENVIEW DR	TORRES JOSE N
	842	939	GARDENVIEW DR	ALMENDAREZ NICANOR ETAL
	843	944	GARDENVIEW DR	UPCHURCH RODNEY DUANE
	844	942	GARDENVIEW DR	PAREDES CLEMENTE M ETAL
	845	938	GARDENVIEW DR	LOPEZ ANTONIO G &
	846	8018	DELL GARDEN AVE	CRIGGAR HELEN &
	847	935	GARDENVIEW DR	TEXAS CONFERENCE ASSN
	848	1407	CONNER DR	PLEASANT GROVE CHURCH OF
	849	1425	CONNER DR	CONNER JOINT VENTURE
	850	1439	CONNER DR	ALTAMIRANODIAZ GERARDO &
	851	1435	CONNER DR	APODACA JERRY B
	852	1451	CONNER DR	HAMMERS DAVID
	853	1447	CONNER DR	JCRB ENTERPRISES INC
	854	1447	CONNER DR	HAMMERS DAVID
	855	8239	LAKE JUNE RD	Dallas ISD
	856	1655	CONNER DR	RODRIGUEZ IGNACIO &
	857	1651	CONNER DR	ABOVO CORPORATION
	858	1643	CONNER DR	TREJO JUAN CARLOS VELAZQUEZ
	859	1647	CONNER DR	MORENO ALEJANDRO & ELVIRA

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	860	1635	CONNER DR	CHAVARRIA FERNANDO
	861	1639	CONNER DR	MENCHACA DANIEL O &
	862	1627	CONNER DR	RAMIREZ CARMELO
O	863	1619	CONNER DR	DOMINQUEZ CARLOS E
	864	1623	CONNER DR	HINOJOSA RAUL MARIN
	865	1615	CONNER DR	TOVAR ALFONSO & MODESTA
	866	1611	CONNER DR	RAMIREZ ANTONIO &
	867	1603	CONNER DR	GOOSEBERRY ROBERT E
	868	1529	CONNER DR	PIEDRA ANTONIO &
	869	1535	CONNER DR	HANDY VILLA JV
	870	1507	CONNER DR	COX ERMA
	871	1501	CONNER DR	HINOJOSA BENITO B &
	872	1408	CONNER DR	ZAPATA ANNETTE
	873	1400	CONNER DR	SALCEDO MANUEL BECERRA
	874	1803	CONNER DR	GARCIA JOSE & MARIA S
	875	1811	CONNER DR	AGUILERA OSCAR
	876	1817	CONNER DR	BELTRAN JUAN E
	877	1837	CONNER DR	MCLEMORE WALTER E
	878	1839	CONNER DR	TRINITY SAVINGS & LOAN
	879	1843	CONNER DR	AGUIRRE GERARDO
	880	1911	CONNER DR	ORNELAS MIGUEL & IRENE
	881	1919	CONNER DR	ALEJANDRE PEDRO & ELSA
	882	1960	CONNER DR	RAMIREZ EFRIAN & SELIA
	883	1944	CONNER DR	MENDEZ MARGARITA C
	884	1952	CONNER DR	VELAZQUEZ LUCIOS &
	885	1925	CONNER DR	AGUILAR JESSE G JR &
	886	1929	CONNER DR	AGUILAR JESUS G &
	887	1933	CONNER DR	WATERS ROY EDMOND
	888	1943	CONNER DR	GUTIERREZ JUAN M & M JUANA ORDUNA
	889	1937	CONNER DR	GANTES JAVIER
	890	1949	CONNER DR	TAYLOR BEVERLY

Reply	*Label #*	*Address*		*Owner*
	891	1955	CONNER DR	KRECEK ROBERT LIFE ESTATE
	892	1961	CONNER DR	RAMSEY FRANK A JR
	893	8216	BRUTON RD	MARSAW TERRY
	894	8315	LAKE JUNE RD	LEWIS ROMEO N JR
	895	8301	LAKE JUNE RD	DIAZ ROBERTO H &
	896	8223	MADDOX AVE	MACIAS J GUADALUPE &
	897	8233	MADDOX AVE	CORTEZ PEDRO & ROBERTA J
	898	8233	MADDOX AVE	CORTEZ PEDRO & ROBERTA J
	899	8233	MADDOX AVE	VEGA LUIS & SAN JUANA
	900	8239	MADDOX AVE	CASAS REALIDAD LP
	901	1221	PLEASANT DR	CORTEZ PEDRO
	902	1201	PLEASANT DR	BAUTISTA JAIME
	903	8122	MADDOX AVE	SOLIS MARTINA
	904	1145	SEAFORD DR	WALTERS HOLLY CHRISTMAS
	905	1143	SEAFORD DR	SEGOVIA JOSE
	906	1137	SEAFORD DR	ESTALA MARIA JACOBO
	907	1133	SEAFORD DR	IRWIN CHARLES H
	908	1129	SEAFORD DR	WRIGHT ADOLPIS & ANNE
	909	1127	SEAFORD DR	RODRIGUEZ PATRICIA F &
	910	1117	SEAFORD DR	CANAS ALVARO A &
	911	1113	SEAFORD DR	MARTINEZ IGNACIO
	912	1105	SEAFORD DR	SANCHEZ VICTORIA
	913	1101	SEAFORD DR	HURTADO GUADALUP & MARTHA
	914	1156	COSTON DR	CORTEZ PEDRO
	915	8232	MADDOX AVE	CORTEZ PEDRO
	916	1150	COSTON DR	LIRA ESMERALDA
	917	1146	COSTON DR	WADE TOMMY
	918	8317	MADDOX AVE	ZAMORA GUADALUPE H &
	919	8300	MADDOX AVE	BRUNO WAYNE C & DONNA
	920	8307	MADDOX AVE	VELAZQUEZ HECTOR
	921	8311	MADDOX AVE	BALCH RANDY
	922	8301	MADDOX AVE	MARTINEZ LUIS & LUZ

06/07/2017

Reply	*Label #*	*Address*		*Owner*
	923	8306	LAKE JUNE RD	LI LUNA
	924	8302	LAKE JUNE RD	DONCHOI INVESTMENT CORP
	925	8119	DELL GARDEN AVE	MEDINA JOSE LUIS
	926	863	WIDEMAN DR	FAYSHA ENTERPRISES LLC
	927	859	WIDEMAN DR	MEJIA EFRAIN & ETELVINA
	928	855	WIDEMAN DR	SILVA LUCIO &
	929	851	WIDEMAN DR	HADNOT SONYA
	930	847	WIDEMAN DR	VALDEZ MARY JANE
	931	843	WIDEMAN DR	FAGG L STEVAN & ALMA A
O	932	839	WIDEMAN DR	BERRYHILL RONALD H
	933	835	WIDEMAN DR	VASQUEZ BERTHA
	934	831	WIDEMAN DR	RESCOM INVESTMENT GROUP LLC
	935	827	WIDEMAN DR	ROBERTSON EDWARD L EST OF
	936	823	WIDEMAN DR	MORALES LUIS B
	937	819	WIDEMAN DR	ROCHA JUAN MANUEL & IRMA G LOPEZ FIGUEROA
	938	815	WIDEMAN DR	COLE JAMES CLEMAN
	939	811	WIDEMAN DR	LEWIS LOYD
	940	8107	OLD HOMESTEAD DR	ROCHA SALVADOR
	941	866	WIDEMAN DR	FLORES RAMON
	942	862	WIDEMAN DR	RIVERA JAVIER
	943	858	WIDEMAN DR	MARTINEZ ROMAN H
	944	854	WIDEMAN DR	JACKSON EFFIE
	945	850	WIDEMAN DR	GONZALEZ MIREYA LUMBRERASPEREZ
	946	846	WIDEMAN DR	ROJO ROBERTO
X	947	842	WIDEMAN DR	HARGRAVE ALTON & BERNICE
	948	838	WIDEMAN DR	BEEZLEY JACK L & BARBARA
	949	834	WIDEMAN DR	TORRES JOSE O & MARIA DELALUZ ESPINOSA
	950	830	WIDEMAN DR	VALDEZ ABEL H
	951	826	WIDEMAN DR	HERNANDEZ MOISES
X	952	822	WIDEMAN DR	HOWARD DORIS O

06/07/2017

Reply	*Label #*	*Address*		*Owner*
	953	818	WIDEMAN DR	COATS HERBERT & MARGIE
	954	814	WIDEMAN DR	PRICE DAYTON WAYNE
	955	810	WIDEMAN DR	DIAZ HERACHIO &
	956	8129	ELAM RD	BEDFORD ANTHONY J
	957	8123	ELAM RD	GUTIERREZ JUAN CARLOS
	958	8116	RAYVILLE DR	ALVARADO JUAN CARLOS &
	959	8120	RAYVILLE DR	DALLAS PATTEN PPTIES II LLC
	960	8126	RAYVILLE DR	HERRERA MAXIMINO LEOS &
	961	8134	RAYVILLE DR	HOUSE DEARL D
	962	8125	MARVEL DR	LOPEZ JACINTO & SILIVIA R
	963	8121	MARVEL DR	RAMIREZ GONZALO A
	964	8117	MARVEL DR	SHEPHERD LURAL H
	965	8113	MARVEL DR	WARWICK ELVIN W JR &
	966	8121	RAYVILLE DR	DOMINGUEZ OSCAR
	967	8127	RAYVILLE DR	BOWEN CRAIG
	968	8133	RAYVILLE DR	BOWEN LONNIE
	969	8139	RAYVILLE DR	WILSON JAMES
	970	8143	RAYVILLE DR	ESCAMILLA CECILIO N &
	971	8112	MARVEL DR	LOPEZ VICTOR M
	972	8116	MARVEL DR	FULLER ROY
	973	8120	MARVEL DR	LOPEZ JUAN ANTONIO
	974	8124	MARVEL DR	CLAUSSEN GEORGE R
	975	8119	WES HODGES RD	RENNER EARL O
	976	8111	WES HODGES RD	STERLING ANTHONY K
	977	8103	WES HODGES RD	RENNER EARL O
	978	8114	ELAM RD	SOUTHWESTERN BELL
	979	8202	ELAM RD	AMDAS LLC
	980	8214	ELAM RD	MILLIGAN ROBERT
	981	8106	KIPLING DR	MILLIGAN ROBERT K
	982	200	S BUCKNER BLVD	KEY JOINT VENTURE
	983	250	S BUCKNER BLVD	MILLIGAN JAMES P &

Reply	*Label #*	*Address*		*Owner*
	984	4307	S BUCKNER BLVD	MARTINEZ RAYMUNDO
	985	8017	HEINEN DR	MARTINEZ GABRIEL & ROSA
	986	4110	CEDAR LAKE DR	TWL FAMILY TRUST THE
	987	7909	CARR ST	DAMESWORTH ROBERT &
	988	7950	CARR ST	FULLER FAMILY TRUST
	989	7946	BLOSSOM LN	GRACIA FROILAN
	990	8152	SCYENE RD	ESPINOZA JOSE ET AL
	991	2839	LOLITA DR	VILLEGAS MARELY &
	992	2843	LOLITA DR	JIMINEZ WENDY
	993	2847	LOLITA DR	SORIA DESIDERIO & ANGELA LOPEZ
	994	2851	LOLITA DR	RODRIGUEZ ARMANDO JR
	995	2855	LOLITA DR	URQUIZA JORGE A
	996	2859	LOLITA DR	BROOKS BAINIFF D
	997	8221	SCYENE RD	8221 SCYENE LLC
O	998	8242	SCYENE CIR	WATSON CHARLES K
	999	3302	SCYENE CT	LEMUS TOMASA N
	1000	3306	SCYENE CT	NAJERA ERIC M
	1001	3310	SCYENE CT	SALAZAR MARTIN Q
	1002	3311	SCYENE CT	RYAN TIM & KATHLEEN
	1003	3307	SCYENE CT	COAHUILAS RAUL B
	1004	3303	SCYENE CT	GUEVARA BENITO &
	1005	8151	MILITARY PKWY	ROMAN CATHOLIC DIOCESE DALLAS
	1006	4300	S BUCKNER BLVD	MASTER HALCO INC
	1007	8229	SCYENE RD	ALVAREZ RENE
	1008	8252	SCYENE CIR	WOLFORD TRESSA
	1009	8233	SCYENE RD	MENCHACA RICHARD
	1010	8002	HUTTIG AVE	VALDEZ RUMALDA
	1011	8006	HUTTIG AVE	WHITLEY LAFAYETTE SR &
	1012	1952	SHORTAL DR	SANDS JERRY & TORRIE
	1013	233	S BUCKNER BLVD	DAL TILE CORP
	1014	7834	C F HAWN FWY	DAL TILE CORP
	1015	8131	STONEHURST ST	RODRIGUEZ IGNANCIO G

06/07/2017

Reply	*Label #*	*Address*		*Owner*
	1016	8135	STONEHURST ST	RODRIGUEZ IGNACIO
	1017	1717	CONNER DR	DELEON SHANTEL &
	1018	1823	CONNER DR	CRUMBLEY QUINCY TOM JR
	1019	1831	CONNER DR	LEDEZMA JOSE & ROSALINA
	1020	2048	CONNER DR	SANTOYO JESUS & GAUDENSIA
	1021	2008	CONNER DR	DALLAS HOUSING AUTHORITY
	1022	1209	PLEASANT DR	QUINONES MANUELA
	1023	1213	PLEASANT DR	MARTINEZ ROSENDO JR &
	1024	1217	PLEASANT DR	MARTINEZ MARCIANO TINOCO &
	1025	1221	PLEASANT DR	SALAZAR FILMON
	1026	8133	ELAM RD	ALBARRAN EMMA
	1027	401	S BUCKNER BLVD	DART

AGENDA ITEM # 70

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 38 J; N

SUBJECT

A public hearing to receive comments regarding an application for **(1)** and an ordinance granting a CR Community Retail District; and **(2)** and an ordinance granting a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road, on property zoned an LO-1 D Light Office District with a D Liquor Control Overlay, on the northwest side of Garland Road, southwest of Buckner Boulevard
Recommendation of Staff: Approval of a CR Community Retail District; and denial of a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road
Recommendation of CPC: Approval of a CR Community Retail District; and approval of a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road
Z156-281(OTH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z156-281(OTH) **DATE FILED:** June 10, 2016

LOCATION: On the northwest side of Garland Road, southwest of Buckner Boulevard.

COUNCIL DISTRICT: 9 **MAPSCO:** 38-J; N

SIZE OF REQUEST: Approx. 1.74 acres **CENSUS TRACT:** 81.00

OWNER: Tenet Hospitals Limited

APPLICANT: Onyx Holdings, LLC

REPRESENTATIVE: Robert Reeves & Associates, Inc.

REQUEST: An application for: 1) a CR Community Retail District; and 2) a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road, on property zoned an LO-1 D Light Office District with a D Liquor Control Overlay

SUMMARY: The applicant is proposing to utilize the property for restaurant and retail uses.

CPC RECOMMENDATION: **Approval** of a CR Community Retail District; and **approval** of a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road.

STAFF RECOMMENDATION: **Approval** of a CR Community Retail District; and **denial** of a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road.

BACKGROUND:

- The subject site is developed with a vacant three-story office building and parking lot.
- The applicant proposes to re-develop the site with two restaurants with the option of drive through service.
- The applicant is requesting to change the D Liquor Control Overlay to a D-1 Liquor Control Overlay to allow the restaurant on lot on the southwest corner of Beachview Street and Garland Road to serve alcohol.
- The sale or service of alcohol in the D Overlay is prohibited and would require a Specific Use Permit in the D-1 Overlay.

Zoning History: There have not been any zoning changes in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Garland Road	Principal Arterial	100 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the requested renewal and determined it will not significantly impact the surrounding street system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

URBAN DESIGN

GOAL 5.3 Establishing Walk-to Convenience

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Garland Road Vision Plan:

The Garland Road Vision Plan was adopted in November 2010. The plan is intended to be a Small Area Action Plan in support of the *forward*Dallas Comprehensive Plan. The plan's Future Land Development Visions shows the area as commercial.

Surrounding Land Uses:

	Zoning	Land Use
Site	LO-1-D	Surface parking & Vacant office building
Northeast	LO-1-D, CR-D	medical offices, fire station, retail
Northwest	LO-1 & MF-2(A)	Retail uses, multifamily, medical offices
Southeast	D(A)	Single family
Southwest	MU-2(SAH) with deed restrictions	Residential and retail uses

Land Use Compatibility:

The request site is currently developed with a surface parking use and a vacant medical office structure. The properties are surrounded by medical offices, fire station, and retail to the northeast; single family to the southeast; retail uses, multifamily, and medical offices to the northwest; and multifamily and retail to the southwest. The applicant proposes to develop the property with retail uses and restaurants. The applicant is requesting to change the D Liquor Control Overlay to a D-1 Liquor Control Overlay on the property on the west corner of Beachview Street and Garland Road. At the moment, the applicant does not know what restaurant will be in that particular

location. Therefore, staff is recommending approval of the CR Community Retail District and denial of the D-1 Liquor Control Overlay portion of the request. Staff suggests the applicant submit the application to change from D to a D-1 when the application for the Specific Use Permit for the sale of alcohol in conjunction with a restaurant is submitted.

Any proposed development in the CR District will have to comply with the residential proximity slope (RPS) because it is located across Garland Road to the south from a D(A) Duplex District across. The maximum height allowed in CR is 54 feet.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
Existing							
	Front	**Side/Rear**					
LO-1 Limited office – 1	15’	20’ adjacent to residential OTHER: No Min.	1.0 FAR	70’ 5 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office – limited retail & personal service uses
Proposed							
CR Community retail	15’	20’ adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54’ 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Parking:

Pursuant to the Dallas Development Code, off-street and loading required parking must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

Landscaping:

The proposed development must comply with Article X of the Development Code.

CPC ACTION:

February 2, 2017

Motion: It was moved to **approve** an extension of the six month time period until August 9, 2017, for scheduling a zoning request for City Council consideration of an application for a CR Community Retail District; and of a D-1 Liquor Control on the northwest side of Garland Road, southwest of Buckner Boulevard.

Maker: Jung
Second: Houston
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon*, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Mack
Vacancy: 0
*out of the room, shown voting in favor

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Against: None

August 4, 2016

Motion: It was moved to recommend **approval** of a CR Community Retail District; and **approval** of a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road, on property zoned an LO-1 D Light Office District with a D Liquor Control Overlay, on the northwest side of Garland Road, southwest of Buckner Boulevard.

Maker: Jung
Second: Davis
Result: Carried: 12 to 1

For: 12 - Anglin, Reives, Houston, Davis, Shidid, Anantasomboon, Jung, Housewright, Peadon, Murphy, Ridley, Tarpley

Against: 1 - Haney
Absent: 1 - Schultz
Vacancy: 1 - District 7

Notices:	Area:	300	Mailed:	28
Replies:	For:	1	Against:	1

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Rhone Bird, Address not given
Against: Lou Simmons, 9026 Daytonia Ave., Dallas, TX, 75218
Amanda Davison, 9046 Angora St., Dallas, TX, 75218

List of Partners

Tenet Hospitals Limited
Tenet Healthcare

Senior Corporate and Business Officers

Trevor Fetter
Chairman & Chief Executive Officer
Tenet Healthcare

Dian Adams
VP, Patient Care Services and Chief Nursing Officer

Audrey Andrews
SVP and General Counsel

Paul Browne
Chief Information Officer and SVP, Applied Informatics

Daniel Cancelmi
Chief Financial Officer

Eric Evans
President of Hospital Operations

Howard Hacker
SVP, Chief Compliance Officer

Clint Hailey
SVP, Chief Managed Care Officer

Mark Kopser
Executive Chairman, Aspen Healthcare

Michael Maloney
SVP, Acquisitions & Development

Mark R. Montoney, M.D.
Chief Medical Officer

Stephen Mooney
President and CEO, Conifer Health Solutions

Tenet Hospital Limited
Tenet Healthcare (continued)

Trip Pilgrim
SVP, Development

Keith Pitts
Vice Chairman

Brendan Strong
VP, Investor Relations

Douglas Rabe
VP, Taxation

Gary Ruff
SVP, Physician Resources

Daniel Waldmann
SVP, Public Affairs

Kristy Waters
SVP, Performance Management and Innovation

Robert W.K. Webb
SVP, Chief Human Resources Officer

Bill Wilcox
CEO, United Surgical Partners International

Onyx Holdings, LLC

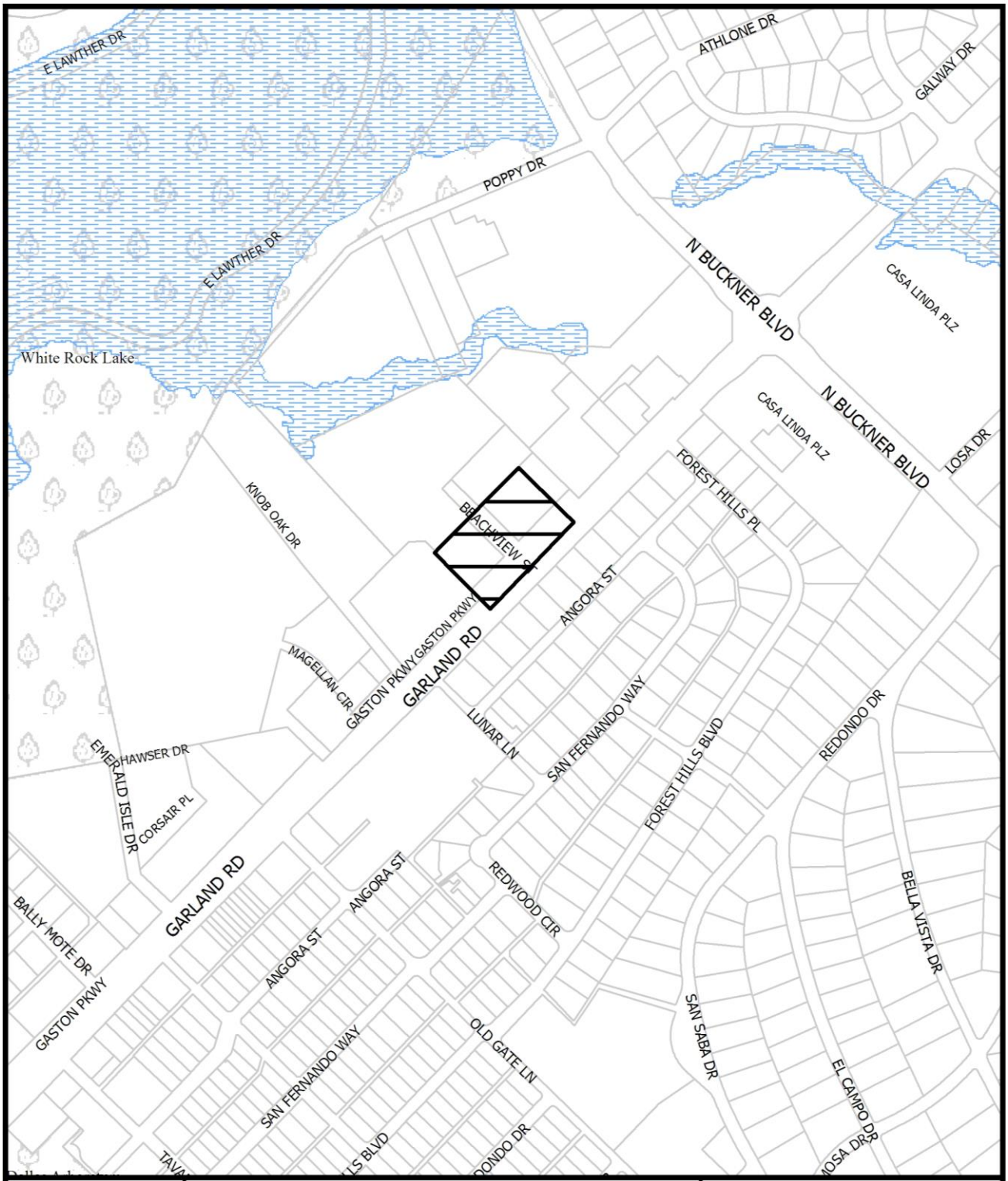
Members:

Chris Franklin

Rhone Bird

Eagle Bahn LLC

Jennifer Wood

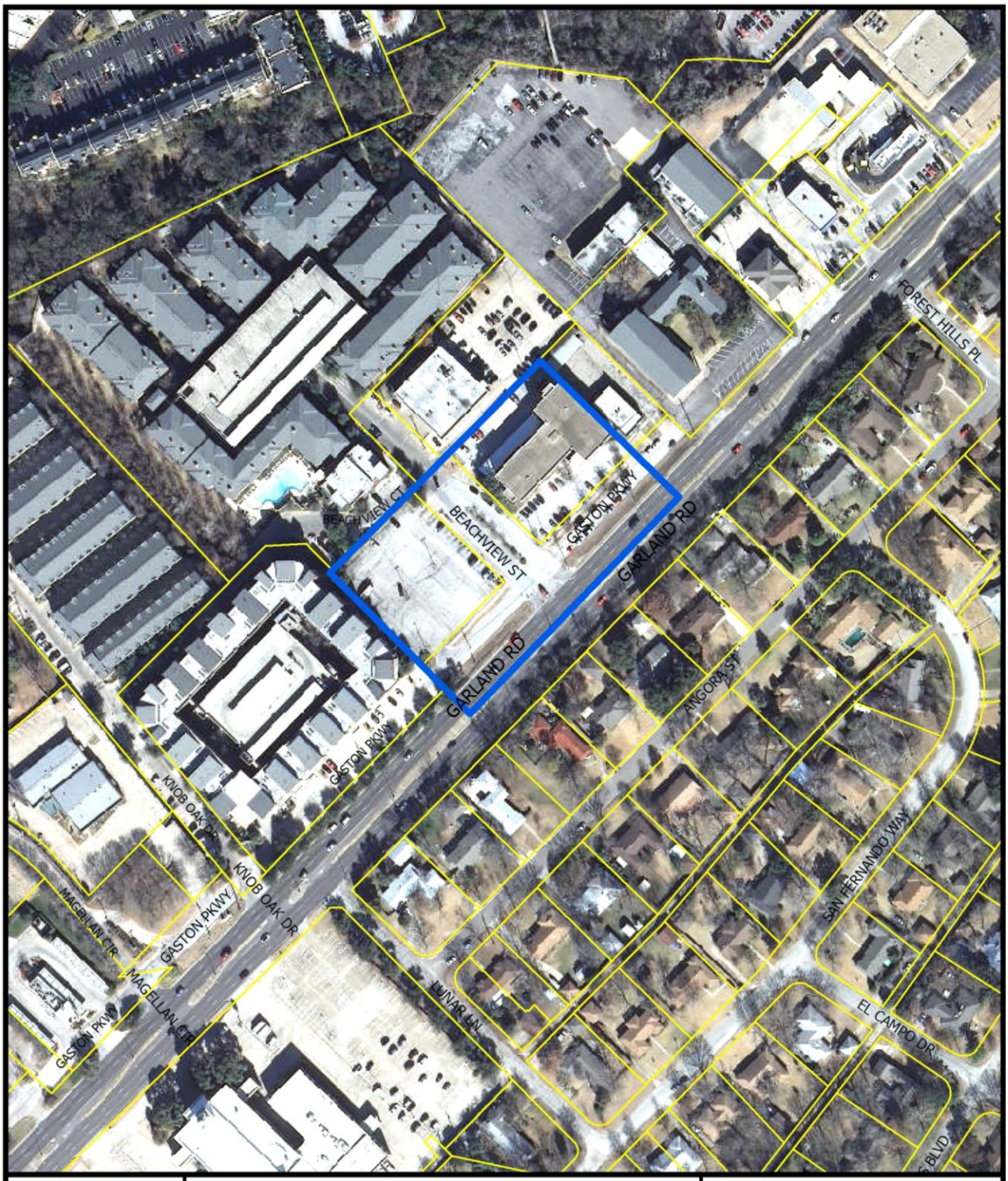


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VICINITY MAP

Case no: Z156-281

Date: 6/23/2016

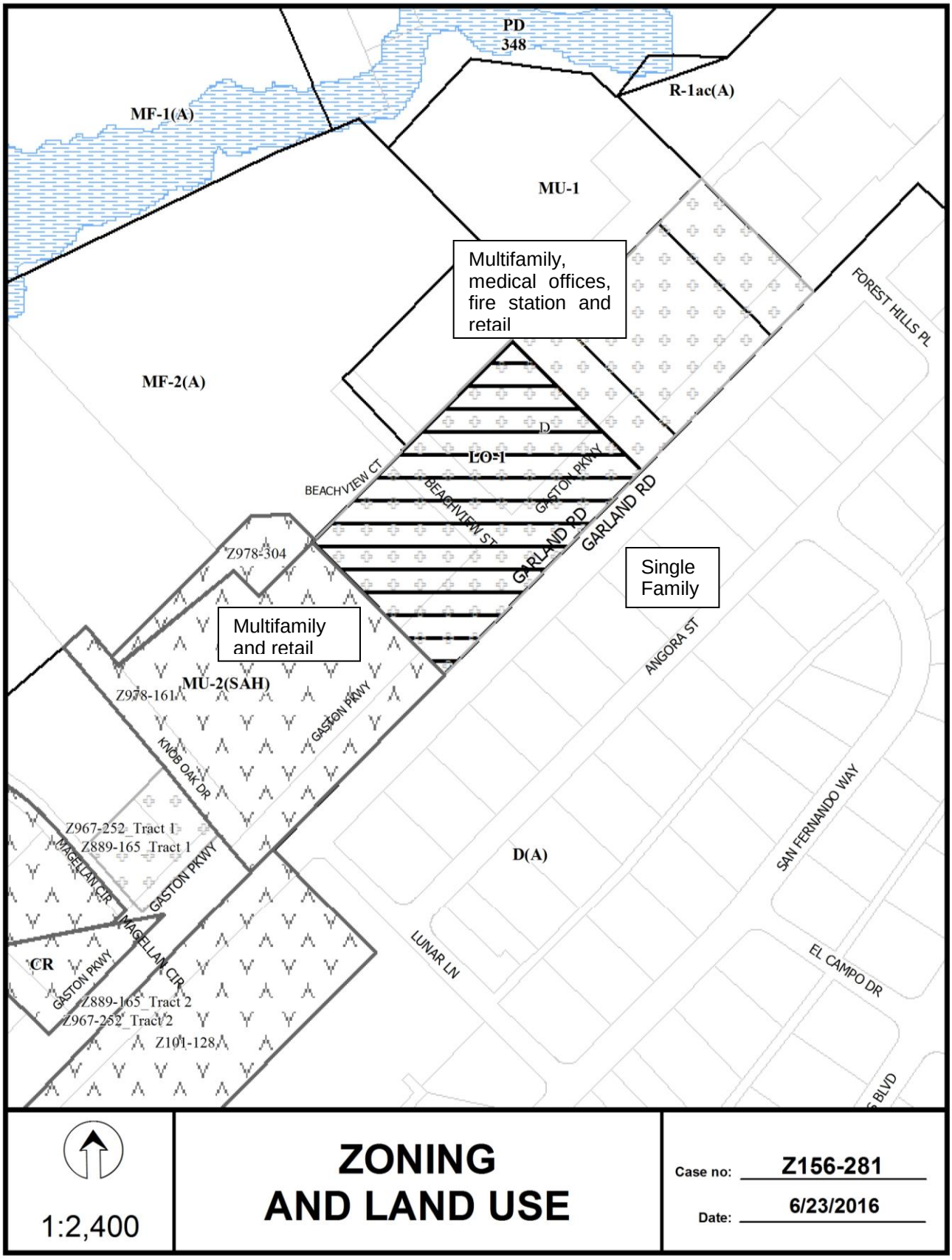


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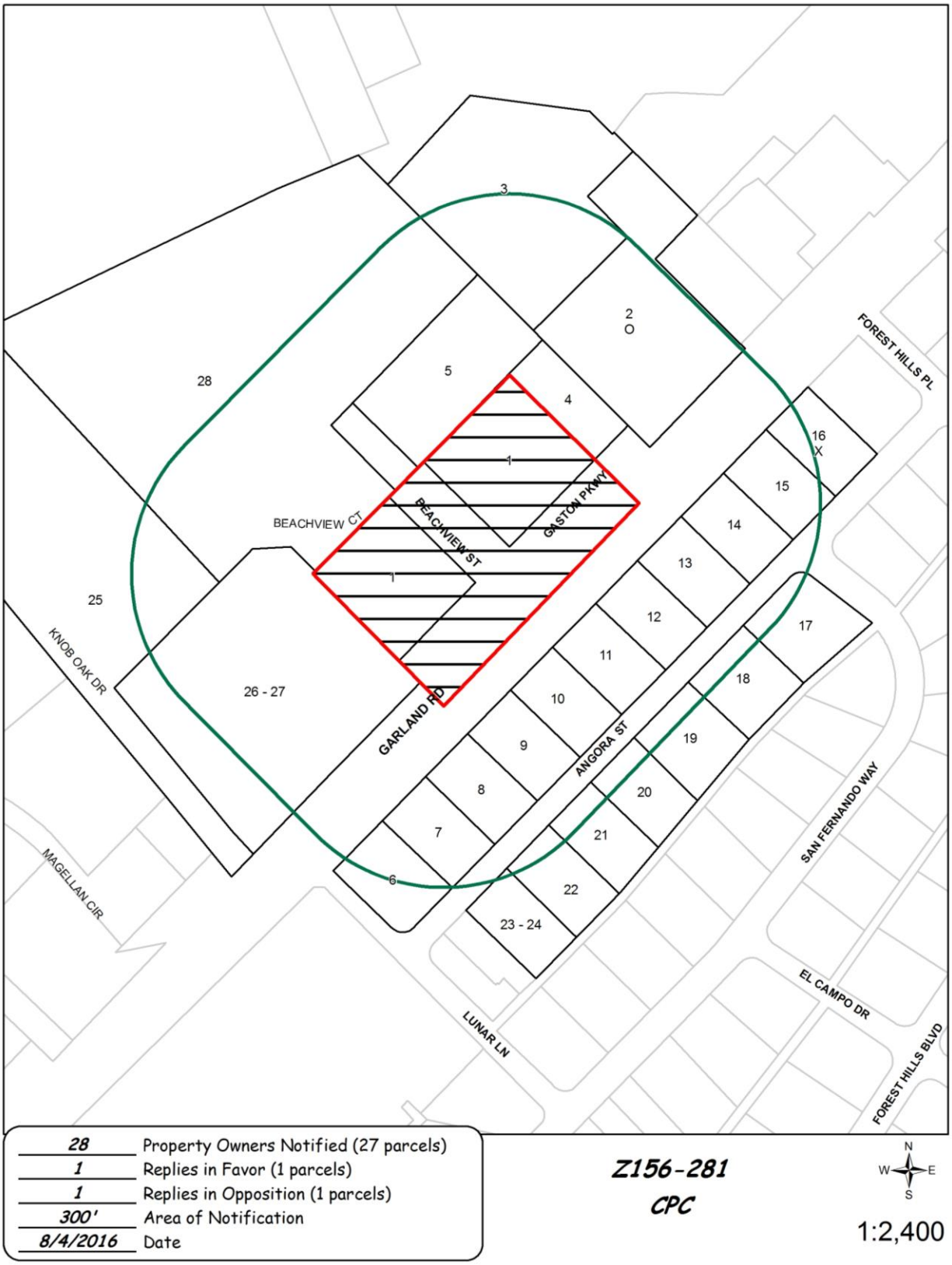
AERIAL MAP

Case no: Z156-281

Date: 6/23/2016


PD 348
R-1ac(A)
MF-1(A)
MU-1
Multifamily, medical offices, fire station and retail
FOREST HILLS PL
MF-2(A)
D
LO-1
BEACHVIEW CT
BEACHVIEW ST
GASTON PKWY
GARLAND RD
GARLAND RD
Z978-304
Single Family
Multifamily and retail
ANGORA ST
MU-2(SAH)
Z978-161
GASTON PKWY
KNOB OAK DR
Z967-252_Tract 1
Z889-165_Tract 1
MAGELLAN CIR
GASTON PKWY
D(A)
SAN FERNANDO WAY
LUNAR LN
EL CAMPO DR
CR
GASTON PKWY
MAGELLAN CIR
Z889-165_Tract 2
Z967-252_Tract 2
Z101-128
1:2,400
ZONING AND LAND USE
Case no: Z156-281
Date: 6/23/2016

CPC RESPONSES



08/03/2016

Reply List of Property Owners

Z156-281

28 Property Owners Notified ***1 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	9239	GARLAND RD	TENET HOSPITALS LIMITED
O	2	9353	GARLAND RD	WHITE ROCK COMMUNITY
	3	9353	GARLAND RD	DOCTOR BROTHERS LTD
	4	9335	GASTON PKWY	WOOTAN RICHARD C MD
	5	1130	BEACHVIEW ST	BROOMFIELD J V
	6	9207	ANGORA ST	NESTER J CLAYTON &
	7	9215	ANGORA ST	GATLIN ROSS
	8	9223	ANGORA ST	MONTOYA JESSE ANTHONY SR &
	9	9231	ANGORA ST	STEWART NAOMI E
	10	9309	ANGORA ST	BELTRAN RAYMOND JR
	11	9315	ANGORA ST	LOUDERMILK HUBERT LEE II
	12	9321	ANGORA ST	EMMETT ROSS A
	13	9331	ANGORA ST	LANE GEOFFREY A
	14	9337	ANGORA ST	CASEY MARY TRUSTEE
	15	9347	ANGORA ST	DENTON JAMES MASON III & BRIANNE
X	16	9353	ANGORA ST	TUCKER RICHARD A
	17	9345	SAN FERNANDO WAY	CONATSER JIM B INC
	18	9326	ANGORA ST	VASEK ROBERT G & JULIE
	19	9314	ANGORA ST	PAGE JOHN W JR &
	20	9304	ANGORA ST	CLEVENGER BRENDA K
	21	9228	ANGORA ST	TGHM PROPERTIES LP
	22	9222	ANGORA ST	SHARP BETTY JOSEPHINE
	23	9214	ANGORA ST	MATTER MELINDA FUGITT & DONALD MOSS
	24	9216	ANGORA ST	MATTER MELINDA FUGITT & DONALD M
	25	9201	GARLAND RD	UNIFIED HOUSING OF
	26	9219	GARLAND RD	UNIFIED HOUSING OF

08/03/2016

Reply	*Label #*	*Address*		*Owner*
	27	9219	GARLAND RD	UNIFIED HOUSING OF
	28	1111	BEACHVIEW ST	UNIFIED HOUSING OF

AGENDA ITEM # 71

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 4

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 64 D; 65 A

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an expansion of, and an amendment to, Planned Development District No. 838 for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District and Planned Development District No. 838, on the northwest corner of South Marsalis Avenue and Garza Avenue

Recommendation of Staff and CPC: Approval, subject to a revised development/landscape plan, revised traffic management plan, and conditions

Z167-236(WE)

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, AUGUST 9, 2017
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-236(WE) **DATE FILED:** March 6, 2017

LOCATION: South Marsalis Avenue and Garza Avenue, northwest corner

COUNCIL DISTRICT: 4 **MAPSCO:** 64-D & 65-A

SIZE OF REQUEST: Approx. 23.365 acres **CENSUS TRACT:** 59.02

APPLICANT / OWNER: Dallas Independent School District (DISD)

REPRESENTATIVE: Robert Baldwin
Baldwin Associates

REQUEST: An application for an expansion of, and an amendment to, Planned Development District No. 838 for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District and Planned Development District No. 838.

SUMMARY: The purpose of this request is to allow for the expansion of the school [South Oak Cliff High School]. DISD is proposing to increase the square footage of the administration offices, cafeteria and add a new gymnasium. In addition, the DISD is proposing to add a new driveway approach on South Marsalis Avenue to access additional parking in front of the school and bring the athletic track into the PD. The existing youth and family center and maintenance facilities located on the northwest portion of the athletic field will be an accessory use to the main campus and will be permitted by right.

CPC RECOMMENDATION: **Approval**, subject to a revised development/landscape plan, revised traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised development/landscape plan, revised traffic management plan, and conditions.

BACKGROUND INFORMATION:

- The applicant's request for an expansion of, and an amendment to, Planned Development District No. 838 will allow for an increase in the total square footage of specific facilities within the campus and the construction of a new gymnasium and student entry. The additional square footage and addition will be constructed on the west and northwest quadrant of the campus. An additional 8.989 acres will be brought into the Planned Development District, which includes the adjacent athletic field and maintenance facilities.

- On January 2011, the City Council approved Planned Development District No. 838 for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District.

- The approval of PDD No. 838 in January 2011, permitted the following expansion to the campus by 1) enclosing an open area that will increase the floor area by 28,000 square feet, 2) permitting the existing off-street parking in the front yard 3) modifying the screening and landscaping requirements, 4) allowing by right, a youth and family center on campus.

- The youth and family center provides social, recreational, referral or out-patient medical dental or optical treatment services to the students and parents at the high school. The youth and family center is an accessory use to the main campus. The maintenance facilities that are located on the northwest portion of the athletic field will be an accessory use and will be permitted by right.

Zoning History: There have not been any zoning cases in the area over the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
E. Overton Road.	Local	55 ft.	55 ft.
S. Marsalis Avenue	Local	80 ft.	80 ft.
Garza Avenue	Local	50 ft.	50 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 838, R-7.5(A)	School, Athletic field
North	R-7.5(A), MF-2(A), RR	Single Family, Undeveloped, Hospital
South	R-75(A)	Single Family
East	R-7.5(A)	Single Family
West	PDD No. 69	Multifamily

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 838 School & Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%	N/A	Single family, School, accessory youth and family center

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.

LAND USE

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

STAFF ANALYSIS:

Land Use Compatibility: The 23.365-acre campus is developed with a 3-story, 270,000 square foot high school and an athletic field. The applicant's request will allow for the expansion of the school that will include an increase in the square footage of the administration offices, cafeteria, a new gymnasium and student entry. In addition, the DISD is proposing to add a new driveway approach on South Marsalis Avenue to access additional parking in front of the school and bring the athletic track into the PD. The inclusion of the adjacent athletic field and maintenance facilities into PDD No. 838 is part of the expansion process. The maintenance facilities that are located on the northwest portion of the athletic field will be an accessory use and will be permitted by right.

The Dallas Independent School District (DISD) will add an approximate 73,410 square feet of floor area to the school and have designated an area on the southern portion of the campus to construct seven additional modular buildings within the designated area. The campus also have a youth and family center, which provides social, recreational, referral or out-patient medical dental or optical treatment services to the students and parents at the high school. The youth and family center is an accessory use to the main campus

In January 2011, the City Council approved Planned Development District No. 838 that limited the maximum floor area to 410,150 square feet. This amendment to PDD No. 838 will reduce the maximum floor area from 410,150 square feet to 360,000 square feet. The reduction in floor area will reflect more accurately the floor area the school requires with the expansion to the campus. In the event the school is razed and the site is redeveloped, the 360,000 square feet of floor area will accommodate the development of a new school.

The surrounding land uses are primarily residential. There is a hospital and a tract of undeveloped land that is located north of the request site, across East Overton Road.

Staff has reviewed and recommends approval of the applicant's request for a Planned Development District for a public school other than an open enrollment charter school. The proposed modifications to the campus should not adversely impact the surrounding area.

Landscaping: Landscaping will in accordance to the landscaping requirements in Article X, as amended.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

An updated Traffic Management Plan (TMP) was required in 2012 but was not submitted. However, the applicant submitted an updated TMP report for this application. The Engineering Division of the Sustainable Development and Construction Department has reviewed and supports the TMP. In addition, the Mobility and Street Services Department has no objections to the applicant's request. The applicant is required, as with all Traffic Management Plans, to submit a traffic study tot eh director each even-numbered year, to determine if the TMP is being implanted effectively.

Parking: The requirement for off-street parking for the school is derived by two criterions: 1) the number of classrooms and 2) the type of institution that serves the students (e.g., elementary, middle or high school). The Dallas Development Code requirement for off-street parking for a high school is:

- nine and one-half spaces for each high school classroom

The total number of proposed classrooms determines the number of required parking spaces. The high school currently has 60 classrooms. The number of required off-street parking spaces for the high school is 570 spaces and the applicant is proposing to provide 318 off-street parking spaces. The Engineering Division of Sustainable Development supports the reduction in the required off-parking because the high school has been in operation since the 1950s.

DISD will have to meet the parking requirements in accordance to Section 51A-4.200 of the Dallas Development Code for any future expansion.

Staff has reviewed and recommends approval of the proposed conditions. Typically, there is language in the Planned Development conditions that prohibits new schools from queuing within the City's right-of-way. However, since this is an existing high school, the Engineering staff supports maintaining the existing conditions. The applicant has provided staff with a TMP that reflects the current implementation of the administrations procedures in directing traffic during school hours.

Moreover, the applicant has requested to eliminate the provision in the conditions that states that any future expansion of the school must adhere to the off-street parking requirements. The applicant has provided supporting documentation to our engineers to support removing the language. The campus has sufficient amount of off-street parking spaces to meet the student and facility demands. Hence, the off-street parking requirement of 318 spaces will not change.

CPC Action (May 18, 2017)

Motion: In considering an application to expand and amend Planned Development District No. 838 for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District and Planned Development District No. 838, on the northwest corner of South Marsalis Avenue and Garza Avenue, it was moved to **hold** this case under advisement until June 22, 2017.

Maker: Davis
Second: Haney
Result: Carried: 11 to 0

For: 11 - Anglin, Rieves, Houston, Davis, Shidid, Haney, Mack, Jung, Housewright, Peadon, Ridley

Against: 0
Absent: 4 - Anantasomboon, Schultz, Murphy, Tarpley
Vacancy: 0

Notices: Area: 500 Mailed: 161
Replies: For: 3 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Charles Brant, 5459 Vanderbilt Ave., Dallas, TX, 75206
Against: Richard Sheridan, 3817 Vanette Ln., Dallas, TX, 75216
Maxie Johnson, 2021 Argyle Ave., Dallas, TX, 75203

CPC Action (June 22, 2017)

Motion: It was moved to recommend **approval** of expansion of and an amendment to Planned Development District No. 838 for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses, subject to a revised development/landscape plan, revised traffic management plan, and revised conditions to include the following modifications: 1) under Section 51P-838.112., TRAFFIC MANAGEMENT PLAN. (c) Parking Study. (1) to read: "(1) as part of the regular TPM update, a parking demand study must be provided to ensure that adequate parking is provided for the demand generated by the public school. (2) if the director determines that the current traffic management plan results in a parking shortfall, 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.", 2) under Section 51P-838.114. ADDITIONAL PROVISIONS. Subsection (c) to read: A public school other than open-enrollment charter school must provide sidewalk crossings and crossing guards at each intersection of driveways and sidewalks. (to ensure intent final language provided by the City Attorney's office prior to Council) and 3) under Section 51P-938.109. OFF STREET PARKING AND LOADING. (b) reinsert stricken language to read as follows: "Future expansion of the public school other than an open-enrollment charter school after January 26, 2011 must adhere to the off-street parking and loading requirements of Division 51A-4.200." on property zoned an R-7.5(A) Single Family District and Planned Development District No. 838, on the northwest corner of South Marsalis Avenue and Garza Avenue.

Maker: Davis
Second: Houston
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: 161
Replies: For: 6 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

LIST OF BOARD OF TRUSTEES
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PROPOSED CPC PDD CONDITIONS

SEC. 51P-838.101. LEGISLATIVE HISTORY.

PD 838 was established by Ordinance No. 28105, passed by the Dallas City Council on January 26, 2011.

SEC. 51P-838.102. PROPERTY LOCATION AND SIZE.

PD 838 is established on property located at the northwest corner of Garza Avenue and South Marsalis Avenue. The size of PD 838 is approximately [14.376] 23.365 acres.

SEC. 51P-838.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article ACCESSORY YOUTH AND FAMILY CENTER means a multi-functional facility sponsored or operated by a public school district as an accessory use to a school where a combination of social; recreational; welfare; health; rehabilitation; counselling; educational; referral; or out-patient medical, dental, or optical treatment services are provided to students and their family members.

(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 residential zoning district.

SEC. 51P-838.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 838A: development plan/landscape plan.

(2) Exhibit 838B: traffic management plan.

SEC. 51P-838.105. DEVELOPMENT PLAN.

(a) For a public school other than an open-enrollment charter school, development and use of the Property must comply with the development

plan/landscape plan (Exhibit 838A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other uses, 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. 51P-838.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this district; etc.

(b) The following main use is permitted by right:

-- Public school other than an open-enrollment charter school.
-- Utility or government installation other than listed *[Maximum floor area is limited to 9,500 square feet and height is limited to one story].*

SEC. 51P-838.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific 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 use is permitted by right:

-- Accessory youth and family center.

SEC. 51P-838.108. 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 Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

(b) Front yard.

(1) For a public school other than an open-enrollment charter school, minimum front yard is 20 feet.

(2) For a public school other than an open-enrollment charter school, off-street parking is permitted in the required front yard in accordance with Section 51P-838.109.

(c) Side and rear yard.

(1) For a public school other than an open-enrollment charter school, minimum side and rear yard is 20 feet.

(2) For all other uses, minimum side yard is 10 feet and minimum rear yard is 15 feet.

(d) Floor area. For a public school other than an open-enrollment charter school, maximum floor area is [~~401,150~~] 360,000 square feet.

(e) Height. If any portion of a structure used as an institutional and community service use or a utility and public service use is over 26 feet in height, that portion may not be located above a residential proximity slope. Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(f) Lot coverage. Maximum lot coverage is 30 percent for nonresidential structures. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. For a public school other than an open-enrollment charter school and a utility or government installation other than listed, no minimum lot size.

SEC. 51P-838.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For a public school other than an open-enrollment charter school, a minimum of 318 off-street parking and loading spaces must be provided as shown on the development plan. Future expansion of the public school other than an open-enrollment charter school after January 26, 2011 must adhere to the off-street parking and loading requirements of Division 51A-4.200.

(c) Utility or government installation other than listed. A minimum of 19 spaces must be provided as shown on the development plan.

SEC. 51P-838.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-838.111. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) For a public school other than an open-enrollment charter school, landscaping must be provided as shown on the development plan/landscape plan. If there is a conflict between the text of this article and the development plan/landscape plan, the text of this article controls.

(c) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-838.112. TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit 838B).

(b) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by March 1, [~~2012~~] 2020. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1 of each even-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at

different 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.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(c) Parking study.

(1) as part of the regular TMP update, a parking demand study must be provided to ensure that adequate parking is provided for the demand generated by this public school.

(2) if the director determines that the current traffic management plan results in a parking shortfall, 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.

[~~(c)~~](d) Future expansion. Before issuance of a building permit in the expansion area shown on the development plan, the Property owner or operator shall:

(1) submit additional data to the director showing the number of students who live within walking distance of the school, how many students actually walk to school, and how many students use public transportation; and

(2) submit an amended traffic management plan.

[~~(d)~~](e) 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) In order to amend a traffic management plan, the Property owner or operator must provide data showing the number of students who live within walking distance of the school, how many students actually walk to school, and how many students use public transportation.

(3) 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-838.113. SIGNS.

(a) Except as provided in this section, signs must comply with the provisions for non-business zoning districts in Article VII.

(b) A public school other than an open-enrollment charter school is allowed one detached sign with a maximum height of 25 feet and an effective area of 150 feet in the location shown on the development plan.

SEC. 51P-838.114. 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) Light standards for accessory athletic fields that exceed 15 feet in height must provide a minimum setback of 50 feet in addition to compliance with residential proximity slope. Maximum height of the light standards is 75 feet.

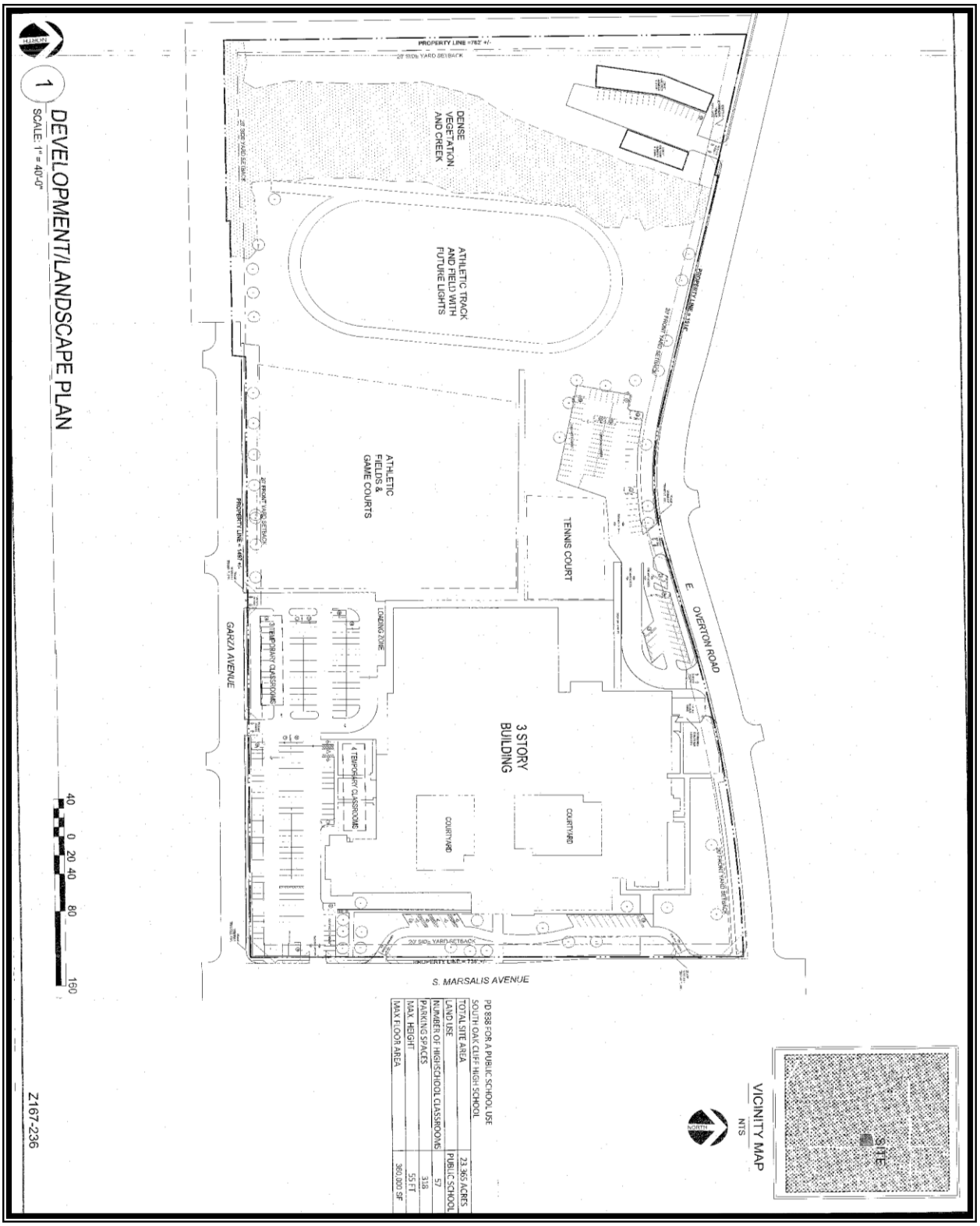
(d) A public school other than open-enrollment charter school must provide sidewalk crossings at each intersection of driveway and sidewalk.

SEC. 51P-838.115. COMPLIANCE WITH CONDITIONS.

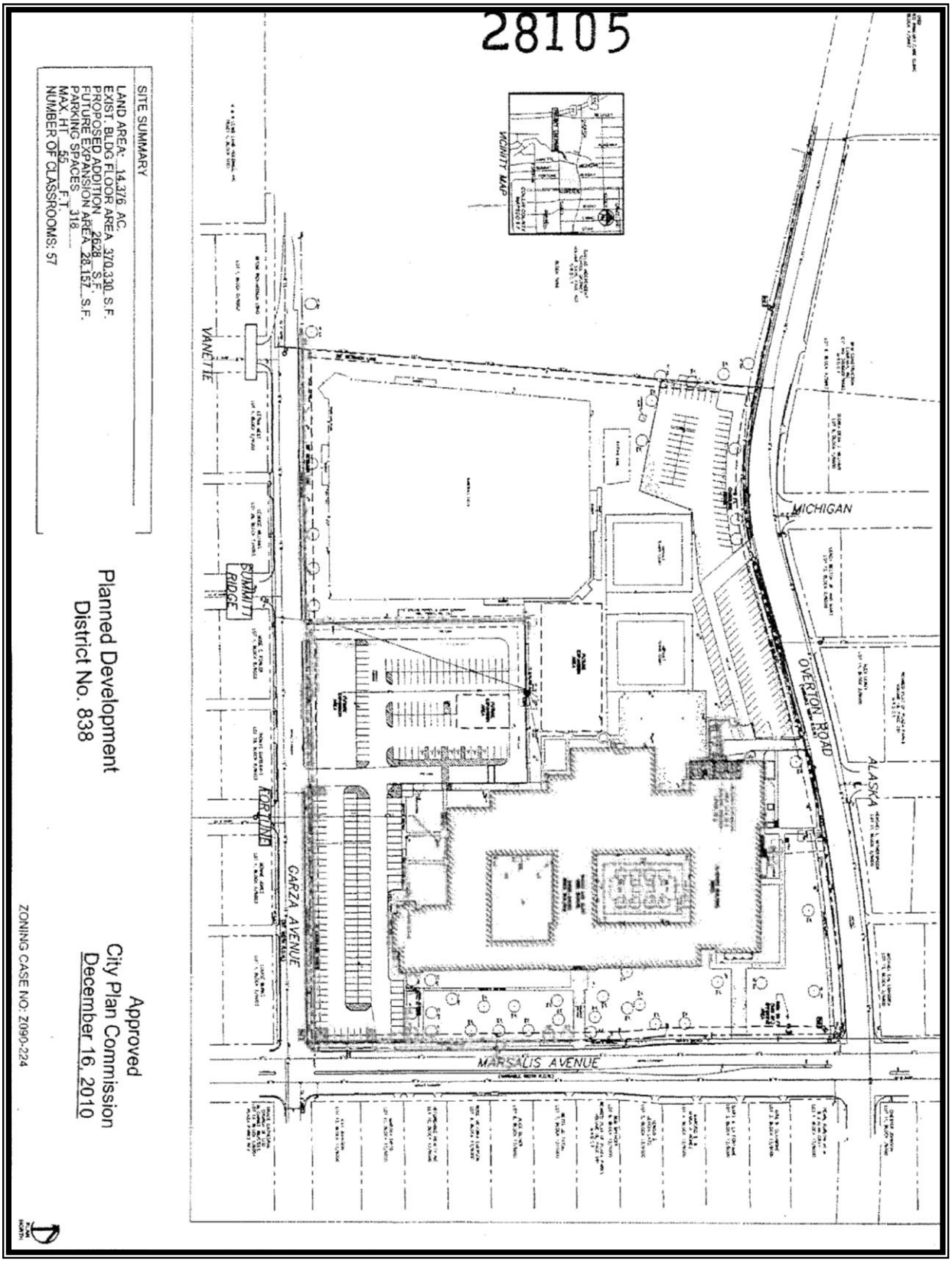
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

PROPOSED DEVELOPMENT/LANDSCAPE PLAN



EXISTING DEVELOPMENT PLAN



REVISED TRAFFIC MANAGEMENT PLAN
DISD South Oak Cliff High School
Dallas, Texas

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Exhibit 2. Recommendations/Proposed Conditions

INTRODUCTION

The services of **Pacheco Koch** (PK) were retained on behalf of **Dallas Independent School District (DISD)**, to prepare a Traffic Management Plan (TMP) for the *South Oak Cliff High School* (the "School") located at 3601 South Marsalis Avenue in Dallas, Texas. This TMP is site-specific and relates to the peak traffic activity associated with school traffic at the site.

DISD is seeking to amend the existing Planned Development District (PD No. 838) for the site from the City of Dallas (the "Approving Agency") to facilitate proposed site improvements. Submittal of a TMP, prepared by a registered professional engineer experienced and skilled in the field of traffic/transportation engineering, is one of the requirements of the Approving Agency's application process. This TMP was prepared by registered professional engineers employed by Pacheco Koch. Pacheco Koch is a licensed engineering firm based in Dallas, Texas, that provides professional services in traffic engineering, transportation planning, and other fields.

Project Description

The site currently consists of an existing public high school. Current enrollment is summarized below in Table 1. The School is not anticipating an increase enrollment as a result of the Project. School starts at 9:15 AM and ends at 4:15 PM.

Table 1. Current Enrollment

LEVEL	STUDENTS ENROLLED
9th Grade	425
10th Grade	341
11th Grade	285
12th Grade	248
CURRENT TOTAL	1,299

*Enrollment data provided by DISD.

Access to the campus is provided on Garza Avenue and Overton Road. Garza Avenue is a local street that terminates immediately west of the campus while Overton Road is a community collector. Both Garza Avenue and Overton Road intersect with South Marsalis Avenue (east of school), a six-lane, median-divided minor arterial. The intersection of South Marsalis Avenue and Overton Road is signalized. Land uses surrounding the site are predominately single-family residential with some multifamily uses in the vicinity.

A proposed site plan for the DISD South Oak Cliff High School, provided by Baldwin Associates, is attached at the end of this report.

TMP Objectives

A Traffic Management Plan (TMP) is a site- or area-specific plan of recommended actions and strategies to manage vehicular traffic and parking, pedestrian activity, and travel by all other modes during peak demand conditions for a planned event. The "Objectives" of a TMP are to:

1. Provide a safe environment for all Users on site and the travelling public in the vicinity of the site during the Event times;

2. Minimize (and maintain within reasonable levels) travel delays and traffic congestion on site and in the vicinity of the site during the Event;

3. Ensure reasonable access and circulation is maintained on the public street system in the vicinity of the site during the Event;

4. Provide appropriate information to the travelling public in the vicinity of the site to allow for proper awareness of anticipated traffic conditions during the Event; and,

5. Promote reasonable strategies to manage travel demand to and from the site, including use of alternative modes of travel (such as walk, bike, bus, transit, etc.), when practical.

DEFINITIONS:

Terms are used in this report:

"Event"– a planned event(s), recurring or non-recurring, for which this TMP is being prepared (i.e., "school day")

"School" (a.k.a., "Event Organizer") – the person, group, or organization responsible for the Event

"TMP Manager" – a person or persons designated by the School to implement the TMP (also see additional tasks in the *Expectations* section)

"Users" – guests/patrons attending the Event

"Analyst" – the person(s) preparing the TMP for the School

"Approving Agency" – the municipality or government agency requiring the Traffic Management Plan

"Traffic Department" – the department of the public agency responsible for traffic operations for a given right-of-way

"Site" – the property at which the Event is located (generally assumed to be occupied by the School)

"TMP Strategies" – actions recommended by the Analyst to be undertaken before, during, or after the Event in order to manage traffic on or off site

DISCLAIMERS:

A TMP should be developed by, or in concert with, an individual familiar with the general characteristics of the Event and the associated traffic/transportation needs. For this study, PK worked with School representatives to develop the proposed recommendations.

Recommended TMP Strategies should be based upon applicable engineering principles of traffic safety and traffic operations.

Any recommended TMP Strategies involving traffic control devices in the public right-of-way (including installation or removal of signs, pavement markings, etc.) are subject to the approval of, and must be implemented under direction of, the Traffic Department.
No private individual should perform, or attempt to perform, any act of traffic control within public right-of-way; only deputized officers of the law or other authorized representatives of the Traffic Department may manipulate traffic conditions within the public right-of-way.

Pacheco Koch was not involved with site selection, site design, or the current operations for this project. Pacheco Koch is not responsible for the *implementation* of the recommended TMP Strategies contained in this study.

Methodology

When feasible, the Analyst should conduct first-hand observations of existing event to develop an understanding of site-specific traffic/transportation characteristics, such as: drop-off/pick-up frequency, parking needs, alternative travel mode use, safety issues, queuing, traffic congestion, site access, current traffic management strategies in use, etc. When it is not feasible to conduct such observations, interviews with staff or personnel familiar with those items is desirable. When neither option is available, the Analyst may be required to rely upon published information and/or professional judgment and experience.

Once the base information is assembled, the Analyst should estimate the projected traffic/transportation characteristics generated by the proposed Event. Next, the Analyst should inventory the attributes and resources of the subject site and determine how the site can best accommodate those projected conditions. Based upon that assessment, the recommended TMP Strategies shall be developed to optimally achieve the basic TMP Objectives. The recommended TMP Strategies should be reviewed by the School (ideally, the TMP Manager) for refinement and approval before formal submittal to the Approving Agency.

Expectations

NOTE TO SCHOOL*: By submittal of a TMP to the Approving Agency, the School is implicitly agreeing to implement, maintain, and comply with the recommended actions presented herein subject to acceptance by Approving Agency and any associated conditions Approving Agency may impose. It is also inferred that the School agrees to be self-accountable for these actions until and unless Approving Agency deems further measures are appropriate or the TMP is no longer required.*

Recommended TMP Strategies may include one-time measures to be implemented before the Event and/or ongoing actions to be performed before, during, or after the Event. Recommended TMP Strategies involving on-site measures or actions are generally considered to be the responsibility of the School.

To ensure appropriate compliance and consistent implementation of the TMP, it is recommended that the School appoint a TMP "Manager". In general, a Manager should be a qualified and capable individual or group of individuals assigned to take responsibility of the TMP and be accountable for successful implementation in order to achieve the Objectives described earlier (see "*School starts* at 9:15 AM and ends at 4:15 PM.

Table 1. Current Enrollment

LEVEL	STUDENTS ENROLLED
9th Grade	425
10th Grade	341
11th Grade	285
12th Grade	248
CURRENT TOTAL	1,299

*Enrollment data provided by DISD.

Access to the campus is provided on Garza Avenue and Overton Road. Garza Avenue is a local street that terminates immediately west of the campus while Overton Road is a community collector. Both Garza Avenue and Overton Road intersect with South Marsalis Avenue (east of school), a six-lane, median-divided minor arterial. The intersection of South Marsalis Avenue and Overton Road is signalized. Land uses surrounding the site are predominately single-family residential with some multifamily uses in the vicinity.

A proposed site plan for the DISD South Oak Cliff High School, provided by Baldwin Associates, is attached at the end of this report.

"). Other specific duties of the Manager include:

- Monitor effectiveness of TMP strategies and make prudent adjustments, as needed, to more effectively accomplish the TMP Objectives
- Maintain an awareness of readily-available alternative transportation modes serving the site and facilitate and promote their use during the Event when practical
- Serve as a liaison to the Approving Agency(-ies), when needed
- When applicable, provide training and direction to other personnel assigned to implement the TMP measures
- Provide instruction to Users on how to comply with the intent of the TMP

Recommended TMP Strategies were developed specifically for the period(s) of peak traffic demand and are depicted in the respective exhibits. For periods of less intense traffic demand, recommended TMP Strategies may be utilized, in part or in whole, as needed to realize the TMP Objectives.

Changes to TMP

Informal changes to any recommended TMP Strategies presented herein to improve efficiency or effectiveness may be implemented at the discretion of the School if those changes are prudent and do not compromise the TMP Objectives. It is recommended that changes implemented under such circumstances be documented and retained by the School for future reference or upon request. At the discretion of the Approving Agency, submittal of a formally revised TMP report/document or a validation study may be required on a predetermined or as-needed basis.

Traffic Management Plan

NOTE: *Recommended TMP Strategies contained herein are based upon the best data, site-specific information, and analytical processes readily available at the time of the study. However, specific quantities related to traffic congestion at peak periods (e.g., duration, length of queue, etc.) are estimated values. Actual quantities may vary due to unknown or unquantifiable variables and other operational factors that may occur. In the event that actual, future conditions generate undue burden on Users and/or the travelling public, modifications to the TMP should be considered. (See preceding NOTE for guidance on implementing changes to the TMP.) However, in extreme conditions, TMP actions may not be capable of mitigating all traffic conditions, and it may be incumbent on the School to consider operational, institutional, or other long-term changes to address issues on a more permanent basis.*

A graphical summary of existing conditions is depicted in **Exhibit 1**; graphical summaries of recommendations and proposed conditions are depicted in **Exhibit 2**.

A summary of specific recommendations is provided below:

1. Enforce existing, on-street parking restrictions in residential areas (not fronting school property) and on thoroughfares during school traffic periods. [Intent: to minimize impact to neighborhood.] (Add new restricted parking zone illustrated in **Exhibit 2.**)

2. Allow short-term, on-street parking along school frontages on local streets during school traffic periods (i.e., adjust existing restrictions).

3. Allocate parking area for parent waiting/loading. [Intent: To provide an off-street location for parents to stand/park during afternoon pick-up period in lieu of standing/parking in front of residences or on thoroughfares.]

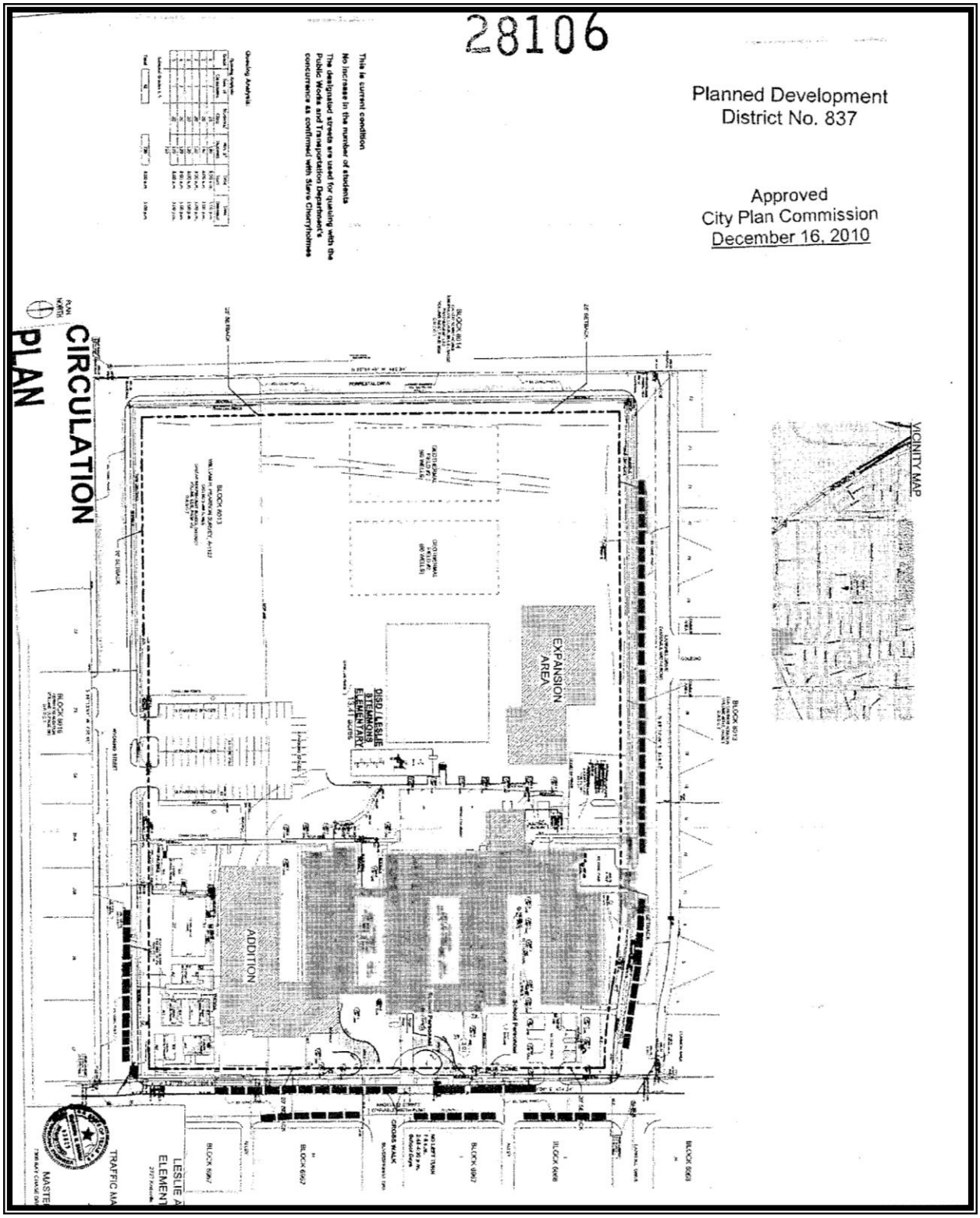
4. Assign all student parking to designated lot.

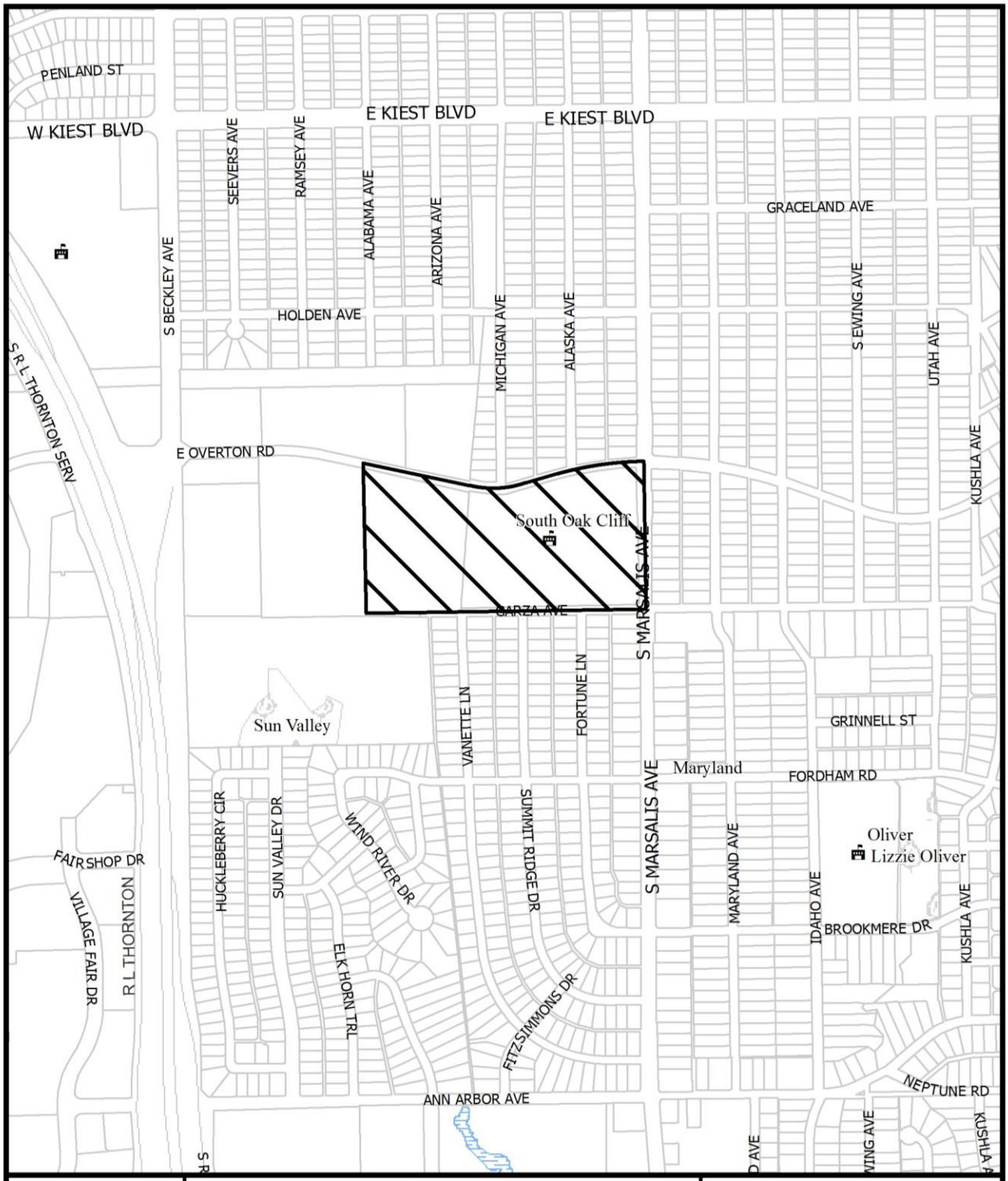
5. Relocate all school bus loading to new school bus loading areas.

END OF MEMO

Traffic Management Plan
Proposed Circulation plan

Existing Traffic Management Plan
Circulation plan





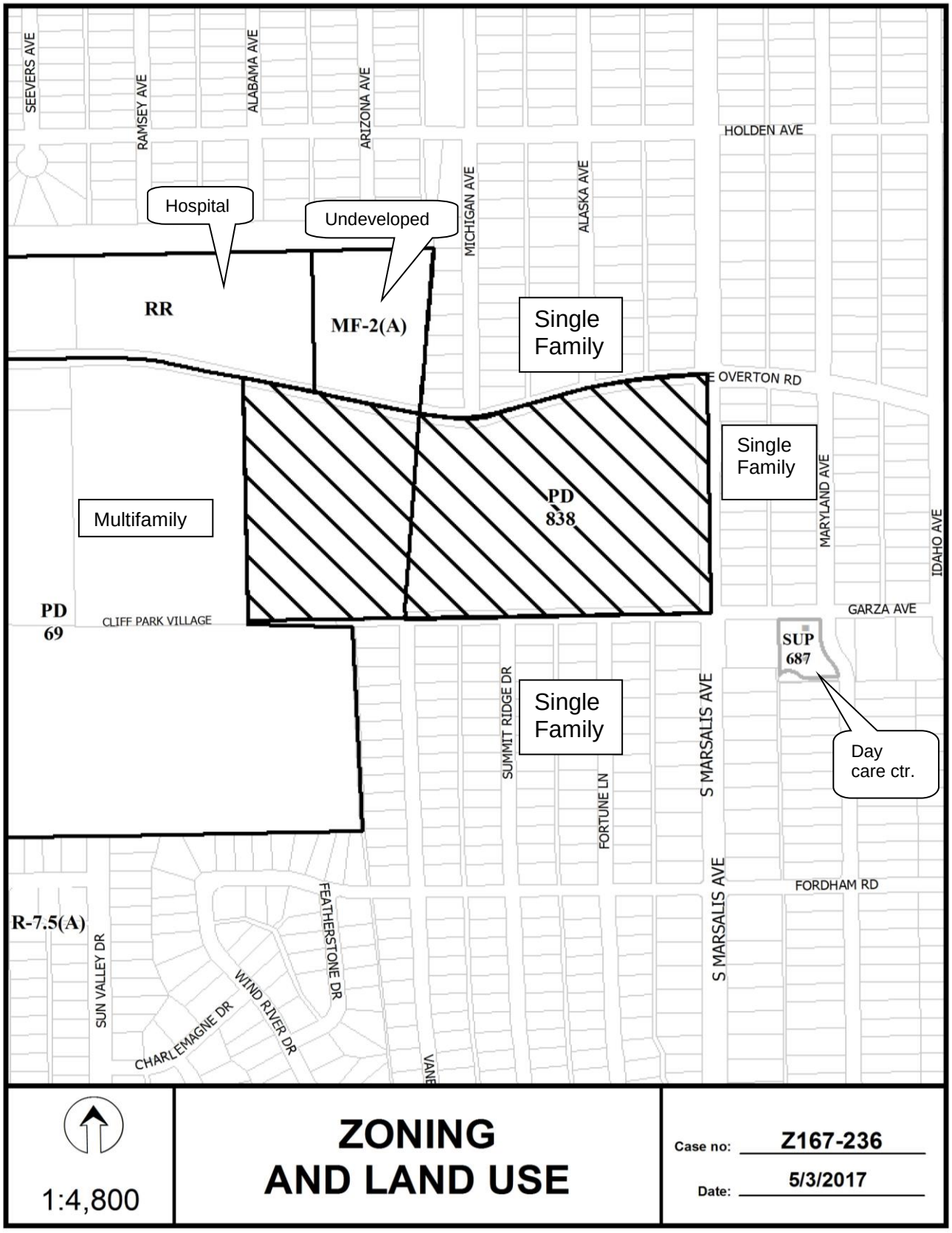
1:8,400

VICINITY MAP

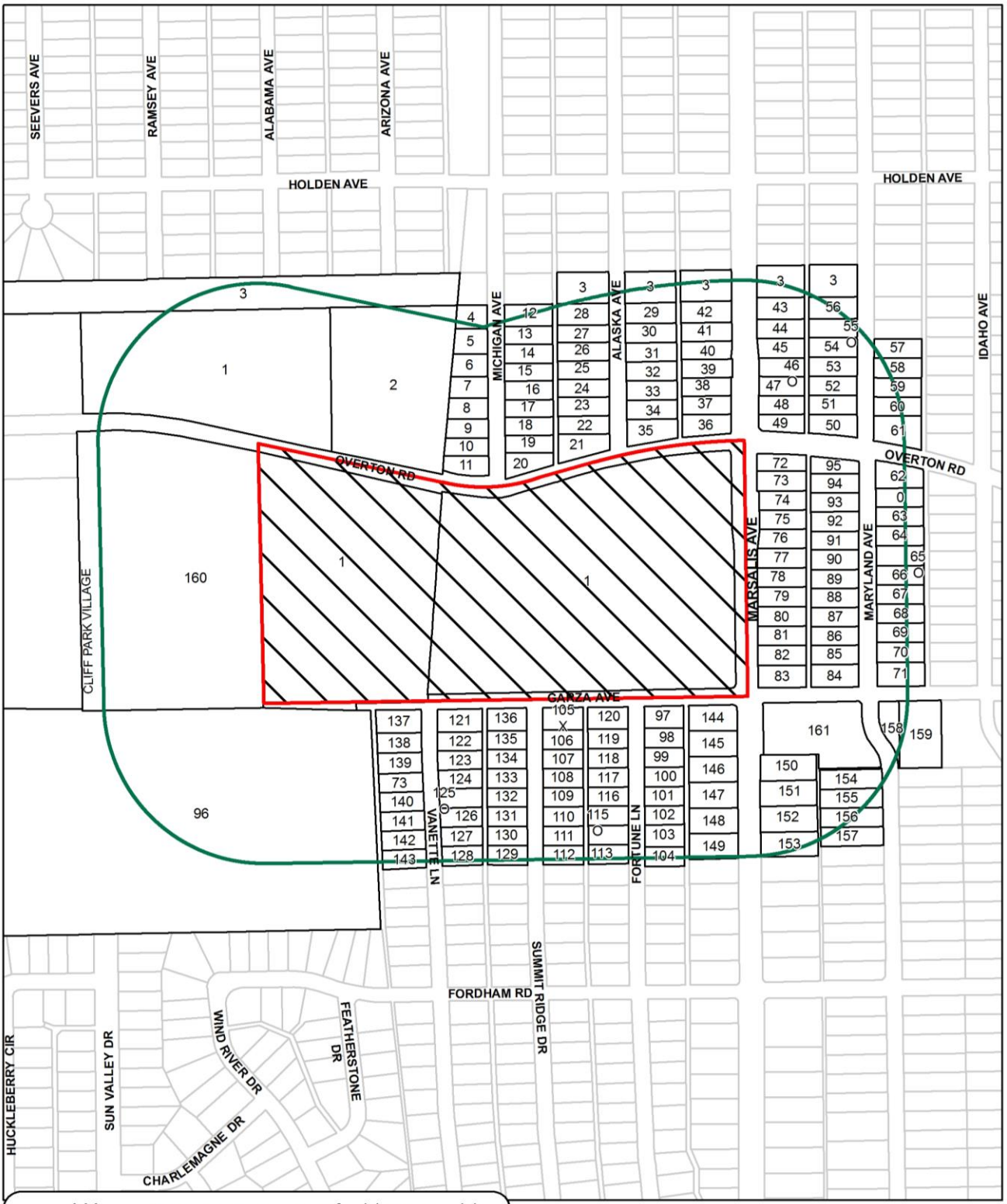
Case no: Z167-236

Date: 5/3/2017


SEEVERS AVE
RAMSEY AVE
ALABAMA AVE
ARIZONA AVE
MICHIGAN AVE
ALASKA AVE
HOLDEN AVE
E OVERTON RD
MARYLAND AVE
IDAHO AVE
CLIFF PARK VILLAGE
GARZA AVE
SUMMIT RIDGE DR
FORTUNE LN
S MARSALIS AVE
S MARSALIS AVE
FORDHAM RD
FEATHERSTONE DR
SUN VALLEY DR
CHARLEMAGNE DR
WIND RIVER DR
1:4,800
AERIAL MAP
Case no: Z167-236
Date: 5/3/2017


SEEVERS AVE
RAMSEY AVE
ALABAMA AVE
ARIZONA AVE
MICHIGAN AVE
ALASKA AVE
HOLDEN AVE
Hospital
Undeveloped
RR
MF-2(A)
Single Family
E OVERTON RD
Single Family
PD 838
MARYLAND AVE
IDAHO AVE
Multifamily
PD 69
CLIFF PARK VILLAGE
GARZA AVE
SUP 687
Single Family
SUMMIT RIDGE DR
FORTUNE LN
S MARSALIS AVE
Day care ctr.
FORDHAM RD
R-7.5(A)
SUN VALLEY DR
FEATHERSTONE DR
WIND RIVER DR
CHARLEMAGNE DR
1:4,800
ZONING AND LAND USE
Case no: Z167-236
Date: 5/3/2017

CPC RESPONSES



161	Property Owners Notified (170 parcels)
6	Replies in Favor (6 parcels)
1	Replies in Opposition (1 parcels)
500'	Area of Notification
6/22/2017	Date

Z167-236

CPC

N W E S

1:4,800

Notification List of Property Owners

Z167-236

161 Property Owners Notified ***6 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	200	E OVERTON RD	Dallas ISD
	2	405	E OVERTON RD	THE TURNER CORPORATION
	3	3502	S BECKLEY AVE	TEXAS UTILITIES ELEC CO
	4	3431	MICHIGAN AVE	HINTON ORR
	5	3503	MICHIGAN AVE	WILLIAMS OSCAR L
	6	3511	MICHIGAN AVE	LOVE ONDRECE
	7	3515	MICHIGAN AVE	HERNANDEZ ALEJANDRO &
	8	3521	MICHIGAN AVE	HENDERSON ELAINE
	9	3527	MICHIGAN AVE	JACKSON ELIZABETH
	10	3531	MICHIGAN AVE	SANCHEZ GABRIEL &
	11	3535	MICHIGAN AVE	WILLIAMS GLORIA DEAN J
	12	3430	MICHIGAN AVE	SPILLER BOBBY L EST OF
	13	3502	MICHIGAN AVE	TREJO RAFAEL & DONACIANA
	14	3506	MICHIGAN AVE	ALLEN ARLEAN LOUIS WALKER
	15	3510	MICHIGAN AVE	COBBGARRETT SHARON
	16	3516	MICHIGAN AVE	LINWOOD ROSCOE
	17	3520	MICHIGAN AVE	MORENO IRENE
	18	3526	MICHIGAN AVE	LEWIS MARGARET A
	19	3530	MICHIGAN AVE	HERNANDEZ RODRIGO LOPEZ &
	20	3534	MICHIGAN AVE	BELTON LEROY JR
	21	3531	ALASKA AVE	ALEX LEROY EST OF
	22	3527	ALASKA AVE	COLEMAN LILLIE MAE ESTATE OF
	23	3521	ALASKA AVE	BONEY KIM E WOODROFFE &
	24	3517	ALASKA AVE	JOHNSON JOE T
	25	3511	ALASKA AVE	VILLEGAS ELOY
	26	3507	ALASKA AVE	JACKSON JAMES V EST OF

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	27	3503	ALASKA AVE	JOHNSON CHARLES & GLORIA
	28	3431	ALASKA AVE	WILLIAMS MARY E
	29	3430	ALASKA AVE	CLEVE ONE LLC
	30	3502	ALASKA AVE	LARK JEROLINE
	31	3506	ALASKA AVE	WILMINGTON SAVINGS FUND SOCIETY FSB
	32	3510	ALASKA AVE	GILBERT ROSA
	33	3516	ALASKA AVE	PROCTOR MAE D
	34	3520	ALASKA AVE	DUNN BILLIE JO
	35	3526	ALASKA AVE	WITHERSPOON RUTH
	36	3525	S MARSALIS AVE	LONGORIA MICHAEL & ANITA F
	37	3521	S MARSALIS AVE	GABRIEL PATRICIA A
	38	3517	S MARSALIS AVE	COLEMAN LLOYD
	39	3511	S MARSALIS AVE	CHILDRESS BENJAMIN
	40	3507	S MARSALIS AVE	SUMMERVILLE FORREST T
	41	3503	S MARSALIS AVE	SANCHEZ GABRIEL &
	42	3431	S MARSALIS AVE	GREEN JACQUELYNE R
	43	3430	S MARSALIS AVE	JEFFERSON PLACE LEARNING
	44	3502	S MARSALIS AVE	YARBOUGH MARGIE
	45	3508	S MARSALIS AVE	ATCHISON ARTHUR
O	46	3512	S MARSALIS AVE	TURNER FLOY D & FLORIDA
	47	3518	S MARSALIS AVE	ZARCO J GUADELUPE & HORTENSIA HERNANDEZ
	48	3522	S MARSALIS AVE	ZARCO GUADALUPE
	49	3526	S MARSALIS AVE	ZARCO GUADALUPE
	50	3527	MARYLAND AVE	CLAYBORNE OTIS
	51	3523	MARYLAND AVE	DICKSON WILLIAM C EST OF
	52	3519	MARYLAND AVE	COLLINS CAMON REV SR &
	53	3513	MARYLAND AVE	MCLEAN RUBY F
	54	3509	MARYLAND AVE	JAMESON LORI
O	55	3503	MARYLAND AVE	MCNEALY JEPTHA
	56	3431	MARYLAND AVE	GOINS LANA
	57	3508	MARYLAND AVE	VASQUEZ OMAR

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	58	3512	MARYLAND AVE	NEAL BARBARA
	59	3518	MARYLAND AVE	GARRETT KARL W ETAL
	60	3522	MARYLAND AVE	JACKSON WILLIE LEE
	61	3526	MARYLAND AVE	REYES JOSE
	62	3602	MARYLAND AVE	GREGORY GEORGE W JR
	63	3618	MARYLAND AVE	BELL LONNIE & CARRIE
	64	3622	MARYLAND AVE	ALEXANDER JOHN P
O	65	3626	MARYLAND AVE	CALDERON DUNIA
	66	3632	MARYLAND AVE	MARTINEZ CANDIDO &
	67	3636	MARYLAND AVE	JONES HESTER M
	68	3642	MARYLAND AVE	HALL KATIE MAE
	69	3646	MARYLAND AVE	SPRUELL RAYMOND
	70	3650	MARYLAND AVE	DRAKE HAROLD S
	71	3654	MARYLAND AVE	MORRISON WALTER R
	72	3602	S MARSALIS AVE	RODRIGUEZ JUAN & YANEZRODRIGUEZ LUIS
	73	3608	S MARSALIS AVE	CLAYBORNE OTIS B
	74	3614	S MARSALIS AVE	LA FONTAINE MARY A
	75	3618	S MARSALIS AVE	NUNEZ NARCISO S &
	76	3622	S MARSALIS AVE	LAZO ARTURO CESAR
	77	3626	S MARSALIS AVE	SPENCER BOB
	78	3632	S MARSALIS AVE	TATUM BETTY JO
	79	3636	S MARSALIS AVE	ARRONA J JESUS & JUANA
	80	3642	S MARSALIS AVE	ROSE VICTORIA EMERSON
	81	3646	S MARSALIS AVE	HOWARD SHIRLEY M
	82	3650	S MARSALIS AVE	CAUDILLO ADAN
	83	3654	S MARSALIS AVE	JOHNSON KAY
	84	3655	MARYLAND AVE	WYRICK ERNEST D
	85	3651	MARYLAND AVE	PIPKINS BLANCHARD
	86	3647	MARYLAND AVE	KELLY ETHEL DAVIS
	87	3643	MARYLAND AVE	NUNO PRUDENCIO L
	88	3637	MARYLAND AVE	NOBLES WILMA M LIFE ESTATE

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	89	3633	MARYLAND AVE	SIMPSON MARY J
	90	3627	MARYLAND AVE	RANDEL ARLANDRA &
	91	3623	MARYLAND AVE	REDMON DEMETRIA LATARA
	92	3619	MARYLAND AVE	HOOPER TERRI
	93	3615	MARYLAND AVE	MOORE WILLIE T
	94	3609	MARYLAND AVE	CURTIS JOHNIE M
	95	3603	MARYLAND AVE	MCGRIFF HARVEST D JR EST OF
	96	3900	S R L THORNTON FWY	M & R LEWIS LAND HOLDINGS
	97	3804	FORTUNE LN	JONES BENNIE C
	98	3810	FORTUNE LN	AUBREY RODERICK B &
	99	3816	FORTUNE LN	COLEMAN SANDRA
	100	3820	FORTUNE LN	EDWARDS DOROTHY
	101	3824	FORTUNE LN	ROBINSON EVENT JR
	102	3830	FORTUNE LN	MCKINNEY MINERVA GARZA &
	103	3834	FORTUNE LN	LISTER RUTHENE EST OF
	104	3838	FORTUNE LN	OK REAL ESTATE SOLUTIONS
X	105	3804	SUMMIT RIDGE DR	FOWLER LOUSIA L
	106	3810	SUMMIT RIDGE DR	JONES ROY L JR
	107	3816	SUMMIT RIDGE DR	ROGERS CELESTINE
	108	3820	SUMMIT RIDGE DR	SAMUELS INEZ M
	109	3824	SUMMIT RIDGE DR	MURPHY WILLIE J TRUSTEE &
	110	3830	SUMMIT RIDGE DR	WILLIAMS WILLIE
	111	3834	SUMMIT RIDGE DR	REYES LOURDES G &
	112	3902	SUMMIT RIDGE DR	SMITH ARTILDA LIFE ESTATE
	113	3839	FORTUNE LN	CHAPPLE LOUIS
O	114	3835	FORTUNE LN	COX FADELL
O	115	3831	FORTUNE LN	POLK BERTHA M
	116	3825	FORTUNE LN	SMITH MARGARET JEAN
	117	3821	FORTUNE LN	MACEDO MARTINEZ FRANCISCO JAVIER
	118	3817	FORTUNE LN	SIMMS DEBRA &
	119	3811	FORTUNE LN	JACKSON WILLIE L

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	120	3805	FORTUNE LN	GOODJOINT THOMAS
	121	3804	VANETTE LN	WEST LETHA
	122	3810	VANETTE LN	DIADEM INVESTMENTS LLC
	123	3816	VANETTE LN	MCDONALD MYRTLE JEAN EST
	124	3820	VANETTE LN	GREEN BRIDGETTE
O	125	3824	VANETTE LN	LANGKOP REALTY #3 LLC
	126	3830	VANETTE LN	EDWARDS MANCE D
	127	3834	VANETTE LN	POSADALEON J RAQUEL &
	128	3902	VANETTE LN	MARTINEZ PAOLA
	129	3903	SUMMIT RIDGE DR	COLE CURTIS ONEAL
	130	3835	SUMMIT RIDGE DR	STANLEY LINDY
	131	3831	SUMMIT RIDGE DR	LOVELACE LESLIE & JUARINE
	132	3825	SUMMIT RIDGE DR	MORGAN KEITH
	133	3821	SUMMIT RIDGE DR	BROWN LARRY & ZENOBIA
	134	3817	SUMMIT RIDGE DR	LUCKEY BOBBIE JEAN
	135	3811	SUMMIT RIDGE DR	BONNER MARGIE FAYE
	136	3805	SUMMIT RIDGE DR	WILLIAMS LENOISE EST OF
	137	3805	VANETTE LN	LONG BESSIE RICHARDSON
	138	3811	VANETTE LN	ROLEN BOBBIE L
	139	3817	VANETTE LN	SMITH STEVEN B
	140	3825	VANETTE LN	WILLIAMS WILLIE
	141	3831	VANETTE LN	COUNCIL SHIRLEY A
	142	3835	VANETTE LN	MITCHELL JAMES E
	143	3903	VANETTE LN	SMITH JENNIFER YVONNE L
	144	3705	S MARSALIS AVE	PARKER WILLIE
	145	3711	S MARSALIS AVE	WILLIAMS DORA M
	146	3717	S MARSALIS AVE	ALVARADO OCTAVIO R
	147	3803	S MARSALIS AVE	VASQUEZ FERNANDO
	148	3811	S MARSALIS AVE	MARTINEZ JUAN FRANCISCO &
	149	3817	S MARSALIS AVE	JONES MAXINE
	150	3714	S MARSALIS AVE	JACKSON FRED

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	151	3802	S MARSALIS AVE	ESTRADA FRANCISCO
	152	3810	S MARSALIS AVE	WAITES MAE DELL
	153	3816	S MARSALIS AVE	LANGLEY KATHERINE
	154	3803	MARYLAND AVE	JONES DOROTHY A
	155	3809	MARYLAND AVE	SUNRISE BAPTIST CHURCH TR
	156	3813	MARYLAND AVE	MOORE REGINALD
	157	3817	MARYLAND AVE	TOWNSIE LISA
	158	802	GARZA AVE	SUNRISE MISSIONARY
	159	814	GARZA AVE	MACADAMS LINDA GILL
	160	220	E OVERTON RD	220 OVERTON APTS DALLAS LLC
	161	700	GARZA AVE	GREATER UNITED CHRISTIANS MISSIONARY

AGENDA ITEM # 72

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 48 S; W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1863 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north side of Scyene Road, west of North Jim Miller Road

Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and staff's recommended conditions

Recommendation of CPC: Approval for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a revised site plan and conditions

Z167-247(OTH)

HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-247(OTH) **DATE FILED:** March 17, 2017

LOCATION: North side of Scyene Road, west of North Jim Miller Road

COUNCIL DISTRICT: 5 **MAPSCO:** 48-S, W

SIZE OF REQUEST: Approx. 2.51 acres **CENSUS TRACT:** 84.00

APPLICANT/OWNER: George M. Reeves III, LTD

REPRESENTATIVE: Santos Martinez, Masterplan

REQUEST: An application to renew Specific Use Permit No. 1863 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue to sell alcohol for off-premise consumption in conjunction with the existing general merchandise of food store [Vecta Food Store].

CPC RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a revised 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 revised site plan and staff's recommended conditions.

BACKGROUND:

- The site is zoned a CR Community Retail District with a D-1 Liquor Control Overlay and is developed with a multi-tenant building, which includes an approximately 2,502 square foot general merchandise or food store and a motor vehicle fueling station. Other uses on the request site include retail, personal service, and a vehicle or engine repair or maintenance use.

- The SUP was originally approved on August 24, 2011 for a period of two years. The City Council renewed the SUP on October 8, 2013 for a two-year period.

- On April 13, 2016, City Council renewed the SUP for one year period.

- The applicant submitted an application to renew the SUP in March 2017 – one month prior to the expiration date.

Zoning History: There has been one recent zoning request in the area within the last five years.

1. Z156-346 On January 25, 2017, the City Council approved an SUP for an electrical substation, on property zoned an R-7.5(A) Single Family District on the southeast corner of North Jim Miller Road and Scyene Road

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Scyene Road	Principle Arterial	100 ft.
N. Jim Miller Road	Minor Arterial	100 ft.

Traffic:

The Engineering Division of the Department of Sustainable Development and Construction reviewed the request and determined that it will not impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

Goal 1.1 Align land use strategies with economic development priorities.

> **Policy 1.1.15** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.
>
> > **Implementation measure 1.1.5.3** Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

Surrounding Land Uses:

	Zoning	**Land Use**
Site	CR-D-1 SUP No. 1863	Shopping strip existing sell of alcohol
North	R-7.5(A)	Single family
East	CR-D-1	Retail
South	R-7.5(A)	Undeveloped and single family
West	RR-D	Bus terminal

Land Use Compatibility:

The site is zoned a CR Community Retail District with a D-1 Liquor Control Overlay and is developed with a multi-tenant building, which includes an approximately 2,502 square foot general merchandise or food store and a motor vehicle fueling station. Other uses on the request site include retail, personal service, and a vehicle or engine repair or maintenance use. The applicant is proposing to continue to sell alcohol for off-premise consumption in conjunction with the general merchandise or food store on the property, which requires a Specific Use Permit.

The adjacent uses consist primarily of retail and general merchandise stores, and single family to the north and east; and single family and an electric substation to the south; bus terminal to the west.

The existing general merchandise or food store complies with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores is to protect the health, safety, and welfare of the citizens of the City of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request is compatible with the surrounding land uses. The scale of the development is consistent with the size of the surrounding buildings. According to the Police Department, the applicant complies with the requirements for the convenience store. In addition, conditions and time periods for the use provide opportunity for continued evaluation of the site. The short time period will also require that the request be reevaluated to ensure the use is compatible in this location and that all conditions are being met.

Development Standards:

DISTRICT	SETBACKS Front	Side/Rear	Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
Existing							
CR-D-1 Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area and two parking spaces for the motor vehicle fueling station. The proposed use requires 15 spaces for the proposed use. Parking must be provided as shown on the site plan.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed on the site.

Fence:

According to the applicant's representative, the applicant and the community requested to remove the fence requirement from the SUP conditions; however, the Code requires that all off-street parking be screened if adjacent to a residential district.

An SUP must comply with Code requirements. In this case, the fence must be in place. The applicant's argument is that the applicant is not building any additional floor area or making any additions to the existing structure. However, the site plan shows parking along the alley adjacent to single family and the loading and unloading areas are at the back of the building facing the single family district to the north of the property. Removing the condition from the SUP would not remove the requirement for the screening.

Sec. 51A-4-301(f)

Screening provisions for off-street parking.

(1) The owner of off-street parking must provide screening to separate the parking area from:

(A) a contiguous residential use or vacant lot if either is in an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district and the parking area serves a nonresidential use; or

(B) a contiguous single family or duplex use or a vacant lot if any of these are in an R, R(A), D, D(A), TH, TH(A), or CH district and the parking area serves a multifamily use.

Site Plan:

The applicant is providing a revised site plan that clearly shows the location of the SUP area and the adjacent suites. The proposed site plan complies with Code requirements.

Police Report:

Staff obtained reported offenses for the most recent SUP period.

From April 13, 2016 to April 24, 2017

Date	Premise	Offense
5/12/2015	Convenience Store	Criminal Trespass
5/14/2015	Gas or Service Station	Agg assault - NFV
5/14/2015	Gas or Service Station	Forge & Counterfeit
9/17/2016	Convenience Store	Miscellaneous
11/3/2016	Parking Lot (All Others)	Assault
4/24/2017	Convenience Store	Miscellaneous

OFFICERS

George M. Reeves III, LTD
List of Officers

George M. Reeves	President/Treasurer
George M. Reeves, III	Vice President/Secretary

CPC Action:
June 22, 2017

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1863 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a revised site plan and staff's recommended conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north side of Scyene Road, west of North Jim Miller Road.

Maker: Shidid
Second: Schultz
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

Notices: Area: 400 Mailed: 78
Replies: For: 1 Against: 1

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202

CPC Recommended SUP Conditions
Z167-247(OTH)

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store 3,500 square feet or less.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC Recommendation:

3. TIME LIMIT: ~~This specific use permit automatically terminates on April 13, 2017~~. This specific use permit expires on _____ (two ~~three~~ years), but is eligible for automatic renewal for additional two-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.)

Staff recommendation:

3. TIME LIMIT: ~~This specific use permit automatically terminates on April 13, 2017~~. This specific use permit expires on _____ (two ~~three~~ years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

CPC Recommendation:

4. SCREENING: A minimum six-foot solid screening fence must be maintained along the northern boundary of the Property.

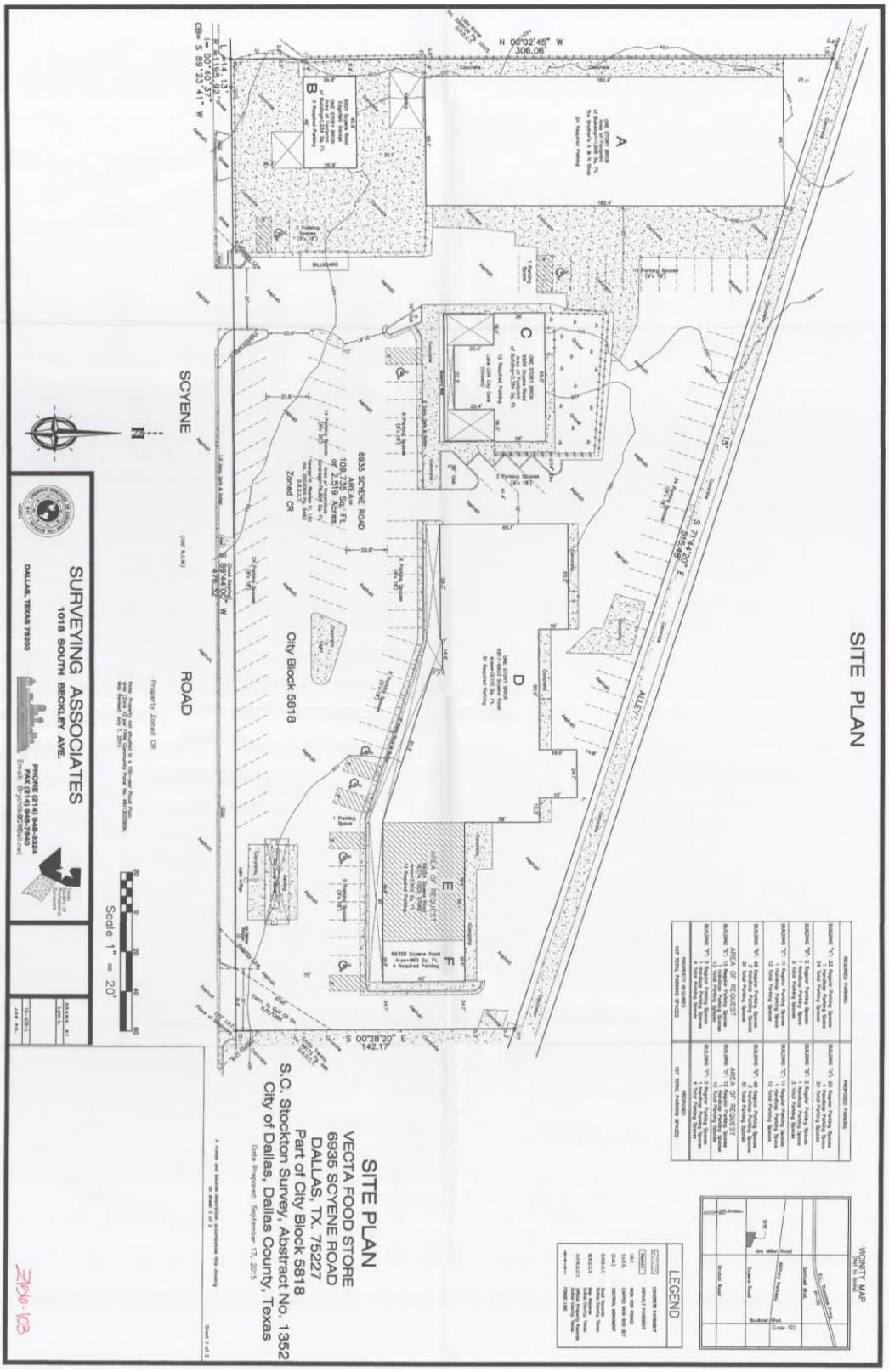
Applicant's Request:

~~4. SCREENING: A minimum six-foot solid screening fence must be maintained along the northern boundary of the Property.~~

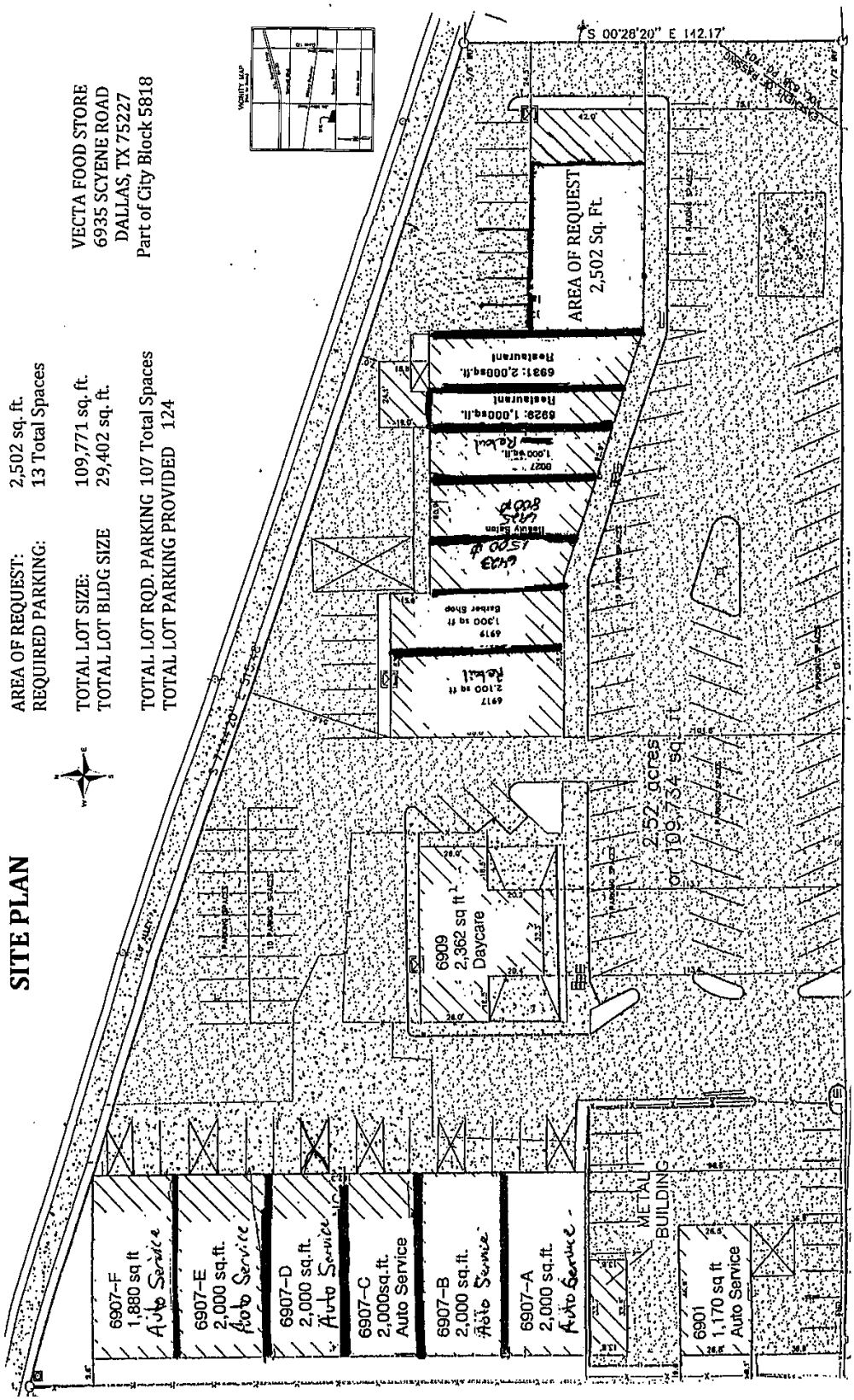
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

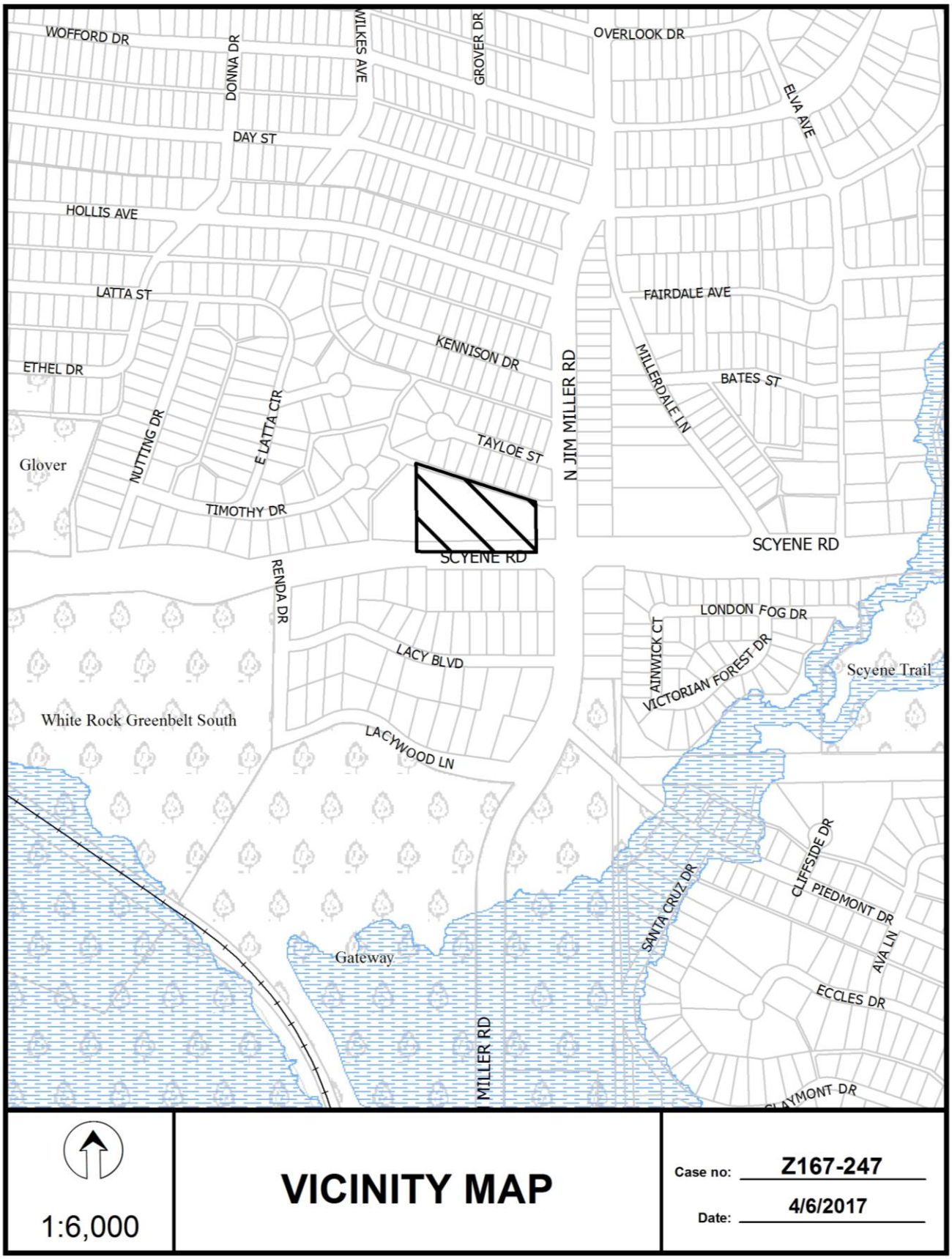
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



EXISTING SITE PLAN





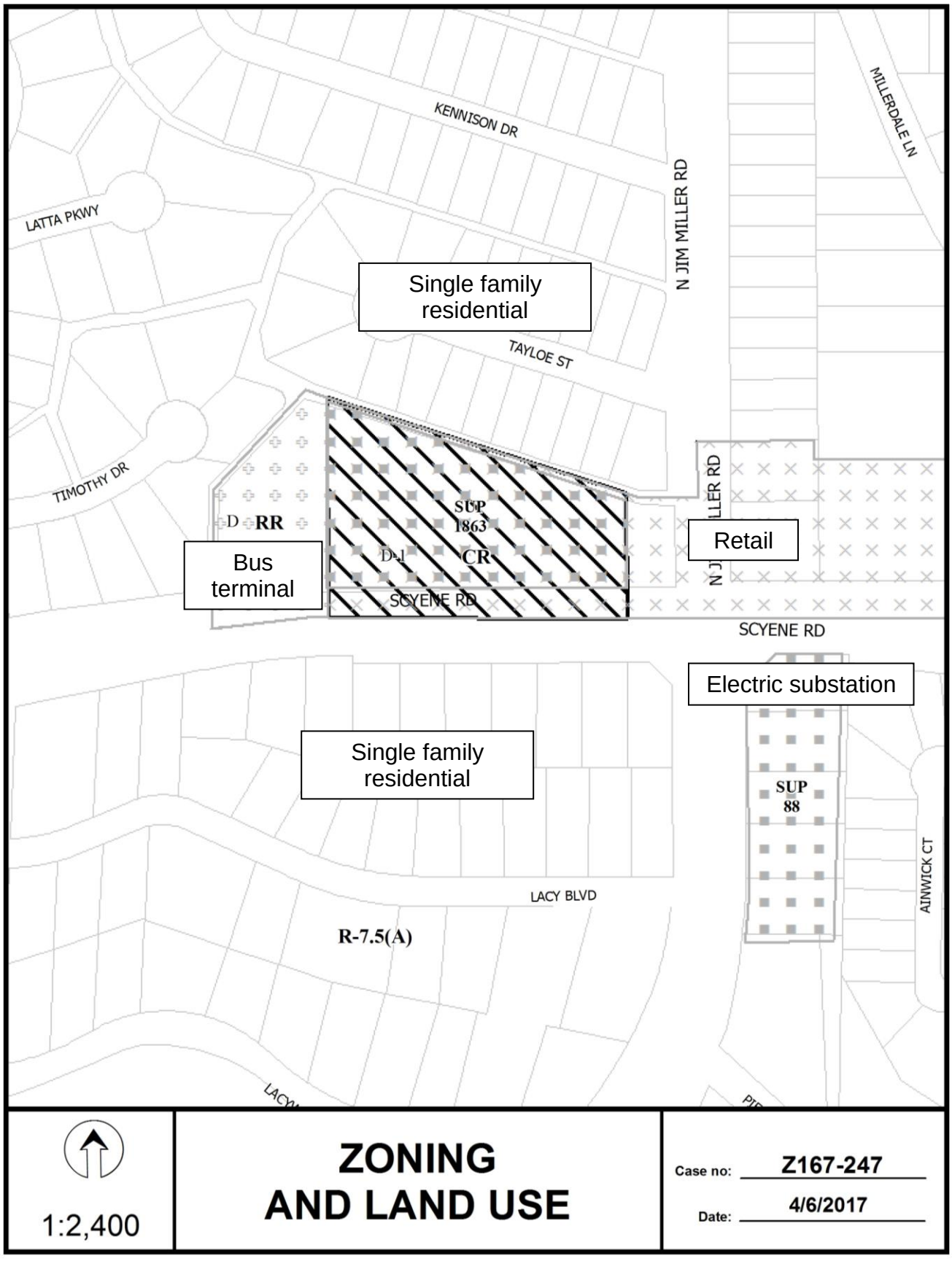
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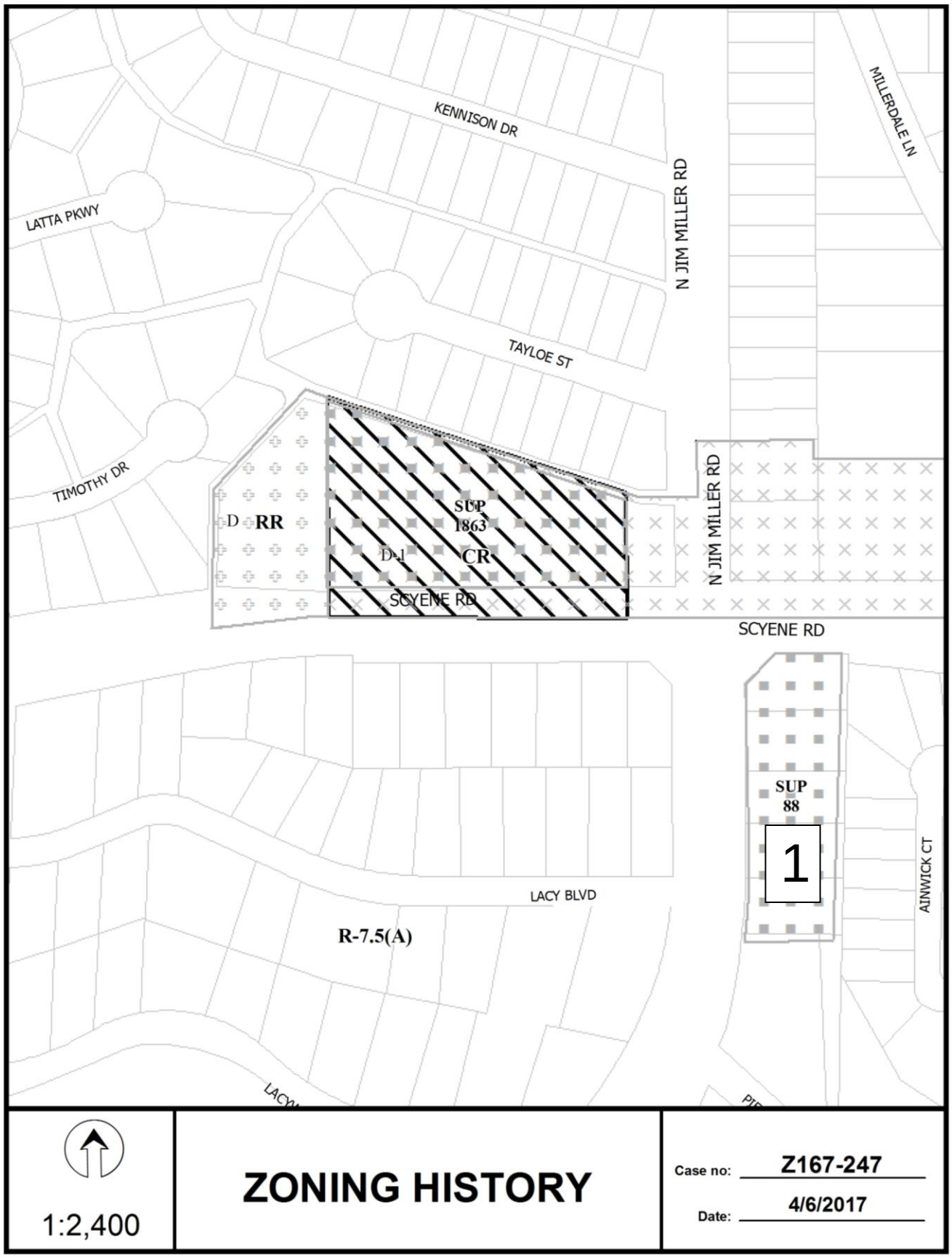
VICINITY MAP

Case no: Z167-247

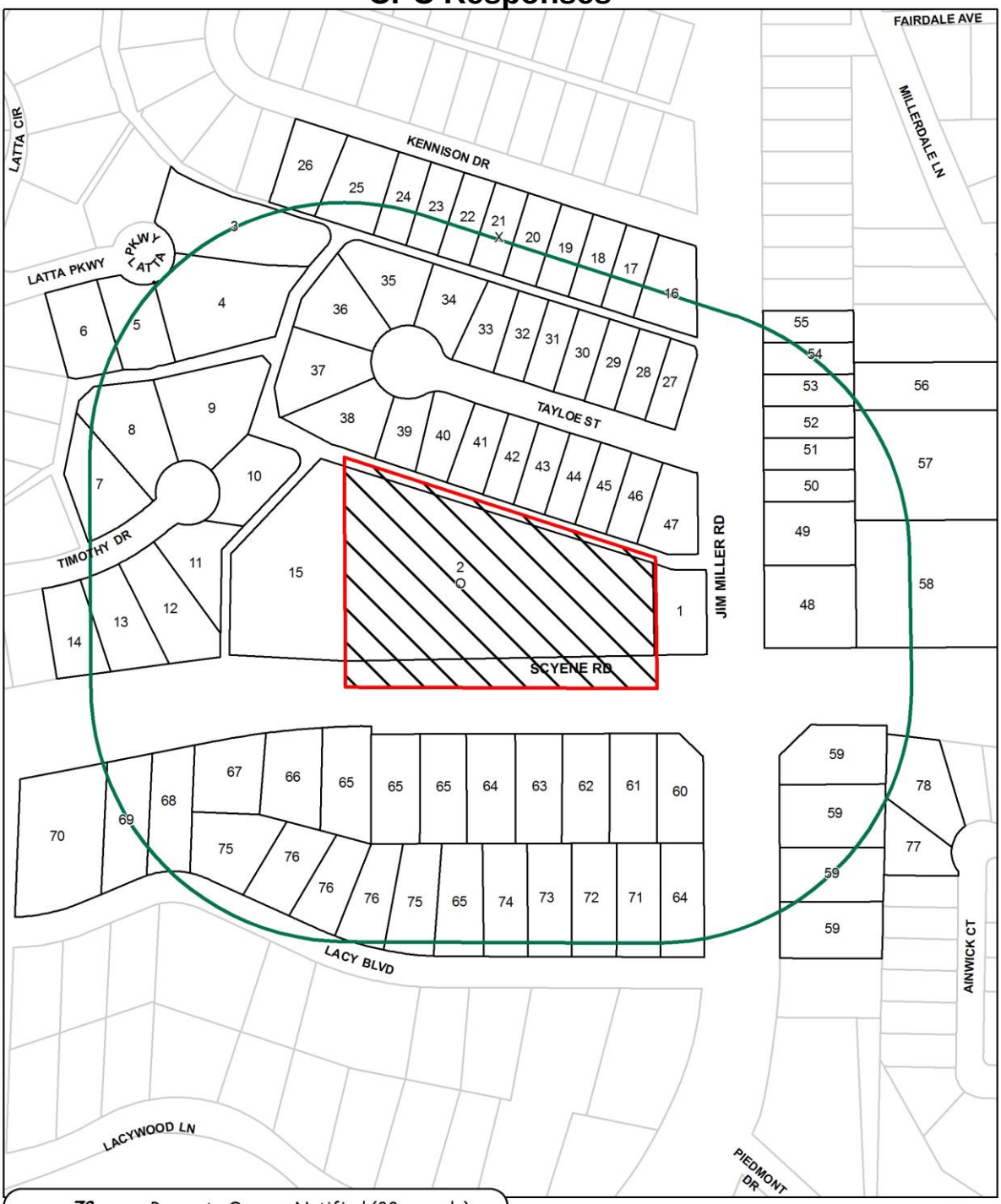
Date: 4/6/2017


KENNISON DR
LATTA ENVY
TAYLOE ST
N JIM MILLER RD
N JIM MILLER RD
MILLERDALE LN
TIMOTHY DR
SCYENE RD
SCYENE RD
LACY BLVD
AINWICK CT
1:2,400
AERIAL MAP
Case no: Z167-247
Date: 4/6/2017


KENNISON DR
MILLERDALE LN
LATTA PKWY
N JIM MILLER RD
Single family residential
TAYLOE ST
TIMOTHY DR
D RR
SUP 1863
D-1 CR
Bus terminal
Retail
SCYENE RD
SCYENE RD
Electric substation
Single family residential
SUP 88
AINWICK CT
LACY BLVD
R-7.5(A)
1:2,400
ZONING AND LAND USE
Case no: Z167-247
Date: 4/6/2017


KENNISON DR
MILLERDALE LN
LATTA PKWY
N JIM MILLER RD
TAYLOE ST
TIMOTHY DR
D
RR
SUP
1863
D-1
CR
SCYENE RD
N JIM MILLER RD
SCYENE RD
SUP
88
1
AINWICK CT
LACY BLVD
R-7.5(A)
1:2,400
ZONING HISTORY
Case no: Z167-247
Date: 4/6/2017

CPC Responses



06/21/2017

Reply List of Property Owners

Z167-247

78 Property Owners Notified 1 Property Owners in Favor 1 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	6939	SCYENE RD	TREVINO EMILIA
O	2	6901	SCYENE RD	REEVES GEORGE M III LTD
	3	6827	LATTA PKWY	PLOCK ROBERT A
	4	6824	LATTA PKWY	SMITH SHELLIE BAMBI
	5	6818	LATTA PKWY	CHANDLER JOSEPH ROBERT & DEMETRIA DIONNE
	6	6810	LATTA PKWY	RAMIREZ LUIS P &
	7	6831	TIMOTHY DR	MACIAS DANIEL & CRISTINA PEREZ
	8	6837	TIMOTHY DR	MINGHILLO JAMES
	9	6841	TIMOTHY DR	FERNANDEZ RAMIRO
	10	6840	TIMOTHY DR	TAYLOR RUSSELL E JR
	11	6834	TIMOTHY DR	CLEMONS KELLY & JUSTIN
	12	6828	TIMOTHY DR	GUEVARA LUIS
	13	6824	TIMOTHY DR	ESCALANTE GERARDO M & ROSALINDA
	14	6818	TIMOTHY DR	LEDEZMA FERNANDO R
	15	6855	SCYENE RD	MARES LIDIA
	16	6936	KENNISON DR	SANCHEZ FREDY
	17	6932	KENNISON DR	AVILA ELIZABETH
	18	6928	KENNISON DR	TORRES MARIA
	19	6924	KENNISON DR	LOPEZ JESUS
	20	6920	KENNISON DR	SERRATO JOSE L
X	21	6914	KENNISON DR	ESPINO BEATRIZ A
	22	6910	KENNISON DR	NUNO MONICA
	23	6906	KENNISON DR	THOMPSON BUDDIE & BETTY
	24	6902	KENNISON DR	GONZALEZ JAIME & MARIA S
	25	6834	KENNISON DR	HERNANDEZ RUBEN ACOSTA &
	26	6828	KENNISON DR	HERNANDEZ RUBEN &

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	27	6943	TAYLOE ST	GONZALEZ RITA EDITH
	28	6939	TAYLOE ST	MEZA MARIA LUISA
	29	6933	TAYLOE ST	MERAZ ALBERTICO &
	30	6929	TAYLOE ST	BROOKS BAINIFF
	31	6925	TAYLOE ST	ALVAREZ GRACE E & PEDRO
	32	6921	TAYLOE ST	SANDERS GLORIA
	33	6915	TAYLOE ST	AGUILAR PAULINO
	34	6911	TAYLOE ST	RAMIREZ ALBERTINA
	35	6907	TAYLOE ST	ESCOBEDOGONZALEZ LUCAS
	36	6903	TAYLOE ST	GONZALEZ MARIO ARTURO
	37	6902	TAYLOE ST	MARROQUIN LUGARDO
	38	6906	TAYLOE ST	BLAND SAMUEL P
	39	6910	TAYLOE ST	GUARDADO MARIA FRANCISCO
	40	6914	TAYLOE ST	MERAZ ALBERTICO
	41	6920	TAYLOE ST	ZAMORA JOSE A V & FATIMA D FACUNDO
	42	6924	TAYLOE ST	BERNAL FIDENCIO A
	43	6928	TAYLOE ST	MERAZ ALBERTICO
	44	6932	TAYLOE ST	GARCIA IGNACIO P &
	45	6936	TAYLOE ST	LOPEZ SAMUEL &
	46	6942	TAYLOE ST	DALLAS HOUSING AUTHORITY
	47	6946	TAYLOE ST	PEREZ LUZ & FILBERTO
	48	7007	SCYENE RD	SCYENE AUTO SHOP LLC
	49	3016	N JIM MILLER RD	TIMBERLAKE BILL W
	50	3102	N JIM MILLER RD	SILLER ANDREW M &
	51	3106	N JIM MILLER RD	SILLER ANDREW M & LOWNELL
	52	3110	N JIM MILLER RD	HERNANDEZ VICTOR & VIRGINIA
	53	3114	N JIM MILLER RD	CONTRERAS PEDRO &
	54	3118	N JIM MILLER RD	COX EVE
	55	3206	N JIM MILLER RD	CONTRERAS BENJAMIN
	56	3123	MILLERDALE LN	DASCH JOHN T
	57	3119	MILLERDALE LN	DASCH JOHN TIMOTHY

06/21/2017

Reply	*Label #*	*Address*		*Owner*
	58	7015	SCYENE RD	GUTIERREZ DIEGO &
	59	7000	SCYENE RD	TEXAS UTILITIES ELEC CO
	60	6938	SCYENE RD	JCRB ENTERPRISE
	61	6930	SCYENE RD	DIAZ MARIA P
	62	6928	SCYENE RD	SANDOVAL ABRAHAM GALDEAN
	63	6922	SCYENE RD	LINWOOD MONTIQUE
	64	6916	SCYENE RD	MECCA APRIL INC
	65	6910	SCYENE RD	LARA MARTIN
	66	6836	SCYENE RD	GARAY JOSE R &
	67	6830	SCYENE RD	BROWN JANET E
	68	6820	SCYENE RD	SANTILLAN LUIS A
	69	6815	SCYENE RD	GREEN JERRY SHAWN
	70	2910	RENDA DR	CROCKER WILTON F &
	71	6939	LACY BLVD	MARTINEZ ALICIA N
	72	6933	LACY BLVD	LOPEZ MATIAS JR & GENIEVA
	73	6927	LACY BLVD	YOUNG EARL DEAN
	74	6923	LACY BLVD	WILLEMS DAN
	75	6905	LACY BLVD	KENDALL JAMES
	76	6903	LACY BLVD	KENDALL JAMES W
	77	2831	AINWICK CT	FRANCO DALVERTO
	78	2835	AINWICK CT	GREEN DARRELL WADE SR

AGENDA ITEM # 73

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 36 B

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District on property zoned an MF-1(A) Multifamily District on the southwest corner of East Lovers Lane and Matilda Street
Recommendation of Staff and CPC: Approval
Z167-121(SM)
Note: This item was considered by the City Council at a public hearing on June 14, 2017, and was held under advisement until August 9, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z167-121(SM)	**DATE FILED:**	October 25, 2016
LOCATION:	Southwest corner of East Lovers Lane and Matilda Street		
COUNCIL DISTRICT:	14	**MAPSCO:**	36-B
SIZE OF REQUEST:	Approx. 0.599 acre	**CENSUS TRACT:**	79.13

APPLICANT:	Lincoln LAG, Ltd.
OWNER:	Texas Utilities Electric Co.
REPRESENTATIVE:	Jonathan G. Vinson Jackson Walker, LLP
REQUEST:	An application for an MU-1 Mixed Use District on property zoned an MF-1(A) Multifamily District.
SUMMARY:	The applicant proposes to utilize the property for overflow parking for nearby users including Tradition Senior Living and Central Market.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND INFORMATION:

- The area of request was originally owned by the Texas Electric Railway and was a portion of the original 1909 extension of the Sherman/Denison Interurban Line.

- The area of request is also a proposed trailhead for the Matilda Trail as identified in the Park and Recreation Department's 2008 Dallas Trail Network Plan.

- The area of request is located between two 50-foot wide rights-of-way that were originally designed as a couplet for Matilda Street. Portions of the western couplet street have been abandoned over time, including a portion to the south of the request site.

Zoning History: There have been three zoning changes requested in the past five years.

1. **Z145-326**: On August 10, 2016, the City Council approved an amendment to Subareas I and II within Planned Development District No. 799.

2. **Z134-110**: On June 25, 2014, the City Council approved a Planned Development District and the termination of Specific Use Permit No. 416 for a private country club, Specific Use Permit No.1272 for a utility or government installation other than listed, and deed restrictions on property zoned MF-1(A) Multifamily District, MF-2(A) Multifamily District, CR Community Retail District, MU-3(SAH) Mixed Use District, and MC-1 Multiple Commercial District.

3. **Z134-111**: On May 14, 2014, the City Council approved a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District.

Thoroughfares/Streets:

Thoroughfare/Street	Function	Proposed Dimension	ROW
East Lovers Lane	Minor Arterial	Minimum-6 lanes-Divided	100 feet
Matilda Street (east)	Local	-	50 ft.
Matilda Street (west)	Local	-	50 ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

STAFF ANALYSIS:

COMPREHENSIVE PLAN: The *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 request does not support or obstruct the Plan's goals or policies.

Land Use Compatibility: The request site is relatively flat and contains a grassy area with overhead electrical lines. A shopping center, grocery store, and motor vehicle fueling station are located on the north side of East Lovers Lane and retirement housing with a medical clinic is located to the east, across the eastern couplet of Matilda Street. A grocery store is located to the southwest with accessory surface parking to the west and south of the request site. The applicant is also preparing an application to abandon the western portion couplet of Matilda Street. The abandonment would allow the applicant to connect the area of request to the surface parking area to the west and south with additional surface parking on the area of request.

Staff supports the request of a MU-1 Mixed Use District because it provides a transition between the multifamily based zoning to the east to the nonresidential zoning to the west and north. Additionally, since the site is identified as a proposed trailhead, the request would allow the main use *public park or playground* whereas a P(A) Parking District would prohibit a *public park or playground*.

	Zoning	Land Use
Site	MF-1(A)	Local Utilities
North	MU-3, MU-3(SAH) DR Z923-286	Retail and Motor Vehicle Fueling Station
East	PDD No. 799 (Subareas 1 and 2)	Medical Clinic and Retirement Housing
South	PDD No 610 (Tract 1)	Parking
West	PDD No 610 (Tract 2)	Retail

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
MF-2(A) - Existing Multifamily	15'	15'	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family
MU-1 Mixed use-1	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	RPS 90'; 7 stories 120'; 9 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

Landscaping: Landscaping of any development will be in accordance with Article X, as amended.

CPC Action – May 4, 2017:

Motion: It was moved to recommend **approval** of an application for an MU-1 Mixed Use District on property zoned an MF-1(A) Multifamily District on the southwest corner of East Lovers Lane and Matilda Street.

Maker: Anglin
Second: Houston
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: 200 Mailed: 8
Replies: For: 0 Against: 0

Speakers: None

TEXAS UTILITIES ELECTRIC COMPANY, INC.

List of Officers and Directors

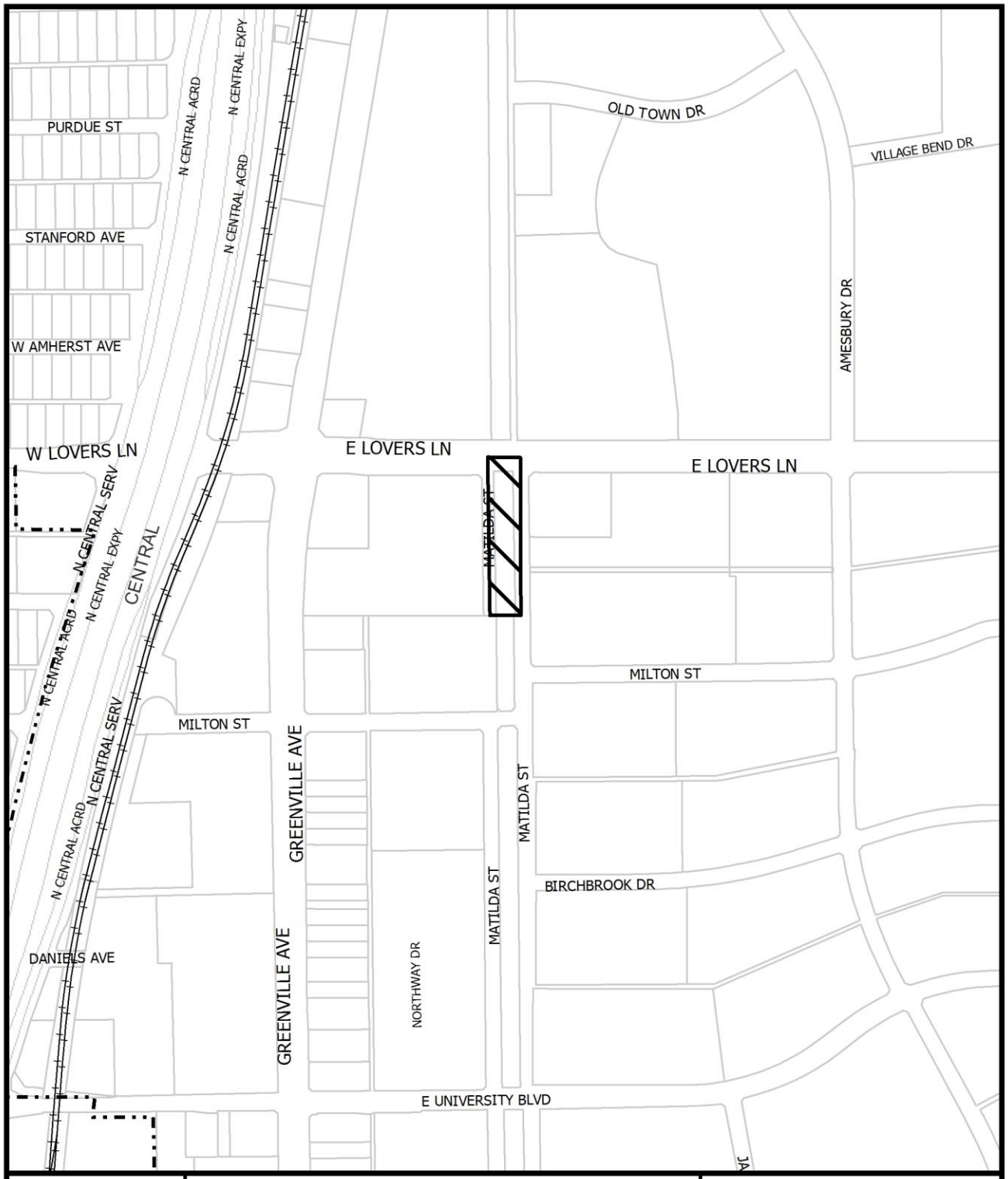
PAUL M. KEGLEVIC	DIRECTOR
PAUL M. KEGLEVIC	PRESIDENT
JEFFREY J. WALKER	VICE PRESIDENT
JEFFREY J. WALKER	SECRETARY
ASHLEY A. BURTON	ASSISTANT SECRETARY
JILL L. ALVAREZ	TRANSMISSION ENGINEERING MANAGER, ATTORNEY-IN-FACT

LINCOLN LAG, LTD.

Director and Officer List

General partner: Akard Ervay, Inc. a Texas corporation.
Directors and Officers of Akard Ervay, Inc., are:

MACK POGUE	CEO
MACK POGUE	DIRECTOR
WILLIAM C. DUVALL	PRESIDENT
WILLIAM C. DUVALL	DIRECTOR
NANCY A. DAVIS	VICE PRESIDENT
NANCY A. DAVIS	SECRETARY
NANCY A. DAVIS	TREASURER
LEIGH ANN EVERETT	ASSISTANT SECRETARY
STEPHEN G. SEITZ	VICE PRESIDENT
STEPHEN G. SEITZ	ASSISTANT SECRETARY
GREGORY S. COURTWRIGHT	VICE PRESIDENT
GREGORY S. COURTWRIGHT	ASSISTANT SECRETARY
ROBERT DOZIER	VICE PRESIDENT
TOM KUHLMANN	VICE PRESIDENT


PURDUE ST
STANFORD AVE
W AMHERST AVE
W LOVERS LN
E LOVERS LN
E LOVERS LN
OLD TOWN DR
VILLAGE BEND DR
AMESBURY DR
MATILDA ST
MILTON ST
MILTON ST
GREENVILLE AVE
GREENVILLE AVE
MATILDA ST
MATILDA ST
BIRCHBROOK DR
NORTHWAY DR
DANIELS AVE
E UNIVERSITY BLVD
N CENTRAL ACRD
N CENTRAL EXPY
N CENTRAL SERV
CENTRAL
1:4,800
VICINITY MAP
Case no: Z167-121
Date: 12/22/2016

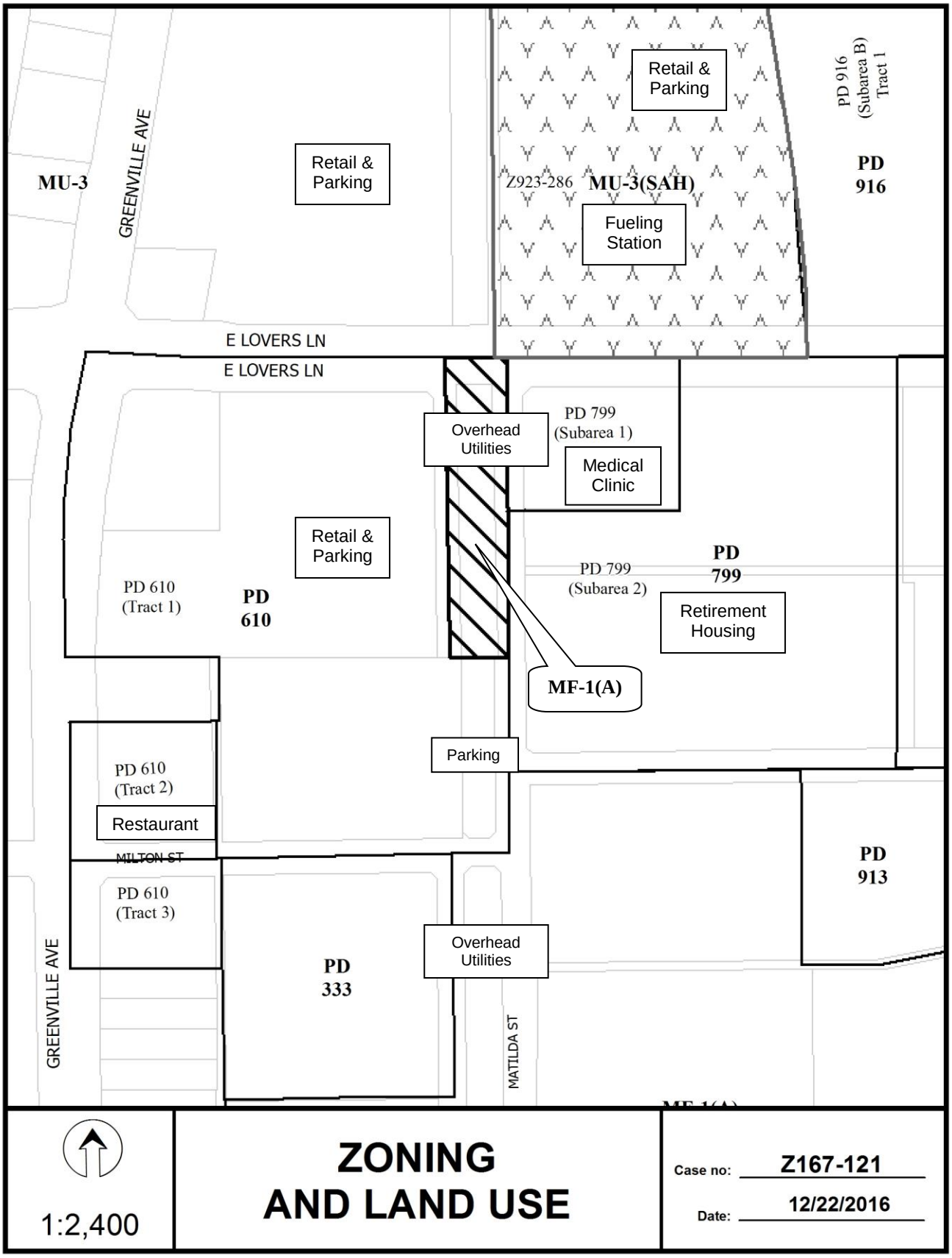


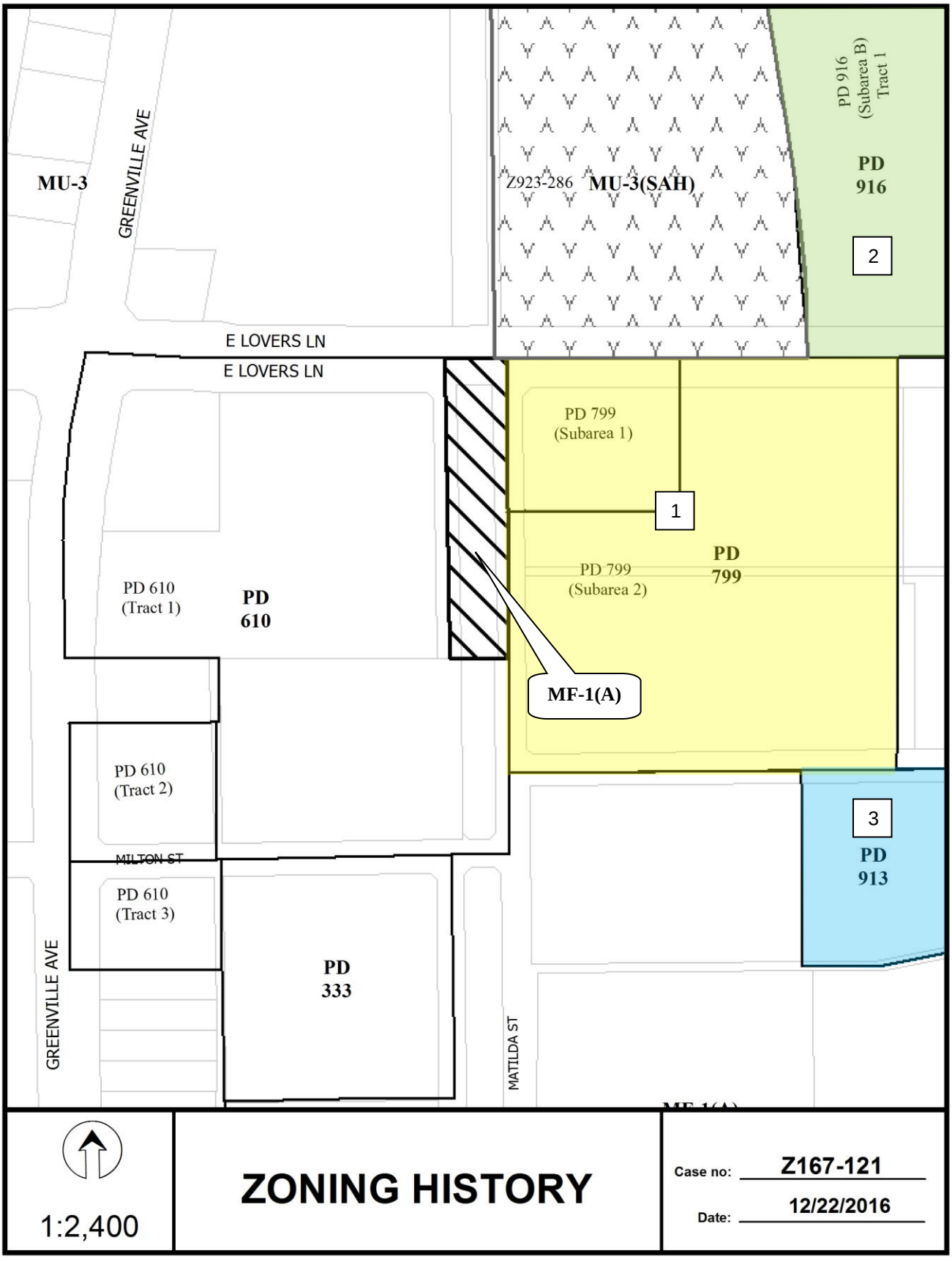
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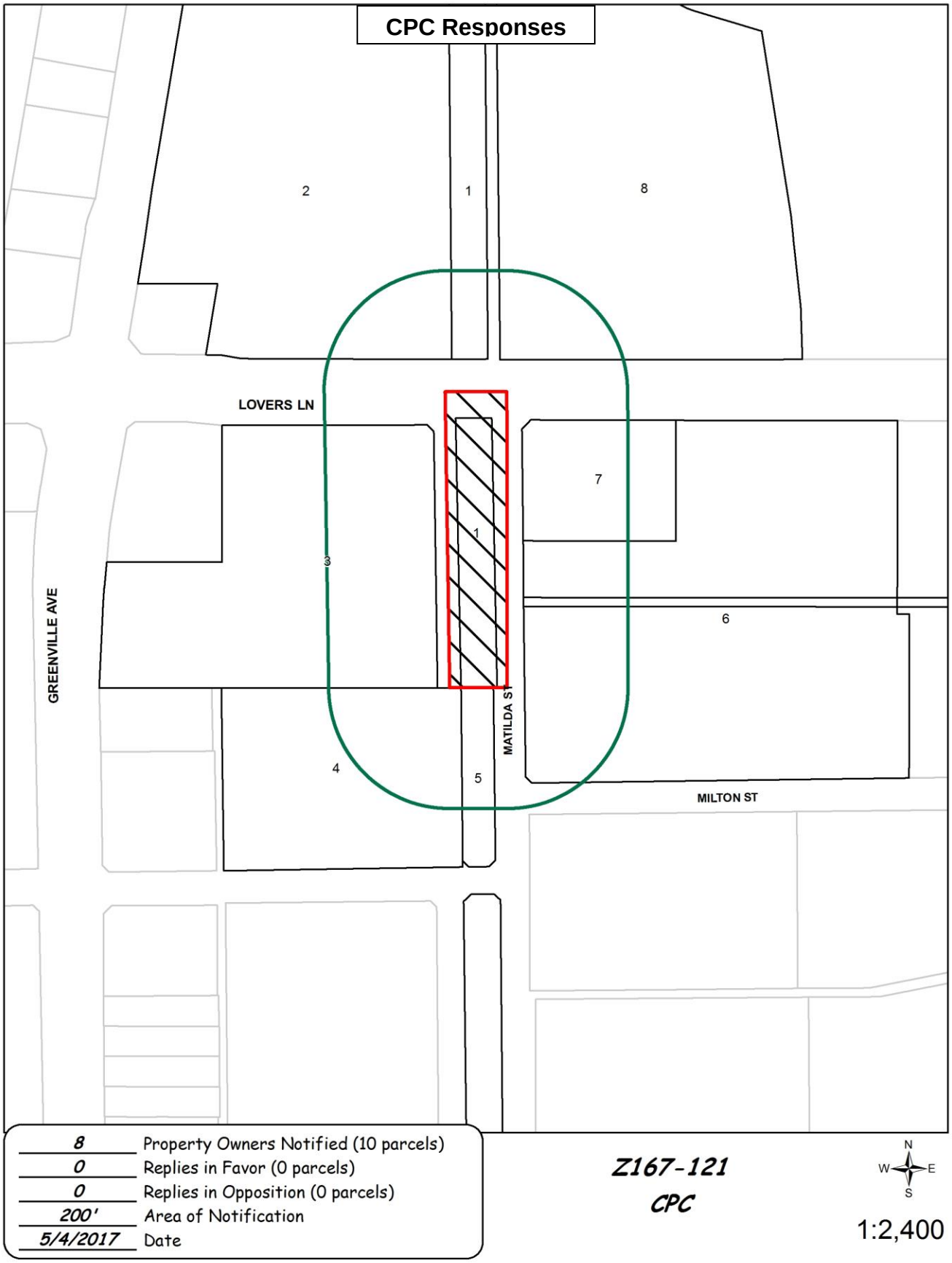
AERIAL MAP

Case no: Z167-121

Date: 12/22/2016


Retail & Parking
PD 916 (Subarea B) Tract 1
PD 916
MU-3
GREENVILLE AVE
Retail & Parking
Z923-286
MU-3(SAH)
Fueling Station
E LOVERS LN
E LOVERS LN
Overhead Utilities
PD 799 (Subarea 1)
Medical Clinic
Retail & Parking
PD 610 (Tract 1)
PD 610
PD 799 (Subarea 2)
PD 799
Retirement Housing
MF-1(A)
Parking
PD 610 (Tract 2)
Restaurant
MILTON ST
PD 913
PD 610 (Tract 3)
Overhead Utilities
PD 333
GREENVILLE AVE
MATILDA ST
1:2,400
ZONING AND LAND USE
Case no: Z167-121
Date: 12/22/2016


MU-3
GREENVILLE AVE
Z923-286
MU-3(SAH)
PD 916 (Subarea B) Tract 1
PD 916
2
E LOVERS LN
E LOVERS LN
PD 799 (Subarea 1)
1
PD 799
PD 799 (Subarea 2)
PD 610 (Tract 1)
PD 610
MF-1(A)
PD 610 (Tract 2)
3
PD 913
MILTON ST
PD 610 (Tract 3)
PD 333
GREENVILLE AVE
MATILDA ST
1:2,400
ZONING HISTORY
Case no: Z167-121
Date: 12/22/2016


CPC Responses
2
1
8
LOVERS LN
7
1
3
GREENVILLE AVE
6
MATILDA ST
4
5
MILTON ST
8 Property Owners Notified (10 parcels)
0 Replies in Favor (0 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
5/4/2017 Date
Z167-121
CPC
N
W
E
S
1:2,400

05/15/2017

Reply List of Property Owners

Z167-121

8 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4500	GREENVILLE AVE	TEXAS UTILITIES ELEC CO
	2	5500	GREENVILLE AVE	OT TX GREENVILLE LP
	3	5750	E LOVERS LN	LINCOLN LAG LTD
	4	5750	LOVERS LN	LINCOLN LAG LTD
	5	4500	GREENVILLE AVE	LINCOLN LAG LTD
	6	5850	E LOVERS LN	LOVERS TRADITION II LP
	7	5800	E LOVERS LN	LOVERS MEDICAL INVESTORS LP
	8	5809	E LOVERS LN	OT TEXAS GREENVILLE LP

AGENDA ITEM # 74

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 3

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 52 Y; Z

SUBJECT

An ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an RR Regional Retail District on the north line of West Kiest Boulevard, east of South Walton Walker Boulevard
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z167-171(WE)
Note: This item was considered by City Council at a public hearing on June 14, 2017, and was denied, with the public hearing closed. This item was reconsidered on June 28, 2017, to be heard on August 9, 2017, with the public hearing closed

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, AUGUST 9, 2017
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-171(WE) **DATE FILED:** January 3, 2017

LOCATION: North line of West Kiest Boulevard, east of South Walton Walker Boulevard

COUNCIL DISTRICT: 3 **MAPSCO:** 52-Y; Z

SIZE OF REQUEST: Approx. 8.425 acres. **CENSUS TRACT:** 108.05

APPLICANT: Flow-Line Construction, Inc.
Eduardo M. Hernandez, sole owner

OWNER: Nicholas Q. Lee

REPRESENTATIVE: Angela Hunt
FGH Law

REQUEST: An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned an RR Regional Retail District.

SUMMARY: The purpose of this request is to allow for the development of a contractor's office and outside storage on site [Flow-Line Construction, Inc.]. The applicant volunteered deed restrictions to prohibit certain landscaping materials such as fertilizer, mulch and compost waste. In addition, the deed restrictions will limit the maximum height of the outside storage materials and building structure to 30 feet. The outside materials will also be restricted to the southwest quadrant of the site.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant

STAFF RECOMMENDATION: **Denial**

BACKGROUND INFORMATION:

- The site is undeveloped.

- The site is adjacent to a 100-foot utility easement and a 100-foot railroad easement that provides a separation between the residential uses to the north and northwest of proposed development.

- The applicant's request for a CS Commercial Service District will allow for the construction of a 14,000 square foot, two-story contractor's office with outside storage. The applicant has volunteered deed restrictions that will limit the outside storage to the southwestern quadrant of the site as well as prohibit certain main uses and landscaping materials.

- The request site is adjacent to a utility easement and railroad right-of-way to the north and northwest, and a retail use to the east. A property to the south, across West Kiest Boulevard, is developed with a charter school.

Zoning History: There has been one zoning change request in the area for the past five years.

1. Z134-174 On June 11, 2014, the City Council approved an amendment of Specific Use Permit No. 2028 for an open-enrollment charter school on property zoned an RR Regional Retail District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
West Kiest Boulevard	Principal Arterial	100 ft.	100 ft.

Land Use:

	Zoning	Land Use
Site	RR	Undeveloped
North	RR, R-7.5(A), TH-3(A)	Utility easement, Single family
South	RR, SUP No. 2028	Open-enrollment charter school
East	RR	Retail
West	R-7.5(A)	Railroad line, 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.

The request does not meet the following goals and policies:

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.

IMPLEMENTATION MEASURE 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

ECONOMIC

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.6 Restore Dallas as the foremost retail location in the region.

URBAN DESIGN

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other

STAFF ANALYSIS:

Land Use Compatibility: The request site is undeveloped and is adjacent to 100-foot utility easement and a 100-foot railroad easement that provides a separation between the residential uses to the north and northwest of proposed development. The applicant's request for a CS Commercial Service District will permit the construction of a contractor's office with outside storage.

The chart below provides a summary of the proposed development on the site.

Materials/Structures	Sq. Footage
Office Building	14,000
Warehouse building	15,000
Retention pond	40,000
Landscaping area	45,000
Exterior storage	125,000
Undeveloped	117,019

Staff has worked with the applicant to mitigate any negative impact the use may have on the residential uses to the north and northwest of the request site. The applicant has volunteered deed restrictions to prohibit specific CS Commercial Service uses that may impact the adjacent residential uses and proposed to locate the outdoor materials on the southwestern quadrant of the property, near West Kiest Boulevard. The materials that will be stored on site should not produce any unpleasant odors that will impact the adjacent residential uses [See attached deed restrictions]. In addition, the applicant's intent is to permit the CS uses that are appropriate for the contractor's office and outside storage operation while maintaining the RR Regional Retail District uses that are currently permitted on site and also in the CS District. The maximum height of the materials stored on site will be limited to 30 feet.

Staff denial is based on the type of use that is being proposed on site. Staff does not encourage any commercial type uses to encroach east of Walton Walker Boulevard into an area that is developed with low to medium residential uses. The Commercial Service District is to provide for the development off commercial and business serving uses that may involve outside storage, service or display. This district is not intended to be located in areas of low and medium density residential development. West of Walton Walker Boulevard is zoned for Industrial type uses and is a more appropriate location for the contractor's office and outside storage.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CS- proposed 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
RR - existing Regional retail	15'	20' adjacent to residential OTHER: No Min.	1.5 FAR overall 0.5 office	70' 5 stories	80%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office

Landscaping: Landscaping must be in accordance with Article X.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

Below is a comparison chart of the zoning districts with the deed restrictions volunteered by the applicant.

	Proposed	Existing
Use	**CS**	**RR**
Agricultural uses		
Crop production	**X**	**X**
Commercial and business service uses		
Building repair and maintenance shop [RAR]	**X**	**X**
~~Bus or rail transit vehicle maintenance or storage facility [RAR]~~	**DR**	
Catering service	**X**	**~~X~~**
~~Commercial bus station and terminal [DIR] [By right or SUP]~~	**DR**	
~~Commercial cleaning or laundry plant [RAR]~~	**DR**	
Custom business services	**X**	**X**
~~Custom woodworking, furniture construction, or repair~~	**DR**	
Electronics service center	**X**	**X**
~~Job or lithographic printing [RAR]~~	**DR**	
~~Labor hall [SUP]~~	**DR**	**SUP**
Machine or welding shop [RAR]	**X**	
Machinery, heavy equipment, or truck sales and services [RAR	**X**	**X**
Medical or scientific laboratory	**X**	**SUP**
~~Technical school~~	**DR**	
Tool or equipment rental	**X**	**X**
Vehicle or engine repair or maintenance [RAR]	**X**	**X**
Industrial uses		
Gas drilling and production [SUP]	**X**	**X**
Industrial (inside for light manufacturing	**X**	
Temporary concrete or asphalt batch plant	**X**	**X**
Institutional and community service uses		
Adult day care facility	**X**	**X**
Cemetery or mausoleum [SUP]	**X**	**X**

Child-care facility	X	X
Church	X	X
College, university, or seminary	X	X
Community service center [SUP]	X	X
Hospital [RAR]	X	
Open-enrollment charter school [SUP]	X	X
Public school other than an open-enrollment charter school [RAR]	X	X
Lodging uses		
Extended stay hotel or motel [SUP]	X	X
Hotel or motel {RAR or [SUP]	X	X
Lodging or boarding house	X	X
Overnight general purpose shelter	X	~~X~~
Miscellaneous uses		
Attached non-premise sign [SUP]	X	X
Carnival or circus (temporary)	X	X
Temporary construction or sales office	X	X
Office uses		
Alternative financial establishment [SUP]	X	X
Financial institutional without drive-in window	X	X
Financial institutional with drive-in window [RAR]	X	**DIR**
Medical clinic or ambulatory surgical center	X	~~X~~
Office	X	X
Recreation uses	X	
Country club with private membership	X	X
Private recreation center, club or area	X	X
Public park, playground, or golf course	X	X
Residential uses		
College, dormitory, fraternity, or sorority house	X	X
Retail and personal service uses		
Alcoholic beverage establishment	X	~~X~~
Ambulance service [RAR]	X	X

Animal shelter or clinic without outside runs [RAR]	**X**	**X**
Animal shelter or clinic with outside runs [SUP may be required]	**X**	**X**
Auto related use [RAR]	**X**	
Business school	**X**	**X**
Car wash [RAR]	**X**	**X**
Commercial amusement (inside) [SUP may be required)	**X**	**X**
Commercial amusement outside [DIR]	**X**	**SUP**
~~Commercial motor vehicle parking (SUP if within 500 feet of residential district)~~	**DR**	
Commercial parking lot or garage [RAR]	**X**	**X**
Convenience store with drive-through [SUP]	**X**	**X**
~~Drive-in theater [SUP]~~	**DR**	
Dry cleaning or laundry store	**X**	**X**
Furniture store	**X**	**X**
General merchandise or food store 3,500 square feet or less	**X**	**X**
General merchandise or food store greater than 3,500 square feet	**X**	**X**
General merchandise or food store 100,000 square feet or more [SUP]	**X**	**X**
Home improvement center, lumber, brick or building materials sales yard [RAR]	**X**	**X**
Household equipment and appliance repair	**X**	**X**
Liquor store	**X**	**X**
Mortuary, funeral home, or commercial wedding chapel	**X**	**X**
Motor vehicle fueling station	**X**	**X**
Nursery, garden shop, or plant sales	**X**	**X**
Outside sales [SUP]	**X**	**X**
Pawn shop	**X**	**X**
Personal service uses	**X**	**X**
Restaurant without drive-in or drive-through service [RAR]	**X**	**X**
Restaurant with drive-in or drive-through service [DIR]	**X**	**X**
Swap or buy shop [SUP]	**X**	**X**
~~Taxidermist~~	**DR**	
Temporary retail uses	**X**	**X**
Theatre	**X**	**X**

~~Truck stop [SUP]~~	**DR**	
Vehicle display, sales, and service [RAR]	**X**	**X**
Transportation uses		
Commercial bus station and terminal [DIR]	**X**	**X**
Heliport [SUP]	**X**	**X**
Helistop [SUP]	**X**	**X**
Transit passenger shelter	**X**	**X**
Transit passenger station or transfer center	**X**	**SUP**
Utility and public service uses		
Commercial radio or television transmitting station	**X**	**X**
Electrical substation	**X**	**X**
Local utilities [SUP or RAR may be required]	**X**	**X**
Police or fire station	**X**	**X**
Post office	**X**	**X**
Radio, television, or microwave tower [RAR]	**X**	**X**
Tower/antenna for cellular communication	**X**	**X**
Utility or government installation other than listed [SUP]	**X**	**X**
Wholesale, distribution, and storage uses		
~~Auto auction [SUP]~~	**DR**	
~~Building mover's temporary storage yard [SUP]~~	**DR**	
Contractor' maintenance yard [RAR]	**X**	
~~Freight terminal [RAR]~~	**DR**	
~~Manufactured building sales lot [RAR]~~	**DR**	
Mini-warehouse	**X**	**SUP**
~~Office showroom/warehouse~~	**DR**	
Outside storage (with visual screening) [RAR]	**X**	
~~Petroleum product storage and wholesale [SUP]~~	**DR**	
Recycling buy-back center	**X**	**X**
Recycling collection center	**X**	**X**
Recycling drop-off container	**X**	**X**
Recycling drop-off for special occasion collection	**X**	**X**

Sand, gravel, or earth sales and storage [SUP]	**X**	
~~Trade center~~	**DR**	
~~Vehicle storage lot [SUP]~~	**DR**	
Warehouse [RAR]		
X *indicates permitted by right.* ***SUP*** *indicates permitted with a Specific Use Permit.* ***L*** *indicates use permitted by right as limited use* ***See Use Regs*** *indicates permitted, but that the use must conform to specific regulations in different districts, as outlined in the Development Code.* ***~~Strikethrough text~~*** *indicates items which are being voluntary deed restricted (***DR***). Those uses will not be allowed.*		

CPC Action (March 16, 2017)

Motion: In considering an application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned an RR Regional Retail District on the north line of West Kiest Boulevard, east of South Walton Walker Boulevard, it was moved to **hold** this case under advisement until April 27, 2017.

Maker: Houston
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: 400 Mailed: 57
Replies: For: 1 Against: 2

Speakers: For: Angela Hunt, 1700 Pacific Ave., Dallas, TX, 75201
Against: None

CPC Action (April 27, 2017)

Motion: It was moved to recommend **approval** of a CS Commercial Service District, subject to deed restrictions volunteered by the applicant on property zoned an RR Regional Retail District on the north line of West Kiest Boulevard, east of South Walton Walker Boulevard.

Maker: Houston
Second: Anglin
Result: Carried: 13 to 1

For: 13 - Anglin, Rieves, Houston, Shidid, Anantasomboon, Mack, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 1 - Haney
Absent: 1 - Davis
Vacancy: 0

Notices: Area: 400 Mailed: 57
Replies: For: 7 Against: 1

Speakers: For: Angela Hunt, 1700 Pacific Ave., Dallas, TX, 75201
Huelon Harrison, 3310 Grayson Dr., Dallas, TX, 75224
Eduardo M. Hernandez, 5447 McCommas Blvd., Dallas, TX, 75206
Against: None

PROPOSED DEED RESTRICTIONS

THE STATE OF TEXAS)
)
COUNTY OF DALLAS)

KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, Flo-Line Construction, Inc., a Texas Corporation ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the William Pearson Survey, Abstract No. 1127, City Block 6966, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Nicholas Q. Lee, by deed dated _____, and recorded in Volume _____, Page _____, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

Lot 1A, Block 6966, Tract 1, City of Dallas, Dallas County Texas, commonly known as 4601 W. Kiest Boulevard, Dallas, Texas 75236

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

A. Malodorous materials prohibited. Other than landscaping materials to be used on the Property, noxious and malodorous materials, including but not limited to fertilizer, mulch and compost waste, may not be stored on the Property.

B. Structure height. Maximum structure height is 30 feet.

C. Contractor's maintenance yard and outside storage.

   a. Height. Outside storage may not exceed 30 feet in height or three stacked containers, whichever is the greater.

   b. Location. Contractor's maintenance yard and outside storage is limited to the Southwest Quadrant of the site, as shown on Exhibit A.

D. Fencing. An eight-foot-high masonry fence must be constructed along the entire northern boundary of the Property, bounded by the D.P.&L. Easement, and along the entire western boundary of the Property, bounded by C.C.&S.F. Railroad. An eight-foot-high ornamental metal fence must be constructed along the southern boundary of the Property, bounded by West Kiest Boulevard.

E. Lighting. Maximum height for perimeter lights is 10 feet. Perimeter light poles may exceed the height of the light by two feet... Maximum height of interior lights is 13 feet. Interior light poles may exceed the height of the light by two feet. All lights must be directed down and away from adjacent residential areas.

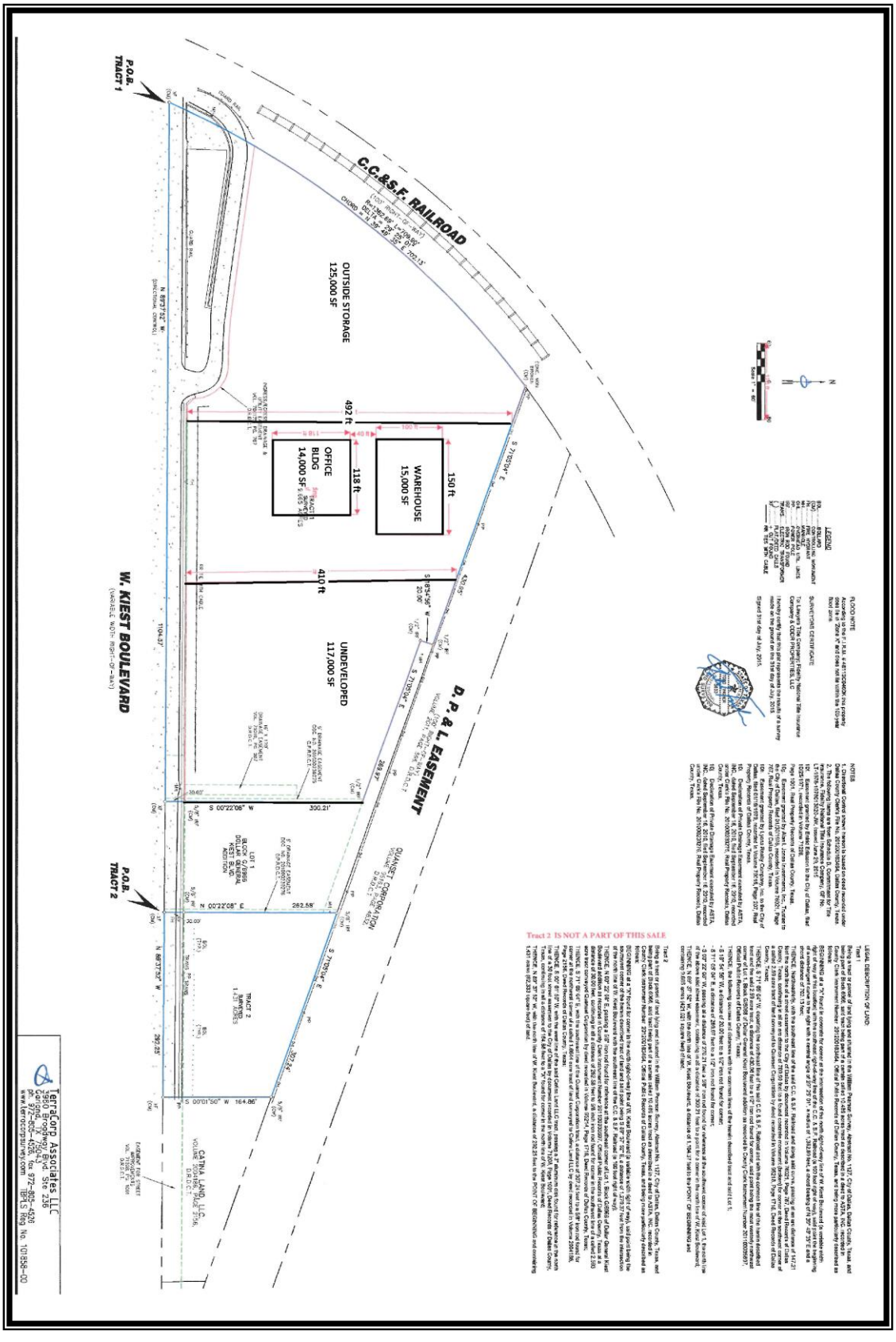
F. Prohibited Uses. The following main uses are prohibited:

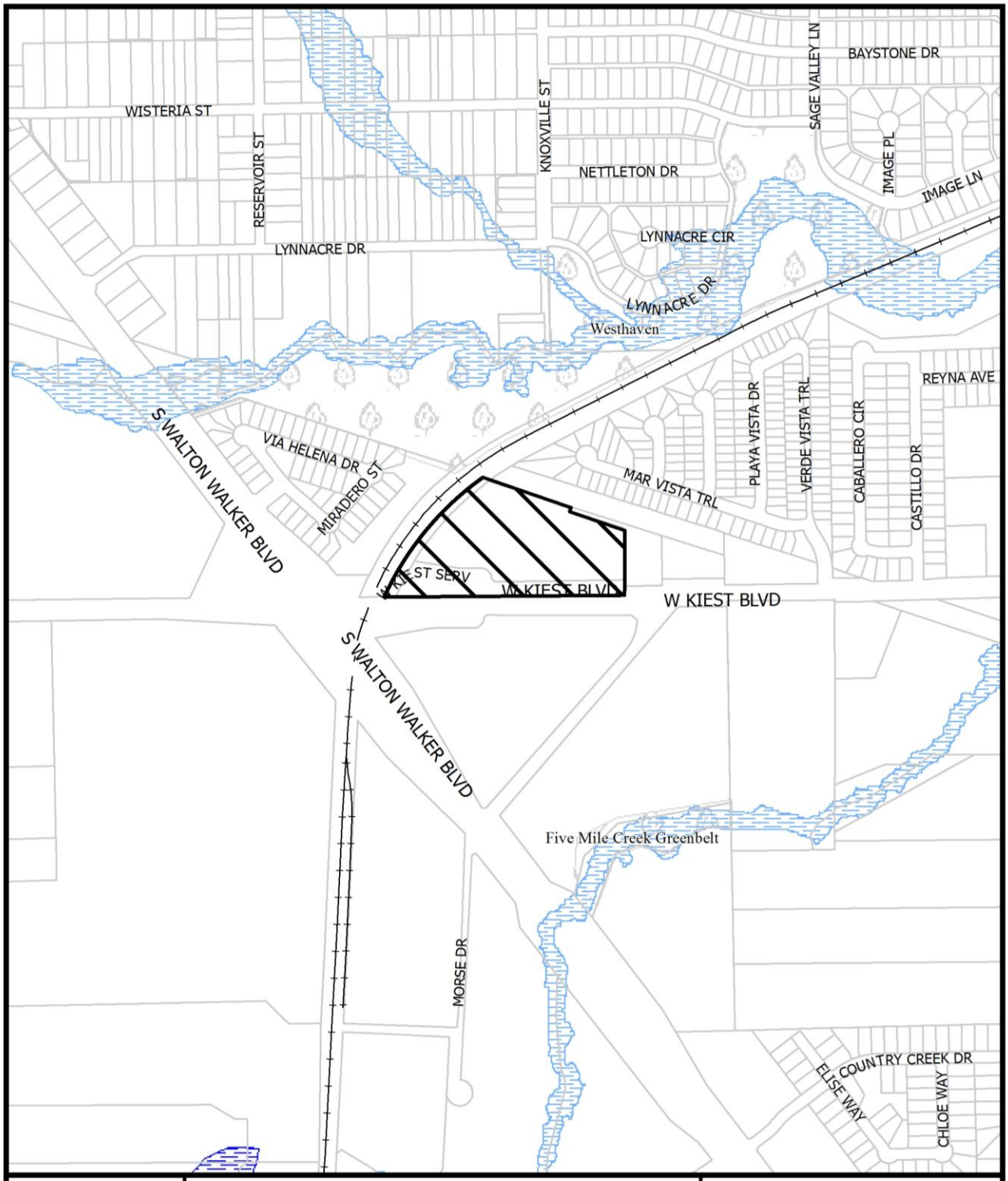
a. Bus or rail transit vehicle maintenance or storage facility.
b. Commercial bus station and terminal.
c. Commercial cleaning or laundry plant.
d. Custom woodworking, furniture construction, or repair.
e. Job or lithographic printing.
f. Labor hall.
g. Technical school.
h. Commercial motor vehicle parking.
i. Drive-in theater.
j. Taxidermist.
k. Truck stop.
l. Auto auction.
m. Building mover's temporary storage yard.
n. Freight terminal.
o. Manufactured building sales lot.
p. Office showroom/warehouse.
q. Petroleum product storage and wholesale.
r. Trade center.
s. Vehicle storage lot.

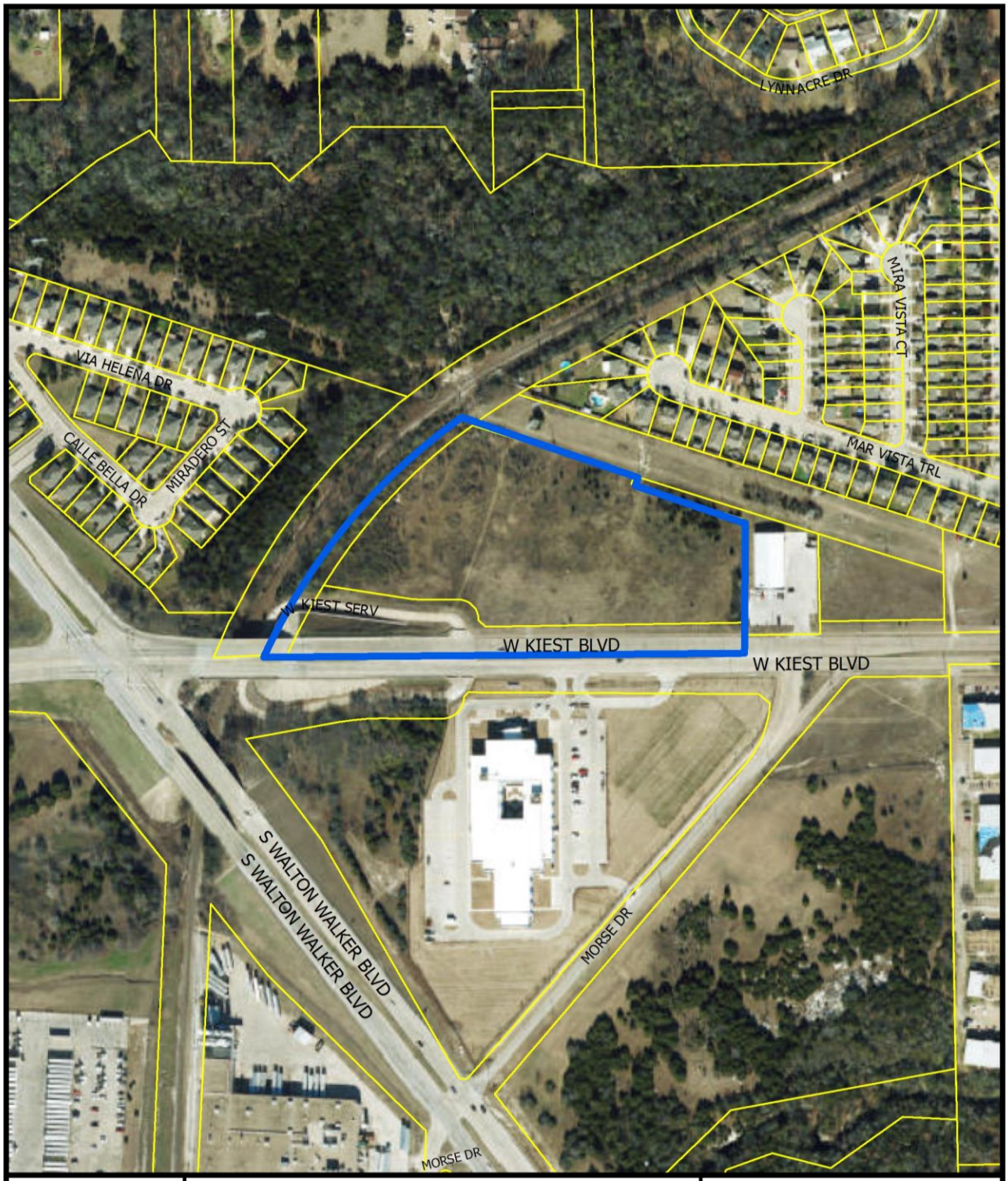
III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

EXHIBIT A


C.C.&S.F. RAILROAD
D. P. & L. EASEMENT
W. KIEST BOULEVARD
OUTSIDE STORAGE
125,000 SF
OFFICE
BLDG
14,000 SF
WAREHOUSE
15,000 SF
UNDEVELOPED
117,000 SF
492 ft
118 ft
150 ft
410 ft
P.O.B.
TRACT 1
P.O.B.
TRACT 2
TRACT 2
1.31 ACRES
CATINA LAND, LLC
VOLUME 2004188,
PAGE 7736
D.R.D.C.
TerraCorp Associates LLC
3960 Broadway Blvd Ste 226
Garland, TX 75043
ph 972-805-4526 fax 972-805-4526
www.terracorpsurvey.com TBPLS Reg No. 10185800


WISTERIA ST
RESERVOIR ST
KNOXVILLE ST
SAGE VALLEY LN
BAYSTONE DR
NETTLETON DR
IMAGE PL
IMAGE LN
LYNNACRE DR
LYNNACRE CIR
LYNN ACRE DR
Westhaven
REYNA AVE
PLAYA VISTA DR
VERDE VISTA TRL
CABALLERO CIR
CASTILLO DR
MAR VISTA TRL
S WALTON WALKER BLVD
VIA HELENA DR
MIRADERO ST
W KIEST BLVD
Five Mile Creek Greenbelt
MORSE DR
COUNTRY CREEK DR
ELISE WAY
CHLOE WAY
1:7,200
VICINITY MAP
Case no: Z167-171
Date: 2/1/2017

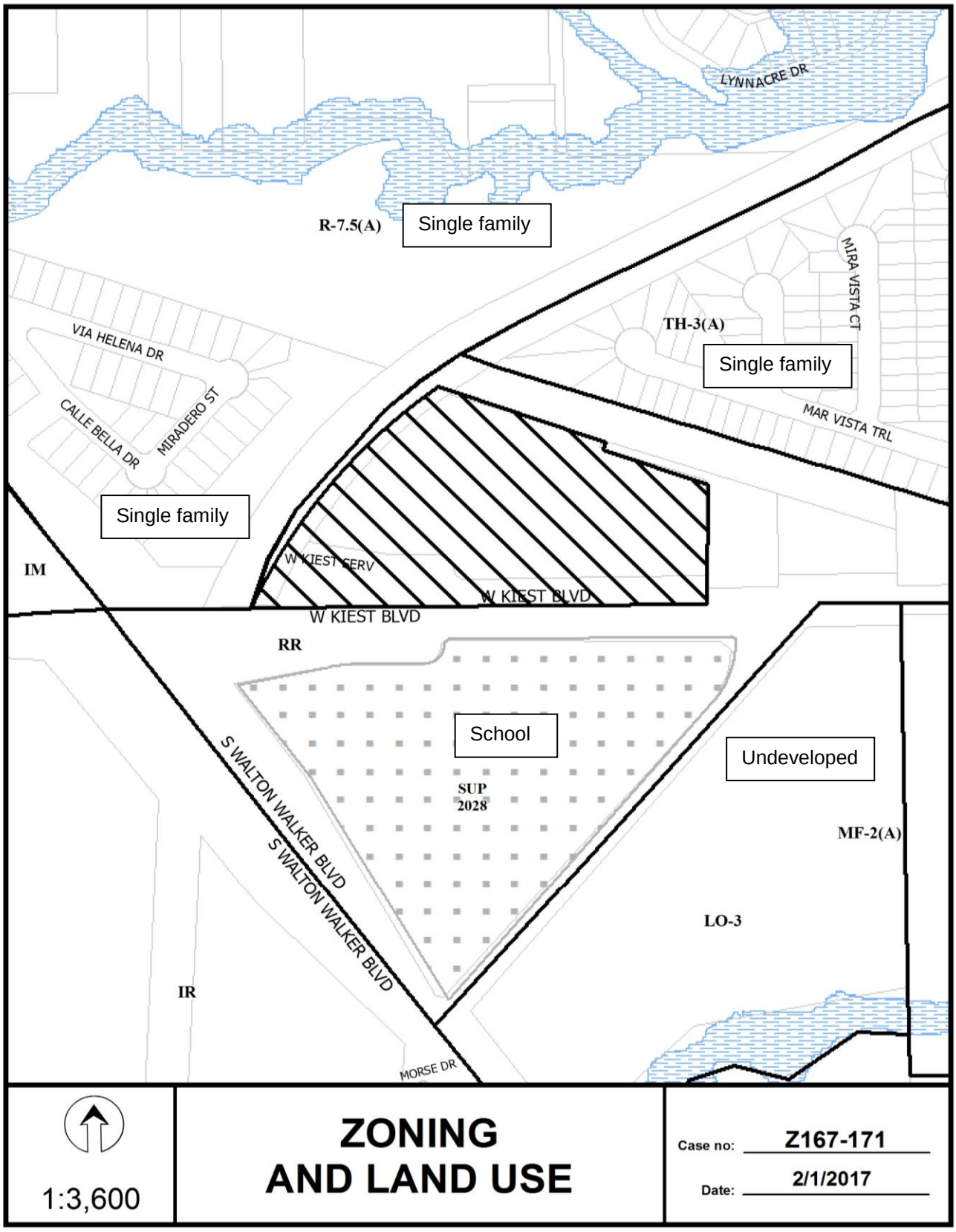


1:3,600

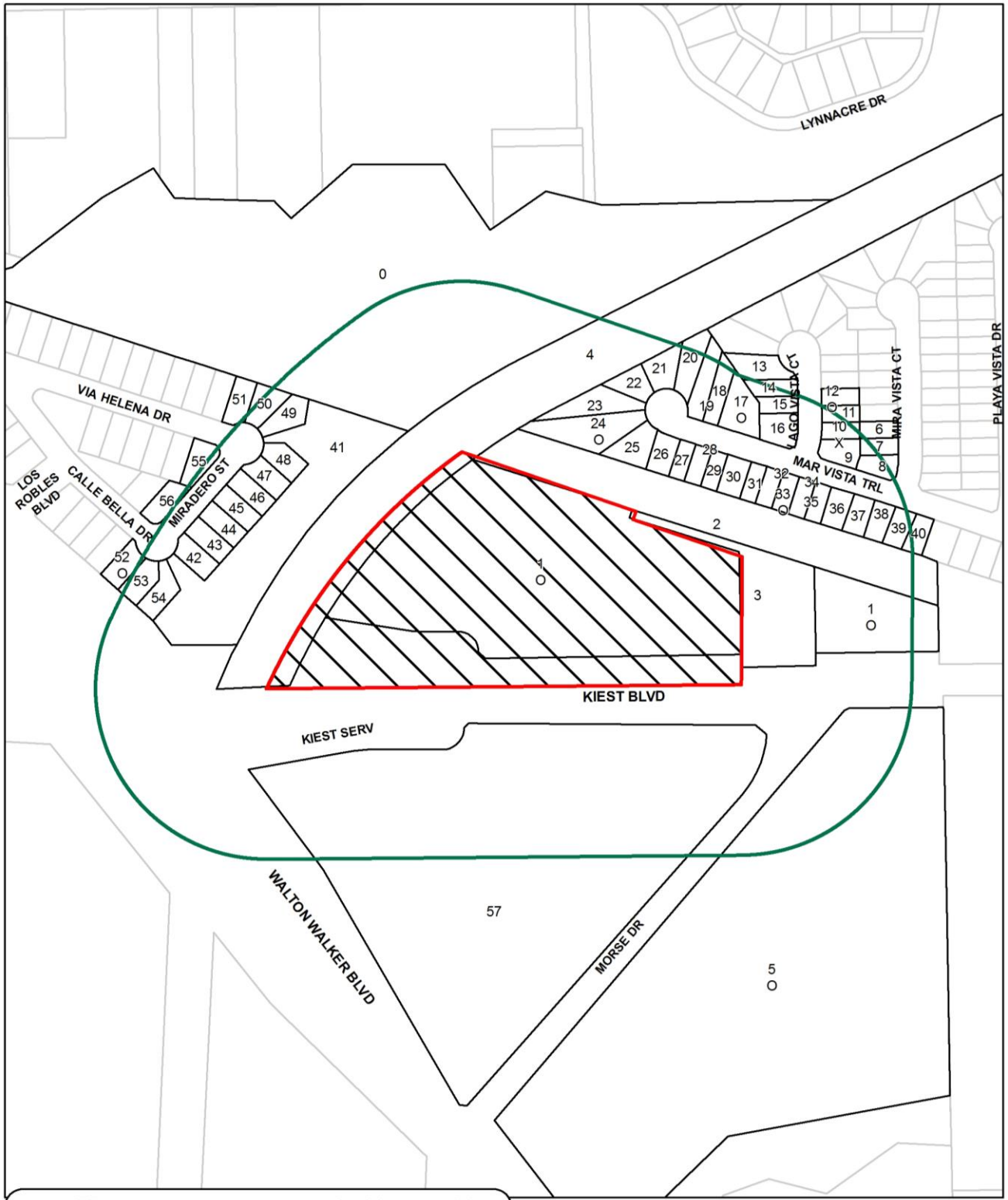
AERIAL MAP

Case no: Z167-171

Date: 2/1/2017


LYNNACRE DR
R-7.5(A)
Single family
MIRA VISTA CT
TH-3(A)
Single family
VIA HELENA DR
CALLE BELLA DR
MIRADERO ST
MAR VISTA TRL
Single family
IM
W KIEST SERV
W KIEST BLVD
W KIEST BLVD
RR
School
SUP
2028
Undeveloped
S WALTON WALKER BLVD
S WALTON WALKER BLVD
MF-2(A)
LO-3
IR
MORSE DR
1:3,600
ZONING
AND LAND USE
Case no: Z167-171
Date: 2/1/2017

CPC RESPONSES



57	Property Owners Notified (59 parcels)
7	Replies in Favor (8 parcels)
1	Replies in Opposition (1 parcels)
400'	Area of Notification
4/27/2017	Date

Z167-171
CPC

N
W E
S

1:3,600

Notification List of Property

Z167-171

57 Property Owners Notified 7 Property Owners in Favor 1 Property Owners Opposed

Reply	*Label #*		*Address*	*Owner*
O	1	4601	W KIEST BLVD	LEE NICHOLAS Q
	2	4511	W KIEST BLVD	QUANSET CORPORATION
	3	4627	W KIEST BLVD	FINKLESTEIN MAX J &
	4	2300	AL LIPSCOMB WAY	BNSF RAILWAY
	6	3041	MIRA VISTA CT	CHAVEZ SAMPSON
	7	3045	MIRA VISTA CT	GALLEGOS SILVIA
	8	3049	MIRA VISTA CT	GONZALEZ SOREL IGNACIO &
	9	3038	LAGO VISTA CT	BUENO ELISEO & NICOLASA
X	10	3034	LAGO VISTA CT	LOPEZ ISIDRO
	11	3030	LAGO VISTA CT	LOPEZ MANUEL & MARIA L
	13	3013	LAGO VISTA CT	RODRIGUEZ EDGAR ORTIZ &
	14	3017	LAGO VISTA CT	RODRIGUEZORTIZ EMILO
	15	3021	LAGO VISTA CT	BELMONTE JOSE M &
	16	3025	LAGO VISTA CT	POSADA JUAN J
	18	4639	MAR VISTA TRL	MARTINEZ MARIA
	19	4643	MAR VISTA TRL	ARVAIZA ANA C &
	20	4647	MAR VISTA TRL	LOPEZ ALFREDO R & PAMELA L CRUZ VARGAS
	21	4651	MAR VISTA TRL	MARTINEZ JENNIFER IRENE
	22	4655	MAR VISTA TRL	WILLIAMS FEDERICO
	23	4660	MAR VISTA TRL	SMITH GRADY JOHN &
	25	4652	MAR VISTA TRL	GAMINO MARCO ANTONIO
	26	4648	MAR VISTA TRL	MARTINEZMENDEZ ANTONIO
	27	4644	MAR VISTA TRL	ARBAIZA JOSE H &
	28	4640	MAR VISTA TRL	REYES GRICELDA
	29	4636	MAR VISTA TRL	CORTINAS ANITA M
	30	4632	MAR VISTA TRL	DORSEY KIMBERLY &

04/26/2017

Reply	*Label #*		*Address*	*Owner*
	31	4628	MAR VISTA TRL	FLOWERS SHARI M
	32	4624	MAR VISTA TRL	MADDOX JACQUELINE
	34	4616	MAR VISTA TRL	FOSTER ANGELA
	35	4612	MAR VISTA TRL	AMEZQUITA ERASMO
	36	4608	MAR VISTA TRL	CANALES SANTOS LUCILO & MARIA URIAS
	37	4604	MAR VISTA TRL	SEGOVIA CONSUELO
	38	4542	MAR VISTA TRL	TINAJERO LUIS &
	39	4538	MAR VISTA TRL	BARRETO DAVID
	40	4534	MAR VISTA TRL	NELSON LARRY W
	41	3100	S WALTON WALKER BLVD	MRL CONSTRUCTION LP
	42	4728	MIRADERO ST	REYES IGNACIO
	43	4724	MIRADERO ST	PLUTARCO ESPIRICUETA
	44	4720	MIRADERO ST	TAMEZ EDWIN A
	45	4716	MIRADERO ST	VALENCIA EDWARD
	46	4712	MIRADERO ST	VILLATORO CARLOS M
	47	4708	MIRADERO ST	BAUTISTA MIGUEL M
	48	4704	MIRADERO ST	CABRALES ALFREDO
	49	3166	VIA HELENA DR	MARQUEZ CYNTHIA J
	50	3162	VIA HELENA DR	DAVILA SHELLY & DORIAN M
	51	3158	VIA HELENA DR	NIEVES JUAN J
	53	3151	CALLE BELLA DR	ARTEAGA ALFREDO
	54	4732	MIRADERO ST	CRUZ JERMAN
	55	3151	VIA HELENA DR	BARRERA ANTONIO M
	56	3144	CALLE BELLA DR	LYON HILARIA F
	57	4680	W KIEST BLVD	LA ACADEMIA DE ESTRELLAS
O	A1	3026	LAGO VISTA CT	ARANDA ERNEST &
O	A2	4635	MAR VISTA TRL	LOMELI JUAN C
O	A3	4656	MAR VISTA TRL	TREVINO JOE & MARIA ELENA
O	A4	4620	MAR VISTA TRL	PAYNE MARGARET E
O	A5	3400	WALTON WALKER BLVD	LA ACADEMIA DE ESTELLAS
O	A6	3147	CALLE BELLA DR	ALVARADO RIGOBERTO

AGENDA ITEM # 75

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 43 T; U

SUBJECT

A public hearing to receive comments regarding an application for and **(1)** an ordinance repealing a portion of Specific Use Permit No. 98 for a quarry; **(2)** an ordinance granting a CR Community Retail District on the southeastern quadrant of the area of request; and **(3)** an ordinance granting a Planned Development District for CR Community Retail District uses on the remainder of the area of request on property zoned an NO(A) Neighborhood Office District and an IR Industrial Research District on the east side of North Westmoreland Drive, south of Interstate Highway 30

Recommendation of Staff and CPC: Approval to repeal a portion of Specific Use Permit No. 98, approval of a CR Community Retail District; and approval of a Planned Development District, subject to a development plan, landscape plan, and conditions

Z167-173(SM)

Note: This item was considered by the City Council at public hearings on May 24, 2017 and June 28, 2017, and was deferred until August 9, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-173(SM) **DATE FILED:** January 3, 2017

LOCATION: East side of North Westmoreland Drive, south of Interstate Highway 30.

COUNCIL DISTRICT: 1 **MAPSCO:** 43 T; U

SIZE OF REQUEST: Approx. 9.25 acres **CENSUS TRACT:** 69.00

OWNER: Dallas County Hospital District

APPLICANT: QuikTrip Corporation

REPRESENTATIVE: Dallas Cothrum, Masterplan

REQUEST: An application for 1) the repealing of a portion of Specific Use Permit No. 98 for a quarry; 2) a CR Community Retail District on the southeastern quadrant of the area of request; and 3) a Planned Development District for CR Community Retail District uses on the remainder of the area of request on property zoned an NO(A) Neighborhood Office District and an IR Industrial Research District.

SUMMARY: The purpose of the request is to (1) terminate a portion of a specific use permit for a quarry, (2) rezone the southeastern quadrant to a CR Community Retail District to facilitate future utility uses for Oncor, and (3) create a Planned Development District for CR Community Retail District uses on the remainder to construct a general merchandise or food store greater than 3,500 square feet and a motor vehicle fueling station [QuikTrip] with modifications to landscaping regulations.

CPC RECOMMENDATION: **Approval** to repeal a portion of Specific Use Permit No. 98, **approval** of a CR Community Retail District; and **approval** of a Planned Development District, subject to a development plan, landscape plan, and conditions.

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STAFF RECOMMENDATION: **Approval** to repeal a portion of Specific Use Permit No. 98, **approval** of a CR Community Retail District; and **approval** of a Planned Development District, subject to a development plan, landscape plan, and conditions.

BACKGROUND INFORMATION:

- The area of request has remained undeveloped for approximately 40 years, according to aerial photography from 1968.

- To the west of the area request is Planned Development District No. 811. In September 2009, PDD No. 811 was established to allow for a mixed use development that will provide a combination of retail, commercial, residential and office uses. On May 9, 2012 Council approved an amendment and expansion of PDD No. 811.

- The site has significant topography and is in the general area impacted by the escarpment zone. However, the Director determined that the area of request is determined as a Geologically Similar Area and all development on the site must comply with the City of Dallas Code, Chapter 51A-5.200.

- On March 16, 2017, the City Plan Commission recommended approval of a CR Community Retail District; and approval of a Planned Development District, subject to a development plan and conditions.

- After the City Plan Commission recommended approval staff discovered an error that required another notice for a second CPC hearing. The error was contributed to a unique situation where the zoning boundary of the NO(A) District on the private property of the subject site ended approximately at the bounding property line of IH-30. Since the right-of-way was zoned differently than the zoning included on the notice and because zoning is taken to the center of any right-of-way, another notice was required to be advertised. On April 6, 2017, the City Plan Commission reconsidered this item to allow staff to re-advertise the item to add the termination of a portion of Specific Use Permit No. 98 for a quarry for a portion of the property zoned an IR Industrial Research.

Zoning History: There have been no recent zoning changes requested in the vicinity in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Planned Dimension; ROW
Westmoreland Road	Principal Arterial	Minimum 6 lanes, divided; 100 ft.
Interstate Highway 30	Highway	Varies

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request's Traffic Impact Analysis and determined that the proposed development will not be a detriment on the surrounding street system.

COMPREHENSIVE PLAN:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Designing pedestrian-friendly streetscapes and encouraging new developments to provide pedestrian-oriented amenities and enhancements would encourage people to

AREA PLAN:

The request site is within the boundary of the *Southwest Dallas Land Use Study, Phase II*, June 1988. The Study encourages office and supports retail uses.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	NO(A)	Undeveloped
North	IR, SUP No. 1551, SUP No. 98	Highway, Animal Shelter, Undeveloped
East	NO(A), SUP No. 98	USPS Bulk Mail Center
South	NO(A)	Medical Clinic
West	PD No. 811	Undeveloped

One purpose of the request is to change the zoning in order to allow three retail uses that are prohibited in the existing Neighborhood Office NO(A) District. The new uses are (1) general merchandise or food store greater than 3,500 square feet, (2) motor vehicle fueling station, and (3) a convenience store with drive through. The convenience store with drive through requires a specific use permit and the applicant is currently considering adding that feature to new QuikTrip stores. In the event the applicant decides a drive through is desired, a new application for a Specific Use Permit will be submitted and reviewed.

The second purpose of the request is to separate an area within the property for the future use of ONCOR. This area is proposed to be CR Community Retail and is located in the southeastern quadrant of the property, north of the existing medical clinic building and west of the existing USPS Bulk Mail Center. Other utility towers are also in the vicinity of the request at the western terminus of Remond Drive and on the north line of Remond Drive, east of Hartsdale Drive.

The request site is undeveloped and is conveniently located on the corner of an interstate access road and a major arterial roadway in a nonresidential area. The development pattern for the immediate area consists of a medical clinic, mixed use, and utility uses. These uses are located primarily along Westmoreland Road and the interstate. Because the site is distanced from residential neighborhoods and adjacent to an interstate, the land use is compatible with the surrounding properties.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
Existing							
NO(A) Neighborhood Office	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	50%	Proximity Slope Visual Intrusion	Office
Proposed							
CR	15	20' adjacent to residential OTHER: No Min.	.75 FAR overall .5 office	54' 4 stories	60%		Retail & personal service
PD with CR base	15	20' adjacent to residential OTHER: No Min.	.75 FAR overall .5 office	54' 4 stories	60%		Retail & personal service

Landscaping: Landscaping requirements in the proposed planned development district must be in accordance with Article X of the Dallas Development Code with one modification to street trees. Because the site contains significant topography, the maximum distance to consider trees as street trees was extended from 30 feet to 60 feet from the street curb. This modification is only proposed on the southwestern boundary of the site and will allow the site to maintain the existing grades so as to not disturb the grades the southern property line.

Sidewalks: Enlarged sidewalks and pedestrian crossings are also proposed in this request. PDD No. 811 to the west of North Westmoreland Road has a pedestrian friendly environment with large sidewalks. Therefore, matching sidewalk widths, pedestrian crossings, and a pedestrian connection from the sidewalk to the proposed facility are included with the request.

Parking: Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200.

Geologically Similar Area: On January 6, 2017, the Director of Sustainable Development and Construction wrote a determination letter that the Property is considered a Geologically Similar Area. The determination was made based on the materials submitted for the determination, the Property is located within an area that was previously covered by Specific Use Permit No. 98 for a quarry, and historical aerial photographs indicate portions of the site and areas immediately adjacent to the site were quarried and mined extensively in the past. Therefore, all development on the site must comply with the regulations for development in Geologically Similar Areas, as defined in Chapter 51A-5.200. Items required for review in accordance with Chapter 51A-5.200 include details of terrain and area drainage, results of a slope stability analysis, a soil erosion control plan, grading plans, and vegetation plans, as prescribed in Chapter 51A-5.200.

CPC Action – March 16, 2016:

Motion: It was moved to recommend **approval** of 1) a CR Community Retail District on the southeastern quadrant of the area of request; and **approval** of 2) a Planned Development District for CR Community Retail District uses on the remainder of the area of request, subject to a development plan and conditions on property zoned an NO(A) Neighborhood Office District on the east side of North Westmoreland Drive, south of Interstate Highway 30.

Maker: Anglin
Second: Murphy
Result: Carried: 10 to 0

For: 10 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Mack, Housewright, Schultz, Murphy

Against: 0
Absent: 1 - Haney
Vacancy: 0
Conflict: 4 - Jung, Peadon, Ridley, Tarpley

Notices: Area: 500 Mailed: 14
Replies: For: 2 Against: 0

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Jake Pietras, 1120 N. Industrial Blvd., Euless, TX, 76039
Against: None

CPC Action – April 6, 2016:

Motion to Reconsider: It was moved to **reconsider** the action taken on March 16, 2017, which was to recommend approval of 1) a CR Community Retail District on the southeastern quadrant of the area of request; and approval of 2) a Planned Development District for CR Community Retail District uses on the remainder of the area of request, subject to a development plan and conditions on property zoned an NO(A) Neighborhood Office District on the east side of North Westmoreland Drive, south of Interstate Highway 30.

Maker: Anglin
Second: Mack
Result: Carried: 11 to 0

For: 11 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Mack, Haney, Housewright, Schultz, Murphy
Against: 0
Absent: 0
Vacancy: 0
Conflict: 4 - Jung, Peadon, Ridley, Tarpley

Motion: In considering an application for 1) a CR Community Retail District on the southeastern quadrant of the area of request; and for 2) a Planned Development District for CR Community Retail District uses on the remainder of the area of request on property zoned an NO(A) Neighborhood Office District on the east side of North Westmoreland Drive, south of Interstate Highway 30, it was moved to instruct staff to re-advertise to include a change to the property zoned description to NO(A) Neighborhood Office District and IR Industrial Research District, and include termination of Specific Use Permit No. 98 with the zoning case to return April 27, 2017.

Maker: Anglin
Second: Shidid
Result: Carried: 11 to 0

For: 11 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Mack, Haney, Housewright, Schultz, Murphy
Against: 0
Absent: 0
Vacancy: 0
Conflict: 4 - Jung, Peadon, Ridley, Tarpley

Notices: Area: 500 Mailed: 14
Replies: For: 4 Against: 0

Speakers: None

CPC Action – May 4, 2016:

Motion: It was moved to recommend **approval** of 1) repealing a portion of Specific Use Permit No. 98 for a quarry, **approval** of 2) a CR Community Retail District on the southeastern quadrant of the area of request; and **approval** of 3) a Planned Development District for a CR Community Retail District uses on the remainder of the area of request, subject to a development plan, revised conditions, and a landscape plan with the following five elements: 1) nine additional trees along the retaining wall, 2) 10 additional trees along the back of the facility, 3) pedestrian path with pavement treatment from Westmoreland to the building, 4) pavement treatment on pedestrian paths intersecting drives, and 5) six-foot instead of five-foot sidewalk along Westmoreland to match adjacent development to west on property zoned an NO(A) Neighborhood Office District and an IR Industrial Research District on the east side of North Westmoreland Drive, south of Interstate Highway 30.

Maker: Anglin
Second: Houston
Result: Carried: 12 to 0

For: 12 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon*, Mack, Haney, Housewright, Schultz, Murphy, Tarpley

Against: 0
Absent: 0
Vacancy: 0
Conflict: 3 - Jung, Peadon, Ridley

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 14
Replies: For: 2 Against: 0

Speakers: None

Parkland List of Officers

Board Members

Winfred Parnell, MD
Board Chair

Michael D. Williams, FACHE
Vice Chair

Paula Dobbs-Wiggins, MD
Secretary

Brian H. Fant
Marvin A. Earle
Natalie Jenkins Sorrell
Scherry Johnson, EdD
Robert D. Martinez
Jeff Tillotson
Jesse Vallejo
Gonzalo Venegas, MD, F.A.C.O.G

QuikTrip List of Officers

Chester Cadieux III, President/Chief Executive Officer

James Marchesano, Vice President of Store Development

Stuart C. Sullivan, Vice President of Finance (CFO)

Marvin C. O'Dell III, Vice President of Sales

Jeffrey T. Thoene, Vice President of Real Estate

Chad M. Stanford, Corporate Director of Real Estate

Kelly P Vaughan, Regional Director of Real Estate

Craig D. Williams, Regional Director of Real Estate

CPC RECOMMENDED CONDITIONS FOR A PLANNED DEVELOPMENT SUBDISTRICT

"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 located south of Interstate Highway 30 and east of N. Westmoreland Drive. The size of PD _____ is approximately 7.26 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 nonresidential zoning district.

SEC. 51P- _____.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit ___A: development plan.

(2) Exhibit ___B: landscape plan.

SEC. 51P- _____.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ___). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-____.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in Chapter 51A. For example, a use permitted in the CR Community Retail District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the CR Community Retail District is subject to DIR in this district; etc.

(b) The following main uses are prohibited:

(1) Commercial and business service uses.

-- Building repair and maintenance shop.
-- Tool or equipment rental.

(2) Industrial uses.

-- Gas drilling and production.

(3) Office uses.

-- Alternative financial establishment.

(4) Retail and personal service uses.

-- Liquor store.
-- Pawn shop.
-- Swap or buy shop.

SEC. 51P-____.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-____.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 Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

The yard, lot, and space regulations for the CR Community Retail District apply.

SEC. 51P- ____.109. OFF-STREET PARKING AND LOADING.

Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

SEC. 51P- ____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-_____.111. LANDSCAPING.

(a) Landscaping must be provided as shown on the landscape plan (Exhibit _____B). If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- ____.112. SIDEWALKS.

(a) A minimum six-foot wide unobstructed sidewalk must be provided in an area parallel to and between four and 12 feet from the back of projected Westmoreland Road street curb.

(b) A scored concrete sidewalk is required to provide an additional pedestrian connection between Westmoreland Road and the facility as shown on the development plan.

(c) 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.

SEC. 51P- ____.113. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P- ____.114. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

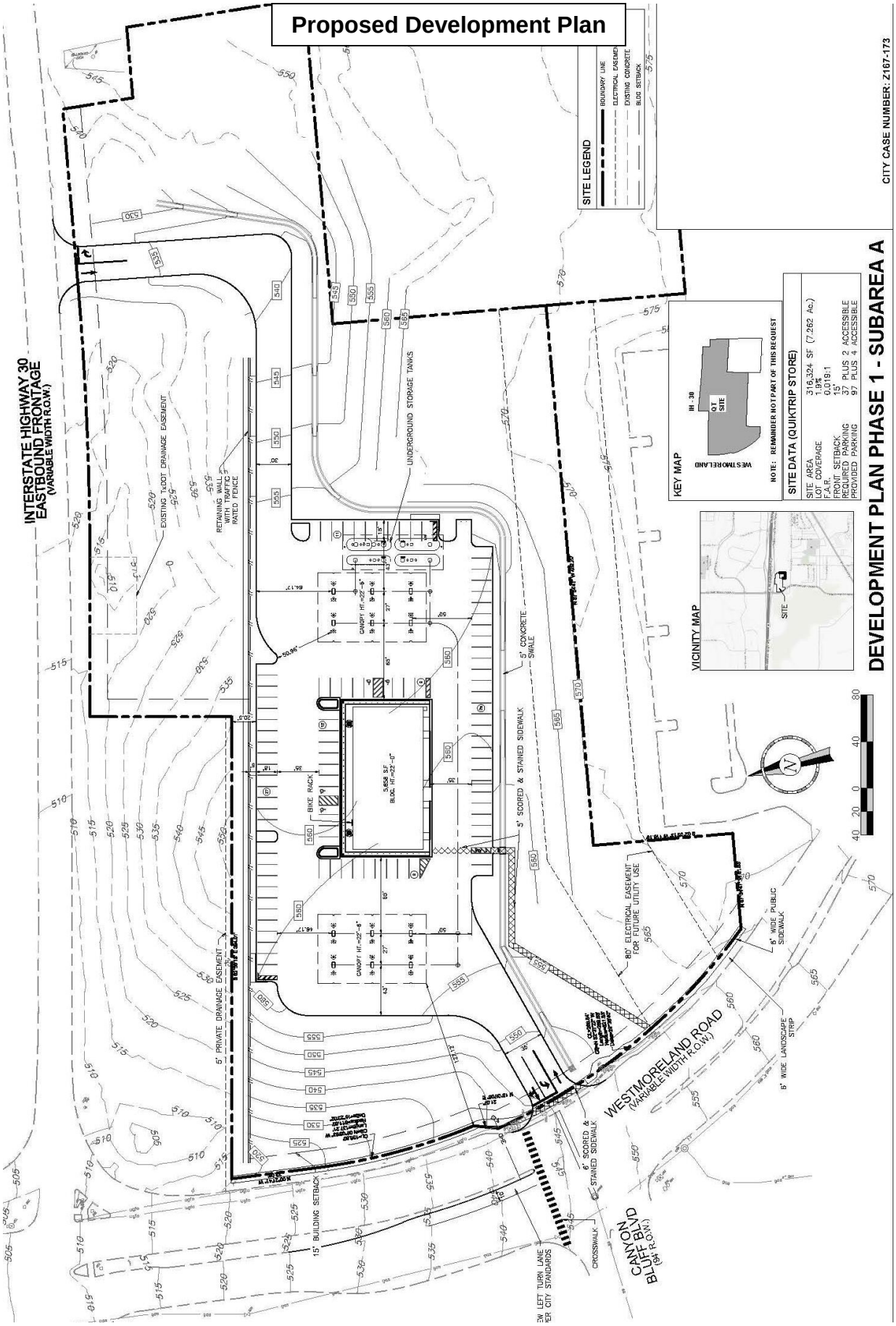
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

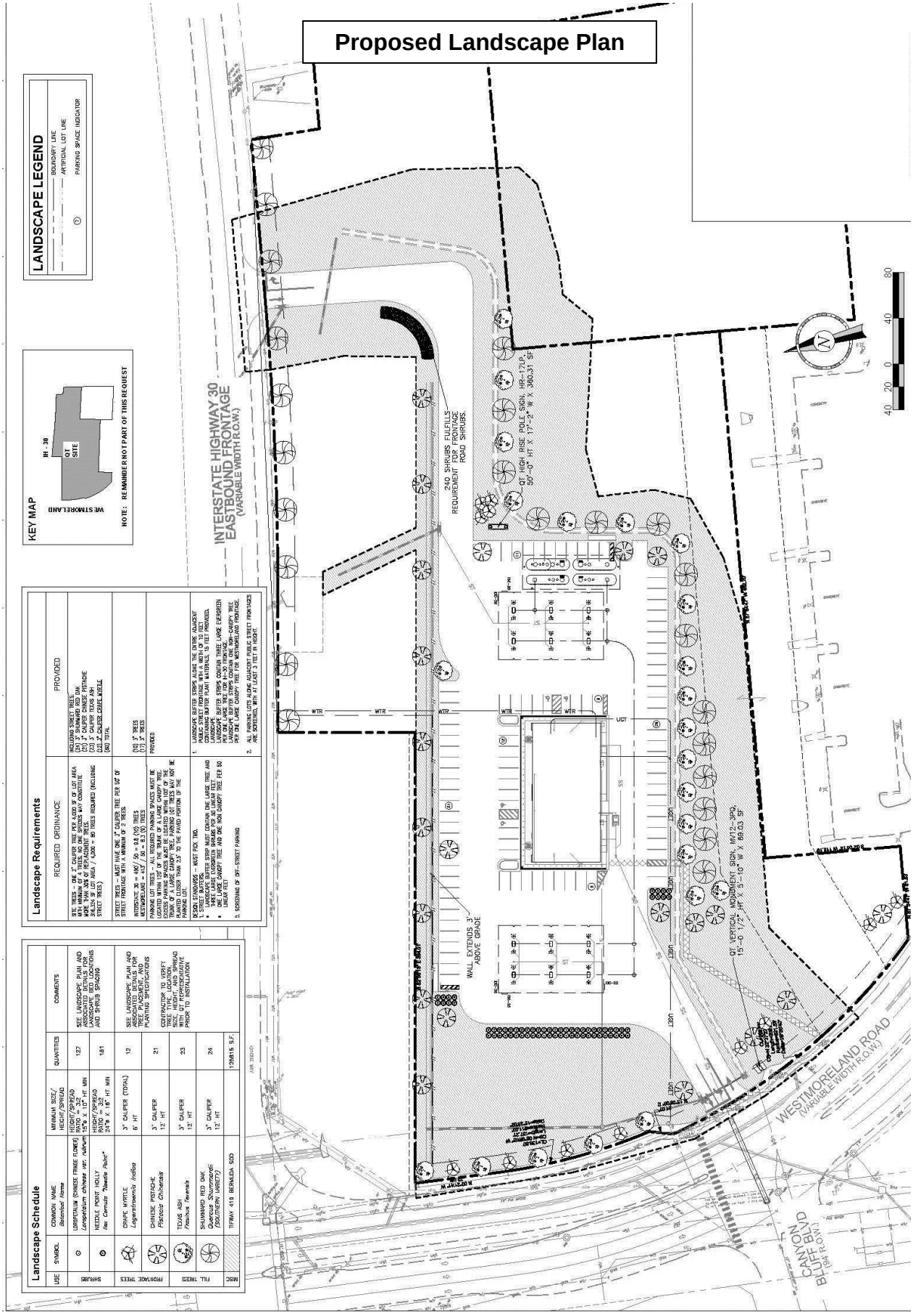
SEC. 51P-____.114. COMPLIANCE WITH CONDITIONS.

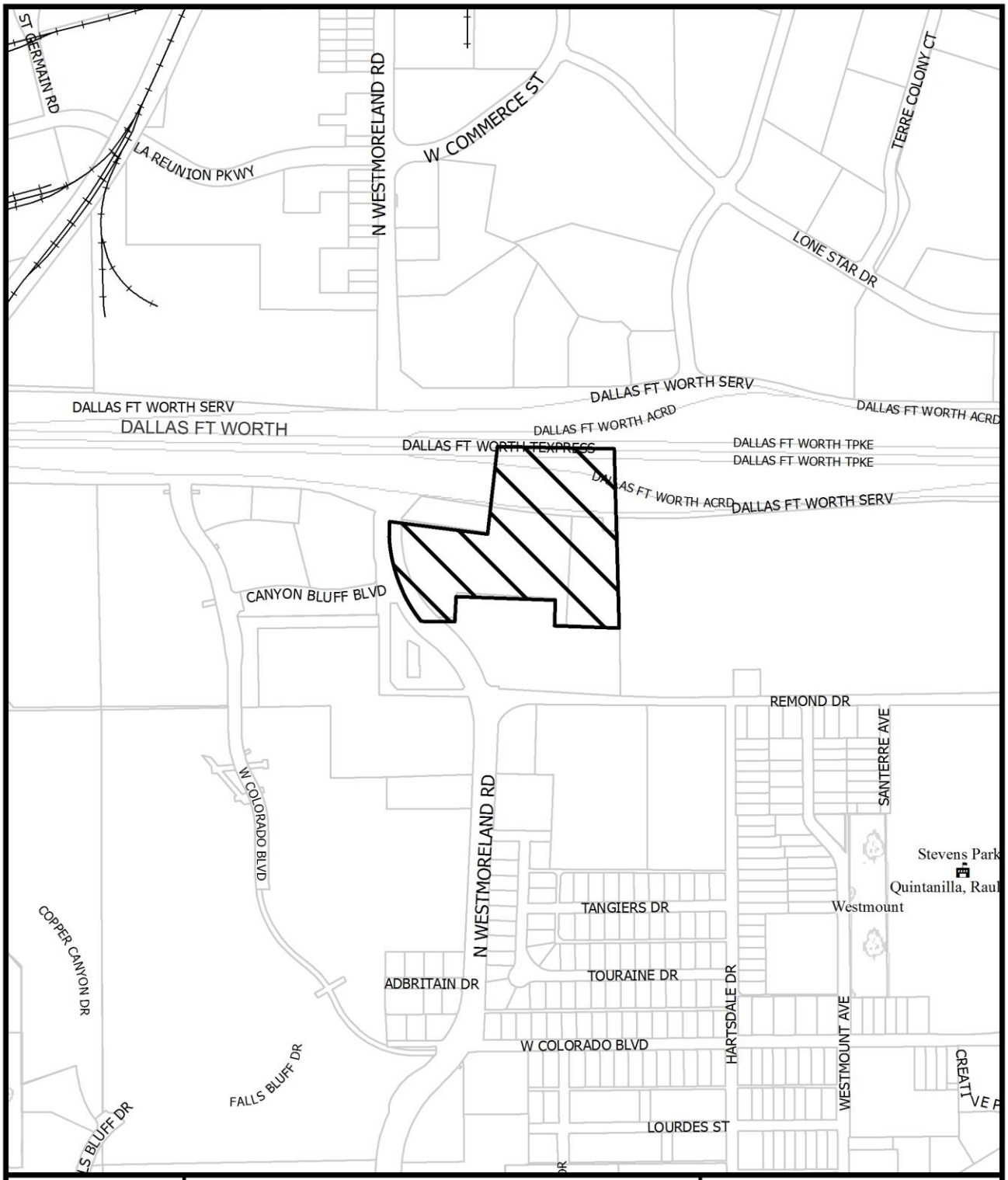
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(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, 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




Proposed Landscape Plan
LANDSCAPE LEGEND
BOUNDARY LINE
ARTIFICIAL LOT LINE
PARKING SPACE INDICATOR
KEY MAP
IH - 30
SITE
WESTMORELAND
NOTE: REMAINDER NOT PART OF THIS REQUEST
INTERSTATE HIGHWAY 30
EASTBOUND FRONTAGE
(VARIABLE WIDTH R.O.W.)
240 SHRUBS FULFILLS
ROW FRONTAGE
REQUIREMENT
ROAD SHRUBS.
01' HIGH RISE POLE SIGN, HR-17LP
50'-0" HT X 17'-2" W X 350.31 SF
WALL EXTENDS 3'
ABOVE GRADE
01' VERTICAL MOVEMENT SIGN, MV12-3P04
15'-0 1/2" HT X 5'-10" W X 89.03 SF
WESTMORELAND ROAD
(VARIABLE WIDTH R.O.W.)
CANYON
BLUFF BLVD
(94' R.O.W.)
Landscape Schedule
USE
SYMBOL
COMMON NAME
Botanical Name
MINIMUM SIZE/
HEIGHT/SPREAD
QUANTITIES
COMMENTS
SHRUBS
LORAPETALUM (CHINESE FRINGE FLOWER)
Loropetalum chinese var. rubrum
HEIGHT/SPREAD
15"H X 15"-18" HT MIN
127
SEE LANDSCAPE PLAN AND
ASSOCIATED DETAILS FOR
LANDSCAPE BED LOCATIONS
AND SPACING SPACING
NEDLE POINT HOLLY
Ilex Cornuta 'Needle Point'
HEIGHT/SPREAD
RATIO = 3/2+
24"H X 16" HT MIN
181
PRIVATE TREES
CRAPE MYRTLE
Lagerstroemia Indica
3" CALIPER (TOTAL)
6' HT
12
SEE LANDSCAPE PLAN AND
ASSOCIATED DETAILS FOR
TREE PLACEMENT, AND
PLANTING SPECIFICATIONS
CHINESE PISTACHE
Pistacia Chinensis
3" CALIPER
12' HT
21
CONTRACTOR TO VERIFY
TREE LOCATIONS, AND CANOPY
SIZE, HEIGHT, AND SPREAD
WITH UTILITY/ELECTRICAL
PRIOR TO INSTALLATION
FULL TREES
TEXAS ASH
Fraxinus Texensis
3" CALIPER
12' HT
23
SHUMARD RED OAK
Quercus Shumardii
(SOUTHERN VARIETY)
3" CALIPER
12' HT
24
MISC
TIFWAY 419 BERMUDA SOD
125815 S.F.
Landscape Requirements
REQUIRED ORDINANCE
PROVIDED
SITE TREES - ONE 3" CALIPER TREE PER 4,000 SF OF LOT AREA
WITH MINIMUM OF 4 TREES, NO ONE SPECIES MAY CONSTITUTE
MORE THAN 50% OF TREES REQUIRED (NUMBER
316,124 SF LOT AREA / 4,000 = 80 TREES REQUIRED (INCLUDING
STREET TREES)
INCLUDING STREET TREES
(10) 3" CALIPER TEXAS ASH
(21) 3" CALIPER CHINESE PISTACHE
(23) 3" CALIPER TEXAS ASH
(24) 3" CALIPER SHUMARD RED OAK
(24) TOTAL
STREET TREES - MUST HAVE ONE 3" CALIPER TREE PER 50' OF
STREET FRONTAGE WITH A MINIMUM OF 2 TREES.
INTERSTATE 30 = 490' / 50 = 9.8 (10) TREES
WESTMORELAND = 413' / 50 = 8.3 (9) TREES
(10) 3" TREES
(17) 3" TREES
PARKING LOT TREES - ALL REQUIRED PARKING SPACES MUST BE
LOCATED WITHIN 100' OF A LARGE CANOPY TREE. PARKING LOT TREES IN
EXCESS PARKING SPACES MUST BE LOCATED WITHIN 100' OF THE
TRUNK OF A LARGE CANOPY TREE. PARKING LOT TREES MAY NOT BE
PLANTED LESS THAN 25' TO THE PATIO PORTION OF THE
PARKING LOT.
PROVIDED
DESIGN STANDARDS - MUST PICK TWO.
1. LANDSCAPE BUFFER STRIPS ALONG THE ENTIRE ADJACENT
STREET FRONTAGE WITH A MINIMUM WIDTH OF 15 FEET
CONTAINING BUFFER PLANT MATERIALS, 15 FEET PROVIDED.
LANDSCAPE BUFFER STRIPS CONTAIN THREE LARGE EVERGREEN
TREES FOR EVERY 100 LINEAR FEET AND ONE LARGE CANOPY TREE
PER ONE LARGE TREE FOR H-30 FRONTAGE.
LANDSCAPE BUFFER STRIPS CONTAIN ONE LARGE CANOPY TREE
PER ONE LARGE CANOPY TREE FOR WESTMORELAND FRONTAGE.
2. ALL PARKING LOTS ALONE ADJACENT PUBLIC STREET FRONTAGES
ARE SCREENED, WITH AT LEAST 3 FEET IN HEIGHT.



1:7,200

VICINITY MAP

Case no: Z167-173

Date: 2/15/2017

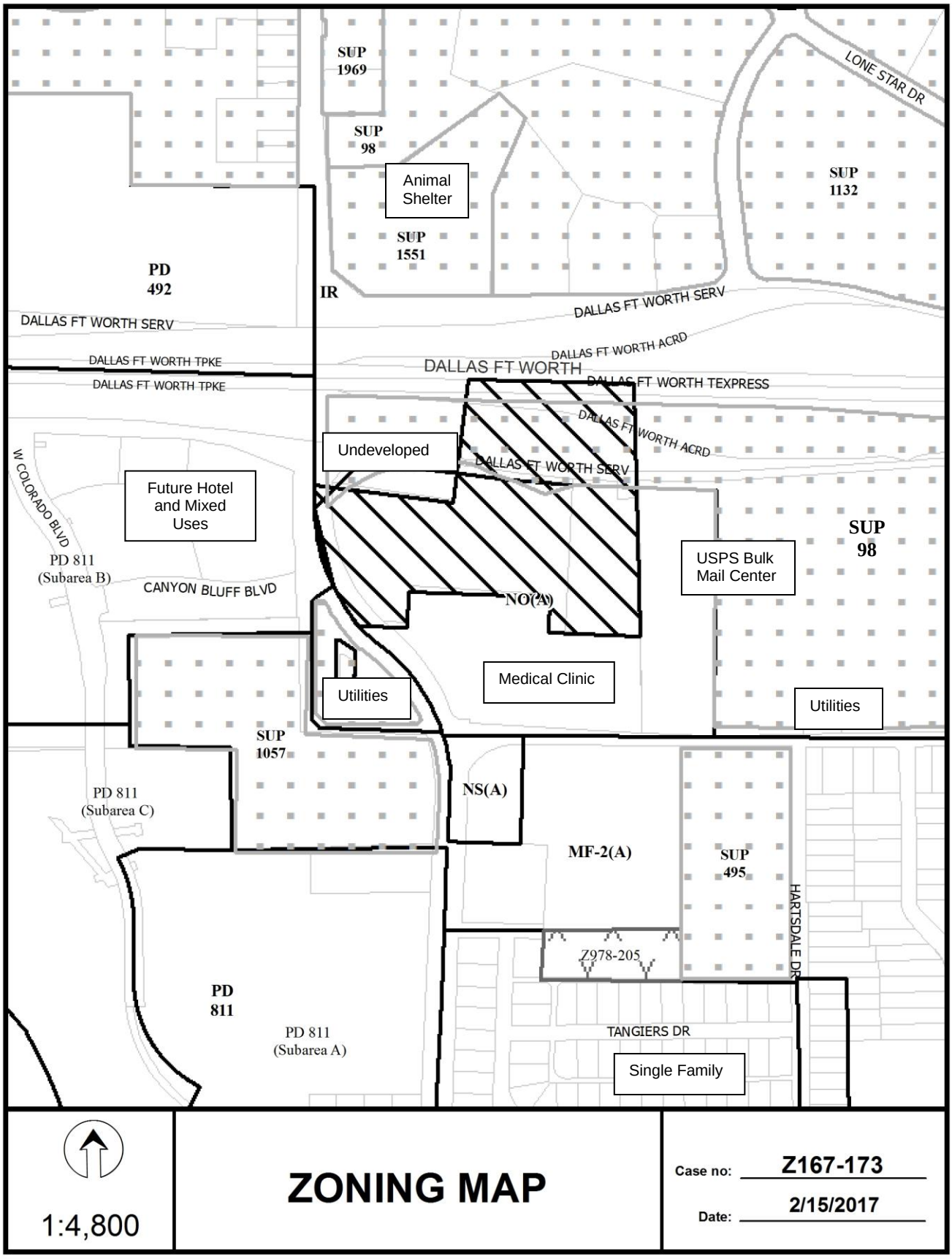


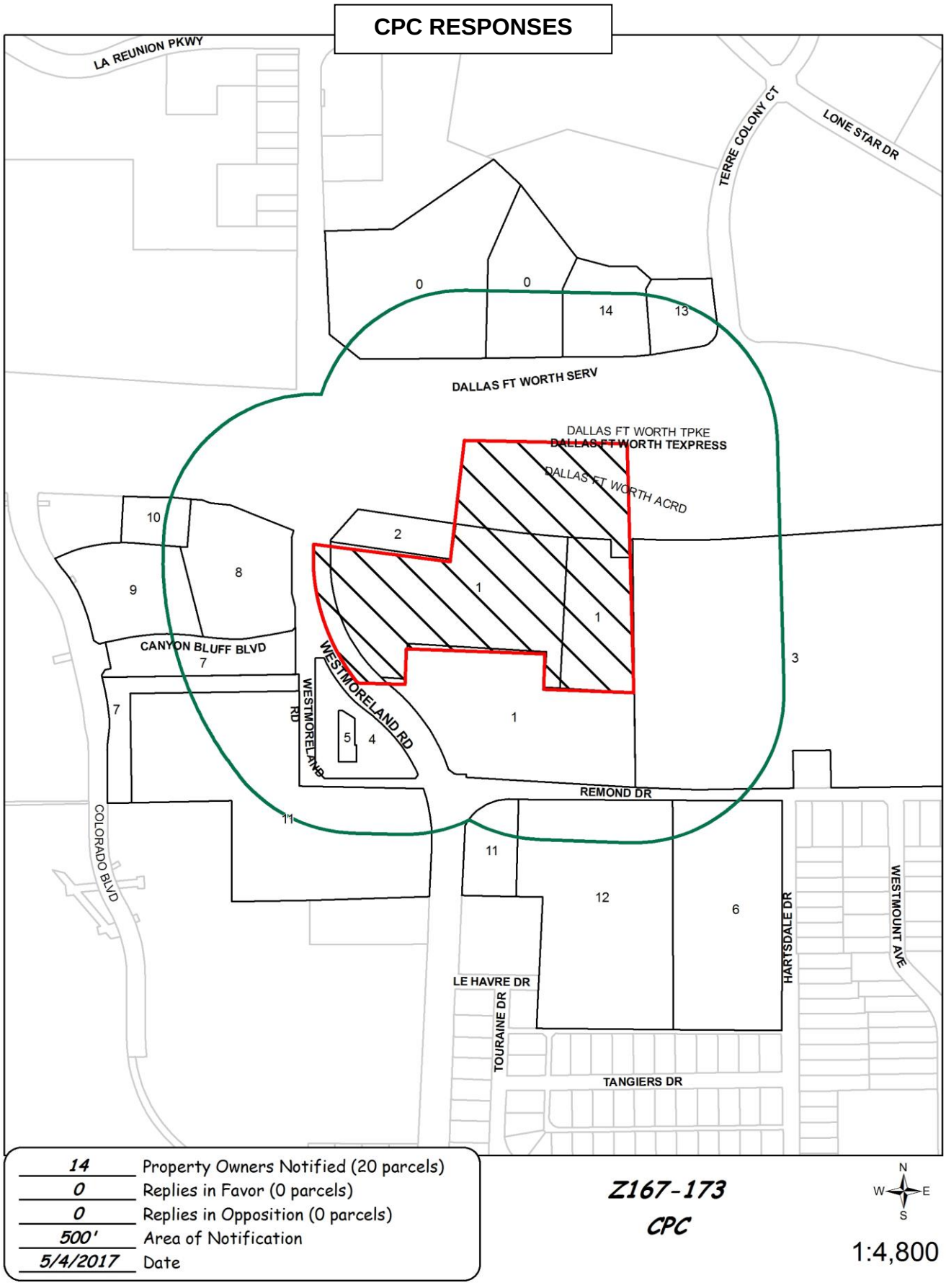
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AERIAL MAP

Case no: Z167-173

Date: 2/15/2017


SUP 1969
SUP 98
Animal Shelter
SUP 1551
SUP 1132
LONE STAR DR
PD 492
IR
DALLAS FT WORTH SERV
DALLAS FT WORTH SERV
DALLAS FT WORTH ACRD
DALLAS FT WORTH TPKE
DALLAS FT WORTH TPKE
DALLAS FT WORTH
DALLAS FT WORTH TEXPRESS
DALLAS FT WORTH ACRD
DALLAS FT WORTH SERV
Undeveloped
W COLORADO BLVD
Future Hotel and Mixed Uses
PD 811 (Subarea B)
CANYON BLUFF BLVD
NO(A)
USPS Bulk Mail Center
SUP 98
Utilities
Medical Clinic
Utilities
SUP 1057
PD 811 (Subarea C)
NS(A)
MF-2(A)
SUP 495
HARTSDALE DR
Z978-205
PD 811
PD 811 (Subarea A)
TANGIERS DR
Single Family
1:4,800
ZONING MAP
Case no: Z167-173
Date: 2/15/2017


CPC RESPONSES
LA REUNION PKWY
TERRE COLONY CT
LONE STAR DR
DALLAS FT WORTH SERV
DALLAS FT WORTH TPKE
DALLAS FT WORTH TEXPRESS
DALLAS FT WORTH ACRD
CANYON BLUFF BLVD
WESTMORELAND RD
REMOND DR
COLORADO BLVD
LE HAVRE DR
TOURAINE DR
TANGIERS DR
HARTSDALE DR
WESTMOUNT AVE
14 Property Owners Notified (20 parcels)
0 Replies in Favor (0 parcels)
0 Replies in Opposition (0 parcels)
500' Area of Notification
5/4/2017 Date
Z167-173
CPC
N
W
E
S
1:4,800

05/10/2017

Reply List of Property Owners

Z167-173

14 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2841	REMOND DR	DALLAS COUNTY HOSPITAL DISTRICT
	2	1600	N WESTMORELAND RD	TEXAS UTILITIES ELEC CO
	3	2400	IH 30	U S POSTAL SERVICE
	4	1433	N WESTMORELAND RD	SLF THE CANYOUN IN OAK CLIFF LP
	5	1433	N WESTMORELAND RD	CROWN COMMUNICATION INC
	6	2902	REMOND DR	REMOND CLIFF PLAZA
	7	1419	N WESTMORELAND RD	SLF III THE CANYON IN OAK CLIFF LP
	8	1600	N WESTMORELAND RD	SLF III THE CANYON RETAIL JV LP
	9	1600	N WESTMORELAND RD	CANYONS HOTEL VENTURE
	10	1600	N WESTMORELAND RD	KAIZEN REAL ESTATE INC
	11	1353	N WESTMORELAND RD	DALLAS CO MENTAL HEALTH &
	12	3050	REMOND DR	MHMR SENIOR HOUSING LP
	13	1771	TERRE COLONY CT	SW BELL WIRELESS
	14	3111	IH 30	WOERTENDYKE CLAIR C &

AGENDA ITEM # 76

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 53 F

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District and an NS(A)-D Neighborhood Service District with a D Liquor Control Overlay on the southeast side of South Westmoreland Road, south of Irwindell Boulevard

Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation, and conditions

Z167-184(KK)

Note: This item was considered by the City Council at a public hearing on June 14, 2017, and was deferred until August 9, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-184(KK) **DATE FILED:** January 19, 2016

LOCATION: Southeast side of South Westmoreland Road, south of Irwindell Boulevard

COUNCIL DISTRICT: 1 **MAPSCO:** 53-F

SIZE OF REQUEST: Approx. 0.03 acres **CENSUS TRACT:** 45.00

APPLICANT/ OWNER: Branch Towers LLC/JTM Trust & David Millison

REPRESENTATIVE: Hart Mason & Associates Inc., Hart Mason

REQUEST: An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District and an NS(A)-D Neighborhood Service District with a D Liquor Control Overlay.

SUMMARY: The applicant proposes to construct a stealth monopole tower for cellular communication [T Mobile]. The tower will be a maximum height of 100 feet and will include a five-foot lightning rod for a total height not to exceed 105 feet above ground level.

CPC RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation, and conditions.

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation, and conditions.

BACKGROUND INFORMATION:

- The area of request is partially undeveloped and developed land. The site will contain a 2,025 square-foot area that will be improved with a stealth monopole tower for cellular communication.

- The proposed stealth monopole tower will be a maximum height of 100 feet and will include a five-foot lightning rod for a total height not to exceed 105 feet above ground level.

- The Specific Use Permit allows this additional use of the property and does not change the existing R-7.5(A) Single Family District and NS(A) Neighborhood Service District zoning. The uses permitted by the present zoning will continue to be allowed.

- The surrounding area is predominately comprised of single family dwelling development to the east and south zoned R-7.5(A) Single Family District, with retail related uses bordering the site to the north and east zoned NS(A) Neighborhood Service District.

Zoning History: There has not been any recent zoning changes requested in the area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
South Westmoreland Road	Principal Arterial	100 feet
Schooldell Drive	Substandard Street	40 feet

Land Use:

	Zoning	Land Use
Site	R-7.5(A), NS(A)-D	Undeveloped and restaurant
North	NS(A)-D	Restaurant, general merchandise, and personal service
East	R-7.5(A)	Residential uses
South	R-7.5(A)	Residential uses
West	R-7.5(A), NS(A)-D	Restaurant, general merchandise, and personal service

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

There are no goals or policies supporting or opposing the request.

Land Use Compatibility:

The area of request is undeveloped land and an existing restaurant use. The area of request will contain a 2,025-square-foot lease area that will be improved with a stealth monopole tower for cellular communication. The monopole tower will be a maximum height of 100 feet and will include a five-foot lightning rod for a total height not to exceed 105 feet above ground level. The applicant has detailed that the proposed tower height is the minimum height necessary to provide the required coverage relative to nearby complementary wireless facilities. If residential proximity slope were to apply, the tower would have to be setback 300 feet from the eastern property line where the property is directly adjacent to a residentially zoned district. The longest portion of the area of request is approximately 155 linear feet. The tower cannot be located on site and not encroach into residential proximity slope if the eastern property line were a site of origination.

The surrounding area is predominately comprised of single family development to the east and south with commercial uses bordering the site to the north and east. The applicant has detailed that T-Mobile seeks to improve a significant capacity deficiency in its 3G and 4G LTE coverage in the city of Dallas. Per the applicant the proposed site location was chosen to improve the voice and data capacity for customers located between West Jefferson Boulevard to the north, West Clarendon Drive to the south, and between South Westmoreland Road to the west, and South Hampton Road to the east. The applicant asserts that the area to be developed will allow wireless telephone providers the necessary infrastructure for attaching their equipment to transmit and receive radio signals to and from their customers.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the

public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request is consistent with the intent of the Dallas Development Code which stipulates that a monopole cellular tower is exempt from residential proximity slope height restrictions if an SUP is required for the monopole cellular use and the impact of the tower height on an adjacent residential district is considered in the SUP process.

Although the subject site is adjacent to residential uses, the proposed monopole tower will enhance the vital communication service throughout the area. Staff recommends the applicant install a stealth tower instead of the typical cellular tower with various antenna cells. The typical cellular tower with the antenna cells could alter the visual aesthetics of the neighborhood's character. The visual aesthetic of a typical cellular tower does not contribute to, enhance or promote the welfare of the area of request and adjacent properties at this location. A stealth cellular tower will reduce any visual impact the proposed use will have on the adjacent neighborhood. Also, the use does not generate any significant traffic thus posing no detriment to pedestrians in the area. In order to mitigate the impact of the proposed tower on the adjacent residential uses, an eight-foot tall solid wooden fence will be installed along the perimeter of the lease area. There is also an existing alley that provides separation between the single family homes and the area of request. The single family rear yards that have direct adjacency have a fence to separate their lots from the alley and the area of request.

Development Standards:

DISTRICT	SETBACKS		Lot Area	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) Residential	25'	5'/5'	7,500	30'	45% res	Proximity Slope Visual Intrusion	Residential
NS(A) Retail	15'	20' where adj. to res No min. in all other cases	No max DWU density	35' for structure with gable, hip, or gambrel roof 30' for any other structure	40%	Proximity Slope Visual Intrusion	Retail, Institutional

Parking:

Parking will be provided in accordance to the parking requirements in the Dallas Development Code, as amended, which is one space if the cellular communication tower/antenna has an auxiliary building housing electronic and communication equipment ("auxiliary building") greater than a 120 square feet. The auxiliary building is less than 120 square feet, therefore no parking is triggered by the development of this use.

Landscaping:

In general, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. Per the current proposal, the area of request will not be required to provide landscaping because less than 2,000 square feet of non-permeable surface will be installed.

Traffic:

The Engineering Division of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

Notification Area:

On January 13, 2016, the City Council approved an amendment to the Development Code regarding tower/antenna for cellular communication use. One provision pertains to the notification area and requires written notification of the public hearing on an application for an SUP for a tower/antenna for cellular communication to all real property within 500 feet of the building site on which the tower/ antenna for cellular communication will be located.

As a result of the amendment, the SUP will be placed on the larger 0.03-acre tract of land, and the notification area will extend from this boundary rather than from border of the 2,025-square foot lease area of the tower/antenna for cellular communication.

CPC Action

May 4, 2017

Motion: It was moved to recommend **approval** a Specific Use Permit for a tower/antenna for cellular communication for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation, and conditions on property zoned an R-7.5(A) Single Family District and as NS(A) Neighborhood Service District on the southeast side of South Westmoreland Road, south of Irwindell Boulevard.

Maker: Anglin
Second: Houston
Result: Carried: 8 to 6

For: 8 - Anglin, Rieves, Houston, Shidid, Peadon, Murphy, Ridley, Tarpley

Against: 6 – Davis, Anantasomboon, Haney, Mack, Jung, Schultz
Absent: 1 - Housewright
Vacancy: 0

Notices: Area: 500 Mailed: 124
Replies: For: 6 Against: 24

Speakers: For: Hart Mason, 4017 Courtshire Dr., Dallas, TX 75229
Against: Christapher McElheney, 3323 Brooklyndell Ave., Dallas, TX 75211
Milton Campos, 514 S. Westmoreland Rd., Dallas, TX, 75211
Against (Did not speak): Catherine Garrison, 3308 Arnoldell St., Dallas, TX, 75211

List of Partners/Principals/Officers

Members of Branch Towers, LLC, a Delaware Limited Liability Company:

1. Peppertree Capital Telecom Tower Fund, LP
2. Curtis Branch
3. Branch Communications, LLC

Officers:

1. Curtis Branch, President
2. Ryan D. Lepene, Secretary

Principal place of business: 1516 South Boston Avenue, Ste. 115, Tulsa, OK 74119
Registered Agent is the Corporation Trust Center with an address of 1209 Orange Street, Wilmington, Delaware 19801

Officers for Branch Communications, LLC:

1. Curtis Branch, President
2. Jared Ledet, Vice-President
3. Mark Kesner, Vice-President
4. David Wells, Vice-President

Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is a tower/antenna for cellular communication.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevation.

3. TIME LIMIT: This specific use permit expires on (ten years from the passage of the ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. FENCE: The proposed lease area must be enclosed by an eight-foot-tall wooden fence and secured by a 12-foot-tall access gate in the location shown on the attached site plan.

5. HEIGHT: The tower/antenna for cellular communication may not exceed 100 feet in height, with a five-foot lightning rode, for a total height not to exceed 105 feet.

6. MONOPOLE CELLULAR TOWER DIMENSIONS:

    A. The pole portion of the tower/antenna for cellular communication may not exceed 42 inches in diameter.

    B. The platform portion of the tower/antenna for cellular communication may not have a horizontal cross sectional area greater than 196 square feet.

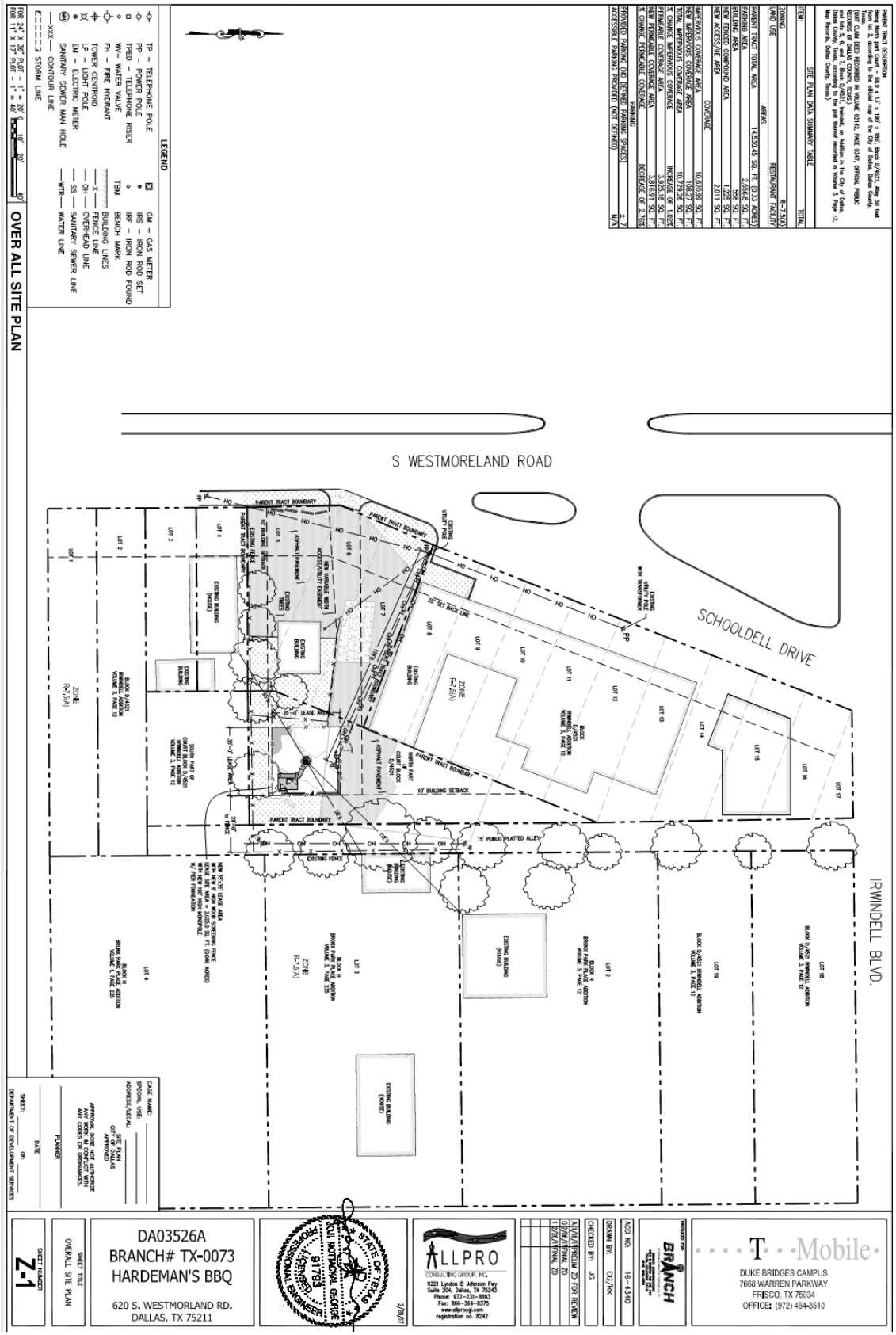
    C. The depth of the platform may not exceed four feet, excluding any whip antenna.

7. SHARED USE WITH OTHER CARRIERS: Any tower/antenna for cellular communication over 65 feet in height must be constructed to support the antenna arrays for at least two other wireless communications carriers, and the tower/antenna for cellular communication must be made available to other carriers upon reasonable terms.

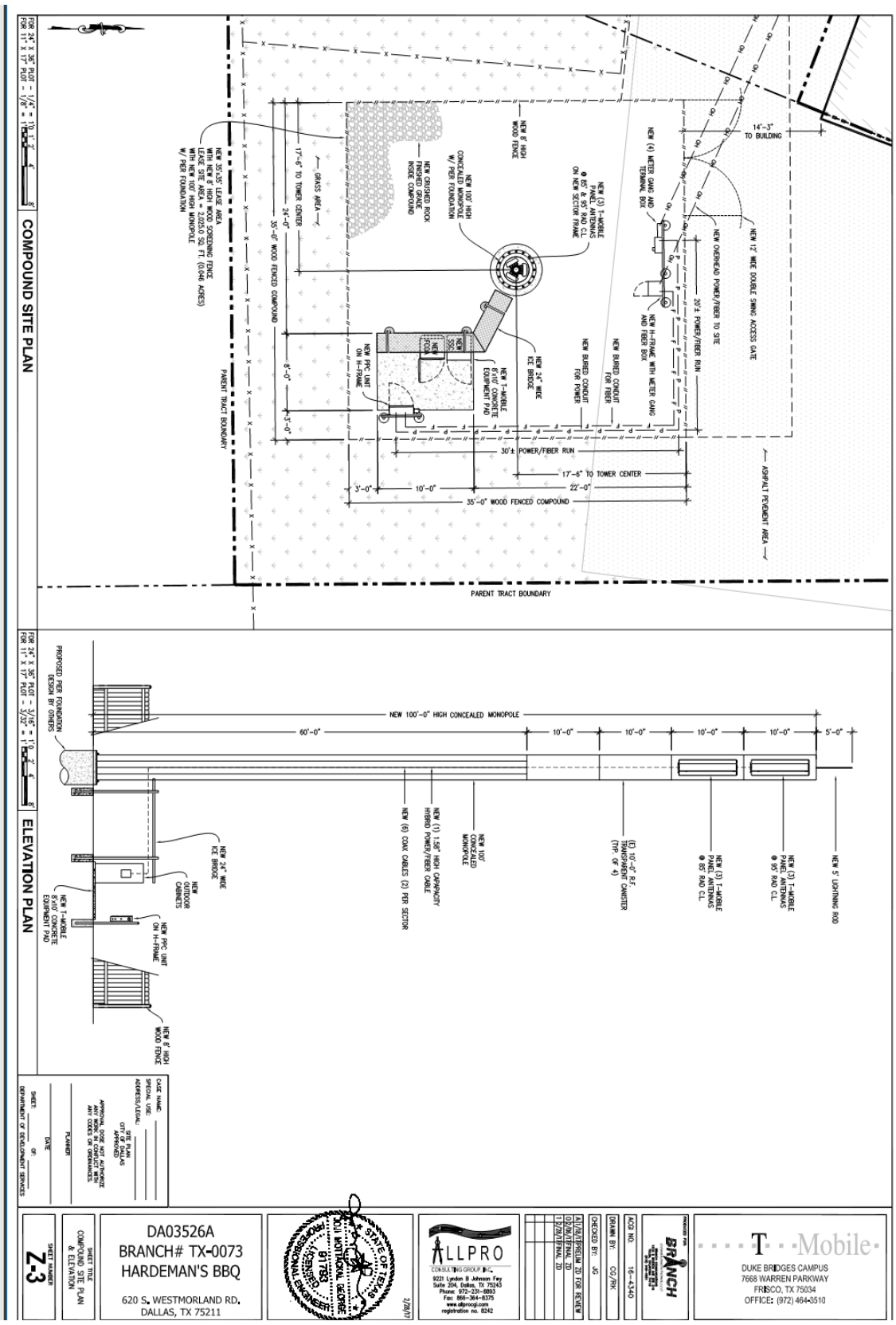
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

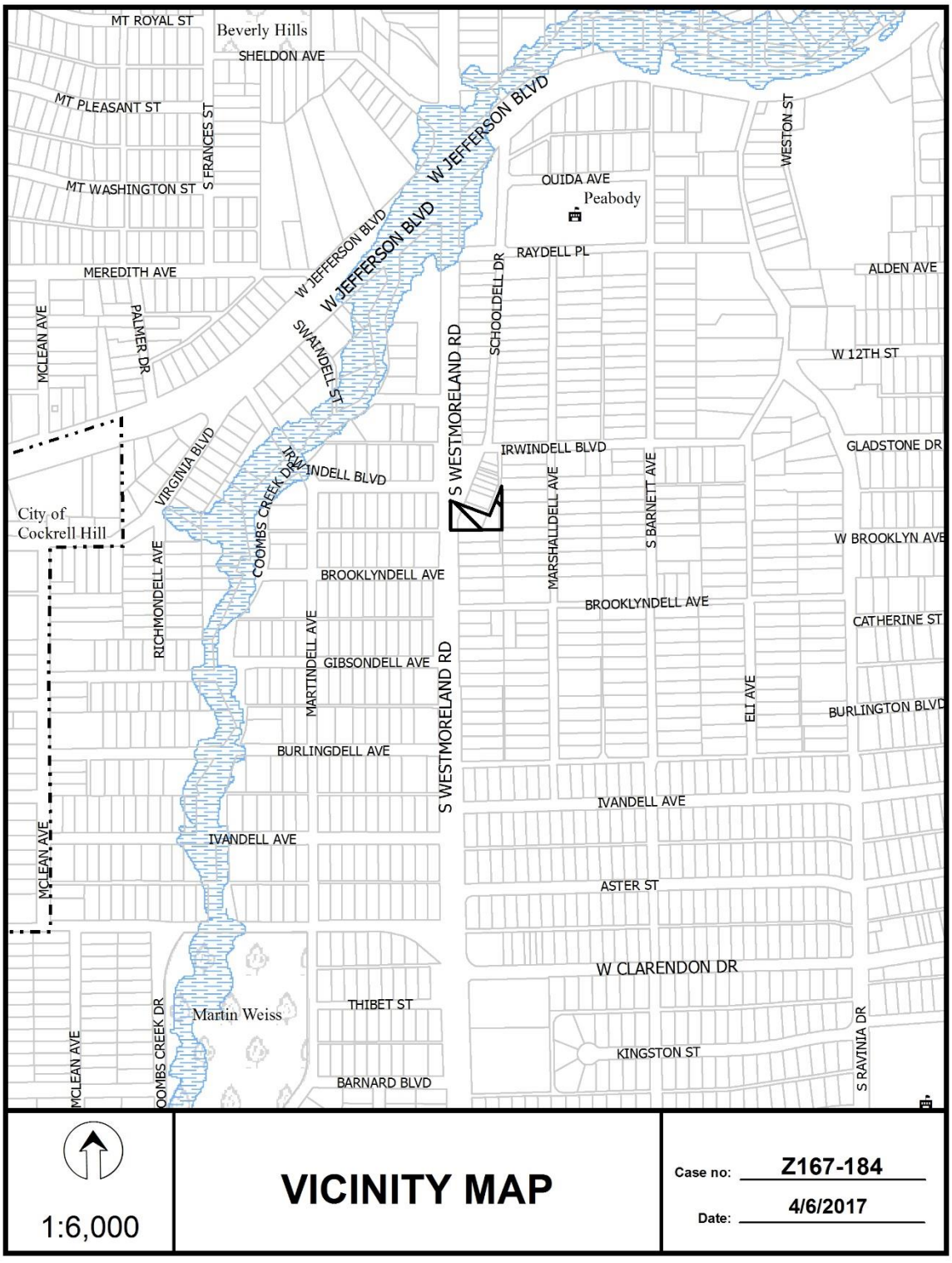
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

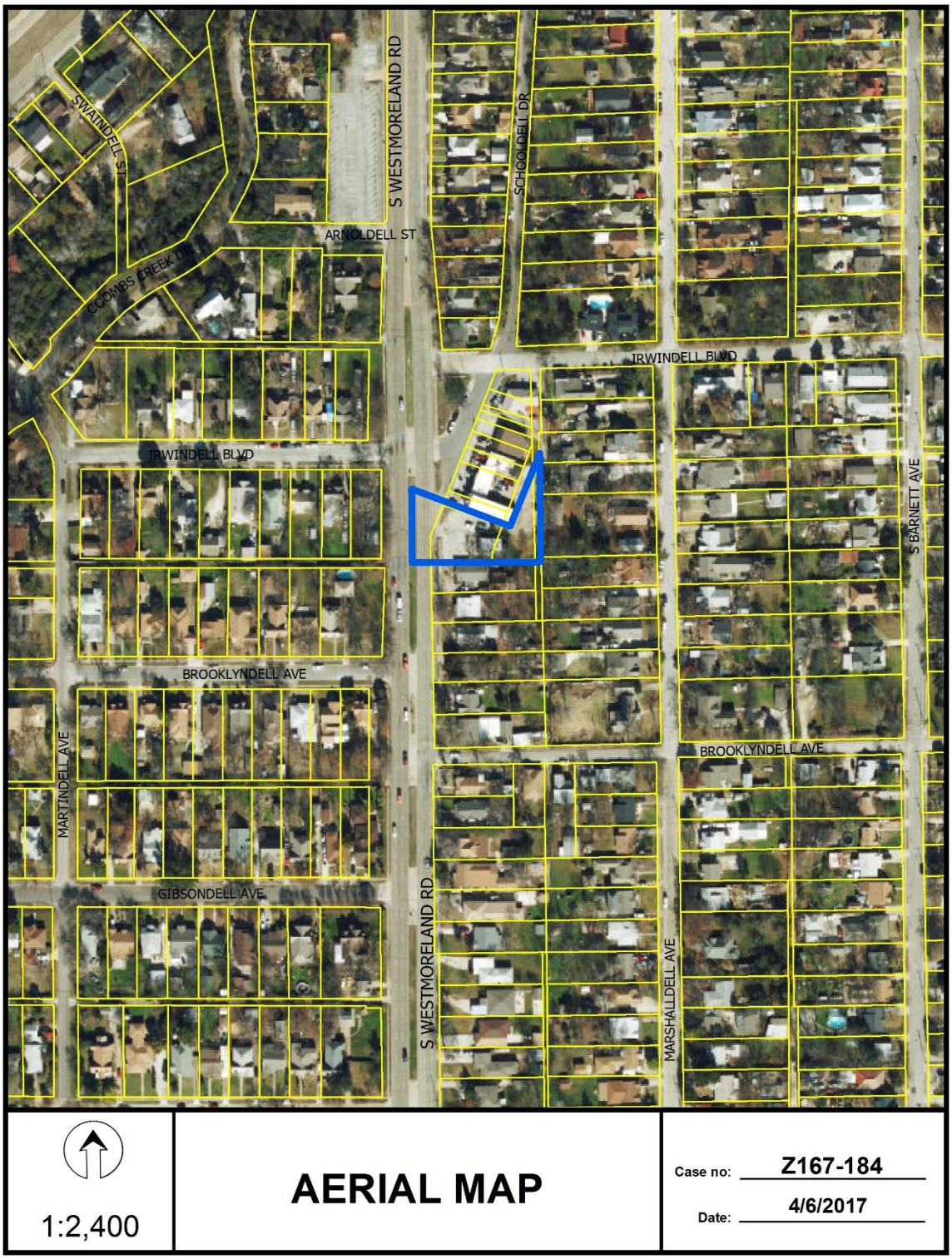
PROPOSED SITE PLAN

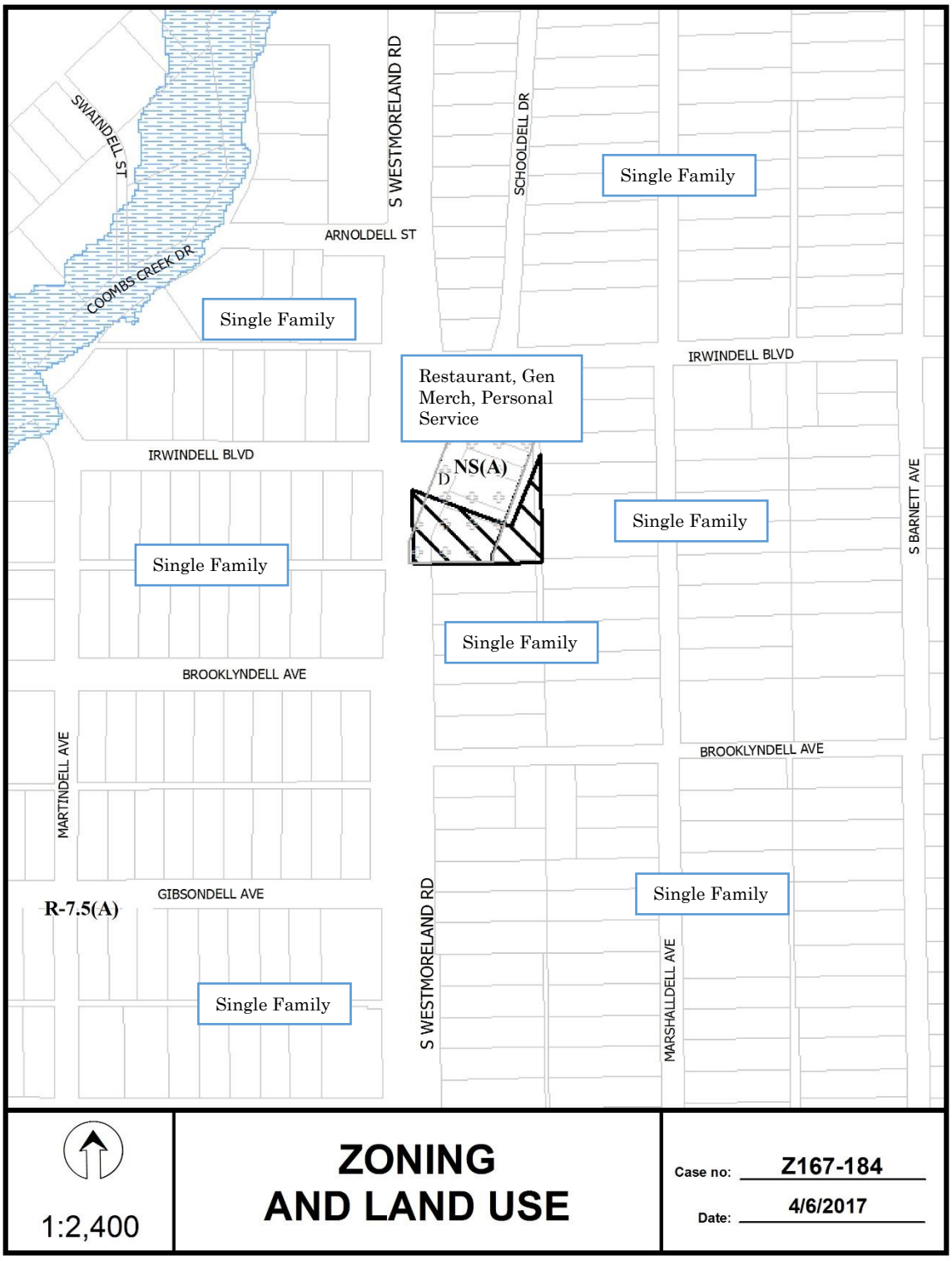


PROPOSED ELEVATION

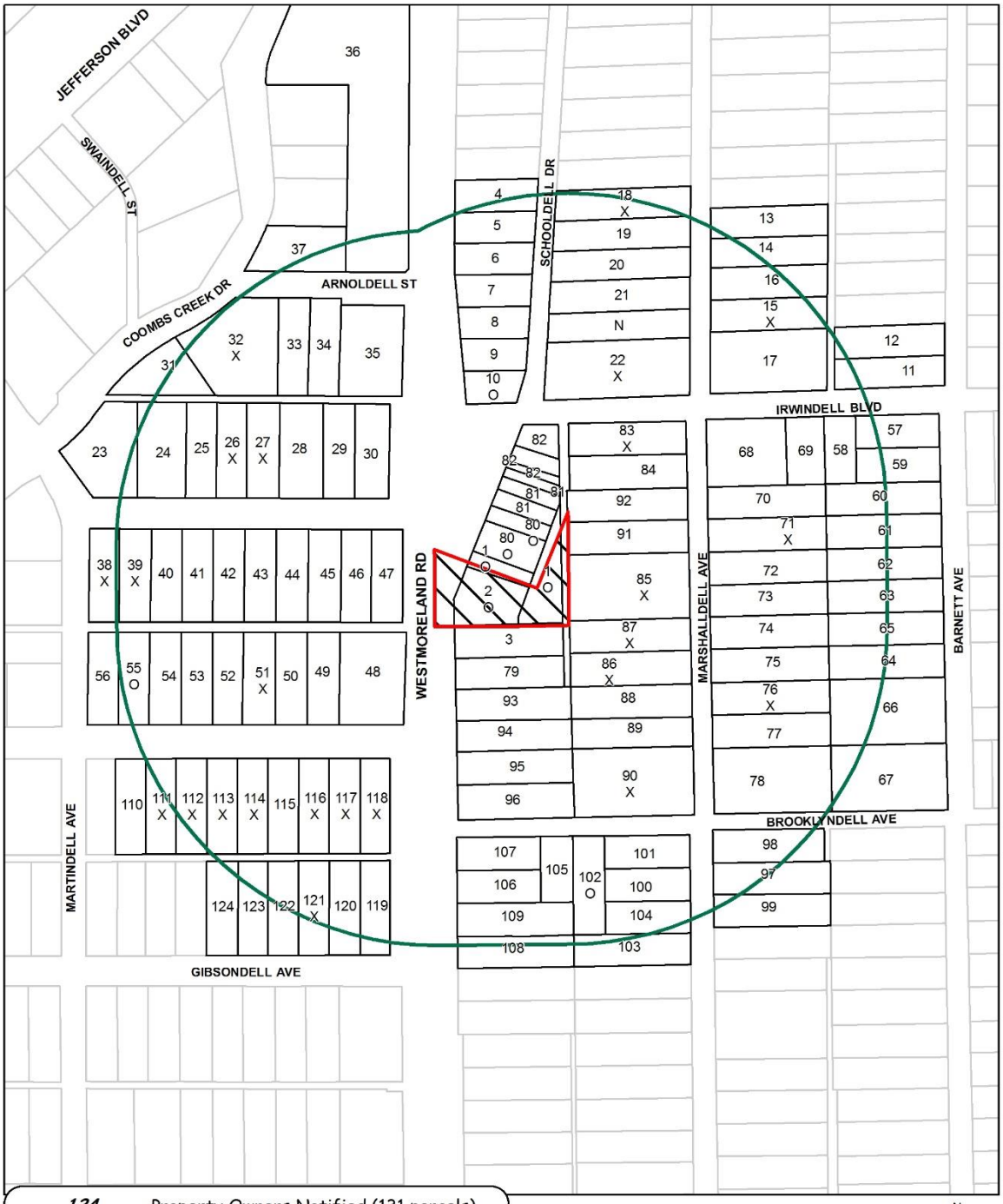



MT ROYAL ST
Beverly Hills
SHELDON AVE
MT PLEASANT ST
S FRANCES ST
MT WASHINGTON ST
W JEFFERSON BLVD
OUIDA AVE
Peabody
WESTON ST
MEREDITH AVE
RAYDELL PL
ALDEN AVE
MCLEAN AVE
PALMER DR
SWANDELL ST
SCHOOLDELL DR
W 12TH ST
S WESTMORELAND RD
IRWINDELL BLVD
GLADSTONE DR
VIRGINIA BLVD
COOMBS CREEK DR
City of Cockrell Hill
MARSHALLDELL AVE
S BARNETT AVE
W BROOKLYN AVE
RICHMONDELL AVE
BROOKLYNDELL AVE
CATHERINE ST
MARTINDELL AVE
GIBSONDELL AVE
ELI AVE
BURLINGTON BLVD
BURLINGDELL AVE
IVANDELL AVE
ASTER ST
W CLARENDON DR
Martin Weiss
THIBET ST
KINGSTON ST
S RAVINIA DR
BARNARD BLVD
1:6,000
VICINITY MAP
Case no: Z167-184
Date: 4/6/2017


S WESTMORELAND RD
SCHOOLDELL DR
SWAINDELL ST
ARNOLDELL ST
COOMBS CREEK DR
IRWINDELL BLVD
IRWINDELL BLVD
S BARNETT AVE
BROOKLYNDELL AVE
BROOKLYNDELL AVE
MARTINDELL AVE
GIBSONDELL AVE
S WESTMORELAND RD
MARSHALLDELL AVE
1:2,400
AERIAL MAP
Case no: Z167-184
Date: 4/6/2017


SWAINDELL ST
S WESTMORELAND RD
SCHOOLDELL DR
Single Family
ARNOLDELL ST
COOMBS CREEK DR
Single Family
IRWINDELL BLVD
Restaurant, Gen Merch, Personal Service
NS(A)
D
Single Family
S BARNETT AVE
Single Family
Single Family
BROOKLYNDELL AVE
BROOKLYNDELL AVE
MARTINDELL AVE
GIBSONDELL AVE
R-7.5(A)
Single Family
S WESTMORELAND RD
MARSHALLDELL AVE
Single Family
1:2,400
ZONING AND LAND USE
Case no: Z167-184
Date: 4/6/2017

CPC RESPONSES



05/03/2017

Reply List of Property Owners

Z167-184

124 Property Owners Notified 6 Property Owners in Favor 24 Property Owners Opposed

Reply	*Label #*	*Address*	*Owner*
O	1	620 N WESTMORELAND RD	JTM TRUST &
O	2	618 S WESTMORELAND RD	JTM TRUST &
	3	622 S WESTMORELAND RD	GARCIA FERNANDO G &
	4	434 S WESTMORELAND RD	COOPER BRENDAN & TIFFANY
	5	438 S WESTMORELAND RD	BAXTER LOREN T
	6	440 S WESTMORELAND RD	MORENO JORGE & BELEN R
	7	502 S WESTMORELAND RD	REIGEL JEREMY &
	8	506 S WESTMORELAND RD	GRILLOT SUZANNE M
	9	510 S WESTMORELAND RD	RATLIFF KENNETH JR &
O	10	514 S WESTMORELAND RD	CAMPOS ERICA Y & MILTON J
	11	523 S BARNETT AVE	HUX DANNY R
	12	519 S BARNETT AVE	GUZMAN JESSE A
	13	506 MARSHALLDELL AVE	CORTEZ DOLORES
	14	510 MARSHALLDELL AVE	MONDRAGON IGNACIO A ESTATE OF
	16	514 MARSHALLDELL AVE	MORALES JUAN I
	17	522 MARSHALLDELL AVE	WALLS ROBERT A
X	18	503 MARSHALLDELL AVE	VALDERAS FRANCCEVASCA M
	19	507 MARSHALLDELL AVE	MENDOZA LORENZO & MARTHA
	20	511 MARSHALLDELL AVE	GOMEZ ALICA M
	21	513 MARSHALLDELL AVE	LOERA BASILIO
X	22	523 MARSHALLDELL AVE	MENDOZA CARLOS &
	23	3343 IRWINDELL BLVD	SMITH LONNIE L
	24	3335 IRWINDELL BLVD	STORM RONALD L STORM
	25	3331 IRWINDELL BLVD	FUNDERBURK MARGIE LIFE ESTATE
X	26	3327 IRWINDELL BLVD	JONES DIANA E
X	27	3323 IRWINDELL BLVD	CRITTENDEN CAROL JANE

05/03/2017

Reply	*Label #*	*Address*	*Owner*
	28	3319 IRWINDELL BLVD	HERNANDEZ ALEJANDRO &
	29	3313 IRWINDELL BLVD	JIMENEZ AGUSTIN P
	30	3307 IRWINDELL BLVD	LEE RANDELL K
	31	510 COOMBS CREEK DR	FAIRLY JEANNINE
X	32	500 COOMBS CREEK DR	CRUZ JOSE LUIS OLIDE &
	33	3318 ARNOLDELL ST	MACIAS ARMANDO A &
	34	3314 ARNOLDELL ST	BECKNER ZACHARIAH KATHLEEN
	35	3308 ARNOLDELL ST	GARRISON CATHERINE
	36	411 S WESTMORELAND RD	GRACE FELLOWSHIP IN
	37	3333 ARNOLDELL ST	TRUJILLO LINDA E
X	38	3340 IRWINDELL BLVD	PATTERSON ALICE
X	39	3338 IRWINDELL BLVD	HOWELL BRYAN
	40	3334 IRWINDELL BLVD	CALDERON JOSE &
	41	3330 IRWINDELL BLVD	REYES ROBERTO
	42	3326 IRWINDELL BLVD	ARNS INVESTMENT
	43	3322 IRWINDELL BLVD	BACERRA GLORIA R
	44	3318 IRWINDELL BLVD	HINDERSON SHAWNTA
	45	3314 IRWINDELL BLVD	IRWINDELL PROPERTIES LLC
	46	3310 IRWINDELL BLVD	GONZALEZ GREGORIO
	47	3306 IRWINDELL BLVD	ALFARO ANTONIO R EST OF
	48	3311 BROOKLYNDELL AVE	HARGER ANDREW T
	49	3315 BROOKLYNDELL AVE	VELA HENRY JR &
	50	3319 BROOKLYNDELL AVE	GAYTAN JAMES JR &
X	51	3323 BROOKLYNDELL AVE	MCELHENEY CHRISTAPHER W &
	52	3327 BROOKLYNDELL AVE	SALAS ERNERSTINA
	53	3331 BROOKLYNDELL AVE	BUYS RYAN E &
	54	3335 BROOKLYNDELL AVE	RUIZ NORMA J
O	55	3339 BROOKLYNDELL AVE	DTX RENTALS LP
	56	3343 BROOKLYNDELL AVE	HIGA FRANCISCO & ALICIA
	57	601 S BARNETT AVE	GARCIA ROGELIO V & MARICELA G
	58	3110 IRWINDELL BLVD	RIOS RITA

05/03/2017

Reply	*Label #*	*Address*		*Owner*
	59	605	S BARNETT AVE	WONG ALEX TUNG CHOI
	60	611	S BARNETT AVE	CISNEROS MARSHALL
	61	615	S BARNETT AVE	HERNANDEZ MARIA DEL REFUGIO &
	62	619	S BARNETT AVE	OSTERHOLT EVERETT J EST OF
	63	623	S BARNETT AVE	AMAYA JOSE CRISTOBAL &
	64	707	S BARNETT AVE	RAMIREZ RICARDO &
	65	703	S BARNETT AVE	SANCHEZ GRIMALDO SR
	66	715	S BARNETT AVE	DOMINGUEZ MARY EST OF
	67	719	S BARNETT AVE	DOMINGUEZ ALFRED & MARY
	68	602	MARSHALLDELL AVE	RAMIREZ NOE & LOURDES
	69	3116	IRWINDELL BLVD	RAMIREZ ISIDRO &
	70	610	MARSHALLDELL AVE	RITTER NICHELLE
X	71	614	MARSHALLDELL AVE	SERRANO PETER A
	72	618	MARSHALLDELL AVE	ZEPEDA JUAN JOSE
	73	622	MARSHALLDELL AVE	ZEPEDA JOSE SALUD
	74	702	MARSHALLDELL AVE	MATA ANDRES L & ORELIA
	75	706	MARSHALLDELL AVE	NIETO ELIZABETH &
X	76	714	MARSHALLDELL AVE	CASTILLO REBECCA &
	77	710	MARSHALLDELL AVE	HERNANDEZ LUISA ET AL
	78	722	MARSHALLDELL AVE	MULLIN BARBARA
	79	628	S WESTMORELAND RD	DBDFW LLC
O	80	616	SCHOOLDELL DR	JTM TRUST
	81	610	SCHOOLDELL DR	LOPEZ ERNEST
	82	606	SCHOOLDELL DR	RIOS HENRY &
X	83	3216	IRWINDELL BLVD	SOTO BENITO & MARIA G
	84	607	MARSHALLDELL AVE	SORIA HOMER
X	85	619	MARSHALLDELL AVE	MORRIS TERESA
X	86	707	MARSHALLDELL AVE	SERRATO ISMAEL
X	87	701	MARSHALLDELL AVE	RAMOS ESIQUIO & MARIA
	88	711	MARSHALLDELL AVE	MORIN RAMIRO & MARIA
	89	715	MARSHALLDELL AVE	LOREDO JOSE JESUS

05/03/2017

Reply	*Label #*	*Address*		*Owner*
X	90	721	MARSHALLDELL AVE	GLENN RAYMOND D
	91	615	MARSHALLDELL AVE	DELGADO ROSA
	92	611	MARSHALLDELL AVE	RIOS SANDRA
	93	638	S WESTMORELAND RD	MCGRAW DANIA &
	94	642	S WESTMORELAND RD	MENDOZA CHRISTINA C
	95	646	S WESTMORELAND RD	GARCIA SAUL
	96	650	S WESTMORELAND RD	MARTINEZ OPHELIA C
	97	806	MARSHALLDELL AVE	MEDELES ANDREA H
	98	802	MARSHALLDELL AVE	RAMIREZ VICENTE P
	99	808	MARSHALLDELL AVE	MARTINEZ JAIME
	100	807	MARSHALLDELL AVE	PALAFOX DIANA DURON
	101	803	MARSHALLDELL AVE	ORTUNO ANTONIO &
O	102	3210	BROOKLYNDELL AVE	LOPEZ ANITA
	103	815	MARSHALLDELL AVE	RAMOS MARIA
	104	809	MARSHALLDELL AVE	SKINNER FRED P
	105	3214	BROOKLYNDELL AVE	BALDERAS ISMAEL & ANTONIA
	106	706	S WESTMORELAND RD	SANCHEZ JOSE F
	107	702	S WESTMORELAND RD	FRANCO REYNALDO &
	108	714	S WESTMORELAND RD	LEYVA RIGOBERTO &
	109	710	S WESTMORELAND RD	GALVAN FERNANDO & MARIA
	110	3338	BROOKLYNDELL AVE	MARTINEZ ALBERT E JR &
X	111	3334	BROOKLYNDELL AVE	HARGROVE ANITA V
X	112	3330	BROOKLYNDELL AVE	DELABRA JOSE L & MARIA G
X	113	3326	BROOKLYNDELL AVE	DELABRA CUAUHTEMOC & AMPARO
X	114	3322	BROOKLYNDELL AVE	DELABRA ARTEMIO & NORMA
	115	3318	BROOKLYNDELL AVE	VARGAS RAFAEL &
X	116	3314	BROOKLYNDELL AVE	BEIMER CHRISTOPHER &
X	117	3310	BROOKLYNDELL AVE	MONTALVO JOSE & PETRA
X	118	3306	BROOKLYNDELL AVE	LOZANO RAMIRO
	119	3307	GIBSONDELL AVE	MEZA GODOFREDO & ARACELI
	120	3311	GIBSONDELL AVE	GUERRA ELUTERIO O

05/03/2017

Reply	*Label #*	*Address*		*Owner*
X	121	3315	GIBSONDELL AVE	ANDERSON MICHAEL J
	122	3319	GIBSONDELL AVE	GARCIA PERFECTO
	123	3323	GIBSONDELL AVE	HEBERT DENELLE G
	124	3327	GIBSONDELL AVE	BACKES EDWIN C III
X	A1	518	MARSHALLDELL AVE	SHAW BRUCE

AGENDA ITEM # 77

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45 H

SUBJECT

A public hearing to receive comments regarding an application for a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned Subarea 1 within Planned Development District No. 298, the Bryan Area Special Purpose District, on the northeast corner of Ross Avenue and McCoy Street
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Denial without prejudice
Z167-210(JM)
Note: This item was considered by the City Council at a public hearing on June 14, 2017, and was held under advisement until August 9, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 9, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z167-210(JM)	**DATE FILED:**	February 13, 2017
LOCATION:	Northeast corner of Ross Avenue and McCoy Street		
COUNCIL DISTRICT:	14	**MAPSCO:**	45-H
SIZE OF REQUEST:	Approx. 0.30 acres	**CENSUS TRACT:**	16.00

APPLICANT: Kyle Bourgeois, Smoothie King

OWNER: Mitchell Fonberg

REPRESENTATIVE: Eric Wilhite, AICP for CEI Engineering Associates, Inc.

REQUEST: An application for a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned Subarea 1 within Planned Development District No. 298, the Bryan Area Special Purpose District.

SUMMARY: The purpose of this request is to allow the site to be developed with a drive-through restaurant (Smoothie King).

CPC RECOMMENDATION: **Denial without prejudice**.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The site is currently undeveloped. A certificate of occupancy was issued in 1988 for a retail paint store. No other records were found for the site.

- The applicant would like to operate a restaurant with a drive-through and walk-up window with patio area. There will not be any interior seating available. The patio will not be covered.

Zoning History:

1. Z145-272(WE) On September 22, 2015, the City Council approved a WR-5 Walkable Urban Residential District with a Height Map Overlay on property zoned Planned Development District No. 466 and an MF-2(A) Multifamily District on the north corner of North Hall Street and Roseland Avenue.

2. Z145-340(WE) On January 13, 2016, the City Council approved a WR-5 Walkable Urban Residential District with a Height Map Overlay on property zoned Planned Development District No. 466 and an MF-2(A) Multifamily District on the north corner of North Hall Street and Roseland Avenue.

3. Z156-129(SM) On April 13, 2016, the City Council denied a request for a Specific Use Permit for a vehicle or engine repair or maintenance use on property zoned Subarea 1B of Planned Development District No. 298, the Bryan Area Special Purpose District on the south corner of Ross Avenue and Villars Street.

4. Z156-242(JM) On August 10, 2016, the City Council approved SUP No. 2206 for a liquor store use on property zoned Subarea 1 of Planned Development District No. 298, the Bryan Area Special Purpose District on the southeast side of Ross Avenue, northeast of Hall Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Right-of-Way
Ross Avenue	Community Collector	80 ft.
McCoy Street	Minor Arterial	50 ft.

Land Use:

Area	Zoning	Land Use
Site	PD 298 Subarea 1	Undeveloped
Northwest	PD 298 Subarea 1	Vacant & Under Demolition
Northeast	PD 298 Subarea 1A & SUP No. 1819	Multifamily
Southeast	PD 298 Subarea 1	Catering Service, Personal Service, Vacant (Auto Related)
Southwest	PD 298 Subarea 1	Vacant (Auto Related), Retail, Bank w/drive-thru, Liquor Store

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and required a determined that the proposed development will not have a negative impact on the surrounding street system.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

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 1.1.1 Use Vision Building Blocks as a general guide for desired development patterns.

The Plan designates the area of request in the Multi-modal corridor. This request is characteristic of this Building Block because it is part of a larger effort to redevelop the neighborhood into a more vibrant and walkable area. The new restaurant would provide a new service within the urban neighborhood, serving immediate multifamily across McCoy Street, and attracting residents from nearby single family residences down Ross Avenue.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Policy 5.1.2 Define urban character in Downtown and urban cores.

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:

The Bryan Area Study of 1988 determined that a Planned Development District was appropriate to help organize and enhance the development potential in an area of East Dallas adjacent to and northeast of the Central Business District. Beginning in March 2004, an evaluation study was conducted to determine if development was meeting the objectives of the Bryan Area Study and to make recommendations to adjust regulations that were falling short. The original study identified eight objectives: (1) promote urban character; (2) encourage residential development; (3) encourage redevelopment and commercial activity; (4) establish the Bryan Area as a regional health care complex of Dallas; (5) enhance the physical appearance and promote urban character within the Bryan Area; (6) reinforce the multi-cultural character of the Bryan Area; (7) focus commercial/retail redevelopment opportunities to the Village Center; and (8) establish linkages to regional activity centers.

Subsequent to that study, an evaluation study was conducted and found that objectives 3 and 7 were off track. Specifically, Ross Avenue was divided into a few subdistricts of differing regulations and the predominance of auto-related uses was identified as a redevelopment inhibitor. The recommendations of the evaluation study identified changes to PD No. 298 to encourage the desired development for the Ross Avenue corridor, namely: (1) subdistricts 1, 2, and 3 were combined along Ross Avenue to encourage uniform regulations for this gateway corridor; (2) razor wire and barbed wired fencing was prohibited and desired fencing materials listed; and (3) compliance dates for nonconforming uses along Ross Avenue were determined necessary to achieve the desired urban scale development and improve opportunity to maximize development potential.

Redevelopment is occurring on Ross Avenue and this request supports the changing uses along the gateway corridor.

STAFF ANALYSIS

Land Use Compatibility:

Surrounding land uses include a demolition site to the northwest, multifamily units to the northeast, retail and personal service as well as vacant auto-related uses to the southeast and southwest. The subject site is zoned Subdistrict 1 of Planned Development District No. 298, the Bryan Place Special Purpose District, and has been an undeveloped lot for over two decades, according to a historical search of aerial views, as well as county and city documents.

The proposed restaurant with drive-in or drive-through service will complement the variety of shops for the community. The walk-up window with patio area was designed with several of the area plan goals in mind, including increasing walkability and the overall liveliness of the streetscape. The site was developed closely with the City Design Studio to ensure that while the request is primarily a drive-through, auto-oriented use, the addition of a patio and certain design elements were taken advantage of to encourage walkability to the site, as well as past the site. This includes how the main structure and patio were reoriented to bring the building up to the street/sidewalk to provide for a lively environment engaging pedestrians and multi-modal riders (cyclists, bus, etc.). The design is secured by the SUP site plan, a condition of approval which would guarantee compliance with the agreed-upon design.

There are no similar restaurants in the immediate vicinity. The proposed development would be an added contribution to the area, attracting visitors, as well as serving the multiple multifamily structures in walking distance to the north.

A restaurant with drive-in or drive-through service is allowed in this district with an SUP. The SUP process of approval and renewals allows for uses to develop with consideration of the changing environment of the neighborhood. Staff is recommending an initial approval period of five-years, with eligibility for automatic renewals for additional five-year periods in anticipation of a successful redevelopment of the site from an undeveloped lot, to an engaging and lively service for the neighborhood. At each five-year renewal, the site is subject to compliance with the approved SUP conditions and site plan.

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.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PD No. 298 Subarea 1	5' min 15' max	0' or 10' Side 5' Rear	Per plan	120'	90%	Proximity Slope Visual Intrusion	Commercial, Business Services, Institutional, Lodging, Office, Recreational, Residential, Retail, & Utility Uses

Landscaping:

Landscaping will be in accordance with PD No. 298.

The applicant has chosen to comply with landscaping requirements, provide large, unobstructed sidewalks with a minimum clearance of six feet, as well as to implement design elements such as bringing the building up to the street to align with the redevelopment of Ross Avenue.

Parking:

A restaurant with drive-in or drive-through service use requires of one parking space per every 100 square feet of floor area (1/100). The plan provides a 653 sq. ft. building, thereby requiring seven parking spaces. The required parking is shown on the proposed site plan.

CPC Action:
May 4, 2017

Motion: It was moved to recommend **denial without prejudice** of a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned Subarea 1 within Planned Development District No. 298, the Bryan Area Special Purpose District on the northeast corner of Ross Avenue and McCoy Street.

Maker: Ridley
Second: Rieves
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: 200 Mailed: 18
Replies: For: 3 Against: 0

Speakers: For: Eric Wilhite, 3030 LBJ Freeway, Dallas, TX, 75234
Against: None

LIST OF OFFICERS
Smoothie King

Sung-Wan Kim – Director and Chief Executive Officer
Brian Judge – Director and Chief Financial Officer
Kevin King – Director and Chief Development Officer
Thomas O'Keefe – Director
Taeyub Kim – Director
Joseph Lewis – Secretary

APPLICANT'S PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a restaurant with drive-in or drive-through service.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on (five years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

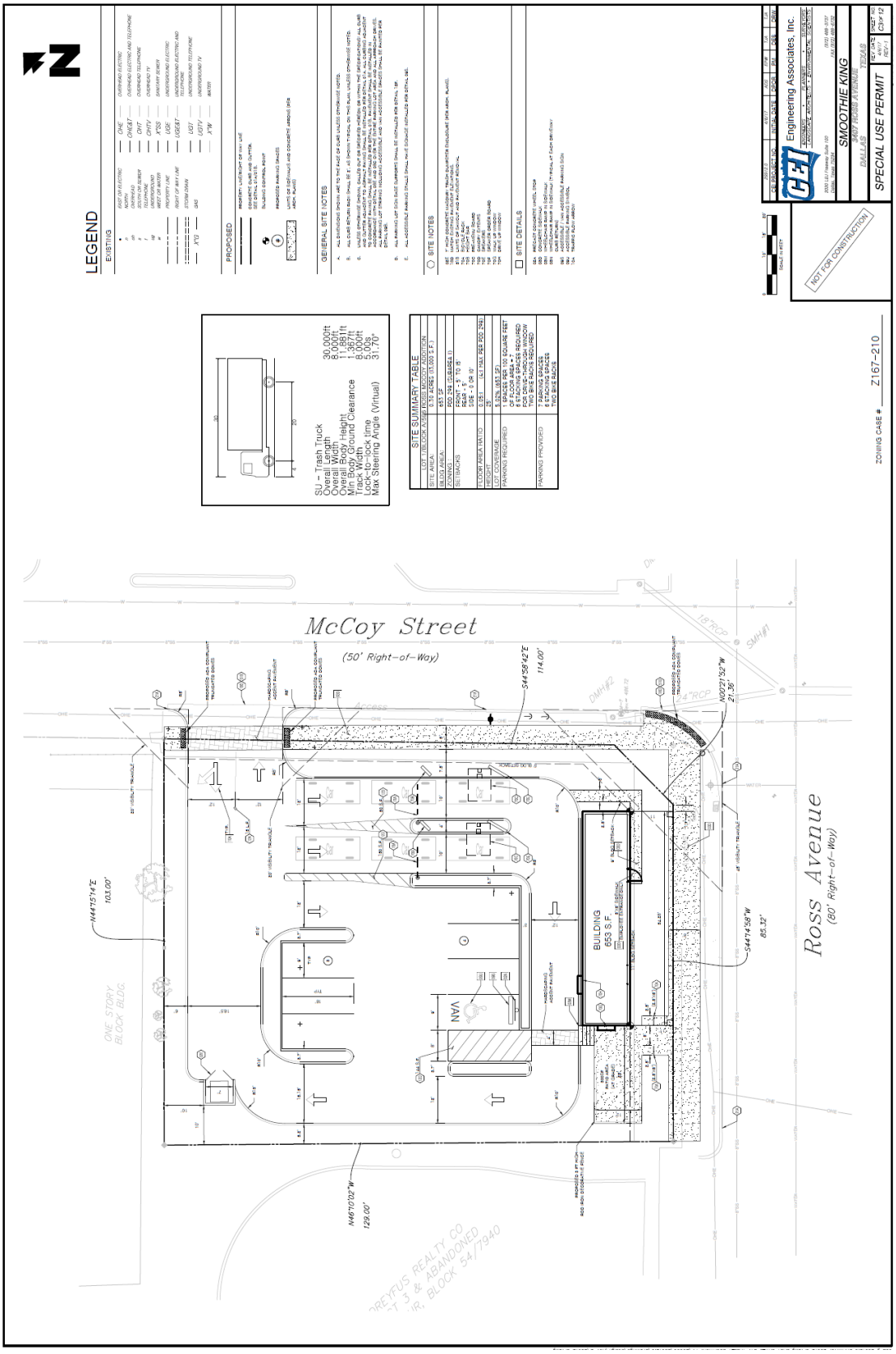
4. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.

5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

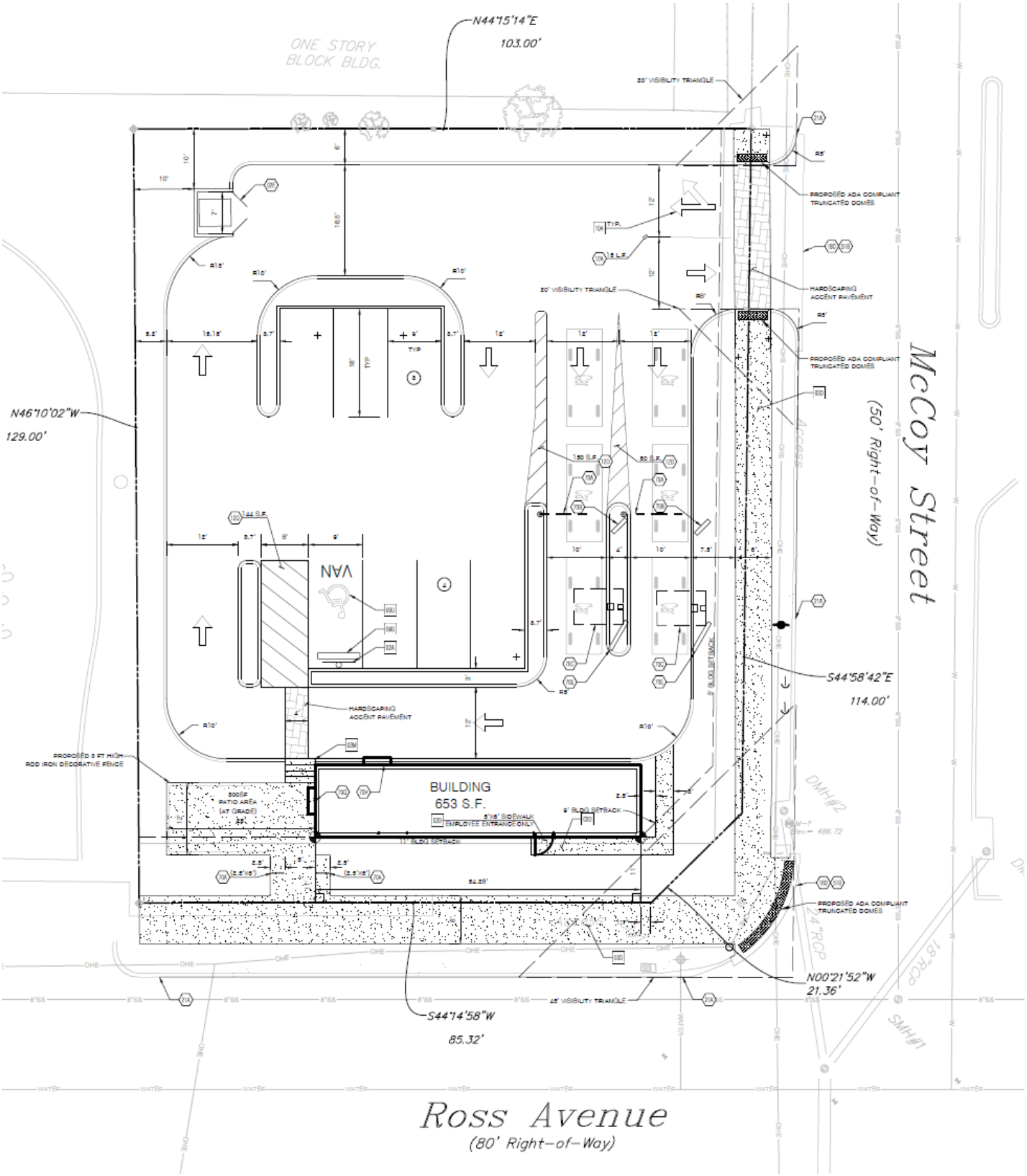
Z167-210(JM)

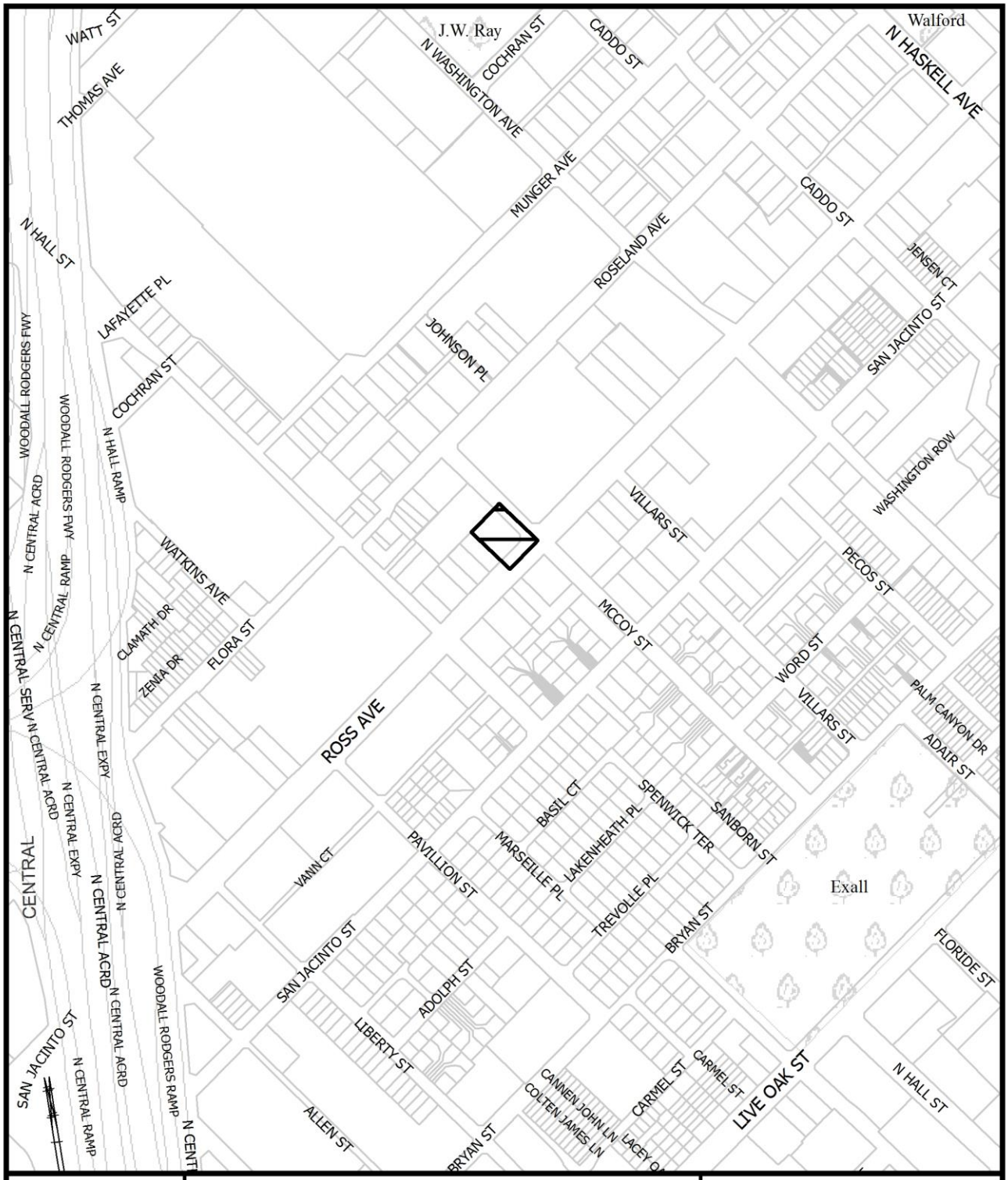
PROPOSED SITE PLAN



Z167-210(JM)

ENLARGED SITE PLAN
ROTATED RIGHT




WATT ST
THOMAS AVE
J.W. Ray
N WASHINGTON AVE
COCHRAN ST
CADDO ST
Walford
N HASKELL AVE
MUNGER AVE
CADDO ST
N HALL ST
ROSELAND AVE
JENSEN CT
LAFAYETTE PL
JOHNSON PL
SAN JACINTO ST
WOODALL RODGERS FWY
COCHRAN ST
N CENTRAL ACRD
N HALL RAMP
WASHINGTON ROW
VILLARS ST
WATKINS AVE
N CENTRAL RAMP
PECOS ST
CLAMATH DR
MCCOY ST
FLORA ST
ZENIA DR
WORD ST
N CENTRAL SERV
N CENTRAL EXPY
PALM CANYON DR
ROSS AVE
ADAIR ST
BASIL CT
SPENWICK TER
SANBORN ST
VANN CT
PAVILLION ST
LAKENHEATH PL
MARSEILLE PL
TREVOLLE PL
Exall
CENTRAL
BRYAN ST
SAN JACINTO ST
FLORIDE ST
ADOLPH ST
WOODALL RODGERS RAMP
LIBERTY ST
CARMEL ST
LIVE OAK ST
N HALL ST
ALLEN ST
CANNEN JOHN LN
COLTEN JAMES LN
BRYAN ST
1:4,800
VICINITY MAP
Case no: Z167-210
Date: 3/1/2017

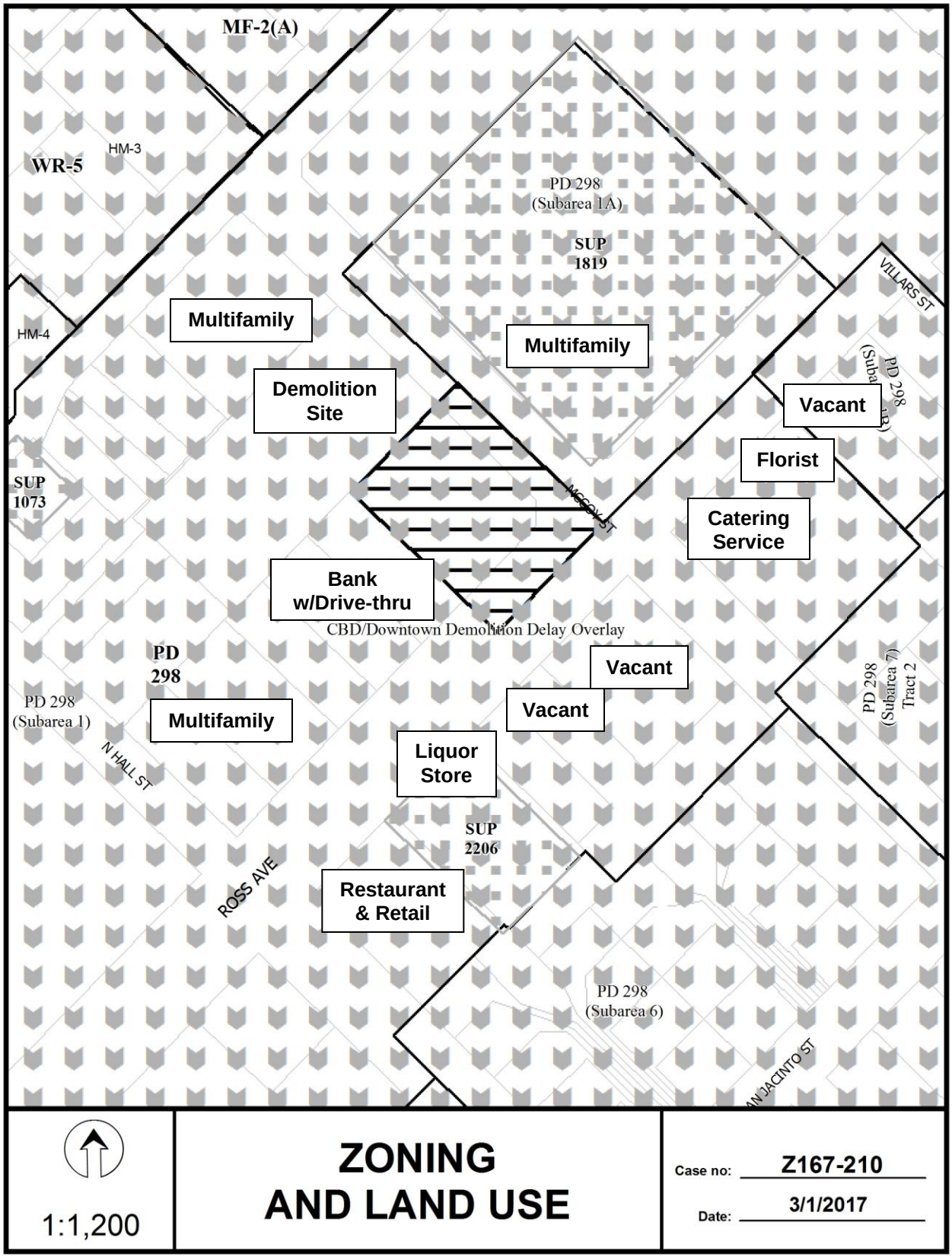


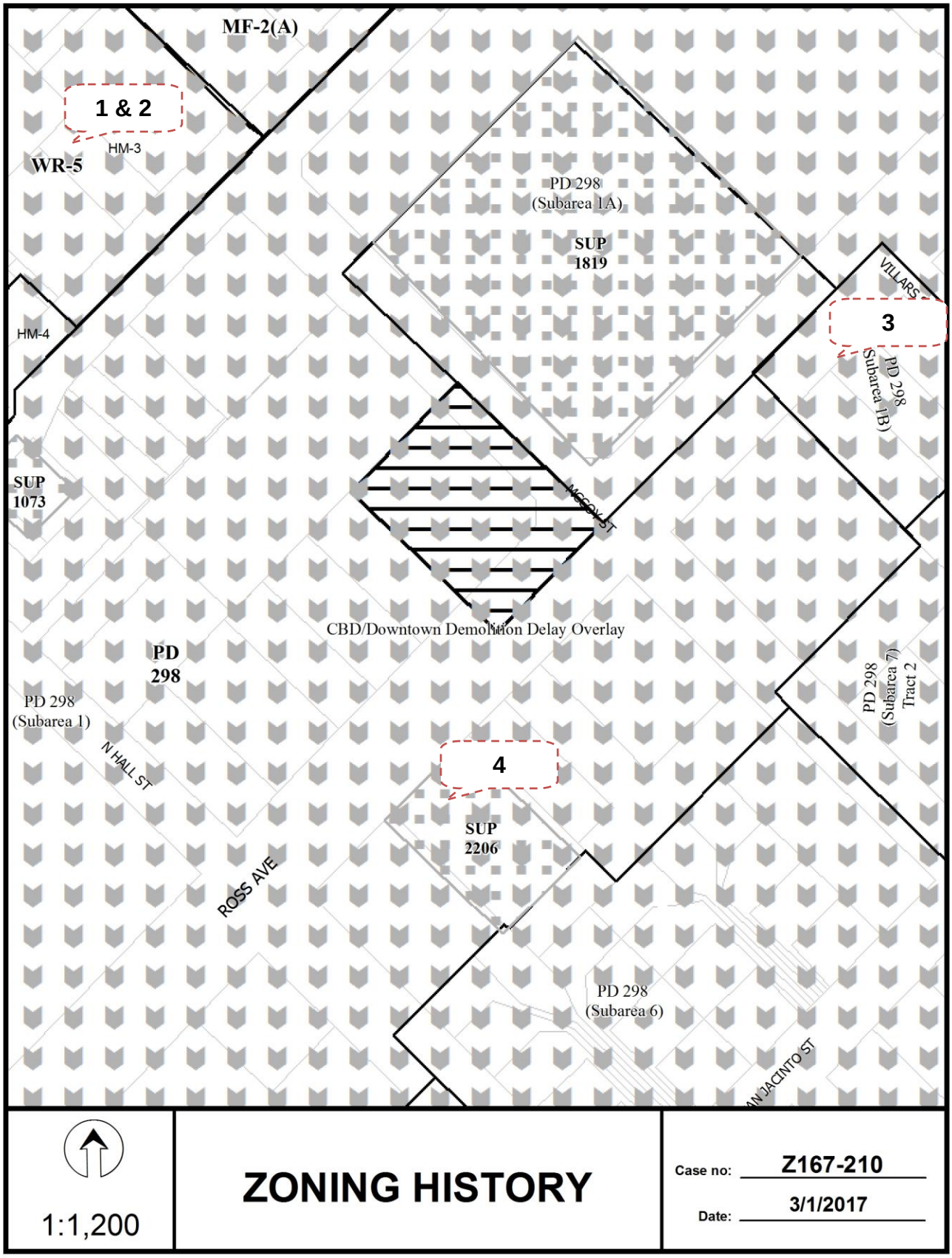
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AERIAL MAP

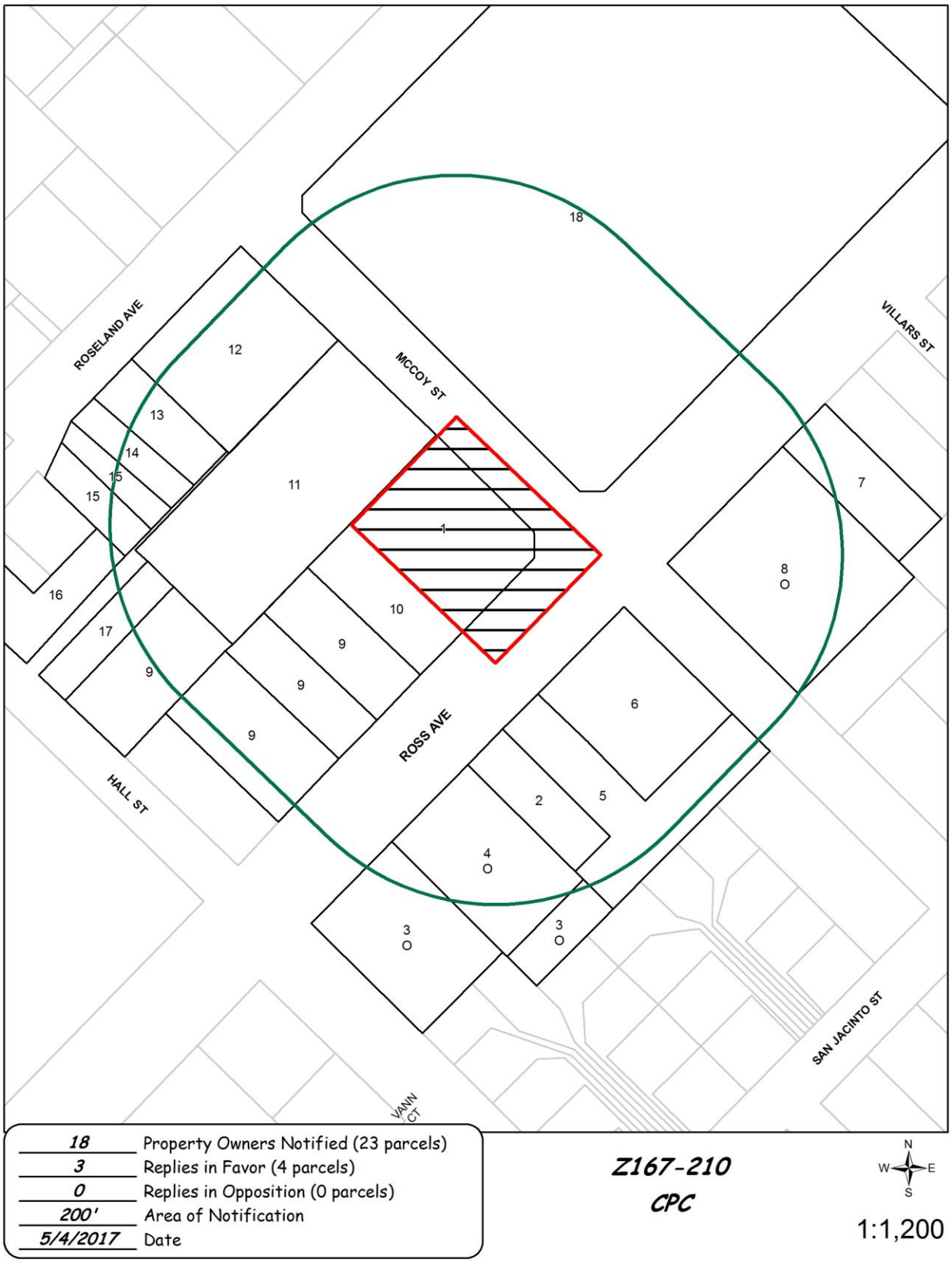
Case no: Z167-210

Date: 3/1/2017


MF-2(A)
HM-3
WR-5
HM-4
PD 298
(Subarea 1A)
SUP
1819
VILLARS ST
Multifamily
Multifamily
Demolition
Site
Vacant
Florist
SUP
1073
MCGOWAN ST
Catering
Service
Bank
w/Drive-thru
CBD/Downtown Demolition Delay Overlay
PD
298
Vacant
Vacant
PD 298
(Subarea 1)
Multifamily
PD 298
(Subarea 7)
Tract 2
N HALL ST
Liquor
Store
SUP
2206
ROSS AVE
Restaurant
& Retail
PD 298
(Subarea 6)
N JACINTO ST
1:1,200
ZONING
AND LAND USE
Case no: Z167-210
Date: 3/1/2017


MF-2(A)
1 & 2
HM-3
WR-5
PD 298
(Subarea 1A)
SUP
1819
VILLARS
3
HM-4
PD 298
(Subarea 1B)
SUP
1073
MCGOWAN ST
CBD/Downtown Demolition Delay Overlay
PD
298
PD 298
(Subarea 1)
N HALL ST
PD 298
(Subarea 7)
Tract 2
4
SUP
2206
ROSS AVE
PD 298
(Subarea 6)
N JACINTO ST
1:1,200
ZONING HISTORY
Case no: Z167-210
Date: 3/1/2017

CPC RESPONSES



05/17/2017

Reply List of Property Owners

Z167-210

18 Property Owners Notified ***3 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3407	ROSS AVE	R & F INVESTMENTS II LTD
	2	3400	ROSS AVE	HERNANDEZ JULIO
O	3	3300	ROSS AVE	BSK SCHWARTZ LTD
O	4	3310	ROSS AVE	BSK SCHWARTZ LTD
	5	3404	ROSS AVE	PARKS JAMES B JR
	6	3410	ROSS AVE	606 MIDLAND BAR LLC
	7	3512	ROSS AVE	MBOGO HINGA ET AL
O	8	3510	ROSS AVE	PARKS JAMES B JR
	9	3311	ROSS AVE	3405 DHG LLC
	10	3405	ROSS AVE	1507 DRAGON STREET LLC
	11	1711	MCCOY ST	GIRMA ASKE
	12	1723	MCCOY ST	HOUSING AUTHORITY OF THE
	13	3404	ROSELAND AVE	ROSE LIMITED PS
	14	3402	ROSELAND AVE	KIM RACHEL
	15	3400	ROSELAND AVE	WOODARD JOHN R JR
	16	1722	N HALL ST	HALL & ROSS LTD PS
	17	1716	N HALL ST	HALL & ROSS LTD
	18	3606	ROSELAND AVE	WW ROSS AVENUE LP

AGENDA ITEM # 78

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Raquel Favela, 670-3309

MAPSCO: N/A

SUBJECT

A public hearing to receive comments on the Substantial Amendment No. 2 to the FY 2016-17 Action Plan to **(1)** add a new HOME Investment Partnerships Program (HOME) Tenant Based Rental Assistance (TBRA) Program activity and the proposed use of HOME funds for the TBRA Program; **(2)** adopt the Substantial Amendment No. 2 to the FY 2016-17 Action Plan for HOME and to allocate $1,038,500 of HOME funds, resulting from unanticipated program income, to the new activity; and **(3)** approve the TBRA Program Statement to provide supplemental financial assistance to displaced tenants as a result of the High Impact Landlord Initiative - Financing: No cost consideration to the City

BACKGROUND

On August 12, 2016, the City submitted the FY 2016-17 Action Plan to the U.S. Department of Housing and Urban Development (HUD). HUD grant programs covered by the Action Plan include the Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). The Action Plan provides a detailed description of programs and services to be undertaken with the grant funds over the twelve-month period of October 1, 2016 through September 30, 2017 to address priority needs in the community designed to improve Dallas residents' quality of life for low and moderate income persons.

The City of Dallas has now identified an additional priority need not specified in the original FY 2016-17 Action Plan, Tenant Based Rental Assistance, an activity to expand rental assistance to low- and moderate-income persons.

BACKGROUND (continued)

Federal regulations and the City's Citizen Participation Plan require a public hearing to authorize a substantial amendment and require that a public hearing be held with not less than a 30-day public review and comment period to allow for public comments and input with respect to any substantial amendment.

This action authorizes a public hearing to receive comments on the Substantial Amendment No. 2 to the FY 2016-17 Action Plan to **(1)** add a new HOME Tenant Based Rental Assistance (TBRA) Program activity and the proposed use of HOME funds for the TBRA Program; **(2)** adopt the Substantial Amendment No. 2 to the FY 2016-17 Action Plan for the HOME Investment Partnerships Program (HOME) and to allocate $1,038,500 of HOME funds, resulting from unanticipated program income, to the new activity; and **(3)** approve the TBRA Program Statement to provide supplemental financial assistance to displaced tenants as a result of the High Impact Landlord Initiative.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2016, City Council authorized the adoption of the FY 2016-17 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds and adoption of the FY 2015-16 Reprogramming Budget by Resolution No. 16-1066.

On April 12, 2017, City Council authorized adoption of Reprogramming Budget No. 1 to the FY 2016-17 Action Plan for U.S. Department of Housing and Urban Development Grant Funds to use unspent prior year CDBG funds for the Major Systems Repair Program by Resolution No. 17-0595.

On June 14, 2017, City Council authorized preliminary adoption of Substantial Amendment No. 2 to the FY 2016-17 Action Plan, establishment of a TBRA Program Statement and a public hearing to be held on August 9, 2017, by Resolution No. 17-0992.

On June 5, 2017, the Housing Committee was briefed on TBRA.

FISCAL INFORMATION

No cost consideration to the City.

August 9, 2017

WHEREAS, on June 22, 2016, City Council authorize adoption of the FY 2016-17 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds and adoption of the FY 2015-16 Reprogramming Budget by Resolution No. 16-1066; and

WHEREAS, on April 12, 2017, City Council authorized final adoption of Reprogramming Budget No. 1 to the FY 2016-17 Action Plan for U.S. Department of Housing and Urban Development Grant Funds to use unspent prior year CDBG funds for the Major Systems Repair Program by Resolution No.17-0595; and

WHEREAS, on June 14, 2017, City Council authorized preliminary adoption of Substantial Amendment No. 2 to the FY 2016-17 Action Plan, establishment of a TBRA Program Statement and a public hearing to be held on August 9, 2017, by Resolution No. 17-0992; and

WHEREAS, the City desires to assist displaced tenants as a result of the High Impact Landlord Initiative (HILI).

Now, Therefore,

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

SECTION 1. That the City Council is hereby authorized to **(1)** add a new HOME Tenant Based Rental Assistance (TBRA) Program activity and allocate $1,038,500 of HOME funds to the new activity; **(2)** adopt Substantial Amendment No. 2 to the FY 2016-17 Action Plan for the HOME Investment Partnerships Program (HOME); and **(3)** establish a TBRA Program Statement as described in Exhibit A to provide supplemental financial assistance to displaced tenants as a result of the HILI.

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

Exhibit A

TENANT BASED RENTAL ASSISTANCE (TBRA) PROGRAM STATEMENT

Purpose

The purpose of this program is to provide supplemental financial assistance to displaced tenants as a result of the High Impact Landlord Initiative (HILI) to pay the difference between the cost of rent and the actual affordable amount that the tenant can pay.

Eligible Subsidy

Eligible costs include: Subsidy is based on the amount of the rent, household income and City rent standard in a form of a grant. Covered expenses include:

- Rent supplemental financial assistance
- Utility costs
- Security deposits
- Utility deposits
- Maximum assistance of 24 months
- May provide security deposit and utility deposit assistance upon exiting the program for a permanent unit

Eligible Unit

- The unit must pass a minimum housing standard inspection
- Unit must be in the city limits of Dallas
- Minimum of a one-year lease

Compliance

Staff will ensure that approved projects comply with federal regulations including eligibility, inspections, monitoring and reporting.

Other Criteria:

- Clients will receive a "coupon"
- Client renewals conducted annually
- Applications will be processed on a first come first serve basis

AGENDA ITEM # 79

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: H21 B 22E N S

SUBJECT

A public hearing to receive comments on the proposed use of a portion of Elm Fork Shooting Sports and the Luna Vista Golf Course in the Elm Fork Greenbelt, totaling approximately 155,182 square feet of land, by the Trinity River Authority of Texas for the sewer interceptor rehabilitation project; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code – Financing: No cost consideration to the City

BACKGROUND

The City of Dallas owns municipal parkland known as Elm Fork Shooting Sports and the Luna Vista Golf Course in the Elm Fork Greenbelt located northwest of downtown Dallas within the Trinity River Corridor. The Trinity River Authority of Texas (TRA) currently maintains a sewer interceptor within its easement through the parkland. Needed repairs of the existing sewer and interceptor were revealed during a recent inspection of the sewer interceptor.

TRA has requested a temporary construction easement for a two-year period, consisting of approximately 155,182 square feet of parkland, as described in Exhibit A, for rehabilitation of the existing sewer interceptor in the Elm Fork Greenbelt. Such temporary uses may include: ingress and egress, installation of temporary bypass piping, and storage of materials equipment, vehicles, and materials as necessary for construction work. In consideration for this temporary conveyance by easement, TRA will pay $4,366, the fair market value of this easement, as determined by an independent appraisal; Sustainable Development and Construction is submitting a resolution collectively with this resolution for the actual conveyance of, and sale proceeds for, the Temporary Construction Easement. Upon completion of the project, the area will be restored to its pre-construction condition or better. Using trenchless technology the interceptor will be repaired by installing a liner to rehabilitate and protect the existing sewer interceptor. Work will be coordinated and scheduled with the Park and Recreation Department, Elm Fork Shooting Sports, and the Luna Vista Golf Course staff to minimize disruption of facility services and operations.

BACKGROUND (continued)

In compliance with the law, the City, through its Dallas City Council, must determine that there is a need and that no feasible and prudent alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of current and future park services.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of park land. At the close of the public hearing, Council will consider a resolution authorizing the proposed change of use of parkland and sale.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 4, 2017, the Park and Recreation Board authorized a public hearing to be held on August 9, 2017.

On June 28, 2017, City Council authorized a public hearing to be held on August 9, 2017, by Resolution No. 17-1062.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



0 300 600 1,200 1,800 Feet

May 4, 2017

Elm Fork Shooting Sports/Luna Vista Golf Course
Elm Fork Greenbelt

TRA Temporary Construction Easement

Mapsco
H21B
22E, N, S

District
6

August 9, 2017

WHEREAS, the City of Dallas owns land in southeast Dallas known as Elm Fork Shooting Sports and the Luna Vista Golf Course in the Elm Fork Greenbelt, located northwest of downtown Dallas, City of Dallas, Dallas County, Texas which was acquired for park purposes and has been maintained as parkland; and

WHEREAS, a portion of the Elm Fork Shooting Sports and the Luna Vista Golf Course in the Elm Fork Greenbelt has been identified by the Trinity River Authority of Texas (TRA), for the purpose of repair of it sewer interceptor and must acquire a temporary construction easement totaling approximately 155,182 square feet of land for such use, as shown on Exhibit A, and the City of Dallas Park and Recreation Board is agreeable to providing the property for this use; and

WHEREAS, TRA is agreeable to designing, constructing, and coordinating its improvements with City staff so as to minimize potential impact to the City's operations in the Elm Fork Greenbelt; and

WHEREAS, in consideration for this the grant of a temporary construction easement, TRA will pay the fair market value of this easement, as determined by an independent appraisal; and

WHEREAS, referendum, notice, and bidding requirements of Chapter 253 and 272 of the Texas Local Government Code are not applicable when a municipality is conveying an interest in land to an entity with eminent domain authority; and

WHEREAS, a public hearing was held, as required by the Texas Park and Wildlife Code (Chapter 26, Section 26.001 through 26.004), to determine that there is no feasible and prudent alternative to the change of use and sale of this parkland and that all reasonable planning to minimize harm to the Elm Fork Greenbelt has been taken.

Now, Therefore,

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

SECTION 1. That as a result of the public hearing held today, it is hereby determined that there is no feasible and prudent alternative to the use of parkland for the purpose stated in this resolution and that all reasonable planning to minimize harm to the park and the surrounding adjacent parkland has been taken.

SECTION 2. That the City of Dallas hereby approves and authorizes the grant of a temporary construction easement, by form instrument as approved by the City Attorney, to TRA for purpose of construction and rehabilitation of TRA's sewer interceptor project, said easement area more fully described in Exhibit A, attached hereto and made a part hereof.

SECTION 3. That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to execute a temporary construction easement for the benefit of TRA for the purposes authorized herein, and to all of the following terms and conditions:

a. TRA shall covenant to the City:

1. To observe safety regulations;

2. To not be detrimental to the park and to coordinate work with City staff so as to provide for the least disruption of City services;

3. To comply with health, safety, noise, environmental protection, waste disposal, and water and air quality regulations;

4. To keep the adjacent park area free from construction debris and waste;

5. To bear the cost of construction, operation, and maintenance of the sewer line and improvements;

6. To do all work within the park and surrounding areas in a good and workmanlike manner under the supervision of the Director of the Park and Recreation Department;

7. Improvements made by TRA shall not impair the safe passage and use by users of the City facilities within the parkland.

b. TRA shall not enter for work purposes or disturb the surface or subsurface land of park property outside of the temporary construction easement tract without consultation with, and approval by, the Director of the Park and Recreation Department.

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

EXHIBIT A-TRACT 1

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 2-TCE

Being a 25,430 square foot tract of land situated in the William Babbett Survey, Abstract No. 155, Dallas Block No. 8572, City of Dallas, Dallas County, Texas, said 25,430 square foot tract of land being a portion of a 1,441,290 square foot tract of land (by deed) deeded to the City of Dallas by Warranty Deed dated July 27, 1965 as recorded in Volume 619, Page 844 of the Deed Records of Dallas County, Texas, said 25,430 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a Texas Department of Transportation (TXDOT) monument found (Controlling Monument) (CM) in the northerly right-of-way line of Spur 348 (Northwest Highway) (a variable width right-of-way) as recorded in Volume 5750, Page 66 of said Deed Records of Dallas County, Texas, said TXDOT monument being the southwest corner of a 20 acre tract of land (by deed) described as Tract No. 8 deeded to the City of Dallas as recorded in Volume 120, Page 1470 of said Deed Records of Dallas County, Texas, said TXDOT monument also being the southeast corner of a tract of land deeded to the City of Dallas as recorded in Volume 452, Page 962 of said Deed Records of Dallas County, Texas, from which a TXDOT monument found (CM) for an angle point in the northerly right-of-way line of said Spur 348 bears South 75 degrees 21 minutes 03 seconds East, a distance of 439.21 feet; THENCE North 00 degrees 40 minutes 23 seconds West, with the west line of said Tract No. 8 and with the east line of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, a distance of 570.22 feet to a point for the northwest corner of said Tract No. 8, said point being the southwest corner of a tract of land described as Tract No. 7 deeded to the City of Dallas as recorded in said Volume 120, Page 1470; THENCE North 00 degrees 40 minutes 15 seconds West, with the west line of said Tract No. 7 and with the east line of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, passing at a distance of 18.00 feet, a point for the northeast corner of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, and being the southeast corner of an 80 acre tract of land (by deed) described as Tract No. 9 deeded to the City of Dallas as recorded in said Volume 120, Page 1470, in all, a distance of 660.00 feet to a point for the northwest corner of said Tract No. 7, said point being southwest corner of a 25 acre tract of land (by deed) described as Tract No. 6 deeded to the City of Dallas as recorded in said Volume 120, Page 1470, said point also being in the east line of said Tract No. 9; THENCE North 00 degrees 40 minutes 20 seconds West, with the west line of said Tract No. 6 and with the east line of said Tract No. 9, a distance of 660.00 feet to a point for the southwest corner of said 1,441,290 square foot tract of land, said point being the northwest corner of said Tract No. 6, said point also being in the east line of said Tract No. 9; THENCE North 00 degrees 40 minutes 23 seconds West, with the west line of said 1,441,290 square foot tract of land and with the east line of said Tract No. 9, a distance of 390.59 feet to the **POINT OF BEGINNING**, said point having a grid coordinate of N=7,006,298.77 and E=2,451,978.35;

FIELD NOTES APPROVED:
7/27/16

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 817-496-1424 FAX 817-496-1768

EXHIBIT A-TRACT 1

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 2-TCE

THENCE North 00 degrees 40 minutes 23 seconds West, with the west line of said 1,441,290 square foot tract of land and the east line of said Tract No. 9, a distance of 205.44 feet to a point for corner;

THENCE South 14 degrees 45 minutes 32 seconds East, a distance of 614.51 feet to a point for corner in the south line of said 1,441,290 square foot tract of land, said point being in the north line of said Tract No. 6;

THENCE South 89 degrees 19 minutes 40 seconds West, with south line of said 1,441,290 square foot tract of land and with the north line of said Tract No. 6, a distance of 51.55 feet to a point for corner;

THENCE North 14 degrees 45 minutes 32 seconds West, a distance of 402.70 feet to the **POINT OF BEGINNING,** and containing 25,430 square feet or 0.584 acres of land, more or less.

Notes:

(1) A plat of same date herewith accompanies this legal description.

(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
Gorrondona & Associates, Inc.

12/14/15

Calvin E. Cock III
Registered Professional Land Surveyor
Texas No. 5622
Texas Firm No. 10106903



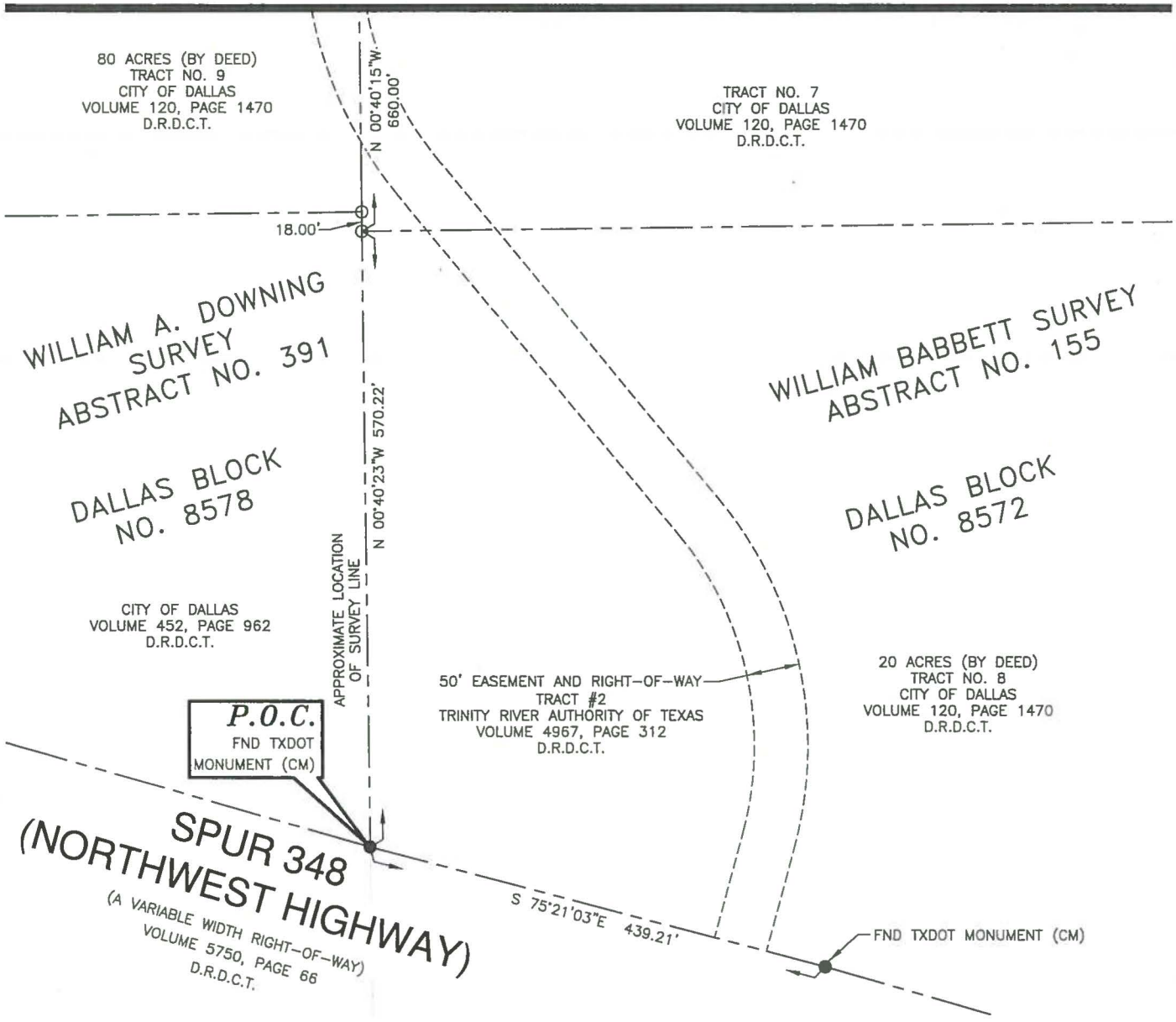
GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 817-496-1424 FAX 817-496-1768

EXHIBIT A-TRACT 1

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 2-TCE

MATCHLINE "A"



150 75 0 150

SCALE IN FEET

N

NOTE: 1. A LEGAL DESCRIPTION OF THE SAME DATE HEREWITH ACCOMPANIES THIS PLAT

2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE, BASED ON CITY OF IRVING G.P.S. CONTROL MONUMENTS A10 AND A11, WITH A COMBINED SCALE FACTOR FOR THIS SITE OF 0.999856145. ALL DISTANCES AND AREAS SHOWN ARE SURFACE, WITH CONTROLING MONUMENTS BEING SHOWN HEREON.

STATE OF TEXAS
REGISTERED
CALVIN EARNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_2-TCE_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 3 OF 5	SCALE: 1" = 150'

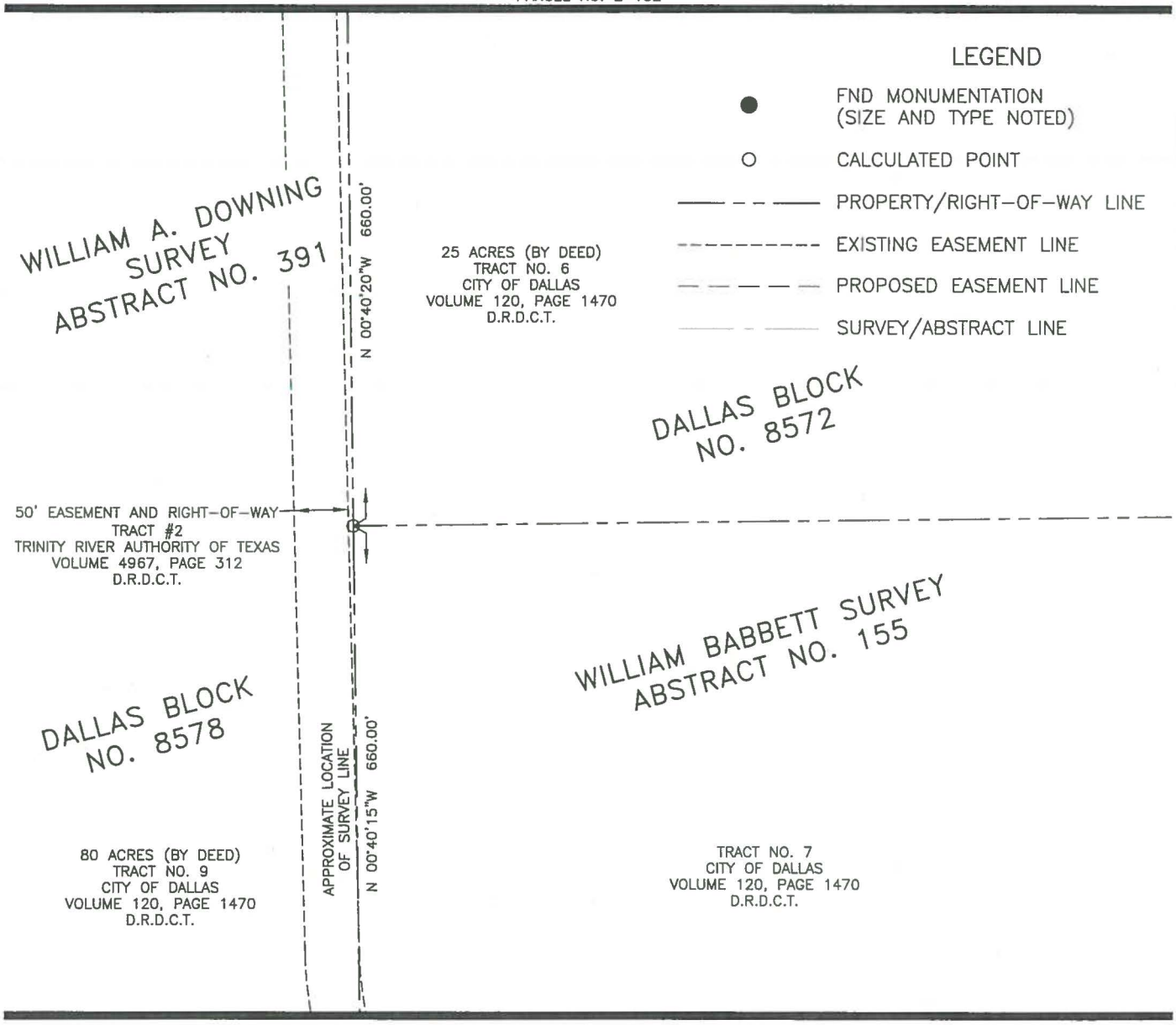
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EXHIBIT A-TRACT 1

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 2-TCE

MATCHLINE "B"



MATCHLINE "A"

N

150 75 0 150

SCALE IN FEET

STATE OF TEXAS
REGISTERED
CALVIN EARNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

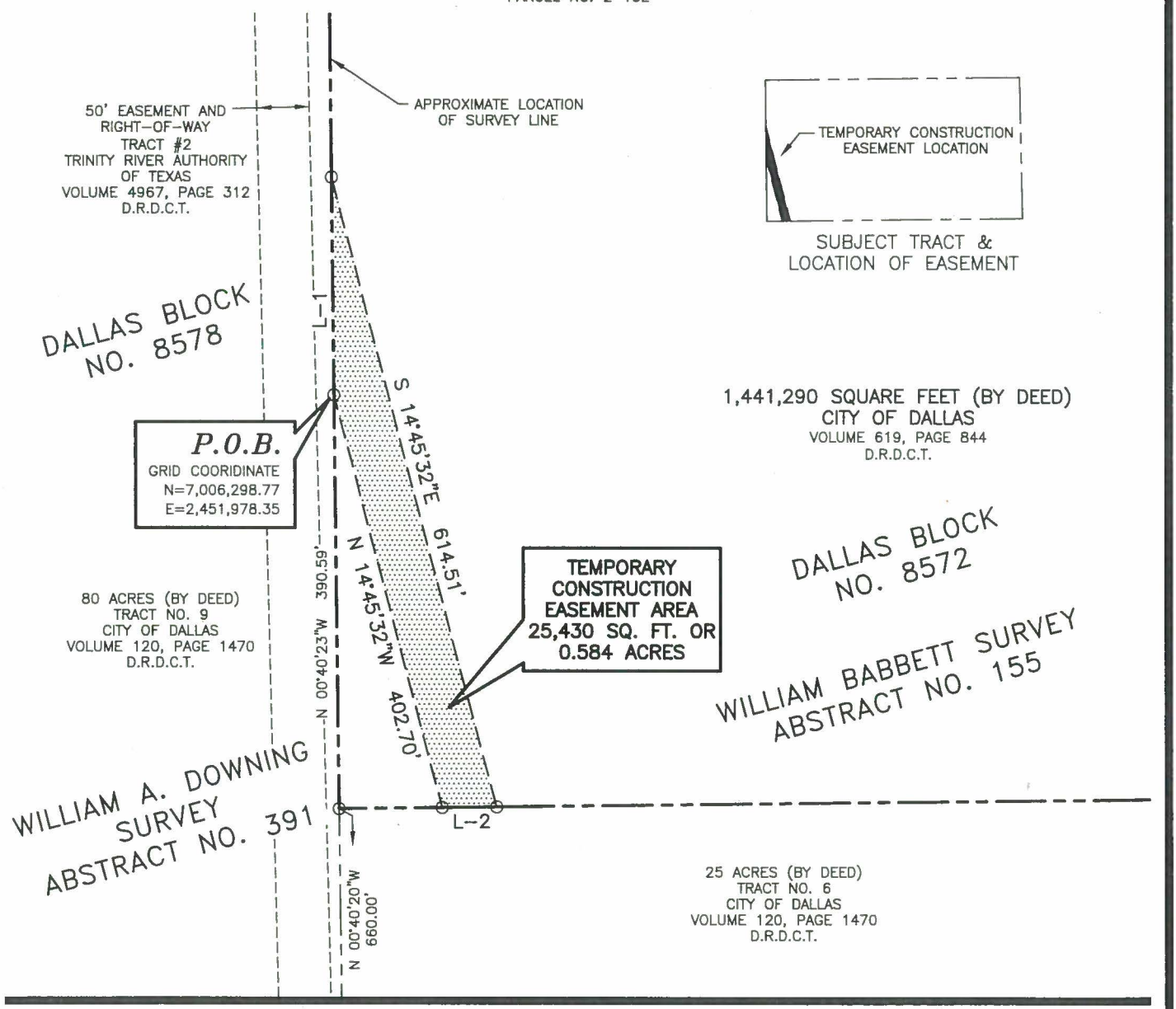
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DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 4 OF 5	SCALE: 1" = 150'

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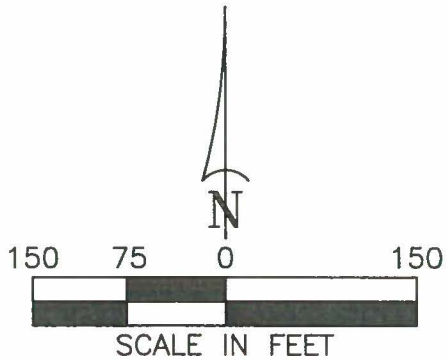
EXHIBIT A-TRACT 1

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 2-TCE



MATCHLINE "B"



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 00°40'23"W	205.44'
L-2	S 89°19'40"W	51.55'



CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_2-TCE_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 5 OF 5	SCALE: 1" = 150'

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EXHIBIT A-TRACT 2

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 1

Being a 15,001 square foot tract of land situated in the William Babbett Survey, Abstract No. 155, Dallas Block No. 8572, City of Dallas, Dallas County, Texas, said 15,001 square foot tract of land being a portion of a 20 acre tract of land (by deed) described as Tract No. 8 deeded to the City of Dallas by Warranty Deed dated August 2, 1963 as recorded in Volume 120, Page 1470 of the Deed Records of Dallas County, Texas, said 15,001 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a Texas Department of Transportation (TXDOT) monument found (Controlling Monument) (CM) for the southwest corner of said Tract No. 8, said TXDOT monument being the southeast corner of a tract of land deeded to the City of Dallas as recorded in Volume 452, Page 962 of said Deed Records of Dallas County, Texas, said TXDOT monument also being in the northerly right-of-way line of Spur 348 (Northwest Highway) (a variable width right-of-way) as recorded in Volume 5750, Page 66 of said Deed Records of Dallas County, Texas; THENCE South 75 degrees 21 minutes 03 seconds East, with the southerly line of said Tract No. 8 and with the northerly right-of-way line of said Spur 348, a distance of 382.42 feet to the **POINT OF BEGINNING**, said point being the intersection of the northerly right-of-way line of said Spur 348 with the easterly line of an existing 50' Easement and Right-of-Way described as Tract #2 granted to Trinity River Authority of Texas as recorded in Volume 4967, Page 312 of said Deed Records of Dallas County, Texas, said point being in the southerly line of said Tract No. 8, said point also having a grid coordinate of N=7,003,921.81 and E=2,452,374.88;

THENCE North 15 degrees 25 minutes 29 seconds East, with the easterly line of said existing 50' Easement and Right-of-Way, a distance of 100.01 feet to a point for corner;

THENCE South 75 degrees 21 minutes 03 seconds East, a distance of 56.54 feet to a point for corner;

THENCE South 74 degrees 05 minutes 20 seconds East, a distance of 93.47 feet to a point for corner;

THENCE South 15 degrees 25 minutes 29 seconds West, a distance of 100.00 feet to a point for corner in the southerly line of said Tract No. 8, said point being in the northerly right-of-way line of said Spur 348;

FIELD NOTES APPROVED: 7/27/16

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 2

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 1

THENCE North 74 degrees 05 minutes 20 seconds West, with the southerly line of said Tract No. 8 and with the northerly right-of-way line of said Spur 348, a distance of 93.22 feet to a TXDOT monument found (CM) for an angle point in the southerly line of said Tract No. 8, said TXDOT monument being in the northerly right-of-way line of said Spur 348;

THENCE North 75 degrees 21 minutes 03 seconds West, with the southerly line of said Tract No. 8 and with the northerly right-of-way line of said Spur 348, a distance of 56.79 feet to the **POINT OF BEGINNING,** and containing 15,001 square feet or 0.344 acres of land, more or less.

Notes:

(1) A plat of same date herewith accompanies this legal description.

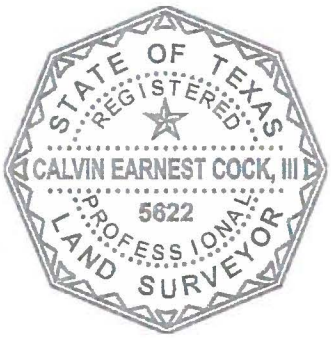
(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
Gorrondona & Associates, Inc.

By: _____ 12/14/15
Calvin E. Cock III
Registered Professional Land Surveyor,
Texas No. 5622
Texas Firm No. 10106903

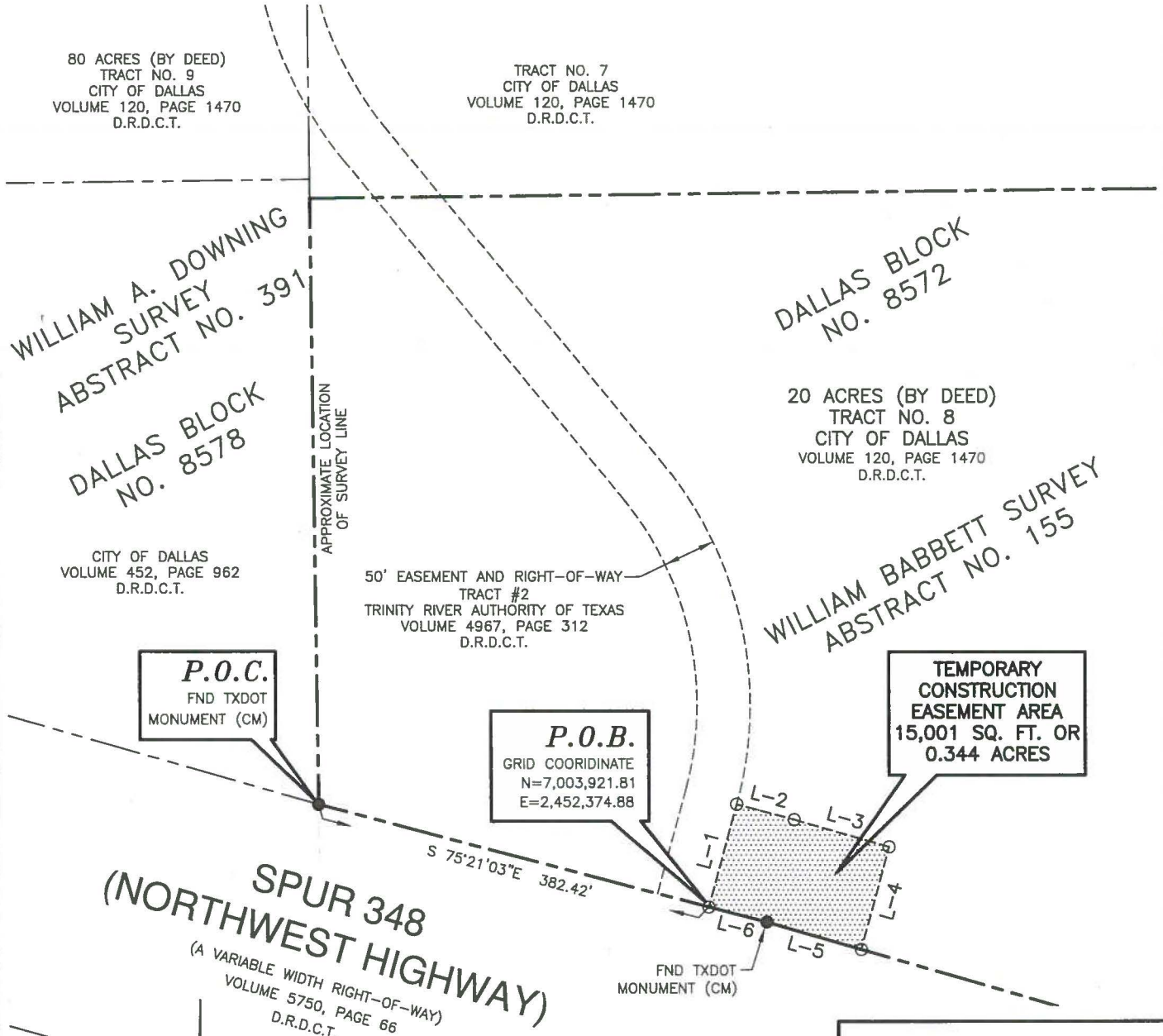


GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 2

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 1



STATE OF TEXAS
REGISTERED
CALVIN ERNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P1_R1.DWG
DATE: DECEMBER 14, 2015	PAGE 3 OF 4	SCALE: 1" = 150'

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EXHIBIT A-TRACT 2

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
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DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
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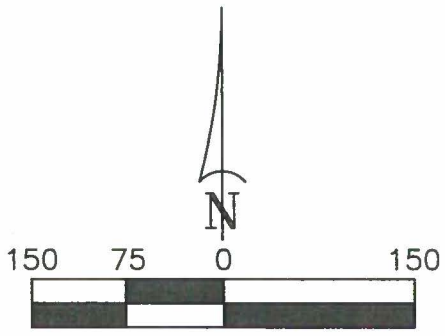
LEGEND

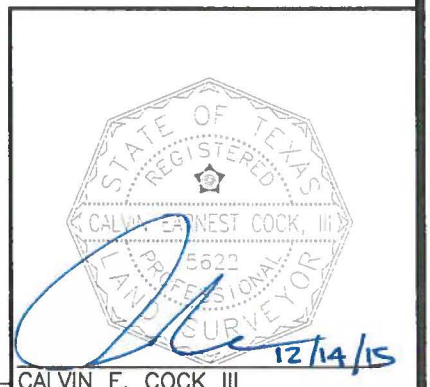
- ● FND MONUMENTATION (SIZE AND TYPE NOTED)
- ○ CALCULATED POINT
- —— – – —— PROPERTY/RIGHT-OF-WAY LINE
- ---------- EXISTING EASEMENT LINE
- ---------- PROPOSED EASEMENT LINE
- ——— – – ——— SURVEY/ABSTRACT LINE

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 15°25'29"E	100.01'
L-2	S 75°21'03"E	56.54'
L-3	S 74°05'20"E	93.47'
L-4	S 15°25'29"W	100.00'
L-5	N 74°05'20"W	93.22'
L-6	N 75°21'03"W	56.79'

NOTE: 1. A LEGAL DESCRIPTION OF THE SAME DATE HEREWITH ACCOMPANIES THIS PLAT

2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE, BASED ON CITY OF IRVING G.P.S. CONTROL MONUMENTS A10 AND A11, WITH A COMBINED SCALE FACTOR FOR THIS SITE OF 0.999856145. ALL DISTANCES AND AREAS SHOWN ARE SURFACE, WITH CONTROLING MONUMENTS BEING SHOWN HEREON.





12/14/15

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P1_R1.DWG
DATE: DECEMBER 14, 2015	PAGE 4 OF 4	SCALE: 1" = 150'

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 3

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 2

Being a 14,172 square foot tract of land situated in the William Babbett Survey, Abstract No. 155, Dallas Block No. 8572, City of Dallas, Dallas County, Texas, said 14,172 square foot tract of land being a portion of a 20 acre tract of land (by deed) described as Tract No. 8 deeded to the City of Dallas by Warranty Deed dated August 2, 1963 as recorded in Volume 120, Page 1470 of the Deed Records of Dallas County, Texas, said 14,172 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a Texas Department of Transportation (TXDOT) monument found (Controlling Monument) (CM) for the southwest corner of said Tract No. 8, said TXDOT monument being the southeast corner of a tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962 of said Deed Records of Dallas County, Texas, said TXDOT monument also being in the northerly right-of-way line of Spur 348 (Northwest Highway) (a variable width right-of-way) as recorded in Volume 5750, Page 66 of said Deed Records of Dallas County, Texas; THENCE South 75 degrees 21 minutes 03 seconds East, with the southerly line of said Tract No. 8 and with the northerly right-of-way line of said Spur 348, a distance of 382.42 feet to a point for the intersection of the northerly right-of-way line of said Spur 348 with the easterly line of an existing 50' Easement and Right-of-Way described as Tract #2 granted to Trinity River Authority of Texas as recorded in Volume 4967, Page 312 of said Deed Records of Dallas County, Texas, from which a TXDOT monument found (CM) for an angle point in the northerly right-of-way line of said Spur 348 bears South 75 degrees 21 minutes 03 seconds East, a distance of 56.79 feet; THENCE North 15 degrees 25 minutes 29 seconds East, with the easterly line of said existing 50' Easement and Right-of-Way, a distance of 100.01 feet to the **POINT OF BEGINNING**, said point having a grid coordinate of N=7,004,018.20 and E=2,452,401.47;

THENCE North 14 degrees 37 minutes 00 seconds East, a distance of 86.82 feet to a point for the beginning of a curve to the right having a radius of 150.00 feet, a central angle of 34 degrees 56 minutes 34 seconds and whose chord bears North 32 degrees 05 minutes 17 seconds East, a chord distance of 90.07 feet;

THENCE Northeasterly, with said curve to the right, an arc length of 91.48 feet to a point for corner;

FIELD NOTES APPROVED:
7/27/16

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 2

THENCE North 49 degrees 33 minutes 34 seconds East, a distance of 266.32 feet to a point for the beginning of a curve to the left having a radius of 150.00 feet, a central angle of 49 degrees 33 minutes 34 seconds and whose chord bears North 24 degrees 46 minutes 47 seconds East, a chord distance of 125.74 feet;

THENCE Northeasterly, with said curve to the left, an arc length of 129.75 feet to a point for corner;

THENCE North 00 degrees 00 minutes 00 seconds West, a distance of 131.55 feet to a point for corner in the north line of said Tract No. 8, said point being in the south line of a tract of land described as Tract No. 7 deeded to the City of Dallas as recorded in said Volume 120, Page 1470;

THENCE North 89 degrees 20 minutes 32 seconds East, with the north line of said Tract No. 8 and with the south line of said Tract No. 7, a distance of 20.00 feet to a point for corner;

THENCE South 00 degrees 00 minutes 00 seconds East, a distance of 131.78 feet to a point for the beginning of a curve to the right having a radius of 170.00 feet, a central angle of 49 degrees 33 minutes 34 seconds and whose chord bears South 24 degrees 46 minutes 47 seconds West, a chord distance of 142.50 feet;

THENCE Southwesterly, with said curve to the right, an arc length of 147.05 feet to a point for corner;

THENCE South 49 degrees 33 minutes 34 seconds West, a distance of 266.32 feet to a point for the beginning of a curve to the left having a radius of 130.00 feet, a central angle of 34 degrees 56 minutes 34 seconds and whose chord bears South 32 degrees 05 minutes 17 seconds West, a chord distance of 78.06 feet;

THENCE Southwesterly, with said curve to the left, an arc length of 79.28 feet to a point for corner;

THENCE South 14 degrees 37 minutes 00 seconds West, a distance of 86.82 feet to a point for corner;

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 2

THENCE North 75 degrees 23 minutes 00 seconds West, a distance of 20.00 feet to the **POINT OF BEGINNING,** and containing 14,172 square feet or 0.325 acres of land, more or less.

Notes:

(1) A plat of same date herewith accompanies this legal description.

(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
Gorrondona & Associates, Inc.

By: _____ 12/14/15
Calvin E. Cock III
Registered Professional Land Surveyor,
Texas No. 5622
Texas Firm No. 10106903

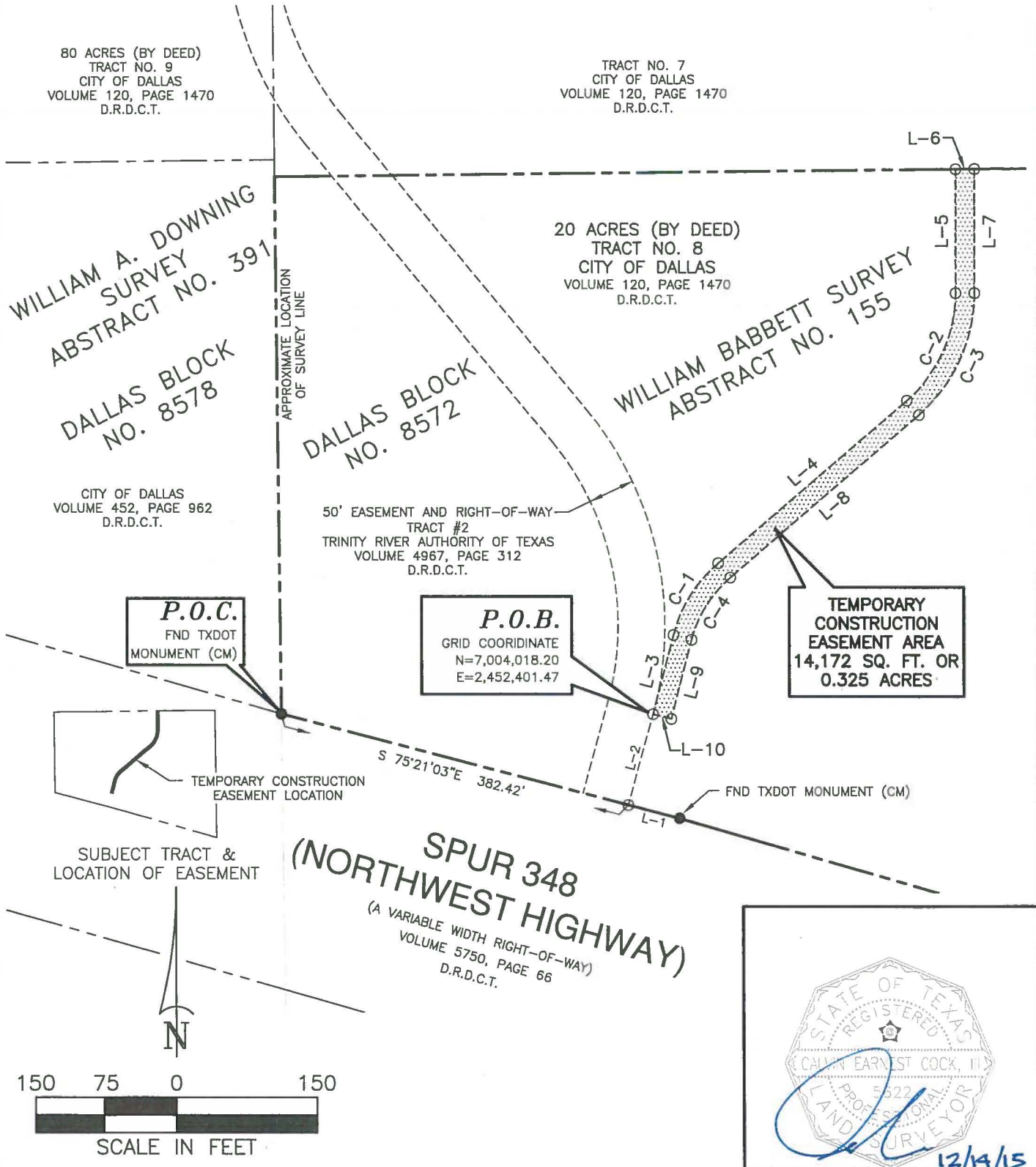


GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 3

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 2



STATE OF TEXAS
REGISTERED
CALVIN EARNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P2_R1.DWG
DATE: DECEMBER 14, 2015	PAGE 4 OF 5	SCALE: 1" = 150'

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 3

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 2

LEGEND

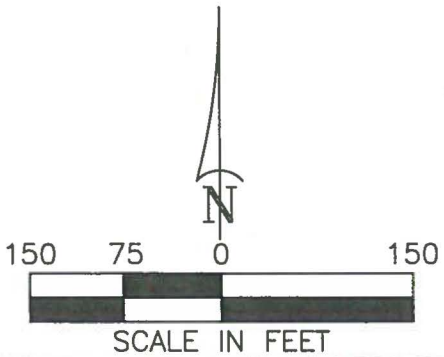
- ● FND MONUMENTATION (SIZE AND TYPE NOTED)
- ○ CALCULATED POINT
- —— - - —— PROPERTY/RIGHT-OF-WAY LINE
- ---------- EXISTING EASEMENT LINE
- ---------- PROPOSED EASEMENT LINE
- —— - —— SURVEY/ABSTRACT LINE

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	S 75°21'03"E	56.79'
L-2	N 15°25'29"E	100.01'
L-3	N 14°37'00"E	86.82'
L-4	N 49°33'34"E	266.32'
L-5	N 00°00'00"W	131.55'
L-6	N 89°20'32"E	20.00'
L-7	S 00°00'00"E	131.78'
L-8	S 49°33'34"W	266.32'
L-9	S 14°37'00"W	86.82'
L-10	N 75°23'00"W	20.00'

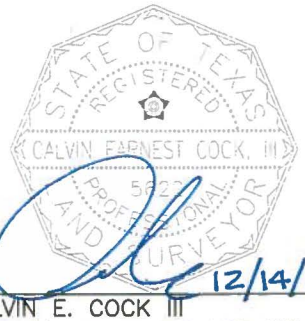
CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C-1	150.00'	34°56'34"	N 32°05'17"E	90.07'	91.48'
C-2	150.00'	49°33'34"	N 24°46'47"E	125.74'	129.75'
C-3	170.00'	49°33'34"	S 24°46'47"W	142.50'	147.05'
C-4	130.00'	34°56'34"	S 32°05'17"W	78.06'	79.28'

NOTE: 1. A LEGAL DESCRIPTION OF THE SAME DATE HEREWITH ACCOMPANIES THIS PLAT

2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE, BASED ON CITY OF IRVING G.P.S. CONTROL MONUMENTS A10 AND A11, WITH A COMBINED SCALE FACTOR FOR THIS SITE OF 0.999856145. ALL DISTANCES AND AREAS SHOWN ARE SURFACE, WITH CONTROLING MONUMENTS BEING SHOWN HEREON.



SCALE IN FEET



12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P2_R1.DWG
DATE: DECEMBER 14, 2015	PAGE 5 OF 5	SCALE: 1" = 150'

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 4

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 3

Being a 19,949 square foot tract of land situated in the William Babbett Survey, Abstract No. 155, Dallas Block No. 8572, City of Dallas, Dallas County, Texas, said 19,949 square foot tract of land being a portion of a tract of land described as Tract No. 7 deeded to the City of Dallas by Warranty Deed dated August 2, 1963 as recorded in Volume 120, Page 1470 of the Deed Records of Dallas County, Texas, said 19,949 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a Texas Department of Transportation (TXDOT) monument found (Controlling Monument) (CM) in the northerly right-of-way line of Spur 348 (Northwest Highway) (a variable width right-of-way) as recorded in Volume 5750, Page 66 of said Deed Records of Dallas County, Texas, said TXDOT monument being the southwest corner of a 20 acre tract of land (by deed) described as Tract No. 8 deeded to the City of Dallas as recorded in said Volume 120, Page 1470, said TXDOT monument also being the southeast corner of a tract of land deeded to the City of Dallas as recorded in Volume 452, Page 962 of said Deed Records of Dallas County, Texas, from which a TXDOT monument found (CM) for an angle point in the northerly right-of-way line of said Spur 348 bears South 75 degrees 21 minutes 03 seconds East, a distance of 439.21 feet; THENCE North 00 degrees 40 minutes 23 seconds West, with the west line of said Tract No. 8 and with the east line of said tract of land deeded to the City of Dallas as recorded in Volume 452, Page 962, a distance of 570.22 feet to a point for the northwest corner of said Tract No. 8, said point being the southwest corner of said Tract No. 7; THENCE North 89 degrees 20 minutes 32 seconds East, with the south line of said Tract No. 7 and with the north line of said Tract No. 8, a distance of 728.29 feet to the **POINT OF BEGINNING**, said point having a grid coordinate of N=7,004,596.91 and E=2,452,726.58;

FIELD NOTES APPROVED: 7/27/16

THENCE North 00 degrees 00 minutes 00 seconds West, a distance of 62.88 feet to a point for corner;

THENCE North 01 degrees 19 minutes 22 seconds West, a distance of 164.65 feet to a point for the beginning of a curve to the left having a radius of 250.00 feet, a central angle of 70 degrees 26 minutes 34 seconds and whose chord bears North 36 degrees 32 minutes 39 seconds West, a chord distance of 288.37 feet;

THENCE Northwesterly, with said curve to the left, an arc length of 307.36 feet to a point for corner;

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 3

THENCE North 70 degrees 39 minutes 18 seconds West, a distance of 121.42 feet to a point for the beginning of a curve to the right having a radius of 100.00 feet, a central angle of 11 degrees 21 minutes 41 seconds, and whose chord bears North 64 degrees 58 minutes 27 seconds West, a chord distance of 19.80 feet;

THENCE Northwesterly, with said curve to the right, an arc length of 19.83 feet to a point for corner;

THENCE North 59 degrees 17 minutes 37 seconds West, a distance of 173.28 feet to a point for corner;

THENCE North 14 degrees 45 minutes 32 seconds West, a distance of 60.43 feet to a point for corner in the north line of said Tract No. 7, said point being in the south line of a 25 acre tract of land (by deed) described as Tract No. 6 deeded to the City of Dallas as recorded in said Volume 120, Page 1470;

THENCE North 89 degrees 19 minutes 45 seconds East, with the north line of said Tract No. 7 and with south line of said Tract No. 6, a distance of 51.55 feet to a point for corner;

THENCE South 14 degrees 45 minutes 32 seconds East, a distance of 70.19 feet to a point for corner;

THENCE South 59 degrees 17 minutes 37 seconds East, a distance of 122.32 feet to a point for the beginning of a curve to the left having a radius of 80.00 feet, a central angle of 11 degrees 21 minutes 41 seconds, and whose chord bears South 64 degrees 58 minutes 27 seconds East, chord distance of 15.84 feet;

THENCE Southeasterly, with said curve to the left, having an arc length of 15.86 feet to a point for corner;

THENCE South 70 degrees 39 minutes 18 seconds East, a distance of 121.23 feet to a point for the beginning of a curve to the right having a radius of 270.00 feet, a central angle of 70 degrees 24 minutes 03 seconds, and whose chord bears South 36 degrees 31 minutes 24 seconds East, a chord distance of 311.28 feet;

THENCE Southeasterly, with said curve to the right, an arc length of 331.76 feet to a point for corner;

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 3

THENCE South 01 degrees 19 minutes 22 seconds East, a distance of 164.88 feet to a point for corner;

THENCE South 00 degrees 00 minutes 00 seconds East, a distance of 62.88 feet to a point for corner in the south line of said Tract No. 7, said point being in the north line of said Tract No. 8;

THENCE South 89 degrees 20 minutes 32 seconds West, with the south line of said Tract No. 7 and with the north line of said Tract No. 8, a distance of 20.00 feet to the **POINT OF BEGINNING,** and containing 19,949 square feet or 0.458 acres of land, more or less.

Notes:

(1) A plat of same date herewith accompanies this legal description.

(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
Gorrondona & Associates, Inc.

By: _____ 12/14/15
Calvin E. Cock III
Registered Professional Land Surveyor,
Texas No. 5622
Texas Firm No. 10106903



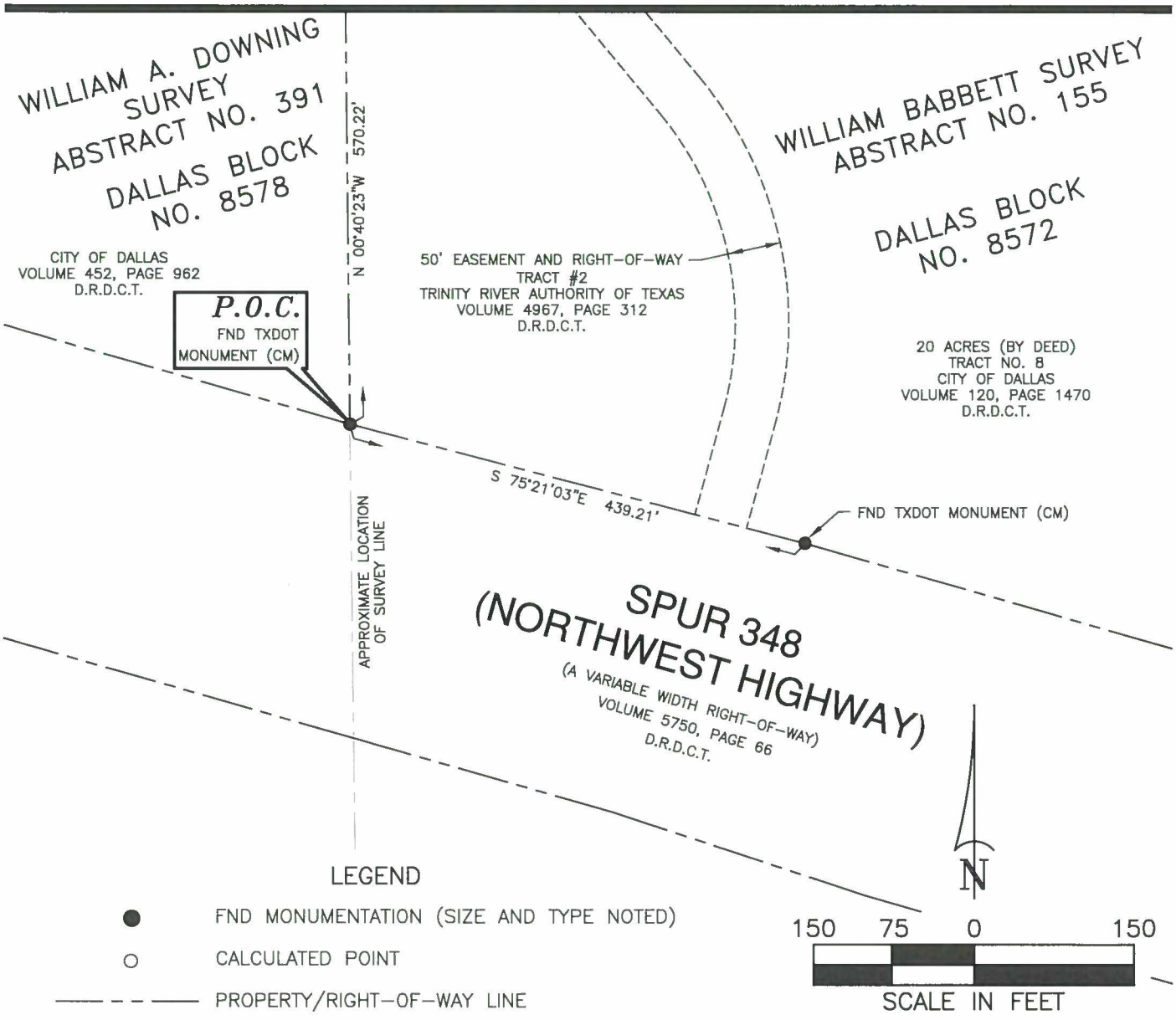
GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 4

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 3

MATCHLINE



LEGEND

- ● FND MONUMENTATION (SIZE AND TYPE NOTED)
- ○ CALCULATED POINT
- —— - - —— PROPERTY/RIGHT-OF-WAY LINE
- ---------- EXISTING EASEMENT LINE
- ---------- PROPOSED EASEMENT LINE
- —— - - —— SURVEY/ABSTRACT LINE

NOTE: 1. A LEGAL DESCRIPTION OF THE SAME DATE HEREWITH ACCOMPANIES THIS PLAT

2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE, BASED ON CITY OF IRVING G.P.S. CONTROL MONUMENTS A10 AND A11, WITH A COMBINED SCALE FACTOR FOR THIS SITE OF 0.999856145. ALL DISTANCES AND AREAS SHOWN ARE SURFACE, WITH CONTROLING MONUMENTS BEING SHOWN HEREON.

STATE OF TEXAS
REGISTERED
CALVIN EARNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

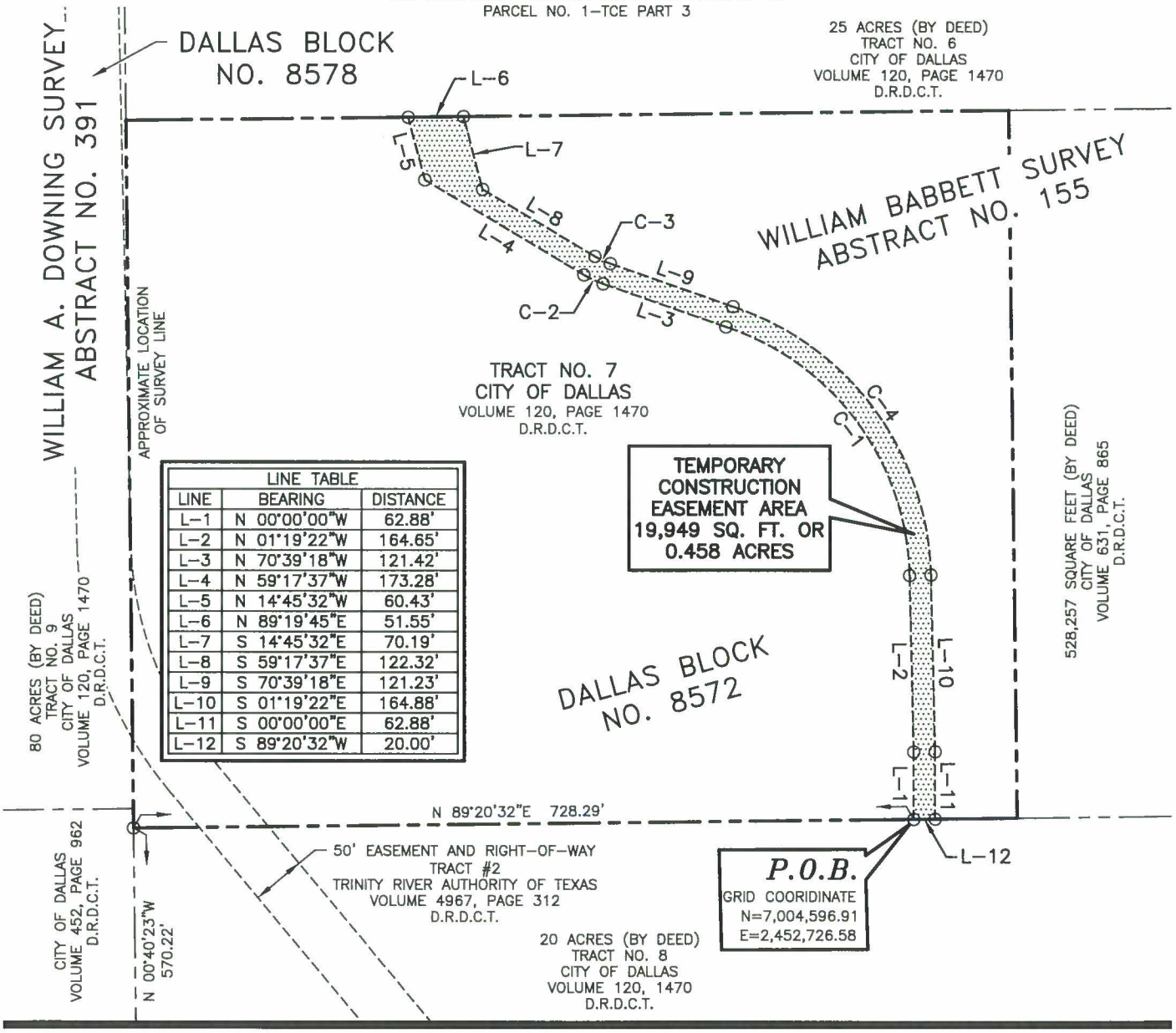
JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P3_R1.DWG
DATE: DECEMBER 14, 2015	PAGE 4 OF 5	SCALE: 1" = 150'

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 4

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 3



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 00°00'00"W	62.88'
L-2	N 01°19'22"W	164.65'
L-3	N 70°39'18"W	121.42'
L-4	N 59°17'37"W	173.28'
L-5	N 14°45'32"W	60.43'
L-6	N 89°19'45"E	51.55'
L-7	S 14°45'32"E	70.19'
L-8	S 59°17'37"E	122.32'
L-9	S 70°39'18"E	121.23'
L-10	S 01°19'22"E	164.88'
L-11	S 00°00'00"E	62.88'
L-12	S 89°20'32"W	20.00'

MATCHLINE

150 75 0 150

SCALE IN FEET

CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD	ARC
C-1	250.00'	70°26'34"	N 36°32'39"W	288.37'	307.36'
C-2	100.00'	11°21'41"	N 64°58'27"W	19.80'	19.83'
C-3	80.00'	11°21'41"	S 64°58'27"E	15.84'	15.86'
C-4	270.00'	70°24'03"	S 36°31'24"E	311.28'	331.76'

STATE OF TEXAS REGISTERED CALVIN EARNEST COCK, III 5622 PROFESSIONAL LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P3_R1.DWG
DATE: DECEMBER 14, 2015	PAGE 5 OF 5	SCALE: 1" = 150'

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 5

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 4

Being a 34,023 square foot tract of land situated in the William Babbett Survey, Abstract No. 155, Dallas Block No. 8572, City of Dallas, Dallas County, Texas, said 34,023 square foot tract of land being a portion of a 25 acre tract of land (by deed) described as Tract No. 6 deeded to the City of Dallas by Warranty Deed dated August 2, 1963 as recorded in Volume 120, Page 1470 of the Deed Records of Dallas County, Texas, said 34,023 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a Texas Department of Transportation (TXDOT) monument found (Controlling Monument) (CM) in the northerly right-of-way line of Spur 348 (Northwest Highway)(a variable width right-of-way) as recorded in Volume 5750, Page 66 of said Deed Records of Dallas County, Texas, said TXDOT monument being the southwest corner of a 20 acre tract of land (by deed) described as Tract No. 8 deeded to the City of Dallas as recorded in said Volume 120, Page 1470, said TXDOT monument also being the southeast corner of a tract of land deeded to the City of Dallas as recorded in Volume 452, Page 962 of said Deed Records of Dallas County, Texas, from which a TXDOT monument found (CM) for an angle point in the northerly right-of-way line of said Spur 348 bears South 75 degrees 21 minutes 03 seconds East, a distance of 439.21 feet; THENCE North 00 degrees 40 minutes 23 seconds West, with the west line of said Tract No. 8 and with the east line of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, a distance of 570.22 feet to a point for the northwest corner of said Tract No. 8, said point also being the southwest corner of a tract of land described as Tract No. 7 deeded to the City of Dallas as recorded in said Volume 120, Page 1470; THENCE North 00 degrees 40 minutes 15 seconds West, with the west line of said Tract No. 7 and with the east line of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, passing at a distance of 18.00 feet, a point for the northeast corner of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962 and being the southeast corner of an 80 acre tract of land (by deed) described as Tract No. 9 deeded to the City of Dallas as recorded in said Volume 120, Page 1470, in all, a distance of 660.00 feet to a point for the southwest corner of said Tract No. 6 and being the northwest corner of said Tract No. 7, said point also being in the east line of said Tract No. 9; THENCE North 89 degrees 19 minutes 45 seconds East, with the south line of said Tract No. 6 and with the north line of said Tract No. 7, a distance of 263.63 feet to the **POINT OF BEGINNING**, said point having a grid coordinate of N=7,005,251.50 and E=2,452,254.25;

THENCE North 14 degrees 45 minutes 32 seconds West, a distance of 680.47 feet to a point for corner in the north line of said Tract No. 6, said point being in the

FIELD NOTES APPROVED:

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 5

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 4

south line of a 1,441,290 square foot tract of land (by deed) deeded to the City of Dallas as recorded in Volume 619 Page 844 of said Deed Records of Dallas County, Texas;

THENCE North 89 degrees 19 minutes 40 seconds East, with the north line of said Tract No. 6 and with the south line of said 1,441,290 square foot tract of land, a distance of 51.55 feet to a point for corner;

THENCE South 14 degrees 45 minutes 32 seconds East, a distance of 680.47 feet to a point for corner in the south line of said Tract No. 6, said point being the north line of said Tract No. 7;

THENCE South 89 degrees 19 minutes 45 seconds West, with the south line of said Tract No. 6 and with the north line of said Tract No. 7, a distance of 51.55 feet to the **POINT OF BEGINNING,** and containing 34,023 square feet or 0.781 acres of land, more or less.

Notes:

(1) A plat of same date herewith accompanies this legal description.

(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
Gorrondona & Associates, Inc.

12/14/15

Calvin E. Cock III
Registered Professional Land Surveyor
Texas No. 5622
Texas Firm No. 10106903

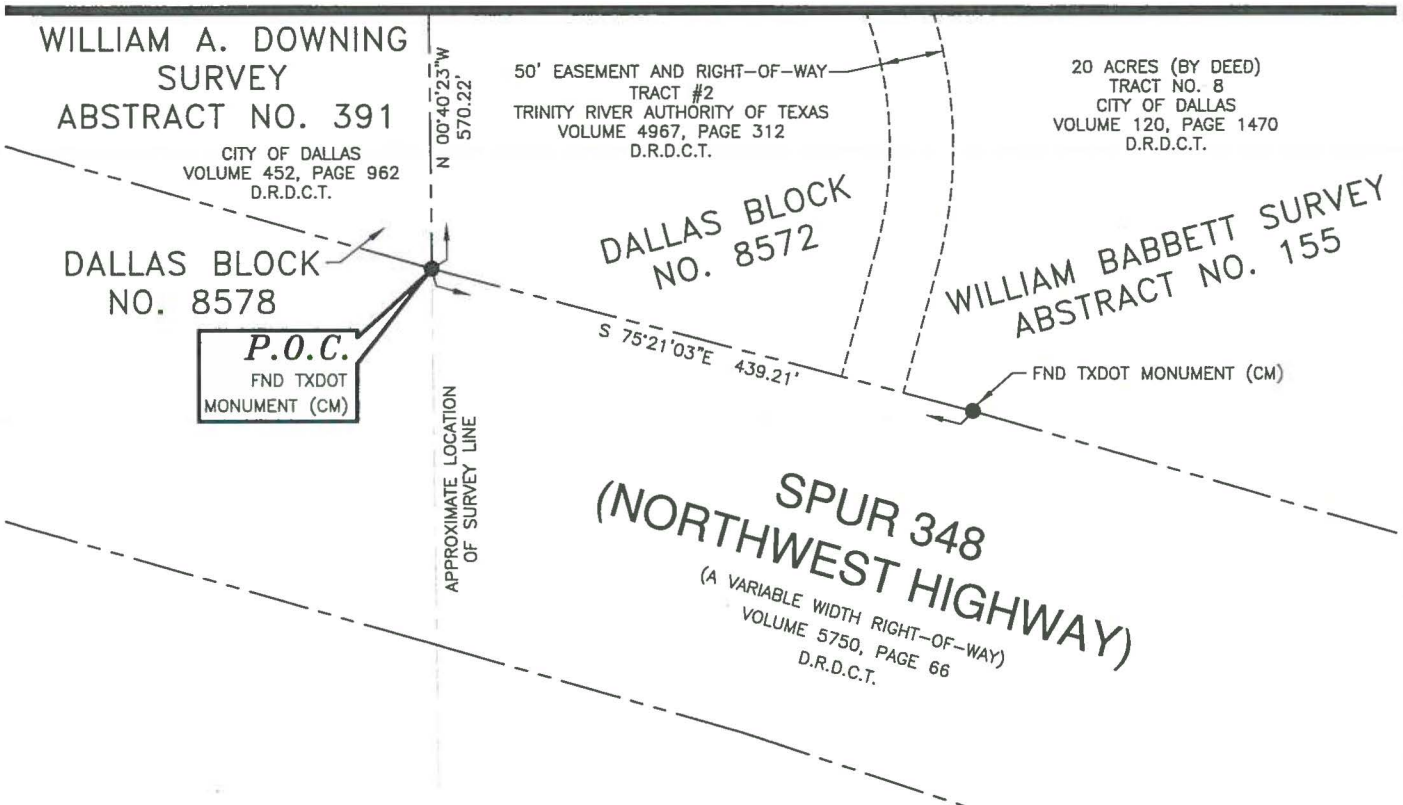


EXHIBIT A-TRACT 5

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 4

MATCHLINE "A"



LEGEND

- ● FND MONUMENTATION (SIZE AND TYPE NOTED)
- O CALCULATED POINT
- —— PROPERTY/RIGHT-OF-WAY LINE
- ---------- EXISTING EASEMENT LINE
- — — — — PROPOSED EASEMENT LINE
- SURVEY/ABSTRACT LINE

N

150 75 0 150

SCALE IN FEET

NOTE: 1. A LEGAL DESCRIPTION OF THE SAME DATE HEREWITH ACCOMPANIES THIS PLAT

2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE, BASED ON CITY OF IRVING G.P.S. CONTROL MONUMENTS A10 AND A11, WITH A COMBINED SCALE FACTOR FOR THIS SITE OF 0.999856145. ALL DISTANCES AND AREAS SHOWN ARE SURFACE, WITH CONTROLING MONUMENTS BEING SHOWN HEREON.

STATE OF TEXAS REGISTERED CALVIN EARNEST COCK, III 5622 PROFESSIONAL LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P4_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 3 OF 5	SCALE: 1" = 150'

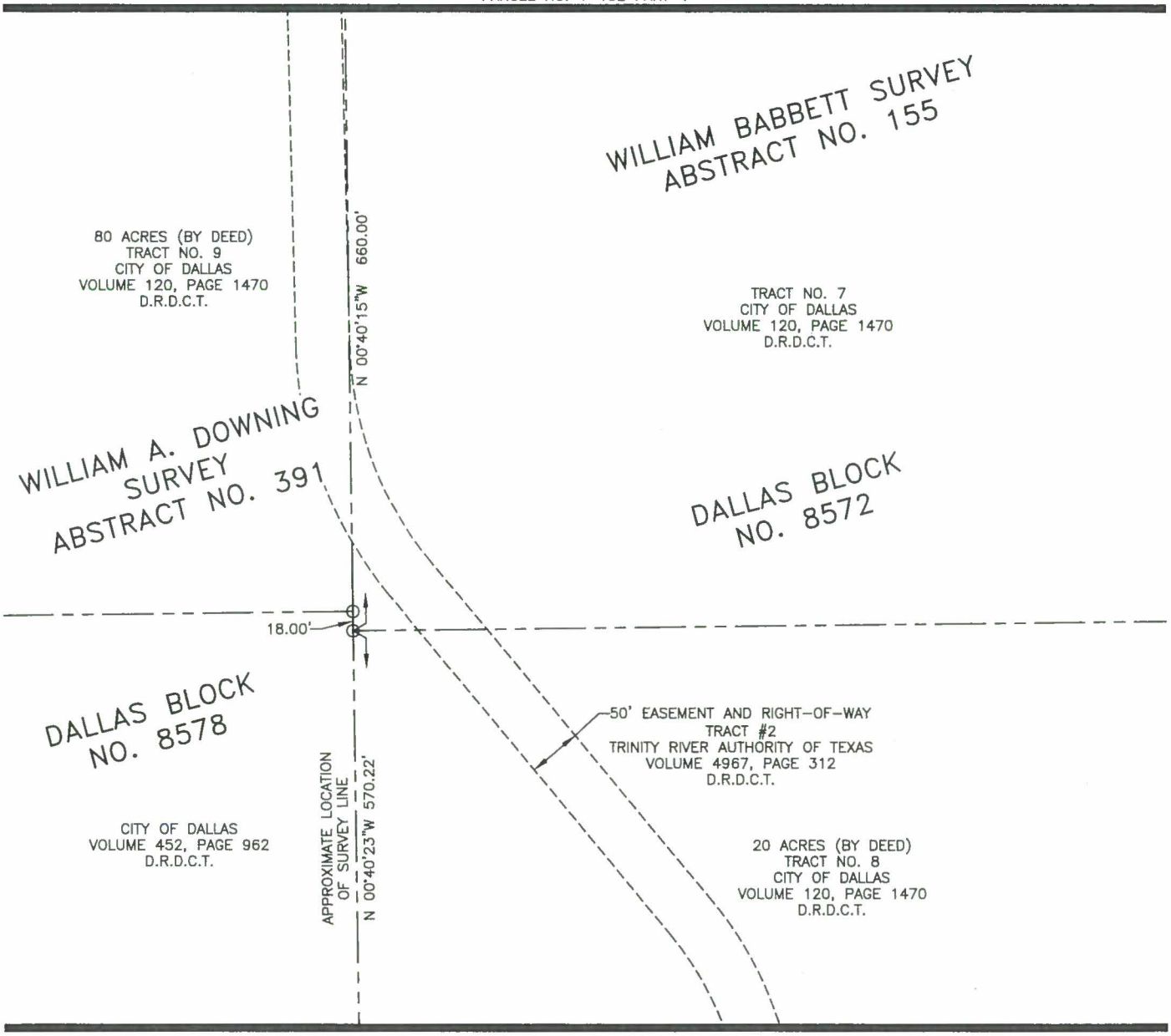
GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 5

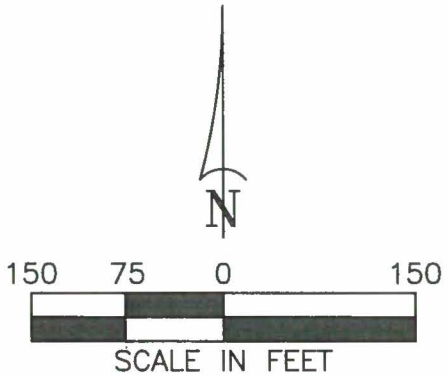
TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 4

MATCHLINE "B"



MATCHLINE "A"





JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P4_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 4 OF 5	SCALE: 1" = 150'

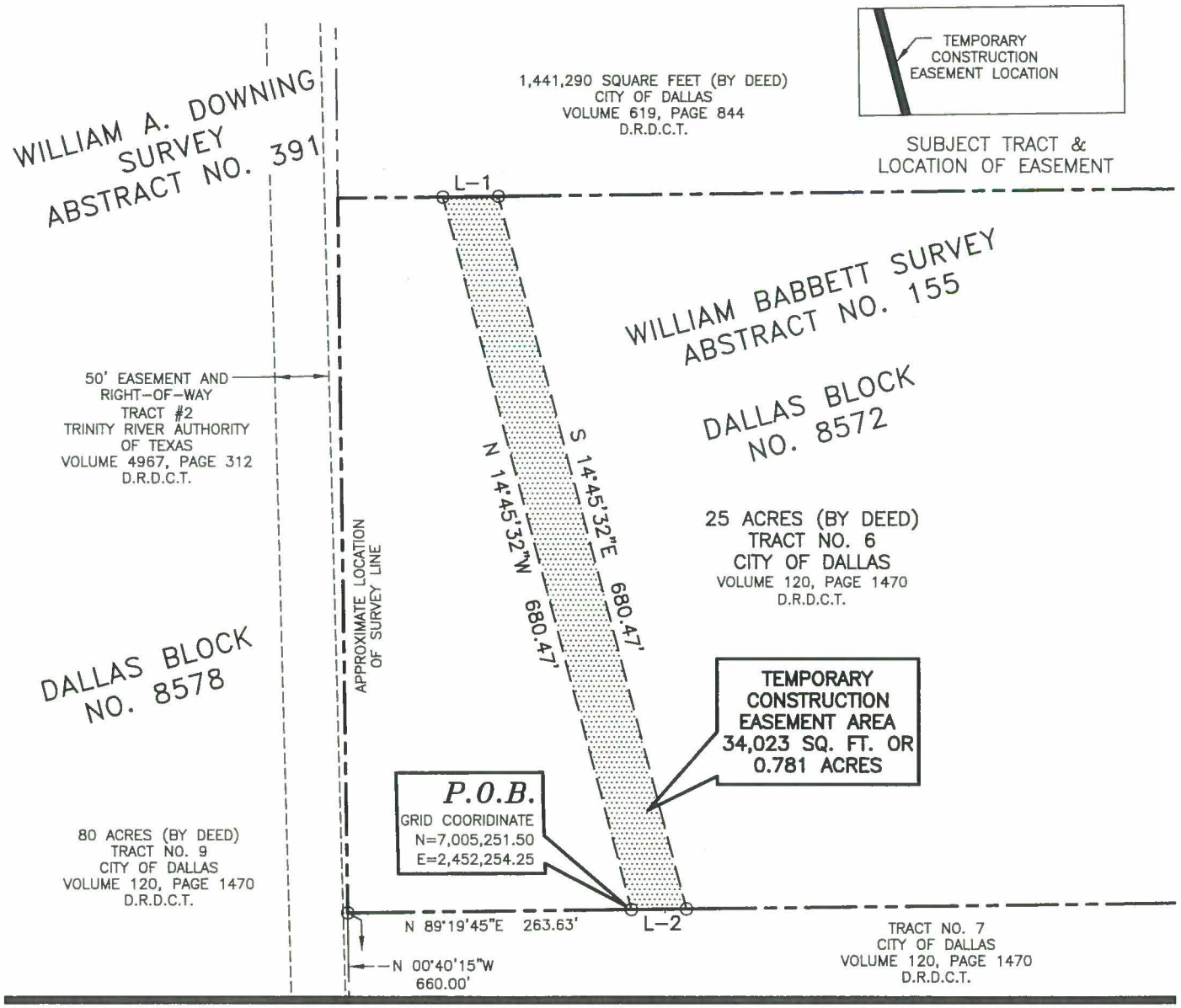
CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

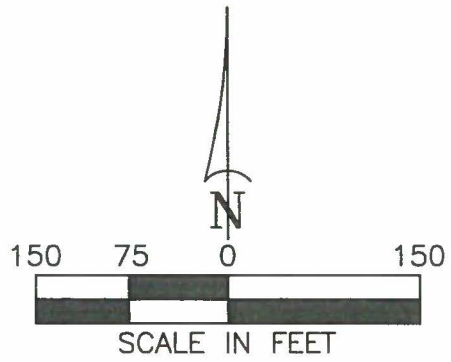
EXHIBIT A-TRACT 5

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM BABBETT SURVEY, ABSTRACT NO. 155
CITY OF DALLAS
DALLAS COUNTY, TEXAS

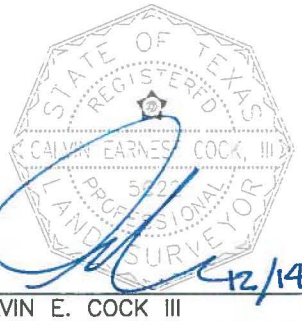
CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 4



MATCHLINE "B"



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 89°19'40"E	51.55'
L-2	S 89°19'45"W	51.55'



12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P4_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 5 OF 5	SCALE: 1" = 150'

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EXHIBIT A-TRACT 6

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM A. DOWNING SURVEY, ABSTRACT NO. 391
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 5

Being a 3,943 square foot tract of land situated in the William A. Downing Survey, Abstract No. 391, Dallas Block No. 8578, City of Dallas, Dallas County, Texas, said 3,943 square foot tract of land being a portion of an 80 acre tract of land (by deed) described as Tract No. 9 deeded to the City of Dallas by Warranty Deed dated August 2, 1963 as recorded in Volume 120, Page 1470 of the Deed Records of Dallas County, Texas, said 3,943 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a Texas Department of Transportation (TXDOT) monument found (Controlling Monument) (CM) in the northerly right-of-way line of Spur 348 (Northwest Highway) (a variable width right-of-way) as recorded in Volume 5750, Page 66 of said Deed Records of Dallas County, Texas, said TXDOT monument being the southwest corner of a 20 acre tract of land (by deed) described as Tract No. 8 deeded to the City of Dallas as recorded in Volume 120, Page 1470 of said Deed Records of Dallas County, Texas, said TXDOT monument also being the southeast corner of a tract of land deeded to the City of Dallas as recorded in Volume 452, Page 962 of said Deed Records of Dallas County, Texas, from which a TXDOT monument found (CM) for an angle point in the northerly right-of-way line of said Spur 348 bears South 75 degrees 21 minutes 03 seconds East, a distance of 439.21 feet; THENCE North 00 degrees 40 minutes 23 seconds West, with the west line of said Tract No. 8 and with the east line of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, a distance of 570.22 feet to a point for the northwest corner of said Tract No. 8, said point being the southwest corner of a tract of land described as Tract No. 7 deeded to the City of Dallas as recorded in said Volume 120, Page 1470; THENCE North 00 degrees 40 minutes 15 seconds West, with the west line of said Tract No. 7, and with the east line of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962, passing at a distance of 18.00 feet, a point for the northeast corner of said tract of land deeded to the City of Dallas as recorded in said Volume 452, Page 962 and being the southeast corner of said Tract No. 9, in all, a distance of 660.00 feet to a point for the northwest corner of said Tract No. 7, said point being southwest corner of a 25 acre tract of land (by deed) described as Tract No. 6 deeded to the City of Dallas as recorded in said Volume 120, Page 1470, said point also being in the east line of said Tract No. 9; THENCE North 00 degrees 40 minutes 20 seconds West, with the east line of said Tract No. 9 and with the west line of said Tract No. 6, a distance of 660.00 feet to a point for the northwest corner of said Tract No. 6, said point being the southwest corner of a 1,441,290 square foot tract of land (by deed) deeded to the City of Dallas as recorded in Volume 619, Page 844 of said Deed Records of Dallas County, Texas, said point also being in the east line of said Tract No. 9; THENCE North 00 degrees 40 minutes 23 seconds West, with the with the east line of said Tract No. 9 and

FIELD NOTES APPROVED: 7/26/16

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM A. DOWNING SURVEY, ABSTRACT NO. 391
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 5

with the west line of said 1,441,290 square foot tract of land, a distance of 390.59 feet to the **POINT OF BEGINNING**, said point having a grid coordinate of N=7,006,298.77 and E=2,451,978.35;

THENCE North 14 degrees 45 minutes 32 seconds West, a distance of 73.49 feet to a point for corner in the east line of an existing 50' Easement and Right-of-Way described as Tract #2 granted to Trinity River Authority of Texas as recorded in Volume 4967, Page 312 of said Deed Records of Dallas County, Texas;

THENCE North 01 degrees 22 minutes 01 seconds West, with the east line of said existing 50' Easement and Right-of-Way, a distance of 215.88 feet to a point for corner;

THENCE South 14 degrees 45 minutes 32 seconds East, a distance of 84.23 feet to a point for corner in the east line of said Tract No. 9, said point being in the west line of said 1,441,290 square foot tract of land;

THENCE South 00 degrees 40 minutes 23 seconds East, with the east line of said Tract No. 9 and with the west line of said 1,441,290 square tract foot of land, a distance of 205.44 feet to the **POINT OF BEGINNING,** and containing 3,943 square feet or 0.091 acres of land, more or less.

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM A. DOWNING SURVEY, ABSTRACT NO. 391
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 5

Notes:

(1) A plat of same date herewith accompanies this legal description.

(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
Gorrondona & Associates, Inc.

12/14/15

Calvin E. Cock III
Registered Professional Land Surveyor
Texas No. 5622
Texas Firm No. 10106903



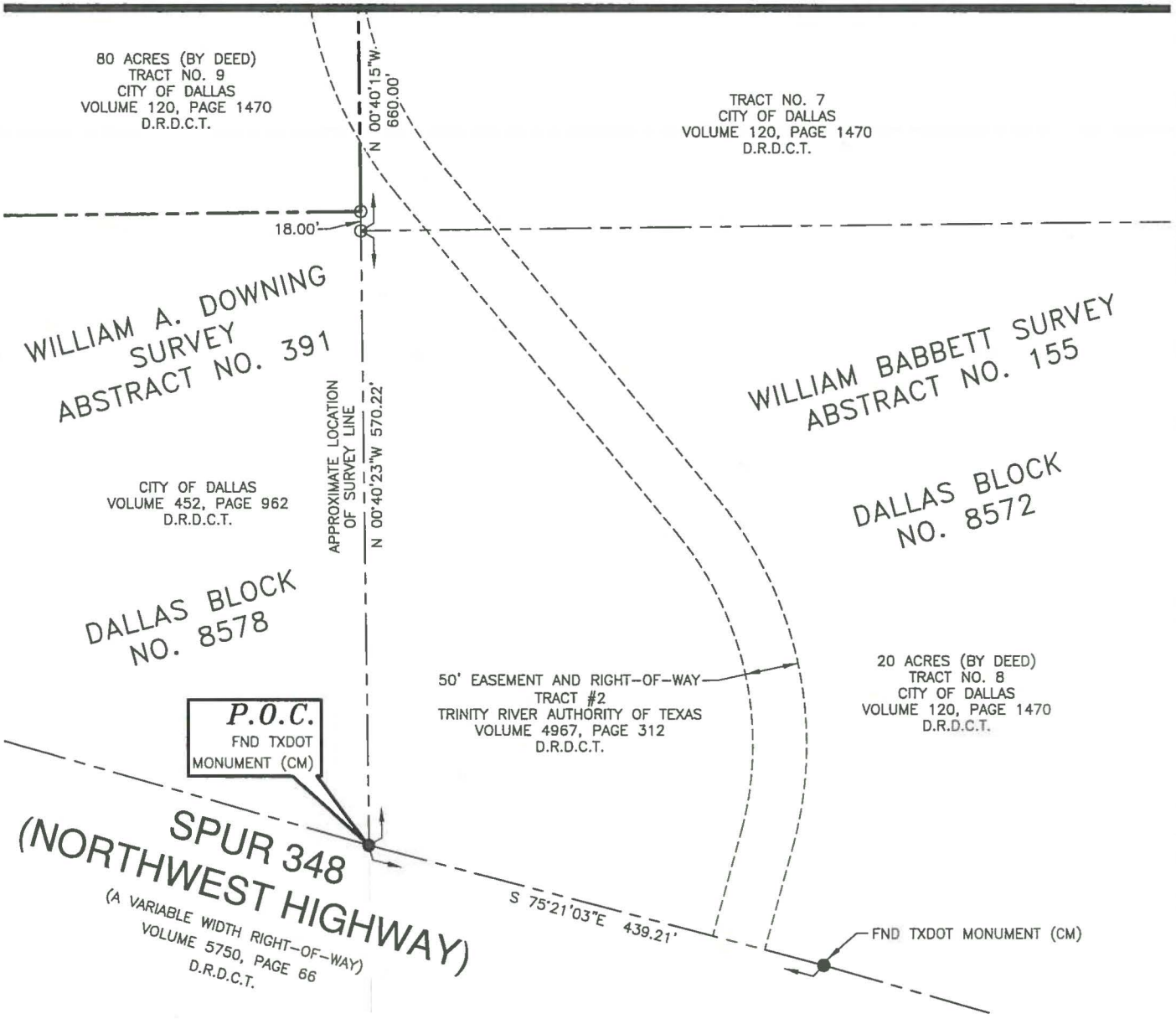
GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 6

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM A. DOWNING SURVEY, ABSTRACT NO. 391
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 5

MATCHLINE "A"



150 75 0 150

SCALE IN FEET

N

NOTE: 1. A LEGAL DESCRIPTION OF THE SAME DATE HEREWITH ACCOMPANIES THIS PLAT

2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE, BASED ON CITY OF IRVING G.P.S. CONTROL MONUMENTS A10 AND A11, WITH A COMBINED SCALE FACTOR FOR THIS SITE OF 0.999856145. ALL DISTANCES AND AREAS SHOWN ARE SURFACE, WITH CONTROLING MONUMENTS BEING SHOWN HEREON.

STATE OF TEXAS
REGISTERED
CALVIN EARNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P5_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 4 OF 6	SCALE: 1" = 150'

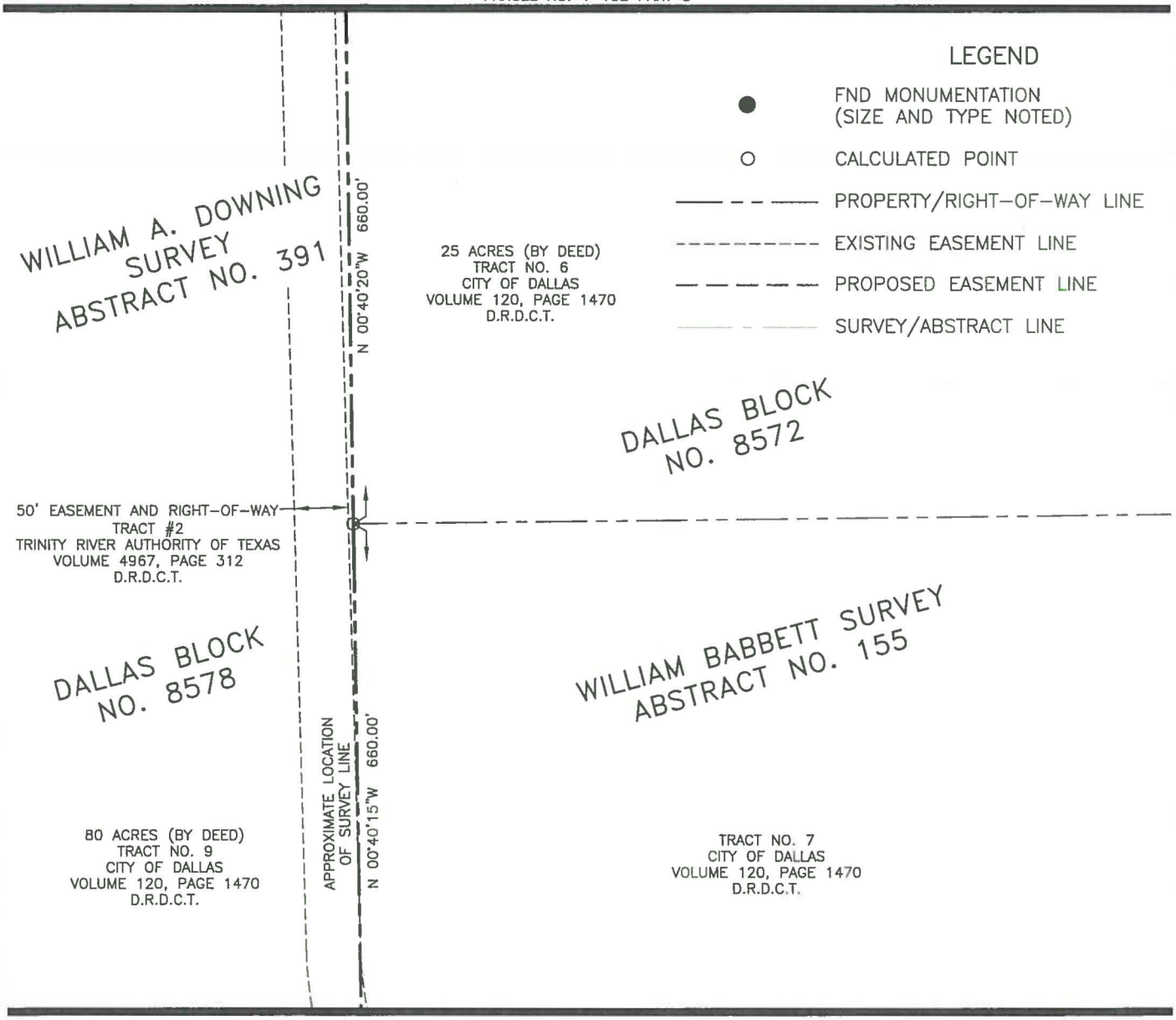
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EXHIBIT A-TRACT 6

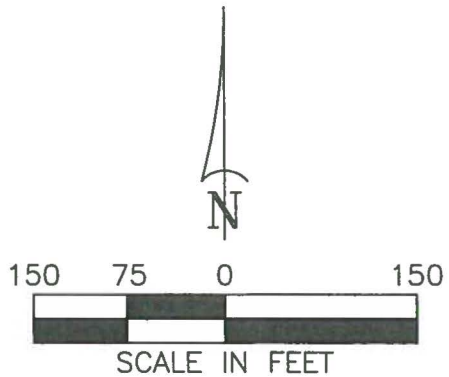
TEMPORARY CONSTRUCTION EASEMENT
WILLIAM A. DOWNING SURVEY, ABSTRACT NO. 391
CITY OF DALLAS
DALLAS COUNTY, TEXAS

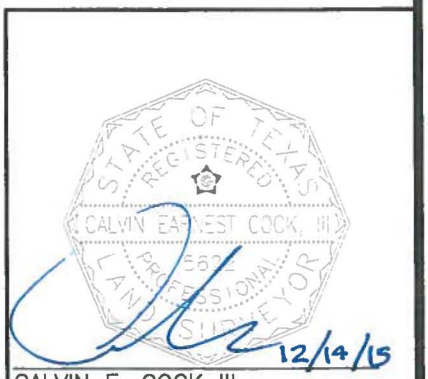
CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 5

MATCHLINE "B"



MATCHLINE "A"





CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

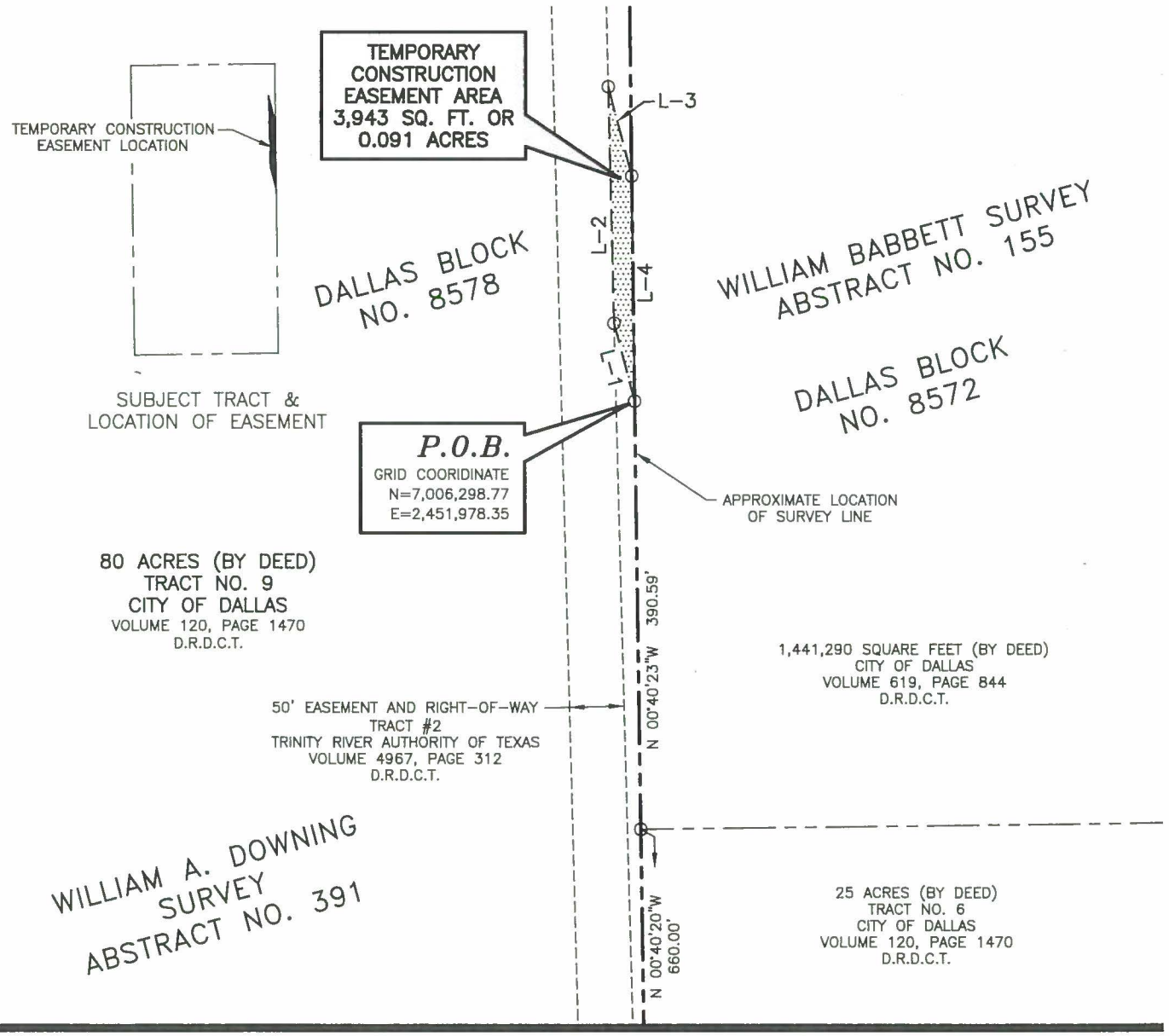
JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P5_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 5 OF 6	SCALE: 1" = 150'

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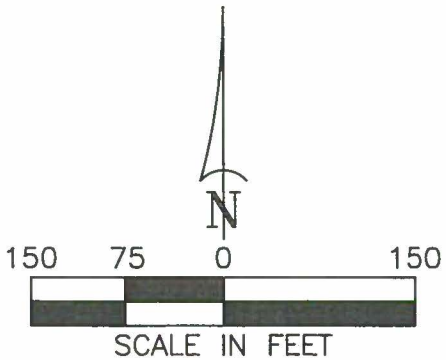
EXHIBIT A-TRACT 6

TEMPORARY CONSTRUCTION EASEMENT
WILLIAM A. DOWNING SURVEY, ABSTRACT NO. 391
CITY OF DALLAS
DALLAS COUNTY, TEXAS

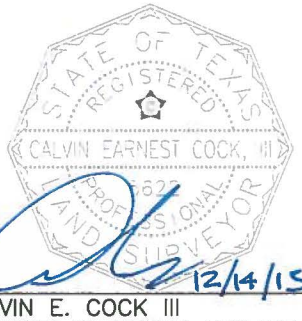
CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 5



MATCHLINE "B"



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 14°45'32"W	73.49'
L-2	N 01°22'01"W	215.88'
L-3	S 14°45'32"E	84.23'
L-4	S 00°40'23"E	205.44'



CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P5_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 6 OF 6	SCALE: 1" = 150'

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EXHIBIT A-TRACT 7

TEMPORARY CONSTRUCTION EASEMENT
ARCHER FYKE SURVEY, ABSTRACT NO. 481
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 6

Being a 42,664 square foot tract of land situated in the Archer Fyke Survey, Abstract No. 481, Dallas Block No. 8574, City of Dallas, Dallas County, Texas, said 42,664 square foot tract of land being a portion of the remainder of a 44.71 acre tract of land (by deed) described as Tract No. 3 deeded to the City of Dallas by Warranty Deed dated August 2, 1963 as recorded in Volume 120, Page 1470 of the Deed Records of Dallas County, Texas, said 42,664 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found (Controlling Monument) (CM) for the southeast corner of said Tract No. 3, said 5/8 inch iron rod being the northeast corner of a 51.89 acre tract of land (by deed) described as Tract Eight deeded to the City of Dallas as recorded in Volume 244, Page 323 of said Deed Records of Dallas County, Texas, said 5/8 inch iron rod also being in the west line of an 83.02 acre tract of land (by deed) described as Tract Three deeded to the City of Dallas as recorded in said Volume 244, Page 323; THENCE South 89 degrees 19 minutes 37 seconds West, with the south line of said Tract No. 3 and with the north line of said Tract Eight, a distance of 110.53 feet to a point for the intersection of the south line of said Tract No. 3 and the north line of said Tract Eight with the west line of an existing 50' Easement and Right-of-Way described as Tract #2 granted to Trinity River Authority of Texas as recorded in Volume 4967, Page 312 of said Deed Records of Dallas County, Texas; THENCE North 00 degrees 20 minutes 29 seconds East, with the west line of said existing 50' Easement and Right-of-Way, a distance of 1169.50 feet to the **POINT OF BEGINNING**, said point having a grid coordinate of N=7,011,515.59 and E=2,451,827.25;

THENCE North 74 degrees 27 minutes 02 seconds West, a distance of 494.63 feet to a point for corner;

THENCE North 30 degrees 00 minutes 00 seconds West, a distance of 258.36 feet to a point for corner;

THENCE North 00 degrees 51 minutes 03 seconds East, a distance of 312.46 feet to a point for corner;

THENCE North 46 degrees 05 minutes 13 seconds West, a distance of 100.30 feet to a point for corner;

THENCE North 89 degrees 08 minutes 57 seconds West, a distance of 260.92 feet to a point for corner;

FIELD NOTES APPROVED:
7/27/16

GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

TEMPORARY CONSTRUCTION EASEMENT
ARCHER FYKE SURVEY, ABSTRACT NO. 481
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 6

THENCE North 00 degrees 51 minutes 03 seconds East, a distance of 71.93 feet to a point for corner in the south right-of-way line of Royal Lane (a 100' right-of-way) as recorded in Volume 77070, Page 2653 of the Deed Records of Dallas County, Texas;

THENCE South 88 degrees 45 minutes 46 seconds East, with the south right-of-way line of said Royal Lane, a distance of 30.00 feet to a point for corner, from which an "X" cut in concrete found (CM) for the southwest corner of a 5.02 acre tract of land (by deed) described as Site 54 deeded to BAM Riverside Park, LP as recorded in Instrument Number 201300371649 of the Official Public Records of Dallas County, Texas bears North 71 degrees 44 minutes 58 seconds East (radial bearing), a distance of 299.75 feet, said "X" cut in concrete being an angle point in the easterly line of a 10.5018 acre tract of land (by deed) described as Tract 2 deeded to Dallas County Utility and Reclamation District as recorded in Volume 91171, Page 1249 of said Deed Records of Dallas County, Texas, said "X" cut in concrete also being in the north right-of-way line of said Royal Lane;

THENCE South 00 degrees 51 minutes 03 seconds West, a distance of 41.73 feet to a point for corner;

THENCE South 89 degrees 08 minutes 57 seconds East, a distance of 242.76 feet to a point for corner;

THENCE South 46 degrees 05 minutes 13 seconds East, a distance of 125.16 feet to a point for corner;

THENCE South 00 degrees 51 minutes 03 seconds West, a distance of 317.20 feet to a point for corner;

THENCE South 30 degrees 00 minutes 00 seconds East, a distance of 242.04 feet to a point for corner;

THENCE South 74 degrees 27 minutes 02 seconds East, a distance of 472.01 feet to a point for corner in the west line of said existing 50' Easement and Right-of-Way;

THENCE South 00 degrees 20 minutes 29 seconds West, with the west line of said existing 50' Easement and Right-of-Way, a distance of 28.03 feet to the

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EXHIBIT A-TRACT 1

TEMPORARY CONSTRUCTION EASEMENT
ARCHER FYKE SURVEY, ABSTRACT NO. 481
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3
SEGMENT 1C
PARCEL NO. 1-TCE PART 6

POINT OF BEGINNING, and containing 42,664 square feet or 0.979 acres of land, more or less.

Notes:

(1) A plat of same date herewith accompanies this legal description.

(2) All bearings are referenced to the Texas Coordinate System, NAD-83, the North Central Zone, based on City of Irving G.P.S. Control Monuments A10 and A11, with a combined scale factor for this site of 0.999856145. All distances and areas shown are surface, with controlling monuments being shown hereon.

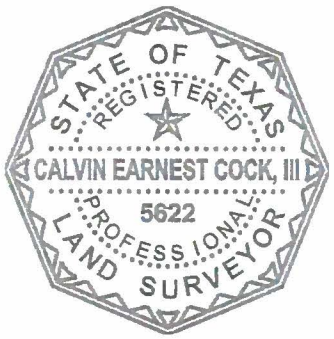
* SURVEYOR'S CERTIFICATE *

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

December 14, 2015 (REV 1)
Gorrondona & Associates, Inc.

12/14/15

Calvin E. Cock III
Registered Professional Land Surveyor
Texas No. 5622
Texas Firm No. 10106903

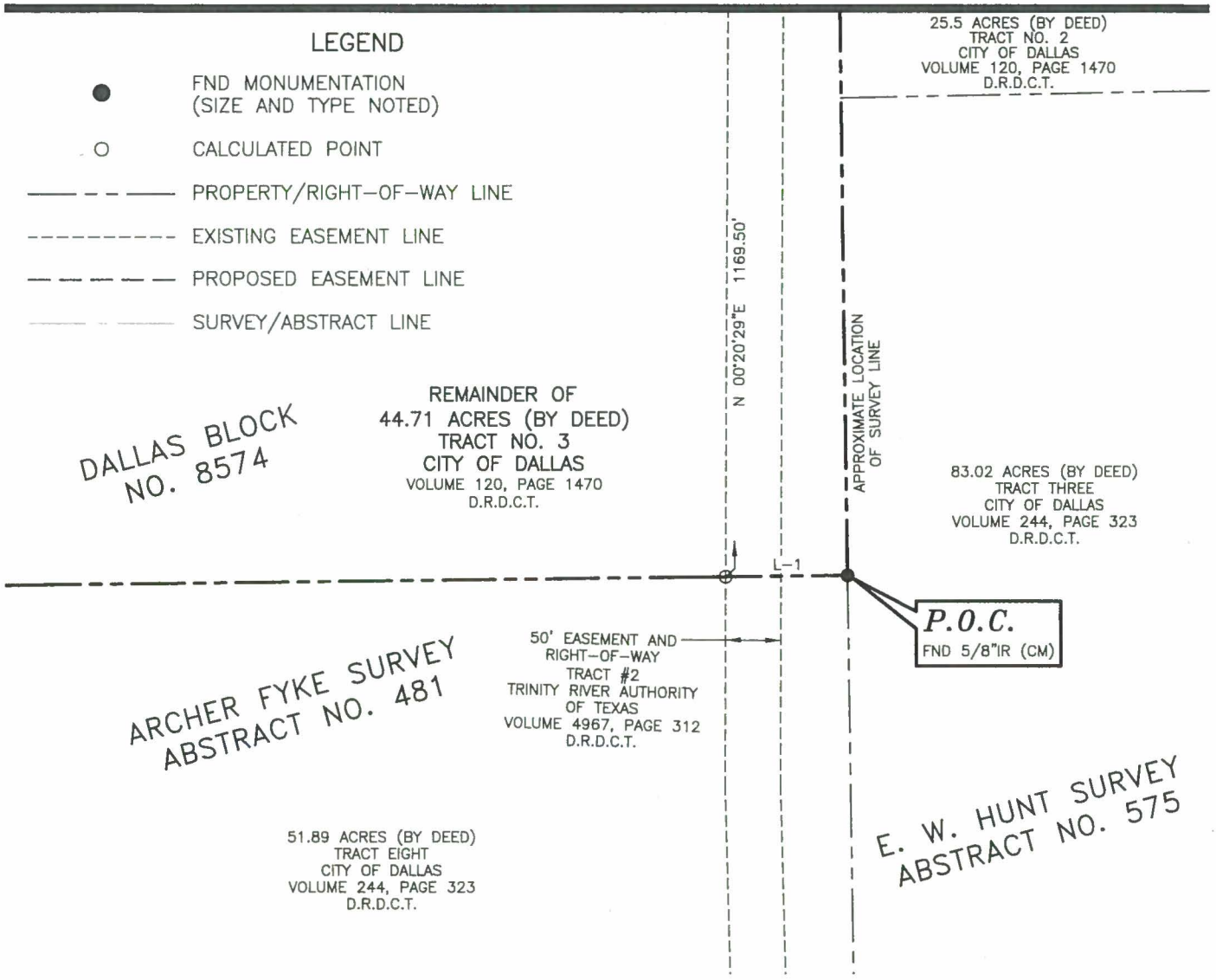


GORRONDONA & ASSOCIATES, INC. 1701 NORTH MARKET STREET, SUITE 450, LB 5 DALLAS, TX. 75202 214-712-0600 FAX 214-712-0604

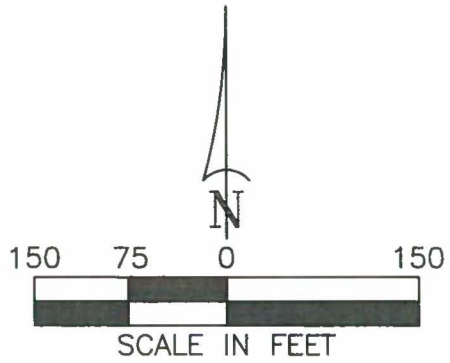
EXHIBIT A-TRACT 7

TEMPORARY CONSTRUCTION EASEMENT
ARCHER FYKE SURVEY, ABSTRACT NO. 481
CITY OF DALLAS
DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 6



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	S 89°19'37"W	110.53'
L-2	N 30°00'00"W	258.36'
L-3	N 46°05'13"W	100.30'
L-4	N 00°51'03"E	71.93'
L-5	S 88°45'46"E	30.00'
L-6	S 00°51'03"W	41.73'
L-7	S 46°05'13"E	125.16'
L-8	S 30°00'00"E	242.04'
L-9	S 00°20'29"W	28.03'





CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P6_R1.DWG
DATE: DECEMBER 14, 2015	EXHIBIT A PAGE 4 OF 6	SCALE: 1" = 150'

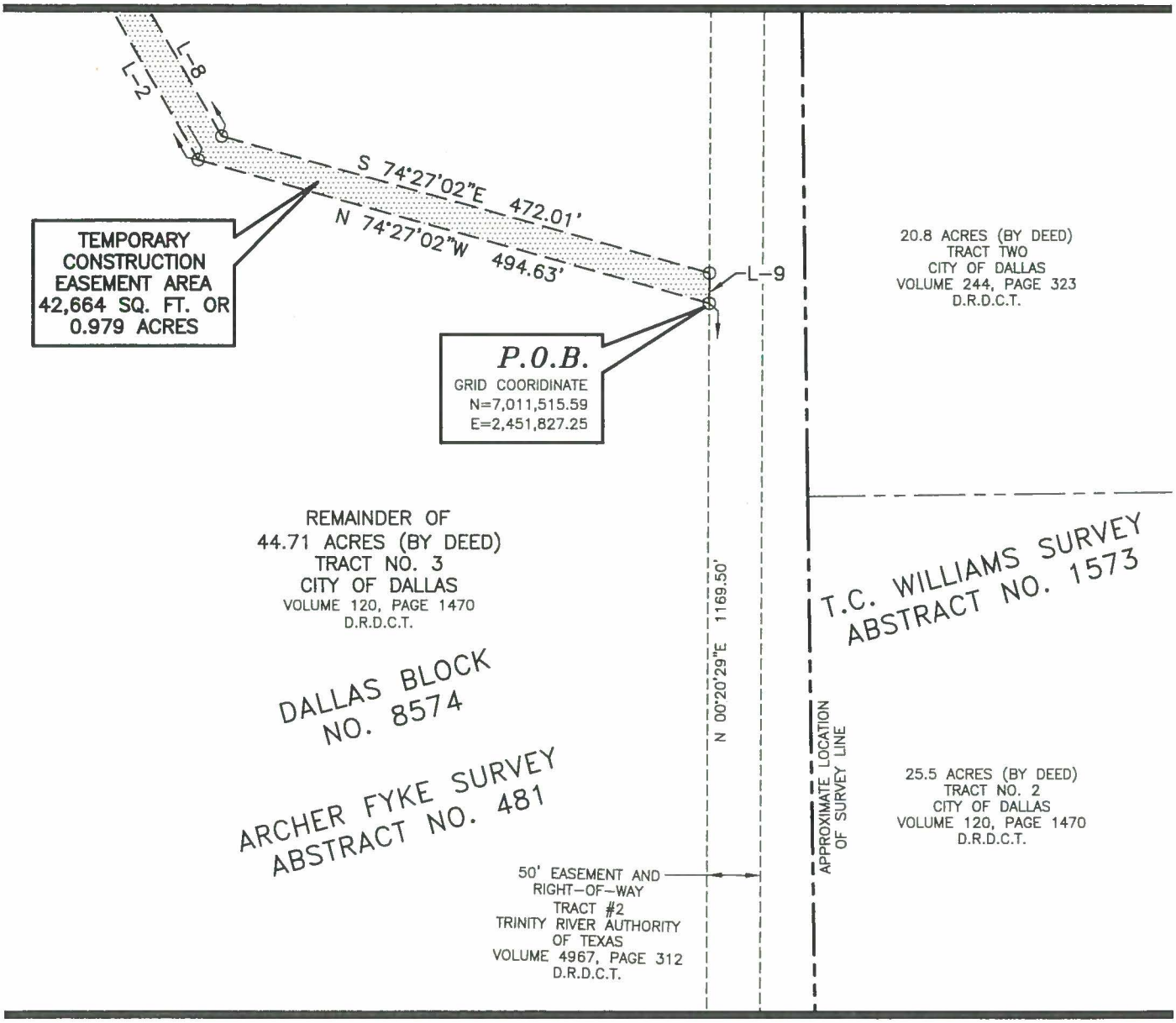
GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

EXHIBIT A-TRACT 7

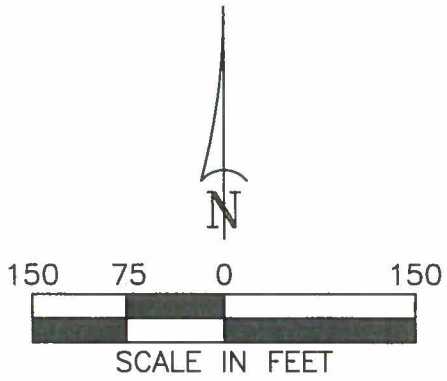
TEMPORARY CONSTRUCTION EASEMENT
ARCHER FYKE SURVEY, ABSTRACT NO. 481
CITY OF DALLAS
DALLAS COUNTY, TEXAS

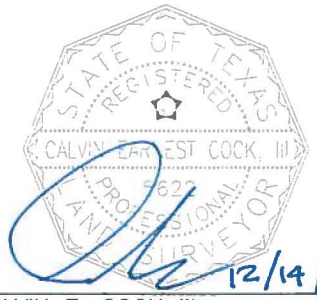
CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 6

MATCHLINE "B"



MATCHLINE "A"





12/14/15

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

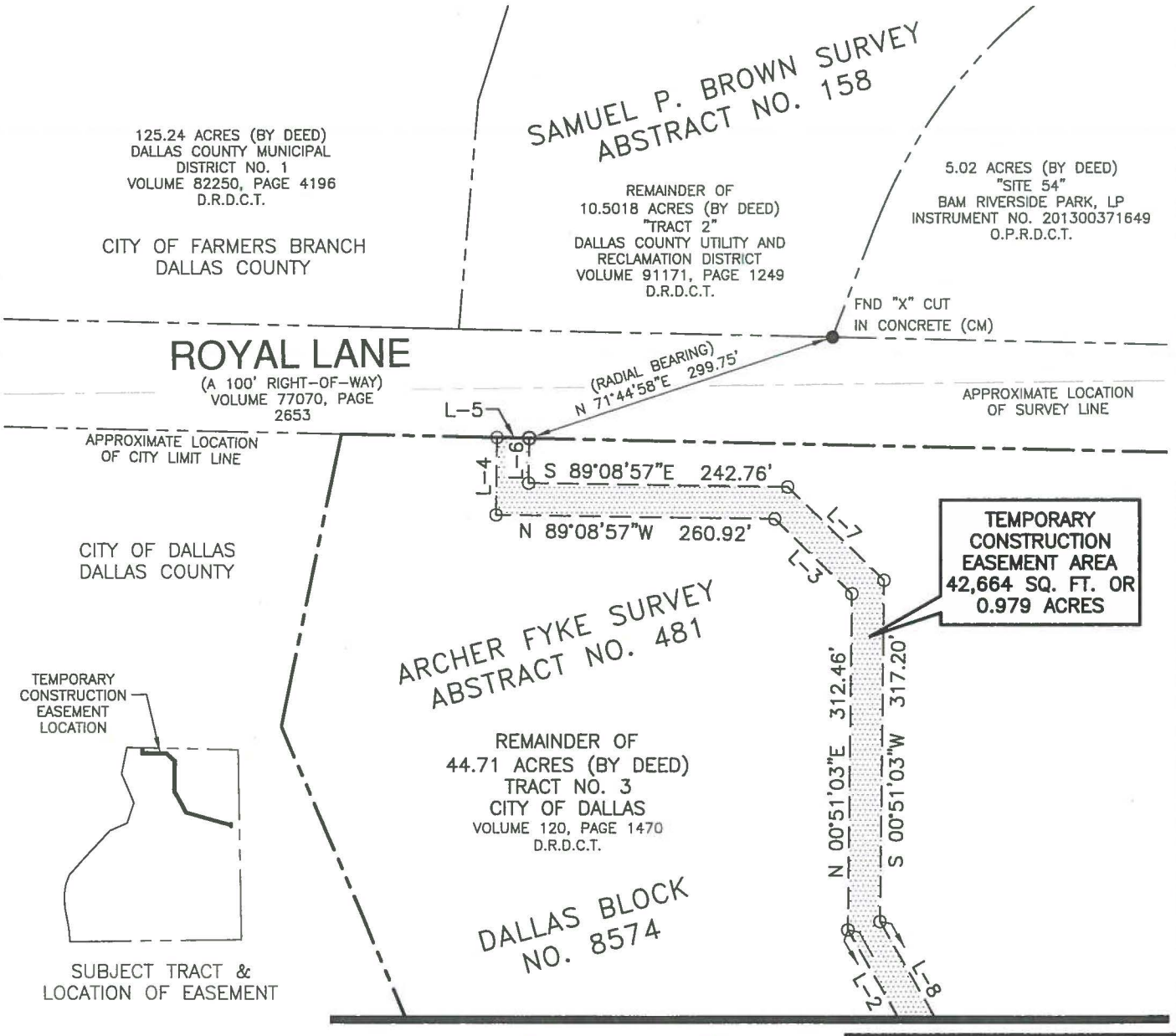
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EXHIBIT A-TRACT 7

TEMPORARY CONSTRUCTION EASEMENT
ARCHER FYKE SURVEY, ABSTRACT NO. 481
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DALLAS COUNTY, TEXAS

CENTRAL REGIONAL WASTEWATER SYSTEM
ELM FORK RELIEF INTERCEPTOR EF-R3 SEGMENT 1C
PARCEL NO. 1-TCE PART 6



150 75 0 150
SCALE IN FEET

NOTE: 1. A LEGAL DESCRIPTION OF THE SAME DATE HEREWITH ACCOMPANIES THIS PLAT

2. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE, BASED ON CITY OF IRVING G.P.S. CONTROL MONUMENTS A10 AND A11, WITH A COMBINED SCALE FACTOR FOR THIS SITE OF 0.999856145. ALL DISTANCES AND AREAS SHOWN ARE SURFACE, WITH CONTROLING MONUMENTS BEING SHOWN HEREON.

N

STATE OF TEXAS
REGISTERED
CALVIN EARNEST COCK, III
5622
PROFESSIONAL
LAND SURVEYOR

12/14/13

CALVIN E. COCK III
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5622 TEXAS FIRM No. 10106903

JOB NO. JQI_1501.00	DRAWN BY: JWJ	CAD FILE: EF-R3 EASEMENTS_1-TCE P6_R1.DWG
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GORRONDONA & ASSOCIATES, INC. • 1701 NORTH MARKET STREET, SUITE 450, LB 5, DALLAS, TX. 75202 • 214-712-0600 FAX 214-712-0604

AGENDA ITEM # 80

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): 10

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: 17Y 17Z 27B-D 27G-H

SUBJECT

A public hearing to receive comments concerning the creation of the North Lake Highlands Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code ("the Act"), for the specified area of the North Lake Highlands Public Improvement District area, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the public hearing authorize **(1)** approval of a resolution creating the North Lake Highlands Public Improvement District for a period of seven years; **(2)** approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with the Lake Highlands Improvement District Corporation (LHIDC), a non-profit corporation as the management entity for the North Lake Highlands Public Improvement District - Financing: No cost consideration to the City

BACKGROUND

On June 2, 2017, the Lake Highlands Improvement District Corporation (LHIDC), a non-profit corporation currently managing the existing Lake Highlands Public Improvement District (PID) and working in collaboration to represent property owners north of Lyndon B. Johnson Freeway in the Forest/Audelia area, delivered to the City of Dallas a petition satisfying the requirements of the Act to create the District.

City staff reviewed the petitions and determined that the petition requirements were met for both property value and land area for the creation of the District. Staff has also evaluated the service plan and recommended that the services be made as proposed by the proposed service plan and the plan is feasible.

BACKGROUND (continued)

The proposed district as shown in the petition included a slightly larger geography; however, based on the level of property owner support the final map was reduced. Excluded properties include self-storage facilities and other commercial uses that can be removed without service impacts, as they do not receive special benefit from the services proposed. The new proposed boundary is reflected in the attached map.

On June 28, 2017, City Council authorized a public hearing to be held for the creation of the District on August 9, 2017, by Resolution No. 17-1048. Notice of the public hearing was published in the Dallas Morning News and mailings sent to property owners of record in the District.

The City desires, by the calling and holding of such public hearing, to provide a reasonable opportunity for any owner of property located within the District to speak for or against the creation of the District for a special assessment against each property owner of record for real property and real property improvements, exclusive of right-of-way, to provide funding for the District for the purpose of providing supplemental services and improvements.

The PID is outlined in the following ways:

A. Purpose of the District; General Nature of the Proposed Services and Improvements. The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District.

The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

The District struggles with high crime, high unemployment, and a high mobility rate for students and families. The District lacks city resources like a park, recreation center, or library. And there are few non-profits or churches working in the neighborhood. Yet, recent focus on the area has seen measured change. The Forest/Audelia area has historically been in the Dallas Police Department's top ten Target Area Action Grids ("TAAG") in the City, but recently dropped out of the top ten TAAG areas after the Dallas Police Violent Crimes Taskforce focused its resources in the area temporarily.

BACKGROUND (continued)

Community Prosecution has forged valuable relationships with property management and commercial ownership in this densely populated multi-family area to affect quality of life and reduce abatable offenses. Through partnership with the Police Athletic League, Dallas Park & Recreation, and the Apartment Association of Greater Dallas, a youth boxing gym will open this summer at Forest Lane and Audelia Road to offer after-school recreational activities. The Skillman Gateway Bridge is scheduled to begin in October 2017 and will serve as an entrance to Lake Highlands, connecting its northern and southern neighborhoods. The area is beginning to change, but it is the resources of a PID committed to public safety, beautification, community engagement, and youth recreational activities that will permanently sustain and enhance this success, a success that will benefit the District, the surrounding community, and the City at large.

B. **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The estimated assessment for the first year of collection is proposed to be $448,748. This amount is approximately equal to $0.12 per $100.00 of appraised value, as determined by the Dallas Central Appraisal District. If appraised values rise such that an assessment rate equal to the amount of $0.15 per $100.00 valuation would yield an assessment amount that exceeds the estimated costs, the assessment rate shall be reduced until the total assessment equals or is less than to the budgeted amount approved in the petition, subject to the appropriations set forth in the petition.

C. **Estimated Cost; No Bonded Indebtedness.** During the seven-year period, the annual cost of the improvements and services provided by the existing District is estimated to range from approximately $448,748 to $1,399,726 annually. Based on the estimated maximum cost of improvements and services, the seven-year total assessment collection requested by the District shall not exceed a collective total of $5,850,697 (which is the sum of net assessment revenue over the next seven years). In the event the District requires additional funds, the District shall re-petition the property owners for such an increase. At no time shall the total amount levied exceed the total amount for the services and improvements to be provided for the year in which the property is assessed except as provided in the petition for creation of the District. The District shall not incur bonded indebtedness.

D. **Apportionment of Cost between the District and the Municipality as a Whole.** The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements.

BACKGROUND (continued)

The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes.

The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad rights-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to Public Improvement District (PID) assessment.

E. **Annual Assessment Collection and Budget Allocation.** The District shall prepare an ongoing service plan that covers a period of at least five years and shall hold an annual meeting to review the service plan for the purpose of determining the annual budget. The annual meeting shall be open to all property owners in a public meeting space (with written notice to all property owners in the PID at least two weeks prior to the meeting) to provide an opportunity for property owner questions, comments and input to be considered during the PID annual budget and service plan approval process.

F. **City Expenses and Dallas County Charges.** The District shall pay the cost of: (i) collections service fee to Dallas County and (ii) City expenses related to oversight of the PID operations.

G. **District Management.** The District shall be managed by Lake Highlands Improvement District Corporation (LHIDC), a private non-profit corporation created under the laws of the State of Texas and under the provisions of Section 501(c)(3) of the Internal Revenue Code. The petition included a provision that in the future the management responsibilities of the District may be assigned to another, independent management entity created under the laws of the State of Texas and provisions of Section 501(c)(3) of the Internal Revenue Code.

H. **Advisory Body.** An advisory body may be established to develop and recommend an improvement plan to the governing body of the municipality. In the interest of providing efficient District management, the City Council, by accepting this Petition and establishing the District, agrees not to establish a separate advisory body and agrees to assign the responsibility for development and recommendation of the annual service and improvement plans and other responsibilities of the advisory body contained in the Act.

BACKGROUND (continued)

I. **District Dissolution.** The District shall automatically dissolve on December 31, 2024, unless renewed or dissolved through the Petition and approval process as provided by the Act. Additionally, a public hearing may be called for the purpose of dissolving the District if a petition requesting dissolution is filed with the Dallas City Secretary and the Petition contains the signatures of at least enough property owners in the District to make the petition sufficient for the creation of a public improvement district as provided in Section 372.005(b) of the "Act." If the District is dissolved, the District nonetheless shall remain liable for the payment of any indebtedness for the District.

J. **Request for District Creation.** The persons signing this Petition request or concur with the creation of the District and, if approved by the owners of the designated area, the boundaries and request that this Petition be considered at the earliest possible time and that the City Council take those lawful steps necessary to create the District, authorize the improvements and services described herein, levy the necessary assessments to pay for the improvements and services and take any additional actions required under the Act for the benefit of the District.

K. **PID Assessment Collection Budget Projection.** The seven-year service plan is a projection of annual PID assessment collection. If the total PID collection is less than the annual budgeted amount, the management entity, NLHPID, can:

- use discretion to re-allocate PID revenues to best service property owners and residents within the PID area. No budget category may be adjusted by more than 20 percent of projected amount.
- use funds in the contingency category for other expenditures.

No over-collection is anticipated, however, if the PID assessment collection is greater than the annual projected amount, the managing entity shall:

- be permitted to carry over up to 20 percent of the funds budgeted to the following year to account for delays or cost adjustments, provided that the cumulative seven-year total for each category is not exceeded as a result of such carry-over, or
- reduce the amount of the assessment in the following year to absorb the over-collection, or
- return the funds to the property owners, or
- submit a revised petition to obtain consent of the property owners for an increased collection.

The term of the District upon creation is seven years (2018 to 2024). Pending approval, actual operations in the District will commence next year.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 9, 2017, City Council was briefed by memorandum regarding this matter.

On June 28, 2017, City Council authorized the public hearing regarding this matter, to be held August 9, 2017.

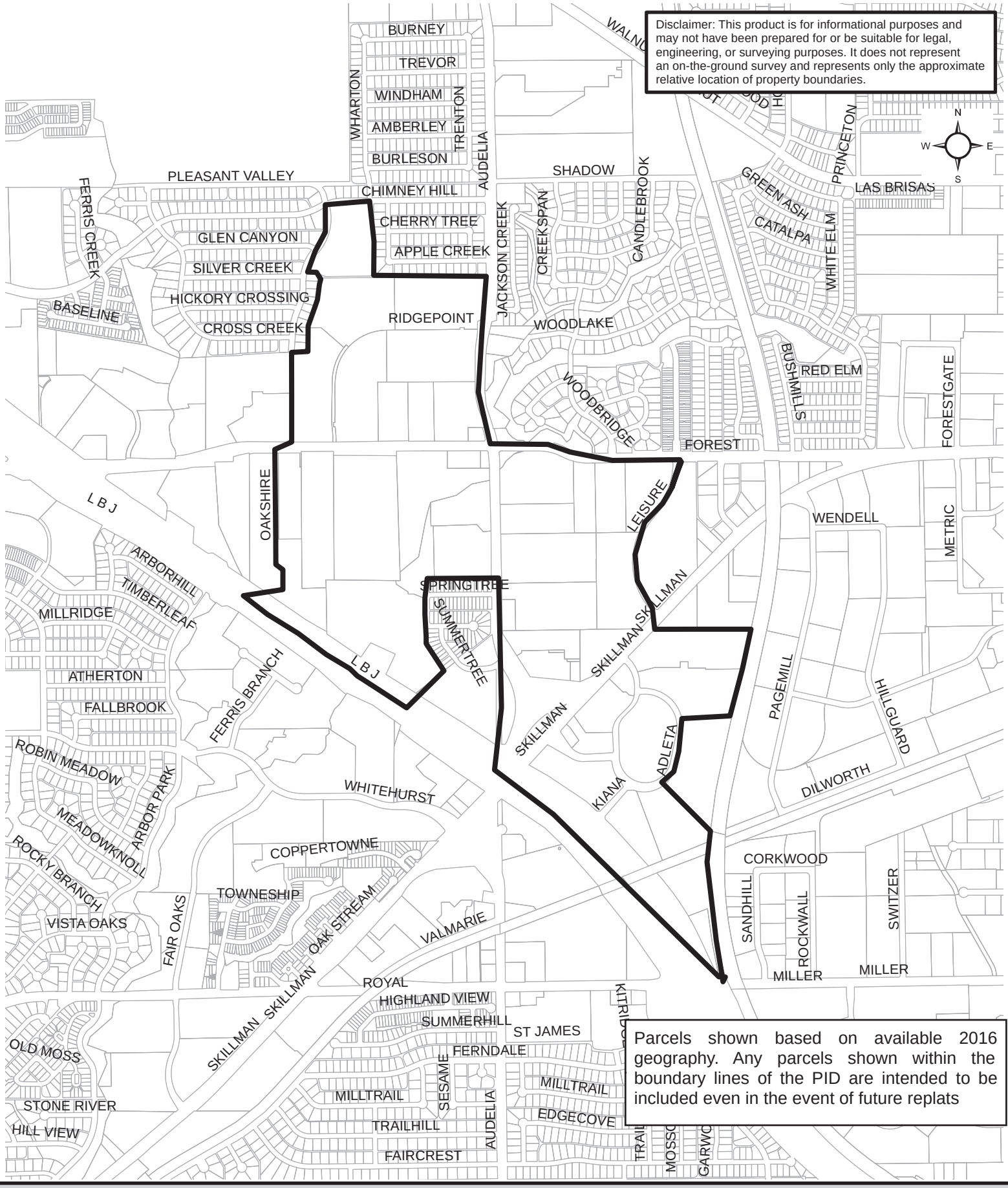
Information about this item will be provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



Proposed
North Lake Highlands PID Boundary Map

City of Dallas
Office of Economic Development
Created 6/2017

August 9, 2017

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on June 2, 2017, Lake Highlands Improvement District Corporation, representing owners of real property located within the North Lake Highlands Public Improvement District area, delivered to the City of Dallas a petition to create the North Lake Highlands Public Improvement District (the "District") in accordance with Chapter 372 of the Texas Local Government Code, and as shown on the attached Map of the District (**Exhibit A**). City staff reviewed the petition and determined that it meets the Act' s thresholds for calling a public meeting after which the City Council may consider creation of the District; and

WHEREAS, pursuant to Section 372.007 of the Act, the City staff, with the assistance of the District property owner representatives, verified the petitions, evaluated the creation service plan to determine whether the services should be made as described by the proposed service plan and found the plan to be feasible; and

WHEREAS, the number of signatures collected on the petitions exceed the percentages required by the Act, both by value and area within the proposed District, the City Council finds that there is good cause to waive the heightened percentages set forth in the policy adopted on December 14, 2005, by Resolution No. 05-3539, as amended, finding that high number of aging multi-family properties with transitional ownership together with the mix of land uses in the proposed District, would make achieving a higher percentage of signatures impractical; and

WHEREAS, on June 28, 2017, City Council authorized a public hearing to be held on August 9, 2017, to hear comments and concerns regarding the establishment of the North Lake Highlands Public Improvement District and stated its intent at the close of that hearing to consider a resolution creating the District by Resolution No. 17-1048; and

WHEREAS, after providing notices required by Section 372.009 of the Act, the City Council on August 9, 2017, conducted a public hearing on the advisability of the improvements and services, and adjourned such public hearing.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after considering the Petition for the proposed District and evidence and testimony presented at the public hearing on August 9, 2017, hereby finds and declares:

SECTION 1. (continued)

A. Purpose of the District; General Nature of the Proposed Services and Improvements. The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District.

The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

B. Method of Assessment. The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The estimated assessment for the first year of collection is proposed to be $448,748. This amount is approximately equal to $0.12 per $100.00 of appraised value, as determined by the Dallas Central Appraisal District. If appraised values rise such that an assessment rate equal to the amount of $0.15 per $100.00 valuation would yield an assessment amount that exceeds the estimated costs, the assessment rate shall be reduced until the total assessment equals or is less than to the budgeted amount approved in the petition, subject to the appropriations set forth in the petition.

C. Estimated Cost; No Bonded Indebtedness. During the seven-year period, the annual cost of the improvements and services provided by the existing District is estimated to range from approximately $448,748 to $1,399,726 annually. Based on the estimated maximum cost of improvements and services, the seven-year total assessment collection requested by the District shall not exceed a collective total of $5,850,697 (which is the sum of net assessment revenue over the next seven years). In the event the District requires additional funds, the District shall re-petition the property owners for such an increase. At no time shall the total amount levied exceed the total amount for the services and improvements to be provided for the year in which the property is assessed except as provided in the petition for creation of the District. The District shall not incur bonded indebtedness.

SECTION 1. (continued)

D. Apportionment of Cost between the District and the Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes.

The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad rights-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to Public Improvement District (PID) assessment.

E. Annual Assessment Collection and Budget Allocation. The District shall prepare an ongoing service plan that covers a period of at least five years and shall hold an annual meeting to review the service plan for the purpose of determining the annual budget. The annual meeting shall be open to all property owners in a public meeting space (with written notice to all property owners in the PID at least two weeks prior to the meeting) to provide an opportunity for property owner questions, comments and input to be considered during the PID annual budget and service plan approval process.

F. City Expenses and Dallas County Charges. The District shall pay the cost of: (i) collections service fee to Dallas County and (ii) City expenses related to oversight of the PID operations.

G. District Management. The District shall be managed by Lake Highlands Improvement District Corporation (LHIDC), a private non-profit corporation created under the laws of the State of Texas and under the provisions of Section 501(c)(3) of the Internal Revenue Code. The petition included a provision that in the future the management responsibilities of the District may be assigned to another, independent management entity created under the laws of the State of Texas and provisions of Section 501(c)(3) of the Internal Revenue Code.

H. Advisory Body. An advisory body may be established to develop and recommend an improvement plan to the governing body of the municipality. In the interest of providing efficient District management, the City Council, by accepting this Petition and establishing the District, agrees not to establish a separate advisory body and agrees to assign the responsibility for development and recommendation of the annual service and improvement plans and other responsibilities of the advisory body contained in the Act.

SECTION 1. (continued)

I. **District Dissolution.** The District shall automatically dissolve on December 31, 2024, unless renewed or dissolved through the Petition and approval process as provided by the Act. Additionally, a public hearing may be called for the purpose of dissolving the District if a petition requesting dissolution is filed with the Dallas City Secretary and the Petition contains the signatures of at least enough property owners in the District to make the petition sufficient for the creation of a public improvement district as provided in Section 372.005(b) of the "Act." If the District is dissolved, the District nonetheless shall remain liable for the payment of any indebtedness for the District.

J. **Request for District Renewal.** The persons signing this Petition request or concur with the renewal of the District and, if approved by the owners of the designated area, the boundaries and request that this Petition be considered at the earliest possible time and that the City Council take those lawful steps necessary to renew the District, authorize the improvements and services described herein, levy the necessary assessments to pay for the improvements and services and take any additional actions required under the Act for the benefit of the District.

K. **PID Assessment Collection Budget Projection.** The seven-year service plan (**Exhibit B**) is a projection of annual PID assessment collection. If the total PID collection is less than the annual budgeted amount, the management entity, NLHPID, can:

- use discretion to re-allocate PID revenues to best service property owners and residents within the PID area. No budget category may be adjusted by more than 20 percent of projected amount.
- use funds in the contingency category for other expenditures.

No over-collection is anticipated, however, if the PID assessment collection is greater than the annual projected amount, the managing entity shall:

- be permitted to carry over up to 20 percent of the funds budgeted to the following year to account for delays or cost adjustments, provided that the cumulative seven-year total for each category is not exceeded as a result of such carry-over, or
- reduce the amount of the assessment in the following year to absorb the over-collection, or
- return the funds to the property owners, or
- submit a revised petition to obtain consent of the property owners for an increased collection.

The term of the District upon creation is seven years (2018 to 2024). Pending approval, actual operations in the District will commence next year.

SECTION 2. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

SECTION 3. That the City of Dallas PID Policy of requiring that property owners representing at least 60 percent of the value and 60 percent of all record property owners or 60 percent of land area support the creation of a new or renewing PID, adopted on December 14, 2005, by Resolution No. 05-3539, as amended, is hereby waived, finding that high number of aging multi-family properties with transitional ownership together with the mix of land uses in the proposed District, would make achieving a higher percentage of signatures impractical.

SECTION 4. That the North Lake Highlands Public Improvement is hereby authorized and established as a Public Improvement District under the Act in accordance with the findings as to the advisability of the services and improvements contained in this Resolution, with an effective date of January 1, 2018. The District shall be subject to all of the terms, conditions, limitations and reservations contained in the findings of Section 1 of this Resolution.

SECTION 5. That the City Secretary is directed to give notice of the authorization for the establishment of the District by publishing a copy of this Resolution once in the newspaper of general circulation in the City of Dallas. Such authorization shall take effect and the District shall be deemed to be established effective upon the publication of such notice.

SECTION 6. That the District shall automatically dissolve on December 31, 2024 unless the District is renewed through the petition and approval process as provided by the Act, or the District is sooner terminated as provided by law. The power of the City to continue to levy and collect assessments within the District will cease and the District will be dissolved on the date that a petition requesting dissolution is filed with the City Secretary of the City of Dallas and the petition contains the signatures of at least enough property owners in the District to make the petition sufficient for creation of a public improvement district as provided in Section 372.005(b) of the Act.

SECTION 7. That the City Council authorizes that the District shall be managed through Lake Highlands Improvement District Corporation, a non-profit corporation established under the provisions of Section 501(c) of the Internal Revenue Code, to develop and recommend a service plan, improvement plan and assessment plan in order to promote the efficient management of the District. The Lake Highlands Improvement District Corporation shall be the entity responsible for the management of the District. The petition included a provision that in the future the management responsibilities of the District may be assigned to another, independent management entity created under the laws of the State of Texas and provisions of Section 501(c)(3) of the Internal Revenue Code.

SECTION 8. That City Council hereby approves the Service Plan prepared by the Lake Highlands Improvement District Corporation, which is attached hereto and made part hereof and marked (Exhibit B) and directs the Lake Highlands Improvement District Corporation, to implement it in accordance with the Act. The Service Plan covers a period of seven years and defines the annual indebtedness and projected cost for services and improvements. The Lake Highlands Improvement District Corporation, is hereby granted the ability to modify or substitute items without City Council approval within the program categories in the Service Plan, with City staff review and approval, if such changes serve the common interest of owners and tenants in the District and the increase and/or decrease in the amount of a program category does not exceed 20 percent of the budgeted amount for that category and the amount levied shall not exceed the total amount shown on the budget for the services and improvements to be provided for the year in which the property is assessed. “Program categories” in the Service Plan includes the listed improvement in Exhibit B that is authorized by the Act.

SECTION 9. That pursuant to the exception granted by Section 252.022(a)(9) of the Texas Local Government Code, the City Manager is hereby authorized and directed, approved as to form by the City Attorney, to enter into a contract with Lake Highlands Improvement District Corporation, to manage special supplemental services to be paid from the assessments collected. The contract with the Lake Highlands Improvement District Corporation shall be in accordance with the Service Plan and this Resolution and shall provide for compliance by the Lake Highlands Improvement District Corporation, with the Business Inclusion and Development Plan for participation of minorities and women providing services and improvements to the District.

SECTION 10. That the contract with the Lake Highlands Improvement District Corporation shall also provide for assessment collection services that the County will provide to the Lake Highlands Improvement District Corporation, for collection of the special assessments. The County shall receive a fee per account as compensation for its collection services.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

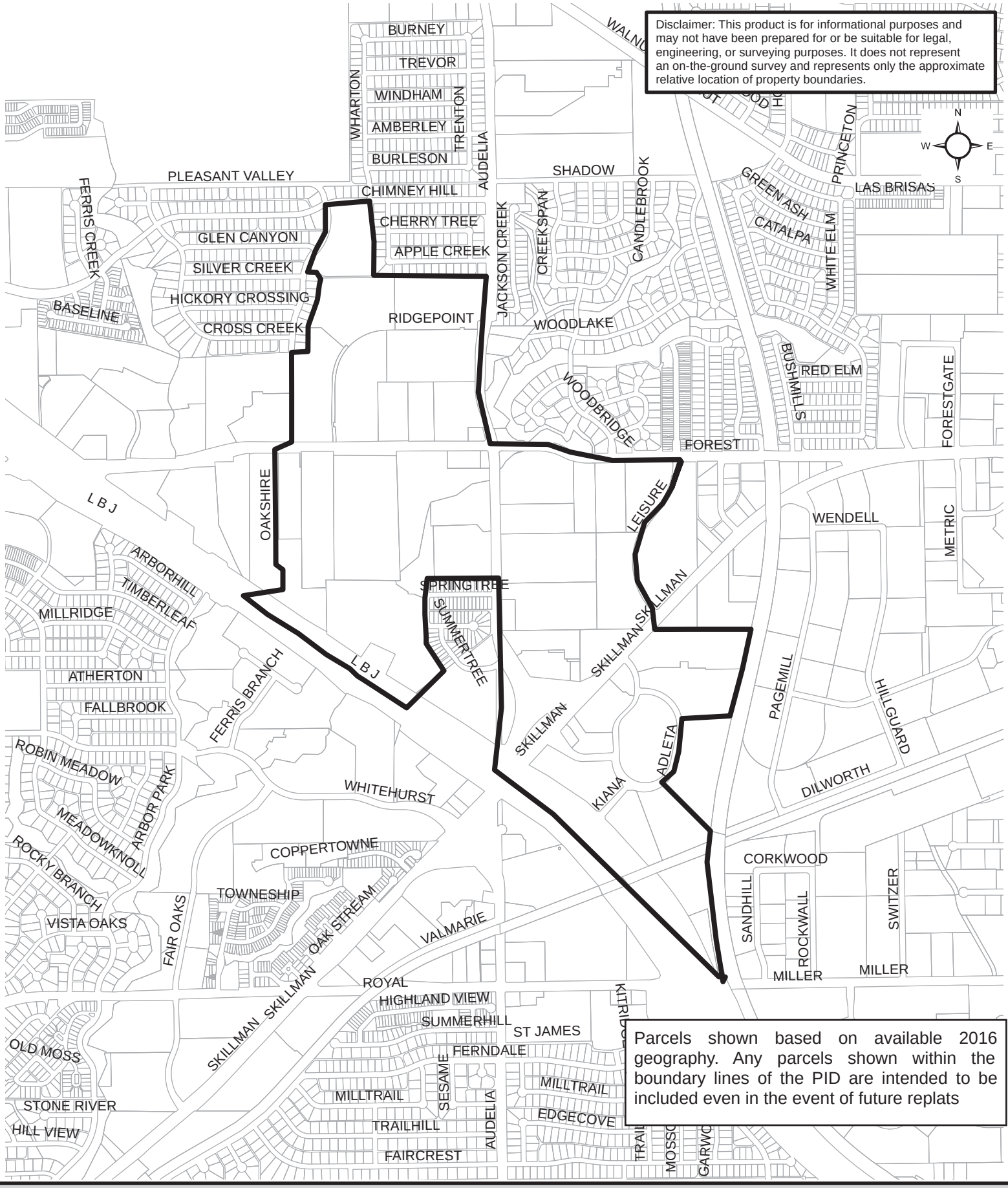


Exhibit A
Proposed
North Lake Highlands PID Boundary Map

City of Dallas
Office of Economic Development
Created 6/2017

Exhibit B

NORTH LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT
PROPOSED PID SEVEN YEAR SERVICE PLAN (2018-2024)

	2018		2019		2020		2021		2022		2023		2024	
INCOME														
Net Assessment*	$448,748.00		$516,727.25		$630,903.39		$768,205.95		$932,103.89		$1,154,683.05		$1,399,326.46	
Interest on Cash Balance	$0.00		$300.00		$400.00		$400.00		$400.00		$400.00		$400.00	
Surplus Carried Forward	$0.00		$0.00		$0.00		$0.00		$0.00		$0.00		$0.00	
Total Income	**$448,748.00**		**$517,027.25**		**$631,303.39**		**$768,605.95**		**$932,503.89**		**$1,155,083.05**		**$1,399,726.46**	
EXPENSES														
Renewal/Creation Fee	$15,000.00	3%												
Public Safety [1]	$269,248.80	60%	$310,216.35	60%	$347,216.86	55%	$422,733.27	55%	$466,251.94	50%	$577,541.52	50%	$699,863.23	50%
Improvements [2]	$70,262.12	16%	$93,064.91	18%	$145,199.78	23%	$176,779.37	23%	$261,101.09	28%	$323,423.25	28%	$391,923.41	28%
Promotion [3]	$22,437.40	5%	$31,021.64	6%	$37,878.20	6%	$46,116.36	6%	$55,950.23	6%	$69,304.98	6%	$83,983.59	6%
Administration [4]	$44,874.80	10%	$51,702.73	10%	$63,130.34	10%	$76,860.59	10%	$93,250.39	10%	$115,508.30	10%	$139,972.65	10%
Audit	$8,974.96	2%	$10,340.55	2%	$12,626.07	2%	$15,372.12	2%	$18,650.08	2%	$23,101.66	2%	$27,994.53	2%
Insurance	$17,949.92	4%	$20,681.09	4%	$25,252.14	4%	$30,744.24	4%	$37,300.16	4%	$46,203.32	4%	$55,989.06	4%
Total Expenses	**$448,748.00**		**$517,027.25**		**$631,303.39**		**$768,605.95**		**$932,503.89**		**$1,155,083.05**		**$1,399,726.46**	
Surplus Carried Forward														

Notes:

The assessment amount is approximately equal to $0.12 per $100.00 of appraised value as determined by the Dallas Central Appraisal District (DCAD).

*Net assessment reflects the deduction of City and County fees from the gross assessment collection.

[1] Public Safety consists of enhanced neighborhood patrols, security enhancements, emergency preparedness

[2] Improvements include asthetic improvements, acquisition and instillation of public art, the establishment of parks and youth recreation sites, and educational programming

[3] Promotion includes business recruitment related expenses, branding efforts, marketing and outreach efforts and materials, and advertising

[4] Adminstrative costs include management fee, annual tax preperation, bookkeeping charges, office supplies, and postage for public notifications

AUGUST 9, 2017 CITY COUNCIL ADDENDUM
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated August 9, 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

8/4/2017
Date

M Elizabeth Reich
Elizabeth Reich
Chief Financial Officer

August 4, 2017
Date

RECEIVED
2017 AUG -4 PM 5:37
CITY SECRETARY
DALLAS, TEXAS

ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, AUGUST 9, 2017
CITY OF DALLAS
1500 MARILLA STREET
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.

REVISED 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	
	CLOSED SESSION	
	MINUTES	Item 1
	CONSENT AGENDA	Items 2 - 42

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier	Items 43 - 51
than 9:15 a.m.	Addendum Item 1

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.	Items 52 - 80

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."

ADDENDUM
CITY COUNCIL MEETING
AUGUST 9, 2017
CITY OF DALLAS
1500 MARILLA STREET
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A.M.

ADDITIONS:

ITEMS FOR INDIVIDUAL CONSIDERATION

Trinity Watershed Management

1. Authorize **(1)** the establishment of the Trinity River Corridor Local Government Corporation (the "Corporation"), for the purpose of the development of recreational areas in the Dallas Floodway (the "Project"); **(2)** approval of the Corporation's Certificate of Formation and Bylaws; **(3)** appointment of the Corporation's initial Board of Directors; and **(4)** the City Manager to negotiate and enter into a Master Development and Use Agreement with the Corporation subject to the attached Term Sheet - Financing: No cost consideration to the City

DELETION:

Mayor and City Council

48. Authorize a resolution honoring the achievements of Marvin E. Crenshaw, Roy H. Williams, Michael Daniel and Betsy Julian for their roles in the creation of the 14-1 system for electing members of the Dallas City Council; and directing the City Manager to erect a plaque on the first floor of Dallas City Hall acknowledging the accomplishments of these individuals to the City of Dallas - Financing: No cost consideration to the City (via Council Members Griggs, Medrano, Felder, Atkins, Greyson)

ADDENDUM DATE August 9, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	I	TWM	NC	NA	NA	Authorize (1) the establishment of the Trinity River Corridor Local Government Corporation (the "Corporation"), for the purpose of the development of recreational areas in the Dallas Floodway (the "Project"); (2) approval of the Corporation's Certificate of Formation and Bylaws; (3) appointment of the Corporation's initial Board of Directors; and (4) the City Manager to negotiate and enter into a Master Development and Use Agreement with the Corporation subject to the attached Term Sheet - Financing: No cost consideration to the City
			TOTAL			**$0.00**			

ADDENDUM ITEM # 1

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 9, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Trinity Watershed Management

CMO: Jody Puckett, 670-3390

MAPSCO: N/A

SUBJECT

Authorize **(1)** the establishment of the Trinity River Corridor Local Government Corporation (the "Corporation"), for the purpose of the development of recreational areas in the Dallas Floodway (the "Project"); **(2)** approval of the Corporation's Certificate of Formation and Bylaws; **(3)** appointment of the Corporation's initial Board of Directors; and **(4)** the City Manager to negotiate and enter into a Master Development and Use Agreement with the Corporation subject to the attached Term Sheet - Financing: No cost consideration to the City

BACKGROUND

This item was placed on the addendum following the August 2, 2017 City Council Briefing.

The approval of the Balanced Vision Plan (BVP) by the City Council in 2003, and amended in 2004, set forth the guiding documents for existing and future uses. The BVP was advanced and incorporated into the Dallas Floodway Project Environmental Impact Statement and Feasibility Study, led by the U.S. Army Corps of Engineers (Corps). The study area is comprised of the Elm and West Forks meeting at the confluence of the Trinity River through Dallas and terminating at the ATSF Bridge. The study included flood risk management, ecosystem restoration, recreation and mobility; set forth prescribed project implementation orders for construction activities; and, ensures environmental and technical criteria of the Corps is followed. Following numerous public input solicitations, technical review and conformance to federal regulations, the Corps signed the Modified Dallas Floodway Project Record of Decision in April 2015.

BACKGROUND (continued)

The Trinity River Corridor Local Government Corporation serves as a tool for raising capital, debt or equity, and will be focused specifically on the development of recreation in the Dallas Floodway, consistent with the existing federal approvals and operational requirements. This LGC will be solely financially obligated for all design, construction, maintenance, management, and operations of future recreation projects and creates no City financial commitments unless specifically authorized by the City Council in a future council action.

Creation of a Local Government Corporation

The City desires to create the Trinity River Corridor Local Government Corporation under Chapter 431 of the Texas Transportation Code (the "Act") and Chapter 394 of the Texas Local Government Code, for the purpose of aiding, assisting and acting on behalf of the City of Dallas, Texas (the "City") in the performance of its governmental functions; namely, the design, planning, development, financing, operation, and maintenance of public recreation uses of city fee-owned property located inside and within one-quarter mile outside of the center line of the levees of the Trinity River from Elm and West Forks through the main stem of the Trinity River ending at the ATSF Bridge (the "Property").

Powers of the Corporation

In the exercise of its powers, the Corporation may enter into lease, trust, or other agreements as authorized by state law that are necessary and appropriate to the fulfillment of the public purpose of the Corporation, subject to the Articles of Incorporation (Exhibit A), the Bylaws (Exhibit B), and the Master Development and Use Agreement. In connection with any issuance of bonds, notes, or other debt instruments or obligations approved by the City Council of the City, the Corporation shall select, at the Corporation's sole cost, bond counsel and financial advisors acceptable to the City in City's sole discretion.

The Corporation's Board

The Corporation Board of Directors shall consist of a minimum of three and up to seven (7) persons appointed by the City Council, upon recommendation of the Mayor. To be eligible to serve, a person must be 18 years old, a resident of the City and a registered voter of the State of Texas. As recommended by the Mayor, the three initial board members are:

Mike Ablon, Chair
Principal, PegasusAblon, Dallas-based commercial real estate development, investment and management company

BACKGROUND (continued)

The Corporation's Board (continued)

Randy Bowman
Founded and operated successful minority-owned logistics company; Dallas Employees' Retirement Fund board member; chaired Parkland Foundation Board

Wendy Lopez
Senior Vice President, AECOM, a premier, fully integrated global infrastructure company

The Corporation geographic area is mirrored from the Corps' Record of Decision to provide and ensure consistent actions with the existing approvals. The Corporation will be required to enter into a Master Development and Use Agreement which will be developed based on the attached Term Sheet (Exhibit C).

The first phase of development for the Corporation is approximately 200 acres between the Margaret McDermott Bridge and the Ronald Kirk Bridge. The Term Sheet includes a provision which directs the Corporation to begin construction no later than 36 months following design approvals by the City and the Corps. This area has received heightened attention through the announcements in Fall 2016 whereby Annette C. Simmons committed $10 million towards the naming of and creation of the "Harold Simmons Park" with an additional $40 million provided upon meeting specific terms and conditions by September 2019 (Exhibit D). The donation was received by the Trinity Trust, now known as the Trinity Park Conservancy.

This City Council action authorizes the establishment of the Corporation, initially approves Certificate of Formation and Bylaws, including the appointment of the Board of Directors for the Corporation. This action also authorizes the City Manager to negotiate and enter into a Master Development and Use Agreement consistent with the attached Term Sheet.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 2, 2017, City Council was briefed on Recreational Development in the Dallas Floodway: Creation of a Local Government Corporation.

FISCAL INFORMATION

No cost consideration to the City.

WHEREAS, the 1998 Bond Program authorized funding to implement flood control, lake development, environmental, transportation, and recreational projects within the Dallas Floodway;

WHEREAS, on December 8, 2003, the City Council adopted the Balanced Vision Plan (the "BVP"), by Resolution No. 03-3391, and further adopted refinements on April 14, 2004, by Resolution No. 04-1252;

WHEREAS, on April 21, 2015, the U.S. Army Corps of Engineers (the "Corps") signed the record of decision (the "ROD") for the Modified Dallas Floodway Project (the "Dallas Floodway"), which approved improvements within the Dallas Floodway for providing flood risk management, ecosystem restoration and recreation enhancements;

WHEREAS, City Council reaffirms its support of the ROD to the extent that it provides flood risk management, ecosystem restoration and recreation enhancements within the Dallas Floodway;

WHEREAS, City Council desires to create an organization to act on its behalf and aid in the development of recreation in the Dallas Floodway including the Elm and West Forks through the main stem of the Trinity River in Dallas and ending at the ATSF Bridge;

WHEREAS, Chapter 431 of the Texas Transportation Code (the "Act"), and Chapter 394 of the Texas Local Government Code ("Chapter 394") authorizes municipalities to establish local government corporations for the purpose of aiding, assisting, and acting on behalf of the City in the performance of its governmental functions, including promoting the recreation development of the Dallas Floodway;

WHEREAS, Chapter 394 requires, as a condition to the creation of a local government corporation, that three residents of the sponsoring local government who are citizens of the state, residents of the City, and at least 18 years of age, submit a written application for the incorporation of the local government corporation with the Articles of Incorporation;

WHEREAS, City Council has determined that a local government corporation, known as the Trinity River Corridor Local Government Corporation (the "Corporation"), will raise necessary capital and equity to support planning, design, operations, management and maintenance of the recreation components in the Dallas Floodway, as approved in the ROD;

WHEREAS, the City has received an application that meets the requirements of the Act and Chapter 394 for the creation of the Corporation to raise necessary capital and equity to support planning, design, operations, management and maintenance of the recreation components in the Dallas Floodway, as approved in the ROD, and the City desires to approve the application, approve the proposed Certificate of Formation of the Corporation, approve its Bylaws, confirm the appointment of the Corporation's initial Board of Directors, authorize and approve the City Manager to enter into a Master Development and Use Agreement in conformation with the attached Term sheet; and take such other actions as the City deems appropriate; and

WHEREAS, the City desires to authorize and enter into a Master Use and Development Agreement between the City and the Corporation to address the scope and purpose of any Corporation use, development, management, and maintenance operations and undertakings within the Dallas Floodway.

Now, Therefore,

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

SECTION 1. That the City Council reaffirms its support of the ROD to the extent that it provides flood risk management, ecosystem restoration and recreation enhancements within the Dallas Floodway.

SECTION 2. That the City Manager is directed to continue working with the Corps to implement those improvements within the Dallas Floodway identified in the ROD that relate to the extent that it advances flood risk management, ecosystem restoration and recreation enhancements.

SECTION 3. That the City Council authorizes the creation and incorporation of the Trinity River Corridor Local Government Corporation (the "Corporation") under the Act and Chapter 394, for the purpose of the development of recreational areas in the Dallas Floodway as identified in the ROD.

SECTION 4. The City Council approves the form of the Certificate of Formation that is attached as Exhibit A and authorizes the Certificate of Formation to file the Articles of Incorporation with the Secretary of the State of Texas in the manner provided by law.

SECTION 5. The City Council confirms the appointment of the persons listed in the Certificate of Formation to serve as the initial members of the Board of Directors.

SECTION 6. The City Council approves the form of the Bylaws of the Corporation that are attached as Exhibit B.

SECTION 7. The City Council directs and declares that the Certificate of Formation and the Bylaws of the Corporation may be amended from time to time by the Board of Directors of the Corporation as long as the City Council approve of such amendments.

SECTION 8. That the City Manager is authorized to negotiate and enter into a Master Development and Use Agreement with the Corporation in conformance with the attached Term Sheet, Exhibit C and in a form approved by the City Attorney.

SECTION 9. That the Master Development and Use Agreement will include the Corporation's first project, development of a recreation area between the Margaret McDermott Bridge and the Ronald Kirk Pedestrian Bridge, such recreational area to be named after Harold Simmons.

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.

CERTIFICATE OF FORMATION FOR TRINITY RIVER CORRIDOR LOCAL GOVERNMENT CORPORATION

The undersigned natural persons, each of whom is at least eighteen (18) years of age or more and a resident of the City of Dallas, Texas (the "City") acting as incorporators of a corporation under the provisions of Subchapter D of Chapter 431, Texas Transportation Code (the "Act"), Chapter 394, Texas Local Government Code ("TLGC") and Chapter 22, Texas Business Organizations Code (the "TBOC"), do hereby adopt the following Certificate of Formation for such corporation:

ARTICLE I

The name of the corporation is TRINITY RIVER CORRIDOR LOCAL GOVERNMENT CORPORATION (the "Corporation").

ARTICLE II

The Corporation is a public nonprofit local government corporation.

ARTICLE III

The period of duration of the Corporation shall be perpetual.

ARTICLE IV

The Corporation is organized for aiding, assisting, and acting on behalf of the City in the performance of its governmental functions; namely, the design, planning, development, financing, operation, and maintenance of public recreation uses of City fee-owned property located in a portion of the Trinity River Corridor, that portion also known as the "Dallas Floodway" and located on the Elm and West Forks through the main stem of the Trinity River through Dallas, Texas and ending at the ATSF Bridge, including City fee-owned property inside and within one-quarter mile outside of the centerline of the levees (the "Property"). It is understood by the Corporation that any use of the Property would be subservient to the City's paramount use of the Property, which is to maintain the flood control system in conformance with the requirements of (i) the United States Army Corp of Engineers, (ii) the Record of Decision Modified Dallas Floodway Project Feasibility Report and Environmental Impact Statement Dallas, Texas, and (iii) the Trinity River Corridor Project's Balanced Vision Plan as approved by the City Council of City in Resolution No. 03-3391 on December 8, 2003, as amended by Resolution No. 04-1252 approved by the City Council of City on April 14, 2014. In addition, the Corporation will not and shall not have authority to undertake or construct any kind of roadway infrastructure except for transportation-related infrastructure incidental to vehicular and pedestrian access to recreational area facilities and which shall function only as private internal recreational vehicular and pedestrian accessways.

The Corporation is formed pursuant to the provisions of the Act and TLGC as they now or may hereafter be amended, which authorize the Corporation to assist and act on behalf of the City to accomplish any governmental purpose of the City and to engage in activities in furtherance of the purposes for its creation.

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The Corporation shall have and exercise all the rights, powers, privileges, authority, and functions given by the general laws of the State of Texas to non-profit corporations incorporated under the Act and under the TBOC.

The Corporation shall have all powers which are available to nonprofit and local government corporations in Texas under the laws of the State of Texas and which are necessary or useful to enable the Corporation to perform the purposes for which it is created, including the power to issue bonds, notes, or other debt obligations, and otherwise exercise its borrowing power to accomplish the purposes for which it was created; provided, however, that the Corporation shall not issue bonds, notes, or other debt obligations without the consent of the City Council of the City in conformance with the Bylaws of the Corporation.

The Corporation is created as a local government corporation pursuant to the Act and shall be a governmental unit within the meaning of Chapter 101, Texas Civil Practice and Remedies Code. The operations of the Corporation are governmental, and not proprietary, functions. The Corporation shall have the power to acquire land in accordance with the Act as amended from time to time, provided that the Corporation shall not acquire land without the consent of the City Council of the City in conformance with the Bylaws of the Corporation.

In the exercise of its powers, the Corporation may enter into lease, trust, or other agreements as authorized by the Act that are necessary and appropriate to the fulfillment of the public purpose of the Corporation, subject to the consent rights of the City Council of the City as described herein and in the Bylaws. In connection with any issuance of bonds, notes, or other debt instruments or obligations approved by the City Council of the City, the Corporation shall select, at the Corporation's sole cost, bond counsel and financial advisors acceptable to the City in City's sole discretion.

ARTICLE V

The Corporation shall have no members and shall have no stock.

ARTICLE VI

Subject to actions requiring City Council approval as identified below, all powers of the Corporation shall be vested in a Board of Directors consisting of at least three (3) and up to seven (7) persons who shall be appointed by the City Council of the City, upon recommendation of the Mayor of the City (the "Mayor"). To be eligible to serve as a Director, a person must be (1) a registered voter of the State of Texas, and (2) a resident of the City.

The initial three Board of Directors members are identified in Article IX below and shall serve for the term expiring on the date set forth therein, or until his or her successor is appointed by the City Council of City. Additional Board members may be appointed by the City Council of City to serve terms expiring on September 30, 2020 in conformance with the Bylaws of Corporation. Subsequent Board members shall serve for a term of three (3) years or until his or her successor is appointed by the City Council of the City, unless such Board member has been appointed to fill an unexpired term, in which case the term of such Board member shall expire on the expiration date of the term of the Board member whom he or she was appointed to replace. Board members shall be eligible for reappointment. Any Board member may be removed from office at any time, with or without cause, by the recommendation of the Mayor and the affirmative vote of the City Council of City.

Actions taken by the Board of Directors which require prior approval by resolution of the City Council of the City are:

a) Amendment or restatement of the Bylaws or Certificate of Formation of the Corporation;

b) acquisition of land;

c) any action affecting or involving the Property, except as may be delegated to Corporation by written agreement with the City;

d) any action or decision, including but not limited to applications for grants or other funding, requiring the approval or consent of any federal or state governmental agency or department;

e) issuance of bonds;

f) issuance of notes or other evidence of indebtedness with a term greater than one year;

g) proposing or sponsoring legislation, or calling any election or voter referendum; and

h) creating a subsidiary entity or any other entity.

All other matters pertaining to the internal affairs of the Corporation shall be governed by the Bylaws of the Corporation, so long as such Bylaws are not inconsistent with this Certificate of Formation or the laws of the State of Texas.

ARTICLE VII

The street address of the initial registered office of the Corporation is 1500 Marilla, Dallas, Texas 75201, which is within the city limits of the City, and the name of its initial registered agent at such address is T.C. Broadnax, City Manager.

ARTICLE VIII

The name and street address of each incorporator is:

Michael Ablon	1500 Marilla, Dallas, Texas 75201
Randy Bowman	1500 Marilla, Dallas, Texas 75201
Wendy A. Lopez	1500 Marilla, Dallas, Texas 75201

ARTICLE IX

The Corporation shall be governed by a Board of Directors consisting of at least three (3) and up to seven (7) Directors. The names, addresses and initial terms of office of the initial three Directors are:

NAME	ADDRESS	INITIAL TERM EXPIRES
Michael Ablon	1500 Marilla, Dallas, Texas 75201	September 30, 2020
Randy Bowman	1500 Marilla, Dallas, Texas 75201	September 30, 2020
Wendy A. Lopez	1500 Marilla, Dallas, Texas 75201	September 30, 2020

ARTICLE X

A resolution approving the form of this Certificate of Formation has been adopted by the City Council of the City on Aug, 2017.

ARTICLE XI

No Director shall be liable to the Corporation for monetary damages for an act or omission in the Director's capacity as a Director, except for liability (i) for any breach of the Director's duty of loyalty to the Corporation, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (iii) for any transaction from which the Director received an improper benefit, regardless of whether the benefit resulted from an act taken within the scope of the Director's office, or (iv) for acts or omissions for which the liability of a Director is expressly provided by statute. Any repeal or amendment of this Article shall be prospective only, and shall not adversely affect any limitation on the personal liability of a Director existing at the time of such repeal or amendment. In addition to the circumstances in which a Director is not personally liable as set forth in the preceding sentences, a Director shall not be liable to the fullest extent permitted by any amendment to the Texas statutes hereafter enacted that further limits the liability of a Director.

ARTICLE XII

The Corporation: (a) shall not permit any part of the net earnings of the Corporation to inure to the benefit of any private individual (except that reasonable compensation may be paid for personal services rendered to or for the Corporation in effecting one or more of its purposes); (b) shall not direct any of its activities to attempting to influence legislation by propaganda or otherwise; (c) shall not participate in or intervene in (including the publication or distribution of statements), any political campaign on behalf of or in opposition to any candidate for public office; and (d) shall not attempt to influence the outcome of any election for public office or to carry on, directly or indirectly, any voter registration drives.

Any income earned by the Corporation after payment of necessary expenses, debt, and such reserves as may be required by a lender in the authorizing documents related to the issuance of debt as approved in writing by City, shall accrue to the City. The City shall, at all times, have an unrestricted right to receive any income earned by the Corporation, exclusive of amounts needed to cover the expenditures described herein. Any income of the Corporation received by the City shall be deposited into such account or fund as determined by the City Council of City. No part of the Corporation's income shall inure to the benefit of any private interests.

ARTICLE XIII

If the Corporation is a private foundation within the meaning of Section 509(a) of the Internal Revenue Code, the Corporation (a) shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Internal Revenue Code; (b) shall not engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code; (c) shall not retain any excess business holdings as defined in Section 4943(c) of the Internal Revenue Code; (d) shall not make any investments in such manner as to subject it to tax under Section 4944 of the Internal Revenue Code; and (e) shall not make any taxable expenditures as defined in Section 4945(d) of the Internal Revenue Code.

ARTICLE XIV

If the Board determines by resolution that the purposes for which the Corporation was created have been substantially met and all bonds issued by and all obligations incurred by the Corporation have been fully paid, the Board may execute a certificate of dissolution which states those facts and declares the Corporation dissolved in accordance with the requirements of Section 394.026 of TLGC or with applicable law then in existence. The City Council may at any time consider and approve by a two-thirds vote an ordinance or resolution directing the Board to proceed with the dissolution of the Corporation, subject to any limitation on the impairment of contracts or other obligations entered into by the Corporation, at which time the Board shall proceed with the dissolution of the Corporation in accordance with applicable state law. The failure of the Board to proceed with the dissolution of the Corporation in accordance with this Section shall be deemed a cause for the removal from office of any or all of the Directors as permitted by Article VI of this Certificate of Formation. In the event of dissolution or liquidation of the Corporation, all assets will be turned over to the City for deposit into such accounts as the City Council of City shall direct.

ARTICLE XV

This Certificate of Formation may be changed or amended by a two-thirds (2/3) vote of the Directors and approval of the changes by resolution of the City Council of City, or by approval of the City Council of City alone. Any such amendment must be filed with the Office of the Texas Secretary of State to be effective.

ARTICLE XVI

The Corporation is a constituted authority and a public or governmental instrumentality within the meaning of the regulations of the United States Treasury Department and the rulings of the Internal Revenue Service prescribed and promulgated pursuant to Section 103 of the Internal Revenue Code. Although the Corporation is authorized to act on behalf of one or more governmental entities as provided in this Certificate, the Corporation is not a political subdivision or political authority of the State of Texas within the meaning of the Constitution and laws of the State of Texas, including, without limitation, Article III, Section 52 of the Texas Constitution, and no agreement, bond, debt, or obligation of the Corporation shall be deemed to be the agreement, bond, debt, or obligation, or

the lending of credit, or a grant of public money or thing of value, of or by the City or any other political subdivision or authority or agency of the State of Texas, or a pledge of the faith and credit of any of them. No action of the Corporation shall be an action of the City or its agents or employees, and neither this Certificate nor any action by the Board or the City Council shall create a joint enterprise.

ARTICLE XVII

This Certificate of Formation shall be effective when fully executed and filed with the Office of the Texas Secretary of State. Each of the undersigned executes this instrument subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that he and she is authorized to execute this instrument.

DRAFT

IN WITNESS WHEREOF, we have hereunto set our hand this__day of _____ 2017.

_____
Incorporator

_____
Incorporator

_____
Incorporator

This instrument was acknowledged before me on this ___ day of _____, 2017, by _____, _____ and _____, each being sworn on his or her oath that he or she is an individual residing in the City of Dallas, Texas.

Given under my hand and seal of office this ____ day of _____. 2017.

_____
Notary Public State of Texas

DRAFT

BYLAWS OF

TRINITY RIVER CORRIDOR LOCAL GOVERNMENT CORPORATION

ARTICLE 1
STRUCTURE, PURPOSES AND MEMBERS

1.01 Structure. Trinity River Corridor Local Government Corporation (the "Corporation") is a public nonprofit corporation organized under the laws of the State of Texas for the purpose of aiding, assisting and acting on behalf of the City of Dallas, Texas (the "City") in the performance of its governmental functions; namely, the design, planning, development, financing, operation and maintenance of public recreation uses of City fee-owned property located in a portion of the Trinity River Corridor, that portion also known as the "Dallas Floodway" and located on the Elm and West Forks through the main stem of the Trinity River through Dallas, Texas and ending at the ATSF Bridge, including City fee-owned property inside and within one-quarter mile outside of the centerline of the levees (the "Property"). It is understood by the Corporation that any use of the Property would be subservient to the City's paramount use of the Property, which is to maintain the flood control system in conformance with the requirements of (i) the United States Army Corp of Engineers, (ii) the Record of Decision Modified Dallas Floodway Project Feasibility Report and Environmental Impact Statement Dallas, Texas, and (iii) the Trinity River Corridor Project's Balanced Vision Plan as approved by the City Council of City in Resolution No. 03-3391 on December 8, 2003, as amended by Resolution No. 04-1252 approved by the City Council of City on April 14, 2014. In addition, the Corporation will not and shall not have authority to undertake or construct any kind of roadway infrastructure except for transportation-related infrastructure incidental to vehicular and pedestrian access to recreational area facilities and which shall function only as private internal recreational vehicular and pedestrian accessways.

The Corporation is formed pursuant to the provisions of Subchapter D, Chapter 431, Texas Transportation Code (the "Act") as it now or may hereafter be amended, which authorizes the Corporation to assist and act on behalf of the City to accomplish any governmental purpose of the City and to engage in activities in the furtherance of the purposes for its creation, in the manner specified by Chapter 394 of the Texas Local Government Code, and in conformance with Chapter 22 of the Texas Business Organizations Code (the "TBOC").

The Corporation shall have and exercise all rights, powers, privileges, authority, and functions given by the general laws of the State of Texas to non-profit corporations incorporated under the Act including, without limitation, the TBOC.

The Corporation shall have all other powers of a like or different nature not prohibited by law which are available to nonprofit corporations in Texas and which are necessary or useful to enable the Corporation to perform the purposes for which it is created, including the power to issue bonds, notes or other obligations, and otherwise exercise its borrowing power to accomplish the purposes for which it was created.

The Corporation is created as a local governmental corporation pursuant to the Act and shall be a governmental unit within the meaning of Chapter 101, Texas Civil Practice and Remedies Code.

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The operations of the Corporation are governmental, not proprietary, functions for purposes of the Texas Tort Claims Act, Section 101.001 et seq., Texas Civil Practice and Remedies Code.

1.02 Purposes. The Board of Directors shall administer the Corporation for the purposes set forth in the Certificate of Formation.

1.03 Members. The Corporation has no members.

ARTICLE 2
OFFICES

2.01 Principal Place of Business. The principal place of business of the Corporation is located at 1500 Marilla, Dallas, Texas 75201. The Corporation may have such other offices within Dallas, Texas as the Board of Directors may determine or as the affairs of the Corporation may require from time to time.

2.02 Registered Agent and Registered Office. The Corporation shall have and continuously maintain in the State of Texas a registered office and a registered agent whose office is the Corporation's registered office, as required by the TBOC. The registered office may but need not be identical to the principal office of the Corporation in the State of Texas, and the address of the registered office may be changed from time to time by the Board of Directors in accordance with applicable law. The Corporation shall not maintain offices outside of the State of Texas.

ARTICLE 3
BOARD OF DIRECTORS

3.01 General Powers. The property, business, and affairs of the Corporation shall be managed and controlled by the Board of Directors (the "Board") and, subject to the restrictions imposed by law, the Certificate of Formation and these Bylaws, the Board of Directors shall exercise all of the powers of the Corporation.

3.02 Number, Appointment and Term. The Board of Directors shall consist of at least three (3) and up to seven (7) Directors (the "Directors") who shall be appointed by the City Council of the City (the "Council"), upon recommendation of the Mayor of the City (the "Mayor"). To be eligible to serve as a Director, a person must be (1) a registered voter within the State of Texas, and (2) a resident of the City. In addition, the Board shall have such ex-officio non-voting Directors ("Ex-Officio Directors") as may be determined from time to time by the Board.

Except as otherwise provided in this Section, each Director shall serve a term of three (3) years, which term may be renewed in successive three-year terms. The initial three Directors shall serve terms expiring on September 30, 2020. Each renewal term, or the terms of any new appointees to the three Directors' positions, will expire on each the three-year anniversary thereof. If additional Directors are appointed by the Council they will serve terms expiring on September 30, 2020. Each renewal term, or the terms of any new appointees to the additional Directors' positions, will expire on each the three-year anniversary thereof. Each person serving as a Director shall hold office until the

earlier to occur of (a) his or her successor has been appointed or (b) his or her death, resignation, or removal as hereinafter provided.

3.03 Removal. Any Director may be removed from office, with or without cause, by recommendation of the Mayor and the affirmative vote of the Council.

3.04 Vacancies. Any vacancy occurring in the office of a Director, whether by death, resignation, removal, or otherwise, shall be filled by recommendation of the Mayor and appointment by the Council. A Director appointed to fill a vacancy shall be elected for the unexpired term of his or her predecessor in office.

3.05 Meetings of Directors. The Directors may hold meetings, maintain an office, and keep the Corporation's books and records at such place or places within the State of Texas as the Board of Directors may from time to time determine; provided, however, that in the absence of any such determination, such place shall be the Corporation's principal office in the State of Texas.

The Board shall meet in accordance with and file notice of each meeting of the Board for the same length of time and in the same manner and location as is required of the Council under Chapter 551, Texas Government Code (the "Open Meetings Act").

The Corporation and the Board are subject to Chapter 552, Texas Government Code (the "Public Information Act").

3.06 Organizational Meeting. After approval of the Certificate of Formation by the Council and filing of the Certificate of Formation with the Texas Secretary of State, the Board will hold an organizational meeting to adopt and approve the Bylaws, to elect officers, and to transact such other business as may be included in the meeting agenda. The organizational meeting shall serve as the first Annual Meeting (as defined in Section 3.07 below) of the Board.

3.07 Annual Meetings. The annual meeting of the Board of Directors (the "Annual Meeting") shall be held at such time and place as shall be designated from time to time by resolution of the Board for the purpose of (a) electing officers for the ensuing year, and (b) transacting such other business as may be properly brought before such Annual Meeting.

3.08 Regular Meetings. Regular meetings of the Board ("Regular Meetings") shall be held at such times and places as shall be designated from time to time by the Chairperson or by resolution of the Board.

3.09 Special Meetings. Special meetings of the Board ("Special Meetings") may be called by or at the request of the Chairperson, and shall be called by the Secretary whenever requested in writing by at least a majority of the Directors then in office.

3.10 Notice. The Secretary shall give notice of the time and place of each Annual, Regular and Special Meeting to each Director in person, by facsimile, electronic message, regular mail or telephone at least three (3) business days before such meeting. Notice of such meeting shall also be given in the manner required of the Council under the Open Meetings Act.

3.11 Quorum. A majority of the then-appointed Directors shall constitute a quorum for the consideration of any matters pertaining to the Corporation's purposes. Ex-Officio Directors will not

be counted in determining whether a quorum is present. If at any meeting of the Board there is less than a quorum present, the meeting shall be cancelled, or if the meeting is already underway, shall immediately adjourn. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board, unless the act of a greater number required by law, the Certificate of Formation or these Bylaws.

3.12 Conduct of Business. At meetings of the Board, matters pertaining to the Corporation's purposes shall be considered. At all meetings of the Board of Directors, the Chairperson shall preside, and in the absence of the Chairperson, the Vice-Chairperson shall preside, and in the absence of the Vice-Chairperson, a chair shall be chosen by the Board from among the Directors present. The Secretary of the Corporation shall act as secretary of all meetings of the Board of Directors, but in the absence of the Secretary, the chair of the meeting may appoint any person to act as secretary of the meeting. The chair of any meeting of the Board of Directors shall determine the order of business and the procedure at the meeting, including, without limitation, conduct of the discussion and the order of business.

3.13 Compensation of Directors, Expenses. Persons serving as Directors shall not receive any salary or compensation for, their services as Directors. A Director shall be entitled to reimbursement for reasonable expenses actually incurred by him or her in carrying out his or her duties as a Director.

3.14 Director's Reliance of Consultant Information. Directors shall discharge their duties in good faith, with ordinary care, and in a manner each Director reasonably believes to be in the Corporation's best interests. In this context, "ordinary care" means the care that ordinarily prudent persons in similar positions would exercise under similar circumstances. A Director shall not be liable if while acting in good faith and with ordinary care, the Director relies on information, reports, or statements, including financial statements and other financial data, concerning the Corporation or any matters pertaining to the Corporation's purposes that were prepared or presented by (a) one or more officers or employees of the Corporation, (b) the City Manager of City, or (c) legal counsel, public accountants, or other persons if such Director reasonably believes the information, reports, or statements are within that person's professional or expert competence. A Director is not relying in good faith if he or she has knowledge that renders such reliance unwarranted or unreasonable.

ARTICLE 4
OFFICERS

4.01 Officers. The officers of the Corporation shall be a Chairperson, a Vice Chairperson, a President, one or more Vice Presidents, a Secretary, a Treasurer, and such other officers as may be elected in accordance with the provisions of the Certificate of Formation or these Bylaws. The Board of Directors may elect or appoint such other officers, including one or more Assistant Secretaries and one or more Assistant Treasurers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed herein or prescribed, from time to time, by the Board of Directors. Any two or more offices may be held by the same person, except the offices of President and Secretary. The offices must be held by persons serving as Directors of the Corporation.

4.02 Election and Term of Office. Each year at the Annual Meeting of the Board, the Board of Directors shall elect officers. All officers shall hold office for a term of one (1) year, commencing

upon his or her election at an annual meeting and expiring when an election of officers is held at the next Annual Meeting following the Annual Meeting at which he or she was elected, and may be reelected to such office any number of times. Notwithstanding the above, each officer shall continue to hold office until his or her successor shall have been duly elected or until his or her earlier, death, resignation, or removal.

4.03 Removal. Any officer may be removed by the Board of Directors, with or without cause, whenever in its judgment the best interests of the Corporation would be served thereby.

4.04 Vacancies. A vacancy in any office because of death, resignation, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

4.05 Chairperson. The Chairperson shall preside at all meetings of the Board of Directors, shall perform such other duties as are specified in these Bylaws, and, in general, shall perform all duties incident to the office of Chairperson and such other duties as may be prescribed by the Board of Directors from time to time.

4.06 Vice Chairperson. The Vice Chairperson shall generally assist the Chairperson in the performance of the Chairperson's duties and, in the absence of the Chairperson or in the event of his or her inability or refusal to act, shall perform the duties of the Chairperson, and when so acting shall have all the powers of and be subject to all the restrictions upon the Chairperson. The Vice Chairperson shall also perform such other duties as from time to time may be assigned to him or her by the Chairperson or Board of Directors.

4.07 President. The President shall be the chief executive officer and shall manage the business of the Corporation, take such actions as may be necessary to effectuate the policies and decisions of the Board, and, in general, perform all duties incident to the office of president of a corporation and such other duties as may be prescribed by the Board of Directors from time to time. The President may sign, along with a second signature to be provided by any other officer of the Corporation in conformance with Section 6.01 below, bonds, notes, deed conveyances, franchises, assignments, mortgages, notes, contracts and other instruments of any kind in the name of the Corporation which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by these Bylaws, or by statute, to some other officer or agent of the Corporation. The President's duties shall include, without limitation, positively representing the Corporation to the City and the public, supervising employees of the Corporation, seeing that bills are paid in a timely manner, keeping expenses within budgeted levels, and working with the appropriate staff and officers of the Corporation to see that timely financial reports are made to the Directors.

4.08 Vice President. Each Vice President shall have such powers and duties as may be assigned to such officer by the Board of Directors including the performance of the duties of the President (other than unusual or extraordinary duties or powers conferred by the Board of Directors upon the President) upon the death, absence, or resignation of the President or upon the President's inability to perform the duties of such office. Any action taken by a Vice-President in the performance of the duties of the President shall be conclusive evidence of the absence or inability to act of the President at the time such action was taken.

4.09 Treasurer. The Treasurer shall have custody of all of the Corporation's funds and securities that come into such officer's hands. When necessary or proper, the Treasurer may endorse or cause to be endorsed, in the name and on the behalf of the Corporation, checks, notes, and other obligations for collection and shall deposit or cause to be deposited the same to the credit of the Corporation in such bank or banks or depositories and in such manner as shall be designated and prescribed by the Board of Directors; may sign or cause to be signed all receipts and vouchers for payments made to the Corporation either alone or jointly with such other officer as may be designated by the Board of Directors; whenever required by the Board of Directors, shall render or cause to be rendered a statement of the cash account; shall enter or cause to be entered regularly in the Corporation's books to be kept by such officer for that purpose full and accurate records of all moneys received and paid out on account of the Corporation; shall perform all acts incident to the position of Treasurer subject to the control of the Board of Directors; and he or she shall, if required by the Board of Directors, give such bond for the faithful discharge of his or her duties in such form as the Board may require.

4.10 Secretary. The Secretary shall keep the minutes of all meetings of the Board of Directors in books provided for that purpose; shall attend to the giving and serving of all notices; shall have charge of the Corporation's books, records, documents, and instruments, except the books of account and financial records and securities of which the Treasurer shall have custody and charge, and such other books and papers as the Board of Directors may direct, all of which shall be open at reasonable times to the inspection of any Director upon application at the Corporation's office during business hours; and shall in general perform all duties incident to the office of Secretary subject to the control of the Board of Directors.

4.11 Assistant Treasurers and Assistant Secretaries. The Assistant Treasurers and Assistant Secretaries, if any, shall perform the duties of the Treasurer or Secretary, respectively, when the Treasurer or Secretary is unable to perform such duties and shall perform such other duties as may be assigned to them by the Treasurer or the Secretary, by the Chairperson, or by the Board of Directors.

4.12 Officer's Reliance of Consultant Information. Officers shall discharge their duties in good faith, with ordinary care, and in a manner each officer reasonably believes to be in the Corporation's best interests. In this context, "ordinary care" means the care that ordinarily prudent persons in similar positions would exercise under similar circumstances. An officer shall not be liable if while acting in good faith and with ordinary care, the officer relies on information, reports, or statements, including financial statements and other financial data, concerning the Corporation or any matters pertaining to the Corporation's purposes that were prepared or presented by (a) the City Manager of City, or (b) legal counsel, public accountants, or other persons if such officer reasonably believes the information, reports, or statements are within that person's professional or expert competence. An officer is not relying in good faith if he or she has knowledge that renders such reliance unwarranted or unreasonable.

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ARTICLE 5
COMMITTEES

5.01 Board Committees. Pursuant to, and subject to the terms of, Sections 22.218 and 22.219 of the TBOC, the Board of Directors may from time to time create advisory committees that shall advise the Board of Directors on whatever topic the Board may determine in the resolution that creates the committee. The Board of Directors may appoint individuals who are not members of the Board of Directors to any committee.

5.02 Standing Committees. The Board of Directors may have standing committees as determined from time to time by the Board. Such standing committees shall advise the Board of Directors on whatever topic the Board may determine in the resolution that creates the committee. A list and description of the current standing committees of the Board of Directors shall be maintained and provided to the Board.

5.03 Procedures; Meetings; Quorum. Any committee created by the Board of Directors under these Bylaws, unless otherwise expressly provided herein or in the Board resolution creating such committee, shall (a) have a chair designated by the Board of Directors, (b) fix its own rules or procedures, (c) meet at such times and at such place or places as may be provided by such rules or by resolution of such committee or resolution of the Board, and (d) keep regular minutes of its meetings and cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation; and report the same to the Board at its next succeeding meeting or at such other times as may be designated by the Board. At every meeting of any such committee, the presence of a majority of all the members thereof shall constitute a quorum, and the affirmative vote of a majority of the members present shall be necessary for the adoption by it of any recommendation, unless otherwise provided in the committee's rules or procedures, these Bylaws or by the Board of Directors.

5.04 Term of Office. Unless otherwise expressly provided herein, each member of a committee shall continue as such until his or her successor is appointed, unless the committee shall be sooner terminated, or unless such member be removed from such committee, or unless such member shall cease to qualify as a member thereof.

5.05 Removal. Any member of a committee may be removed by the Board of Directors, with or without cause.

ARTICLE 6
CONTRACTS, CHECKS, AUDITS, DEPOSITS, AND RECORDS

6.01 Contracts, Procurement, and MWBE. All bonds, notes, deed conveyances, franchises, assignments, mortgages, notes, contracts and other instruments of any kind executed in the name of the Corporation must be signed by the President (or by the Vice President acting pursuant to Section 4.08) and one other officer of the Corporation. The corporation shall comply with all state and local procurement laws applicable to a Texas local government corporation. In all contracts executed by the Corporation, Corporation shall comply with the City's Minority and Women-Owned Business Enterprises/Good Faith Effort Plan, as amended, and shall cause all of its contractors to comply with the same requirements.

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6.02 Checks and Drafts. All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed by the Treasurer or an Assistant Treasurer and, if in an amount that exceeds Five Thousand Dollars ($5,000.00), countersigned by the Chairperson, Vice Chairperson, or President of the Corporation.

6.03 Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, depositories, or investment funds or companies as shall be designated from time to time by or in accordance with Board resolution.

6.04 Audits. The Board shall cause to be maintained a proper and complete system of records and accounts of all transactions, business, and affairs of the Corporation. Within six months after the end of each fiscal year, the Board shall cause the preparation of a financial statement for the Corporation, which shall be audited by an independent certified public accountant or firm of independent certified public accountants retained by the Board for such purpose. A copy of such audited financial statement shall be delivered to the Chief Financial Officer of City upon completion but not later than 90 days after the end of the Corporation's fiscal year. The Corporation's fiscal year shall match the City's fiscal year. In addition, the city manager shall have access to the premises, documents, records, and other materials of the Corporation at any reasonable time and shall have the right to audit same. The Corporation shall require that any entity with which it contracts grant a right of audit by the city manager related to the contract and any other dealings with the Corporation or the Property. The Corporation shall reimburse the city manager for any costs of such audits.

6.05 Books and Records. The Corporation shall keep correct and complete books and records of accounts and shall also keep minutes of the proceedings of its Board. All books and records may be inspected by representatives of the City at any time.

6.06 Operating and Capital Budgets. Prior to the commencement of each fiscal year, the Corporation shall deliver to the Chief Financial Officer of City a copy of the annual operating and capital budgets of Corporation, as well as any other financial information requested by the Chief Financial Officer.

6.07 Legal Counsel. The Corporation shall engage legal counsel to advise it on all contracting and procurement matters and other legal issues. Additionally, the Corporation may from time to time seek the advice and counsel of the City Attorney's Office.

ARTICLE 7
INDEMNIFICATION

7.01 Right to Indemnification. Subject to the limitations and conditions as provided in this Article 7 and the Certificate of Formation, each person who was or is made a party or is threatened to be made a party to or is involved in any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative, arbitrative or investigative (hereinafter a "proceeding"), or any

appeal in such a proceeding or any inquiry or investigation that could lead to such a proceeding, by reason of the fact that he or she, is or was a Director or officer of the Corporation shall be indemnified by the Corporation to the fullest extent permitted by the TBOC, as the same exists or may hereafter be amended (but, in the case of any such amendment, only to the extent than such amendment permits the Corporation to provide broader indemnification rights that said law permitted the Corporation to provide prior to such amendment) against judgments, penalties (including excise and similar taxes and punitive damages), fines, settlements and reasonable expenses (including, without limitation, attorneys' fees) actually incurred by such person in connection with such proceeding, and indemnification under this Article 7 shall continue as to a person who has ceased to serve in the capacity which initially entitled such person to indemnity hereunder. The rights granted pursuant to this Article 7 shall be deemed contract rights, and no amendment, modification or repeal of this Article 7 shall have the effect of limiting or denying any such rights with respect to action taken or proceedings arising prior to any such amendment, modification or repeal. Notwithstanding the foregoing, the indemnity described above does not apply to a Director or officer's bad faith or gross negligence, or any illegal act. In addition, Board members are considered Plan members as defined under Chapter 31A of the Dallas City Code. If City incurs any cost under Chapter 31A, the LGC will reimburse the City.

7.02 Advance Payment. The right to indemnification conferred in this Article 7 shall include the right to be paid in advance or reimbursed by the Corporation the reasonable expenses incurred by a person of the type entitled to be indemnified under Section 7.01 above who was, is or is threatened to be made a named defendant or respondent in a proceeding in advance of the final disposition of the proceeding and without any determination as to the person's ultimate entitlement to indemnification; provided, however, that the payment of such expenses incurred by any such person in advance of the final disposition of a proceeding, shall be made only upon delivery to the Corporation of a written affirmation by such Director or officer of his or her good faith belief that he or she has met the standard of conduct necessary for indemnification under this Article 7 and verification satisfactory to the Board as to such person's ability to repay all amounts so advanced if it shall ultimately be determined that such indemnified person is not entitled to be indemnified under this Article 7 or otherwise.

7.03 Appearance as a Witness. Notwithstanding any other provision of this Article 7, the Corporation may pay or reimburse reasonable expenses actually incurred by a Director or officer in connection with his or her appearance or other participation in a legal proceeding involving the Corporation or its business at a time when he or she is not a named defendant or respondent in the proceeding.

7.04 Non-exclusivity of Rights. The right to indemnification and the advancement and payment of expenses conferred in this Article 7 shall not be exclusive of any other right which a Director or officer may have or hereafter acquire under any law (common or statutory) or provision of the Certificate of Formation or these Bylaws.

7.05 Insurance. The Corporation shall, at its expense, secure and maintain at all times such directors and officers liability insurance coverage as is recommended by the Office of Risk Management of City. The Corporation may also purchase and maintain, at its expense, any additional insurance it deems necessary to protect itself and any person who is or was serving as a Director, officer, employee or agent of the Corporation.

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7.06 Notification. Any indemnification of or advance or reimbursement of expenses to a Director or officer in accordance with this Article 7 shall be reported in writing to the members of the Board with or before the notice of the next regular meeting of the Board and, in any case, within the 12-month period immediately following the date of the indemnification, reimbursement, or advance.

7.07 Savings Clause. If this Article 7 or any portion hereof shall be invalidated on any ground by any court of competent jurisdiction, then the Corporation shall nevertheless indemnify and hold harmless each Director, officer or any other person indemnified pursuant to this Article 7 as to costs, charges and expenses (including attorneys' fees), judgments, fines and in amounts paid in settlement with respect to any action, suit of proceeding, whether civil, criminal, administrative or investigative, to the full extent permitted by any applicable portion of this Article 7 that shall not have been invalidated and to the fullest extent permitted by applicable law.

ARTICLE 8
MISCELLANEOUS PROVISIONS

8.01 Supremacy of Certificate of Formation. These Bylaws are subject to and governed by the Certificate of Formation.

8.02 Fiscal Year. The fiscal year of the Corporation shall be the same as the City, or such other consecutive twelve-month period determined by the Corporation and approved by the City. Currently, such fiscal year begins on the first day of October and ends on the last day of September in each year.

8.03 Seal. The Corporation's seal, if any, shall be such as may be approved from time to time by the Board of Directors.

8.04 Notice and Waiver of Notice. Whenever any notice is required to be given by mail under the provisions of these Bylaws, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed postpaid wrapper addressed to the person entitled hereto at such person's post office address, as such appears in the records of the Corporation, and such notice shall be deemed to have been given on the date of such mailing. If transmitted by facsimile or electronic message, such notice shall be deemed to be delivered upon successful transmission of the facsimile or electronic message. A member of the Board of Directors or a committee may waive notice of any meeting. The attendance or participation of a member of the Board of Directors or a committee at any meeting shall constitute a waiver of notice of such meeting unless such attendance or participation is for the purpose of objecting to the failure of notice. A waiver of notice in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to notice.

8.05 Resignations. Any Director, officer or committee member may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time be specified, at the time of its receipt by the President or Secretary. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

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8.06 Gender. References herein to the masculine gender shall also refer to the feminine in all appropriate cases, and vice versa.

8.07 Appropriations and Grants. The Corporation shall have the power to request and accept any appropriation, grant, contribution, donation, or other form of aid from the federal government, the State of Texas, any political subdivision or municipality in the State, or from any other source, except as specifically limited by Section 8.08 herein or in the Certificate of Formation.

8.08 Actions Requiring Prior Council Approval. The following actions must be pre-approved by resolution of the Council before the Board may take any such action:

(1) amendment or restatement of the Bylaws or Certificate of Formation of the Corporation;

(2) acquisition of land;

(3) any action affecting or involving the Property, except as may be delegated to Corporation by written agreement with the City;

(4) any action or decision, including but not limited to applications for grants or other funding, requiring the approval or consent of any federal or state governmental agency or department;

(5) issuance of bonds;

(6) issuance of notes or other evidence of indebtedness with a term greater than one year;

(7) proposing or sponsoring legislation, or calling any election or voter referendum; and

(8) creating a subsidiary entity or any other entity.

ARTICLE 9
CODE OF ETHICS

9.01 Policy and Purposes.

(1) It is the policy of the Corporation that Director and officers conduct themselves in a manner consistent with sound business and ethical practices; that the public interest always be considered in conducting corporate business; that the appearance of impropriety be avoided to ensure and maintain public confidence in the Corporation; and that the Board of Directors establish policies to control and manage the affairs of the Corporation fairly, impartially, and without discrimination.

(2) This Code of Ethics has been adopted as part of the Corporation's Bylaws for the following purposes: (a) to encourage high ethical standards in official conduct by Directors and corporate officers; and (b) to establish guidelines for such ethical standards of conduct.

9.02 Conflicts of Interests.

(1) Except as provided in subsection (3) below, a Director or officer is prohibited from participating in a vote, decision, or award of a contract, and all Board deliberation related to same,

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involving a business entity or real property in which the Director or the officer has a substantial interest, if it is foreseeable that the business entity or real property will be economically benefitted by the action. A person has a substantial interest in a business (i) if his or her ownership interest is ten percent or more of the voting stock or shares of the business entity or ownership of $15,000 or more of the fair market value of the business entity, or (ii) if the business entity provides more than ten percent of the person's gross income. A person has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of $2,500 or more. An interest of a person related in the second degree by affinity (marriage relationship) or the third degree by consanguinity (blood relationship) to a Director or officer is considered a substantial interest.

(2) If a Director or a person related to a Director in the first or second degree by affinity or the first, second, or third degree by consanguinity has a substantial interest in a business entity or real property that would be pecuniary affected by any official action taken by the Board of Directors, such Director, before a vote or decision on the matter, shall file an affidavit stating the nature and extent of the interest. The affidavit shall be filed with the Secretary of the Board.

(3) A Director who has a substantial interest in a business entity that will receive a pecuniary benefit from an action of the Board may vote on that action if a majority of the Board has a similar interest in the same action or if all other similar business entities in the City will receive a similar pecuniary benefit.

(4) An employee of a public entity may serve on the Board.

9.03 Acceptance of Gifts. No Director or officer shall accept any benefit as consideration for any decision, opinion, recommendation, vote or other exercise of discretion in carrying out official acts for the Corporation. No Director or officer shall solicit, accept, or agree to accept any benefit from a person known to be interested in or likely to become interested in any contract, purchase, payment, claim or transaction involving the exercise of the Director's or officer's discretion. As used here, a benefit does not include:

(1) a fee prescribed by law to be received by a Director or officer or any other benefit to which the Director or officer is lawfully entitled or for which he or she gives legitimate consideration in a capacity other than as a Director or officer;

(2) a gift or other benefit conferred on account of kinship or a personal, professional or business relationship independent of the official status of the Director or officer;

(3) an honorarium in consideration for legitimate services rendered above and beyond official duties and responsibilities if:

a. not more than one honorarium is received from the same person in a calendar year;

b. not more than one honorarium is received for the same service; and

c. the value of the honorarium does not exceed $250 exclusive of reimbursement for travel, food, and lodging expenses incurred by the Director or officer in performance of the services;

(4) a benefit consisting of food, lodging, transportation, or entertainment accepted as a guest if reported as may be required by law.

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9.04 Bribery. A Director or officer shall not intentionally or knowingly offer, confer or agree to confer on another, or solicit, accept, or agree to accept from another:

(1) any benefit as consideration for the Director's or officer's decision, opinion, recommendation, vote, or other exercise of discretion as a Director or officer;

(2) any benefit as consideration for the Director or officer's decision, vote, recommendation, or other exercise of official discretion in a judicial or administrative proceeding; or

(3) any benefit as consideration for a violation of duty imposed by law on the Director or officer.

9.05 Nepotism. No Director or officer shall appoint, or vote for, or confirm the appointment to any office, position, clerkship, employment or duty, of any person related within the second degree by affinity or within the third degree of consanguinity to the Director or officer so appointing, voting or confirming, or to any other Director or officer. This provision shall not prevent the appointment, voting for, or confirmation of any person who shall have been continuously employed in any such office, position, clerkship, employment or duty at least thirty days prior to the appointment of the Director or officer so appointing or voting.

9.06 Annual Statements. Each Director and officer shall annually sign a statement which affirms such person:

(1) has received a copy of the Code of Ethics policy, has read and understands the policy, and

(2) has agreed to comply with the policy.

ARTICLE 10
AMENDMENTS TO BYLAWS

These Bylaws may be altered or amended in whole or in part, or repealed and new bylaws may be adopted, by a two-thirds (2/3) vote of the Directors present at any meeting where a quorum of Directors is present, if at least seven (7) days' written notice is given of an intention to alter, amend, or repeal these Bylaws or to adopt new Bylaws at such meeting, and such notice contains the proposed amendment(s). Any proposed alteration, change, amendment, repeal, or adoption of new bylaws approved by the Directors must be approved by the Council to be effective. Alternately, the Bylaws may be altered or amended in whole or in part, or repealed and new bylaws may be adopted, by resolution of the Council.

* * * * *

The undersigned, being the duly elected and qualified Secretary of the Corporation, does hereby certify that the foregoing Bylaws of the Corporation were duly adopted by the Board of Directors of the

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Corporation at a meeting held on _____, 2017, at which a quorum was present and voting throughout.

_____
_____, Secretary

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EXHIBIT C

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TERM SHEET

For the

TRINITY RIVER CORRIDOR
MASTER DEVELOPMENT AND USE AGREEMENT

Between

CITY OF DALLAS,
a Texas municipal corporation

And

THE TRINITY RIVER CORRIDOR LOCAL GOVERNMENT CORPORATION,
a Texas non-profit corporation

1. **Parties**

- The Trinity River Corridor Local Government Corporation, a Texas non-profit corporation (the "LGC")

- The City of Dallas, Texas, a Texas municipal corporation (the "City")

2. **Purpose of Term Sheet**

The purpose of this Term Sheet (the "Term Sheet") is to set out the general understanding of the parties regarding the design, development, funding, construction, operation, and maintenance of various recreational areas to be located in a portion of the Trinity River Corridor, that portion consisting of City fee-owned property being also known as the "Dallas Floodway", located on the Elm and West Forks through the main stem of the Trinity River through Dallas, Texas and ending at the ATSF Bridge, including City fee-owned property inside and within one-quarter mile outside of centerline of the levees (the "Property"). The Dallas Floodway is subject to *the Record of Decision Modified Dallas Floodway Project Feasibility Report and Environmental Impact Statement Dallas, Texas* (the "ROD") and the Balanced Vision Plan (the "BVP"). The ROD was issued by the U. S. Army Corps of Engineers (the "Corps"). The BVP was adopted by the Dallas City Council on December 8, 2003 by Resolution No. 03-3391, and further amended on April 14, 2004 by Resolution No. 04-1252.

All terms contained in this Term Sheet are subject to the negotiation and execution of definitive agreements, specifically a contemplated master development and use agreement (the "Master Development and Use Agreement"), to be entered into between the parties.

Actions or commitments of the City contemplated by this Term Sheet that are governed by applicable law or ordinance require future City Council action are subject to the unqualified discretion of the City Council.

None of the City's boards, commissions, or governing body shall be bound or restricted by anything contained in this Term Sheet. The City makes no representation and provides no assurances to the LGC, and the LGC understands and agrees that any necessary zoning, replatting, abandonment, building inspection, or other approval decisions, including any decision of the City Council, will be made by the appropriate body of the City or another entity, and that such approval is solely within the discretion of that body and may be denied.

The Master Development and Use Agreement and any supplemental agreements documenting the contemplated transaction are subject to approval by the Dallas City Council after approval as to form by the Dallas City Attorney. The Master Development and Use Agreement and any supplemental agreements will contain representations and warranties, covenants, defaults, and other provisions appropriate to agreements of such nature. Each supplemental agreement shall be incorporated in its entirety as part of the Master Development and Use Agreement and to extent of conflict shall be controlling as to its affected recreational development phase.

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3. **The Project**

The development of recreational areas in the Property (the "Project") shall generally consist of the design, development, funding, construction, use, maintenance, and management of various public recreational improvements and infrastructure (the "recreational area facilities"), coupled with various flood risk management improvements as shall be authorized by the City, all to be located within the Dallas Floodway. The Project is anticipated to fulfill the recreational vision of the BVP and the ROD, as they both relate to the Project, through the comprehensive coordination and management of the LGC and the City. In addition, the LGC will not and shall not have authority to undertake or construct any kind of roadway infrastructure except for transportation-related infrastructure incidental to vehicular and pedestrian access to recreational area facilities and which shall function only as private internal recreational vehicular and pedestrian accessways.

Acknowledging the enormousness of realizing the recreational vision components of the ROD and the BVP, the parties agree that all work related to realize the recreational vision shall be phased, subject to prior City Council authorization and approval. The parties shall enter into a Master Development and Use Agreement to govern the Project. Specifically, the Master Development and Use Agreement shall (i) establish the framework and terms for the City's evaluation, review, and authorization of all LGC proposed recreational development for the Project; (ii) authorize the LGC to use, manage, maintain, and operate the completed recreational area facilities located within the Project for a specified term; and (iii) at the election of the City Manager, delegates by written assignment to the LGC of all current recreational facilities subject to agreements between the City and third parties presently serving the Dallas Floodway, to extent not expired. Upon assignment, these recreational facilities and/or applicable third party agreements shall be part of the Project.

For Phase I recreational development within the Project, the LGC specifically shall pursue undertaking the development of the following improvements:

i. Approximately 200 acres of public recreational area facilities space spanning the Dallas Floodway from the Margaret McDermott Bridge on the south to the Ron Kirk Bridge on the north, which shall be named after "Harold Simmons"; and

ii. utilities and other infrastructure supporting the Harold Simmons Park, including but not limited to floodway risk management infrastructure required by the ROD and BVP, to be located in and out of Harold Simmons Park, subject to the City's right to participate in undertaking the floodway related infrastructure described herein.

The parties acknowledge that the Agreement shall only authorize the LGC for Phase I recreational development. Subsequent phases shall be documented in supplements to the Agreement, subject to City Council approval.

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4. **Design and Construction**

A. Design

The LGC will oversee and cause to be performed the planning and design of every recreational development phase of the Project, provided however, the LGC's design obligations for each Project phase shall not be effective until the LGC submits a proposal to the City for the subject recreational development phase and City has provided the LGC with its approval and authorization. The LGC acknowledges and agrees that all planning and design plans shall incorporate and satisfy ROD identified recreational and floodway risk concerns or requirements and any City approval, which shall not be unreasonably withheld, and authorization shall not be required or forthcoming until all Corps reviews have been completed and Corps' requirements have been incorporated into the LGC's final design submittals to the City.

The City will have the right to review plans and specifications relating to every recreational development phase of the Project, to make comments and suggested changes to applicable plans and specifications, and to approve the final plans and specifications for each recreational development phase of the Project, provided that approval of each phase shall not be unreasonably withheld, conditioned, or delayed. Any denial resultant from compliance with the ROD or other federal, state, regional or local requisite requirements shall not be deemed unreasonable.

The LGC will be responsible to satisfy any of the above-mentioned requirements that the City elects not to undertake, including but not limited to assembling, preparing, and scheduling for any planning and design documentation submittals; provided however the LGC shall not independently contact or interface with the Corps but rather direct all interaction with the Corps to the City. Notwithstanding that the City will need to interface with the Corps on behalf of the LGC to assure planning and design compliance with the ROD requirements, the LGC shall be solely responsible for any costs related to reviews and approvals required by the Corps under the Master Development and Use Agreement. The LGC shall also be responsible for all costs incurred by the City to obtain additional support staff and hire consultants for review of any Project design and development plans, including required submissions to the Corps.

B. Construction

The LGC shall undertake all construction required for every recreation development phase of the Project as described in the final design documents, including the plans and specifications. If the design documents include flood risk management construction components, the City, at its election and upon resolution of the City Council, may undertake any related flood risk management construction, including but not limited to levee raising, levee flattening, removal of any trestle and interior drainage improvements. The City may also delegate those activities to

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the LGC in which case they will be completed by the LGC. In either event, the parties shall coordinate the allocation of costs resulting from the City's delegation.

With respect to all recreational development phases of the Project, if selected and authorized by the City, the LGC will manage, and cause the selection, engagement, termination, and replacement of the architects, engineers, construction consultants, and contractors through completion of that recreational development phase of the Project, except as otherwise directed by the City. In selecting such vendors, the LGC will comply with all relevant procurement laws, and will only select vendors that are properly licensed and authorized to do business in the state of Texas.

C. Insurance

The LGC will obtain and maintain insurance as required by the City. LGC will include and cause its contractors to include the City as an additional named insured on all construction contracts and insurance policies entered into by LGC with respect to the Project, and LGC will submit its construction contracts to the City's risk management department for evaluation and review of the appropriateness of such contracts' insurance coverage. The City and LGC will be joint obligees on all performance and payment bonds, in amounts that will be set by the City. LGC will obtain at its expense all building permits, zoning approvals, insurance certificates, payment and performance bonds, and lien waivers from contractors. The LGC will indemnify, defend, and hold harmless the City with regard to design and construction of the Project to the extent such design and construction is the responsibility of the LGC.

D. Funding of Design and Construction

All costs of design and construction of every development phase of the Project will be the sole responsibility of the LGC; provided however that the City, at its election and subject to City Council approval, may elect to undertake and expend public monies for certain costs related to flood risk management design and construction costs necessary to fulfill the ROD, and any applicable planning, engineering, and design agreements with the Corps. The LGC will secure funding from any source for the costs of design and construction, including but not limited to through private donations, federal funds, state funds, local funds, grants, letters of credit, or any other sources of private and public monies available for the Project; provided however with regard to any federal, state, and local funds, or grants (including those from private foundations that have historically granted funds to the City), the LGC shall have obtained the prior approval of the City before seeking such funds. In any event, unless otherwise authorized by the City, the LGC shall not compete for the City's ability to obtain federal, state, and local funds for City projects within the Dallas Floodway. The LGC will provide quarterly reports to the City Manager detailing the results of its fundraising activities.

E. Commencement of Design and Construction

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Unless otherwise provided in a project specific agreement, with respect to each phase of the Project or improvement of existing recreational area facilities subject to assigned third party agreements, the LGC (i) shall commence design work, if applicable, no later than 6 months from City authorization of a recreational development phase; and (ii) shall commence construction work, if applicable, within 36 months of City approval of the completed design and construction plans for said recreational development phase; or improvement of existing recreational area facilities subject to assigned third party agreements. Otherwise, the City's authorization for said recreational development phase may be deemed null and void, and the City may terminate its authorization for the affected recreational development phase; or for any improvement work to existing recreational area facilities subject to assigned third party agreements.

"Commence construction" shall mean that (i) the LGC must enter into an agreement with a contractor to construct the improvements described in the final design and construction plans; (ii) the LGC has secured financing sufficient to complete the improvements; (iii) the LGC has secured all necessary permits and approvals, and; (iv) the LGC has actually begun the work described in the agreement with the contractor. If the LGC fails to meet either deadline, then at the City's sole option the City's prior authorization or approval shall be deemed null and void and of no further effect.

F. Master Development and Use Agreement and Supplemental Phase Specific Agreements.

Notwithstanding that the Master Development and Use Agreement is intended to set a design and construction framework to govern design and construction for every phase of the Project, the parties shall enter into supplemental phase or project specific agreements as shall be appropriate for all LGC recreational development work, including improvement of existing recreational area facilities subject to assigned third party agreements.

5. **Maintenance Costs**

A. Authorized Recreation Areas Maintenance

Upon completion of all construction work required for the effective operational opening of any recreational area facilities within any authorized recreation area, and subject to the oversight and approval of the City Manager, the LGC shall be obligated to operate, manage, and maintain said recreational area facilities within the authorized recreation areas on behalf of the City. The LGC will be solely responsible for funding of the maintenance, operation, and capital improvement of all recreational area facilities within the authorized phased recreation areas for the term of the Master Development and Use Agreement.

Additionally, the LGC shall accept the assignment and assumption of the City's position in current recreational agreements between the City and third parties

presently serving the Dallas Floodway. Provided however such assignment shall be effective only upon written delegation from the City Manager and agreement by the affected third party. Upon such assignment and assumption, the LGC shall be responsible for all City's obligations under said agreements, including but not limited to grants for agreement amendments or extensions; but not for extending any City funding commitments. Any such funding must be authorized by resolution of the City Council.

Aside from City's flood risk management obligations, the City will have no financial obligations for the funding of ongoing maintenance, operation, and improvement of any recreational area facilities within the Dallas Floodway. Under no circumstances shall the LGC's operational and management rights over the recreational area facilities include any flood management infrastructure improvements, regardless of whether the LGC is responsible for construction of such facilities. The flood risk management obligations of the City shall at all times be paramount and superior to the LGC's management and operational functions, and the City shall not be liable for any interference with the LGC's management and operations of authorized recreational area facilities.

B. Dallas Floodway Levee System Infrastructure

Except as otherwise delegated to the LGC by the City, the City will be responsible for the maintenance, operation, and improvement of all floodway infrastructure within the entire Dallas Floodway.

6. **Facilities Ownership**

The City will own all land and capital improvements comprising the Project. To the extent not in conflict with the LGC's authority set forth in its by-laws and certificate of formation, the LGC may delegate its obligations by and through third-party agreements, including but not limited to development, use, and operations agreements.

7. **Term**

Term and Extensions of the Master Development and Use Agreement

Forty (40) years commencing upon the date that the last of the parties executes the Master Development and Use Agreement (such period, the "Primary Term").

The LGC will have three options to extend the Primary Term of the Master Development and Use Agreement, with each extension period to be for an additional ten years, upon the expiration of the Primary Term or any extension term, with each extension term being subject to City Council consent and approval.

8. **Permitted Uses**

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The LGC will have the right and obligation to construct, maintain, and operate the recreational area facilities developed in all authorized recreation areas. The LGC shall also, if delegated by the City Manager, assume City's position and obligations under current recreational agreements between the City and third parties presently serving the Dallas Floodway. Upon completion and acceptance by the City of any recreation area facilities within authorized recreation areas, such recreation areas will be generally open to public use without a general admission fee, but with the right of the LGC to charge reasonable fees for special events and activities. Special events are defined in the Dallas City Code and will be subject to all City of Dallas requirements and other regulatory requisite requirements. The LGC shall manage and operate all special events so as not to interfere with flood risk management activities and to comply with all applicable City ordinances.

The LGC shall not create restricted access to any recreational area facilities. Any parking fee arrangements for access to any recreational area facilities shall be subject to the approval of the City, which shall not be unreasonably withheld.

The LGC will fund and manage the maintenance, programming, security, operation, and capital improvement of all authorized recreation areas and is entitled to all revenues generated by all authorized recreation areas amenities, including, but not limited to, charitable gifts, endowment income, fees, assessments, rents, advertising, promotion and events revenues, and scholarships. All such revenues shall be applied toward maintenance, operation, improvement, and endowment for the authorized recreational areas. At a minimum, the LGC will maintain authorized recreation areas in a manner consistent with the City's standards for maintenance of similar public improvements throughout the City. The LGC shall not mortgage, securitize, or place a lien, or allow a lien to be filed against any authorized recreation areas or on any of the City's facilities or property within the Dallas Floodway.

9. **Consideration**

Subject to compliance with the ROD, consideration from the LGC will be:

i. subject to the City's flood risk management operations, the LGC being responsible for the design and construction of all recreational development phases authorized by the City to be undertaken by the LGC;

ii. subject to the City's flood risk management operations, the LGC being responsible for all programming, maintenance, management and operation of authorized recreation areas as first-class recreational area destinations;

iii. subject to the City's flood risk management operations and local ordinances, the LGC being responsible for all improvement, maintenance, and operation of all recreational area facilities within the Project as facilities generally open to public use without a general admission fee, but with the right of the LGC to charge reasonable fees for specific events and activities;

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iv. **the LGC will indemnify, defend, and hold harmless the City for the term of the Master Development and Use Agreement for claims resulting from the use, management, operation, and maintenance of authorized Recreation Areas, or other action or inaction related to same or the Master Development and Use Agreement, as may be amended, except for claims resulting solely from the City's own negligence or willful misconduct or that of the City's agents, contractors, employees, or consultant;** and

v. Upon assignment and assumption as described hereinabove, the LGC being responsible for all of the City's obligations under the recreational agreements between the City and third parties serving the Dallas Floodway.

10. **Capital Expenses**

The LGC shall be responsible for the cost of all recreation area facilities capital maintenance, improvement, and repair in authorized recreation areas. Unless necessitated by the LGC's recreational area development and operations activities, the City shall be responsible for the cost of flood management facilities capital maintenance, improvement, and repair in the entire Dallas Floodway, subject to City Council appropriations.

11. **Management and Revenues**

Subject to the City's flood risk management operations within the Dallas Floodway and any existing recreational agreements, the LGC (i) will determine and manage the use of all recreational area facilities within authorized recreation areas and related improvements, and (ii) will retain all revenues from the operation of such improvements. The City Manager will approve operating hours for public access. At no cost to the City other than direct event costs, including, but not limited to, clean-up, security, lighting, etc, the City shall have the right to schedule City events within the Project, upon 30 days' notice to the LGC, provided those events do not interfere with events or programs previously scheduled or publicly announced by the LGC prior to the date of the City's notice. The City Manager, will approve rates, fees, and charges for public access to authorized recreation areas within the Project.

The revenues generated by authorized recreation areas (including from conveyance of naming rights) shall be utilized by the LGC solely to fund operation, maintenance, capital improvement, and repair of authorized recreation areas and to provide reserves or an endowment for such purposes, as described herein.

The LGC will maintain its status as a not-for-profit corporation. The LGC will provide the City Manager with its annual operation budget in advance of the next fiscal year, and shall provide audited financial statements to the City Manager within 120 days of the end of each fiscal year. The City will have the right to review and inspect the financial books and records of the LGC relating to the Project, and any future projects and operation and management of authorized recreation areas at any time, and the LGC records are subject to disclosure under the Texas Public Information Act.

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12. **Procurement/Minority and Women-Owned Business Enterprise (M/WBE)**

13. The LGC shall comply with all state and local procurement laws applicable to a Texas local government corporation. In all contracts executed by the LGC, LGC shall comply with the City's Minority and Women-Owned Business Enterprises/Good Faith Effort Plan as amended, and shall cause all of its contractors to comply with the same requirements. **Audit**

The city manager shall have access to the premises, documents, records, and other materials of the LGC at any reasonable time and shall have the right to audit same. The LGC shall reimburse the city manager for any costs of an audit. The LGC shall require that any entity with which it contracts grant a right of audit by the city manager related to the contract and any other dealings with the LGC or the Property.

14. **Liaisons**

The City designates the City Manager as the City's liaison (the "City Liaison") for the Project. The City Manager shall have the power to appoint other City staff as designee in his stead. The City Liaison shall be the LGC's point of contact with the City. The City Liaison shall provide reasonable assistance, as deemed appropriate by the City Manager, in obtaining and conveying relevant information regarding the Project to the appropriate municipal departments, committees, boards, and City Council and for promptly transmitting to the LGC any comments, from any of those bodies, as promptly as reasonably possible. Unless otherwise specified, "City" approval and authorization shall mean approval and authorization by the City Manager. The City Liaison shall be invited to all LGC meetings.

The City Manager, at the City Manager's discretion, shall provide administrative support services for the LGC, and shall perform duties as prescribed by the City Council. The LGC staff functions also may be performed by City staff, as directed by the City Manager, and the LGC shall pay the costs for such services as from time to time shall be billed to the LGC by the City.

The LGC shall be responsible for procuring, at its sole cost, its own legal representation. Upon the City Manager's request, however, the City Attorney shall assign one or more Assistant City Attorneys to assist the LGC or the LGC's legal counsel. At the request of the City Attorney, LGC counsel will provide legal status reports, and will participate from time to time in executive session briefings of the City Council and its committees and the Board of Directors of the LGC.

The LGC, within thirty (30) days of its formation meeting, shall provide the name of its authorized representative (the "LGC Liaison") and the City may reasonably rely on and deal with the LGC Liaison to the maximum extent allowed under law, without further authorization. The LGC shall cause the LGC Liaison to take reasonable steps to coordinate construction of authorized recreational areas within the Project. The LGC Liaison shall update the City Liaison at least monthly on the progress of all LGC activities.

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15. **Marketing and Logo Requirements**

A. The LGC shall not adopt any trademark, trade name, logo, slogan, domain name or other source identifier that is identical to, incorporates, or is confusingly similar to any City trademark or copyright; provided, however, that (i) the LGC may adopt and use the trade name "Trinity River Corridor Local Government Corporation," and (ii) the LGC shall not be restrained from using the word "Dallas" in its ordinary geographic meaning.

B. The LGC shall not use or display any of its own trademarks or copyrighted materials in the design, construction, operation or maintenance of the authorized recreation area(s) nor shall the LGC create any trademarks or copyrighted materials for the Project except as permitted in this Section 15.

C. In the course of the design, construction, operation, management and maintenance of the Project, the LGC shall use the City's then-current trademarks, trade dress and copyrights to brand the authorized recreation areas and all structures thereon. As such, the City grants to the LGC a limited license to use, reproduce, modify and create derivative works of the City trademarks and copyrights relevant to the Project, including but not limited to the word mark THE TRINITY®, the Trinity Logo mark, the City of Dallas "D" logo, and such other trademarks and copyrights the City may permit from time to time (the "City Branding").

D. The LGC will use the City Branding on and in connection with wayfinding signage, safety signage, exterior and interior signage of facilities within the authorized recreation areas, mile markers, temporary construction banners and signage, and the like.

i. The LGC must submit all proposed designs for such signage, together with the specifications for the size and materials of each installation, to the City Manager for approval, which shall not be unreasonably withheld.

ii. To the extent that any such materials incorporate third-party rights or individual likenesses, the LGC represents and warrants that it has obtained the proper licenses and/or releases from the owners of the rights or individuals pictured and, further, LGC will indemnify the City against claims that any material infringes the intellectual property, publicity, privacy or other proprietary rights of a third party.

E. The LGC will use the City Branding on and in connection with advertising, marketing, public relations and other promotional programs for the authorized recreation areas.

i. The LGC shall negotiate, execute (in its own name and not the name of City) and perform all contracts concerning the advertising, marketing, public relations and other promotional programs for the authorized recreation areas.

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ii. Each such advertising, marketing, public relations and/or other promotional program and contract therefor for the LGC's operations shall be in all respects subject to and in compliance with applicable copyright, trademark and trade-name laws.

iii. Each contract shall contain language substantially similar to that found in the Master Development and Use Agreement, including but not limited to (1) requiring approval of any promotional materials by the City Manager, (2) requiring assignment of all rights in and to intellectual property created under such contract to the City; (3) subordinating and subjecting the contract to the terms of the Master Development and Use Agreement and (4) exculpating City from any obligation or liability.

F. The City may also, in its sole discretion, grant to the LGC a limited license to use the City Branding in connection with the production and distribution of promotional items (e.g., clothing, hats, paper products, etc.) for the authorized recreation areas.

i. In the event the LGC requests, and the City grants, such a license, the design for any all promotional items, together with specifications for the materials and quantity of such items and an identification of the supplier from which the items will be sourced, must be submitted to the City Manager for approval, which shall not be unreasonably withheld.

ii. To the extent that any such items incorporate third-party rights or individual likenesses, the LGC represents and warrants that it has obtained the proper licenses and/or releases from the owners of the rights or individuals pictured and, further, **the LGC will indemnify the City against claims that any material infringes the intellectual property, publicity, privacy or other proprietary rights of a third party.**

G. Without limiting the generality of the foregoing or limiting the City's right of approval over all uses of the City Branding, the parties understand and agree that the nature and quality of the derivative works, signage designs, promotional items, and other uses of the City Branding will be equal to or greater than the City's then-current standards for branded materials.

H. The LGC may not, under any circumstances, register or assist or permit any other party to register any domain name that incorporates any trademark or service mark of the City. Should the LGC deem it advisable or desirable to operate a website to promote the authorized recreation area(s), the LGC may request that the City register the desired domain name(s) at the LGC's sole expense, and the City will allow the LGC sufficient access to operate the domain for that purpose.

I. The LGC will not, and will not assist or permit any other party to, challenge the validity of or the City's ownership of the City Branding.

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J. All inventions, improvements, printed and/or digital materials, and other work product created by the LGC or by any permitted subcontractor of the LGC related to or in furtherance of the Project—including, but not limited to, plans, renderings, signage designs, marketing and promotional materials, and all drafts, revisions, translations, and derivative works thereof (the "Project Materials")—shall be at all times owned by the City.

i. The LGC shall assign to the City all right, title and interest in and to any invention, know-how, trademark, trade dress, copyright and related proprietary rights in Project Materials developed and created by the LGC pursuant to the Master Development and Use Agreement.

ii. The LGC will cause each permitted subcontractor to assign to the City all right, title and interest in and to any invention, know-how, trademark, trade dress, copyright and related proprietary rights in Project Materials developed and created by such permitted subcontractor pursuant to its contract with the LGC.

iii. To the extent that any such Project Materials incorporate works of authorship or trademarks that are owned by third parties or in the public domain, the City shall own all other elements of such Project Materials, including but not limited to selection and arrangement of elements and choice of colors or fonts.

iv. The LGC shall, and shall cause each permitted subcontractor to, execute any documents requested by the City to give effect to the intention of this section (J).

v. If for any reason the assignment contemplated by this section (J) is not permitted by law, then the LGC shall, and shall cause each permitted subcontractor to, grant to the City a perpetual, exclusive, royalty-free license to use such Project Material(s).

K. Neither the LGC nor any permitted subcontractor shall use any Project Materials unless such use is for the sole and exclusive purpose of promoting the Project and the City's interests in the Project as authorized under the Development and Use Agreement.

i. For clarity, no Project Material shall be used or displayed to advertise, solicit business for or otherwise promote the LGC or a permitted subcontractor unless expressly authorized by the City in writing in advance of such use.

ii. Notwithstanding the foregoing, the LGC will be permitted to display plans and/or renderings for the Project if and only if such plans and/or renderings have been approved by the City as to concept and are conspicuously marked as "preliminary" in each such display.

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16. **Naming Rights**

The LGC will have the right to sell, license, or otherwise convey the naming rights to authorized recreation areas and all recreational area facilities located in the authorized recreation areas, including naming rights for improvements or subparts of authorized recreation areas, and to any and all programs, series, and other events held in authorized recreation areas, subject to approval of the City Manager, which approval shall not be unreasonably withheld.

City approval shall not be deemed to be unreasonably withheld if the City Manager reasonably believes that a particular name would be tarnish or call into question the City's reputation or otherwise associate the City with an individual or organization whose values are inconsistent with the City's values.

Upon the City Manager's approval of the conveyance of naming rights to authorized recreation area(s) and facilities, improvements, or programs located and/or held thereon (each a "Named Property"), the LGC will enter into a suitable naming rights agreement with the grantor of the right. Any such agreement shall provide for a limited license allowing the City to do each of the following for the purpose of promoting and/or operating the Named Property: (1) use the grantor's name, (2) incorporate the grantor's name into or combine the grantor's name with City Branding, (3) register one or more domains incorporating the grantor's name, and (4) own and/or register any trademarks or copyrights that incorporate the grantor's name, provided that the City will disclaim any rights in grantor's name apart from the overall mark or design. The LGC will submit to the City Attorney a copy of the proposed naming rights agreement for review and evaluation.

The City reserves the right to require renaming if a named corporation ceases to exist or if a named individual or corporation is convicted of a felony or a crime of moral turpitude.

17. **Use of Names in City Publicity Efforts**

During the term of the Master Development and Use Agreement, the City (i) will endeavor to use the name of the commercial or other sponsors of authorized recreation areas including any recreational area facilities (and any and all applicable programs, series, or other events held therein) in City-funded advertisements that make reference to authorized recreation areas (or such programs, series, or other events held therein), and (ii) will use reasonable efforts to cause organizations funded in whole or in part by the City (including, without limitation, the Dallas Convention Visitors Bureau and any similar or successor organization) to use such names in advertisements that are funded by such organizations and that make reference to authorized recreation areas (or to any programs, series, or other events held therein). Notwithstanding the foregoing, the City shall not be required to incur any additional cost or expense in ensuring said use. The LGC shall ensure that the City is free to use said images and names without cost.

18. Termination.

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The City shall have the right to terminate this Agreement at any time, with or without cause, whereupon the city shall assume all of the LGC's obligations and rights thereunder.

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Annette C. Simmons

September 15, 2016

The Trinity Trust
1444 Oak Lawn Avenue
Suite 200
Dallas, Texas 75207

Re: $50 Million Contribution for
The Harold Simmons Park

Ladies and Gentlemen,

I am pleased to make a commitment to fund $50 Million as a contribution to The Trinity Trust (the "Trust") for the creation of a park in the Trinity from the Margaret McDermott Bridge on the south to the Ron Kirk Bridge on the north, to be named, in perpetuity, The Harold Simmons Park (the "Park"). $10 Million of this commitment is a current gift, to be expended by the Trust for the purposes of planning, designing, promoting and constructing the Park (the "Purposes"). The remaining $40 Million of my gift, also to be used for the Purposes, will be contingent upon my, or in the event of my incapacity or death, my attorney-in-fact's or my executor's, reasonable satisfaction no later than the third anniversary of the date of this letter, with:

1. Governance, management and operations for the Park; and

2. Funding commitments sufficient for the construction, maintenance and operation of the Park.

Thank you for cultivating the Trinity, in accordance with the Balanced Vision Plan approved by Dallas Citizens, as the iconic resource that our Trinity will become in connecting, binding, nurturing, inspiring and elevating the future of our City for all Citizens of Dallas.

With great enthusiasm for this grand endeavor,

Annette Simmons